

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6981

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: COOPER/BINDER

PROVIDED BY: PLANNING DEVELOPMENT

INTRODUCED BY: MR. DEAN

SECONDED BY: MR. CANULETTE

ON THE 5 DAY OF MAY , 2022

AN ORDINANCE TO AMEND ST. TAMMANY PARISH CODE OF ORDINANCES, PART I; - CODE OF ORDINANCES, CHAPTER 2; ADMINISTRATION, ARTICLE XVII; PARISH FEES, SUBDIVISION III; ZONING AND ASSOCIATED FEES, SEC. 2-713; BOARD OF ADJUSTMENTS, TO INCREASE AFTER-THE-FACT VARIANCE APPLICATION FEE.

WHEREAS, the St. Tammany Parish Board of Adjustment is created pursuant to Sec. 130-32 in accordance with Act 518 of 1954 of the Louisiana State Legislature, and is charged with considering appeals and applications to vary the provisions of ordinances relating to the construction or alteration of buildings or structures where there are practical difficulties or unnecessary hardships in carrying out the strict letter of such ordinance; and

WHEREAS, in recent years, members of the Board of Adjustment have observed a large number of applications for after-the-fact variances, meaning that applicants have built or constructed something on their property in derogation of the St. Tammany Parish Code of Ordinances prior to seeking a variance from the Board of Adjustment; and

WHEREAS, the Board of Adjustment is concerned that allowing an applicant to file for and receive an after-the-fact variance encourages irresponsible building practices, and if the after-the-fact variance is not granted, removal of the illegal construction or building is costly for property owners and enforcement of the removal is time consuming for the Departments of Planning & Development, Engineering, and Permits and Inspections staff; and

WHEREAS, the Board of Adjustment passed a Resolution on March 2, 2022, urging the Parish Council to amend the Code of Ordinances to increase after-the-fact variance application fees to discourage property owners and contractors from disregarding Parish ordinances regulating the construction or alteration of buildings or structures; and

WHEREAS, the Resolution by the Board of Adjustment suggests that after-the-fact variance application fees should be increased from \$ 500.00 to \$ 750.00.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that St. Tammany Parish Code of Ordinances, Part I; Code of Ordinances, Chapter 2; Administration, Article XVII; Parish Fees, Subdivision III ; Zoning and Associated Fees, Sec. 2-713; Board of Adjustments, be amended as follows:

Sec. 2-713. Board of adjustments.

The following fees are for the board of adjustments:

- (1) Variance \$ 200.00.
- (2) After the fact variance, \$ ~~500.00~~ 750.00.
- (3) Interpretation \$ 200.00.
- (4) Appeals of zoning administration \$ 200.00.

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: _____

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 2 DAY OF JUNE, 2022; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: APRIL 27, 2022

Published Adoption: _____, 2022

Delivered to Parish President: _____, 2022 at _____

Returned to Council Clerk: _____, 2022 at _____

Administrative Comment

An Ordinance to amend St. Tammany Parish Code of Ordinances, Part I – Code of Ordinances, Chapter 2 – Administration, Article XVII – Parish Fees, Subdivision III – Zoning and Associated Fees, Sec. 2-713 – Board of Adjustments, to increase after-the-fact variance application fee.