

VIEUX CARRE COMMISSION

LaToya Cantrell
MAYOR

CITY OF NEW ORLEANS

Bryan Block
DIRECTOR

AGENDA

WEDNESDAY, SEPTEMBER 20, 2023

12:00 PM 8TH FLOOR CONFERENCE ROOM

1300 PERDIDO ST, NEW ORLEANS, LA 70112

I. ROLL CALL

II. CHAIRPERSON'S REPORT

III. DIRECTOR'S REPORT

IV. NEW BUSINESS

822-24 N. Rampart St: 23-23899-VCGEN; John C Williams, applicant; North Rampart Properties LLC, owner; Proposal to install rooftop deck, per application & materials received 08/29/2023 & 09/12/2023, respectively.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=986130>

V. APPEALS AND VIOLATIONS

625 Dauphine St: 21-33678-VCGEN; Kirk Garrett, applicant; 625 Dauphine Street LLC, owner;

Appeal to retain gas lights and other lighting installed without benefit of VCC review or approval, per application & materials received 12/09/2021 & 05/10/2022, respectively.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=909250>

625 Dauphine St: 21-23608-VCGEN; Wells Kent, applicant; 625 Dauphine Street LLC, owner;

Appeal to retain cap flashing installed in deviation of permit, per application & materials received 08/17/2021 & 03/20/2023, respectively.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=896996>

1238 Dauphine St: 23-14700-VCGEN; Prometheus Development Inc, applicant; Earl Gerard Schmit, owner;

Appeal to retain inappropriate rear dormers installed in deviation from VCC permit, per application & materials received 05/30/2023 & 08/18/2023, respectively. **[Notices of Violation sent 03/26/2001, 06/07/2005, 02/17/2010, 08/01/2014, 07/19/2017, 12/17/2020]**

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=974838>

RATIFICATION of Architectural Committee and Staff actions since the Wednesday, June 21, 2023 VCC meeting.

ADDRESS: 822-24 N. Rampart St.
 OWNER: North Rampart Properties APPLICANT: John C Williams
 LLC
 ZONING: VCC-2 SQUARE: 103
 USE: Mixed LOT SIZE: 4950 sq ft approx.

ARCHITECTURAL/HISTORICAL DESCRIPTION OF PROPERTY:

Main building: **Brown**, detrimental, or of no architectural and/or historic significance

The "Pan American Films" building was built c. 1946 to house the Katz Furniture Store.

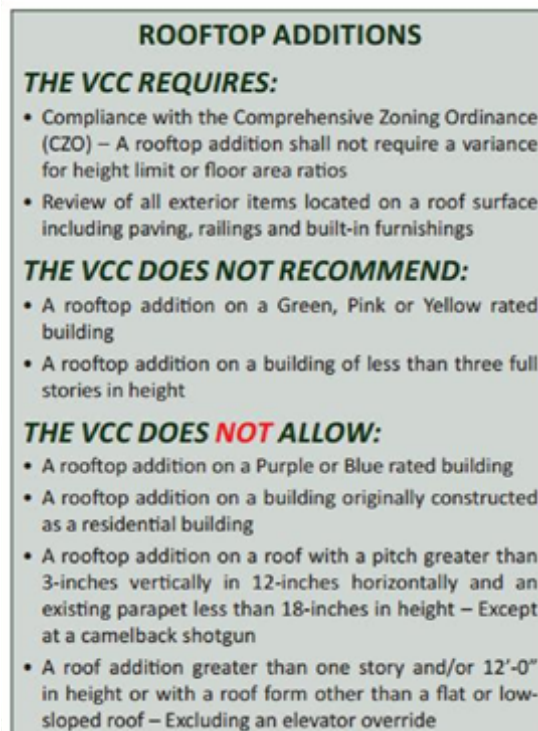
Vieux Carré Commission Meeting of **09/20/2023**

DESCRIPTION OF APPLICATION: 09/20/2023
Permit #23-23899-VCGEN **Lead Staff: Erin Vogt**

Proposal to install rooftop deck, per application & materials received 08/29/2023 & 09/12/2023, respectively.

STAFF ANALYSIS & RECOMMENDATION: 09/20/2023

The applicant proposes to add an 868 sq. ft. roof deck at the front half of the Brown rated flat roof, set back 4'-6" at the front elevation and approximately 8'-6" at the side elevations. The applicant stated that the roof deck will be open for shared use by the residential units, but not the first floor commercial space, which is currently vacant. The railing is a simple tension cable rail 3'-6" in height. Given the height of the roof deck itself, the overall additional height measures 4'-1". The rooftop access stairway is already existing.



While final information has not been submitted for items such as paving, the proposed roof deck meets all other the requirements for rooftop additions per the original Design Guidelines. The supplemental Guidelines for rooftop additions do not apply, as there is no commercial use proposed. The Committee recommends **conceptual approval** of the proposed roof deck. All finishes, or any other elements that may not be considered furniture, such as lighting, must be submitted for review and approval at staff level prior to permit.

VIEUX CARRÉ COMMISSION ACTION: 09/20/2023

ADDRESS:	625 Dauphine	APPLICANT:	Kent Wells
OWNER:	625 Dauphine St LLC	SQUARE:	89
ZONING:	VCR-1	LOT SIZE:	8,988 sq. ft.
USE:	Residential	OPEN SPACE-	
DENSITY-		REQUIRED:	2,696 sq. ft.
ALLOWED:	10 Units	EXISTING:	5,687 sq. ft.
EXISTING:	1 Unit	PROPOSED:	Undetermined increase
PROPOSED:	No Change		

ARCHITECTURAL / HISTORICAL DESCRIPTION OF PROPERTY

Rating: **Main Building: Green**, of local architectural and/or historical significance.
Detached Service Building: Green, of local architectural and/or historical significance.

This circa 1813-15 creole cottage sits on a deep lot that was owned in the early 1800s by two sets of French born and trained architect/builders. Between 1811 and 1813, Arsene Latour and Hyacinthe Laclotte owned this site along with the sites of 619-21 and 631 Dauphine. Then, between 1813 and 1867, Claude Gurlie and his heirs owned the cottage at 625 Burgundy. His partner Joseph Guillot owned the neighboring property at 619 Dauphine in the 1820s and 1830s. City directories list Gurlie and Guillot on Dauphine between Toulouse and St. Peters Streets. Therefore, the subject property was most likely part of the operational center for the enterprising partners until Guillot's death in 1838.

A plan book drawing from 1838 shows the original appearance of the cottage's front facade, similar to that remaining today with the exception of the front openings having been changed from two windows and two doors to four narrow doors. The early construction date of the property is especially apparent in the hand-hewn beams seen on the detached service building and in interior millwork and hardware details in the first floor of the cottage.

Vieux Carré Commission Meeting of

08/30/2023

DESCRIPTION OF APPLICATION:

08/30/2023

Permit # 21-33678-VCGEN

Lead Staff: Bryan Block

Violation Case #21-08164-VCCNOP

Inspector: Marguerite Roberts

Appeal to retain gas lights and other lighting installed without benefit of VCC review or approval, per application & materials received 12/09/2021 & 05/10/2022, respectively.

STAFF ANALYSIS & RECOMMENDATION:

08/30/2023

Staff notes that this is the second time this matter is being heard by the Commission. At the 4/19/23 Commission hearing the Commission made the motion for deferral with the applicant to make a proposal to be approved by the ARC. Since that time the applicant has decided not to make a new proposal or work with staff and is here today for a denial from the Commission.

Background:

Issues with the property date back to July 2021 when a Stop Work Order was posted after extensive work was observed without permits. In the months that followed, an additional four Stop Work Orders were posted for continued work without permits. Although the majority of the VCC related issues have been resolved, with the exception of decorative lighting being heard today, cap flashing, and a keypad system, no permits were ever issued by the Building or Electrical Departments for any work interior or exterior. Staff still has concerns that none of this work was properly permitted or inspected.

Regarding the decorative light fixtures, staff counts three decorative gas lights having been installed across the front of the building, two additional gas lights have been installed on the side of the building above the alleyway, two gas fixtures have been installed on the rear elevation of the main building, approximately eight fixtures have been installed on the detached service building, and approximately twelve fixtures have been installed around the perimeter wall and pool for a total of approximately twenty seven decorative gas fixtures total on the property.

Regarding decorative lighting the Guidelines state that fixtures "*should be:*

- *Compatible with the building in terms of its style, type, and period of construction*
- *Limited in number to avoid a cluttered appearance*
- *Located near a focal point of the building, such as the primary entrance door*
- *Installed in a manner that is harmonious with the building's design, such as evenly spaced on a balcony, gallery, or porch bay, or centered on or around an element such as a door, carriageway, or window*
- *Scaled appropriately for the proposed location*

- *Constructed of materials appropriate to the building's period, type, and style as well as the lighting design.” (VCC DG: 11-7)*

Based on these Guidelines, staff finds the current installation of decorative fixtures excessive and suggests that at most three or four decorative fixtures are likely appropriate for this entire property. The applicant has stated that the three decorative gas fixtures on the front elevation replaced three previously existing electric fixtures. Photographs indicate that these decorative fixtures were installed between March and August 2016 by a previous owner without permits.

On the side elevation it appears there was previously one decorative fixture compared to the two now installed. On the rear elevation, photographs show that two decorative fixtures have been in these approximate locations since at least 1992, although the new fixtures do not match those previously existing. A similar condition is seen at the service building where there were approximately five previously existing electric decorative fixtures on the building and are now eight gas fixtures.

The four decorative fixtures around the pool appear to predate the current ownership but again were converted from electric to gas. The other approximately seven or eight fixtures around the perimeter of the property are all brand new installations.

Although it is not entirely clear when all the decorative fixtures were installed by previous owner or owners and their numbers are still excessive compared to the Guidelines, staff had previously suggested that retaining the now gas fixtures in the locations where fixtures were previously documented may be an approvable compromise. This would not include the three fixtures on the front elevation which are clearly documented as being installed in 2016. For this age of building staff does not find decorative gas fixtures particularly appropriate for installation on the front elevation.

At the 10/25/2022 Architecture Committee meeting, the Committee agreed with the staff recommendation that the now gas fixtures that can be documented as replacing previously existing electric fixtures could be retained but the Committee denied the retention of the decorative fixtures that were documented as new installations including the three decorative fixtures on the front elevation of the main building. If the applicant followed the staff and Architecture Committee recommendations this would still leave the property with a total of twelve decorative fixtures, which is still significantly more than the Guidelines would recommend. Instead, the applicant is appealing the denial of the new fixtures and is seeking retention of all twenty-seven decorative fixtures installed around the exterior of the property.

The applicant has decided not to work with staff. Staff recommends **denial** of the proposal to retain.

ADDRESS:	625 Dauphine	APPLICANT:	Kent Wells
OWNER:	625 Dauphine St LLC	SQUARE:	89
ZONING:	VCR-1	LOT SIZE:	8,988 sq. ft.
USE:	Residential	OPEN SPACE-	
DENSITY-		REQUIRED:	2,696 sq. ft.
ALLOWED:	10 Units	EXISTING:	5,687 sq. ft.
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ARCHITECTURAL / HISTORICAL DESCRIPTION OF PROPERTY

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A plan book drawing from 1838 shows the original appearance of the cottage's front facade, similar to that remaining today with the exception of the front openings having been changed from two windows and two doors to four narrow doors. The early construction date of the property is especially apparent in the hand-hewn beams seen on the detached service building and in interior millwork and hardware details in the first floor of the cottage.

Vieux Carre Commission Meeting of

08/30/2023

DESCRIPTION OF APPLICATION:

08/30/2023

Permit # 21-23608-VCGEN

Lead Staff: Bryan Block

Violation Case #21-06095-VCCNOP

Inspector: Marguerite Roberts

Appeal to retain cap flashing installed in deviation of permit, per application & materials received 08/17/2021 & 03/20/2023, respectively.

STAFF ANALYSIS & RECOMMENDATION:

08/30/2023

Proposal to retain cap flashing installed in deviation of permit, per application & materials received 08/17/2021 & 03/20/2023, respectively.

This application was deferred at the 5/9/23 ARC meeting in order for the applicant to seek an architectural solution. The applicant has chosen not to do so. The applicant is seeking a denial from the full Commission.

This particular item has been deferred since 2021 while other items have been under review to allow the applicant to submit a report explaining why cap flashing is necessary in this instance. The applicant has submitted a lengthy report from a roofing company that notes in summary:

- “a) The enforcement of VCC regulations with respect to metal parapet cap flashing has been sporadic, as we noted metal parapet caps on numerous similar properties within the vicinity of this property.
- b) In our opinion, the most effective means of protecting the integrity of the historic load-bearing brick walls on properties in the French Quarter is to cap the tops and the insides of the parapet walls with metal, as was done on this property.
- c) The copper flashing on this property was installed in a professional and workmanlike manner, and in our opinion this flashing will serve effectively to protect this property.”

Regarding the note about sporadic enforcement, the report identified 47 properties in the immediate area that could be classified as Creole cottages, like this building. Of those, 21 do not feature parapet walls at all. For the 26 Creole cottages with parapets, 11, or about 42%, were observed to have metal cap flashing, while 15, or about 58% did not have cap flashing. Staff did not research the history of the 11 properties noted as having metal cap flashing. It is likely that others are in violation, have been in place for many years prior to current Guidelines, or were possibly permitted based on certain circumstances. Staff did recognize at least one of the examples, at 532-534 Burgundy St., as an example of a unique situation that received prior approval from the Architecture Committee for the installation of cap flashing on the parapet that runs parallel and in very close proximity to a neighboring wall. The opposite, accessible parapet is not

cap flashed and has a proper mortar cap.

Staff does not contend that cap flashing is one effective way of sealing the connection between roofs and parapets but staff finds this technique somewhat work-shy and unacceptable when the conditions are right for correct flashing. Cap flashing is an easy and fast solution compared to proper flashing. The parapets on this building have more than adequate height for the installation of proper flashing. The installed cap flashing obscures the architectural detail of the parapets. Additionally, compared to the before pictures, the parapet appears to be much bulkier in its current condition compared to the uncapped version. Prior to the installation of a new roof in 2020 there had not been cap flashing on this parapet and staff found no evidence of these parapets being capped in the approximate 205 years before that. The issued roofing permit states both, "*Metal cap-flashing on the parapets or chimneys is not allowed*" and "**Permit does not allow for cap flashing on parapets, chimneys or surrounding walls.**"

As the work was done in direct opposition of the issued permit and staff does not find any compelling reason to allow retention of the cap flashing retroactively for these conditions, staff recommends denial of the proposed cap flashing retention with the applicant to properly flash the roof as per the issued permit.

ADDRESS:	1238 Dauphine Street	APPLICANT:	Prometheus Development Inc
OWNER:	Earl Gerard Schmit	SQUARE:	79
ZONING:	VCR-1	LOT SIZE:	2076 sq. ft. (approx.)
USE:	Residential		

ARCHITECTURAL/HISTORICAL DESCRIPTION OF PROPERTY:

Main building: Green, of local architectural and/or historic significance.

This Creole cottage type structure was constructed c. 1869. It has five bays including a central recessed entrance, round-headed openings in the Italianate style and Eastlake type ornamentation over the front windows.

Vieux Carré Commission Meeting of **09/20/2023**

DESCRIPTION OF APPLICATION:

09/20/2023

Permit #23-14700-VCGEN

Lead Staff: Erin Vogt

Violation Case #20-23528-VCCNOP

Inspector: Anthony Whitfield

Appeal to retain inappropriate rear dormers installed in deviation from VCC permit, per application & materials received 05/30/2023 & 08/28/2023, respectively. **[Notices of Violation sent 03/26/2001, 06/07/2005, 02/17/2010, 08/01/2014, 07/19/2017, 12/17/2020]**

STAFF ANALYSIS & RECOMMENDATION: **09/20/2023**

This work without permit violation has been in place for 22 years but has not been prescribed as it has been continuously cited and taken to adjudication. The applicant is appealing to retain two oversized dormers with casement windows, installed in deviation from a 2001 VCC permit.

No dormers were present on the rear roof slope, historically. The Committee approved the installation of two new dormers with segmental arched headers in 1979. While they were not designed to copy historic detailing, they were appropriate in size, scale, and location. Staff issued a permit for roof repair in April 2000, which expired six months later. In March 2001, staff observed work being done on the roof that exceeded the scope of the then-expired permit, including complete removal of the 1979 dormers. A STOP WORK ORDER was posted, and the first violation letter was issued on 03/26/2001. On 05/07/2001, staff issued a permit to “reconstruct dormers, removed without a permit, in their original location and to their original appearance. Original window sashes and trim may be reinstalled. Any replacement material must match original in size, profile, exposure, attachment, composition, etc. All repaired and/or replaced materials must be painted to match original. Note: construction shall be based on VCC approved drawings, stamped 05/04/01, and photographs of original dormer materials.”

On 06/05/2005, staff observed the rear of the property and noted that the two reconstructed dormers were much larger than the previous conditions, and were inappropriately detailed. Three rooftop HVAC compressors were also cited at that time, and remain in violation but are not included in this application. A second violation case was opened this same day. It appears from VCC records that the property was taken to adjudication on 08/23/2005, but staff is unsure of the result, and it is not clear if these records exist since it was mere days before Hurricane Katrina. The improper work was again cited on 02/17/2010, 08/01/2014, 07/19/2017, and 12/17/2020.

When reviewed by the Committee on 06/27/2023, the applicant requested that the Committee allow retention of the existing windows for the time being, with the caveat that the file would be flagged so the next time a permit for the dormers was requested, they would be required to change them from the current casement style windows to swept head double-hung sashes.

Staff noted that the property has been flagged and continuously cited for 22 years, and that the type of window installed is not the only thing about the current dormers that makes them inappropriate. They are overly wide, which gives them a squat appearance, and located too closely to the parapets. The trim, pilasters, and casements are poorly detailed, but installing swept head windows in an opening of this width would likely exacerbate their awkwardness. If submitted for review and approval before the fact, they would not have been found approvable under the 1986 Guidelines in place in 2001, or the 2015 Guidelines used now. The Committee agreed that they were architecturally inappropriate both as built and that replacing the windows as proposed would not improve the conditions, and moved for denial. The applicant is now appealing to retain the dormers, citing hardship.

Considering the dormers were originally installed in 1979 and were not original to the property, the staff suggested either a proposal for more contemporary, less historicist replacement dormers, if they were appropriately sized and located, or removal in favor of skylights.

The applicant consulted contractor Timothy McDonald, who provided a letter stating that reconstruction would remove a significant portion of the slate roof on the rear of the building, tear out the dormers, reconstruct them, and then replace the portion of the slate roof that was removed. No cost estimate was provided for this work, but three alternatives were proposed:

“Option 1: you can appeal the VCC Architecture Committee’s denial of your appeal to retain the dormer windows to the VCC. While the VCC Architecture Committee does not consider hardship issues, the VCC itself will in fact consider hardship issues. Therefore, you may wish to pursue an appeal to the VCC to retain the current dormers based on hardship.

Option 2: The drawing submitted to VCC on May 2, 2001 indicates that the width of the dormers are 5 feet. The current width of the window is 57” with a 3-1/2” inside casing, a difference of 1/2 inch. However, back in 2001, the original windows which were replaced were double hung, swept top windows. The current windows are casement- type windows. You could replace the current windows with double hung windows of the same width as the current windows as shown on Attachment 1. This option would not require removal of the slate roof or extensive carpentry to reconstruct the dormer shell.

Option 3: Although the drawing submitted and approved by VCC on May 2, 2001 indicates that the dormer width is 5 feet, you have advised that the VCC staff believes that the current dormer windows are too wide. You could reduce the window width to 36” to accommodate the VCC staff as shown on Attachment 2 (using either swept top or standard window) without changing the size of the dormer shell. This option would also note require removal of the slate roof or extensive carpentry to reconstruct the dormer shell.”

Staff notes that the 2001 drawing referenced as “submitted and approved by the VCC” was not, in fact, approved. It was stamped as “received,” which was standard when the VCC accepted hard copy drawings from applicants. Inappropriately detailed drawings are received by VCC staff on a daily basis, but this does not indicate that they are acceptable or approved. The 4/2/01 permit issued by VCC staff calls for “removal of new, enlarged dormer construction built without a VCC permit.” Staff believes that photos showing a dormer measured at 60” wide may have been the illegally constructed dormer, as photos from the courtyard clearly show the 1979 dormers closer to 3’-6” in width, similar to the standard single door on the first floor below it. Staff also notes that the meeting minutes from 1979 show that the approval was based on the VCC standard detail sheets which are still in use, and these dormers are typically about 3’-6” wide, as dormers are historically framed “on the flat,” giving them narrower framing.

Considering the overall width of the dormers is at issue, and not just the style and appearance of the windows, staff does not find either Option 2 or Option 3 to be architecturally appropriate. In fact, given the added width, they would likely be a step backwards in historical appropriateness, and filling a framed opening with a smaller window is prohibited by the Design Guidelines. If the Commission wishes to allow retention based on hardship, they have that discretion. However, staff does not find an architecturally appropriate solution possible if the inappropriate existing dormer framing is allowed to remain, and therefore recommends the Commission uphold the Committee’s motion to **deny** retention.

VIEUX CARRÉ COMMISSION ACTION:

09/20/2023

Architecture Committee Meeting of**06/27/2023****DESCRIPTION OF APPLICATION:**

06/27/2023

Permit #23-14700-VCGEN**Lead Staff: Erin Vogt****Violation Case #20-23528-VCCNOP****Inspector: Anthony Whitfield**

Appeal to retain inappropriate rear dormers installed in deviation from VCC permit, per application & materials received 05/30/2023. [Notices of Violation sent 03/26/2001, 06/07/2005, 02/17/2010, 08/01/2014, 07/19/2017, 12/17/2020]

STAFF ANALYSIS & RECOMMENDATION:

06/27/2023

This work without permit violation has been in place for significant time but has not been prescribed as it has been continuously cited and taken to adjudication. The applicant is appealing to retain two oversized dormers with casement windows, installed in deviation from a 2001 VCC permit.

The Committee approved the installation of two new dormers with segmental arched headers on the rear roof slope in 1979. Staff issued a permit for roof repair in April 2000, which expired six months later. In March 2001, staff observed work being done on the roof that exceeded the scope of the then-expired permit, including removal of the 1979 dormers. A STOP WORK ORDER was posted, and the first violation letter was issued on 03/26/2001. On 05/07/2001, staff issued a permit to “reconstruct dormers, removed without a permit, in their original location and to their original appearance. Original window sashes and trim may be reinstalled. Any replacement material must match original in size, profile, exposure, attachment, composition, etc. All repaired and/or replaced materials must be painted to match original. Note: construction shall be based on VCC approved drawings, stamped 05/04/01, and photographs of original dormer materials.”

On 06/05/2005, staff observed the rear of the property and noted that the two reconstructed dormers were much larger than the previous conditions, and were inappropriately detailed. Three rooftop HVAC compressors were also cited at that time, and remain in violation but are not included in this application. A second violation case was opened this same day. It appears from VCC records that the property was taken to adjudication on 08/23/2005, but staff is unsure of the result. The work without permit was again cited on 02/17/2010, 08/01/2014, 07/19/2017, and 12/17/2020.

The applicant is requesting that the Committee allow retention of the existing windows for the time being, with the caveat that the file would be flagged so the next time a permit for the dormers was requested, they would be required to change them from the current casement style windows to swept head double-hung sashes.

Staff notes that the property has been flagged and continuously cited for 22 years, and that the type of window installed is not the only thing about the current dormers that makes them inappropriate. They are overly wide, which gives them a squat appearance, and located too closely to the parapets. The trim, pilasters, and casements are poorly detailed, but installing swept head windows in an opening of this width would likely exacerbate their awkwardness. If submitted for review and approval before the fact, they would not have been found approvable under the 1986 Guidelines in place in 2001, or the 2015 Guidelines used now.

Considering the dormers were originally installed in 1979 and were not original to the property, the Committee might entertain a proposal for more contemporary, less historicist replacement dormers, if they were appropriately sized and located. As it stands now, staff does not find any aspect of the current dormers to be approvable for retention – temporary or otherwise – and recommends **denial** of the appeal to retain, with the applicant to submit a proposal for suitably sized and detailed dormers, or remove them in favor of skylights.

Staff notes that other work without permit violations remain on the property, including the HVAC equipment installed on the rear roof slope, alterations of the Barracks-side window and shutters in order to cross the property line and use the roof of 1240 Dauphine as a terrace. Previous photos show a railing installed around one of the rear dormers for use as a small roof deck area, but it is not clear if that is still in place. In order to close out the violation case in full and remove the red flag from this property, an application addressing all open violations must be submitted, permits issued, and work completed to abate all work without permit issues.

ARCHITECTURAL COMMITTEE ACTION:

06/27/2023