CITY OF NEW ORLEANS

BOARD OF ZONING ADJUSTMENTS

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

NOTICE: DISPOSITION OF ZONING CASE – BZA109-25

This Appeal Has Been **DENIED**

Property Location: 1407 S. Carrollton Avenue
Zoning District: HU-B1 Historic Urban Neighborhood Business District
Historic District: Carrollton
Existing Use: Medical Clinic
Proposed Use: Retail Goods Establishment
Applicant or Agent: Law Firm of Justin Schmidt

Whereas, the above appeal was heard by the Board of Zoning Adjustments at its public hearing of **Monday, December 8, 2025**; 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 4, Section 4.8 of the Comprehensive Zoning Ordinance, as indicated below:

Request: This is an appeal of the February 12, 2025 (publicly noticed on October 9, 2025), decision of the Director of the Department of Safety and Permits, regarding the determination of zoning verification no. 24-1348 that a medical marijuana pharmacy dispensary is permitted as a retail goods establishment in the HU-B1 Historic Urban Neighborhood Business District, alleging that the verification fails to cite specific reasons for the verifications per Article 4.9.B; the verification does not acknowledge that the proposed use requires a conditional use because it would provide 5,000 square feet of floor area or more; and that the "medical marijuana pharmacy dispensary" use is improperly classified as a retail goods establishment.

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 does not indicate an error in application of the law or a conflict in the law, in accordance with **Article 4, Section 4.8.A** of the Comprehensive Zoning Ordinance; therefore, a motion was made by **Todd James** and seconded by **Jaime Ramiro Diaz** to **DENY** the appeal and **UPHOLD** the decision made by the Director of the Department of Safety and Permits.

Voting for the Resolution:	Candice Forest, Todd James, José Alvarez, Jaime Ramiro Diaz, Alfonso Gonzalez, II
Voting Against the Resolution:	None
Abstaining from the Resolution:	None
Absent:	Tamara Agins, Jason Richards

Denied by the Board of Zoning Adjustments,

FILED
12/16/2025
Board of Zoning Adjustments
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V. J. for Candice Forrest

Candice Forest, Chair