

VIEUX CARRE ARCHITECTURAL REVIEW COMMITTEE

LaToya Cantrell
MAYOR

CITY OF NEW ORLEANS

Bryan Block
DIRECTOR

NOTE: The below minutes are a summary of actions taken. They are not a verbatim transcription of the meeting.

Minutes of the VCC Architectural Committee meeting of Wednesday, November 09, 2022– 1:00 pm.

Committee Members Present: Stephen Bergeron, Rick Fifield

Committee Members Absent: Toni DiMaggio

Staff Present: Bryan Block, Director; Renee Bourgogne, Deputy Director; Nicholas Albrecht, Senior Plans Examiner; Erin Vogt, Senior Plans Examiner; Marguerite Roberts, Inspector

Others Present: Carole Follman, Erin Holmes, J. Coleman, Elizabeth Magner, Andre Courville, Daniel Raines, Lane J Wall, Joseph Skonhovd, Amelia Koenig, Addie Price, Gioia Furness Petro, Jamie Saxon, Andrew Stephens, Jay Dufour, John Crouch, Katherine Harmon, James Brown, Sam Levinson, John Williams, Morgan Conner, Jamie Saxon, Nikki Szalwinski, Pascual Carlos, Dalton Buuck, Robert Anderson, John Crouch, Erika Gates, Courtney Katzenstein, Patrick Capella, Kayleen Bueso, Morgan Conner, Bennett Luke, Blake Kidder, Daniel Ferg, Zach Smith. **Note:** several attendees were not legible on the sign in sheet and may not be recorded here.

Minutes

Old Business

1215 Dauphine St, 913 Governor Nicholls St: 21-18881-VCGEN; John C Williams, applicant; Gov Nichols Properties LLC, owner; Proposal to build new two-and-a-half story building, per application & materials received 06/29/2021 and 10/02/2022.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=890915>

Ms. Vogt read the staff report with Mr. Williams and Mr. Stephens present on behalf of the application. Mr. Dufour, Chief Building Official for the Department of Safety and Permits was also in attendance to answer any questions the Committee had. Mr. Williams stated that they had been trying to get started with construction and were hoping the Committee would forward the application to the next Commission hearing. He stated that they had received approval and permit, and that it had been renewed multiple times but that the work had been delayed due to illness. He stated that they had made changes to the design to avoid needing variances and that they had resolved BBSA issues. Mr. Stephen stated that several items needing BBSA review had been resolved and that the floor elevation height had been reviewed in 2017 and that they were trying to track down the recording from that BBSA meeting to see if the new construction had been included in the motion. He added that the building had the same design intent. Mr. Williams repeated his request that it be forwarded to the Commission so they could move forward. He added that it had been reviewed and approved by the National Park Service. Mr. Block stated that they had asked Mr. Dufour to attend since the base flood elevation waiver was not a VCC issue. He asked Mr. Dufour if they had a waiver or needed a waiver, stating that some information had been submitted the morning of the meeting but not in time to be included in the staff's review. Mr. Dufour responded that the waiver in 2018 did not acknowledge the new construction, just the renovation, but he explained that the letter could be revised. He stated that the recording had been sent to the acting chair for his consideration, and that it would probably be included but had not been done yet. Mr. Fifield stated that this was absolutely critical information because substantial changes to the design would have to be undertaken by the applicant if the BFE was not approved and the Committee did not yet know if they had that. He asked for public comment, and reminded the public that the Committee was only considering a very narrow topic at this hearing.

Mr. Raines addressed the Committee, stating that the VCC had sent the review back for these waivers and there had been a change in the CZO requirements for open space. He stated that driveways and parking spaces could not be included, and that Mr. Williams' calculations were off since they seemed to include these as open space.

Mr. Reed addressed the Committee, agreeing with Mr. Raines. He added that it should be considered, stating that the VCC had jurisdiction over the *tout ensemble* and that the consolidation of the lots imposed on that. He added that this was not the original lot arrangement and that he found the building to be ugly and unrefined, with the service ell being disproportionate.

Mr. Skonhovd addressed the Committee, stating that he was not thrilled with the design, that he felt it was ugly and too tall, and out of character. He was concerned that six extra units would be used as STR and he did not want to see it move forward.

Ms. Holmes addressed the Committee, stating that compliance with all other agencies should be required before Commission. She added that they had issues with the massing, crowding, and density.

Ms. Magner addressed the Committee, stating that she was concerned about parking on the site and added cars in the neighborhood. She was also concerned with combining the lots, and open space requirements.

Mr. Coleman addressed the Committee, stating that he was concerned with lack of compliance and the idea of revising a BBSA letter, adding that if it wasn't clear at the time... what he heard was that it would have to be revised after the fact and that there wouldn't be a clear paper trail for that decision.

Ms. Price addressed the Committee, stating that the new construction did not fit the neighborhood and that they were all invested in keeping the lot intact.

Mr. Bergeron asked staff to confirm that the resubdivision was already resolved. Ms. Vogt responded that the City Planning Commission had approved it as part of the initial review and permitting process, and that it was complete and not under review. Mr. Bergeron asked if rereview of open space was needed by DSP; Mr. Dufour stated that he could not speak for the Zoning Administrator. Mr. Block responded that the VCC could not issue permits if the work was not compliant with Zoning, and that the open space issue was not up to the VCC to decide.

Mr. Bergeron commented that what had been submitted for review might not comply with regulations, and asked if new construction usually received BFE waivers at BBSA; Mr. Dufour stated that they were commonly accepted based on historic compatibility. Mr. Fifield reiterated that whether or not BFE had to be met would have a substantial impact on the design, and that he did not see how the Committee could make a recommendation until it was resolved. Mr. Block stated that staff was agnostic, as it had been approved before. However, the VCC cannot approve anything in deviation from other departments, and that they had repeatedly asked the applicant to resolve these issues. Mr. Williams asked what they could do to get approval for several years to "finish the front and do the back," as the record was clear that it had already been approved by the Committee, Commission, NPS and SHPO. He explained that they had been through over 14 different designs as part of the VCC review process, and that it was not something that did not fit. Mr. Fifield stated that the Committee was not in the position to interpret DSP business and could not proceed. He welcomed all comments, but repeated that the bureaucratic process had to be completed. Ms. Vogt responded that AC and VCC approval lasted for 12 months, after which it must be renewed, and that permits lasted for six months before they must also be renewed, for approval for several years was not possible. She added that the permit and certificate of occupancy had been completed for the main building, so it was not in the scope, but that it was suffering from demolition by neglect violations that had not been resolved, and illegal work had been done on the front in an attempt to address structural problems without benefit of VCC review and approval. She stated that an incomplete application had been returned for revision but staff had not received a response, and that this violation to a building of major architectural importance must be addressed before permits could be issued.

Mr. Williams then asked if he could appeal a deferral to the Commission. Mr. Block responded that this was highly irregular and that the Committee and staff had been asking for compliance with other agencies for a year. He stated that, if Mr. Williams appealed, the report would state what took place at this meeting.

Mr. Bergeron moved to **defer** the application until a ruling from the BBSA on the base flood elevation was provided. Mr. Fifield seconded the motion, which passed unanimously.

815 St Ann St: 21-21655-VCGEN; John C Williams, applicant; 815 St Ann Holdings LLC, Sandra L Sachs, Lisa P Sinders, Sandra Sachs, owner;

Proposal to shore the St. Ann elevation of the main building, demolish the front masonry wall, construct new foundation, and reconstruct the St. Ann elevation, per application & materials received 07/27/2021 & 09/16/2022, respectively.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=894862>

Mr. Albrecht read the staff report with Mr. Williams, Ms. Conner, and Mr. Saxon present on behalf of the application. Mr. Williams stated that the retails were in progress and that they will show how they will take the building wall apart and keep the gallery intact. Mr. Williams continued that the contractor was ready to pick up the bracing permit and concluded that their intent is to remove the window and doors. Mr. Block noted that the Architecture Committee would need to approve the details and then forward the proposal to the Commission. Mr. Fifield noted the applicant's unwillingness to expose the foundation.

Commissioner Bergeron noted that the VCC had received another engineer's report that corroborated the first report and that the Architecture Committee was not really qualified on structural elements. Commissioner Bergeron continued that at the last Commission meeting they acknowledged that two reports said the wall had to come down.

Nikki Szalwinski, representing French Quarter Citizens, stated that she did not think they exposed the foundation and that she was curious how many other projects the engineers worked on with Mr. Williams.

Mr. Saxon stated that the foundation brick corbeling was removed by street contractors. Commissioner Bergeron stated that the submitted drawings need to be as detailed as possible with section cuts and documentation of every single bit of the elevation. Mr. Fifield added the drawings need to have foundation drawings of the new foundation compared to the existing corbeled foundation.

Commissioner Bergeron moved to defer the application to allow the applicant time to further revise the drawings and photo document the conditions. Mr. Fifield seconded the motion, which passed unanimously.

1039 Burgundy St: 22-15634-VCGEN; John C Williams, applicant; Michael Katzenstein, owner; Proposal to construct addition on roof of orange rated garage, modify garage doors, modify millwork openings, and install roof deck, per application & materials received 05/24/2022 & 10/25/2022, respectively.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=929037>

Ms. Vogt read the staff report with Messrs. Williams and Capella and Ms. Katzenstein present on behalf of the application. Mr. Capella stated that they were fine with revising the rear and service ell doors. Mr. Williams repeated the presentation they provided in their slides, stating that the roof deck was being proposed as the courtyard was too far away from the proposed office addition. Ms. Katzenstein stated that they had suggested moving the existing service ell doors but were ok with replacing them. She added that they were fine with revisions but did not want to be told no. Ms. Vogt responded that she had offered to meet with the applicant after every meeting in order to guide revisions. Mr. Fifield stated that many issues had already been resolved. Mr. Capella stated that the rear doors on the main building had not been. Mr. Williams proceeded with presenting their slides in the PowerPoint, explaining safety issues with the garage doors. Ms. Katzenstein stated that the door to the roof was original to the construction of the service ell, and that they did not need the full area, just a place to sit. Mr. Capella argued that installation of the deck was actually an act of restraint, as it would mean that only a small part would be accessible. Mr. Capella then brought up the generator, which Mr. Fifield stated would not be reviewed today, per the staff report.

Ms. Szalwinski addressed the Committee, stating that the roof deck had not been approved and that whether or not it had been used illegally was neither here nor there. She suggested a balcony on the service wing would be more attractive and could potentially be within the Design Guidelines.

Ms. Petro addressed the Committee and thanked Ms. Katzenstein for discussing the work with her. She stated that she had been told the parapet would not be raised, but that she wasn't sure based on the drawings. She explained that she was concerned about the precedent this would set, but not the owners.

Mr. Bergeron recalled a roof deck on Toulouse that had been illegally constructed, and asked staff for a reminder on how that had been resolved; Ms. Vogt responded that City Council had overturned the Commission's decision. Mr. Williams stated that he would appreciate a recommendation to the Commission, to be handled at staff level.

Ms. Katzenstein stated that they were willing to work with staff and that substantial resources would go into making this a successful project. Mr. Fifield thanked everyone for their comments. Ms. Vogt noted that final review and approval could not be handed at staff level, as the applicant still had to develop construction documents that must be reviewed by the Committee prior to permit.

Mr. Bergeron moved to **conceptually approve** the rooftop deck, with construction documents to be produced for further review by the Committee. He requested revisions at staff level prior to development. He also moved to **defer** the rear doors, **conceptually approve** the garage doors, and **defer** the generator. Mr. Fifield seconded the motions, which passed unanimously.

241 Bourbon St: 22-30621-VCGEN; John C Williams, applicant; 241 Holdings LLC, et al, owner;

Proposal to renovate building (in conjunction with 235-237 Bourbon St.) including a proposed change of use on the third floor from vacant to short term rental, per application & materials received 10/11/2022 & 10/28/2022, respectively.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=948295>

Mr. Albrecht read the staff reports with Messrs. Levison and Williams present on behalf of the application. Mr. Williams noted the following: the Bourbon St. doors are shown out swinging for egress, they do plan to install the doors at the interior plane of the wall, the previously proposed conversion of windows to doors has been eliminated from the proposal, the French doors are shown paired and out swinging are for ADA compliance but also mounted to the interior plane, the four panel doors need to be fire rated, that they were not adding a railing at the Bienville side of the courtyard infill, and that the stairs are strictly for egress purposes.

Mr. Block expressed concern for the proposed elevator override, noting that it would be pretty visible from Bienville St.

Nikki Szalwinski, representing French Quarter Citizens, expressed concern for having access to the flat roof area of the courtyard infill and the proposed changes to the building to suit a short-term rental use.

Mr. Bergeron stated that he found the elevator override the most alarming aspect of the proposal. Mr. Fifield questioned if the proposed use was appropriate for the building noting that the elevator override was in a jarring location and the real issue while the others can be ironed out. Mr. Williams stated that putting an elevator in an older building is always difficult.

Mr. Bergeron moved to defer that application to allow the applicant time to revise the proposal based on the conversation today. Mr. Fifield seconded the motion, which passed unanimously.

1301 Chartres St: 22-28345-VCGEN; Broadway Eddy, applicant; Melody S Douglas, Palo Inc, Rachel D Perkoff, Eddy D Broadway, Carolyn C Looper, Jeanne M Taylor, Geoffrey Kleine-Deters, owner;

Proposal to structurally reinforce balcony on the rear elevation of the main building including the addition of new metal plates at each existing wood outrigger, per application & materials received 09/19/2022 and 09/27/2022, respectively.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=944116>

Mr. Albrecht read the staff report with Messrs. Carlos, Buuck, and Anderson present on behalf of the application. Mr. Buuck stated that since they have submitted the initial application they have found that the interior joists are not bearing on the brick. He continued that the new cantilevered wood would provide interior support as well and that the new wood was essential to support the interior joists. Commissioner Bergeron stated that it seemed like removing the exterior wood does not eliminate the bearing. Mr. Fifield noted that previously the primary concern was with the brackets under the balcony and if those could be removed as part of this proposal. Mr. Buuck stated that the brackets would be removed.

Commissioner Bergeron moved for conceptual approval of the structural detail with final details to be resolved at the staff level. Mr. Fifield seconded the motion, which passed unanimously.

New Business

940 Royal St: 22-28660-VCCAM; John Crouch, applicant; Michael J Maimone, James G Caridi, 93640 LLC, Kurt Michael Heyman, Jennifer E Hale, Michael J Maimone, Michael J Maimone, Ernest Jr Dominguez, Jeffrey A Kraft, owner;

Proposal to install decorative hanging electric light fixtures at the first, second, and third floors, per application & materials received 09/21/2022 & 10/13/2022, respectively.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=944213>

Mr. Albrecht read the staff report with Mr. Crouch present on behalf of the application. Mr. Crouch stated that he was representing the condo board and that the board asked him to improve the lighting. Mr. Crouch continued that there was currently no lighting on the upper floors. Mr. Fifield noted that he thinks about lighting in terms of adding light and drawing attention to the building. Mr. Fifield noted that there are other ways to light the gallery that are more effective. Mr. Crouch stated that on some of the alternative LED fixtures that the drivers do not last in our humidity, and he prefers a replaceable bulb type fixture.

Commissioner Bergeron moved to approve the proposal with any final details to be resolved at the staff level. Mr. Fifield seconded the motion, which passed unanimously.

521 St Philip St: 22-30931-VCGEN; Loretta Harmon, applicant; Ballard Family LLC, Milan K Bendik, McMillon Properties LLC, Mle LLC, Little Archie LLC, William S White, 521 St Philip Rentals LLC, St Philip Exchange LLC, owner;

Proposal to demolish and reconstruct existing wood gallery including the installation of new synthetic decking, per application & materials received 10/12/2022.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=948658>

Mr. Albrecht read the staff report with Ms. Harmon and Mr. Brown present on behalf of the application. Ms. Harmon stated that they had tried to get inside the building but couldn't so the nailer was included as a precaution. Ms. Harmon continued that this was not a historic gallery, that the insurance company thought the gallery was structurally substandard. She noted that they would be happy to salvage parts if they could and she believed the gallery could be improved.

Commissioner Bergeron stated that he agreed with the staff report. Mr. Fifield recommended working to remove the nailer and to look at the guardrail detail.

Commissioner Bergeron moved to conceptually approve the reconstruction with final details to be worked out at the staff level. Mr. Fifield seconded the motion, which passed unanimously.

1015 Decatur St: 22-32335-VCGEN; Loretta Harmon, applicant; Rahim Rashkbar, owner;

Proposal to renovate building including the installation of a railing at the second-floor entresol level, the installation of synthetic decking, and conversion of existing third-floor windows to new French doors, per application & materials received 10/25/2022.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=950001>

Mr. Albrecht read the staff report with Ms. Harmon and Mr. Brown present on behalf of the application. Ms. Harmon commented that at the third floor they would be happy to do one pair of French doors and repair the other windows. Ms. Harmon continued noting that the sister buildings had converted their overhangs to galleries and that they would be happy to repair the existing second floor doors rather than replace. Mr. Bergeron noted that the Committee had previously discussed side hinging a window at another property to function as a door and questioned if that could be done here. Mr. Brown stated that could be done.

Regarding the roof work, Ms. Harmon commented that the intention was to replace the dormer window on the rear to match the front dormer.

Mr. Fifield noted that the entresol is generally not an occupied level and that he was having trouble with that aspect from an architectural point of view. Mr. Fifield stated that it was confusing the traditional use of the floor.

Erin Holmes, representing VCPORA, expressed opposition to the railing at the entresol level. Ms. Holmes noted

that there were only 18 entresol type buildings in the French Quarter and that it was a unique building type to New Orleans.

Nikki Szalwinski, representing French Quarter Citizens, expressed support and agreement with Ms. Holmes comments, adding that this was an opportunity to how this building historically functioned.

Mr. Bergeron moved to defer the application to revise the proposal based on the discussion at the meeting. Mr. Fifield seconded the motion, which passed unanimously.

1008 N Peters St: 22-32114-VCGEN; Daniel Ferg, applicant; French Market Corporation, owner;

FOR RECOMMENDATION ONLY: Proposal to raise the header height of all first-floor doors to accommodate raising the interior first floor level approximately 4-1/2", per application & materials received 10/25/2022.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=949862>

Mr. Albrecht read the staff report with Mr. Kidder and Mr. Ferg present on behalf of the application. Mr. Kidder noted that the building was damaged during hurricane Ida including windows getting blown out. During the course of initial surveying of the damage it was discovered that there was no exterior waterproofing on the sheathing and a major renovation would be needed to properly repair and waterproof the building. The level of this work brought the property over the 50% substantial improvement threshold and necessitated meeting current BFE requirements.

Mr. Bergeron noted that a previous applicant on today's agenda claimed to have received a waiver of BFE requirements for a proposed new construction. Mr. Kidder noted that they are on the BBSA agenda seeking a similar waiver.

Mr. Fifield asked how raising the slab would affect their accessibility requirements. Mr. Kidder stated that the sidewalk could be sloped and they believed everything could satisfy code and requirements without adding railings.

Mr. Bergeron moved to positively recommend the proposal as submitted. The motion, seconded by Mr. Fifield, passed unanimously.

1319 Decatur St: 22-32134-VCGEN; Bennett Luke, applicant; Sharon K Oxborough, Stephenie Y Sternsfels, Oliver M Doxtater, Carolyn M Smith, David J Peltier, owner;

Proposal to replace existing wood decking at second floor gallery with new Aeratis synthetic decking, including the relocation and addition of purlins, per application & materials received 10/24/2022.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=949755>

Mr. Albrecht read the staff presentation with Mr. Luke present on behalf of the application. Mr. Luke stated that he did not know about the AC unit and that he was just looking to do the gallery work.

Commissioner Bergeron moved to conceptually approve the installation of the synthetic decking with the proviso that the existing AC unit be relocated. Mr. Fifield seconded the motion, which passed unanimously.

528 Wilkinson St: 22-32145-VCGEN; Zach Smith Consulting & Design, applicant; C 4 Holding LLC, owner; Proposal to reconstruct roof deck and stairs, and to repair openings at rooftop addition, per application & materials received 10/24/2022.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=949750>

Ms. Vogt read the staff report with Mr. Smith present on behalf of the application. Mr. Smith stated that he had a question about the cable rail, and that the intention with the new rail was to be less obtrusive than wood. Mr. Fifield recommended a horizontal design rather than vertical. Mr. Smith asked that the pavers be exposed wood or stain rather than painted since it would not be visible, and stated that they would work out the pan and provide details to staff for the flashing and masonry repairs. Mr. Block asked if the Committee would consider Aeratis in this case, since it was not replicating a historic condition. Mr. Fifield stated that he did not support painting the pavers, and that stain could not be approved, so they must be left exposed. He added that he was

fine with all other work. Mr. Smith was concerned that the wood would deteriorate if not stained; Mr. Block stated that these species of wood would not.

Mr. Bergeron moved for **conceptual approval** with all provisos as noted by staff, with resolutions to be handled at staff level. He stated that he was agnostic about whether wood or PVC was used for the pavers, or if they would be painted. Mr. Fifield requested an amendment to clarify that the wood could be left exposed. Mr. Bergeron accepted the amendment, Mr. Fifield seconded the motion, and it passed unanimously.

1118 Decatur St.; 25 French Market Pl: 22-32278-VCGEN; Zach Smith Consulting & Design, applicant; K & F Realty LLC, owner;

Proposal to install new 42" guardrail behind the existing railing system on the balconies on the Decatur elevation, per application & materials received 10/25/2022.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=950003>

Mr. Albrecht read the staff report with Mr. Smith present on behalf of the application. Mr. Smith noted that they would be happy to provide details of the connections and to paint to match the building.

Commissioner Bergeron moved to conceptually approve the proposal with final details at the staff level. Mr. Fifield seconded the motion, which passed unanimously.

22-32290-VCGEN; Zach Smith Consulting & Design, applicant; K & F Realty LLC, owner;

Proposal to remove existing railing and to install new 42" guardrail on the balcony on the French Market Place elevation, per application & materials received 10/25/2022.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=950004>

Mr. Albrecht read the staff report with Mr. Smith present on behalf of the application. Mr. Smith stated that they would get rid of the twisted metal portion of the railing. Mr. Fifield stated that this application was not so simple. He noted that the proposed railing had the same density at the topping rail and suggested that the railing reflect the bay arrangement and have a distinguished top portion.

Commissioner Bergeron moved to conceptually approve the proposal with a revised design to be reviewed at the staff level. Mr. Fifield seconded the motion, which passed unanimously.

Appeals and Violations

717 St Peter St: 22-24791-VCGEN; Gates Erika, applicant; Finnegan's Investments LLC, owner; Appeal to retain mechanical equipment and to remove structural ties, in conjunction with work to address violations, per application & materials received 08/17/2022 & 10/19/2022, respectively. **[Notices of Violation sent 04/16/2012, 12/24/2013, 10/19/2016, 06/26/2018, & 01/14/2021]**

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=939306>

Ms. Vogt read the staff report with Ms. Gates present on behalf of the application. Ms. Gates had no issues with the report. With no discussion necessary, Mr. Bergeron moved to **conceptually approve** the HVAC retention with provisos as noted by staff, and **conceptual approval** of the tie removal. Mr. Fifield seconded the motion, which passed unanimously.

727 St Peter St: 22-28301-VCGEN; Loretta Harmon, applicant; 727-729 St Peterstreet LLC, owner; Appeal to retain HVAC equipment, vents, platform, and additional modifications without benefit of VCC review and approval, in conjunction with work to address violations, per application & materials received 09/19/2022 & 10/25/2022, respectively. **[Notices of Violation sent 11/10/2016, 06/11/2019 & 06/01/2021]**

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=943851>

Staff returned the application for revision and requested deferral. Mr. Bergeron moved to **defer** the application. Mr. Fifield seconded the motion, which passed unanimously.

1030 Dauphine St: 22-30368-VCGEN; Zach Smith Consulting & Design, applicant; The Sam and Nori Lee Revocable Trust Dat, owner; Appeal to retain courtyard work without permit, including outdoor kitchen, HVAC equipment and fountain, and proposal to install new pool, per application & materials received 10/06/2022 & 10/25/2022, respectively. **[STOP WORK ORDERS posted 07/05/2022 and 07/11/2022. Notice of Violation sent 07/06/2022.]**
<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=947941>

Ms. Vogt read the property report with Mr. Smith present on behalf of the application. Mr. Smith stated that he also had some concerns about the pool, explaining that there had been a previous pool in the 90s but that they needed to ensure proper drainage and explore foundations. He stated that he was fine with a deferral to address concerns and provide more information, adding that the owners were ok with finding a solution that would be more agreeable. Regarding the fountain and outdoor kitchen, he asked for conceptual approval with pending requirements for final approval. He agreed to provide the requested materials for the HVAC and to remove the speakers. He asked that the Committee consider retention of the decorative lights.

Ms. Follman addressed the Committee, stating that she had lived next door for 23 years and found the pool to be oversized and the courtyard too small for the proposed work. She explained that it was only 26" from the fence by her house, and that the pool would affect her foundation. She stated that the rear building was sinking and that she had considered buying it 18 years ago, but had been told by an engineer that it would require mud jacking. She added that the engineer stated that removal of dirt from the courtyard would compromise the building, and had decided not to buy the property. She was very concerned that the pool would destroy her landscaping, that there was no underground drainage, and that they had been jackhammering without permits. She found the work inappropriate.

Ms. Szalwinski addressed the Committee, stating that she had been inside the property and asked Ms. Follman if it had been a lap pool, previously. Ms. Follman responded that it had been a metal tub that was covered but not taken out, but filled in. Ms. Szalwinski stated that she was stunned the owners wanted a pool, as there was "no room left" in the courtyard. Ms. Follman added that there would be tons of equipment that could not fit in the space proposed.

Mr. Fifield addressed the applicant, stating that the plans were very non-specific about the equipment and that the Committee required clear information showing what would be there. He said he thought an overall deferral would be more appropriate. Mr. Smith stated that he understood, and asked if the kitchen and fountain were thought to be generally able to be retained? Mr. Fifield responded that they needed a complete landscaping plan, with all work incorporated and documented, addressing all staff questions and comments. Ms. Follman asked if a pool foundation compromised her building, or theirs, in future, what would happen? Mr. Fifield stated that he had not seen any information to evaluate, and he was curious to see a full plan.

Mr. Bergeron moved to defer the proposal for further development, with the applicant to resubmit within 60 days. Mr. Fifield seconded the motion, which passed unanimously.

309 Decatur St: 22-31558-VCGEN; Gates Erika, applicant; 309 Decatur Street LLC, owner; Proposal to address violations and replace corrugated metal awning with standing seam, per application & materials received 10/18/2022. **[Notices of Violation sent 10/06/2008, 01/18/2017, 03/09/2018, & 07/02/2020]**
<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=949151>

Ms. Vogt read the staff report with Ms. Gates present on behalf of the application. Ms. Gates said she was fine with the recommendations and would provide a section with more appropriate attachments. Mr. Bergeron stated that it would likely be difficult to install without decking. Ms. Gates responded that they would revise as needed. Mr. Bergeron asked if the corrugated metal could be repaired; Ms. Vogt responded that it would address the violation for damage and demolition by neglect, and that the roof was grandfathered so it could be kept if repairable. Mr. Fifield stated that similar installations were usually corrugated and that he recommended they keep the awning as simple as possible. He added that it could have another purlin, but was fine as-is. Ms. Gates said they would be fine with repair/replacement, as her client just wanted to get going.

Mr. Bergeron moved for **conceptual approval** of the proposed work, with final review and approval at staff level. Mr. Fifield seconded the motion, which passed unanimously.

With no business left to discuss Mr. Bergeron moved to adjourn the meeting. Mr. Fifield seconded the motion, which passed unanimously. The meeting was adjourned at approximately 4:13pm.

Next AC Date: Tuesday, November 22, 2022