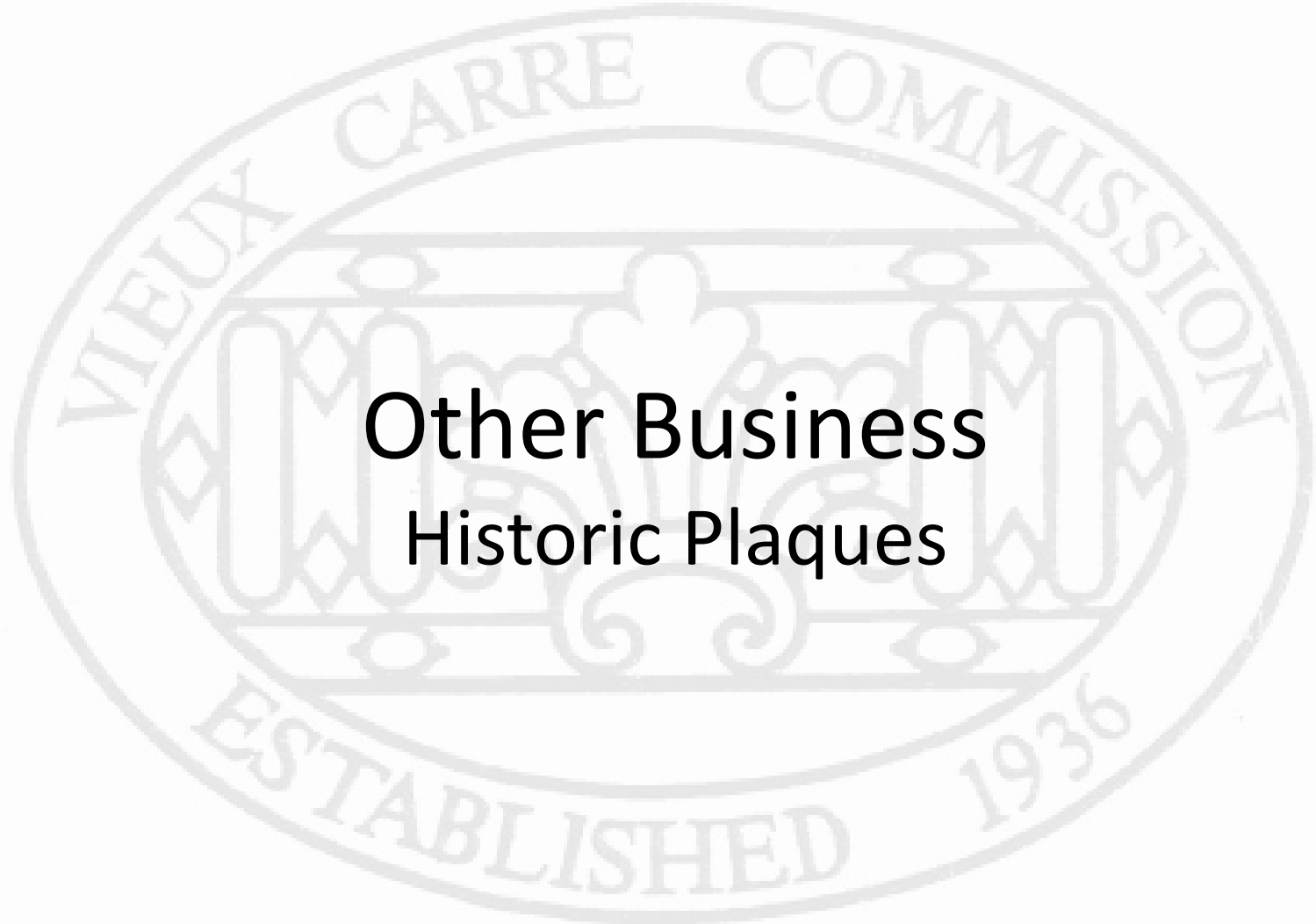




**Vieux Carré  
Commission Meeting**

**Wednesday, June 21, 2023**



**Other Business  
Historic Plaques**

**OTHER BUSINESS:**

Review of proposed revision of the Design Guidelines to add guidelines for the installation of historic plaques.

In response to several recent applications for the installation of new historic plaques, the VCC staff has drafted proposed Guidelines for the review of new historic plaques. The proposed Guidelines are heavily influenced by existing Guidelines for the city of Charleston, SC.

To be eligible for a plaque, properties must be associated with at least one of the following:

- A historic building that is at least 100 years old
- Significant events that occurred at least 50 years ago
- Significant persons who died at least 50 years ago
- Broad patterns of local, state, and/or national history
- The property in question must retain a high degree of historic and or architectural integrity.

Staff has not finalized recommendations for the size, shape, and maximum word count for new plaques and welcomes commentary and recommendations from the Commission. Likewise, the application process has not been finalized but will likely include a new application on the City's OneStop website specifically for a VCC historic plaque. The applicant for the plaque would be responsible for providing research and documentation supporting the proposed plaque's information. The VCC staff would then confirm the submitted documentation and edit the proposed plaque text. All plaque applications would be reviewed by the Architecture Committee, with higher rated buildings also requiring Commission level approval.

Staff conducted a short survey of ten properties in the district that have existing plaques, some properties with multiple plaques. The smallest observed existing plaque measured 12" x 6" with only 26 words of text. The largest in size measured 20" x 20" with 60 words of text and the plaque with the most text measured about 15" x 21" with 87 words of text.

There were a total of thirteen plaques documented across the ten properties. Of those, staff found that eight of the thirteen met the criteria for plaques described above and five did not. The ones that did not meet the criteria either referred to buildings that have long been demolished or referred to individuals who died less than 50 years ago.

Staff welcomes comments and questions from the Commission regarding the proposed Guidelines and remaining undetermined details.

VIEUX CARRÉ COMMISSION  
CITY OF NEW ORLEANS

The Vieux Carre Commission staff is here to help you design and apply for a historic marker for your property. VCC staff can assist you on where to find, and compile the necessary historic documentation for your marker, as well as advise you on how to draft the marker text. Please see the eligibility criteria, application process and plaque design below. In the interest of protecting the delicate historic fabric of the built environment, VCC staff encourages the installation of sidewalk plaques built into the right of way in lieu of wall mounted markers.

## ELIGIBILITY CRITERIA

**Markers must be associated with at least one of the following:**

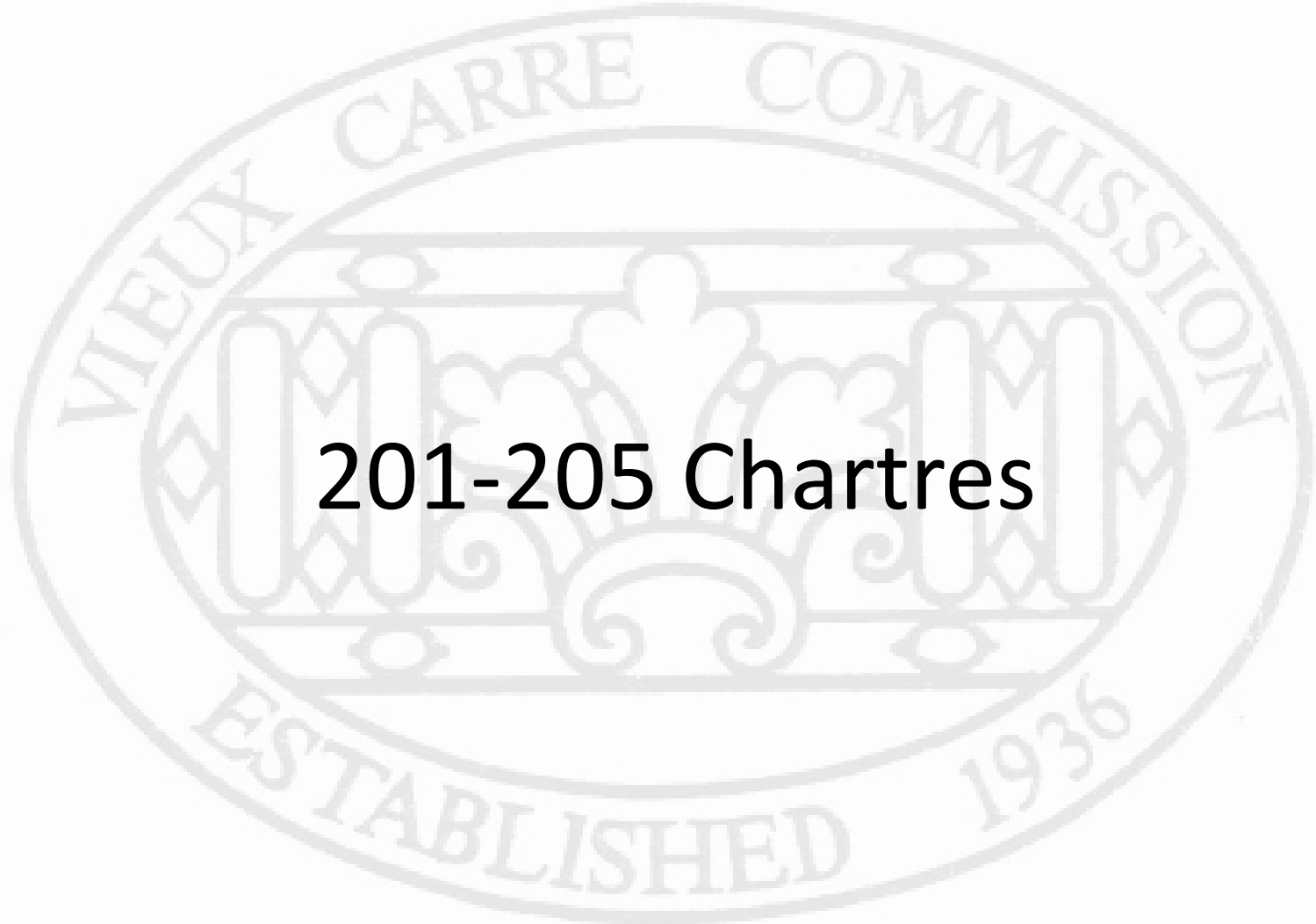
- A historic building that is at least 100 years old
- Significant events that occurred at least 50 years ago
- Significant persons who died at least 50 years ago
- Broad patterns of local, state, and/or national history
- The property in question must retain a high degree of historic and or architectural integrity.
- The Historic Marker application form must be submitted with the property owner's signature, or in the case of a condo associations- ALL owner's signatures.

## APPLICATION PROCESS

- Complete the application form and submit via the ONE STOP app at <https://onestopapp.nola.gov/> **Please apply for the VCC Historic Plaque Permit.**
- It is the applicant's responsibility to provide research and documentation on the history of the property. See a list of recommended resources attached to the **\*\*insert application form**. If no historical information is available, the applicant may contract a research consultant to compile property research. VCC Staff is not responsible for conducting property research.
- The applicant may independently draft and submit a draft text for VCC Staff to review.
- The marker text should be no more than **TBD** words and follow the suggested format attached.
- VCC Staff will edit the proposed to organizational standards.
- The applicant will order the marker with dimensions customized to fit the space of the desired exterior location. The location, size, material, and method of mounting the plaque to the façade must be proposed by the applicant and approved by VCC staff.
- **All applications** must be heard before the Architecture Committee and possibly the full Commission, depending on the rating of the building. All Purple and Blue related buildings must have Commission approval prior to permitting.
- **The price of a Historic Marker is \$???. There is a \$?? application review and permit fee. The applicant is responsible for contacting and contracting with the plaque manufacturer. No plaque is to be installed without a permit.**



# New Business



**201-205 Chartres**

**ADDRESS:** 201 Chartres (601-07 Iberville)  
**OWNER:** Blue Capital Property Managem LLC    **APPLICANT:** Bavido Samuel  
**ZONING:** VCC-2    **SQUARE:** 36  
**USE:** Commercial    **LOT SIZE:** 2293.5 sq. ft.  
**DENSITY**    **OPEN SPACE**  
     Allowed: 8 units    Required: 458.7 sq. ft.  
     Existing: Unknown    Existing: 0 sq. ft.  
     Proposed: No change    Proposed: No change

**ARCHITECTURAL / HISTORICAL DESCRIPTION OF PROPERTY**

Rating: **Green**, or of local architectural and/or historical importance.

This address features an 1850 4-story masonry commercial building, which has a scored plaster facade and a heavily denticulated cornice. An 1887 photograph documents that the building had a wraparound cast iron gallery at the second and third levels.

**ADDRESS:** 205-07 Chartres  
**OWNER:** Blue Capital Property Managem LLC    **APPLICANT:** Bavido Samuel  
**ZONING:** VCC-2    **SQUARE:** 36  
**USE:** Commercial    **LOT SIZE:** 3120 sq. ft.  
**DENSITY**    **OPEN SPACE**  
     Allowed: 6 units    Required: 936 sq. ft.  
     Existing: Unknown    Existing: 213 sq. ft.  
     Proposed: No Change    Proposed: No change

**ARCHITECTURAL / HISTORICAL DESCRIPTION OF PROPERTY**

Ratings:

Main building: **Green**, or of local architectural and/or historical significance

Rear single-story addition: **Brown**, or of no architectural or historical significance

The main building is a C. 1830 Greek revival commercial building with granite posts and lintels on the ground floor. Its fourth floor was added in the early 20th c.

**Vieux Carré Commission Meeting of**    **06/21/2023**

**DESCRIPTION OF APPLICATION:**    06/21/2023  
**Permit #23-04890-VCGEN**    **Lead Staff: Erin Vogt**  
**Permit #23-12427-VCGEN**    **Lead Staff: Erin Vogt**

**201 Chartres St:** Proposal to address violations and install mechanical equipment in conjunction with a **change of use** to *restaurant*, and a resubdivision with 205 Chartres, per application & materials received 02/24/2023 and 05/30/2023, respectively. [**Notices of Violation sent 06/14/2018, 07/20/2020, & 09/24/2021**]

**205-07 Chartres St:** Proposal to address violations and install mechanical equipment in conjunction with a **change of use** to *restaurant*, and a resubdivision with 201 Chartres, per application & materials received 02/24/2023 and 05/30/2023, respectively. [**Notices of Violation sent 03/15/2017, 07/20/2020, & 09/24/2021**]

**STAFF ANALYSIS & RECOMMENDATION:**    06/21/2023

**Change of Use:**

Article 2.10 of the Comprehensive Zoning Ordinance states that:

*“Within the Vieux Carré Historic District, no occupancy permit shall be issued by the Director of Safety and Permits, for any change in the use of any existing building until and unless a special permit shall have been issued by the Vieux Carré Commission, except that where no change of exterior appearance is contemplated such permit by the Vieux Carré Commission shall not be required. Where any change in exterior appearance is contemplated, the Vieux Carré Commission shall hold a hearing, and if it approves such change, it shall issue a special permit to continue the same use, or for any other use not otherwise prohibited in the district, subject to the following conditions and safeguards:*

1. *The historic character of the Vieux Carré shall not be injuriously affected.*

2. *Signs which are garish or otherwise out of keeping with the character of the Vieux Carré shall not be permitted.*
3. *Building designs shall be in harmony with the traditional architectural character of the Vieux Carré.*
4. *The value of the Vieux Carré as a place of unique interest and character shall not be impaired.”*

The applicant has submitted plans to convert the previous culinary school into a *standard restaurant*, reusing much of the mechanical equipment already in place. One new Trane condenser, measuring approximately 36” x 42” x 41” will be installed at the rear mechanical yard at grade. The sound output is listed as 76 dBA, but staff finds this reasonable for a unit this size installed with other equipment in an isolated part of the site. The remainder of the work is to address outstanding work without permit and demolition by neglect violations. Since the work in conjunction with the change of use is discreet and typical for a change of use of this type, the Committee approved the proposed mechanical work and forwarded a **positive recommendation** for the change of use.

**Resubdivision:**

During the course of this review, staff discovered that the proposed work at 201 Chartres also utilized the interior of 205-07 Chartres. According to the applicant, the interiors of these separate properties have been comingled and used together since at least its use as the previously existing culinary school opened c. 2013. Apparently, the interior of the upper floors, where residential units are located, are also comingled across the property line at some point, and rely on egress in both buildings. The two properties were independently owned until the 1960s, when they came under shared ownership. The buildings were recently sold to a new owner but remain separate lots of record. The buildings are not twins, and only appear to be more similar than they are due to their shared paint scheme (in fact, 205-07 Chartres is a twin of 209-13 Chartres).

Since this project involves both properties and crosses interior property lines, the applicant will be submitting an application to resubdivide 201 and 205-07 Chartres. Staff is unsure why this was not initially required by Zoning when the plans for the culinary school were first approved, as integration of interior spaces across property lines does typically require a resubdivision. Specific application materials for the resubdivision have not yet been submitted, but will be reviewed by City Planning Commission when the application is complete.

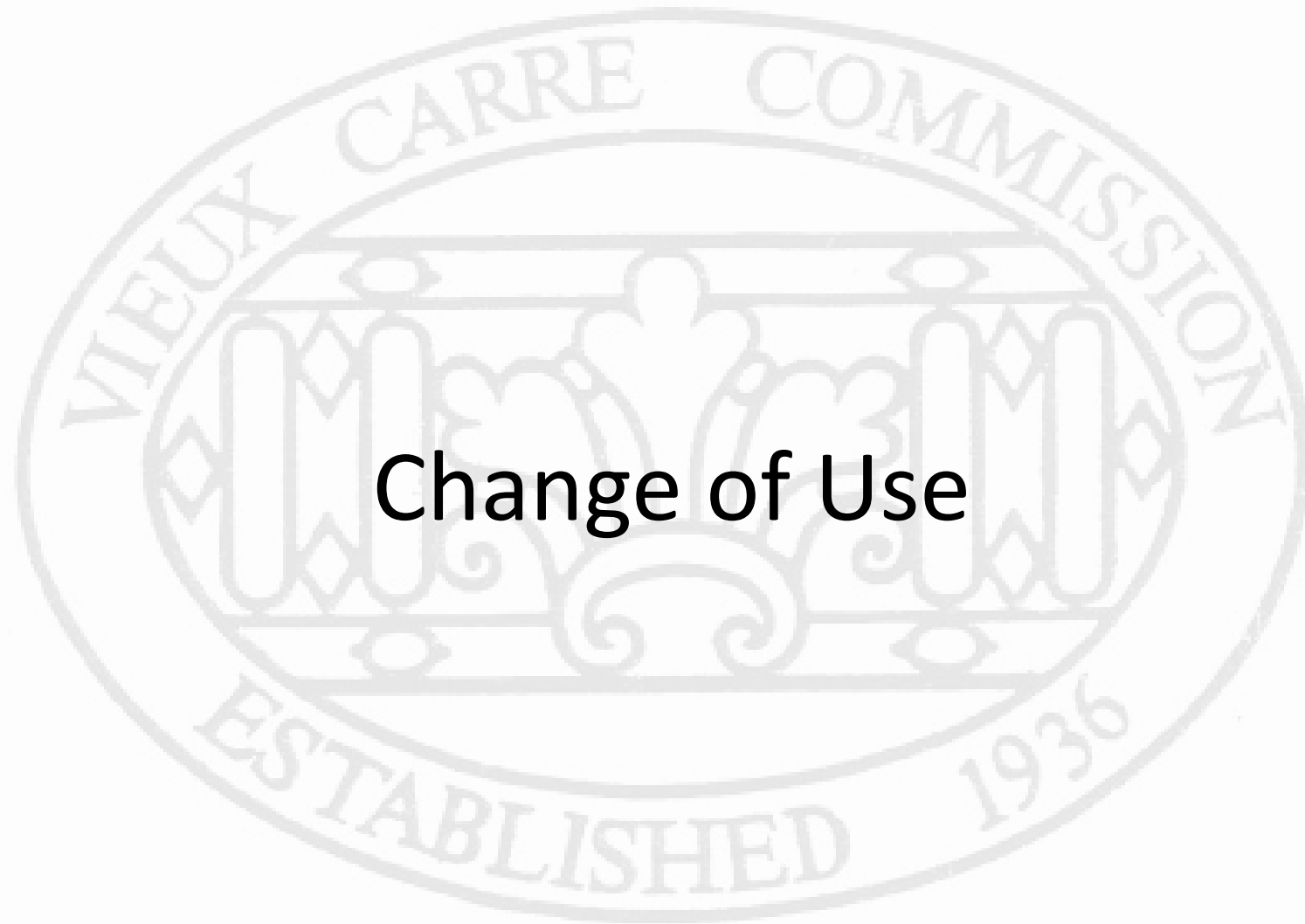
The Vieux Carré Commission is called to make recommendations on the historical appropriateness of proposed resubdivisions for the City Planning Commission to take into consideration. Since staff was unable to find any evidence that the buildings were sisters, or that they had been used together historically, staff recommends that the Commission forward a **negative recommendation** to the City Planning Commission on the basis that historic lot lines should be maintained whenever possible.

To be clear, staff is not suggesting that any changes be made to the interior, or that this permit not be allowed to proceed as proposed. However, a cross-easement, if allowable, may be a more appropriate solution for these two properties instead of a resubdivision. If a resubdivision is ultimately required by CPC, they are not bound by this Commission’s recommendations.

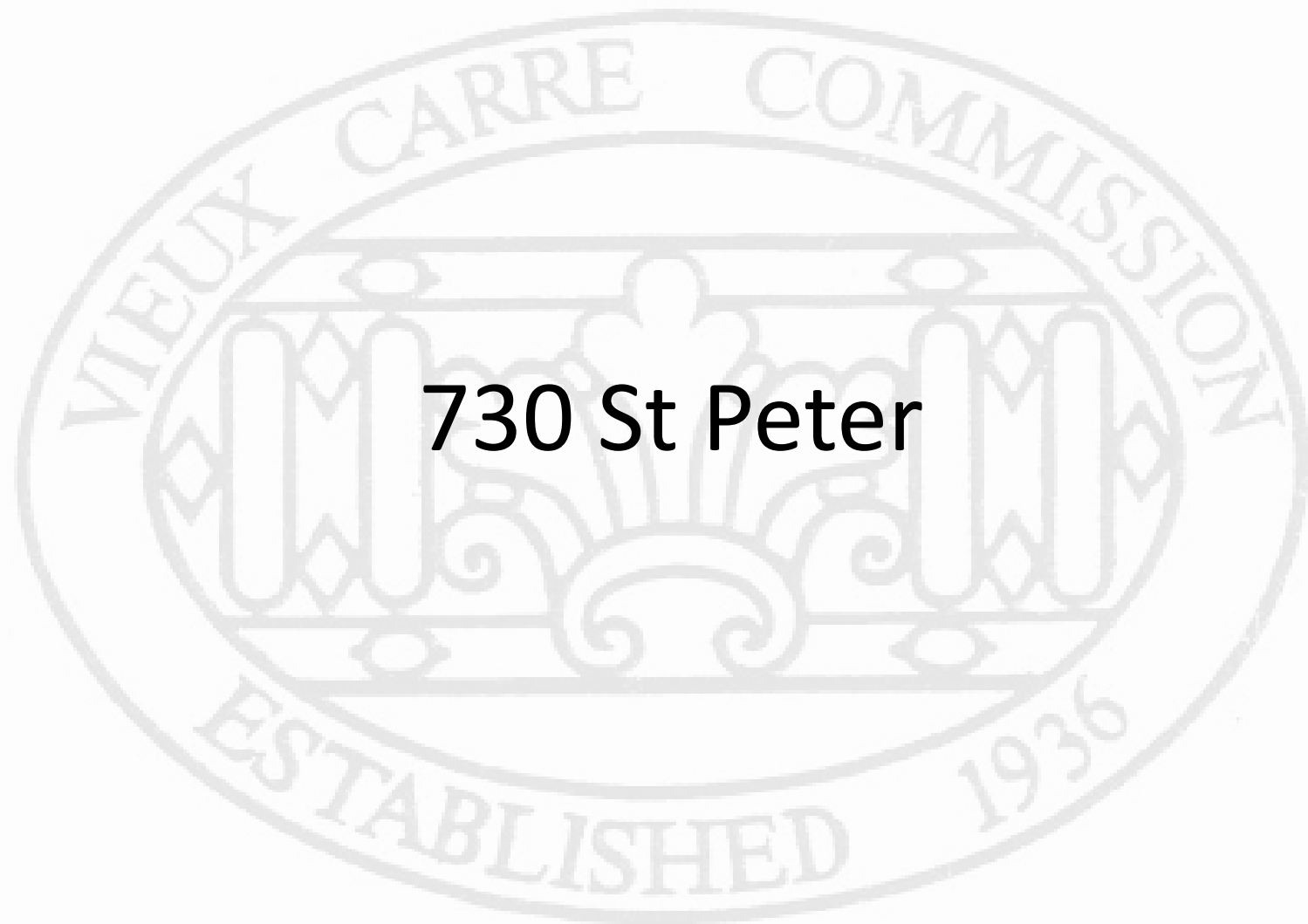
**VIEUX CARRÉ COMMISSION ACTION:**

06/21/2023





# Change of Use



730 St Peter

ADDRESS:	730-32 St Peter	
OWNER:	St Peter FQ Holdings LLC	APPLICANT: John C Williams
ZONING:	VCC-2	SQUARE: 61
USE:	Restaurant/vacant	LOT SIZE: 3937 sq. ft.
DENSITY:		OPEN SPACE:
ALLOWED:	6 units	REQUIRED: 1181 sq. ft.
EXISTING:	None	EXISTING: Unknown
PROPOSED:	Unknown	PROPOSED: Unknown

**ARCHITECTURAL/HISTORICAL DESCRIPTION OF PROPERTY:**

Main building & service building: **Blue**, of major architectural and/or historic significance.

In 1821 the builders Maurice Pizetta and Felix Pinson bought this site of New Orleans's first theatre, which burned in the great fire of 1816. By 1826 they had constructed this high style house, which from 1827-37 served as the city residence of the St. Charles Parish planter, Jean Baptiste LaBranche. Described in an 1826 auction notice as having an "upper floor elegantly finished with plastering and cornices," the building, according to an 1860 plan book drawing, was distinguished by a handsome pedimented cornice and frieze windows detailed in iron. Although they are known primarily for their work in the Quarter, Pizetta and Pinson also designed and built structures in other parts of town, including the extant granite stores on Canal Street, built in 1825 for the painter Degas's grandfather, Germain Musson.

**Vieux Carré Commission Meeting of** **06/21/2023**

**DESCRIPTION OF APPLICATION:** 06/21/2023  
**Permit #22-35393-VCGEN** **Lead Staff: Erin Vogt**

Proposal to modify millwork, install mechanical equipment, and modify roof to connect the front and rear structures, in conjunction with a **change of use** from *vacant* to *restaurant (standard) & cultural facility*, per application & materials received 11/30/2022 & 05/30/2023, respectively.

**STAFF ANALYSIS & RECOMMENDATION:** 06/21/2023

When last reviewed on 03/22/23, the Commission moved for conceptual approval of the overall work, with the proviso that the motion was contingent on approval and/or necessary waivers from all other overseeing agencies. The Commission also deferred making a recommendation regarding the change of use, since it was unclear exactly what use category the project would fit into and whether or not live music would be a component. Since then, Interim Zoning Administrator, Wheeler Manouchehri, determined that the **change of use** will be to *restaurant/cultural facility*.

Article 2.10 of the Comprehensive Zoning Ordinance states that:

*“Within the Vieux Carré Historic District, no occupancy permit shall be issued by the Director of Safety and Permits, for any change in the use of any existing building until and unless a special permit shall have been issued by the Vieux Carré Commission, except that where no change of exterior appearance is contemplated such permit by the Vieux Carré Commission shall not be required. Where any change in exterior appearance is contemplated, the Vieux Carré Commission shall hold a hearing, and if it approves such change, it shall issue a special permit to continue the same use, or for any other use not otherwise prohibited in the district, subject to the following conditions and safeguards:*

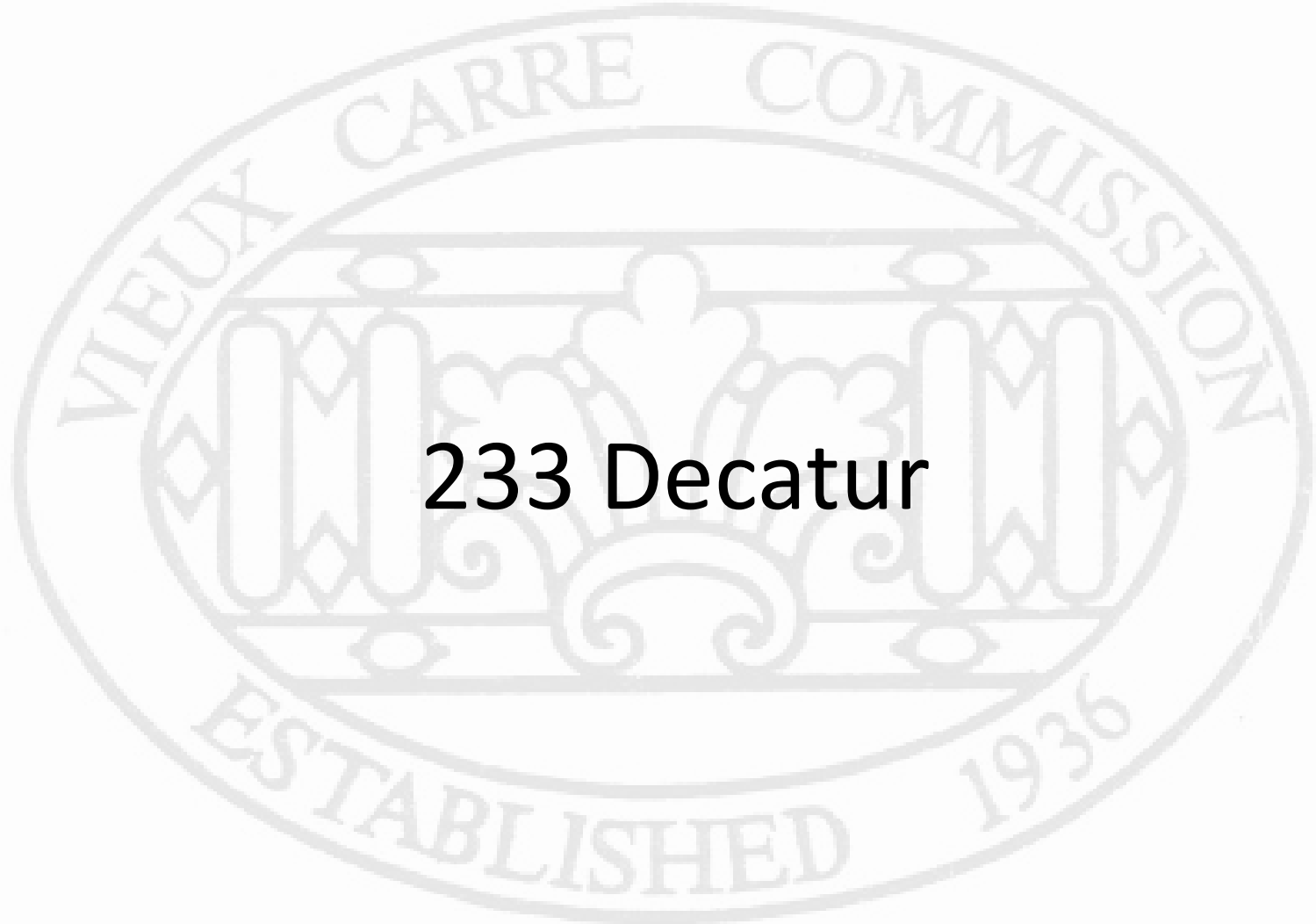
- 1. The historic character of the Vieux Carré shall not be injuriously affected.*
- 2. Signs which are garish or otherwise out of keeping with the character of the Vieux Carré shall not be permitted.*
- 3. Building designs shall be in harmony with the traditional architectural character of the Vieux Carré.*
- 4. The value of the Vieux Carré as a place of unique interest and character shall not be impaired.”*

The first floor of 730 will serve as a standard restaurant and ticketing for the music venue next door, while the upper floors provide archive storage, classrooms for music lessons and workshops, offices, and artist-in-residence units for use by the Preservation Hall Foundation. Both *restaurant (standard)* and *cultural facility* are allowable uses for the overlay district. Per the CZO, musical accompaniment is allowed inside restaurants, and may occasionally be allowed outside *cultural facilities* if Special Events permits are pulled for private events. The alterations to the building associated with the change of use include installation of a hood vent, other mechanical equipment, and modification to a few openings on the rear, Blue rated service ell, but this work was already found approvable by the Commission when reviewed on 03/22/23.

Staff recommends the Commission forward a **positive recommendation** to the Director of Safety and Permits regarding the **change of use** to *restaurant (standard) & cultural facility*.

**VIEUX CARRÉ COMMISSION ACTION:**

06/21/2023



**233 Decatur**

ADDRESS:	233 Decatur Street	
OWNER:	233 Decatur Real Estate	APPLICANT: Myles Martin
	LLC	
ZONING:	VCE-1	SQUARE: 30
USE:	Commercial	LOT SIZE: 1,998.75 sq. ft.
DENSITY:		OPEN SPACE:
ALLOWED:	3 Units	REQUIRED: 599.6 sq. ft.
EXISTING:	Vacant	EXISTING: None
PROPOSED:	Unknown	PROPOSED: No change

**ARCHITECTURAL/HISTORICAL DESCRIPTION OF PROPERTY:**

Main building: **Yellow**, contributes to the character of the District.

C. 1910 3-story "Decorative Brick style" commercial building, constructed after the fire of 1908. Ground floor of front façade has received distracting alterations.

**Vieux Carré Commission Meeting of** **06/21/2023**

**DESCRIPTION OF APPLICATION:** 06/21/2023  
**Permit #23-12166-VCGEN** **Lead Staff: Erin Vogt**

Proposal to install rooftop mechanical equipment in conjunction with a **change of use** from *vacant* to *residential*, per application & materials received 05/04/2023 & 05/26/2023, respectively.

**STAFF ANALYSIS & RECOMMENDATION:** 06/21/2023

The second and third floors of this property have been vacant since Hurricane Katrina and are being returned to commerce as residential units. The exterior work is limited to the installation of two small bathroom roof vents and two rooftop condensers. The work was found approvable by the Committee at the 06/13 hearing.

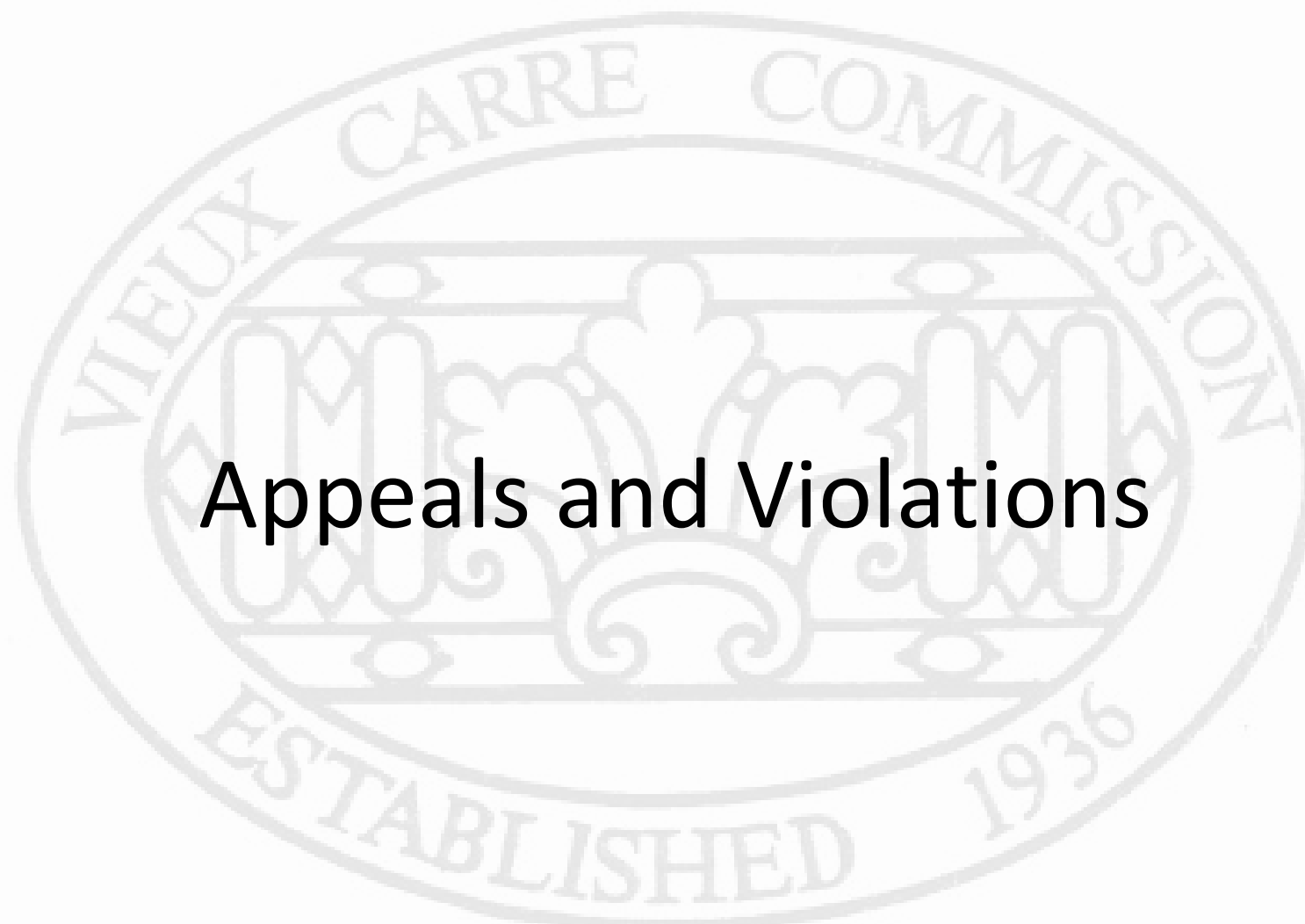
Article 2.10 of the Comprehensive Zoning Ordinance states that:

*“Within the Vieux Carré Historic District, no occupancy permit shall be issued by the Director of Safety and Permits, for any change in the use of any existing building until and unless a special permit shall have been issued by the Vieux Carré Commission, except that where no change of exterior appearance is contemplated such permit by the Vieux Carré Commission shall not be required. Where any change in exterior appearance is contemplated, the Vieux Carré Commission shall hold a hearing, and if it approves such change, it shall issue a special permit to continue the same use, or for any other use not otherwise prohibited in the district, subject to the following conditions and safeguards:*

- 1. The historic character of the Vieux Carré shall not be injuriously affected.*
- 2. Signs which are garish or otherwise out of keeping with the character of the Vieux Carré shall not be permitted.*
- 3. Building designs shall be in harmony with the traditional architectural character of the Vieux Carré.*
- 4. The value of the Vieux Carré as a place of unique interest and character shall not be impaired.”*

The Committee found the work appropriate and minor, and recommended the Commission forward a **positive recommendation** for the change of use to the Director of Safety and Permits. The work itself does not require Commission review or approval.

**VIEUX CARRÉ COMMISSION ACTION:** 06/21/2023



# Appeals and Violations





ADDRESS:	905 Royal St.		
OWNER:	Nine O Five Apt House	APPLICANT:	Nine O Five Royal
	Hotel Inc		
ZONING:	VCC-1	SQUARE:	57
USE:	Hotel	LOT SIZE:	2,585 sq. ft.

### **ARCHITECTURAL / HISTORICAL DESCRIPTION OF PROPERTY**

Rating: **Green**, of local architectural and/or historical significance.

C. 1897 late Victorian version of the double-level galleried frame townhouse.

**Vieux Carré Commission Meeting of** **06/21/2023**

<b><u>DESCRIPTION OF APPLICATION:</u></b>	06/21/2023
<b>Permit # 23-04489-VCPNT</b>	<b>Lead Staff: Nick Albrecht</b>
<b>Violation Case #20-21310-DBNVCC</b>	<b>Inspector: Marguerite Roberts</b>

Seeking a hardship regarding current violations with proposal to not address violations under current ownership with the property currently for sale, per application received 02/23/2023.

**STAFF ANALYSIS & RECOMMENDATION:** 06/21/2023

This application was deferred at the 04/19/2023 meeting to allow for an applicant to be present, noting that failure of an applicant to be present would result in a denial.

Staff cited this property in August 2020 noting several demolition by neglect type violations including broken chimneys, paint deterioration throughout the building, deteriorated woodwork, and deteriorated roof shingles. A permit was then issued in July 2021 to repair the weatherboards and balcony and to paint the entire building, but no work was done. The permit was re-issued May 2022 and another permit for roof repairs was issued in September 2022, but it does not appear that any of this work has been started.

The applicant notes that the building is currently for sale and is asking that the current violations not be pursued due to this fact. According to a listing website for the property, it has been listed for sale for over 1,100 days (1,152 days as of 06/20/2023) and the price has recently been reduced to \$2,500,000. This property operates as a hotel and although it was closed for a long time due to Covid, it appears to be open and operational again. Websites are available to book rooms and reviews for the hotel have been posted online in recent months.

Staff is concerned that the property has been listed for sale for over three years and it is unclear if there has been any movement in completing a sale. As the building sits for sale it continues to deteriorate. If the business has now resumed operation, staff questions how motivated the seller may be to actually sell the property. At most, staff suggests a short time frame could be granted, possibly until the September Commission meeting, to allow the applicant time to further develop plans to sell the property or to compose a proposal and timeline to make the necessary repairs.

Staff requests commentary from the Commission regarding the proposal.

**VIEUX CARRÉ COMMISSION ACTION:** 06/21/2023

**Vieux Carré Commission Meeting of** **04/19/2023**

<b><u>DESCRIPTION OF APPLICATION:</u></b>	04/19/2023
<b>Permit # 23-04489-VCPNT</b>	<b>Lead Staff: Nick Albrecht</b>
<b>Violation Case #20-21310-DBNVCC</b>	<b>Inspector: Marguerite Roberts</b>

Seeking a hardship regarding current violations with proposal to not address violations under current ownership with the property currently for sale, per application received 02/23/2023.

**STAFF ANALYSIS & RECOMMENDATION:** 04/19/2023

Staff cited this property in August 2020 noting several demolition by neglect type violations including broken chimneys, paint deterioration throughout the building, deteriorated woodwork, and deteriorated roof shingles. A permit was then issued in July 2021 to repair the weatherboards and balcony and to paint the entire building, but no work was done. The permit was re-issued May 2022 and another permit for roof repairs was issued in September 2022, but it does not appear that any of this work has been started.

The applicant notes that the building is currently for sale and is asking that the current violations not be pursued due to this fact. According to a listing website for the property, it has been listed for sale for over 1,000 days (1,090 days as of 04/19/2023) and is currently listed at \$2,600,000. This property operates as a hotel and although it was closed for a long time due to Covid, it appears to be open and operational again. Websites are available to book rooms and a review was left for the hotel less than three weeks ago.

Staff is concerned that the property has been listed for just shy of three years and it is unclear if there has been any movement is completing a sale. As the building sits for sale it continues to deteriorate. If the business has now resumed operation, staff questions how motivated the seller may be to actually sell the property. At most, staff suggests a short time frame could be granted, possibly until the May or June Commission meeting, to allow the applicant time to further develop plans to sell the property or to compose a proposal and timeline to make the necessary repairs.

Staff requests commentary from the Commission regarding the proposal.

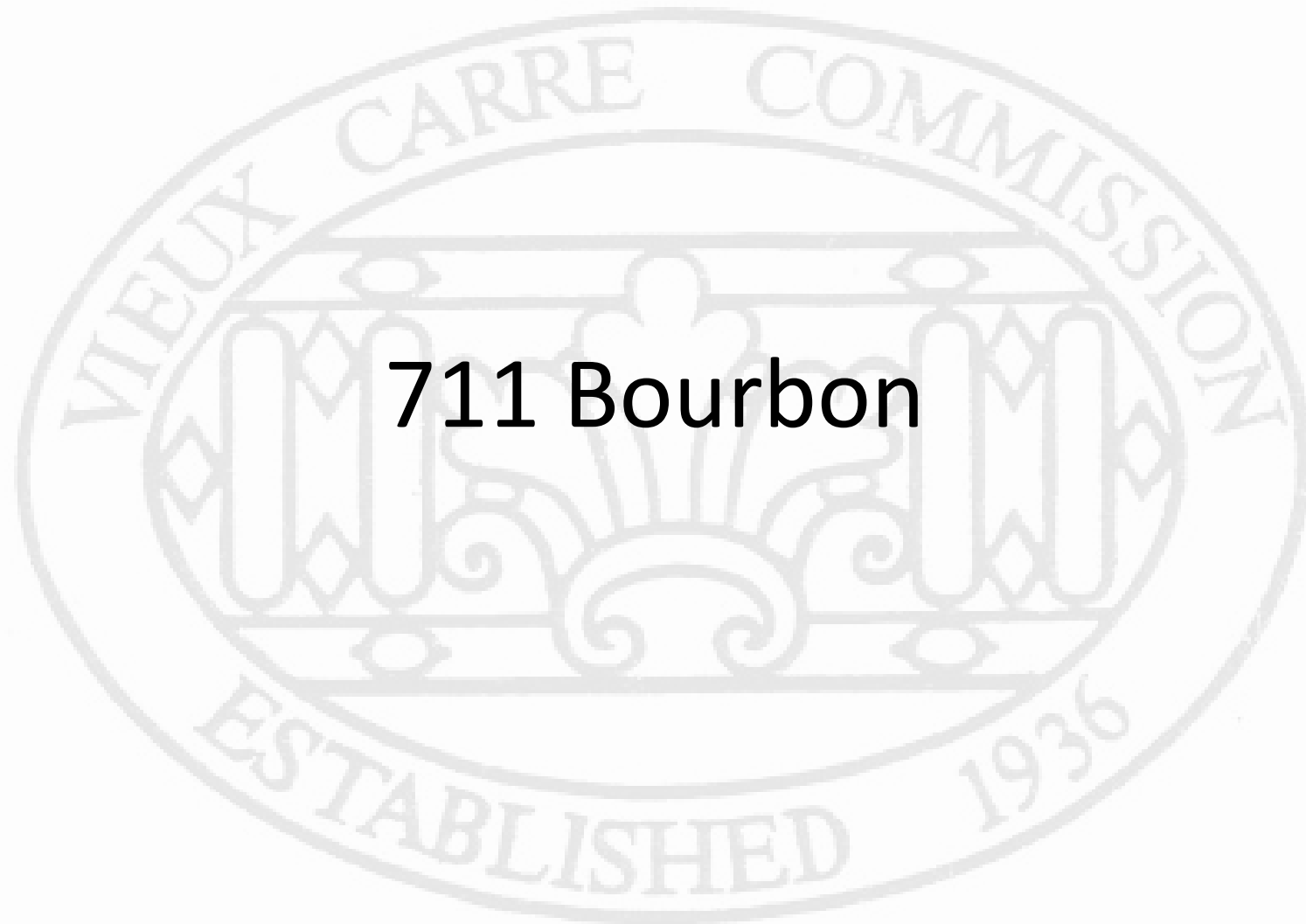
**VIEUX CARRÉ COMMISSION ACTION:**

04/19/2023

There was no one present on behalf of the application.

Ms. DiMaggio made the motion for the deferral until the next meeting with notification that failure to appear would result in denial.

Ms. Viridure seconded the motion and the motion passed unanimously.



**711 Bourbon**

ADDRESS:	711 Bourbon Street	APPLICANT:	Katherine Harmon
OWNER:	Seven-Eleven Bourbon LLC	SQUARE:	73
ZONING:	VCE	LOT SIZE:	4,422 sq. ft.
USE:	Commercial	OPEN SPACE-	
DENSITY-		REQUIRED:	1,326 sq. ft.
ALLOWED:	7 Units	EXISTING:	1,263 sq. ft.
EXISTING:	None	PROPOSED:	No Change
PROPOSED:	No Change		

### **ARCHITECTURAL / HISTORICAL DESCRIPTION OF PROPERTY:**

Rating: **Blue** - of major architectural/historical importance.

The Tricou House is a fine example of a Transitional porte cochere building, designed c. 1832-34 by the prolific architect duo of Gurlie and Guillot. Its elaborate wood cornice with garlands, the rhythm of its arched ground floor openings, and the nicely detailed dormer windows are characteristic of the architects' work.

### **Vieux Carré Commission Meeting of**

**06/21/2023**

### **DESCRIPTION OF APPLICATION:**

06/21/2023

**Permit # 22-23903-VCGEN**

**Lead Staff: Nick Albrecht**

**Violation Case #20-22727-VCCNOP**

**Inspector: Marguerite Roberts**

Appeal of Architecture Committee denial of proposal to retain paint on previously exposed natural brick and attached exterior gas heaters, per application & materials received 08/09/2022 & 10/04/2022, respectively.

### **STAFF ANALYSIS & RECOMMENDATION:**

06/21/2023

Other items in violation at this property are still under review but the particular items of the paint and the gas heaters were denied at the 10/11/2022 Architecture Committee meeting. Due to a clerical error, the window for appeal remained open and the applicant has appealed the denials of these two items.

### **Painted Brick Background**

A painting application was submitted on Tuesday, September 8<sup>th</sup>, 2020 which noted among the other information that the existing wall color was Sherwin Williams Baked Clay and proposed a new wall color of Sherwin Williams Mindful Gray. Staff observed that painting work had started on Friday, September 11<sup>th</sup> prior to a permit being issued. Staff instructed the workers to stop, and staff issued the paint permit over the weekend on Sunday, September 13<sup>th</sup>.

Among the other information, the permit stated that the work included, “making minor millwork and masonry repairs as necessary to match existing conditions and to paint as follows to match existing conditions: walls: Mindful Gray SW 7016. flat or eggshell”

Following the issuance of the permit, staff observed that the previously natural brick of the second floor of the Bourbon St. elevation of the main building, the first and second floors of the Dauphine St. elevation of the main building and the first and second floor of the Orleans elevation of the service ell had all been painted. VCC Guidelines state that, “*the VCC does not allow painting traditionally unpainted material, such as ... previously unpainted brick or stone*” and notes that the application of a coating or paint to previously unpainted brick or stone requires Commission approval for all buildings rated yellow or higher. (VCC DG: 09-8)

Although the permit noted the painting of walls, the intention was for painting only on the stuccoed and historically painted walls. Nothing in the application or permit implied or called out the unpainted bricks as approved for painting.

### **Painted Brick**

Following the painting of the brick, the applicant proposed to retain the brick as painted. The submitted materials noted that attempts to remove the paint from the brick have been unsuccessful without causing damage to the bricks.

To staff’s knowledge, only one product called Savogran Superstrip was tested and did not produce good results. Staff has requested on numerous occasions that tests be performed with several different products to see what may be the best fit for these conditions. The applicant started that another stripper was tested and also did not produce good results. Staff has not viewed any test patches of paint removal and continues to recommend that this be done.

In addition to chemical strippers, staff has recently attended a lecture for a sponge blasting process that has

been used on many historic building and by the National Park Service. An alternative to chemical strippers, such as sponge blasting, would certainly be an option to remove the paint in this instance without damaging the underlying masonry.

### **Gas Heaters**

The second item being appealed is the retention of gas heaters under the balcony in the courtyard. The heaters themselves appear to be a seasonal installation that are removed during warmer weather and only installed in the winter. The gas lines for these heaters remain permanently installed.

Staff previously noted that if fixed gas heaters are desired, that ones that are not mounted directly to the building may be easier to approve than the current balcony mounted heaters. Mounting the gas lines and heaters to the courtyard wall may be an alternative to explore. Alternatively, portable patio heaters are considered to be furniture and do not require VCC permits.

### **Summary**

In summary, staff recommends that the Commission uphold the Committee's motion of denial of the retention of the painted bricks. Staff believes there are many avenues available that would remove the paint from the brick without causing damage to the underlying masonry.

Staff recommends that the Commission uphold the Committee's motion of denial of the proposed under balcony mounted gas heaters, again noting that approvable alternatives may be available.

**VIeux CARRÉ COMMISSION ACTION:** 06/21/2023

[Excerpts and Minutes from previous reports below. See meeting dates in full property report for full versions]

**Architecture Committee Meeting of** 10/11/2022

### **DESCRIPTION OF APPLICATION:**

Permit # 22-23903-VCGEN  
Violation Case #20-22727-VCCNOP

10/11/2022

**Lead Staff: Nick Albrecht**

**Inspector: Marguerite Roberts**

Proposal to correct or retain violations including proposed retention of paint on previously exposed natural brick, per application & materials received 08/09/2022 & 10/04/2022, respectively.

**STAFF ANALYSIS & RECOMMENDATION:** 10/11/2022

The applicant has submitted slightly revised materials since this item was last heard and deferred at the 09/27/2022 meeting.

### **Painted Brick**

The proposed retention of the painted brick has not changed from the previous submittal. As noted in the previous staff report, staff continues to request that tests be performed with several different products to see what may be the best fit for these conditions.

### **Gas Heaters**

No changes for the gas heaters are noted in the new materials. Staff previously noted that if fixed gas heaters are desired, staff suggests that ones that are not mounted directly to the building may be easier to approve than the current balcony mounted heaters. Mounting to the courtyard wall may be an alternative to explore. Alternatively, portable patio heaters are considered to be furniture and do not require VCC permits.

### **Summary**

In summary Staff recommends:

Denial of the proposed retention of painted brick with the applicant to test several different strippers for effectiveness

Conceptual approval of the proposed mechanical screening

Denial of the proposed under balcony mounted gas heaters

Deferral of the remaining items to allow the applicant time to submit additional information.

**ARCHITECTURAL COMMITTEE ACTION:** 10/11/2022

### **This item was heard last during the meeting.**

Mr. Albrecht read the staff report with Mr. Stafford and Ms. Harmon present on behalf of the application. Mr. Stafford stated the following:

Heaters- seasonal and are down now, they are installed by hanging chains.

Paint- this was a mistake and not on purpose. We did try to remove it in two test patches but the owner didn't like it because he was worried it would pull the mortar out so he would like to retain the paint.

The property is immaculate now and we are preserving it.

Mr. Bergeron asked, "who order the paint?" He went on to say that obviously they ordered a lot, so no one questioned this. Mr. Stafford said the same paint was used everywhere and that the owner owns a construction company so a large paint order was not noticed. Mr. Block asked what kind of paint- elastomeric? Ms. Harmon stated that she was told by the owner that it was breathable. Mr. Stafford stated that the owner would try anything as long as it didn't damage the building. Ms. DiMaggio stated that the NPS had briefs and guidelines regarding this. Mr. Stafford stated that they had tried an off the shelf product but didn't like the way it looked. Ms. DiMaggio stated "that is only one type of removal. There are many." Ms. Bourgoigne asked that they please included a time frame in their motion as this had been going on for almost 2 ½ years.

Nikki Szalwinski, representing French Quarter Citizens, stated that this business had lots of violations outside of the ones from the VCC. She continued that she was happy to see the string lights go and that they were doing more damage leaving the paint on instead of removing it.

Ms. DiMaggio stated that the paint was the biggest sticking point for her. Mr. Bergeron noted that he didn't want to see paint removal damage the building. Ms. DiMaggio suggested more research into the NPS recommended techniques for paint removal from masonry.

Mr. Bergeron made the motion to deny the retention of the paint and for the applicant to test strippers within 30 days and submit product data on the paint used, conceptual approval of the HVAC with screening, denial of the gas heater, to defer the lighting and to allow the temporary retention of the cap flashing until in need of replacement. Ms. DiMaggio seconded the motion and the motion passed unanimously.

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**Architecture Committee Meeting of**

**09/27/2022**

**DESCRIPTION OF APPLICATION:**

09/27/2022

**Permit # 22-23903-VCGEN**

**Lead Staff: Nick Albrecht**

**Violation Case #20-22727-VCCNOP**

**Inspector: Marguerite Roberts**

Proposal to correct or retain violations including proposed retention of paint on previously exposed natural brick, per application & materials received 08/09/2022.

**STAFF ANALYSIS & RECOMMENDATION:**

09/27/2022

*See Staff Analysis & Recommendation of 09/13/2022.*

**ARCHITECTURAL COMMITTEE ACTION:**

09/27/2022

Mr. Albrecht read the staff report although there was no one present on behalf of the application. Ms. Szalwinski, representing French Quarter Citizens, noted that this was a problem business, that the string lights were obnoxious, and the mechanical equipment area was unusable and likely unbearable for the neighbors.

Ms. Harmon arrived after the public comments to represent the application. Ms. Harmon stated that they would like to retain the AC units and were generally in agreement with the staff recommendations. Mr. Block noted one of the pieces of equipment was labeled as a mister and that any misting system needed to be removed as they were very detrimental to the buildings.

Mr. Bergeron moved to defer the application to the next meeting noting the applicant's agreement with the staff recommendations. Ms. DiMaggio seconded the motion, which passed unanimously.

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**Architecture Committee Meeting of**

**09/13/2022**

**DESCRIPTION OF APPLICATION:**

09/13/2022

**Permit # 22-23903-VCGEN**

**Lead Staff: Nick Albrecht**

**Violation Case #20-22727-VCCNOP**

**Inspector: Marguerite Roberts**

Proposal to correct or retain violations including proposed retention of paint on previously exposed natural brick, per application & materials received 08/09/2022.

**STAFF ANALYSIS & RECOMMENDATION:**

09/13/2022

This property was brought to an adjudication hearing in August and the applicant has submitted a new application to attempt to resolve the various violations. The violations in need of Architecture Committee review include the proposed retention of paint on the brick, retention of HVAC platform and equipment in courtyard, retention of mounted gas heaters, retention of string lights, and retention of cap flashing.

### **Painted Brick**

The previously natural brick of the second floor of the Bourbon St. elevation of the main building, the first and second floors of the Dauphine St. elevation of the main building and the first and second floor of the Orleans elevation of the service ell were all painted in September 2020. The Architecture Committee reviewed a previous proposal to retain the painted brick in January 2021 and denied the proposal. The submitted materials note that attempts to remove the paint from the brick have been unsuccessful without causing damage to the bricks.

To staff's knowledge, only one product called Savogran Superstrip was tested and did not produce good results. Staff has requested on numerous occasions that tests be performed with several different products to see what may be the best fit for these conditions. It does not appear that any such test was ever performed. Staff continues to request that this be done.

### **Gas Heaters**

Hanging gas heaters are not currently installed but gas lines remain in place and the applicant has stated that they would like to reinstall the gas heaters once the weather cools. Staff generally recommends portable patio heaters which are considered to be furniture and do not require VCC permits.

If fixed gas heaters are desired, staff suggests that ones that are not mounted directly to the building may be easier to approve than the current balcony mounted heaters. Mounting to the courtyard wall may be an alternative to explore.

### **Summary**

Staff recommends:

Denial of the proposed retention of painted brick with the applicant to test several different strippers for effectiveness

Requests commentary from the applicant and Committee regarding the possibility of tightening up or more discreetly running the lines and wires for the HVAC

Denial of the proposed under balcony mounted gas heaters

Denial of the string lights with the applicant to return with an alternative lighting plan, and

Requests additional information regarding the service ell parapet and cap flashing.

### **ARCHITECTURAL COMMITTEE ACTION:**

09/13/2022

The applicant requested deferral of this application prior to the meeting. Ms. DiMaggio moved to defer the application noting the applicant's request. Mr. Fifield seconded the motion, which passed unanimously.

### **Architecture Committee Meeting of**

**01/12/2021**

### **DESCRIPTION OF APPLICATION:**

01/12/2021

**Permit # 20-49245-VCGEN**

**Lead Staff: Nick Albrecht**

**Violation Case #20-22727-VCCNOP**

**Inspector: Marguerite Roberts**

Proposal to retain paint on previously exposed natural brick, per application received 12/11/2020.

### **STAFF ANALYSIS & RECOMMENDATION:**

01/12/2021

A painting application was submitted on Tuesday, September 8<sup>th</sup>, 2020 which noted among the other information that the existing wall color was Sherwin Williams Baked Clay and proposed a new wall color of Sherwin Williams Mindful Gray. Staff observed that painting work had started on Friday, September 11<sup>th</sup> prior to a permit being issued. Staff instructed the workers to stop and staff issued the paint permit over the weekend on Sunday, September 13<sup>th</sup>.

Among the other information, the permit stated that the work included, "making minor millwork and masonry repairs as necessary to match existing conditions and to paint as follows to match existing conditions: walls: Mindful Gray SW 7016. flat or eggshell"

Following the issuance of the permit, staff observed that the previously natural brick of the second floor of the Bourbon St. elevation of the main building, the first and second floors of the Dauphine St. elevation of the main building and the first and second floor of the Orleans elevation of the service ell had all been painted. VCC Guidelines state that, "*the VCC does not allow painting traditionally unpainted material, such as ... previously unpainted brick or stone*" and notes that the application of a coating or paint to

previously unpainted brick or stone requires Commission approval for all buildings rated yellow or higher. (VCC DG: 09-8)

Although the permit noted the painting of walls, the intention was for painting only on the stuccoed and historically painted walls. Nothing in the application or permit implied or called out the unpainted bricks as approved for painting. Staff notes that the paint permit boilerplate has since been updated to say the permit does not allow for painting to any currently unpainted materials.

Regarding this instance, staff is concerned about the likely difficulty in removing paint from this much brick without doing damage to the brick itself. Still, staff feels a test patch or multiple test patches of various paint strippers may be worthwhile.

Staff requests commentary from the Committee regarding this situation.

**ARCHITECTURAL COMMITTEE ACTION:**

01/12/2021

Mr. Albrecht read the staff report. There was no one present on behalf of the application. Ms. DiMaggio and Mr. Bergeron stated that they were both "horrified" by the painting of a previously unpainted brick on such a highly rated building. Ms. Bourgogne stated that she had written almost every paint permit for the past 6 years and this had NEVER occurred. With no applicant present, the Committee moved on to the next agenda item.

**Public Comment:**

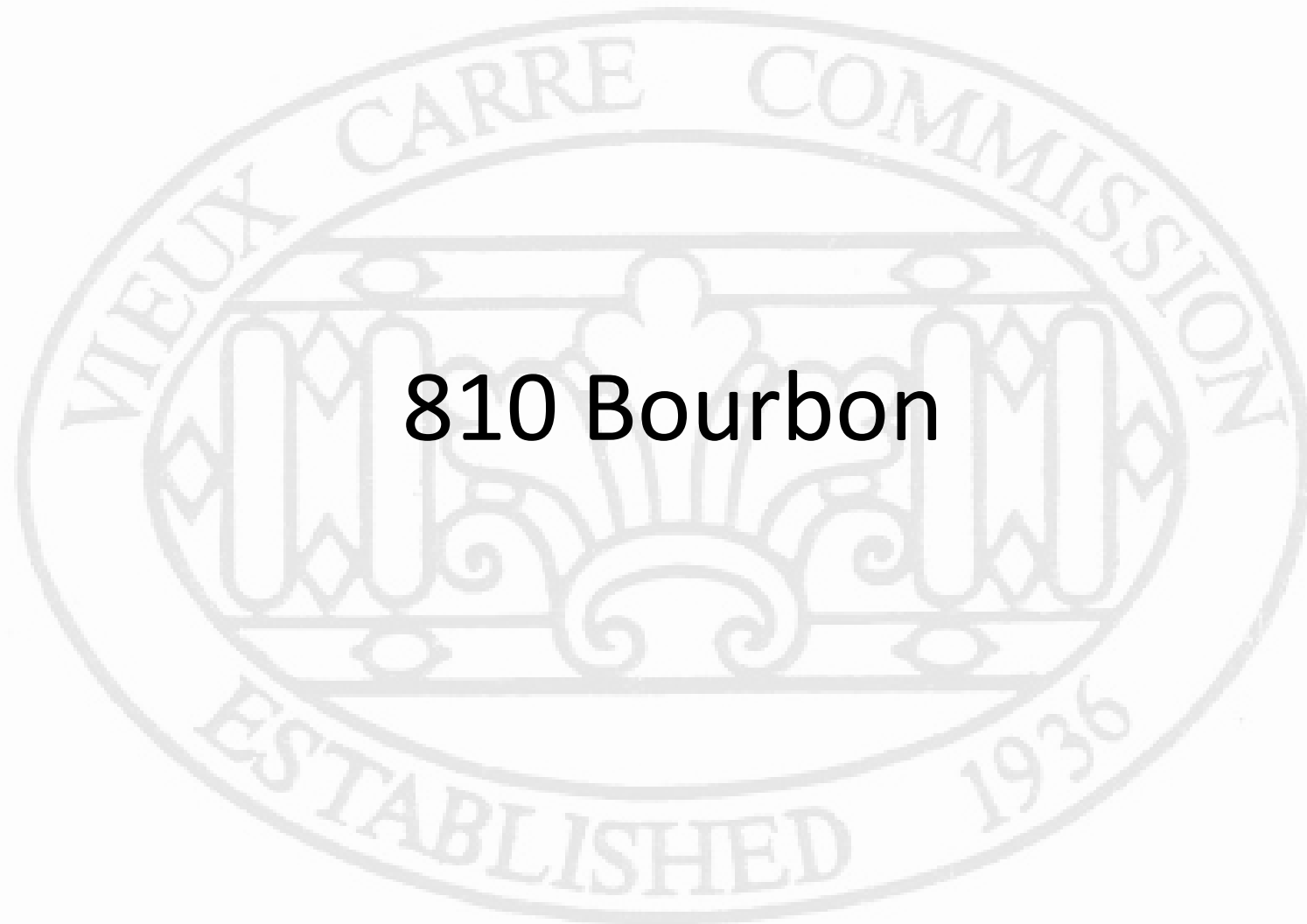
Work without permit should be taken much more seriously, particularly in the cases of commercial entities who are deriving profit and when performed on weekends. This work can be reversed using Peel-Away products which I have personally used with great success to removed 75 years worth of paint from brick. We ask that the committee deny retention.

Nikki Szalwinski  
FQ Citizens

**Discussion and Motion:** Ms. DiMaggio made the motion for the denial of retention of inappropriately painted masonry. She went on to state that the methods of paint removal must be submitted in advance for staff review and approval, and that a test patch using submitted/approved methods and materials must be done in an inconspicuous location [location also to be approved in advance by staff] for staff review. Multiple methods may be required to achieve removal without damaging masonry [anything done must be submitted in advance for approval by staff].

She amended the motion, per Mr. Fifield's request, to make it clear that the Committee was denying retention of inappropriately painted masonry. Mr. Bergeron seconded the motion and the motion passed unanimously.





**810 Bourbon**

ADDRESS:	808-810 Bourbon St.	APPLICANT:	L. Katherine Harmon
OWNER:	810 Bourbon LLC	SQUARE:	58
ZONING:	VCR-2	LOT SIZE:	2,752 sq. ft.
USE:	Vacant		

**ARCHITECTURAL / HISTORICAL DESCRIPTION OF PROPERTY**

C. 1830 exposed brick, gable-ended 4-bay Creole cottage.

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

**Vieux Carré Commission Meeting of** **06/21/2023**

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**DESCRIPTION OF APPLICATION:** 06/21/2023  
**Permit # 23-07133-VCGEN** **Lead Staff: Nick Albrecht**  
**Inspector: Marguerite Roberts**

Appeal of Architecture Committee denial of proposal to infill two existing windows located in the party wall shared with 731-737 St. Ann St., per application & materials received 03/15/2023 & 05/09/2023, respectively.

**STAFF ANALYSIS & RECOMMENDATION:** 06/21/2023

Staff received information about a resident of 731-737 St. Ann St. concerned that windows in their apartment were being bricked in and received photographs showing work underway. Staff inspected the neighboring property at 810 Bourbon St. on 03/20 and posted a stop work order although it did not appear any work was taking place at the time of the inspection. This property recently completed a rather extensive renovation, but no work was noted along this wall or to these windows as part of that scope of work.

Staff researched the history of these windows and noted that at least the second-floor window appears to be notated in the Sanborn map dating from 1896. It is unclear when the first-floor window was installed but both the window and brickwork appear to be appropriately detailed.

A recent survey submitted by the applicant shows that the property line falls within the party wall with the windows under review, with about 6-1/2” of the wall on the 810 property near the back of the property and 5” of the wall within the property near the front property line.

The applicant is open to several different approaches to block visibility from these windows into the courtyard of 810 Bourbon St. including bricking in the openings and installing fixed closed wood shutters. Staff found the installation of shutters a greatly preferred option compared to bricking in the opening. The Guidelines state that *“the modification or addition of window or door opening, is discouraged, particularly on a more prominent building façade. This includes the infill of all or part of an opening to make it smaller or to remove it.”* (VCC DG: 07-20)

The applicant has previously stated that the owner would prefer the installation of fixed, not operable, shutters, but would settle for operable if those were to be approved. The Guidelines prohibit the installation of fixed shutters stating, *“The VCC requires installing shutters that are operable with the ability to open”* and also, *“the VCC does not allow installing a fixed shutter.”* (VCC DG: 07-15)

If operable wood shutters were installed, the question was raised regarding who would have the ability to operate the shutters with the likely answer being that the shutters would be operated from the 810 Bourbon property and, based off the intent of the proposal, would be locked closed at all times.

The applicant has previously stated that there is no evidence of previously existing shutters in this location. The Guidelines note that, *“the VCC does not allow installing shutters in a location where they would not have existed historically.”* (VCC DG: 07-15) Based off VCC Guidelines, staff cannot recommend the installation of shutters in this location with no evidence of shutters previously existing here.

Staff notes that although there may be civil issues regarding this proposal from the neighboring owners, the Architecture Committee reviewed the architectural merits of the proposal only. Based off the Guidelines that shutters should not be installed where they would not have existed historically, the Architecture Committee moved to deny the proposal.

Staff recommends that the Commission uphold the denial of the Architecture Committee.

**VIEUX CARRÉ COMMISSION ACTION:**

06/21/2023

**Architecture Committee Meeting of****05/23/2023****DESCRIPTION OF APPLICATION:**

05/23/2023

**Permit # 23-07133-VCGEN****Lead Staff: Nick Albrecht****Inspector: Marguerite Roberts**

Proposal to infill two existing windows located in the party wall shared with 731-737 St. Ann St., per application & materials received 03/15/2023 & 05/09/2023, respectively.

**STAFF ANALYSIS & RECOMMENDATION:**

05/23/2023

This application was deferred at the 03/28/2023 Architecture Committee meeting to allow the applicant time to get:

- a new survey,
- a letter from the neighbor,
- a statement of the legal opinion regarding ownership of the wall,
- any evidence of previously existing shutters, and
- a revised detail to show the bars to remain.

The applicant has submitted a new survey but none of the other requested information has been submitted. The applicant stated that the owner reached out to the neighbor but has not heard back. The new survey shows that the property line falls within the party wall with the windows under review, with about 6-1/2" of the wall on the 810 property near the back of the property and 5" of the wall within the property near the front property line.

There have been instances where the VCC has reviewed new construction projects that would block or obscure openings on neighboring properties, but staff can think of no instance of a similar proposal to block an opening from a neighboring property solely for the purpose of removing it. Again, the Guidelines state that, "*the modification or addition of window or door opening, is discouraged, particularly on a more prominent building façade. This includes the infill of all or part of an opening to make it smaller or to remove it.*" (VCC DG: 07-20)

Regarding the proposed method of infilling the openings, the applicant has stated that the owner would prefer the proposed installation of fixed, not operable, shutters, but would settle for operable if those were to be approved. The Guidelines prohibit the installation of fixed shutters stating, "*The VCC requires installing shutters that are operable with the ability to open*" and also, "*the VCC does not allow installing a fixed shutter.*" (VCC DG: 07-15)

If operable wood shutters were installed, the question was raised regarding who would have the ability to operate the shutters with the likely answer being that the shutters would be operated from the 810 Bourbon property and, based off the intent of the proposal, would be locked closed at all times.

There is still the question of whether there is any evidence of previously existing shutters in this location. The Guidelines note that, "*the VCC does not allow installing shutters in a location where they would not have existed historically.*" (VCC DG: 07-15) Based off of VCC Guidelines, staff cannot recommend the installation of shutters in this location without evidence of shutters previously existing here. Windows in the backs or sides of service buildings are atypical by nature, but staff again notes that these windows appear to have been documented as being in place for more than 125 years.

Staff notes that although there may be civil issues regarding this proposal from the neighboring owners, the Architecture Committee reviews the architectural merits of the proposal only. Based off the Guidelines that shutters should not be installed where they would not have existed historically, staff recommends deferral of the application until such evidence can be provided one way or the other.

**ARCHITECTURAL COMMITTEE ACTION:**

05/23/2023

Mr. Albrecht read the staff report with Ms. Harmon present on behalf of the application. Ms. Harmon stated that the owner had gotten a legal opinion, but she did not have that letter with her. The attorney had told the owner that he can do whatever he likes with his half of the party wall. She went on to say that there was no evidence that shutters ever existed at this location and that she could update the drawings to

show the bars remaining in place.

Public comment: Erin Holmes, representing VCPORA, reiterated her opposition to this proposal. Ms. Holmes stated that she does not approve of adjacent property owners depriving neighbors of light and ventilation.

Nikki Szalwinski, representing French Quarter Citizens, stated that a party wall is only considered a party wall to the highest wall of the lowest building and with no building present on the 810 Bourbon side, it cannot be a party wall. Ms. Szalwinski suggested putting a planting in front of the window.

Mr. Bergeron stated that he had requested a number of documents at the last meeting and the applicant had not produced said documents. Ms. Harmon stated that the two owners were not speaking to each other. Ms. Bourgoigne stated that according to legal, the ARC needed to make a decision regarding the architecture and then let the owners handle the civil matter. Mr. Bergeron stated that he wished he had some opinion from an attorney regarding this situation. Mr. Fifield stated that the property line windows were not unusual and that they had been there for 125 years. Mr. Block stated that VCC guidelines did not guarantee privacy.

Noting the request from the applicant for a decision to be rendered today, Mr. Bergeron made the motion to deny the application for shutters or brick infill, noting the failure to provide the requested documents. Mr. Fifield seconded the motion and the motion passed unanimously.

**Architecture Committee Meeting of** **03/28/2023**

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**DESCRIPTION OF APPLICATION:** 03/28/2023  
**Permit # 23-07133-VCGEN** **Lead Staff: Nick Albrecht**  
**Inspector: Marguerite Roberts**

Proposal to infill two existing windows located in the party wall shared with 731-737 St. Ann St., per application & materials received 03/15/2023 & 03/23/2023, respectively.

**STAFF ANALYSIS & RECOMMENDATION:** 03/28/2023

Staff received information about a citizen concerned that windows in their apartment were being bricked in and received photographs showing work underway. Staff inspected the property on 03/20 and posted a stop work order although it did not appear any work was taking place at the time of the inspection. This property recently completed a rather extensive renovation, but no work was noted along this wall or to these windows as part of that scope of work.

The applicant also submitted a survey, although it dates to 1950, which appears to show that the first 3” of the wall falls on the 810 Bourbon St. property. It is this 3” of ownership that the applicant is using in order to block the existing windows. The applicant wants to remove all visibility of the 810 courtyard from these windows.

The applicant has submitted three options to cover up the windows. The first option would be to infill the openings with bricks. These are shown as not being toothed in and protruding from the opening to clearly show the location of the window. The bricks also protrude because there is not enough property according to the survey to install a full width of brick.

The second option would be to install fixed closed louvered shutters noted as having a solid backing. The third option shows infilling the opening with vertical tongue and groove boards.

Staff researched the history of these windows and noted that at least the second-floor window appears to be notated in the Sanborn map dating from 1896. It is unclear when the first-floor window was installed but both the window and brickwork appear to be appropriately detailed.

The Guidelines state that, “*the modification or addition of window or door opening, is discouraged, particularly on a more prominent building façade. This includes the infill of all or part of an opening to make it smaller or to remove it.*” (VCC DG: 07-20) Based off of these Guidelines and the fact that the windows appear to be historically significant and not recent additions, staff finds the proposed infilling of the openings in brick to be inappropriate and not approvable.

Staff finds the proposed wood infill options moving in the direction of something that may be approvable. Both options two and three are similar to shutters but both are noted as being fixed closed and the louvered shutters noted as having a solid backing. The Guidelines state, “*The VCC requires installing shutters that are operable with the ability to open*” and also, “*the VCC does not allow installing a fixed shutter.*” (VCC DG: 07-15)

Staff believes there may be additional civil issues between the two sides of the party wall regarding closing off the windows, but architecturally finds that a proposal that included an operable shutter may be the most appropriate from a VCC standpoint while still accomplishing the goal of the applicant. Staff consulted with a plans examiner from the Building Department who stated they would not have a requirement either way. The windows can stay as they are or they can be removed.

Staff requests that the applicant submit an updated survey that collaborates or refutes the one from nearly 75 years ago regarding the exact location of the property line in the wall as well as examine the existing windows for any evidence of previously existing shutters.

Staff requests commentary from the Committee regarding the concept and proposals and suggests that a proposal for operable shutters may be more appropriate for a future submittal.

**ARCHITECTURAL COMMITTEE ACTION:**

03/28/2023

Mr. Albrecht read the staff report with Ms. Harmon present on behalf of the application. Ms. Harmon stated that the owner has agreed to get an updated survey and for the use of operable shutters. Ms. Harmon noted that her involvement only began after the Stop Work Order.

Public Comment: Erin Holmes, representing VCPORA, stated that this was a questionable practice for the owner to permanently obscure the window of an adjacent owner. Ms. Holmes questioned who would be able to operate the shutters.

Nikki Szalwinski, representing French Quarter Citizens, reiterated what Ms. Holmes said. She continued that this could not be a party wall because there was no wall attached and concluded that residential surveys are only accurate to a distance of 12” so the survey is not reliable.

Mr. Bergeron stated both details call for the existing bars to be removed and noted that he felt this was existing historic material that may need to remain. Ms. Harmon stated that visibility was the issue, bars or no bars. Ms. DiMaggio stated that from an architecture standpoint, she had a problem just bricking in the opening. She went on to say that as for the shutter option, she wanted to know who would control the shutter operation. Mr. Fifield stated that he believed the Committee needed some kind of evidence that this wall belonged to this owner.

Mr. Bergeron made the motion for the deferral of the proposal in order to allow the applicant time to get a new survey, a letter from the neighbor, a statement of the legal opinion regarding ownership of the wall, any evidence of previously existing shutters, and a revised detail to show the bars to remain. Ms. DiMaggio seconded the motion and the motion passed unanimously.