



CITY OF NEW ORLEANS

BOARD OF ZONING ADJUSTMENTS

1300 PERDIDO STREET | ROOM 7W03 | NEW ORLEANS, LOUISIANA 70112

NOTICE: DISPOSITION OF ZONING CASE – BZA DOCKET 031-22

This Variance Request Has Been **APPROVED, IN PART, AND GRANTED MODIFIED APPROVAL, IN PART**

Applicant or Agent:	Caitlyn M. Beltrani, Webre Consulting	
Property Location:	2223-2225 St. Philip Street	Zip: 70119
Bounding Streets:	St. Philip St., N. Miro St., Ursulines Ave., N. Galvez St.	
Zoning District:	HU-RD2 Historic Urban Two-Family Residential District	
Historic District:	Tremé	Planning District: 4
Existing Use:	Two-Family Residence	Square Number: 286
Proposed Use:	Two-Family Residence	Lot Number: 4-A

Whereas, the above request was heard by the Board of Zoning Adjustments at its public hearing of **Monday, May 2, 2022**; and

Whereas, the applicant appeared before the Board seeking relief from the Comprehensive Zoning Ordinance, No. 4264 M.C.S., as amended, as it applies to Article 11, Section 11.3.A.1 (Table 11-2A) – Rear Yard Setback and Article 11, Section 11.3.A.1 (Table 11-2A) – Minimum Permeable Open Space to permit an addition to a two-family residence resulting in insufficient permeable open space and insufficient rear yard setback (**AFTER THE FACT**), as indicated below:

Requested Waivers:

Article 11, Section 11.3.A.1 (Table 11-2A) – Permeable Open Space

Required: 22.3% (715 sf) Proposed: 3.4% (110 sf) Waiver: 18.9% (605 sf)

Article 11, Section 11.3.A.1 (Table 11-2A) – Rear Yard

Required: 15 ft Proposed: 4 ft, 11 in Waiver: 10 ft, 1 in

And Whereas, the Board carefully considered the facts and arguments for and against the application at the public hearing, and after considering the Comprehensive Zoning Ordinance, No. 4264 M.C.S., as amended, the Board is of the opinion that the weight of the evidence indicates that the approval standards for variances of **Article 4, Section 4.6.F** of the Comprehensive Zoning Ordinance have been met as it pertains to the requested variance of **Article 11, Section 11.3.A.1 (Table 11-2A) – Rear Yard** and have not been met as it pertains to the requested variance of **Article 11, Section 11.3.A.1 (Table 11-2A) – Permeable Open Space** for 18.9% (605 sf) but have been met as it pertains to a modified variance of 3.7% (119 sf); therefore, a motion was made by **Ramiro Diaz** and seconded by **Alfonso Gonzalez, II** for **APPROVAL** of the requested variance of **Article 11, Section 11.3.A.1 (Table 11-2A) – Rear Yard** and **MODIFIED APPROVAL** of the requested variance of **Article 11, Section 11.3.A.1 (Table 11-2A) – Permeable Open Space**, approving a waiver of 3.7% (119 sf), subject to the following provisos:

1. **Prior** to the issuance of a building permit by the Department of Safety and Permits, the applicant shall submit revised site, floor, and architectural elevation plans of the subject site to the Board of Zoning Adjustments staff for review and approval. These plans shall be the plans for which the building permit is issued.
2. The applicant shall provide a site plan approved by the Department of Public Works indicating the following:
 - All necessary or otherwise proposed sidewalk repairs or modifications
 - Note: Sidewalk material, dimensions, and style, including landscaping strips (where present) should generally conform to the style along the same block face, subject to the approval of the Department of Public Works
 - Removal of all abandoned or nonconforming driveways and/or curb cuts in the adjacent public right-of-way, per City Ordinance Sec. 146-153.
 - Note: Curb cuts shall be restored with curbing matching predominant curb along the block face, subject to the approval of the Department of Public Works
3. The applicant shall plant one (1) street tree in the public right-of-way adjacent to the site for every thirty (30) feet or fraction thereof, of street frontage, subject to the review and approval of the Department of Parks and Parkways.

4. Prior to the issuance of a Certificate of Occupancy by the Department of Safety and Permits, the applicant shall remove the concrete in the side yards to provide a permeable open space of 18.6% (596 sf).

Voting for the Resolution: Candice Forest, Todd James, Tamara Agins, Ramiro Diaz, Alfonso Gonzalez, II, Matthew Rufo

Voting Against the Resolution: None

Abstaining from the Resolution: None

Absent: José Alvarez

Approved, in part, and granted Modified Approval, in part by the Board of Zoning Adjustments,



Approved for Candice Forest

Candice Forest, Chair

Note for approved variance requests: If your resolution has no provisos, you may proceed with the permitting process with the Department of Safety and Permits. If your resolution has provisos, your approval is contingent on the condition that you meet the provisos listed in the resolution, as verified by Board of Zoning Adjustments staff. In accordance with Article 4, Section 4.6.G of the CZO, a variance expires one (1) year from the date of approval unless a building permit is obtained and substantial construction is started or the use is commenced within such period. In the event an extension is necessary, a request shall be submitted prior to the expiration of the variance (i.e., within one (1) year from the date of approval).