

**DRAFT OLD METAIRIE COMMISSION (OMC) MINUTES  
PUBLIC HEARING  
October 13<sup>th</sup>, 2022 9:00 a.m.**

**In Attendance**

<b><u>Old Metairie Commission Members</u></b>	<b><u>Present</u></b>	<b><u>Absent</u></b>
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  
Logan Dougherty, Planner II

**Others**

Hanlon deVerges, Sr. Asst. Parish Attorney  
Rick Hollier, Inspection and Code Enforcement

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

The Old Metairie Commission (OMC) conducted the October 13<sup>th</sup>, 2022 Public Hearing at the Joseph S. Yenni Building in the Council Chambers, located on the 2<sup>nd</sup> Floor, 1221 Elmwood Park Blvd., Jefferson, LA 70123. Mr. McAlister proceeded to the agenda and opened the meeting at 9:07 a.m.

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**OM-12-22 30 Nassau Dr.**, A request to install a generator with a variance to the side yard setback, on Lot 6, Square J, Metairie Club Gardens Subdivision, Jefferson Parish, LA, bounded by Northline Street, Monticello Avenue, Cecil Street, and Airline Drive, zoned R-1D Rural Residential District/OMNCD Old Metairie Neighborhood Conservation District. (Council District 5)

The Planning Department has requested for this case to be deferred.

Mr. Waring made a motion to recommend deferral on OM-12-22. Mrs. Lafaye seconded the motion.

Ms. Chacon called the roll on the motion:

<b>OMC Member</b>	<b><u>Aye</u></b>	<b><u>Nay</u></b>	<b><u>Absent</u></b>
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 deferral approved.

**OM-13-22 357 Vincent Ave.**, A request to install a generator with a variance to the side yard setback, on Lots 137, 138, and Part of 136, Vincent Subdivision, Jefferson Parish, LA, bounded by Geranium St, Stella St, and Avenue E, zoned R-1C Rural Residential/OMNCD Old Metairie Neighborhood Conservation District. (Council District 5)

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

**Approval** for the following reasons:

- The proposed location is within an already fenced portion of the side yard providing screening for the generator.
- There is a cinderblock wall running along the property line shielding the abutting neighbor from the effects of the generator.

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

Jay Van Kirk, property owner at 357 Vincent Ave., in Metairie. Mr. Van Kirk stated Mr. Dougherty has been very thorough in his presentation on what they're trying to do. Mr. Van Kirk stated he just wanted to add one minor point, which is that they're locating this Cummins generator 27 ft. behind the rear wall of their house. So, although it is within the 10 ft. side yard section, it's 27 ft. to the rear of the house so that it is not located between the house and the left side boundary line. Mr. Van Kirk stated this is also a Cummins generator which is marketed as one of the most quiet available today. Mr. Van Kirk also stated it is a liquid cooled unit and a low speed unit which allows it to be particularly quiet as opposed to the more common type, which are usually air cooled and high speed unit. Mr. Van Kirk stated the only other thing he would like to add is that by locating it not 10 ft. from the side wall but 5 ft. unit itself is 3 ft. deep, so at 10ft. from the wall it protrudes 13 ft. into the backyard which is 80 ft. wide. Mr. Van Kirk stated they have a large rear porch, 35 ft. wide, which they use quite a bit. Mr. Van Kirk stated placing it 13 ft. out including the 3 ft. of the generator would be very noticeable from the rear porch and Mr. Van Kirk added he feels that may hurt to some extent the resale value of their house. Mr. Van Kirk stated they've been living in this house for 29 years, he just retired and one day he'll sell the house and that would be their concern.

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. Waring stated Cummins generators are frequently diesel. Mr. Waring asked Mr. Van Kirk if he has a diesel generator or is it natural gas?

Mr. Van Kirk stated it is a natural gas generator. Mr. Van Kirk stated it is 4 ft. high and 8 ft. long with 40 kilowatts which is what the contractor recommended for their home. And because of the size that augments the need to set it back 5 ft. instead of 10 ft.

Mr. MacAlister stated this probably doesn't comply with a hardship but it is a generator and he considers these are more flexible issues.

Mr. Waring stated only thing he would add is these things have a test cycle that they run on and so it's important to select a test cycle time at a time that it won't disturb anybody around them.

Mr. Van Kirk stated per his contractor's recommendation best test cycle time is between noon and 2:00 PM and it typically runs for what he believes is about 5-minute test cycle, monthly or even better weekly.

Ms. Lafaye asked Mr. Van Kirk if he discussed this with his neighbors at all?

Mr. Van Kirk stated he has not discussed it specifically with them but he stated he believes they understand fully what they're doing because they installed a generator as well.

Mr. Waring made a motion to recommend approval on OM-13-22 for a variance to allow a generator to be placed at 5 ft. from the side property line instead of the required 10 ft. Ms. Lafaye seconded the motion.

Ms. Chacon called the roll on the motion:

<b>OMC Member</b>	<b><u>Aye</u></b>	<b><u>Nay</u></b>	<b><u>Absent</u></b>
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 approval approved.

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## **Minutes**

Mr. DeVerges asked the commissioners if they could motion to defer the minutes from August 4<sup>th</sup>, 2022 and September 1<sup>st</sup>, 2022 due to not having enough quorum for this motion to pass.

Mr. Waring made a motion to defer August 4<sup>th</sup>, 2022 and September 1<sup>st</sup>, 2022 minutes. Seconded by Ms. Lafaye.

Ms. Chacon called the roll on the motion:

<b>OMC Member</b>	<b><u>Aye</u></b>	<b><u>Nay</u></b>	<b><u>Absent</u></b>	<b><u>Abstain</u></b>
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 deferral approved.

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**Administrative Approvals & Follow-up of previous cases.**

There were no administrative approvals.

There were no follow-up on previous cases.

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

Mr. Waring made a motion to adjourn. Seconded by Ms. Lafaye. Meeting adjourned at 9:23 am.