

VIEUX CARRE COMMISSION

Mitchell J. Landrieu
MAYOR

CITY OF NEW ORLEANS

Lary P. Hesdorffer
EXECUTIVE DIRECTOR

Minutes of the Vieux Carré Commission meeting of Wednesday, October 7th, 2015.

COMMISSIONERS PRESENT: Nicholas S. Musso, Chairman
Leslie S. Stokes, Secretary
Patricia C. Denechaud
C.J. Blanda
Jorge A. Henriquez
Michael A. Skinner

COMMISSIONERS ABSENT: Daniel C. Taylor, Vice-Chairman

STAFF PRESENT: Lary P. Hesdorffer, Director; Renée Bourgogne, Architectural Historian, Nicholas G. Albrecht, Building Plans Examiner; Erin Vogt, Building Plans Examiner; Erika Gates, Inspector; Melissa Quigley, Assistant City Attorney;

OTHERS PRESENT: Kirk Fabacher, Charles Berg, Barry Siegel, Andrew Stubbs, Donald Maginnis, Tommie Aysenne, Paulo Perkins, Joe Luscyc, Phillis Luscyc, Stephen Price, Elwin Ordoyne.

I. ROLL CALL

The Chairman called the meeting to order at approximately 1:36 PM and requested a roll call. Mr. Hesdorffer called roll and confirmed the presence of a quorum with six (6) of seven (7) seated Commissioners in attendance. He further noted that with six (6) members present, four (4) affirmative votes are needed for any action to pass.

II. REVIEW OF MINUTES

Ms. Denechaud moved to approve the minutes of the September 2nd, 2015 Vieux Carré Commission meeting as circulated. Mr. Blanda seconded the motion, which passed unanimously.

III. CHAIRMAN'S REPORT

The Chairman elected not to give a report.

IV. DIRECTOR'S REPORT

The Director noted an increased number of Stop Work Orders (SWO) that had been issued in recent months and stated that, by VCC policy, SWOs can only be lifted by the full Commission. He encouraged the public to take proper steps of obtaining proper permits prior to starting any work within the French Quarter and jurisdiction of the VCC.

V. OLD BUSINESS

816 Orleans Ave: Charles Berg, applicant; 816 Orleans LLC, owner; Proposal to demolish deteriorated courtyard infill and build new service building with two residential units, per application & drawings received 12/09/14 & 09/02/15, respectively. **[NOTE: this meeting marks the end of the 30-day layover period.]**

Mr. Albrecht presented the staff report with Mr. Berg present on behalf of the application. With no discussion necessary, Mr. Blanda moved to accept the Architectural Committee's recommendation of **approval** of the application as submitted. Ms. Denechaud seconded the motion, which passed unanimously.

622 St Peter St: Kirk Fabacher, applicant; Mendel S Rau, owner; Proposal to demolish existing brown-rated rear structure and construct new building, per application & drawings received 03/24/15 & 08/18/15, respectively. **[NOTE: this meeting marks the end of the 30-day layover period.]**

Mr. Albrecht presented the staff report, noting that this meeting marked the end of the 30-day layover period, with Mr. Fabacher in attendance on behalf of the application. Without further discussion or comment, Ms. Denechaud moved for **approval** of the demolition of the brown-rated rear structure, provided the applicant continues to develop plans for the new building, prior to the issuance of a demolition permit. Mr. Blanda seconded the motion which passed unanimously.

520 Royal St: Barry Siegel, applicant; Kemper & Leila Williams Foundation, owner; Proposal to demolish rear building in preparation for new construction, per application & materials received 08/18/15 &

08/26/15, respectively. [NOTE: this meeting marks the end of the 30-day layover period.]

616 Toulouse St: Barry Siegel, applicant; Kemper & Leila Williams Foundation, owner; Proposal to demolish portion of brown-rated structure in preparation for new construction, per application & materials received 08/18/15 & 08/26/15, respectively. [NOTE: this meeting marks the end of the 30-day layover period.]

Because the proposed demolitions at both 520 Royal and 616 Toulouse are part of a joint application, the reports were presented together by Mr. Albrecht with Mr. Siegel present on behalf of the application. Ms. Denechaud asked when the property was acquired by the Kemper & Leila Williams Foundation. Mr. Siegel replied that the Foundation bought the property approximately 5 to 7 years ago.

Mr. Henriquez asked about the long term plans for the property. Mr. Siegel said that further design drawings are currently being prepared for the additional repairs and rehabilitation of the main building. Mr. Hesdorffer clarified the areas of proposed demolition and summarized the previously proposed conceptual plans that had been approved for the entire complex, including the Royal Street property as well as the rear structures that connected with the 616 Toulouse property.

Ms. Denechaud moved for **approval** of the demolition consistent with the staff recommendation. Mr. Skinner seconded the motion which passed unanimously.

VI. NEW BUSINESS

823 Dauphine St: Donald Maginnis, applicant; AAA Dauphine House LLC, owner; Proposal to renovate main building including addition of new dormers, per application & revised materials received 05/14/15 & 09/14/15, respectively.

Mr. Albrecht presented the staff report with Mr. Maginnis representing the application. Mr. Skinner voiced his concern over the addition of new dormers to both roof slopes of the main building. He explained that he opposed altering the roof structure to make the addition of dormers that had never been part of the original roof configuration, referencing another dormer proposal that had been denied by the Commission. Mr. Musso explained that the two proposals were somewhat different in design, location and the manner of construction.

Mr. Maginnis claimed that most Creole cottages have dormers. Mr. Blanda then questioned the steepness of the roof slope noting that the photographs give the roof a more shallow sloped appearance over the drawings. Mr. Musso explained that was a result of distortion created by the perspective of the camera versus the appearance of an elevation drawing. Ms. Stokes asked if most Creole cottages with dormers had them added post the original construction period. Mr. Musso explained it was common to add dormers to capture attic space for different uses.

Mr. Musso stated he is sympathetic to the proposal. Mr. Hesdorffer noted that the next item on the agenda is related but that the Architectural Committee denied the proposal. Mr. Musso suggested moving forward to hear that aspect of the overall submission. Mr. Maginnis stated that the development of the attic was contingent on adding the dormers but the appeal was not needed to continue development plans for the attic space. The meeting moved forward to hear the appeal.

Following the discussion regarding the 823 Dauphine appeal for denial of proposed Burgundy elevation modifications, Mr. Blanda moved to **approve** the new dormers. Ms. Stokes seconded the motion which passed with affirmative votes from Messrs. Blanda and Musso and Mses. Stokes and Denechaud. Messrs. Skinner and Henriquez voted against the motion.

VII. APPEALS AND VIOLATIONS

823 Dauphine St: Donald Maginnis, applicant; AAA Dauphine House LLC, owner; Appeal of Architectural Committee denial of proposal to modify Burgundy elevation openings, per application & revised materials received 05/14/15 & 09/14/15, respectively.

Mr. Albrecht gave the staff report with Mr. Maginnis present on behalf of the application. Ms. Denechaud asked about the height inside the "cave" space. Mr. Maginnis replied that the ceiling height is 5'. He went on to say that the current openings are not structurally sound. Mr. Hesdorffer explained that it was typical for this type of Creole cottage design to have a rear loggia with cabinets on either side. He added that it is unusual to still have the "cave" arrangement extant. Mr. Musso stated that they are important architectural elements that should be kept and that he believed there are alternatives to the interior design that would allow for the retention of the caves.

Mr. Blanda asked about the current use of the building. Mr. Maginnis stated that it is currently and will remain as two units in the main building. Mr. Blanda asked why there was a need for the exterior access stairs. Mr. Maginnis replied that he believed his client wished to provide exterior access to the stairs to the upper floor for the owner's teenage children. Mr. Maginnis continued that the owner would be willing to sign an affidavit stating that the building would not be used for short term rentals.

At the conclusion of discussion, Ms. Stokes moved to **uphold** the Architectural Committee denial thereby

not allowing the Burgundy elevation modifications as proposed. Mr. Blanda seconded the motion, and the motion passed unanimously.

831 Decatur St: Tommie Aysenne, applicant; The Ingram Family Trust, owner; Appeal of Architectural Committee denial to install doors and windows constructed without benefit of final approval or permit, per application & materials received 06/05/15, 08/28/15 & 08/30/15, respectively.

Ms. Vogt presented the staff report with Mr. Aysenne, Mr. Perkins, and Mr. & Mrs. Luscly, present on behalf of the application. Mr. Musso stated that, as both the Chairman of the Commission and as a member of the Architectural Committee, the unpermitted work should not be tolerated. Mr. Aysenne stated that the proposal had received preliminary approval from the Committee on 07/14/15 and that he believed this approval was sufficient to begin fabrication of the millwork. Mr. Musso asked why Mr. Aysenne believed he should begin construction without a permit. Mr. Aysenne stated that he had not received any notice that further approval would be required. Mr. Musso stated that that was not the case, that he had received written notice requiring the submission of shop drawings.

Mr. Perkins stated that he had been under the impression that the permit had been fully prepared. Staff explained to the Commission that the permit had been in draft form in anticipation of the submission of the requested shop drawings but that the draft permit is not issued until it has been approved and signed by the director and signed and dated by the applicant. Mr. Musso stated that he did not believe the millwork should remain in place, and that a deferral could be granted by the Commission to give the applicant an opportunity to further review the millwork with staff.

Ms. Luscly asked if a denial could be requested as they felt the problem could no longer be resolved at staff level. She further stated that she would prefer a denial in order to file an appeal with the City Council. Mr. Blanda moved to accept the Committee's recommendation of **denial** to install the unpermitted doors and window. Mr. Henriquez seconded the motion, which passed unanimously.

It was again noted that an appeal of the Commission decision must be submitted to the Clerk of the City Council within 30 days of the written date of notice of the VCC action.

631 Burgundy St: John W Stubbs, applicant/owner; Proposal to lift STOP WORK ORDER in order to resume approvable repairs begun without benefit of VCC review or approval, per application received 09/10/15. [**Stop Work Order posted 09/04/15**]

Ms. Bourgogne gave the staff report with Mr. Price representing the application. Mr. Musso asked if there were any questions or comments. Without further discussion, Ms. Denechaud moved to lift the Stop Work Order so that the permitted work could resume. Mr. Skinner seconded the motion which passed unanimously.

1029 Barracks St: Ewin Ordoyne, applicant; Mindy S Brown, Condo Master Owner, owner; Proposal to lift STOP WORK ORDER in order to correct work begun without benefit of VCC review or approval, per application received 09/28/15. [**Stop Work Order posted 09/25/15**]

Ms. Bourgogne gave the staff report with Mr. Ordoyne representing the application. Mr. Musso asked if the applicant or the Commissioners had any questions regarding the Stop Work Order or the work completed. Without any questions or additional comments, Mr. Skinner moved to lift the Stop Work Order. Mr. Blanda seconded the motion and the motion passed unanimously.

VIII. RATIFICATION of Architectural Committee and Staff actions since the Wednesday, September 02, 2015 VCC meeting.

Ms. Stokes moved, Mr. Skinner seconded, to ratify the actions taken by the Architectural Committee and Staff since the Vieux Carré Commission meeting of September 2, 2015. The motion passed unanimously.

With no further business to be considered, Ms. Stokes moved for adjournment. The motion, seconded by Mr. Skinner, passed unanimously. The meeting was adjourned at approximately 2:40 PM.

APPROVED: _____
Leslie Stokes, Secretary

NOTE: These minutes are a summary of actions taken and are not a verbatim transcription of the meeting.