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STAFF REPORT

# Old Metairie Neighborhood Conservation District

Docket No. OM-5-24



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

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**Address:** 38 Pelham Dr. (Figure 1)

**OMC Hearing:**

06/06/2024

**Legal Description:** Lot 35, Sq. F, Metairie Club Gardens Subdivision, bounded by Northline St., Nassau Dr., and Englewood Pkwy.

**Owner:** 38 PELHAM LLC

**Applicant:** Kim White

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

**Future Land Use:** SUB Suburban Residential



## REQUEST

Demolish the existing residence, carport, swimming pool, and pond.

## RECOMMENDATIONS

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

- The proposal meets all requirements of the R-1C/OMNCD.

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

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

## FINDINGS

1. The petitioned property has 98.04 ft. of frontage on Pelham Dr., 113.52 ft. of average width, 142.93 ft. of average depth, and an area of approximately 15,770 sq. ft. (Figure 3). Lot 35 exceeds the R-1C average width and area requirements by 33.52 ft. and 3,770 sq. ft. respectively, but is deficient in the R-1C average depth requirement by 7.07 ft. There is no previously approved OMNCD site plan for the property. The applicant is proposing to demolish the existing residence, carport, swimming pool, and pond.
2. On February 16, 2022 the Parish Council adopted amendments to the Old Metairie Commission regulations via Ordinance No. 26369. Under the new regulations, demolition of a principal structure that is not shown on the 1966 Sanborn Maps may be reviewed by the

Planning Director; however, if the structure is shown on the 1966 Sanborn Maps, it shall be reviewed by the OMC. The structure under this current application is shown on the 1966 Sanborn Maps.

3. In February 2024, a zoning violation was issued on the property under Complaint No. 24-904383 for a vacant house in disrepair. The inspector found a number of issues, including junk and debris on the property, stagnant water in the swimming pool, and various maintenance issues regarding exterior surfaces and the roof. In order to clear this violation, the applicant is pursuing OMNCD demolition approval under this current application.
4. 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 a considerable state of disrepair.
  - *The reason for the demolition request.* Per the applicant, they are proposing to remove the residence because it has sustained damage beyond what is reasonably affordable to repair. The applicant cites structural damage, roof and wall damage, electrical and plumbing damage, flooring and carpentry finish damage, and foundation damage.
  - *The architectural or historical significance of the structure for structures shown on the 1966 Sanborn Maps.* The 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 existing structure does not hold a prominent position along the Pelham Dr. corridor.
  - *The proposed length of time the site is anticipated to remain undeveloped if demolition is granted.* Per the applicant, there are no plans to develop the site in the near future. The owner anticipates the lot remaining vacant for at least the next couple of years.
5. 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.* The residence was constructed in 1960.
  - *Proposed plan for maintaining the lot between demolition and redevelopment, including lot/weed maintenance and trash debris removal.* The property will be properly maintained, including mowing, lot/weed maintenance, and trash debris removal. The maintenance will be overseen by the owner of 17 Englewood Pkwy.
  - *Reason for removal.* The reason for removal/demolition is due to the current condition of the house, and the prohibitive costs to repair.
  - *If fencing is proposed, type of fencing.* Tree protection fencing has been erected to protect three trees on site.
  - *Timing expectations for planned development.* No development is currently planned.
  - *If no redevelopment is planned, the length of time the lot is expected to remain vacant.* The owner anticipates the lot remaining vacant for at least the next couple of years.
6. The proposal meets all applicable R-1C/OMNCD requirements (Table 2).
7. The Parish Arborist approved the Tree Protection Plan, which calls for the protection of two Live Oaks in the front yard and one Water Oak in the rear yard. The applicant has agreed to provide the required tree protection fencing, signage, and access per the Parish Arborist's LURTC comments. No trees are proposed to be removed.

**CONSISTENCY WITH COMPREHENSIVE PLAN**

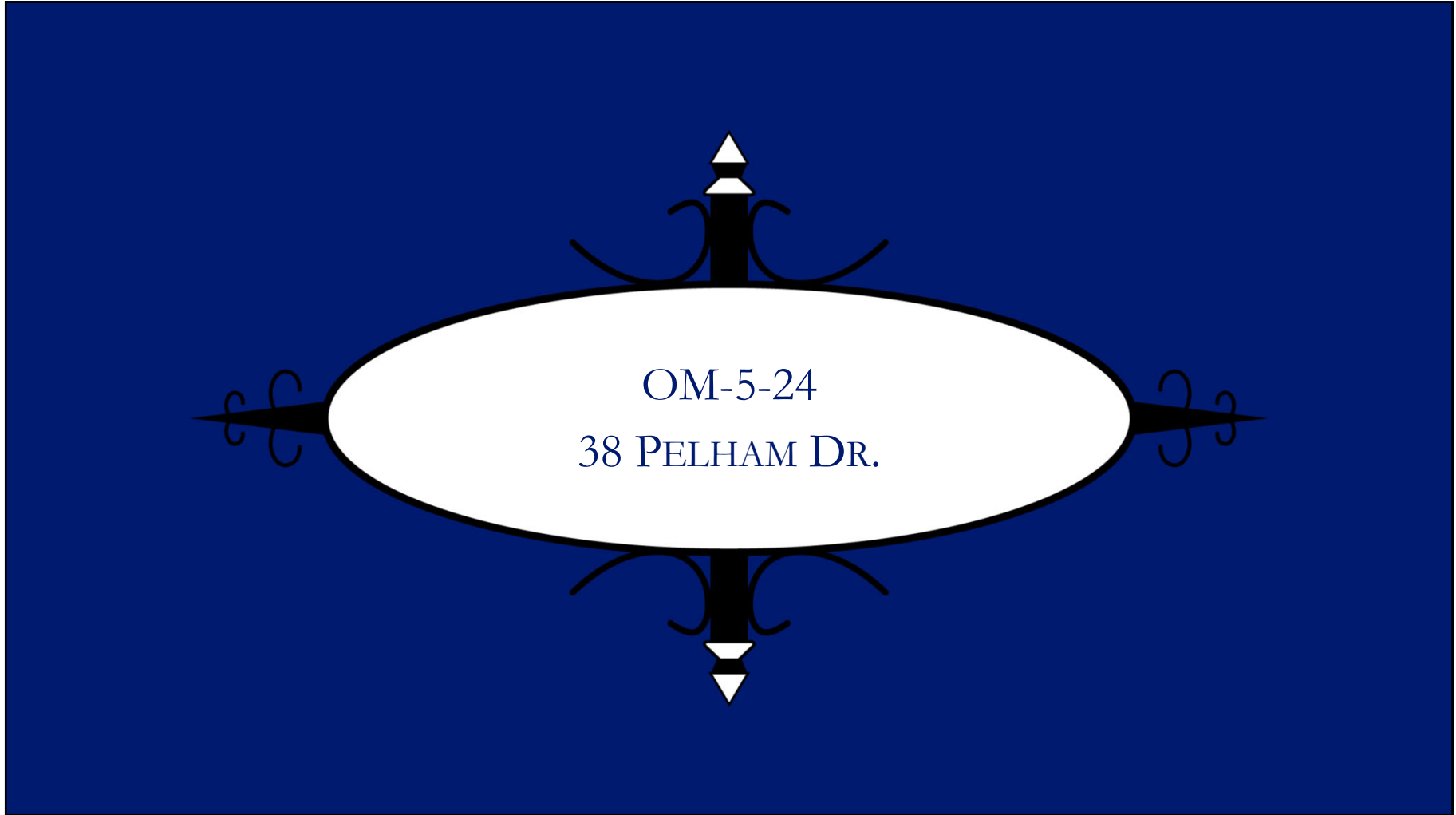
The proposal supports the following goals and objectives of the Land Use element:

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

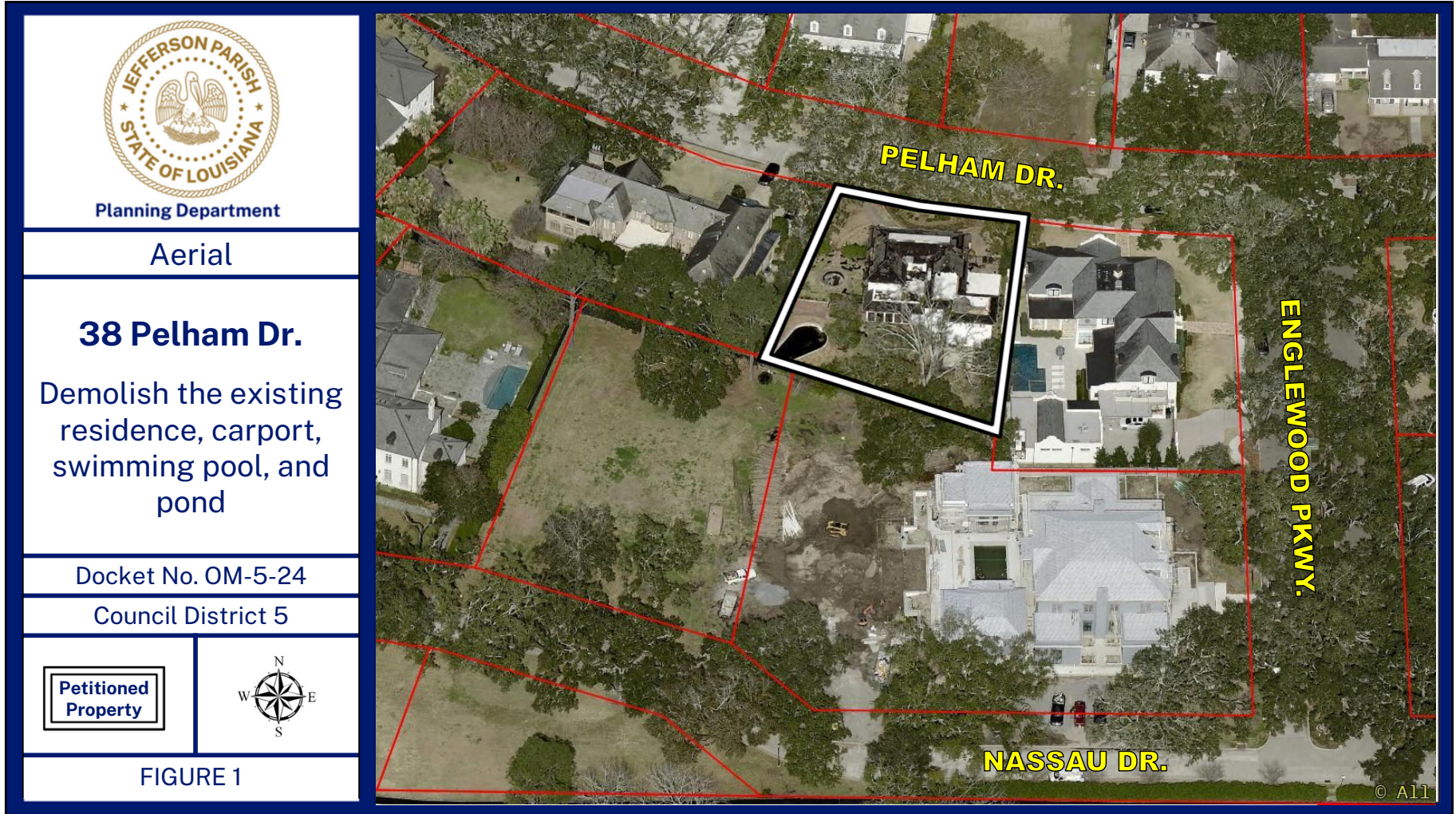
**DEPARTMENT COMMENTS (LURTC)**

<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-05-24 the Department of Public Works (on 05/20/2024) will the demo include the pond and pool? Sight triangles are not an issue at this time and a TIA is not currently required. Existing water and sewer are available. 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. See Sec. 33-6.27.7 Standards for the preservation of protected trees. A minimum of 6 ft. high and constructed of chain-link fence that will remain in place until construction is completed. A sign shall be mounted on the tree protection fencing with the following notice printed on the sign in English and Spanish, "Tree Protection Area Do Not Enter" This protection fencing will have to be free standing and as far away from the trunk as possible for the RPZ. minimum 12ft from trunk. The two Live Oaks and the one Water Oak located in back yard. All entry for demo must remain on driveway and must have 3/4 plywood in area when equipment is present. If driveway of home is being removed must have in place 3/4 plywood along with six (6)-inches of shredded hardwood mulch for protection of RPZ. Fill will be allowed in area of Live Oaks with a minimum of 2"only or mulch around Live Oaks. Fencing on site is not acceptable. Tree protection in place. OK to release permit for DEMO. Not opposed
Building Permits	Not Opposed	Demo permit is required.
Parish Attorney	Not Opposed	We will defer to the other departments for comments.
ENG-Site Plan	Not Opposed	Not Opposed.
Environmental	Not Opposed	Make sure no sediment, concrete or other debris enter the storm drain. If not building immediately install a grass buffer along the curbs to prevent sediment from entering the street, sidewalk and storm drains.
Parkways	Not Opposed	Tree protection in place. OK to release permit for DEMO.

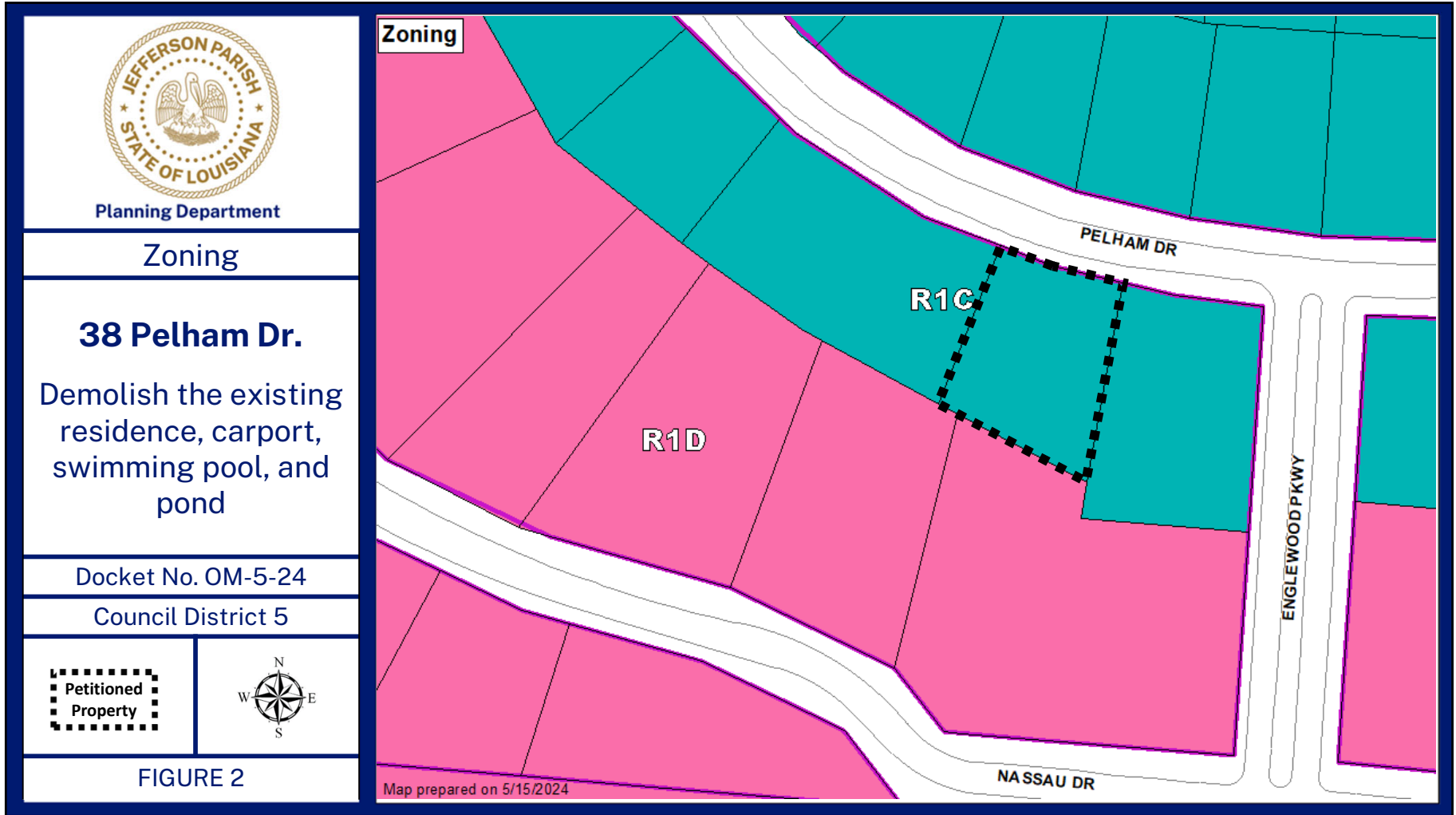
<b>TABLE 2: R-1C/OMNCD SITE INFORMATION</b>			
<b>Criteria</b>	<b>Required/Permitted</b>	<b>Proposed</b>	<b>Compliant?</b>
Tree Preservation	Protection of 2 Live Oaks & a Water Oak	All protected	Y



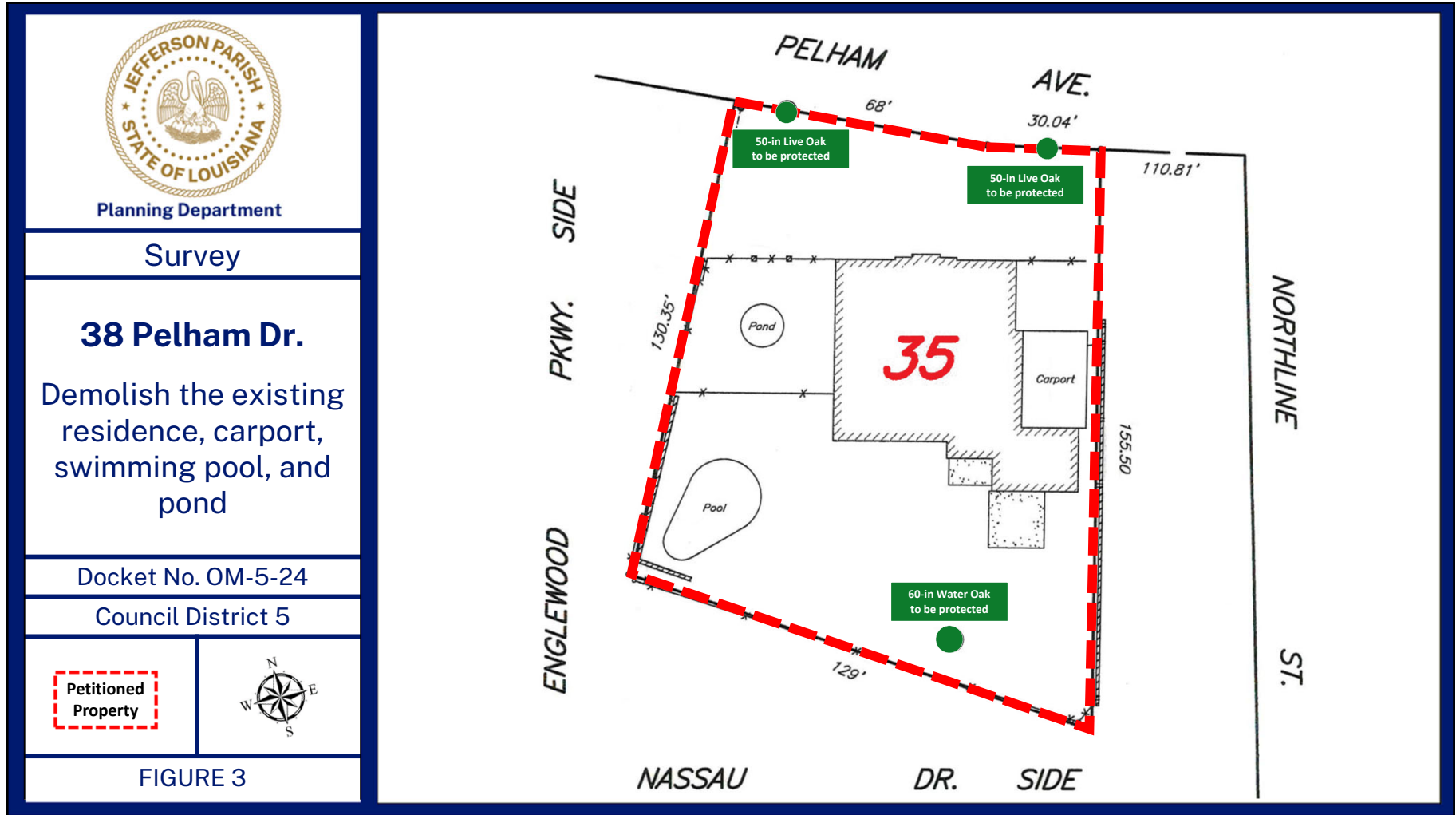
All users acknowledge that the content of these graphics were submitted and/or created specifically as demonstrative aides for the related land use matter being presented by the Jefferson Parish Planning Department identified with the appropriate docket number provided above. As such, Jefferson Parish 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.



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Planning Department

Source:  
**CONNECTEXPLORER™**  
- February 14, 2024

**38 Pelham Dr.**

Demolish the existing  
residence, carport,  
swimming pool, and  
pond

Docket No. OM-5-24

Council District 5



FIGURE 4



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