

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3845

ORDINANCE COUNCIL SERIES NO. 08-

COUNCIL SPONSOR MR. GOULD

PROVIDED BY COUNCIL OFFICE

INTRODUCED BY MR. STEFANCIK

SECONDED BY MR. BURKHALTER

ON THE 5<sup>TH</sup> 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.

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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: \_\_\_\_\_, SECONDED BY: \_\_\_\_\_

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN