

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3961 ORDINANCE COUNCIL SERIES NO. _____

COUNCIL SPONSOR BINDER/DAVIS PROVIDED BY: PLANNING

INTRODUCED BY: MR. GOULD SECONDED BY: MR. BELLISARIO

ON THE 6TH DAY OF NOVEMBER, 2008

ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA. TO RECLASSIFY A CERTAIN PARCEL LOCATED ON THE EAST SIDE OF PERRILLOUX ROAD, NORTH OF LA HIGHWAY 22 AND WHICH PROPERTY COMPRISES A TOTAL OF 12.6105 ACRES OF LAND MORE OR LESS. FROM ITS PRESENT A-4 (SINGLE-FAMILY RESIDENTIAL) & C-2 (HIGHWAY COMMERCIAL) DISTRICTS TO A ID (INSTITUTIONAL) DISTRICT, WARD 1, DISTRICT 1. (ZC08-10-059)

Whereas, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. ZC08-10-059, has recommended to the Council of the Parish of St. Tammany, Louisiana, that the zoning classification of the above referenced area be changed from its present A-4 (Single-Family Residential) & C-2 (Highway Commercial) Districts to a ID (Institutional) District (see Exhibit "A") for complete boundaries.

Whereas, the St. Tammany Parish Council has held its public hearing in accordance with law:

Whereas, the St. Tammany Parish Council has found it necessary for the purpose of protecting the public health, safety and general welfare, to designate the above described property as ID (Institutional) District.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS, in regular session convened that:

SECTION I: The zoning classification of the above described property is hereby changed from its present A-4 (Single-Family Residential) & C-2 (Highway Commercial) Districts to a ID (Institutional) District.

SECTION II: The official zoning map of the Parish of St. Tammany shall be and is hereby amended to incorporate the zoning reclassification specified in Section I hereof.

REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective fifteen (15) days after adoption.

MOVED FOR ADOPTION BY: _____, SECONDED BY: _____

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS:

NAYS:

ABSTAIN:

ABSENT:

3761

EXHIBIT "A"

ZC08-10-059

A CERTAIN PORTION OF GROUND, together with all the buildings and improvements thereon and all the rights, ways, privileges, servitudes, advantages, and appurtenances thereunto belonging or in anywise appertaining, situated in the State of Louisiana, Parish of St. Tammany, Ward 1, in Section 42, Township 7 South - Range 10 East, located in **PINE CREEK ACRES**, bounded by Perrilloux Road, Louisiana Highway 22 (side) and Pine Creek Drive, and is more fully described as follows:

COMMENCE at the intersection of the northerly right of way line of Louisiana Highway 22 and the original easterly right of way line of Perrilloux Road;

THENCE, proceed along the aforesaid original easterly right of way line of Perrilloux Road, N14°41'50"E a distance of 425.00 feet to a point;

THENCE, proceed S73°30'18"E a distance of 12.01 feet to the **POINT OF BEGINNING**;

THENCE, proceed along the newly widened easterly right-of-way line of Perrilloux Road, N14°41'50"E a distance of 60.23 feet to a point;

THENCE, proceed S73°30'00"E a distance of 200.00 feet to a point;

THENCE, proceed N14°41'50"E a distance of 400.00 feet to a point;

THENCE, proceed S73°30'00"E a distance of 387.99 feet to a point;

THENCE, proceed S18°06'26"E a distance of 61.61 feet to a point;

THENCE, proceed S56°23'23"E a distance of 130.23 feet to a point;

THENCE, proceed S64°57'18"E a distance of 90.00 feet to a point of curve;

THENCE, proceed along a curve to the right, with a radius of 2341.41 feet, having an arc length of 121.83 feet, along a chord bearing of S65°56'59"E a chord of 121.81 feet to a point of reverse curve;

THENCE, proceed along a curve to the left, with a radius of 1722.14 feet, having an arc length of 312.79 feet, along a chord bearing of S69°24'21"E a chord of 312.36 feet to a point of tangent;

THENCE, proceed S74°23'40"E a distance of 92.64 feet to a point;

THENCE, proceed S00°13'05"E a distance of 46.77 feet to a point;

THENCE, proceed S15°36'20"W a distance of 360.00 feet to a point;

THENCE, proceed S74°23'40"E a distance of 154.61 feet to a point on the westerly right-of-way line of Pine Creek Drive;

THENCE, proceed along the aforesaid westerly right-of-way line, S15°36'20"W a distance of 90.00 feet to a point;

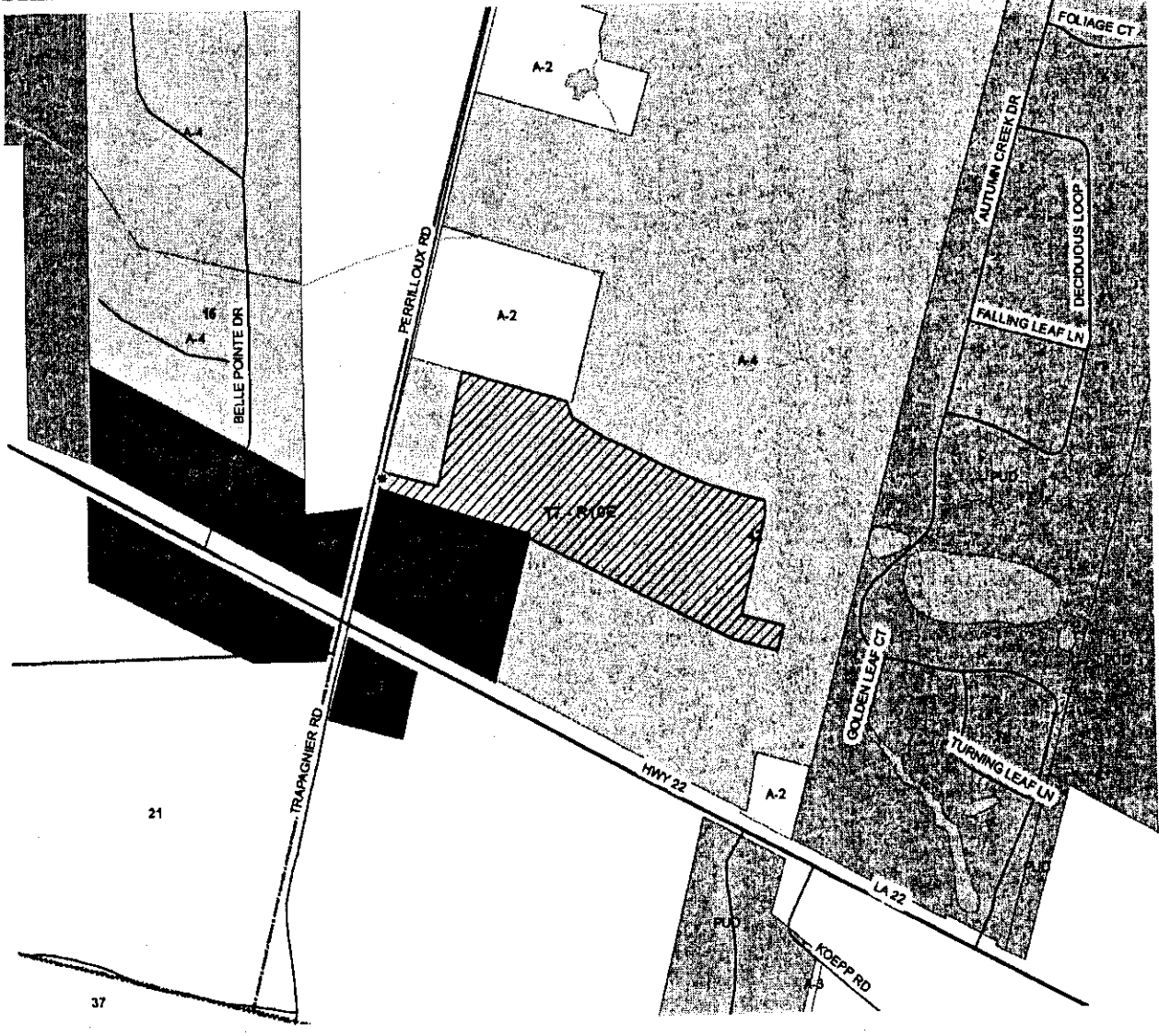
THENCE, proceed N74°23'40"W a distance of 157.94 feet to a point;

THENCE, proceed N61°53'00"W a distance of 864.58 feet to a point;

THENCE, proceed N73°30'18"W a distance of 517.19 feet to the **POINT OF BEGINNING**.

The above described portion of ground contains 12.6105 acres.

CASE NO.: ZC08-10-059
PETITIONER: Jeff Schoen
OWNER: Madisonville Enterprises, LLC, Wing Haven, Inc., Pine Creek Development, LLC.
REQUESTED CHANGE: From A-4 (Single-Family Residential) & C-2 (Highway Commercial) Districts to ID (Institutional) District
LOCATION: Parcel located on the east side of Perrilloux Road, north of LA Highway 22 ; S42, T7S, R10E; Ward 1, District 1
SIZE: 12.61 acres



* Indicates location where property was posted

ST. TAMMANY PARISH COUNCIL

3961

ORDINANCE

ORDINANCE CALENDAR NO. 3845

ORDINANCE COUNCIL SERIES NO. 08-1861

COUNCIL SPONSOR MR. GOULD

PROVIDED BY COUNCIL OFFICE

INTRODUCED BY MR. STEFANCIK

SECONDED BY MR. BURKHALTER

ON THE 5TH DAY OF JUNE 2008

ORDINANCE TO AMEND AND REENACT APPENDIX C OF THE ST. TAMMANY PARISH CODE OF ORDINANCES, LAND USE REGULATIONS ORDINANCE NO. 523 AS AMENDED, SECTION 6.01, AND UNIFIED DEVELOPMENT CODE SECTION 7.0801, MODIFICATIONS AND EXCEPTIONS. LOT OF RECORD, TO AMEND SIDE YARD SETBACK AND DRIVEWAY REQUIREMENTS.

WHEREAS, buildable lots of record are exceptions to minimum lot size requirements in St. Tammany Parish due to being created prior to the establishment of Parish zoning laws; and

WHEREAS, development of lots of record with as little as 50 foot lot widths is permitted subject to certain requirements, including setbacks and driveway guidelines; and

WHEREAS, it is necessary for the general health, safety and welfare to amend setback and driveway requirements for buildable lots of record in order to assure proper drainage and septic infrastructure is maintained for this type of high density development in the Parish.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that it amends and reenacts Appendix C of the Parish Code of Ordinances, Land Use Regulations, Section 6.01, Modifications and Exceptions, Lot of Record, to amend side yard setback and driveway requirements as follows, to wit:

St. Tammany Parish Land Use Ordinance No. 523

Section 6 - Modifications and Exceptions

Section 6.01 Lot of Record

The minimum lot size requirement of Section 2 of the Land Use Schedule notwithstanding, a single-family dwelling and its accessory buildings may be erected on any lot of record or parcel of land in a residential district, or a commercial/industrial structure may be erected on any lot of record in a commercial/industrial district, which shall be documented as legally established and defined by deed or act of sale prior to the adoption of this ordinance. Where applicable, the contiguous lot of record regulations apply. (See Subdivision Regulations) The following minimum area setback requirements shall be maintained for residential uses:

1. Front Yard Setback - twenty-five (25) feet.
2. Rear Yard Setback - 20% of lot depth or twenty five (25) feet, whichever is the lesser.
3. Side Yard Setbacks - ~~five (5)~~ seven and one-half (7 1/2) feet on each side of the lot. However, for corner lots, there shall be a side yard setback from the side street of not less than ten (10) feet.

4. No driveway accessing a dwelling or accessory building may be located within any side yard setback.

Commercial and industrial setbacks shall be as provided in this ordinance.

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BE IT FURTHER ORDAINED that the St. Tammany Parish Unified Development Code, Section 7.0801, Supplemental District Regulations, Lot of Record, is amended to make changes to side yard setback and driveway requirements as follows, to wit:

St. Tammany Parish Unified Development Code

Article 7 - Supplemental District Regulations

Section 7.0801 Lot of Record

The minimum lot size requirement as outlined in the applicable zoning classification notwithstanding, a single-family dwelling and its accessory buildings may be erected on any lot of record or parcel of land in a residential district, or a commercial/industrial structure may be erected on any lot of record in a commercial/industrial district, which shall be documented as legally established and defined by deed or act of sale prior to the adoption of the St. Tammany Parish Land Use Ordinance No. 523 this ordinance. Where applicable, the contiguous lot of record regulations apply. (See Subdivision Regulations) The following minimum area setback requirements shall be maintained for residential uses:

1. Front Yard Setback - twenty-five (25) feet.
2. Rear Yard Setback - 20% of lot depth or twenty five (25) feet, whichever is the lesser.
3. Side Yard Setbacks - ~~five (5)~~ seven and one-half (7 1/2) feet on each side of the lot. However, for corner lots, there shall be a side yard setback from the side street of not less than ten (10) feet.
4. No driveway accessing a dwelling or accessory building may be located within any side yard setback.

Commercial and industrial setbacks shall be as provided in this ordinance.

REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective fifteen (15) days after adoption.

MOVED FOR ADOPTION BY: MR. GOULD, SECONDED BY: MR. FALCONER.

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WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

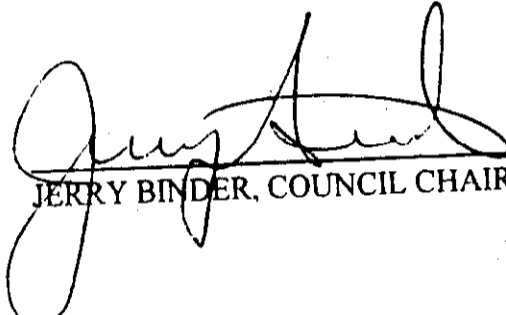
YEAS: DEAN, COOPER, THOMPSON, FALCONER, GOULD, CRAWFORD-HOWELL, HAMAUEI, BELLISARIO, BILLIOT, STEFANCIK, BINDER, ARTIGUE, BURKHALTER (13)

NAYS: (0)

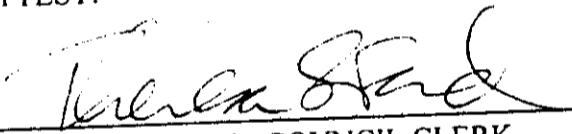
ABSTAIN: (0)


ABSENT: CANULETTE (1)

THIS ORDINANCE WAS DECLARED ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 3RD DAY OF JULY 2008; AND BECOMES ORDINANCE COUNCIL SERIES NO. 08-1861


JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:


THERESA L. FORD, COUNCIL CLERK


KEVIN DAVIS, PARISH PRESIDENT

Published introduction: MAY 29, 2008
Published adoption on: JULY 17, 2008

Delivered to Parish President: JULY 8, 2008 @ 2:00 PM
Returned to Council Clerk: JULY 8, 2008 @ 3:02 PM