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Parish President

Hans Liljeberg
Council District 5

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Planning Director

STAFF REPORT

Old Metairie Neighborhood Conservation District

Docket No. OM-31-23



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

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

Address: 314 Hector Ave.

OMC Hearing: 3/7/24

Legal Description: Lot 5-A, Square 8, Metairie Suburb Subdivision; bounded by Duplessis St., Iona St., and Avenue B

Owners: Erin & Stephen Ward

Applicant: Brian Gille

Zoning: R-1A Single-Family Residential District/OMNCD Old Metairie Neighborhood Conservation District

Future Land Use: SUB Suburban



REQUEST

Demolition of the existing residence and construction of a new 6,181 sq. ft. residence with a legislative exception for the side yard massing angle requirement.

RECOMMENDATIONS

Planning Department: Approval for the following reasons:

- The requested legislative exception for the side yard massing angle would not impact the open character of the neighborhood nor the purpose of the OMNCD.
- The proposal meets all remaining requirements for R-1A and OMNCD development, including the review criteria for proposals within the OMNCD of Sec. 33-3.65.7.1 – *Review Criteria*.

Old Metairie Commission: Approval

SUMMARY OF OMC PUBLIC HEARING: See OMC minutes.

CONSISTENCY WITH COMPREHENSIVE PLAN

The proposal 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 residential neighborhoods.”

FINDINGS

1. The petitioned property has 60 ft of frontage on Hector Ave., 120 ft. of depth, and a total area of 7,200 sq. ft. (Figure 3). The lot meets the R-1A minimum lot requirements, and there is not an approved OMNCD site plan for the property.
2. The applicant proposes to demolish an existing single-family residence, and to construct a three-story, 6,181 sq. ft. residence with a legislative exception for the side yard massing angle requirement. The applicant is also proposing to keep the existing shed located in the rear yard.
3. The original proposal had stairs in the side yard, and the advertisement for this case stated that there would be a variance for stairs projecting into the side yard. But in revised plans submitted on February 26, 2024 the potential variance had been eliminated. Other than the side yard massing angle, the proposal meets all other requirements for R-1A and OMNCD Development (Table 2).
4. The tree protection plan proposes to protect an 11-in. DBH Drake Chinese Elm in the rear yard; the Parish arborist has accepted the tree protection plan, and has stated that the tree protection fencing must be erected before any demolition activities are to begin. The applicant is aware of this requirement.
5. Per Section 33-3.65.3 (d)(2)a, no part of a proposed structure shall penetrate the lot's façade or side yard massing angle except for minor or incidental projections, as determined by the Planning Director. The roof by the Avenue B side penetrates the massing angle and as such a legislative exception is required.
6. Per Section 40-741(a), a roof may project to the extent of 4 ft. into a required side yard, if a minimum distance of 2 ft. remains open to the sky between the farthest projection of the roof and the side property line. The proposed copper awning on the Duplessis St. side projects 2 ft. into the side yard while leaving 3 ft. open to the sky. Additionally, walls of residential fireplaces shall not project nearer than 3 ft. to the side lot line. The proposed fireplace wall only projects 1.7 ft. into the side yard.
7. In determining its recommendation and consideration of all proposed legislative exceptions or variances, the OMC shall find that the following additional criteria are met:
 - *The legislative exception or variance is consistent with the general provisions, intent, and purpose of the zoning district:* Granting of the legislative exception for the Avenue B side yard massing angle is consistent with the purpose of the OMNCD, because it does not meaningfully impact the open character of the neighborhood while still encouraging harmonious redevelopment.
The legislative exception or variance is harmonious and compatible with adjacent land uses: Approval of the legislative exception would be harmonious with other properties that front on Hector Ave.
 - *The legislative exception or variance is the minimum amount needed to relieve a hardship that is unique to the property:* Although the legislative exception is not incidental, the requested legislative exception is a minor incursion of the side yard massing angle.
8. Per Section Sec. 33-3.65.5.1.(j), the demolition of an entire principal structure shall be evaluated according to the following criteria:
 - *The current condition of the structure.* The existing residence is in average condition with some deferred maintenance present.

- *The reason for the demolition request.* The property owner intends to ultimately construct a new residence.
 - *The architectural or historical significance of the structure for structures shown on the 1966 Sanborn Maps.* A similar structure is present on the 1966 Sanborn Maps.
 - *The neighborhood context of the structure and the overall effect demolition will have on properties located on both sides of the property and of the street within the same block.* The home is not noticeably smaller or larger than other homes on the same street. The demolition should not negatively impact nearby properties since there is planned redevelopment; the lot is not to remain vacant indefinitely.
 - *The proposed length of time the site is anticipated to remain undeveloped if demolition is granted.* Per the applicant, the construction of the new residence will immediately follow the demolition. They anticipate the demolition phase will last approximately one month and the new construction will last for approximately one year.
9. As part of the submittal requirements for demolition, the applicant submitted a written statement as part of the OMNCD application regarding future development, specifically including the following:
- *Year built.* Per the applicant, the residence was constructed in 1981.
 - *Proposed plan for maintaining the lot between demolition and redevelopment, including lot/weed maintenance and trash debris removal.* Per the applicant, all demolition debris will be hauled away from the site continuously. Additionally, the general contractor for the new residence will be responsible for site maintenance, weeds, and construction debris removal.
 - *Reason for removal.* The reason for demolition is to construct a new single-family home.
 - *If fencing is proposed, type of fencing.* Tree protection fencing will be erected per the Tree Protection Plan. There will be no additional fencing erected on site.
 - *Timing expectations for planned development.* The applicant anticipates the demolition phase will last for approximately one month and the new construction phase will last for approximately one year.
 - *If no redevelopment is planned, the length of time the lot is expected to remain vacant.* Not applicable.
10. Per Sec. 33-3.65.7.1 – *Review Criteria*, the Planning Director and the OMC shall evaluate proposals on their conformance to the standards of this section and other applicable OMC Planning Department requirements of this Code. In determining its recommendation, the Planning Director and the OMC, shall consider whether the proposed development:
- *Supports the purpose of the OMNCD and is consistent with the comprehensive plan.* The proposal is in harmony with the character of the district, and is consistent with both the OMNCD and the comprehensive plan. Specifically, the proposal is in line with the OMNCD's goal of fostering harmonious, orderly, and efficient growth and redevelopment of the district.
 - *Compatible and, in general, conforms with the proportions and mass of surrounding structures, including properties located on the same block, on both sides of the street.* The home is larger than what is typical for the block, but the lot is large enough to accommodate the larger home.

- *Will benefit the public health, safety and general welfare.* The proposal will benefit the public health, safety, and general welfare by encouraging investment in the community and enhancing the built environment.

DEPARTMENT COMMENTS (LURTC)

Table 1: Land Use Review Technical Committee (LURTC) Comments		
Department	Position	Comment/Stipulation
Parish Attorney	Not opposed	We will defer to the other departments for comments.
Building Permits	Not opposed	Building code will be addressed at permitting stage.
ENG-Site Plan	Not opposed	<ol style="list-style-type: none"> 1. Any barrier curbing fronting a newly proposed driveway apron must be removed and replaced by a Jefferson Parish contractor at the expense of the property owner. For more details please contact the Engineering Department at (504)349-5173 to set up a consultation and obtain a curb quote. 2. The property owner is responsible for any damage to right of way improvements (including the existing sidewalks or driveways) during or after the construction of any new structure(s) or demolition of any existing structure(s). Any damage must be repaired, or improvements replaced in accordance to the Jefferson Parish Engineering standards. Any existing driveway apron for any new residential construction will not be permitted to remain and must be replaced to comply with those standards. Please contact the department of Engineering at (504) 349-5173 or (504) 736-6793 prior to beginning any sidewalk / driveway apron construction. 3. Further comments will be made at the permit stage. Contact Engineering Offsite Review at: (504) 349-5174 for more information and a complete list of requirements.

Table 1: Land Use Review Technical Committee (LURTC) Comments

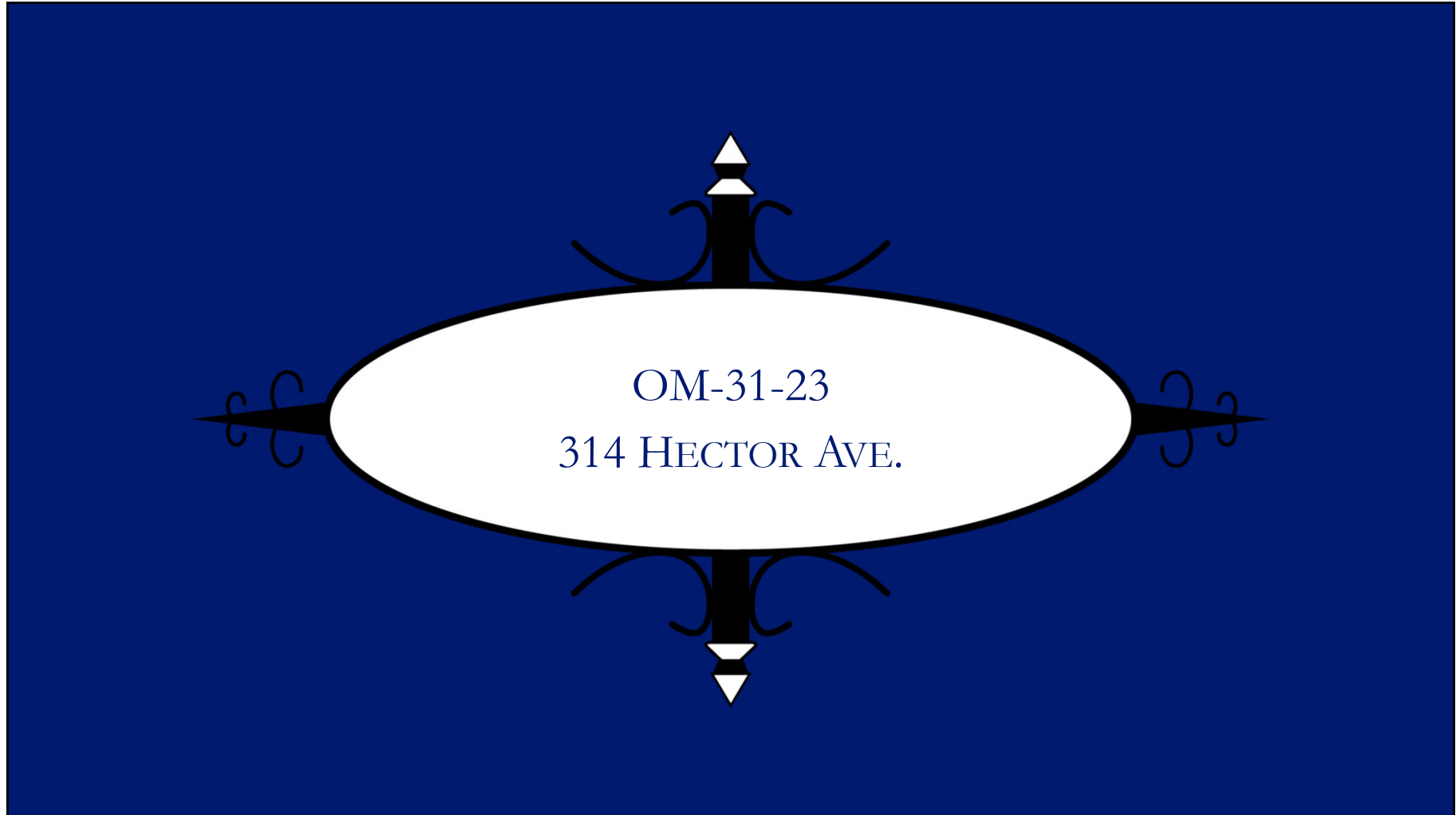
Department	Position	Comment/Stipulation
Public Works	Not opposed	<p>OM-31-23 the Department of Public Works (on 01/17/2024) Tree protection has not been erected. Must have tree protection erected around Drake Elm tree before any construction begins on site. No tree removal. Demo only. The sight triangles are not an issue at this time and a TIA is not currently required. 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. Future 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.</p> <ol style="list-style-type: none"> 1. Drainage Department has no comment. 2. Parkways states Tree protection has not been erected. Must have tree protection erected around Drake Elm tree before any construction begins on site. No tree removal. Demo only. 3. Sewer Department has no comment. 4. Streets Department has no objections. 5. Traffic Engineering Division finds that the sight triangles are not an issue at this time and a TIA is not currently required. 6. Public Works Utilities has no objection. 7. Water Department has no objection.

TABLE 2: R-1A/OMNCD SITE INFORMATION

Criteria	Required/Permitted	Proposed	Compliant?
Building height, max.	35 ft.	31.61 ft.	Y
Façade Massing Angle	No part shall penetrate except for incidental projections	Does not penetrate	Y
Setback, front yard, min.	20 ft.	21.33 ft.	Y
Façade massing angle	No part shall penetrate except for incidental projections	Incidental penetration of the dormers which make up less than 30% of the width of the façade	Y
Setback, side yard, min.	5 ft.	5 ft.	Y
Side yard massing angle	No part shall penetrate except for incidental projections	The roof penetrates the Avenue B side massing angle.	N

TABLE 2: R-1A/OMNCD SITE INFORMATION

Criteria	Required/Permitted	Proposed	Compliant?
Setback, rear yard, min.	24 ft.	24 ft.	Y
Front yard impervious surfaces, max.	40%	16%	Y
Front yard greenspace coverage, min.	20%	67%	Y
Street-facing façade comprised of windows and doors, min.	15%	16%	Y
Exterior materials, general	Synthetic stucco shall be allowed only as an accent material for architectural details and shall not be used as a main finish material / vinyl siding is prohibited	No synthetic stucco or vinyl siding	Y
Exterior materials, windows, doors, trims, and moldings	Similar materials on all exterior elevations	Similar materials on all exterior elevations	Y
Tree preservation	The Drake Chinese Elm is to be protected per Parkways	Protection provided for the Drake Chinese Elm in the rear yard.	Y





Planning Department

Aerial

314 Hector Ave.

Demolition and
construction of a new
residence with a
legislative exception for
the side yard massing
angle

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FIGURE 1





Planning Department

Street View

314 Hector Ave.

Demolition and
construction of a new
residence with a
legislative exception for
the side yard massing
angle

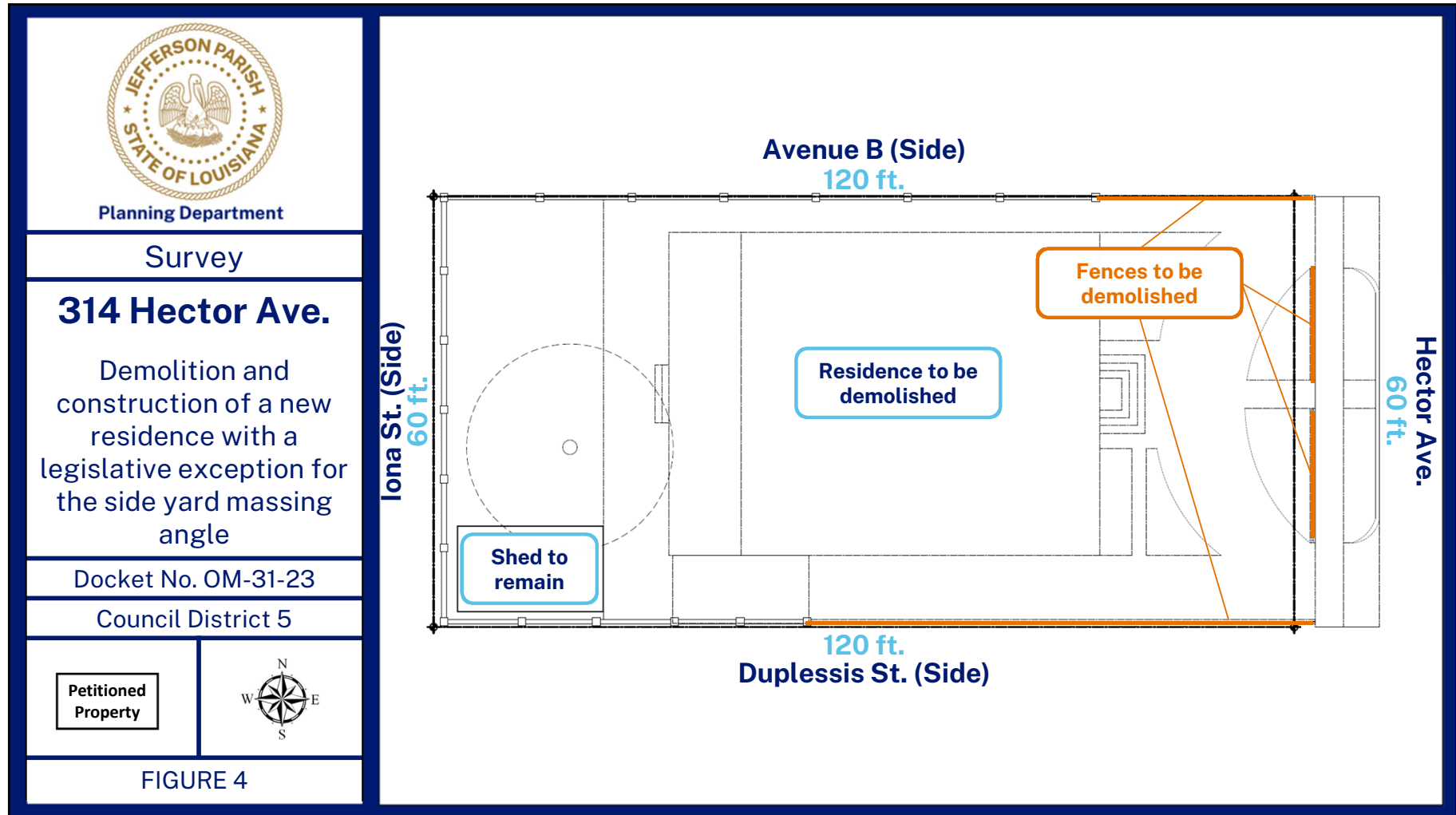
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FIGURE 2









Planning Department

Site Plan & Variance Request

314 Hector Ave.

Demolition and construction of a new residence with a legislative exception for the side yard massing angle

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Petitioned Property

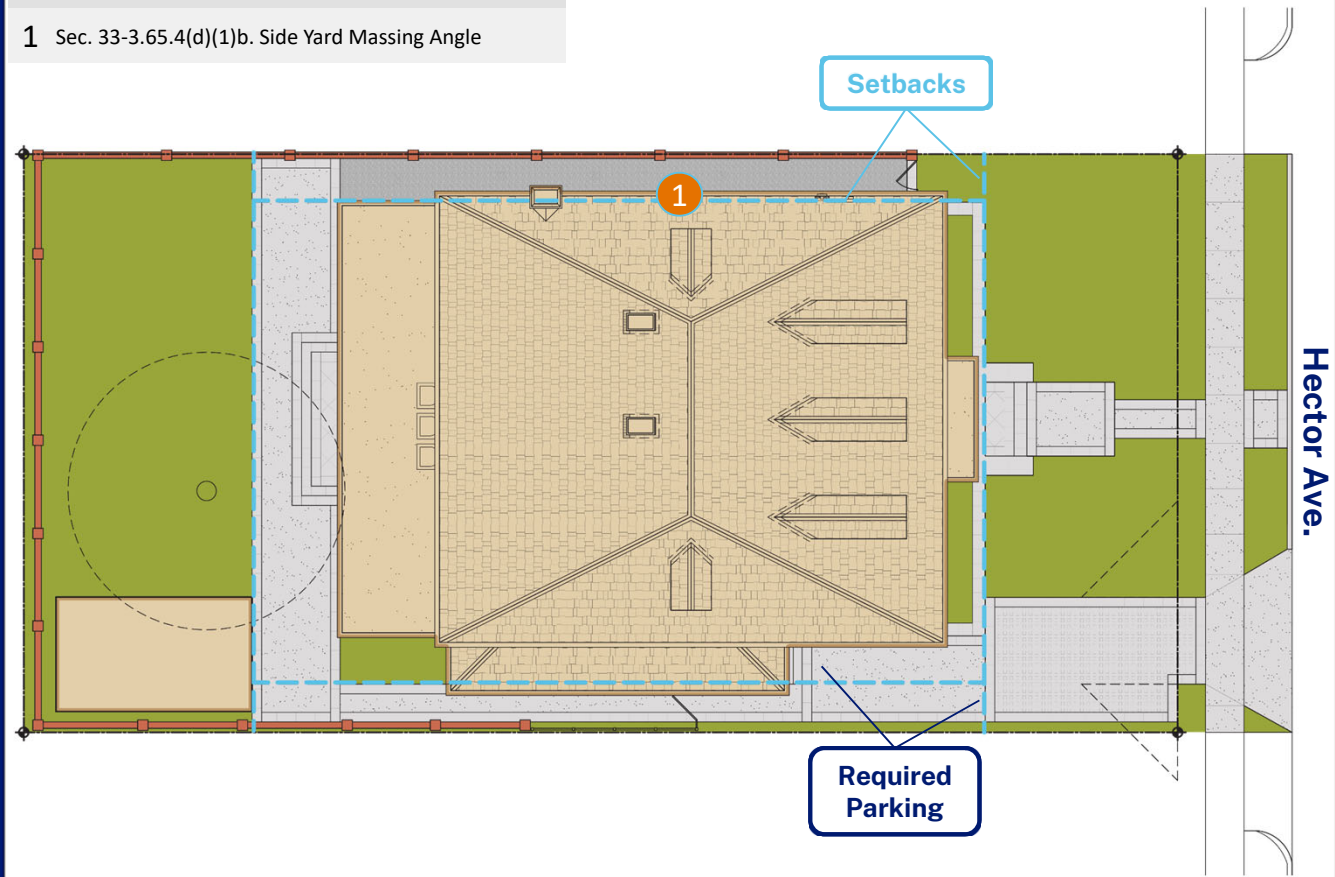


FIGURE 5

Variances

Regulation

- 1 Sec. 33-3.65.4(d)(1)b. Side Yard Massing Angle





Planning Department

Tree Protection Plan

314 Hector Ave.

Demolition and construction of a new residence with a legislative exception for the side yard massing angle

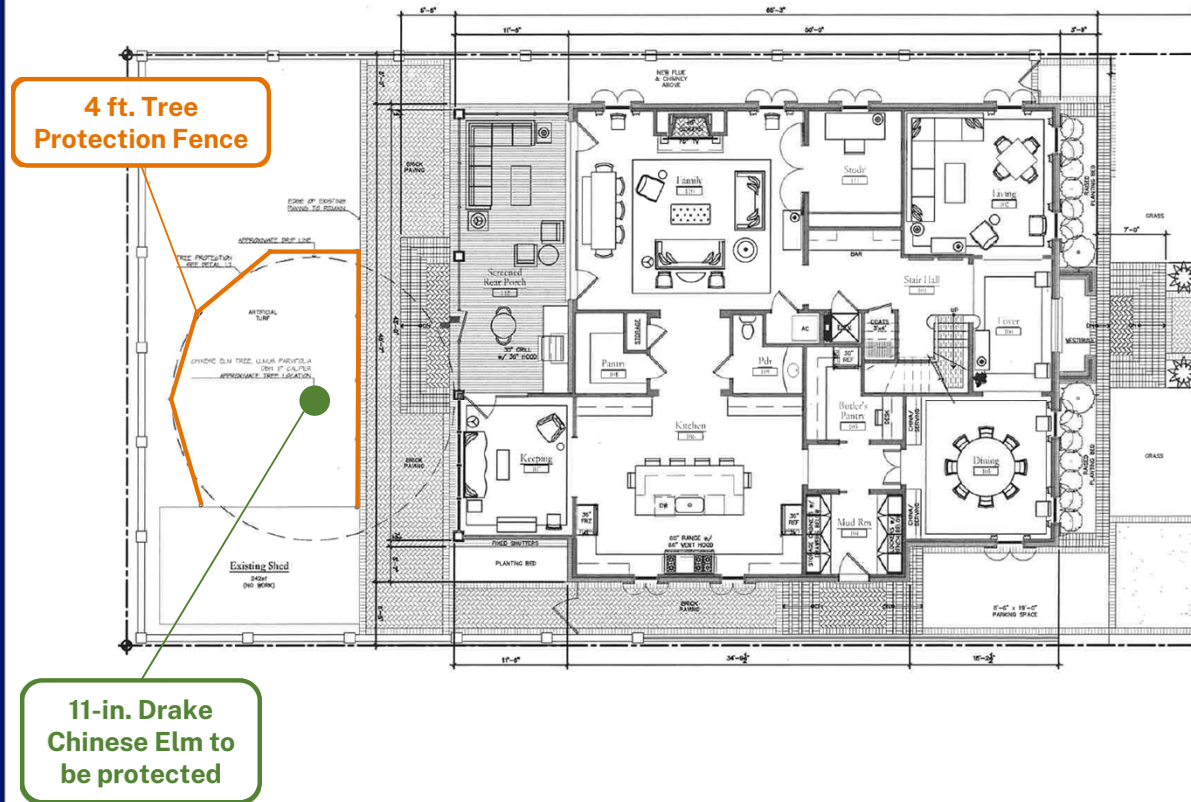
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Petitioned
Property



FIGURE 6





Planning Department

Tree Protection Plan

314 Hector Ave.

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FIGURE 7





Planning Department

Front Elevation

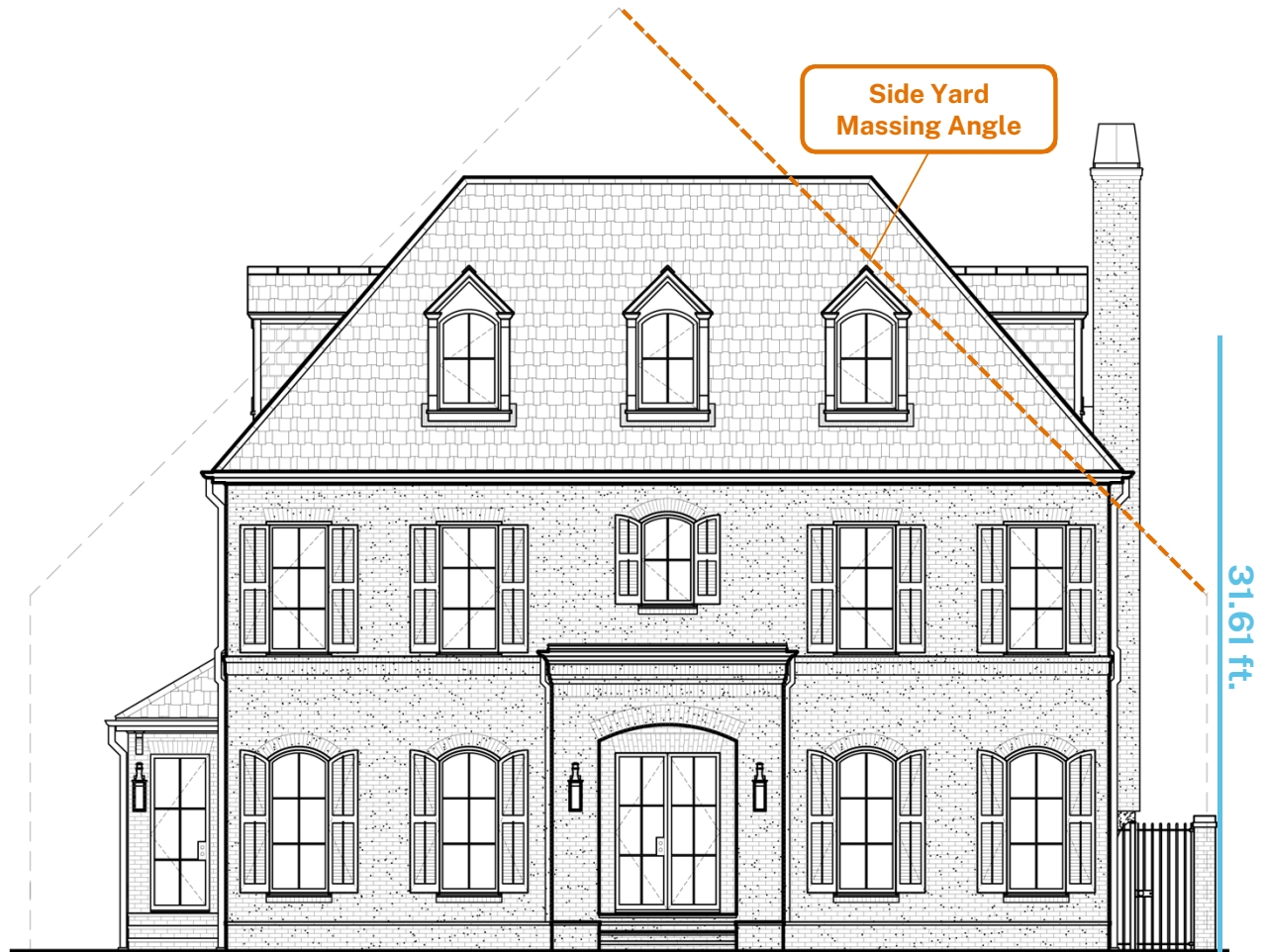
314 Hector Ave.

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FIGURE 8





Planning Department

Side Elevation

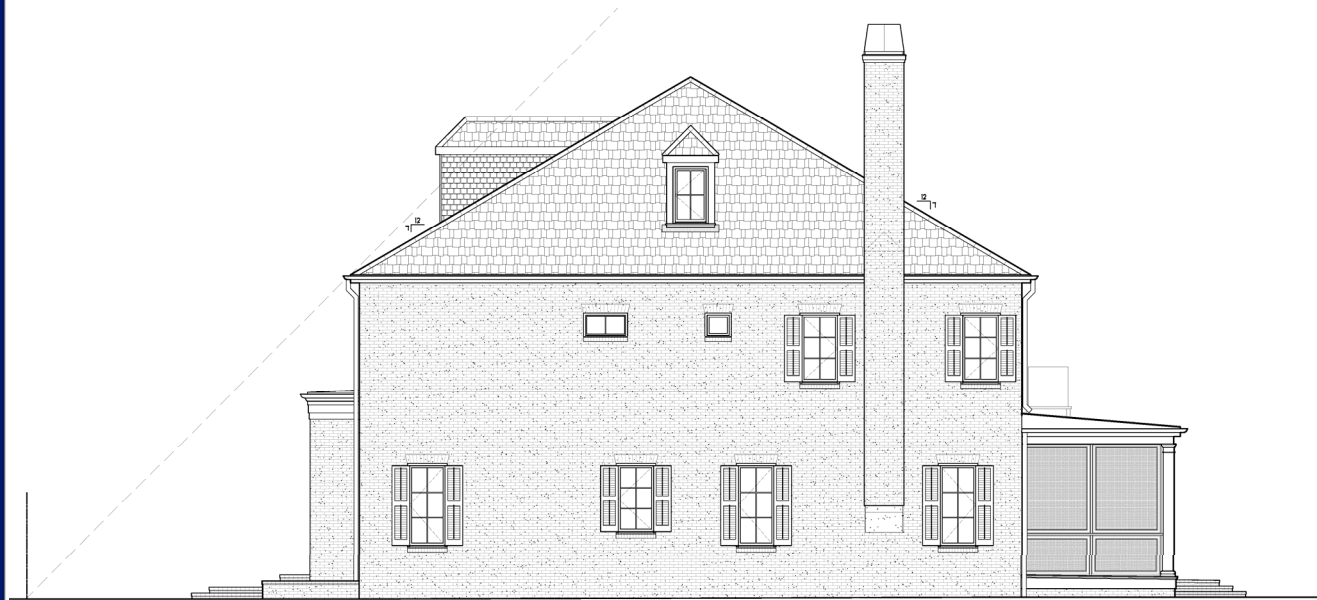
314 Hector Ave.

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FIGURE 9







Proposed New Residence w/ Gabled Roof (7:12)

Scale:

N.T.S.

Variance Not Required



Proposed New Residence w/Hipped Roof

Scale:

N.T.S.

Variance Required