

**OLD METAIRIE COMMISSION (OMC) MINUTES
PUBLIC HEARING
May 2, 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
 Nedra McKinney, Typist Clerk III
 Melissa Guilbeau, Senior Planner
 Alena Gesser, Planner

Others

Bess Renfrow, Assistant Parish Attorney
 Tramone Chetta, Dept. Inspection and Code Enforcement
 Aimee Vallot, Director of 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 May 2, 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.

Ms. Gesser presented an overview of the Old Metairie Neighborhood Conservation District (OMNCD) Zoning Text Study. The Planning Director called the text study in October 2014 to reformat sections of the code. The goal of this Study is to reformat sections of the code, clarify existing regulations of the OMNCD, establish new standards and procedures when necessary to support the purposes of the OMNCD and provide for related matters. This is not a remapping or rezoning of any property. It's a text amendment to the regulations related to the District.

During the presentation Ms. Gesser talked about transitioning the OMNCD regulations to the UDC, and covered proposed changes to the following topics:

- OMNCD transition to the UDC
- Lot orientation for corner lots
- Lot coverage
- Fences, Entrances & Openings
- Functionality

- Fill, and Demolition Review

Mr. McAlister inquired about the other zoning areas being moved over to chapter 33 and if it's already reflected in the Municode online. Ms. Cassagne stated yes, all of the mixed use zoning districts are now in chapter 33 as well as subdivision regulations so you can go to Municode chapter 33 and see how the structure is set up.

Dr. Monica had a question regarding addressing and Ms. Cassagne stated addressing is done through Code Enforcement and 911 services. Ms. Chetta confirmed most of the time it's up to the property owner if they have a corner property to decide which address they want to use.

Discussion took place between the Commission and others present regarding the front yard setbacks, lot orientations and exceptions.

Ms. Renfrow commented how confusing it is when speaking about longer and shorter segments because she looked at it as the lot segment and not the street segment.

Mr. McAlister asked if there was any area in the district where the street segments are equal distance. Planning confirmed there were not equal street segments.

A discussion took place between the Commission and others present regarding lot coverage. Ms. Gesser talked about excess paving in the front yard and how it detracts from the streetscape. Currently there are no paving restrictions in the District or the underlying zoning of the district.

Dr. Monica commented that the look of impervious vs hard is the same. When she met with Councilwoman Van Vrancken after a few of these issues, Ms. Van Vrancken felt on board about green space being deteriorated in Old Metairie as she did. Dr. Monica also stated she doesn't care what the material is, if the green space in front of the property is eliminated it destroys the character of the neighborhood.

Ms. Steward observed that people need to be allowed to put some paving in their yard and the difference between impervious vs hard is impervious can't absorb any water at all.

Mr. McAlister stated that this is design recommendation for construction, 40% front yard and 40% side yard, after further discussion it was determined that currently a person can design their yard with as much paving as they would like. How do you define pervious?

Ms. Chetta needed clarification with regards to the permits & paving. This is still in the process of determining how to proceed with this.

Ms. Cassagne questioned if they are all in agreement with Dr. Monica regarding hard surfacing of a lot, the issue is about having the green space. It was discussed the amount of green space provided on a lot should be set at 60%.

The next topic of discussion presented regarded design requirements for fences, entrances, and openings.

Ms. Cassagne stated in regards to the question about the corner side properties, you can put a primary entrance on either one of those street frontages but both street frontages would have to have 15% opening of windows.

The next topic discussed concerned fill regulations. In 2007 the Parish added fill regulations to the OMNCD but not Parish wide. They only apply to Old Metairie but nowhere else in the Parish. They are overly complex and difficult to administer. Since 2007 there have only been four (4) case where the regulations were applied. Ms. Vallot stated it's difficult to enforce the fill regulations because a large portion of parish and the outlined jurisdictions are sinking, so there are issues in different areas of the parish where a backyard is draining to the rear as opposed to the front. Code Enforcement is supposed to cite them for not maintaining their lot grade. Ms. Vallot has looked at other jurisdictions where there are affidavits on new construction that should be maintained, the fill in perpetuity and again they are using the adjacent grade trying to figure that out. It's way too complex, and another permit Code Enforcement has to maintain. How do you monitor when people filling. This is why it's difficult to attach fill because if Code Enforcement cites one person they have to cite the other as well. They have to treat these on a case by case because neighbors are always draining on other neighbors properties.

Ms. Cassagne stated that regarding the house on Betz, one has fill and one has less fill, we have a regulation, which pre-exists this study in Old Metairie, which says height is measured from the base flood elevation. So by adding the additional fill on that property they actually reduced how much floor to ceiling space they could have in their house because both houses still have to be 35 feet from the base flood elevation. Elsewhere in the parish, its 35 feet from the grade, so adding 3 feet means the house is 3 feet higher but in Old Metairie, if both houses are the same flood elevation they lose house height by adding fill.

Ms. Eastman asked when people have poured their foundation does Code Enforcement go back and check the foundation after its poured. If they are in error in any way what is the penalty? Ms. Vallot stated, yes they do check and they do not get a permit to build until it's corrected, they can go to the Board of Standards, and she is not trying to force people to remove the fill because she has to follow the FEMA regulations

A discussion took place regarding demolition regulations between the Commission, Ms. Cassagne and others present.

Minutes

Dr. Monica made a motion to approve the minutes from April 4, 2019, Seconded by Mr. McAlister

Administrative Approvals & Follow-up of previous cases

- 321 Hector Ave, The Rodriguez Residence, an addition to the existing rear porch and a new carport, they added AC units, and everything was within requirements.
- The Fence at 226 Friedrichs did go to the BZA on April 15th, was granted the approval for the variance and scheduled for Council on May 8th.
- 105 Northline, Carruba garage, still have not submitted to the BZA, Planning is going to send them a potential cancellation letter.

Other Business

- Dr. Monica asked what should we do about 49 Pelham Dr, as for as filing a complaint. Ms. Vallot stated she will take care of it.

Dr. Monica moved for adjournment, Ms. Steward seconded. All were in favor. (4-0) with Mr. Brown absent.

Meeting adjourned at 10:23 am.