

**OLD METAIRIE COMMISSION (OMC) MINUTES
PUBLIC HEARING
December 5, 2019 9:00 a.m., Suite 604, Yenni Building**

In Attendance

Old Metairie Commission Members

	<u>Present</u>	<u>Absent</u>
Ninette Eastman, Chair	√	
Clifford Brown, Vice-Chair	√	
Dr. Monica Monica	√	
Thomas McAlister		√
Cynthia J. Steward	√	

Planning Department

Juliette Cassagne, Assistant Director
Jay Hébert, Senior Planner
Alena Gesser, Planner II
Nedra McKinney, Typist Clerk III

Others

Bess Renfrow, Parish Attorney
Sal Puleo, Dept. Inspection and Code Enforcement

Ms. Eastman, Chairman, introduced herself, other members of the Commission, and the Parish staff.

The Old Metairie Commission (OMC) conducted the December 5, 2019 public hearing at the Joseph S. Yenni Building in Suite 604, 1221 Elmwood Park Blvd., Jefferson, LA 70123. Ms. Eastman proceeded to the agenda and opened the meeting at 9:00 a.m.

OM-22-19 413 Iona St.

A request to construct a swimming pool and a variance request for the placement of pool equipment in the required side yard, on Lot X, Square 9, Metairie Suburb Subdivision, Jefferson Parish, LA, bounded by Duplessis St., Hector Ave., and Geranium St., zoned R-1B Suburban Residential District/OMNCD Old Metairie Neighborhood Conservation District. (Council District 5)

Ms. Gesser reported the findings of the case.

The Planning Department recommends approval for the following reasons:

- The proposed swimming pool meets all of the minimum requirements of the R-1B/OMNCD;
- The side yard setback variance for the placement of the pool equipment is acceptable because the footprint of the existing development limits where the proposed pool equipment may be located on the site; and
- The existing six-foot wood fence serves as an adequate buffer to the affected shared lot line.

Ms. Cassagne stated that the Planning Department received a letter of support from the neighbor at 411 Iona St., Mr. David Treen that was provided to all of the commissioners. The Commission was also provided a letter from the owner of Oasis Pools and Spas who is doing the install, which explained some of the hardship and reasons for the location of the pool equipment.

Ms. Eastman opened the floor for the applicant/owner to speak.

Mr. Cameron Henry introduced himself as the representative of the owner and stated that the gas meter is on the left side of the house. By placing the pool equipment on the left side of the house it will allow the right side of the house to be completely removed of any obstruction so that the owner, the children, and pets can use that side of the house. The neighbors have been very supportive and it seems like it will be very easily done. The only issue they have is running that gas meter from the left side of the house to the right side of the house. The gentlemen building the pool doesn't really recommend having a gas line moved that distance and doesn't feel comfortable with it as well, and if it's avoidable and with the support of the neighbors he feels that it's a good position to be in.

Ms. Eastman opened the floor for any proponents to speak. There were none.

Ms. Eastman opened the floor for any opponents to speak. There were none.

Ms. Eastman asked if there was an enclosed shed. She was asking for clearance to get to the back of that lot. She asked are they going to hand dig that pool and come out on the other side.

Mr. Henry stated he doesn't have an answer as to how they are going to get the equipment back there that was one of the issues for having the pool equipment located on the left hand side is so that it allows them some access to the pool on the right hand side. How they construct the pool and get access back there he does not know but he can find out later that day and clarify that if necessary or to the BZA on Monday.

Ms. Steward asked a question for staff. Where is pool equipment generally placed? Is there a consensus as to where it is usually placed? Ms. Cassagne deferred the question to Code Enforcement. Mr. Puleo stated that they receive a lot of variances for pool equipment in the side yard because it's fairly not that obstructive but they do a lot of variances for this. It's granted a lot of times, but if it's not there then it's somewhere in the rear yard, behind the house or something like that. Pools take up most of the yard and so pool equipment is usually placed in the side yard. Ms. Steward mentioned that the pool could move over some and the equipment would still be in the setback.

Mr. Brown made a motion of approval of the new construction of the swimming pool. Seconded by Dr. Monica.

Ms. McKinney called the roll on the motion:

	Aye	Nay
Ms. Eastman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Brown	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dr. Monica	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Ms. Steward √ —

The ayes have it by a vote of 4 to 0. Motion approved. (with Mr. McAlister absent).

Mr. Brown made a motion to recommend approval of the variance for the 4 ft. north side-yard setback for the pool equipment. Seconded by Ms. Eastman.

Ms. McKinney called the roll on the motion:

	Aye	Nay
Ms. Eastman	<u> √ </u>	<u> — </u>
Mr. Brown	<u> √ </u>	<u> — </u>
Dr. Monica	<u> — </u>	<u> √ </u>
Ms. Steward	<u> — </u>	<u> √ </u>

The motion failed for a lack of 3 affirmative votes.

Ms. Cassagne said that the Rules of Procedure of the Old Metairie Commission requires a quorum of 3 affirmative votes for any motion. A discussion took place between Ms. Renfrow, Ms. Cassagne and Commission members who were present regarding how to move forward so that this case can go to the BZA on Monday December 10th as scheduled.

Since the previous motion has died, Dr. Monica made a second motion to recommend denial of the variance for the 4 ft. north side-yard setback for the pool equipment. Seconded by Ms. Steward.

Ms. McKinney called the roll on the motion:

	Aye	Nay
Ms. Eastman	<u> √ </u>	<u> — </u>
Mr. Brown	<u> — </u>	<u> √ </u>
Dr. Monica	<u> √ </u>	<u> — </u>
Ms. Steward	<u> √ </u>	<u> — </u>

The ayes have it by a vote of 3 to 1. Motion approved. (with Mr. McAlister absent)

OM-23-19 was withdrawn by the applicant.

Dr. Monica made a motion to cancel OM-23-19 from the agenda. Seconded by Ms. Steward.

Minutes

Dr. Monica made a motion to adopt the minutes from October 31, 2019. Seconded by Mr. Brown. All were in favor by a vote of 4 to 0. Motion approved.

Administrative Approvals & Follow-up of previous cases.

- Blake Residence, 10 Nassau OM-24-19
Approval of minor revisions including removing chimneys, stamped concrete, replacing limestone veneer with scored stucco and changing the window lite patterns.
- OM-18-19, 419 Northline, BZA deferred this case to the 12/9/19 Hearing.

- Previous Cases, OM-1-19, 105 Northline, Carruba garage/paving in front yard; clear vision eliminated, turn-around was approved at Council on 11/6/19.

Other Matters.

Dr. Monica made a motion to adopt the 2020 meeting calendar as it is. Seconded by Mr. Brown.

Ms. McKinney called the roll on the motion:

	Aye	Nay
Ms. Eastman	<u>√</u>	___
Mr. Brown	<u>√</u>	___
Dr. Monica	<u>√</u>	___
Ms. Steward	<u>√</u>	___

The ayes have it by a vote of 4 to 0. Motion approved. (with Mr. McAlister absent).

Ms. Cassagne briefly read the rules of procedure regarding election of officers.

Dr. Monica motioned for Ms. Eastman as Chair for 2020. Seconded by Ms. Steward.

Ms. McKinney called the roll on the motion:

	Aye	Nay
Ms. Eastman	<u>√</u>	___
Mr. Brown	<u>√</u>	___
Dr. Monica	<u>√</u>	___
Ms. Steward	<u>√</u>	___

The ayes have it by a vote of 4 to 0. Motion approved. (with Mr. McAlister absent).

Dr. Monica motioned for Mr. Brown as Vice-Chair for 2020. Seconded by Ms. Steward.

Ms. McKinney called the roll on the motion:

	Aye	Nay
Ms. Eastman	<u>√</u>	___
Mr. Brown	<u>√</u>	___
Dr. Monica	<u>√</u>	___
Ms. Steward	<u>√</u>	___

The ayes have it by a vote of 4 to 0. Motion approved. (with Mr. McAlister absent).

Dr. Monica commended the committee for their diligent work and especially commended Ms. Eastman for her time and effort that she has put into this chair and Mr. Brown for his services as Vice-Chair.

Dr. Monica moved for adjournment, Seconded by Ms. Eastman. All were in favor. (4-0). (with Mr. McAlister absent).