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Parish President

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Council District 5

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STAFF REPORT

Old Metairie Neighborhood Conservation District

Docket No. OM-2-22



Clifford Brown, Chairman
David Webber, Vice-Chair
Thomas McAlister
Dr. Monica L. Monica

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Address: 306 Bella Dr.

OMC Hearing: 5/5/2022

Legal Description: Lot 3-A, Square C, Metairie Golf View Subdivision; bounded by Falcon Rd., Loumor Ave. & Frisco Ave.

Owner: Regan & Rhonda Leopold

Applicant: Andrew Biehler

Zoning: R-1B Suburban Residential District / OMNCD Old Metairie Neighborhood Conservation District

Future Land Use: SUB Suburban Residential

REQUEST

To install an in-ground swimming pool, pool equipment enclosure, planters, outdoor fireplace and grill station, with a variance to the side yard setback for the pool equipment enclosure.



RECOMMENDATIONS

Planning Department:

Approval of the request to install an in-ground swimming pool, planters, outdoor fireplace and grill station for the following reason:

- The proposed developments meet all of the minimum requirements of the R-1B/OMNCD

Denial of the request for a variance to the side yard setback regulations for the pool equipment enclosure for the following reason:

- The lot exceeds the minimum width and area requirements for the R-1B district and no hardship exists to justify a variance to the side yard setback.

Old Metairie Commission: To be determined

SUMMARY OF OMC PUBLIC HEARING: To be determined.

CONSISTENCY WITH COMPREHENSIVE PLAN

The proposal for the installation of an in-ground swimming pool, planters, outdoor fireplace and grill station is consistent with Objective 1.4 of the Housing Element of the Comprehensive Plan, which aims to “Ensure the compatibility of in-fill development in neighborhoods.”

The proposal for the side yard setback variance is inconsistent with the following objectives of the Comprehensive Plan:

a. Land Use Element

- i. Objective 2.6: “Protect residential neighborhoods from incompatible development or redevelopment.”

b. Housing Element

- i. Objective 1.4: “Ensure the compatibility of in-fill development in residential neighborhoods.”

FINDINGS

1. The R-1B district requires a minimum width of 60 feet, a minimum depth of 120 feet, and a minimum lot size of 7,200 square feet. The petitioned property has 90 feet of frontage on Bella Drive, an average width of 94.55 feet, an average depth of 119.72 feet, and a total area of 11,366 square feet. The lot exceeds the minimum width and area requirements of the R-1B district, but is deficient in lot depth by 0.28 feet. (Figure 3)
2. The property has been the subject of two requests for development. In 2010, a request was made under Planning Docket No. OM-10-10 to construct a new two-story single-family dwelling with an attached carport and a detached garage. Included in the request was a proposal to replace a Camphor tree, surveyed in 2009 to be 60 inches at dbh, in the rear yard. The proposal was recommended for approval by the Planning Department and the Old Metairie Commission, and was approved by the Parish Council under Resolution 114844 on June 30, 2010. In 2011, a request was made to amend the previously approved plans, changing the curved circular driveway to an angled one. The proposal was granted ministerial approval under Planning Docket No. OM-7-11 on April 8, 2011.
3. The applicant proposes to install an in-ground swimming pool, pool equipment enclosure, planters, outdoor fireplace and grill station. (Figure 4). The details of each installation have been summarized below:
 - a. An outdoor grill station will be installed on the existing covered rear patio, backed by a louvered panel painted to match the existing style of the house. (Figure 7)
 - b. A 65.83 square foot portion of an existing concrete stairway to the rear patio will be removed, and a square brick pedestal topped by a bowl planter will be installed in its place. The pedestal and planter will have a total height of 2.75 feet, will measure 4.5 by 4.5 feet, and occupy 20.25 square feet. (Figure 7) Three additional bowl planters, set on square 24-inch pavers, will also be placed in the rear yard, oriented around the proposed swimming pool and outdoor fireplace. (Figure 4)

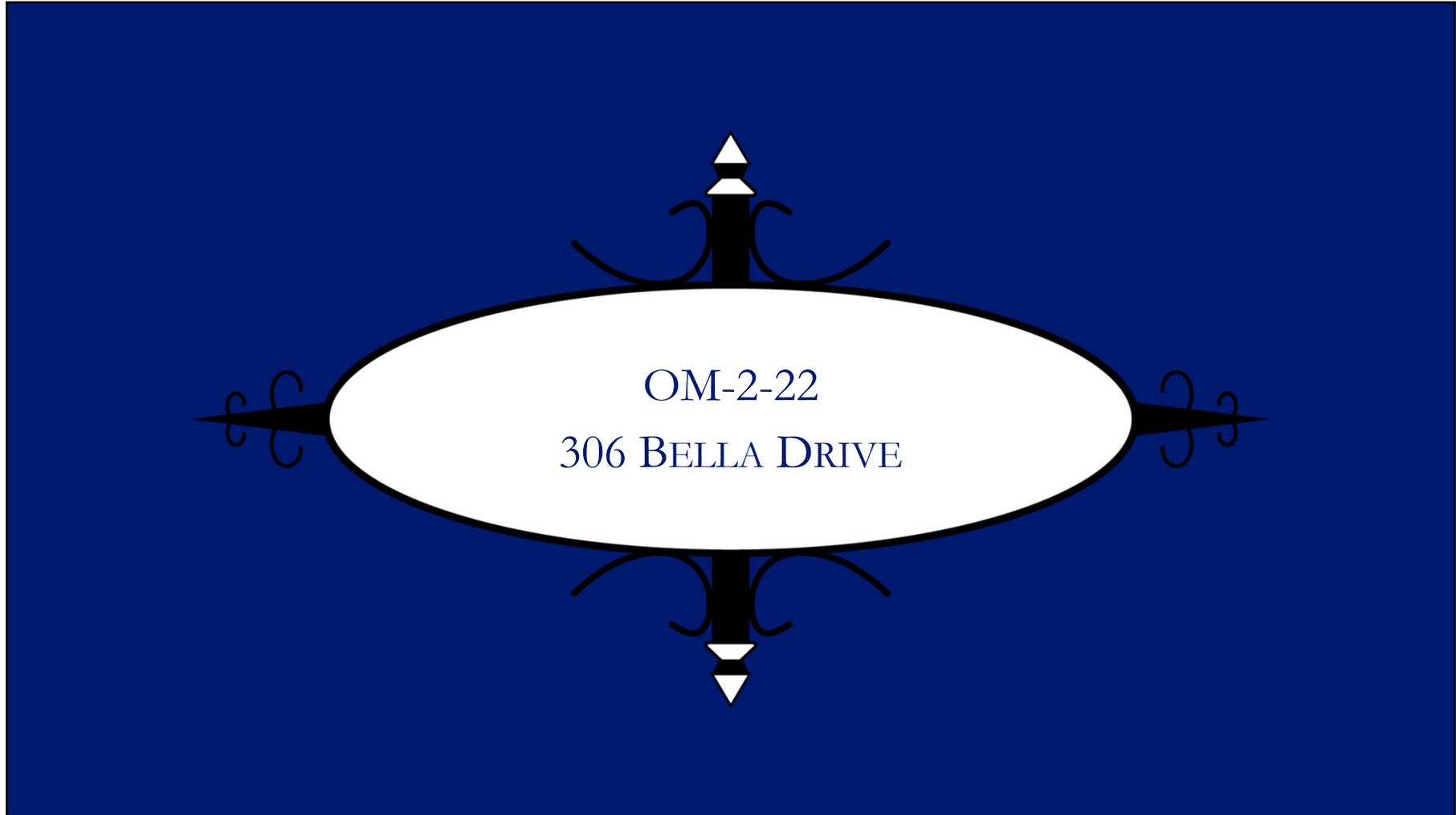
- c. An outdoor brick fireplace with a stepped façade measuring 16 feet at its widest point and 3 feet at its narrowest, having a depth of 3 feet and a height of 12.83 feet, and occupying a total of 72.64 square feet, will be installed in the rear yard. The fireplace will be 88 feet from the Frisco Ave. side (North), 11.5 feet from the Loumor Ave. side (West), and 7 feet from the Falcon Rd. side (South) lot lines. (Figure 4)
 - d. A swimming pool with an area of 509.25 square feet will be installed in the rear yard of the existing residence. The pool will measure 31.5 feet by 16.17 feet, and will be 41.5 feet from the Frisco Ave. side (North), 10.5 feet from the Loumor Ave. side (West), and 22.42 feet from the Falcon Rd. side (South) lot lines. An irregularly-shaped pool deck with a total area of 1,002.25 square feet will also be installed. (Figure 4)
 - e. A pool equipment enclosure will be installed in the side yard on the Falcon Rd. (South) side of the lot. The pool equipment enclosure will measure 8 feet by 3.5 feet and have a total area of 28 square feet. The pool equipment enclosure will be 44 feet from the Loumor Ave. side (West) and 3.58 feet from the Falcon Rd. (South) side of the lot. (Figure 4)
4. Sec. 33-3.65.4.b. states that for development within the OMNCD, “setbacks shall be determined by the underlying zoning district”. As per Sec. 40-109.a.3., the R-1B Suburban Residential District requires a minimum side yard setback of 7 ft. The applicant has proposed to place the pool equipment enclosure 3.58 ft from the side property line, requiring a variance of 3.42 ft. The subject lot exceeds the minimum lot width required for the district by 34.55 feet. The proposed development otherwise meets the regulations of R-1B/OMNCD.
 5. The design guidelines for the Old Metairie Neighborhood Conservation District shall serve as a model for appropriate design. Per Sec. 33-3.65.1, one of the purposes of the design guidelines of the OMNCD is to preserve the open character of the area by maintaining the spacing between structures. The proposed variance would reduce the spacing between structures, and therefore be detrimental to the open character of the street.
 6. All other proposed developments meet all of the minimum requirements of the R-1B/OMNCD, as applicable.
 7. There is one 27-inch Live Oak tree on site, located in the front yard of the property, that will be protected as per the tree protection plan. (Figure 5)
 8. All LURTC viewers are unopposed to the proposed development. The Department of Inspection and Code Enforcement has noted that the project will be reviewed for compliance with the international pool and spa code at the permitting stage. The Department of Public Works has noted that pool and subsurface drainage for the proposed work are required to tie into the municipal drainage system and has advised the applicant to contact the Streets Department so that they may apply for the relevant permit.

DEPARTMENT COMMENTS (LURTC)

Table 1: Land Use Review Technical Committee (LURTC) Comments		
Department	Position	Comment/Stipulation
Parish Attorney	Not Opposed	Parish Attorney is NOT OPPOSED to this Case but has the following Stipulations: We will defer to the other departments for comments.
Fire	N/A	N/A
ICE-Building	Not Opposed	ICE - Building is NOT OPPOSED to this Case but has the following Stipulations: This project will be reviewed for compliance with the international pool and spa code at the permit stage.
ENG-Site Plan	Not Opposed	ENG - Site Plan is NOT OPPOSED to this Case.
Public Works	Not Opposed	<p>Public Works is NOT OPPOSED to this Case but has the following Stipulations:</p> <p>OM-02-22 the Department of Public Works (on 02/21/2022) 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 Planning Department to place the general stamp on the plan. Pool and subsurface drainage are required to tie into Street drainage. Call the Streets Department (838-1150) for a permit.</p> <p>Drainage Department has no comment.</p> <p>Streets Department has no comment.</p> <p>Sewer Department has no comment.</p> <p>Traffic Engineering Division finds that the sight triangles are not an issue at this time and a TIA is not currently required.</p> <p>Parkways states all species of trees are approved. Tree protection is not in place.</p>

TABLE 2: R-1B/OMNCD SITE INFORMATION

Criteria	Required/Permitted	Proposed	Compliant?
Setback (swimming pool), rear yard, min.	3 ft.	10.5 ft.	Y
Setback (swimming pool), side yard (north), min.	3 ft.	41.5 ft.	Y
Setback (swimming pool), side yard (south), min.	3 ft.	22.42 ft.	Y
Setback (fireplace), rear yard, min.	3 ft.	11.5 ft.	Y
Setback (fireplace), side yard (north), min.	7 ft.	7 ft.	Y
Setback (fireplace), side yard (south), min.	7 ft.	88 ft.	Y
Accessory structure (fireplace), height, max.	13 ft.	12.83 ft.	Y
Setback (pool equipment), rear yard, min.	3 ft.	44 ft.	Y
Setback (pool equipment), side yard (south), min.	7 ft.	3.58 ft.	N
Exterior materials, piers, pilings, posts, or columns used as design elements	Shall be finished with architecturally finished wood or masonry, stucco, etc.	Louvered wall of grill station painted to match existing structure. Brick, stone pavers, limestone, and Cyprus wood materials incorporated into the proposed installations.	Y
Tree preservation	Significant trees preserved or replaced; Protected by a fence at the drip line or at 10 ft. from the trunk.	Tree protection proposed for 27-in. Oak in front yard.	Y



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Planning Department

Aerial

306 Bella Dr.

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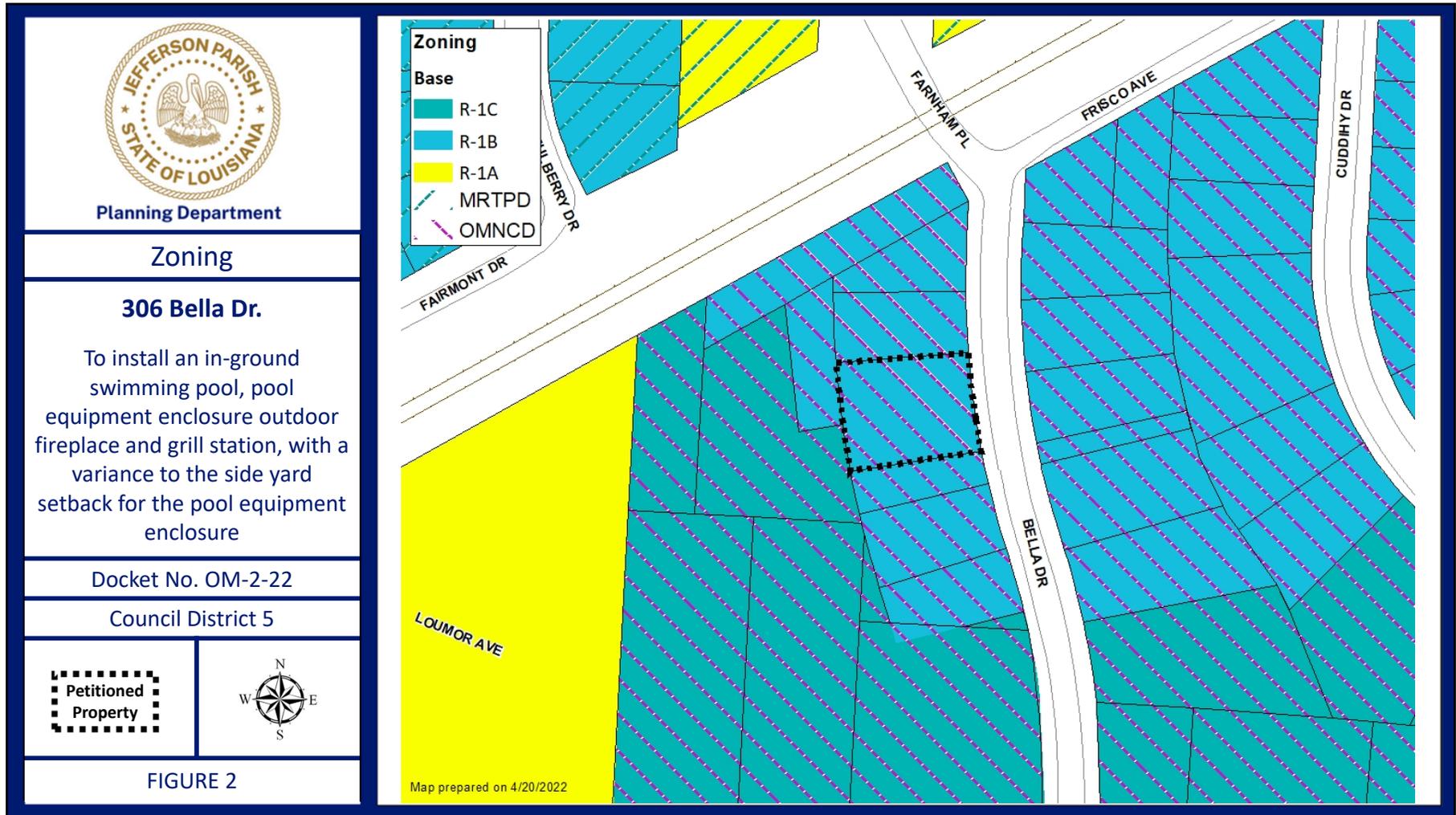
Council District 5



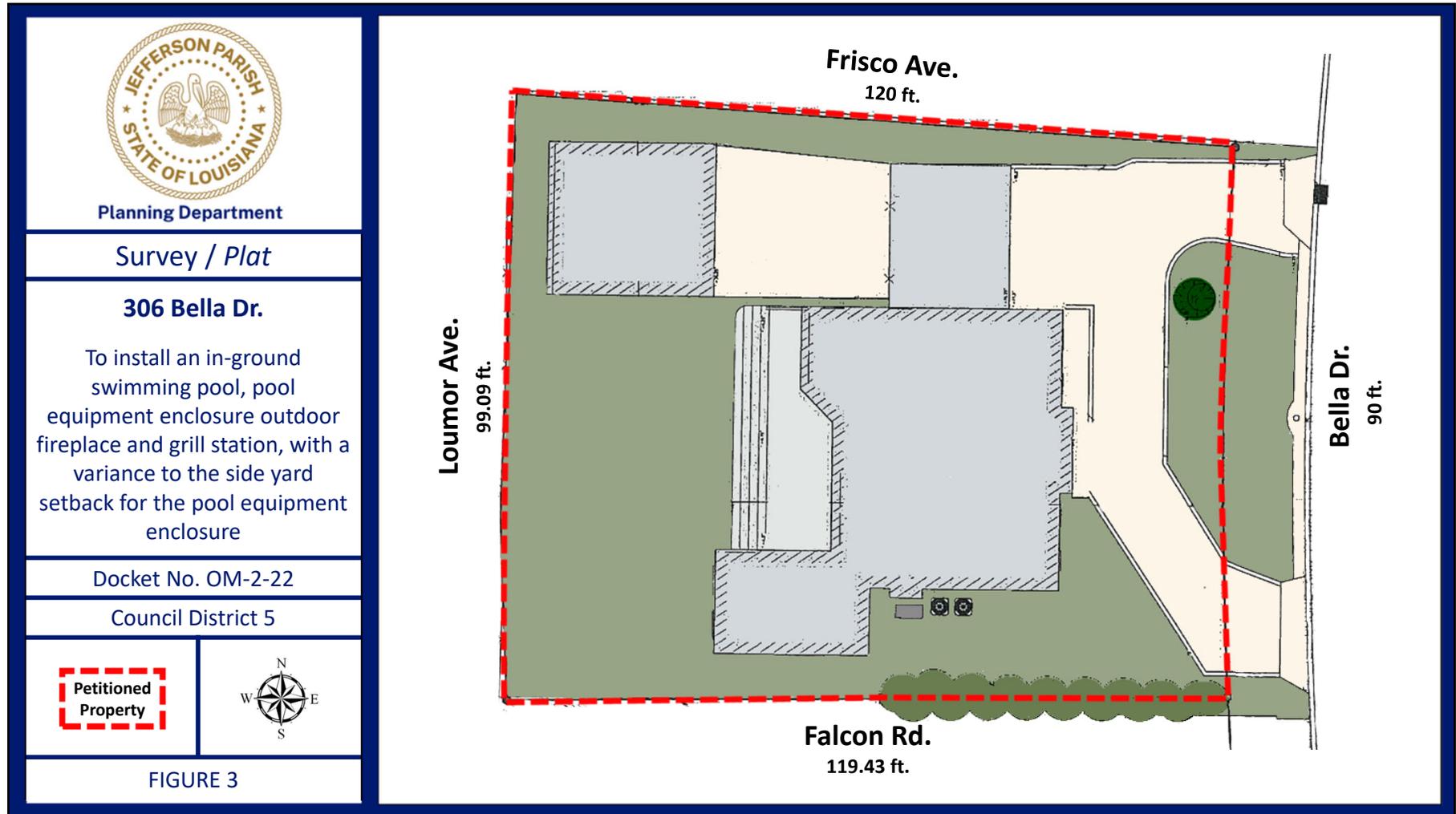
FIGURE 1



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Planning Department

Site Plan & Variance Request

306 Bella Dr.

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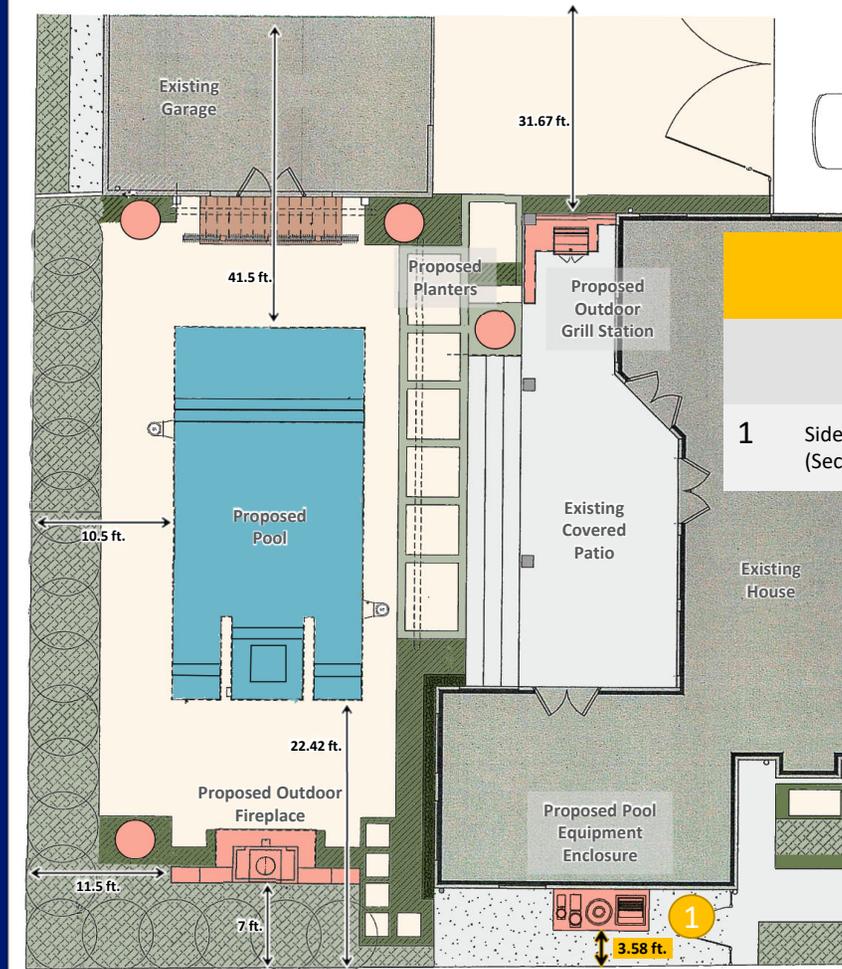
Docket No. OM-2-22

Council District 5

Proposed Renovations

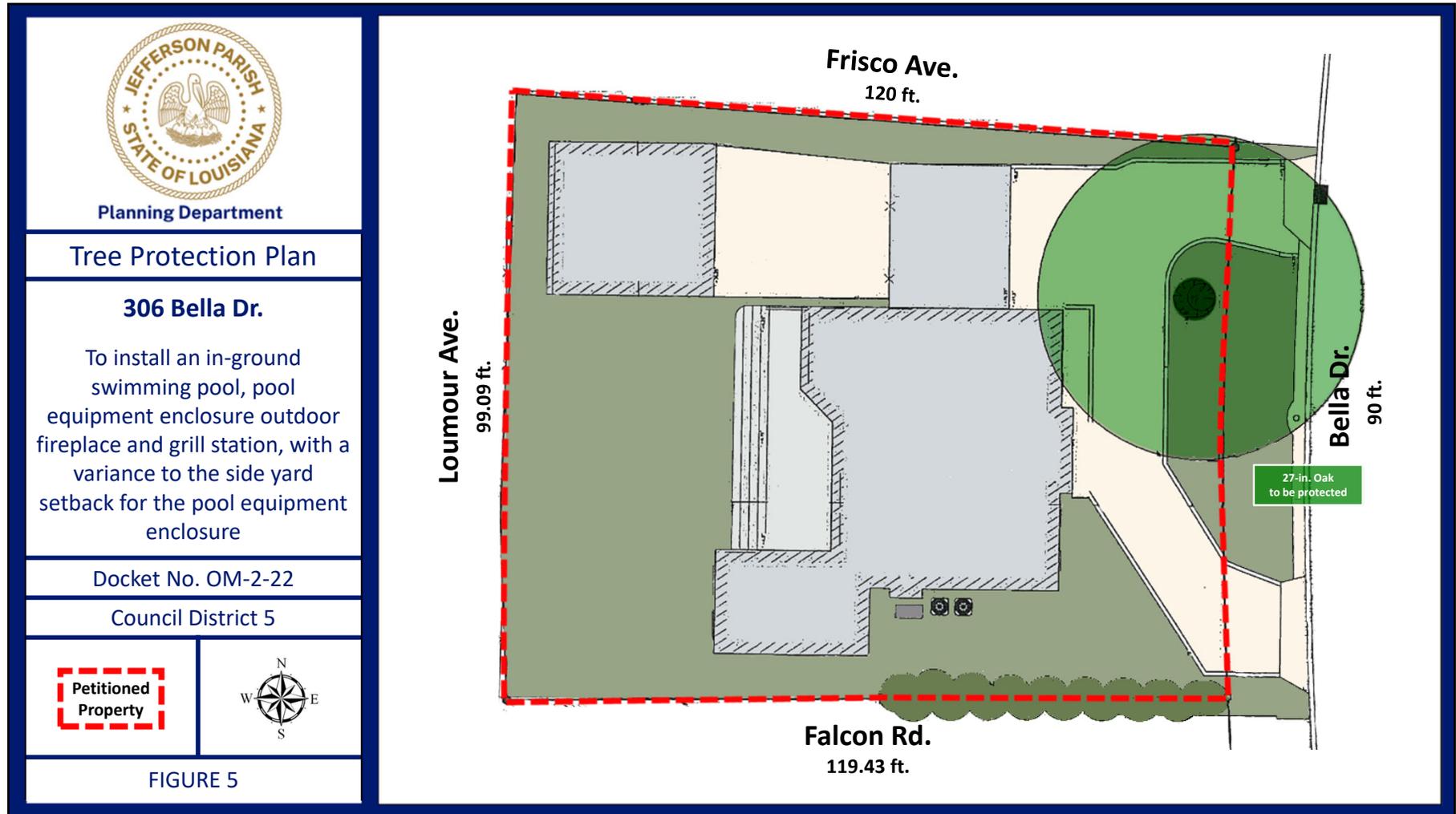


FIGURE 4



Variances			
	Regulation	Required	Provided
1	Side yard setback (Sec. 40-109.a.3.)	7 ft.	3.58 ft.

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Planning Department

Fireplace Elevations

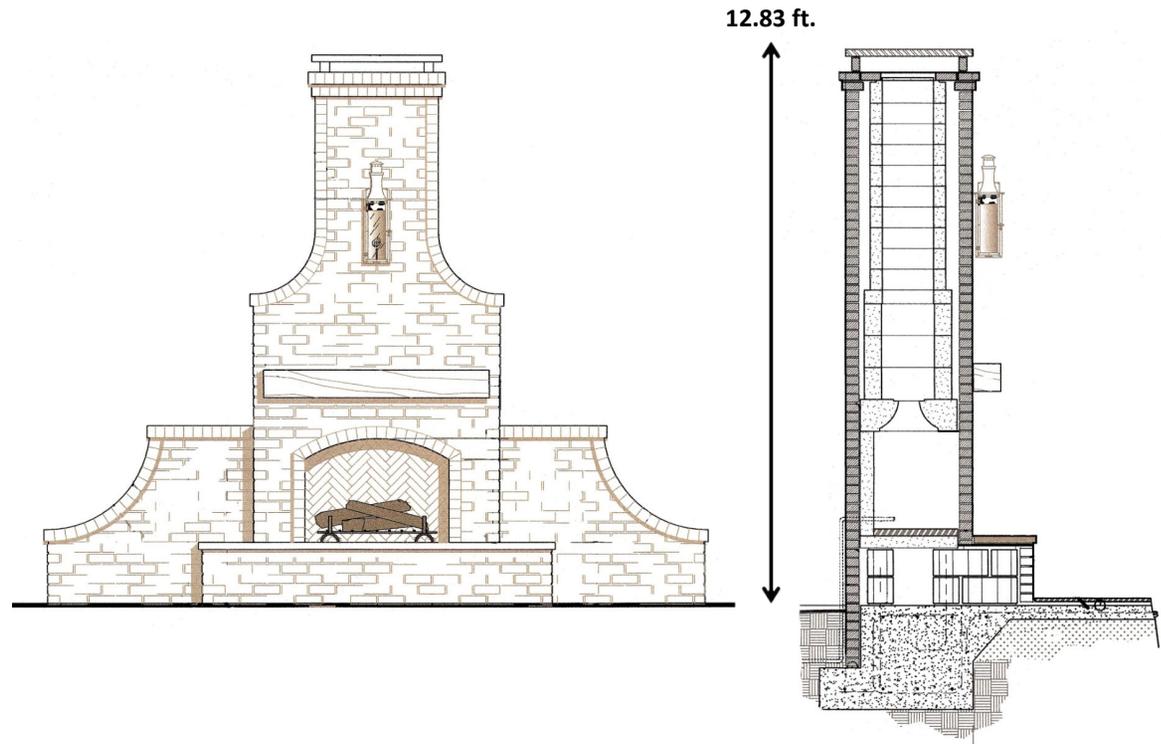
306 Bella Dr.

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Docket No. OM-2-22

Council District 5

FIGURE 6





Planning Department

Outdoor Grill Station & Planter Elevations

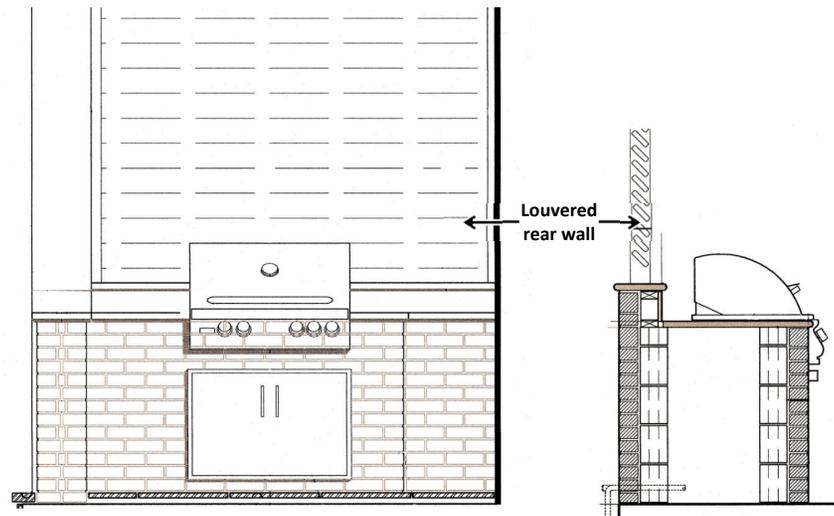
306 Bella Dr.

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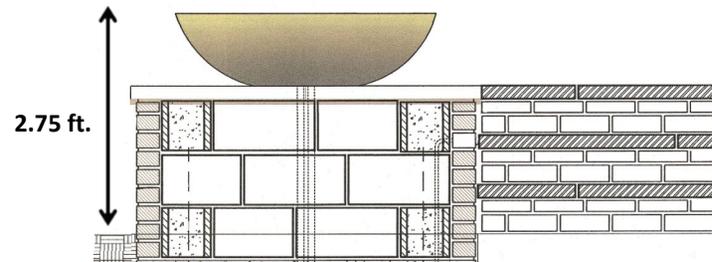
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Council District 5

FIGURE 7



Grill Station



Brick Pedestal Planter



Planning Department

Property Elevations

306 Bella Dr.

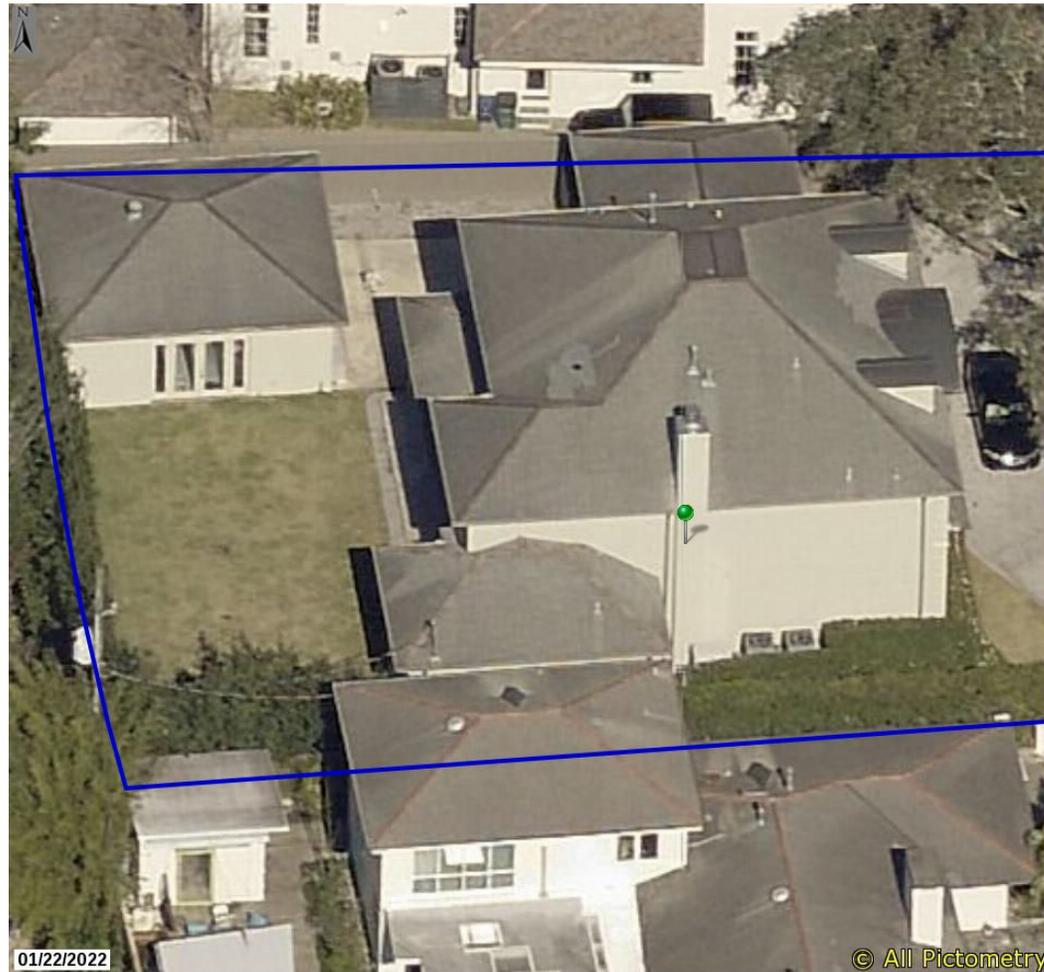
To install an in-ground swimming pool, pool equipment enclosure outdoor fireplace and grill station, with a variance to the side yard setback for the pool equipment enclosure

Docket No. OM-2-22

Council District 5

View from the Southern property line

FIGURE 8





Planning Department

Property Elevations

306 Bella Dr.

To install an in-ground swimming pool, pool equipment enclosure outdoor fireplace and grill station, with a variance to the side yard setback for the pool equipment enclosure

Docket No. OM-2-22

Council District 5

View from the Western property line

FIGURE 9

