

**OLD METAIRIE COMMISSION (OMC) MINUTES
PUBLIC HEARING
August 4th, 2022 9:00 a.m.**

In Attendance

Old Metairie Commission Members	Present	Absent
Thomas McAlister, Chair	√	
David Webber, Vice-Chair	√	
Dr. Monica Monica		√
Peter Waring		√
Adele Lafaye	√	

Planning Department

Shane Yokum, Zoning Administrator
Cinthya Chacon, Typist Clerk III
Shakeeb Shariff, Planner II

Others

Jesse Schudmak, Sr. Asst. Parish Attorney
Rick Hollier, Inspection and Code Enforcement
Bessie Martin, Planning Director

Mr. McAlister, Chairman, introduced himself, other members of the Commission, and the Parish staff.

The Old Metairie Commission (OMC) conducted the August 4th, 2022 Public Hearing at the Joseph S. Yenni Building in the Council Chambers, located on the 2nd Floor, 1221 Elmwood Park Blvd., Jefferson, LA 70123. Mr. McAlister proceeded to the agenda and opened the meeting at 9:07 a.m.

OM-10-22 574 Woodvine Ave., A request to construct a new dwelling, garage, pool, and cabana with variances to the setback requirements for a private detached garage located in front of the principal structure, a legislative exception to the OMNCD massing angle regulations, and the installation of mechanical equipment on Lot 14, Square P, Metairie Club Gardens Subdivision, Jefferson Parish, Louisiana, bounded by Metairie Golf Club & Golf Course and Falcon Rd., zoned R-1D Rural Residential/ OMNCD Old Metairie Neighborhood Conservation District.
(Council District 5)

Mr. Shariff reported the findings of the case: The Planning Department recommends the following:

Approval for the following reasons:

- The location of the detached garage/storage building will not be detrimental to the adjacent property or the open character of the street.
- Though not considered minor or incidental, the penetration of the side-yard massing angles is minimal while maintaining the side-yard setback of the existing dwelling, and will not have a negative impact on the surrounding area.
- The proposal otherwise meets all requirements of the R-1D/OMNCD.

Mr. McAlister opened the floor for the applicant/representative to speak.

Lewis Stirling; property owner; 201 Bellaire Dr., New Orleans, LA 70124. Mr. Stirling stated he received a signed letter from the abutting neighbor, Edward Ludwig, which basically says he approves of everything they're doing, and if there's a neighbor that would be affected, it would be him. Mr. Stirling stated Mr. Ludwig approves of the side yard setback or the front yard setback. Mr. Stirling stated he has sat and spent some time with Mr. Ludwig at his home to explain to him what he's proposing.

Mr. McAlister opened the floor for any proponents to speak. There were none.

Mr. McAlister opened the floor for any opponents to speak. There were none.

Mr. McAlister opened the floor for comments from the commissioners.

Mr. Webber asked Mr. Stirling with the garage, would that be car storage or utilities room?

Mr. Stirling stated it would be for car storage and also some utilities like lawn stuff.

Mr. Webber stated there's a cabana on the back side that's mainly a bath or maybe something else?

Mr. Stirling stated they would have some storage there but that would be mainly for cushions and the patio furniture so they don't get damaged.

Mr. Webber stated he thinks this is a very attractive and classic kind of house and it seems such a shame to throw a garage in front of it.

Mr. Stirling stated the issue was the tree. The previous owner tore down the house, built a new house and planted a tree sort of in the worst possible spot. Mr. Stirling stated it's a very nice Oaktree and they didn't apply to have it removed but when you start moving the house on the lot is really messes up where you can put the garage.

Mr. Webber asked Mr. Stirling if they had tried to relocate the garage? Mr. Stirling stated they did.

There was a discussion between Mr. Webber and Mr. Stirling regarding the location of the proposed garage and the fence on Mr. Ludwig's side.

Mr. McAlister asked the Planning Department, it looks like they got two accessory buildings, the garage storage and the cabana. Mr. McAlister stated he assumes the cabana is considered an accessory building, each of which is within the 15 ft. side yard setback. Mr. McAlister stated he thought Inspection and Code Enforcement had limited it to one accessory building for purposes of occupying the side yard setback. Mr. McAlister stated he was looking at Sec. 33-5.3.2. Mr. McAlister read the Sec. 33-5.3.2.

Mr. Yokum went and looked into the Sec. 33-5.3.2.

Mr. McAlister clarified Mr. Stirling his confusion regarding the accessory's structures.

Mr. Hollier stated garages have their separate callouts.

Mr. Yokum stated they do and that is the reason why they applied them separately.

Mr. McAlister stated he is not opposing it, he just wants to make sure it's in compliance.

Mr. McAlister stated he's okay with the front variance for the fence with the fact that it's not 65 yards., because he does consider this property somewhat of a hardship by virtue of the fact that the Country Club cart shed is backed up right to the back property line of that property. To design the previous resident and the applicant are both taking advantage of the fact that it's a deep lot so, they're pushing the building as far back as they can get it, in order to kind of look over the cart shed because that is not an attractive look to have in your backyard. Mr. McAlister stated he's okay with the front yard setback. Mr. McAlister stated the side yard setback is more problematic but he gets the fact that the concept is to maximize as much view of the front of the house as possible by pushing it as far as the side as they can get it. Mr. McAlister asked if there really wasn't any way to try to put that, tuck that garage into the southwest corner of the property on the Country Club parking lot/ cart shed corner?

Mr. Stirling stated they did numerous skims and on the foot lot you can build he believes 70 ft. of it. That would be 15 ft. on each side. And with the garage, with the turnaround and the landscaping and everything, it goes right in the middle of the back of the lot and then he would have to move the house forward and then he would start hitting the oak tree, unless it's attached to the house. Mr. Stirling restated they went around and around and they would have to cut the tree down to what Mr. McAlister was suggesting.

Ms. Lafaye added the lot was very contained because of all the fencing and it was obviously not going to hinder his neighbors because they're all on board with his plans. Ms. Lafaye stated it hasn't projected out into the front outside of the buildable area, which would've been more troublesome.

Mr. Sitrling stated the presentation doesn't really show the relationship to the house next-door, but they have between his property line/ adjacent property lines there's probably at least 40 ft. between the property and their house.

Mr. Webber restated his opinion that the garage doesn't belong in this place. Mr. Webber stated the house needs to be designed a little differently. He stated a good architect should have a lot of ability to do that. Mr. Webber stated he is not in favor with Mr. Stirling's proposal.

First motion failed to pass since all three commissioners didn't come to an agreement. There was a long discussion between the commissioners and Mr. Stirling regarding what could be done or changed to make a motion where all three are in agreement, so the motion can pass.

Ms. Lafaye made a motion to recommend denial on OM-10-22 for a variance to allow a private detached garage to be placed at 7.5 ft. from the side property line instead of the required 15 ft. Mr. Webber seconded the motion.

Ms. Chacon called the roll on the motion:

<u>OMC Member</u>	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
Thomas McAlister, Chair	√		
David Webber, Vice-Chair	√		
Dr. Monica Monica			√
Peter Waring			√
Adele Lafaye	√		

The ayes have it by a vote of 3 to 0 With 2 absent. Motion of denial approved.

Mr. Webber made a motion to recommend denial on OM-10-22 for a variance to allow a detached garage to be placed at 35 ft. from the front property line instead of the required 60 ft. Ms. Lafaye seconded the motion.

Ms. Chacon called the roll on the motion:

<u>OMC Member</u>	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
Thomas McAlister, Chair	√		
David Webber, Vice-Chair	√		
Dr. Monica Monica			√
Peter Waring			√
Adele Lafaye	√		

The ayes have it by a vote of 3 to 0 With 2 absent. Motion of denial approved.

Mr. Webber made a motion to recommend approval on OM-10-22 to allow for projections into the lot's side-yard massing angle within the OMNCD. Ms. Lafaye seconded the motion.

Ms. Chacon called the roll on the motion:

<u>OMC Member</u>	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
Thomas McAlister, Chair	√		
David Webber, Vice-Chair	√		
Dr. Monica Monica			√

OMC Member	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
Peter Waring			√
Adele Lafaye	√		

The ayes have it by a vote of 3 to 0 With 2 absent. Motion of approval approved.

Minutes

Dr. Monica was not in attendance on the May 5th, 2022 OMC Meeting. The June 2nd, 2022 meeting minutes show she motioned to adopt the May 5, 2022 OMC minutes. Mr. Webber was not in attendance on the June 2nd, 2022 OMC Meeting. The August 4th, 2022 meeting minutes show he motioned to adopt the June 2nd, 2022 OMC minutes. Let the record reflect they are unable to motion to adopt due to their absence on the May 5th, 2022 and June 2nd, 2022 OMC Meeting.

The May 5th, 2022 and the June 2nd, 2022 minutes will be listed again on the September 1st, 2022 OMC meeting agenda for adoption.

Administrative Approvals & Follow-up of previous cases.

There were no administrative approvals.

Mr. Yokum followed-up on previous cases:

OM-28-21 305 Hector Ave., A request to approve a pergola in the required side yard with a variance to the side yard setback, on Lot B, Square 7, Metairie Suburb Subdivision, Jefferson Parish, LA, bounded by Avenue B, Betz Ave., and Duplessis St., zoned R-1A Single Family Residential/OMNCD Old Metairie Neighborhood Conservation District.

Planning: Approval

OMC: Approval 11/4/2021

BZA: Approval 07/19/2022

Mr. MacAlister asked if there were any additional business to come before the commission. There were none.

Mr. Webber made a motion to adjourn. Seconded by Ms. Lafaye. Meeting adjourned at 9:52 am.