

**OLD METAIRIE COMMISSION (OMC) MINUTES
PUBLIC HEARING
April 7th, 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

Brooke P. Tolbert, Assistant Director
Cinthya Chacon, Typist Clerk III
Shakeeb Shariff, Planner II
Shannon Haynes, Planner II
Alena Gesser, Planner III

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 April 7th, 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 9:02 a.m.

OM-3-22 5 Wavertree Ct., A request for exterior renovations including the enclosure of an existing carport into an attached garage with a variance to the area regulations and an OMC exception to the design guidelines for penetration of a massing angle, on Lot Pt. of 5, Square B, Metairie Club Gardens Subdivision, Jefferson Parish, LA, bounded by Avenue E., Vincent Ave., and Northline St, zoned R-1C Rural Residential/OMNCD Old Metairie Neighborhood Conservation District. (Council District 5)

Ms. Tolbert reported the findings of the case. The Planning Department recommends the following:

Approval for the following reasons:

- The subject property is deficient in lot width, depth, and area requirements of the R-1C District. The deficient dimensions create difficulty in meeting the required setbacks for the district

- The existing building is currently deficient in the front and side yard setbacks, the proposal would be an extension of the already deficient setbacks.
- The proposal would enclose an existing carport; therefore, the overall lot coverage is not increasing.

Denial of the façade massing angle penetration for the new entryway roof for the following reason:

- Does not meet the massing guidelines intended to preserve the existing open character of the district.

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

Joseph Flynn, Architect, 8903 Jefferson Hwy. Mr. Flynn stated the existing house is very low, as they're doing this major upgrade, they are trying to give the front façade a little more presence. Mr. Flynn asked a question about the massing angle penetration. Mr. Flynn stated he calculated the massing angle from the property line. Mr. Flynn stated they did speak with the adjacent neighbors and they did not have any conflicts from the directly adjacent neighbors.

Ms. Tolbert stated the proposed entryway roof penetrates the lot's façade massing angle. The façade massing angle is measured at a forty-five (45) degree angle from the front. Normally, we don't see this exception request because typically structures meet the front yard setback. This property doesn't meet the existing front yard setback of 30 ft.

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.

Dr. Monica stated because the property penetrates that massing angle, which requires a variance, she would unfortunately vote against the massing angle penetration.

Mr. Waring asked if it actually is from the front lot line and the projected 45-degree angle it clears the building and there is no issue?

Ms. Tolbert stated it is measured from the front lot line. Ms. Tolbert stated the definition says, "as it is perceived from the street" but it is measured from the front lot line.

Mr. Flynn stated because the front yard is at its shortest point which is 16 ft., so the angle is cutting through the gable. Mr. Flynn stated on his understanding, the gable projection was okay because it's not the main roofline that is hitting.

Mr. Waring stated he thinks Mr. Flynn actually did a good job with his logic and rationale and he obviously thought it through. Mr. Waring stated he would be inclined for voting for it just because it's a special condition and he thinks if the façade massing angle is actually impacting only a small part of that gable roof.

Mr. Waring asked Mr. Flynn if he had considered the possibility from a design standpoint of doing a compound where you do a gable with a small hip in the upper portion of it? Could that coordinate with the design and make this work and move the entire façade out of the massing angle?

Mr. Flynn asked if he could ask for a deferral? He stated he wants to look exactly where does the 16 ft. hit.

Mr. MacAlister stated the recommendation states that the proposal being an extension of the already deficient setback of the front yard. Mr. MacAlister asked if the entry way is moving closer towards the right-of-way of Wavertree Ct. – is the setback being increased?

Mr. Flynn stated it is not his intention to move the front wall in any way.

Mr. Waring asked if he’s decreasing the setbacks anywhere on the building?

Mr. Flynn stated not with regards to the front.

Mr. MacAlister asked the applicant to confirm he’s not taking the footprint of the entry way closer to the right-of-way, he’s just going up with the addition?

Mr. Flynn said yes.

Mr. MacAlister asked if Ms. Lafaye had any questions or comments.

Ms. Lafaye stated she personally did not have any issues with the variances for the side setback. The front, in her opinion, looks nice and don’t see that it would interfere with anyone. On the contrary, this is a very small lot in a cul-de-sac, and she thinks it would be enhancing the neighborhood for that entrance to be beautified.

There was a small discussion between the Commissioners regarding the property being in a cul-de-sac.

Dr. Monica made a motion of approval on the variance to the R-1C regulations to allow a 16 ft. 10 ¾ in front yard setback for the enclosure of the carport where 30 ft. is required. Ms. Lafaye seconded the motion.

Ms. Chacon called the roll on the motion:

OMC Member	<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 4 to 0 With 1 absent. Motion of approval approved.

Mr. Waring made a motion of approval on the variance to the R-1C regulations to allow a 5 ft. ½ in. side yard setback for the enclosure of the carport where 10 ft. is required. Dr. Monica seconded the motion.

Ms. Chacon called the roll on the motion:

OMC Member	<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 4 to 0 With 1 absent. Motion of approval approved.

Mr. Waring made a motion of approval on the exception to the OMC regulations for the façade massing angle penetration for the new entryway roof. Ms. Lafaye seconded the motion.

Ms. Chacon called the roll on the motion:

OMC Member	<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 1 With 1 absent. Motion of approval approved.

OM-4-22 601 Hector Ave., A request to add a new one-story covered porch at the rear of the existing residence on Lot 7, Square B, Metairie Club Gardens Subdivision, Jefferson Parish, LA, bounded by Avenue E, Wavertree Ct., and Northline St., zoned R-1C 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 proposal meets all requirements of the R-1C/OMNCD.

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

William Sonner, Architect, stated this is a very unique project to enlarge the living space of the client. It's just a one-story addition covered porch, and they're not near any of the side yard or rear yard setbacks.

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.

There were no comments from the Commissioners.

Dr. Monica made a motion of approval on OM-4-22. Mr. Waring seconded the motion.

Ms. Chacon called the roll on the motion:

OMC Member	<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 4 to 0 With 1 absent. Motion of approval approved.

OM-27-21 11 Fairview Ct., A request for the construction of a new swimming pool, concrete pool deck and pool equipment enclosure on Lots 4, and Part of Lots 3 & 5 (Proposed Lot 4-A), Square 11, Friedrichsruhe Subdivision, Jefferson Parish, LA, bounded by Friedrichs Ave., Metairie Rd., and Orpheum Ave., zoned R-1B Suburban Residential District/OMNCD Old Metairie Neighborhood Conservation District. (Council District 5)

Ms. Haynes reported the findings of the case. The Planning Department recommends the following:

Approval for the following reasons:

- The proposed swimming pool and pool equipment enclosure meet all of the minimum requirements of the R-1D/OMNCD.

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

Tom Cole, property owner, stated him and his wife had bought the property approximately a year ago. He stated they've lived in New Orleans for 32 years. He stated they have a 4-bedroom house on Maryland Drive. Mr. Cole stated they need to downsize because their children are gone and the house has a lot of stairs and his wife has difficulty in walking. Mr. Cole stated they have a pool area in Maryland Drive and he really enjoys swimming for exercising but it's also important for his wife's health as well. Mr. Cole respectfully, asked the commissioners for their approval, so they can finally move into their new home.

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.

There were no comments from the Commissioners.

Dr. Monica made a motion of approval on OM-27-21. Mr. Waring seconded the motion.

Ms. Chacon called the roll on the motion:

OMC Member	<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 4 to 0 With 1 absent. Motion of approval approved.

OM-37-21 620 Northline St., A request for an addition to an existing single-family dwelling with a variance to the side yard and the rear yard setbacks, on Lot 9, Square F, Metairie Club Gardens Subdivision, Jefferson Parish, LA, bounded by Pelham Dr., Englewood Pkwy. and Nassau Dr., zoned R-1D Rural Residential District/OMNCD Old Metairie Neighborhood Conservation District. (Council District 5)

Ms. Haynes reported the findings of the case. The Planning Department recommends the following:

Denial for the following reasons:

- The proposal does not comply with the side yard or rear yard setback requirements for the R-1D zoning district.
- The lot exceeds the minimum width and area requirements for the R-1D district and no hardship exists justifying the variances to the setbacks.
- The side setback variance is counter to the OMNCD guideline to preserve the open character of the district.

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

Charles Oliver, Architect, 7054 Boyce Drive in Baton Rouge, Louisiana. Mr. Oliver stated the property owner, Mr. Rabalais, asked him to redesign a wing on their house that had a lot of different levels. Mr. Oliver stated the original garage existed underneath the larger portion of the addition, at some point in the past it had been closed in for a pool room. The decision was made to completely remove that addition to replace it with a new addition that would be all on the same level. Mr. Oliver stated it

made sense to add the garage; they tried to push it just as far back on the lot as they could, so that it would not be visible from the street. Mr. Oliver stated they feel like trying to place it while they have plenty of room on the other side, it would be far more visible on the left side of the property.

Mr. McAlister opened the floor for any proponents to speak.

Kenneth Rabalais, property owner at 620 Northline St. Mr. Rabalais stated this house was built in the 1950's and when they purchased the house 16 or 17 years ago, the addition is exactly where they would build the new one. The only new part is that side garage. Mr. Rabalais stated the reason they're doing it is because whoever built the house on the 1950's, it's actually 3 ½ ft. lower than the house; so, when it rains, they flood all the time. Mr. Rabalais stated the reason they want to add the garage is because right now they only can park in front of the house. Mr. Rabalais stated the reason why they're building the garage on the left-hand side is because on the other side there are Live Oaks on the Nassau Dr. side, so there's no way for him to build the garage on that side.

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

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

Dr. Monica asked on the property side where the Live Oaks are, can he not build a garage there?

Mr. Oliver said there's no way of not damaging the roots.

Mr. Waring stated he's having a hard time seeing a hardship.

Dr. Monica agreed.

Mr. Waring stated the proposed addition is on top of the existing foot-print of the house. Mr. Waring stated he could repair that area pretty extensively and that would be kind of grandfathered in. But the garage comes so far into that, and he's sympathetic he wants to have a garage and the elevation creates dampness issues, but he's so close to the neighbor's house.

Ms. Lafaye asked if they had contacted their neighbors and discussed this matter with them?

Mr. Rabalais stated they did communicate with them regarding this matter.

Dr. Monica stated this is a large property and large project, it's a variance she can't personally grant.

Mr. MacAlister agreed with Dr. Monica and stated there are resolutions for the safety issues for purposes of the garage, like a gate across the driveway or pull the cars all the way back up, their new addition could have an entrance with an overhang so that he can walk straight from the driveway into their new addition and that is something that would resolve the safety issue rather than having to go through the concept of putting in a garage that encroaches so badly over the setback lines.

Mr. Oliver asked if there would be a mechanism during this hearing if they were to reduce this to a one-car garage or would they have to resubmit?

Dr. Monica stated she believes he may have to resubmit.

Mr. Oliver stated given they had spoke with the neighbors and they had no objection, he knows it doesn't protect future neighbors but the current neighbors had no objection and they kept the massing below the high levels with the two-car garage. If they didn't have to reduce it, somewhat at least they would get a garage.

There was a small discussion between the Commissioners and Mr. Oliver regarding the rear yard setbacks.

Dr. Monica made a motion of deferral on OM-37-21. Mr. Waring seconded the motion.

Ms. Chacon called the roll on the motion:

OMC Member	<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 4 to 0 With 1 absent. Motion of deferral approved.

Minutes

Mr. Waring made a motion to approve the minutes from March 10th, 2022. Seconded by Dr. Monica. The minutes were adopted.

Tree Preservation Study

Ms. Gesser presented the Tree Preservation Study.

There was a discussion between the Commissioners, Mr. DeVerges, Ms. Tolbert and Ms. Gesser regarding Water Oak trees, the current tree protection plans, including fences, tree removals and fines.

The commissioners asked if it was possible the Parish Arborist to be present at the next Old Metairie Public Hearing.

Ms. Tolbert stated she will be inviting him to the next scheduled public hearing.

Administrative Approvals & Follow-up of previous cases.

Ms. Tolbert reported no administrative approvals.

Ms. Tolbert reported no follow-up on previous cases.

Mr. MacAlister asked if there were any additional business to come before the commission.

Ms. Lafaye made a motion to adjourn. Seconded by Dr. Monica. Meeting adjourned at 10:56 am.