



Cynthia Lee Sheng  
Parish President

Hans Liljeberg  
Council District 5

Bessie L. Martin  
Planning Director

STAFF REPORT

# Old Metairie Neighborhood Conservation District

Docket No. OM-1-24



Thomas McAlister, Chairman  
Peter A. Waring, Vice-Chair  
Holly Guidry  
Dr. Monica L. Monica  
Remy Donnelly, MCGA

504-736-6320 | Yenni Building, 1221 Elmwood Park Blvd, Ste 601, Jefferson, LA 70123 | jpplanning@jeffparish.net

**Address:** 209 Avenue E (Figure 1)

**OMC Hearing:** 04/04/2024

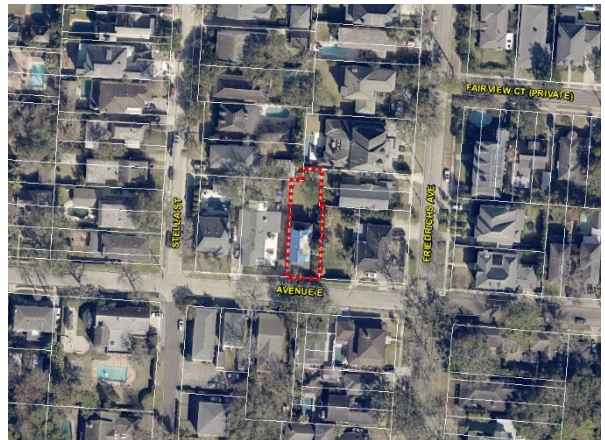
**Legal Description:** Lot A, Square 12, Friedrichsruhe Subdivision, bounded by Stella St., Geranium St., and Friedrichs Ave.

**Owner:** Edwin R. Rodriguez, III

**Applicant:** Edwin R. Rodriguez, III

**Zoning:** R-1B Suburban Residential District/  
OMNCD Old Metairie Neighborhood Conservation  
District (Figure 2)

**Future Land Use:** SUB Suburban Residential



## REQUEST

Construct a new residence and accessory structure with a legislative exception for the side yard massing angle.

## RECOMMENDATIONS

**Planning Department:** Approval for the following reasons:

- Though not considered minor or incidental, the penetration of the side-yard massing angle is minimal and will not have a negative impact on the surrounding area.
- The proposal otherwise meets all requirements of the R-1B/OMNCD.

**Old Metairie Commission (OMC):** to be determined.

**SUMMARY OF OMC PUBLIC HEARING:** to be determined.

## FINDINGS

1. The petitioned property is irregularly-shaped, with 45 ft. of frontage on Avenue E and a total area of 6,245 sq. ft.
  - In September 2023, under Planning Department Docket No. OM-20-23, the Planning Director ministerially approved the demolition of the existing residence. The petitioned structure was deemed to be in violation of 11 subsections of Chapter 19 Article VI – Dangerous Buildings via complaint 23-900183. Given the condition of the structure, and the fact that it likely differed dramatically from how it would have appeared when the 1966 Sanborn Maps were drawn, the Planning Director decided that the request may be processed ministerially.

2. The applicant proposes to construct a new residence with 4,033 sq. ft. of living space with a legislative exception for the side yard massing angle, and a 126-sq.-ft. accessory structure. The residence will feature two finished floors with attic space above. The residence will also feature a carport awning and a fenced-in open air courtyard in the east side yard (Figure 4).
3. Per Sec. 33-3.65.4.d.2, no part of a proposed structure, except for minor or incidental projections as determined by the Planning Director, shall penetrate the lot's massing angles. A section of the proposed residence on the left side penetrates the side-yard massing angle, necessitating a legislative exception to the OMNCD side-yard massing angle regulations. Though not considered minor or incidental, the requested exception is acceptable, as the penetration into the second-floor living area is minimal, and will have no negative effect on neighboring properties (Figures 5-6). Per Sec. 33-3.65.4.d.2.a, the penetration of the dormer by the façade massing angle is minor or incidental.
4. Per Sec. 40-109, if an established site in the R-1B zoning district has a lot width of less than 55 ft., the site is subject to the R-1A side yard requirements. The petitioned property has 45 ft. of width along Avenue E, and must therefore adhere to the five-ft. side yard setback requirements of the R-1A district. The proposed residence meets all R-1B area requirements.
5. The Parish Arborist approved the Tree Protection Plan, and commented in LURTC that tree protection consists of six-ft. chain link fencing and has been erected around trees located in rear yard.
6. The proposal meets all applicable R-1B/OMNCD requirements (Table 2).

---

### CONSISTENCY WITH COMPREHENSIVE PLAN

The proposal does not support the following goals and objectives of the Land Use element:

Goal 2, Objective 1: Enhance the attractiveness of residential neighborhoods for existing and new residents.

---

### DEPARTMENT COMMENTS (LURTC)

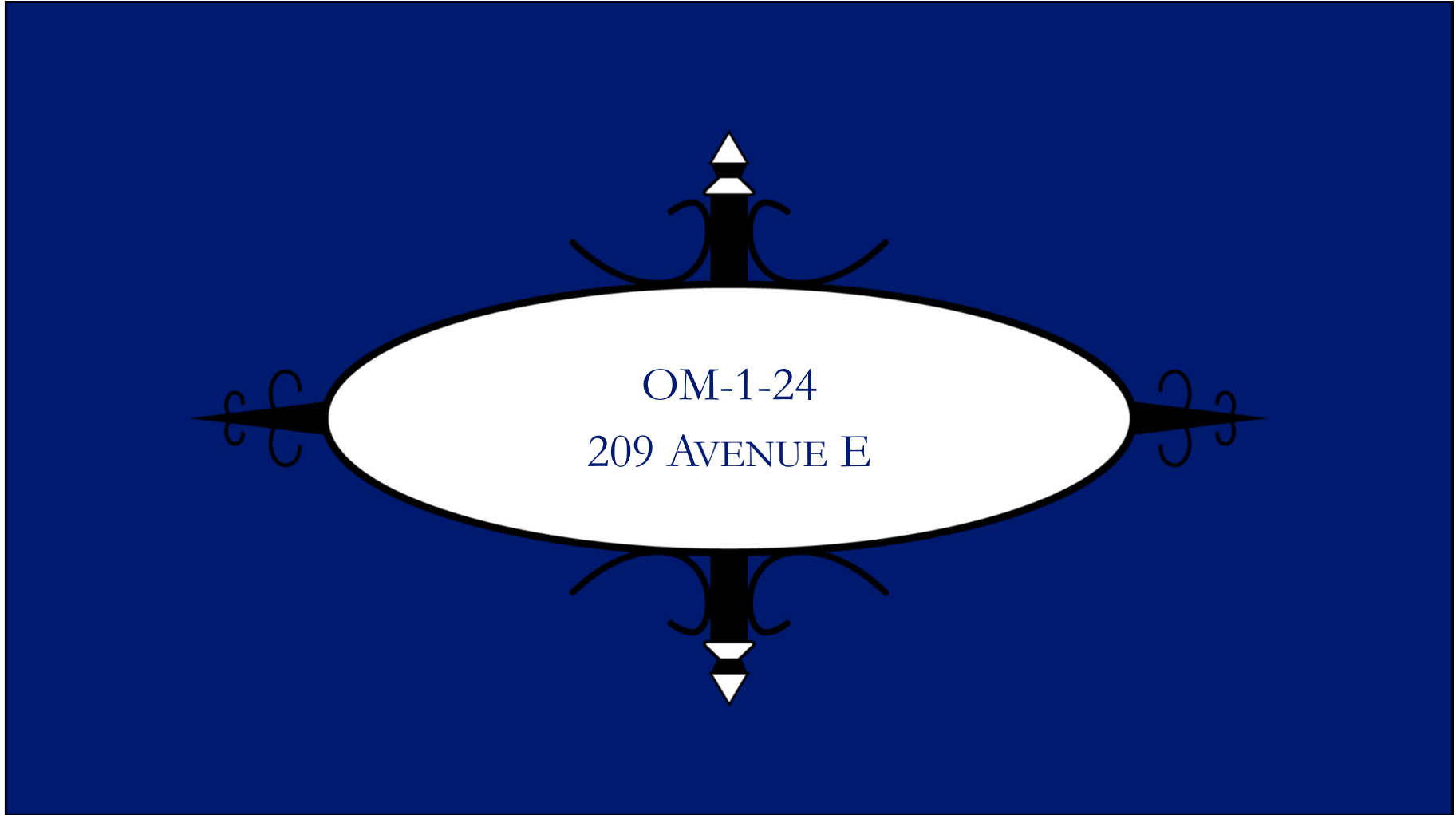
<b>Table 1: Land Use Review Technical Committee (LURTC) Comments</b>		
<b>Department</b>	<b>Position</b>	<b>Comment/Stipulation</b>
Public Works	Not Opposed	OM-01-24 the Department of Public Works (on 03/15/2024) this “no objection” statement/letter is strictly based on technical issue(s). It does not address any potential Code of Ordinance violations/regulations. Such regulations shall be addressed by other departments such as Code Enforcement, Planning, etc. prior to the granting of a permit. Requires the sewer H.C. to be located and/or installed before the slab is poured at the property owners’ expense. Call the Engineering Department (736-6800) for location information and/or sewer estimate form. Pool and subsurface drainage are required to tie into Street drainage. Call the Streets Department contact Eric Williams (504-838-1021) before connecting to the parish drain pipe. Note No street drainage to tie into Contact Eric William for assistance with pool backwash. All new 5’ wide sidewalk shall be placed one foot from the front property line in accordance with Parish code. Requires driveway aprons to be concrete and meet width, distance and permit requirements. Tree protection consist of 6ft chain link fencing and has been erected around trees located in back yard setback. Not opposed.

<b>Table 1: Land Use Review Technical Committee (LURTC) Comments</b>		
<b>Department</b>	<b>Position</b>	<b>Comment/Stipulation</b>
Environmental	Not Opposed	Make sure that no sediment or concrete washout gets into the storm drains or the street during the construction activity by installing a barrier along the curb (hay eels, filter fabric, strip of grass, wood sticking up, etc.) and protecting the storm drain (hay or rubber eel or fabric)
Building Permits	Not Opposed	
Parish Attorney	Not Opposed	We will defer to the other departments for comments.
ENG-Site Plan	Not Opposed	Site Plan Approved.
Parkways	Not Opposed	Tree protection consist of 6ft chain link fencing and has been erected around trees located in back yard setback.

<b>TABLE 2: R-1B/OMNCD SITE INFORMATION</b>			
<b>Criteria</b>	<b>Required/Permitted</b>	<b>Proposed</b>	<b>Compliant?</b>
Building height, max. from base flood	35 ft.	32.46 ft.	Y
Façade Massing Angle	No part shall penetrate, except minor or incidental projections.	Minor or incidental penetration	Y
Setback, front yard, min., Woodvine Ave., residence	25 ft.	25 ft.	Y
Setback, rear yard, min. residence,	20 ft.	22.34 to 39.34 ft.	Y
Setback, side yard, min., residence, east	5 ft.	6.21 to 12.45 ft.	Y
Setback, side yard, min., residence, west	5 ft.	5.08 ft.	Y
Setback, side yard, min., carport awning, east	3 ft.	3.31 ft.	Y
Setback, rear yard, min., accessory structure	3 ft.	3 ft.	Y
Setback, side yard, min., accessory structure, north	3 ft.	3 ft.	Y
Setback, side yard, min., A/C units	2 ft.	9.30 ft.	Y
Fence height, open air courtyard	8 ft.	8 ft.	Y
Side yard massing angle	No part, except minor or incidental projections or gable walls with a slope between 7:12 and 12:12, shall penetrate side-yard massing angle.	Penetration on left side	<b>N</b>
Percent rear yard coverage, accessory structure	40%	15.75%	Y
Exterior materials, general	Comply with Sec. 40-46 Vinyl siding prohibited Synthetic stucco only as accent	Complies with Sec. 40-46	Y

**TABLE 2: R-1B/OMNCD SITE INFORMATION**

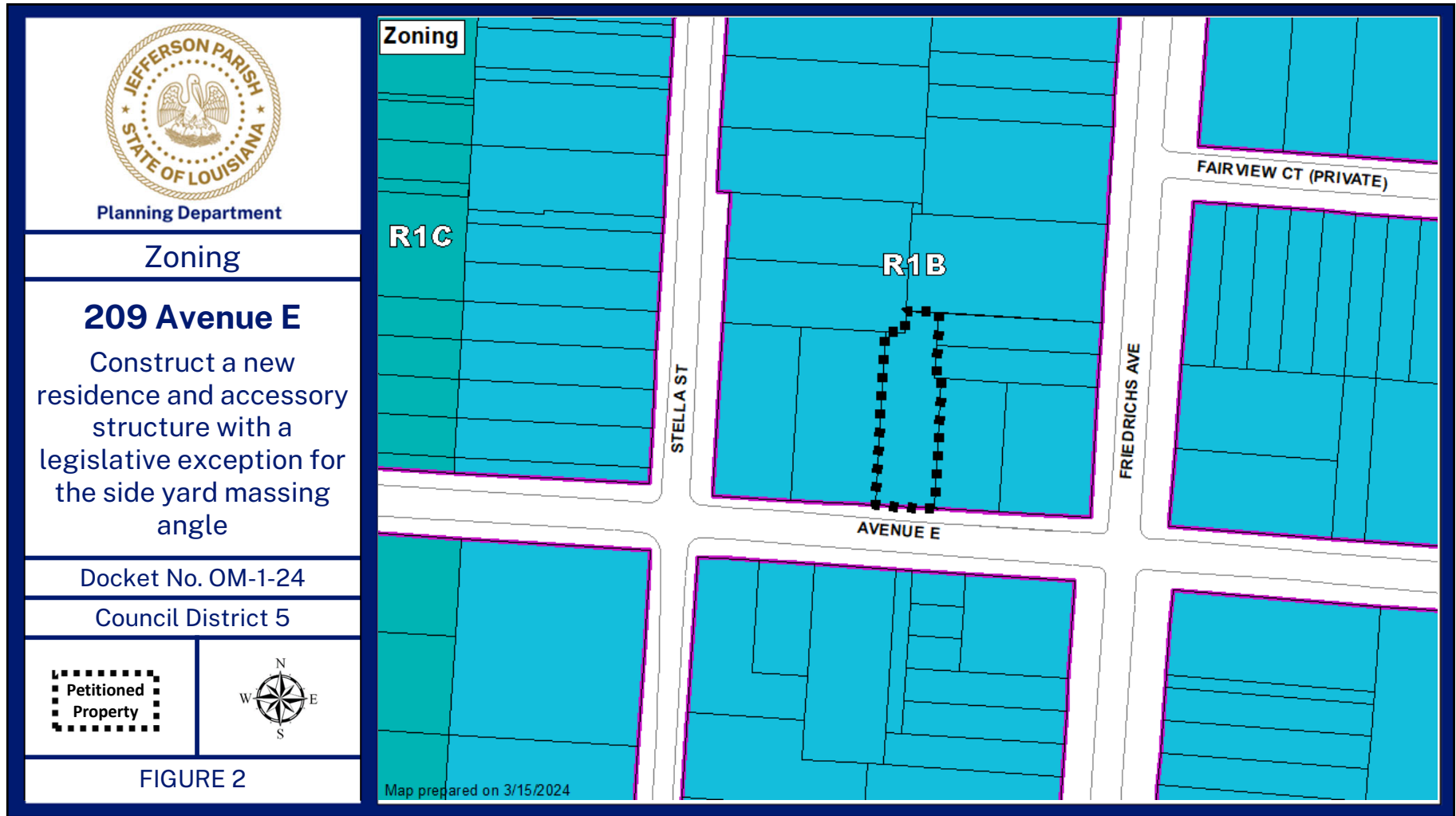
<b>Criteria</b>	<b>Required/Permitted</b>	<b>Proposed</b>	<b>Compliant?</b>
Exterior materials, windows, doors, trims, and moldings	Similar style and quality on all elevations	Similar style and quality on all elevations	Y
Tree preservation	Significant trees preserved or replaced; Protected by a fence at the drip line or at 10 ft. from the trunk.	Per the Parish Arborist, tree protection plan is approved and tree protection is in place.	Y



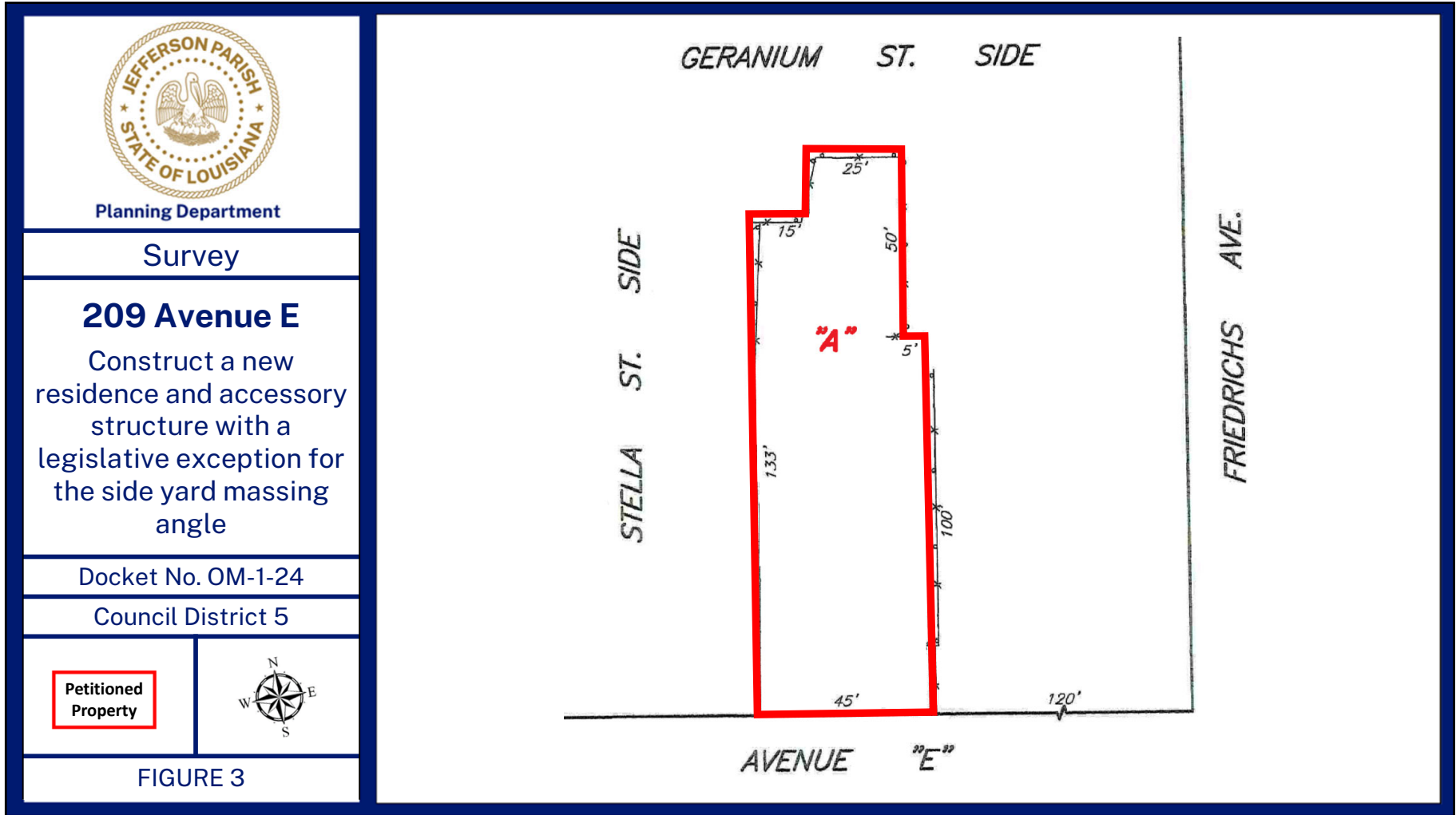
All users acknowledge that the content of these graphics were submitted and/or created specifically as demonstrative aides for the related land use matter being presented by the Jefferson Parish Planning Department identified with the appropriate docket number provided above. As such, Jefferson Parish makes no warranty as to the reliability or accuracy of the maps, their associated data tables and/or any graphics included in this presentation. Furthermore, Jefferson Parish is not responsible for the inaccuracies that could have occurred due to errors in the original data input or subsequent update process. All users of these graphics produced in connection with the related land use matter identified above specifically acknowledge, agree and accept that any zoning and/or land uses identified in said graphics are solely intended to be a demonstrative aide in the related land use matter and, as such, should not be relied upon outside of said related land use matter. User assumes all responsibility for verifying accuracy of data for any intended use.



All users acknowledge that the content of these graphics were submitted and/or created specifically as demonstrative aides for the related land use matter being presented by the Jefferson Parish Planning Department identified with the appropriate docket number provided above. As such, Jefferson Parish makes no warranty as to the reliability or accuracy of the maps, their associated data tables and/or any graphics included in this presentation. Furthermore, Jefferson Parish is not responsible for the inaccuracies that could have occurred due to errors in the original data input or subsequent update process. All users of these graphics produced in connection with the related land use matter identified above specifically acknowledge, agree and accept that any zoning and/or land uses identified in said graphics are solely intended to be a demonstrative aide in the related land use matter and, as such, should not be relied upon outside of said related land use matter. User assumes all responsibility for verifying accuracy of data for any intended use.

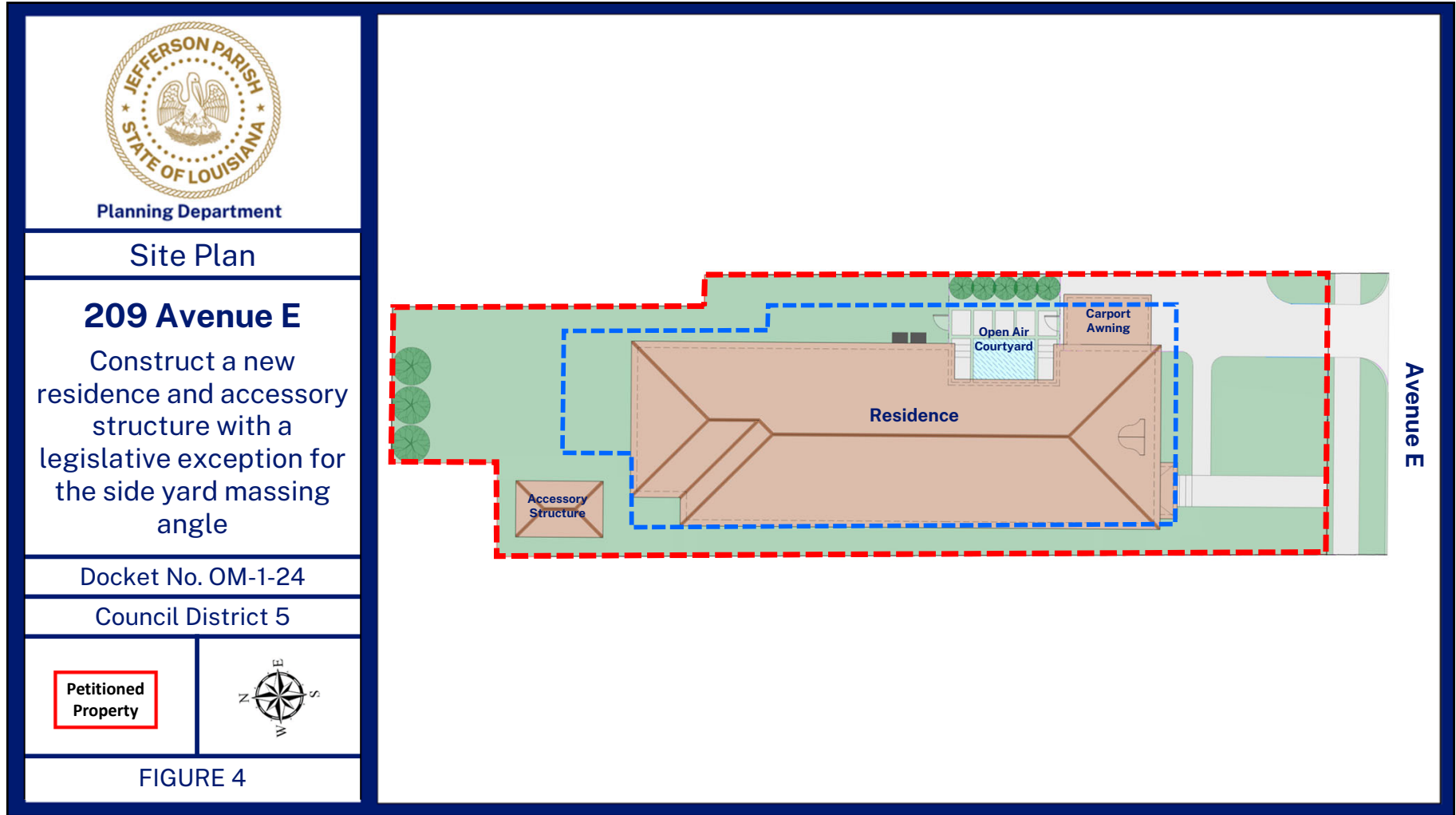


All users acknowledge that the content of these graphics were submitted and/or created specifically as demonstrative aides for the related land use matter being presented by the Jefferson Parish Planning Department identified with the appropriate docket number provided above. As such, Jefferson Parish makes no warranty as to the reliability or accuracy of the maps, their associated data tables and/or any graphics included in this presentation. Furthermore, Jefferson Parish is not responsible for the inaccuracies that could have occurred due to errors in the original data input or subsequent update process. All users of these graphics produced in connection with the related land use matter identified above specifically acknowledge, agree and accept that any zoning and/or land uses identified in said graphics are solely intended to be a demonstrative aide in the related land use matter and, as such, should not be relied upon outside of said related land use matter. User assumes all responsibility for verifying accuracy of data for any intended use.



All users acknowledge that the content of these graphics were submitted and/or created specifically as demonstrative aides for the related land use matter being presented by the Jefferson Parish Planning Department identified with the appropriate docket number provided above. As such, Jefferson Parish makes no warranty as to the reliability or accuracy of the maps, their associated data tables and/or any graphics included in this presentation. Furthermore, Jefferson Parish is not responsible for the inaccuracies that could have occurred due to errors in the original data input or subsequent update process. All users of these graphics produced in connection with the related land use matter identified above specifically acknowledge, agree and accept that any zoning and/or land uses identified in said graphics are solely intended to be a demonstrative aide in the related land use matter and, as such, should not be relied upon outside of said related land use matter. User assumes all responsibility for verifying accuracy of data for any intended use.





All users acknowledge that the content of these graphics were submitted and/or created specifically as demonstrative aides for the related land use matter being presented by the Jefferson Parish Planning Department identified with the appropriate docket number provided above. As such, Jefferson Parish makes no warranty as to the reliability or accuracy of the maps, their associated data tables and/or any graphics included in this presentation. Furthermore, Jefferson Parish is not responsible for the inaccuracies that could have occurred due to errors in the original data input or subsequent update process. All users of these graphics produced in connection with the related land use matter identified above specifically acknowledge, agree and accept that any zoning and/or land uses identified in said graphics are solely intended to be a demonstrative aide in the related land use matter and, as such, should not be relied upon outside of said related land use matter. User assumes all responsibility for verifying accuracy of data for any intended use.



Planning Department

### Elevations

## 209 Avenue E

Construct a new residence and accessory structure with a legislative exception for the side yard massing angle

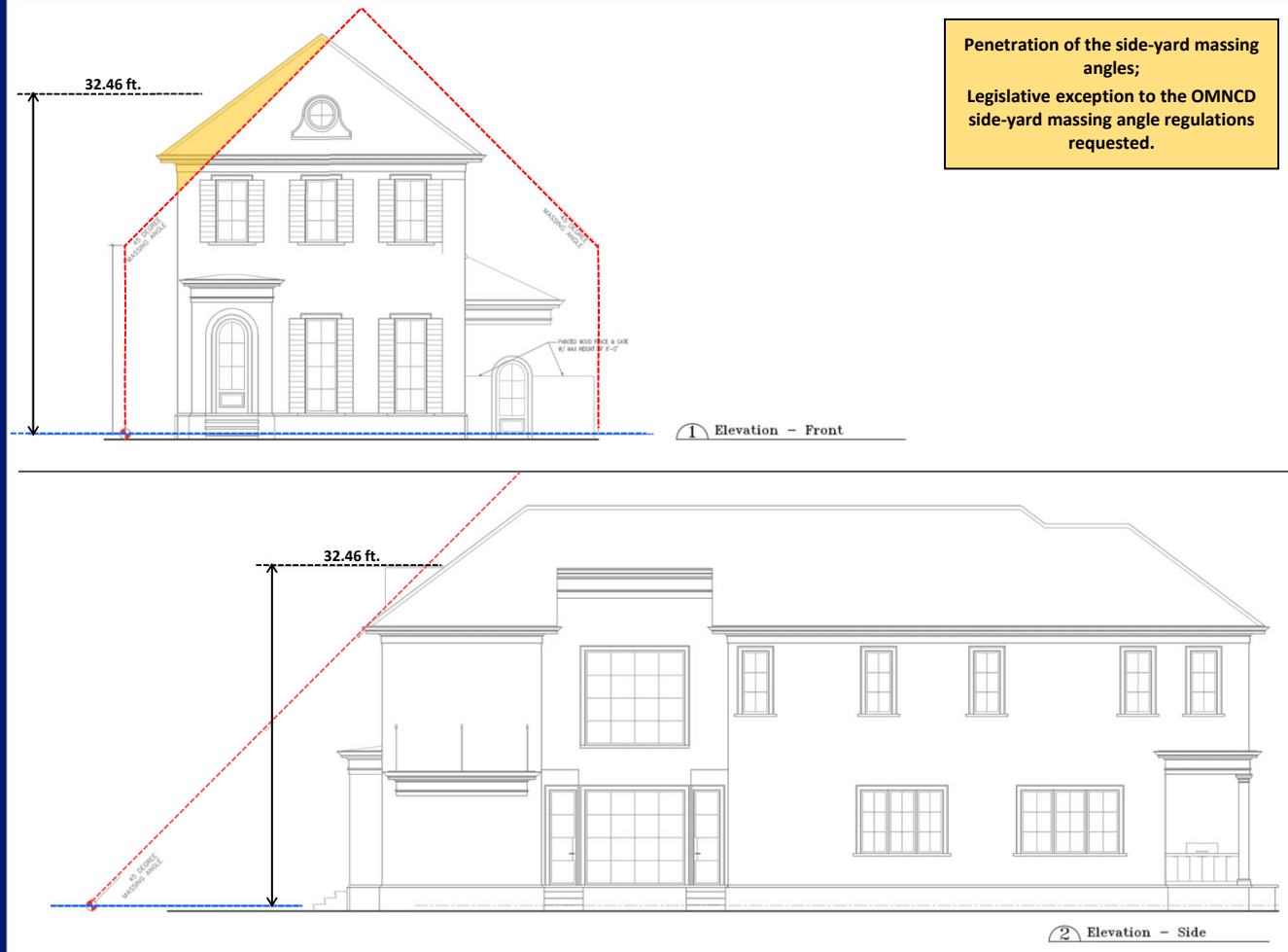
Docket No. OM-1-24

Council District 5

Massing Angles

18 in. Above the Crown of the Street

FIGURE 5



All users acknowledge that the content of these graphics were submitted and/or created specifically as demonstrative aides for the related land use matter being presented by the Jefferson Parish Planning Department identified with the appropriate docket number provided above. As such, Jefferson Parish makes no warranty as to the reliability or accuracy of the maps, their associated data tables and/or any graphics included in this presentation. Furthermore, Jefferson Parish is not responsible for the inaccuracies that could have occurred due to errors in the original data input or subsequent update process. All users of these graphics produced in connection with the related land use matter identified above specifically acknowledge, agree and accept that any zoning and/or land uses identified in said graphics are solely intended to be a demonstrative aide in the related land use matter and, as such, should not be relied upon outside of said related land use matter. User assumes all responsibility for verifying accuracy of data for any intended use.



Planning Department

Elevations

**209 Avenue E**

Construct a new residence and accessory structure with a legislative exception for the side yard massing angle

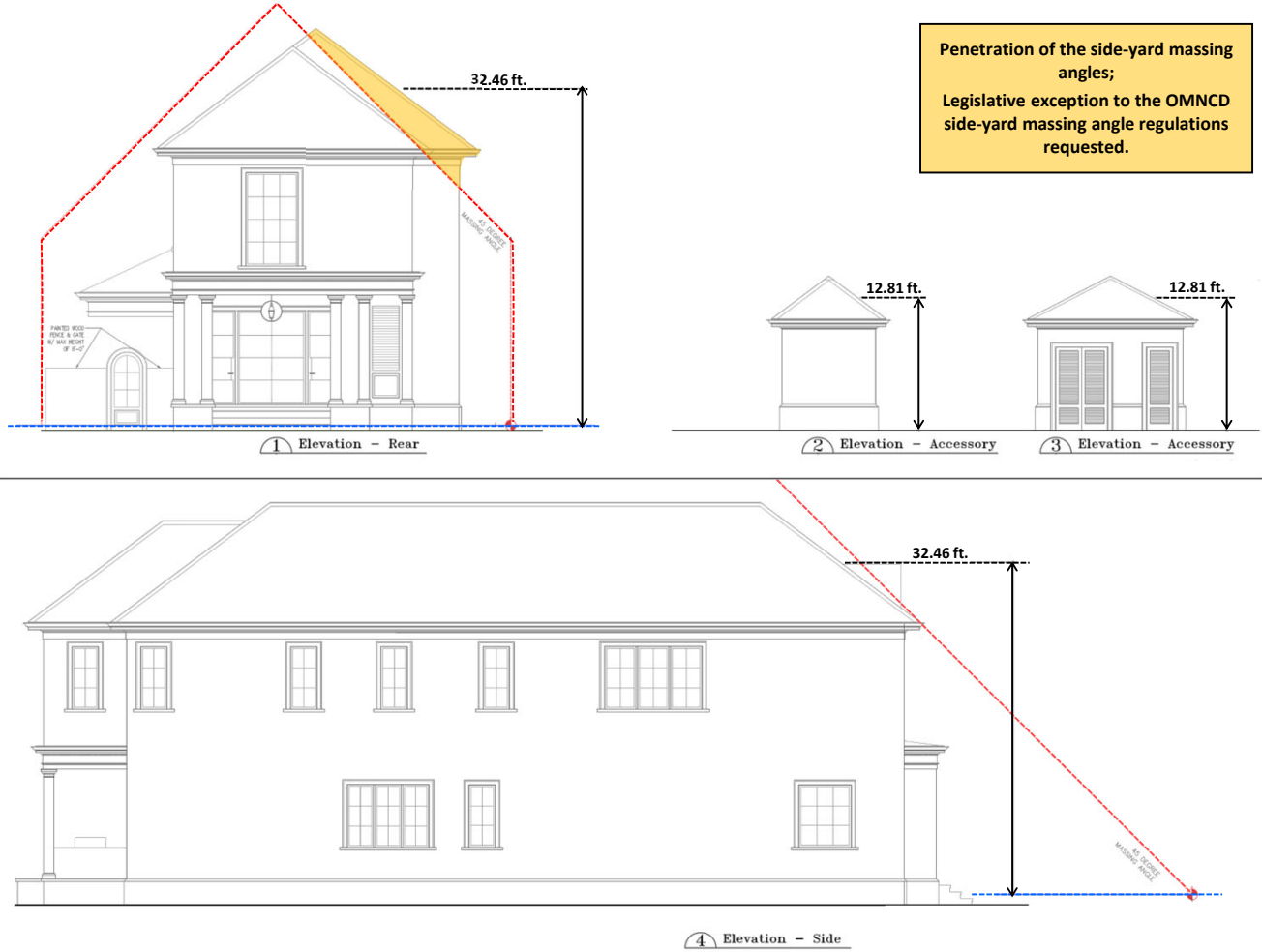
Docket No. OM-1-24

Council District 5

---  
Massing Angles

---  
18 in. Above the Crown of the Street

FIGURE 6



All users acknowledge that the content of these graphics were submitted and/or created specifically as demonstrative aides for the related land use matter being presented by the Jefferson Parish Planning Department identified with the appropriate docket number provided above. As such, Jefferson Parish makes no warranty as to the reliability or accuracy of the maps, their associated data tables and/or any graphics included in this presentation. Furthermore, Jefferson Parish is not responsible for the inaccuracies that could have occurred due to errors in the original data input or subsequent update process. All users of these graphics produced in connection with the related land use matter identified above specifically acknowledge, agree and accept that any zoning and/or land uses identified in said graphics are solely intended to be a demonstrative aide in the related land use matter and, as such, should not be relied upon outside of said related land use matter. User assumes all responsibility for verifying accuracy of data for any intended use.