

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3970 ORDINANCE COUNCIL SERIES NO. _____

COUNCIL SPONSOR MR. GOULD PROVIDED BY COUNCIL OFFICE

INTRODUCED BY MR. GOULD SECONDED BY MR. BELLISARIO

ON THE 6TH DAY OF NOVEMBER, 2008.

ORDINANCE REAFFIRMING ORDINANCE C.S. NO. 08-1861, ADOPTED JULY 3, 2008, AMENDING LAND USE REGULATIONS ORDINANCE NO. 523 AS AMENDED, SECTION 6.01, AND UNIFIED DEVELOPMENT CODE SECTION 7.0801, MODIFICATIONS AND EXCEPTIONS, LOT OF RECORD, AMENDING SIDE YARD SETBACK AND DRIVEWAY REQUIREMENTS.

WHEREAS, Ordinance C.S. No. 08-1861 was adopted by the Parish Council on July 3, 2008 and established special side setback requirements for the development of lots of record; and

WHEREAS, a recommendation from the Parish Zoning Commission on the proposed setback requirements was not received until following the adoption of the ordinance by the Parish Council; and

WHEREAS, the Zoning Commission recommended against adoption of the proposed setback requirements and it is the desire of the Parish Council to reaffirm its adoption of Ordinance C.S. No. 08-1861 establishing side setback requirements for the development of lots of record.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS through its Parish Council as governing authority that it reaffirms the amendment of 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 Parish Council reaffirms the amendment of St. Tammany Parish Unified Development Code, Section 7.0801, Supplemental District Regulations, Lot of Record, 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 immediately upon final adoption.

MOVED FOR ADOPTION BY: _____, SECONDED BY: _____

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

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS ORDINANCE WAS DECLARED ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE _____ DAY OF _____, 2008; AND BECOMES ORDINANCE COUNCIL SERIES NO. _____.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published introduction: OCTOBER 30, 2008

Published adoption on: _____, 2008

Delivered to Parish President: _____, 2008 @ _____

Returned to Council Clerk: _____, 2008 @ _____