

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3116 ORDINANCE COUNCIL SERIES NO. 05-

COUNCIL SPONSOR STEFANCIK/PRESIDENT PROVIDED BY: PLANNING

INTRODUCED BY MR. CANULETTE SECONDED BY MR. GOULD

ON THE 7TH DAY OF JULY 2005

ORDINANCE TO AMEND APPENDIX B OF THE ST. TAMMANY PARISH CODE OF ORDINANCES, SUBDIVISION REGULATORY ORDINANCE NO. 499, SPECIFICALLY, SECTION 40-020.0 EXEMPTIONS, AND TO PROVIDE FOR REPEAL, SEVERABILITY AND DATE OF ENACTMENT

WHEREAS, there have been several instances recently where the spirit and intent of the exemption section has been exploited by individuals in an attempt to circumvent the parish's subdivision process; and

WHEREAS, since the parish has adopted a new ordinance, commonly referred to as the "Minor Subdivision Ordinance" where a total of five (5) lots can be created on a private drive, said new ordinance lessens the need for certain aspects of the exemption section to remain in effect.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that Section 40-020.0 Exemptions, of Subdivision Regulatory Ordinance No. 499 be hereby amended as follows:

SECTION 40-020.0 EXEMPTIONS

Provided that streets are not to be constructed and the drainage is not significantly altered, the following subdivision of land is exempt from the requirements of this the subdivision ordinance:

~~Sec. 40-020.01~~ ~~The partitioning of an estate among legal heirs.~~

~~Sec. 40-020.02~~ ~~The partitioning of small tracts of land among the members of a family, subject to the provisions contained in subsection (a) below:~~

~~(a.)~~ ~~The partitioning of small tracts of land among the members of a family as recited in subsection 40-020.2, may gain access if needed, by the construction of one (1) street for common family use and still warrant the exemption status. However, said street shall comply with the specifications, construction standards, drainage and possible surety obligations that are required and established for streets within this ordinance.~~

Sec. 40-020.03 1. The isolated sale of a portion of a larger tract of land with the condition that not more than three (3) sales from the original tract of land on a dedicated parish or state road occur in one (1) calendar year, and that each tract created must be a minimum of twenty (20) acres in size and a have a minimum road frontage of 300'.

2. As per Section 40-045.0 Minor Subdivision Review, Item 4. Exemption

~~All properties subject to the exemption status shall still be required to maintain the width and area requirements as established within their respective zoning districts.~~