



BOARD OF ZONING ADJUSTMENTS

Draft Agenda

October 13, 2014

MEETING INFORMATION

Location

City Council Chambers

1st Floor, City Hall
1300 Perdido Street
New Orleans, Louisiana

Time

10:00 a.m.

Board Members

Candice M. Forest – Chair

Todd C. James – Vice Chair

Denise C. Puente

Andrew P. Sanchez, Jr.

Thomas McCall Screen

Alyssa Wenck Rambeau

Bishop J.D. Wiley

The general public cannot speak
with the members personally.

The Board of Zoning Adjustments consists of seven citizen members appointed by the Mayor and approved by the City Council. The City Charter grants the Board the power to permit exceptions to or variations from the City's zoning regulations and to hear decision appeals from the Director of the Department of Safety and Permits in accordance with the principles, conditions, and procedures set forth in Article 14 of the City's Comprehensive Zoning Ordinance. The decision made by the Board will be provided in the form of a resolution. The resolution should be produced by **October 23, 2014**.

General Rules of Order

Robert's Rules of Order govern the conduct of the meeting. Any member of the public may speak on any matter before the Board. If you wish to appear before the Board, please fill out a Speaker Card and place it in the Lucite box in the far wall in the Council Chambers. When you are recognized by the Chairperson, state your name and address and speak directly into the microphone.

Appeals

Any person or persons, or any officer, department, commission, board, bureau, or any other agency of the City of New Orleans jointly or singularly aggrieved by any decision of the Board of Zoning Adjustments may present to the Civil District Court of the Parish of Orleans, within thirty (30) days after filing of the decision in the office of the Board, a writ of certiorari asking for such relief and under such rules and regulations as are provided for such matters in appropriate legislation of the State of Louisiana.

This is the Draft Agenda

Should you wish to view an application you may do so online at onestopapp.nola.gov. The requested waivers are subject to change prior to the hearing. Should you wish to submit comments on any of the matters included in the agenda, you may do so in the following ways:

e-mail – CPCinfo@nola.gov or the planner listed on the agenda
Mail – 1340 Perdido Street Room 7W03, New Orleans, Louisiana 70112
Fax – 504-658-7032

All written correspondence should include the docket number and be made to the attention of the Staff of the Board of Zoning Adjustments.

A. Call to Order and Roll Call, Adoption of Minutes and Reading of Hearing Rules

B. BZA Dockets – Unfinished Business

ITEM 1 – Docket Number: 165-14

Applicant or Agent: Jeffery Treffinger
Property Location: 617 Piety Street **Zip:** 70117
Bounding Streets: Piety St., Royal St., Chartres St., & Desire St.
Zoning District: LI Light Industrial District
Historic District: Bywater Local Historic District **Planning District:** 7
Existing Use: Restaurant **Square Number:** 139
Proposed Use: Restaurant **Lot Number:** M-1 & N-1
Project Planner: Stephen Kroll (skroll@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 15, Section 15.2.1 (Table 15.A) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the expansion of an existing restaurant with insufficient off-street parking. **(AFTER THE FACT)**

Requested Waiver:

Section 15.2.1 (Table 15.A) - Off-Street Parking

Required: 5 Spaces Provided: 0 Spaces Waiver: 5 Spaces



ITEM 2 – Docket Number: 168-14

Applicant or Agent: Robert M Steinberg
Property Location: 636 Webster Street **Zip:** 70118
Bounding Streets: Webster St., Constance St., Patton St., & Henry Clay St.
Zoning District: RD-4 Two-Family Residential District
Historic District: N/A **Planning District:** 5
Existing Use: Single-Family Residence **Square Number:** 23
Proposed Use: Single-Family Residence **Lot Number:** 13 & 14
Project Planner: Nicolette P. Jones (nipjones@nola.gov)

Request Citation: This request is for variances from the provisions of Article 15, Section 15.2.1 (Table 15.A) of the Comprehensive Zoning Ordinance

Request: This request is to permit the construction of a parking pad in the required corner lot side yard and a garage with insufficient minimum setback from a corner lot side yard property line.

Requested Waivers:

Section 15.5.12(3) – Accessory Buildings and Structures Corner Lots (Projection)

Required: 10' Proposed: 2'-6" Waiver: 7'-6"

Section 15.2.3 – Parking in Front Yards

Permitted: 0 Proposed: 1 Space Waiver: 1 Space



ITEM 3 – Docket Number: 169-14

Applicant or Agent: Kernan Hand
Property Location: 6010 Vermillion Boulevard **Zip:** 70122
Bounding Streets: Vermillion Blvd., Burbank Dr., Pasteur Blvd., & Robert E. Lee Blvd.
Zoning District: RD-2 Two-Family Residential District
Historic District: N/A **Planning District:** 6
Existing Use: Vacant Lot **Square Number:** D
Proposed Use: Two-Family Residence **Lot Number:** 136-D
Project Planner: Editha Amacker (evamacker@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 4, Section 4.5.7 (Table 4.E) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a two-family residence with insufficient minimum lot width.

Requested Waiver:

Section 4.5.7 (Table 4.E) – Lot Width (Two-Family Residence)

Required: 50' Provided: 46' Waiver: 4'



ITEM 4 – Docket Number: 171-14

Applicant or Agent: Zangara + Partners
Property Location: 1456 Camp Street **Zip:** 70130
Bounding Streets: Camp St., Magazine St., Euterpe St., & Race St.
Zoning District: RM-2A Multiple-Family Residential District
Historic District: Lower Garden District Local Historic District **Planning District:** 2
Existing Use: Single-Family Residence **Square Number:** 151
Proposed Use: Single-Family Residence **Lot Number:** 24 & 25
Project Planner: Nicholas Kindel (njkindel@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 15, Section 15.5.12(2) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of an accessory structure within three (3') feet of the rear property line. **(AFTER THE FACT)**

Requested Waiver:

Section 15.5.12(2) – Accessory Structures - Rear Yards

Required: 3' Provided: 0' Waiver: 3'

C. BZA Dockets – New Business

ITEM 5 – Docket Number: 180-14

Applicant or Agent: James A. Embry, III
Property Location: 725 Nashville Avenue **Zip:** 70115
Bounding Streets: Nashville Ave., Magazine St., Arabella St., & Constance St.
Zoning District: RM-4 Multiple-Family Residential District
Historic District: N/A **Planning District:** 3
Existing Use: Single-Family Residence **Square Number:** 25
Proposed Use: Single-Family Residence **Lot Number:** 6
Project Planner: Nicolette P. Jones (nipjones@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 15, Section 15.2.3 of the Comprehensive Zoning Ordinance.

Request: This request is to permit off-street parking in the required front yard area.

Requested Waiver:

Section 15.2.3 – Parking in Front Yards

Permitted: 0 Spaces Provided: 1 Space Waiver: 1 Space



ITEM 6 – Docket Number: 181-14

Applicant or Agent: Marc Grimaldi, Integrity Trading Group LLC
Property Location: 420 32nd Street **Zip:** 70124
Bounding Streets: 32nd St., Fleur de Lis Dr., Bellaire Dr., & 33rd St.
Zoning District: LRS-1 Lakeview Single-Family Residential District
Historic District: N/A **Planning District:** 5
Existing Use: Vacant Lot **Square Number:** 31
Proposed Use: Single-Family Residence **Lot Number:** C
Project Planner: Kelly Bulter (kgbutler@nola.gov)

Request Citation: This request is for variances from the provisions of Article 9A, Section 9A.1.7 (Table 9A.A) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a single-family residence with insufficient minimum lot depth, minimum depth of front yard and minimum depth of rear yard.

Requested Waivers:

Section 9A.1.7 (Table 9A.A) – Minimum Lot Depth

Required: 90' Provided: 60' Waiver: 30'

Section 9A.1.7 (Table 9A.A) – Minimum Depth of Front Yard

Required: 20' Provided: 12' Waiver: 8'

Section 9A.1.7 (Table 9A.A) – Minimum Depth of Rear Yard

Required: 20' Provided: 12' Waiver: 8'



ITEM 7 – Docket Number: 182-14

Applicant or Agent: Megan A. Fuselier
Property Location: 2618 St. Thomas Street **Zip:** 70130
Bounding Streets: St. Thomas St., Rousseau St., Third St., & Fourth St.
Zoning District: RD-3 Two-Family Residential District
Historic District: Irish Channel **Planning District:** 2
Existing Use: Vacant **Square Number:** 49
Proposed Use: Single-Family Residence **Lot Number:** A
Project Planner: Brooke Perry (btperry@nola.gov)

Request Citation: This request is for variances from the provisions of Article 4, Section 4.6.7 (Table 4.F) of the Comprehensive Zoning Ordinance

Request: This request is to permit the construction of a single-family residence with insufficient minimum depth of front yard and minimum depth of rear yard.

Requested Waivers:

Section 4.6.7 (Table 4.F) – Minimum Depth of Front Yard

Required: 20' Provided: 0' Waiver: 20'

Section 4.6.7 (Table 4.F) – Minimum Depth of Rear Yard

Required: 20' Provided: 3' Waiver: 17'



ITEM 8– Docket Number: 183-14

Applicant or Agent: Richard Choate, 535 Iberville LLC
Property Location: 533-535 Iberville Street **Zip:** 70130
Bounding Streets: Iberville St., Chartres St., Decatur St., & Bienville St.
Zoning District: VCR-2 Vieux Carré Residential District
Historic District: Vieux Carré **Planning District:** 1b
Existing Use: Vacant Office **Square Number:** 30
Proposed Use: Multi-Family Residence **Lot Number:** L-1
Project Planner: Dubravka Gilic (dgilic@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 8, Section 8.5.7 (Table 8.D) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the renovation of a vacant office building into a multiple-family residence with excessive height.

Requested Waiver:

Section 8.5.7 Table 8.D – Maximum Height from Grade

Required: 50' (89' existing) Proposed: 92' Waiver: 3'



ITEM 9 – Docket Number: 184-14

Applicant or Agent: Matthew Schwartz, Alfred Hayes
Property Location: 3222 Coliseum Street **Zip:** 70115
Bounding Streets: Coliseum St., Chestnut St., Harmony St., & Pleasant St.
Zoning District: RD-2 Two-Family Residential District
Historic District: Garden District Local Historic District **Planning District:** 2
Existing Use: Single-Family Residence **Square Number:** 189
Proposed Use: Single-Family Residence **Lot Number:** 6, 7, 8, 9, & 2
Project Planner: Editha Amacker (evamacker@nola.gov)

Request Citation: This request is for variances from the provisions of Article 15, Section 15.5.7.1(b) and Article 15, Section 15.5.12(1) of the Comprehensive Zoning Ordinance.

Request: This request is to permit an addition to an accessory structure with less than two feet open to the sky and an encroachment into the required side yard area.

Requested Waivers:

Section 15.5.5.7.1(b) – Yards and Open Space (Open to the Sky)

Permitted: 2' Proposed: 1' 6" Waiver: 6"

Section 15.5.5.12(1) – Accessory Buildings and Structures (Side Yards)

Permitted: 0' or 3' Proposed: 2' Waiver: 1'



ITEM 10 – Docket Number: 185-14

Applicant or Agent: Mary I. Blue
Property Location: 815 Valence Street **Zip:** 70115
Bounding Streets: Valence St., Magazine St., Constance St. & Cadiz St.
Zoning District: RM-2 Multiple-Family Residential District
Historic District: N/A **Planning District:** 3
Existing Use: Single-Family Residence **Square Number:** 200
Proposed Use: Single-Family Residence **Lot Number:** 13 & 14
Project Planner: Valerie McMillan (vamcmillan@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 4, Section 4.9.7 (Table 4.I) of the Comprehensive Zoning Ordinance.

Request: This request is to permit an addition onto an existing single-family residence causing insufficient minimum aggregate width of side yards.

Requested Waiver:

Section 4.9.7 Table 4.I – Aggregate Width of Side Yards

Required: 20% (12') Provided: 5' 10" Waiver: 6' 2"



ITEM 11 – Docket Number: 186-14

Applicant or Agent: Kristopher Doll
Property Location: 2352 St. Claude Avenue **Zip:** 70117
Bounding Streets: St. Claude Ave., Spain St., St. Roch Ave., & N. Rampart St.
Zoning District: HMC-2 Historic Marigny/Treme Commercial District
Historic District: Faubourg Marigny Local Historic District **Planning District:** 7
Existing Use: Retail Appliance Store **Square Number:** 370
Proposed Use: Restaurant **Lot Number:** 5
Project Planner: Nicholas Kindel (njkindel@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 15, Section 15.2.1 (Table 15.A) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the conversion and renovation of an existing retail store to a restaurant with insufficient off-street parking.

Requested Waiver:

Section 15.2.1 (Table 15.A) - Off-Street Parking

Required: 8 Spaces Provided: 0 Spaces (2 Grandfathered) Waiver: 6 Spaces



ITEM 12 – Docket Number: 187-14

Applicant or Agent: Martinez Investments, LLC, Sigfredo Construction
Property Location: 3019 Delachaise Street **Zip:** 70125
Bounding Streets: Delachaise St., Claiborne Ave., Louisiana Ave., & Roman St.
Zoning District: RD-2 Two-Family Residential District
Historic District: N/A **Planning District:** 3
Existing Use: Vacant Lot **Square Number:** B
Proposed Use: Two-Family Residence **Lot Number:** 31
Project Planner: Brooke Perry (btperry@nola.gov)

Request Citation: This request is for variances from the provisions of Article 4, Section 4.5.7 (Table 4.E) and Article 15, Section 15.2.1 (Table 15.A) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a two-family residence with insufficient minimum lot width, insufficient minimum lot area, insufficient aggregate width of side yards and insufficient off-street parking.

Requested Waivers:

Section 4.5.7 (Table 4.E) – Minimum Lot Area	
Required: 5,000 sq. ft. Provided: 4,080 sq. ft.	Waiver: 920 sq. ft.
Section 4.5.7 (Table 4.E) – Minimum Lot Width	
Required: 50’ Provided: 30’	Waiver: 20’
Section 4.5.7 (Table 4.E) – Aggregate Width of Side Yards	
Required: 10’ Provided: 6’	Waiver: 4’
Section 15.2.1 (Table 15.A) – Off-Street Parking	
Required: 2 Spaces Provided: 1 Space	Waiver: 1 Space



ITEM 13 – Docket Number: 188-14

Applicant or Agent: SBP Real Estate, Inc.
Property Location: 2635-2645 Toulouse Street **Zip:** 70119
Bounding Streets: Toulouse St., St. Peters St., N. Broad St., & N. Dorgenois St.
Zoning District: LI Light Industrial District
Historic District: N/A **Planning District:** 4
Existing Use: Vacant Warehouse/Commercial **Square Number:** 337
Proposed Use: Mixed-Use (Office/Commercial) **Lot Number:** Proposed Lot A
Project Planner: Stephen Kroll (skroll@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 15, Section 15.2.1 (Table 15.A) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the conversion of a vacant warehouse/commercial building to a multiple-family residence with insufficient off-street parking.

Requested Waiver:

Section 15.2.1 (Table 15.A) - Off-Street Parking

Required: 79 Spaces Provided: 58 Spaces Waiver: 21 Spaces



ITEM 14 – Docket Number: 189-14

Applicant or Agent: SBP Real Estate, Inc.
Property Location: 2635-2645 Toulouse Street **Zip:** 70119
Bounding Streets: Toulouse St., St. Peters St., N. Broad St., & N. Dorgenois St.
Zoning District: LI Light Industrial District
Historic District: N/A **Planning District:** 4
Existing Use: Vacant Warehouse/Commercial **Square Number:** 337
Proposed Use: Mixed-Use (Office/Commercial) **Lot Number:** Proposed Lot A
Project Planner: Stephen Kroll (skroll@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 15, Section 15.2.1 (Table 15.A) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the conversion of a vacant warehouse/commercial building to a mixed-use (commercial/office) building with insufficient off-street parking.

Requested Waiver:

Section 15.2.1 (Table 15.A) - Off-Street Parking

Required: 48 Spaces Provided: 27 Spaces Waiver: 28 Spaces



ITEM 15 – Docket Number: 190-14

Applicant or Agent: Rice Building LLC, Walter Antin
Property Location: 233 North Peters Street **Zip:** 70130
Bounding Streets: N. Peters St., Clinton St., Bienville St., & Iberville St.
Zoning District: VCE-1 Vieux Carré Entertainment District
Historic District: Vieux Carré **Planning District:** 1b
Existing Use: Mixed-Use **Square Number:** 6
Proposed Use: Mixed-Use **Lot Number:** 9
Project Planner: Dubravka Gilic (dgilic@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 8, Section 8.5.7 (Table 8.D) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the renovation of an existing mixed-use building and the construction of seven (7) dwelling units with insufficient minimum lot area per dwelling unit.

Requested Waiver:

Section 8.5.7 (Table 8.D) – Minimum Lot Area per Dwelling Unit

Required: 600 sq. ft. Provided: 564 sq. ft. Waiver: 36 sq. ft.



ITEM 16 – Docket Number: 191-14

Applicant or Agent: Louis Wells, Gail Wells
Property Location: 2511 Laurel Street **Zip:** 70130
Bounding Streets: Laurel St., Constance St., Second St., & Third St.
Zoning District: RD-3 Two-Family Residential District
Historic District: Irish Channel Local Historic District **Planning District:** 2
Existing Use: Single-Family Residence **Square Number:** 112
Proposed Use: Single-Family Residence **Lot Number:** 1-A
Project Planner: Nicolette P. Jones (nipjones@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 4, Section 4.6.7 (Table 4.F) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a single-family residence with an insufficient minimum depth of rear yard.

Requested Waivers:

Section 4.6.7 (Table 4.F) – Minimum Depth of Rear Yard

Required: 20' Provided: 0' Waiver: 20'



ITEM 17 – Docket Number: 192-14

Applicant or Agent: Charles Blaque, Virginia Blaque
Property Location: 235-237 South Pierce Street **Zip:** 70119
Bounding Streets: S. Pierce St., Palmyra St., Carrollton Ave., & Cleveland Ave.
Zoning District: RD-3 Two-Family Residential District
Historic District: N/A **Planning District:** 4
Existing Use: Single-Family Residence **Square Number:** 757
Proposed Use: Two-Family Residence **Lot Number:** 19
Project Planner: Dale Thayer (dwthayer@nola.gov)

Request Citation: This request is for a variance from the provisions Article 15, Section 15.2.1 (Table 15.A) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the conversion of a single-family residence to a two-family residence with insufficient off-street parking.

Requested Waiver:

Section 15.2.1 (Table 15.A) – Off-Street Parking

Required: 2 Spaces Provided: 0 Spaces Waiver: 2 Spaces



ITEM 18 – Docket Number: 193-14

Applicant or Agent: R. Joshua Koch
Property Location: 1323 Webster Street **Zip:** 70118
Bounding Streets: Webster St., Pitt St., State St., & Prytania St.
Zoning District: RD-2 Two-Family Residential District
Historic District: N/A **Planning District:** 3
Existing Use: Single-Family Residence **Square Number:** 49
Proposed Use: Single-Family Residence **Lot Number:** A-1
Project Planner: Dale Thayer (dwthayer@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 15, Section 15.6.1 of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a fence with excessive height.

Requested Waiver:

Section 15.6.1 – Fences, Walls, and Hedges (Height)

Permitted: 7' Proposed: 10' Waiver: 3'



ITEM 19 – Docket Number: 194-14

Applicant or Agent: Darrin L. Campagne
Property Location: 2435 Robert Street **Zip:** 70115
Bounding Streets: Robert St., Magnolia St., S. Robertson St., & Upperline St.
Zoning District: RD-2 Two-Family Residential District
Historic District: N/A **Planning District:** 3
Existing Use: Single-Family Residence **Square Number:** 618
Proposed Use: Two-Family Residence **Lot Number:** A
Project Planner: Nicholas Kindel (njkindel@nola.gov)

Request Citation: This request is for variances from the provisions of Article 4, Section 4.5.7 (Table 4.E) and Article 15, Section 15.5.8(3) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a two-family residence with insufficient minimum lot area and insufficient minimum width of a corner lot side yard.

Requested Waivers:**Section 4.5.7 (Table 4.E) – Minimum Lot Area**

Required: 5,000 sq. ft. Provided: 4,800 sq. ft. Waiver: 200 sq. ft.

Section 15.5.8(3) - Front Yards (Corner Lots)

Required: 10' Provided: 3' Waiver: 7'

**ITEM 20 – Docket Number: 195-14**

Applicant or Agent: Gary Zapata, Volunteers of America Greater New Orleans
Property Location: 3801 Pitt Street **Zip:** 70115
Bounding Streets: Pitt St., General Taylor St., Peniston St., & St. Charles Ave.
Zoning District: RM-2A Multiple-Family Residential District
Historic District: St. Charles Avenue Local Historic District **Planning District:** 2
Existing Use: Recovery Care Center **Square Number:** 382
Proposed Use: Recovery Care Center **Lot Number:** A
Project Planner: Nicolette P. Jones (nipjones@nola.gov)

Request Citation: This request is for the extension of a building permit as per Article 13, Section 13.3.2 of the Comprehensive Zoning Ordinance.

Request: This request is to permit the extension of building permit 13-34688-RNVN for the renovation of a non-conforming rehabilitative/recovery care center.

Requested Waiver:**Section 13.3.2 – Procedures**

Permitted: 12 Months Proposed: 24 Months Waiver: 12 Months

D. Director of Safety and Permits Decision Appeals – New Business

ITEM 21 – Docket Number: 196-14

Applicant or Agent: Margie Kahn
Property Location: 1115-1117 Robert Street **Zip:** 70115
Bounding Streets: Robert St., Coliseum St., Chestnut St., & Upperline St.
Zoning District: RD-2 Two-Family Residential District
Historic District: N/A **Planning District:** 3
Existing Use: Single-Family Residence **Square Number:** 296
Proposed Use: Single-Family Residence **Lot Number:** 22

Request Citation: This is an appeal of a decision of the Director the Department of Safety and Permits as per Article 14, Section 14.5 of the Comprehensive Zoning Ordinance.

Request: This is an appeal of the Director of the Department of Safety and Permits regarding the grandfathering of excessive paving within the required front yard area.

E. Adjournment