

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4744

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: MR. GOULD

PROVIDED BY: COUNCIL ATTORNEY

INTRODUCED BY: MR. STEFANCIK

SECONDED BY: MR. SMITH

ON THE 1 DAY OF MARCH , 2012

PLEASE SEE ATTACHED FOR COMPLETE DOCUMENT

ORDINANCE AMENDING AND REENACTING SECTION 40-034.01, CONTIGUOUS LOT RULE, OF ST. TAMMANY PARISH SUBDIVISION REGULATORY ORDINANCE 499, TO REQUIRE A MINIMUM BUILDING SITE OF SEVENTY-FIVE FEET FRONT ON THE SETBACK LINE WITHIN DOVE PARK SUBDIVISION.

WHEREAS,

THE PARISH OF ST. TAMMANY HEREBY ORDAINS:

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 5 DAY OF APRIL , 2012 ; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

MARTIN W. GOULD, JR., COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: FEBRUARY 23 , 2012

Published Adoption: _____, 2012

Delivered to Parish President: _____, 2012 at _____

Returned to Council Clerk: _____, 2012 at _____

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 4744

ORDINANCE COUNCIL SERIES NO. 12-

COUNCIL SPONSOR: MR. GOULD

PROVIDED BY: COUNCIL ATTORNEY

INTRODUCED BY: MR. STEFANCIK

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ON THE 1 DAY OF MARCH, 2012

ORDINANCE AMENDING AND REENACTING SECTION 40-034.01, CONTIGUOUS LOT RULE, OF ST. TAMMANY PARISH SUBDIVISION REGULATORY ORDINANCE 499, TO REQUIRE A MINIMUM BUILDING SITE OF SEVENTY-FIVE FEET FRONT ON THE SETBACK LINE WITHIN DOVE PARK SUBDIVISION.

WHEREAS, on January 21, 1954, pursuant to the authority granted by R.S. 33:1236 (20), the St. Tammany Parish Police Jury adopted Ordinance No. 181, "An ordinance requiring that subdividers of real estate within the Parish of St. Tammany must obtain approval of the Police Jury of said Parish before recording and/or marketing such subdivision; providing penalties for violation of the provisions of this ordinance; and repealing all previous ordinances in conflict herewith"(See pg.195 of the Police Jury Book); and

WHEREAS, on July 21, 1955, the St. Tammany Parish Police Jury adopted Ordinance No. 201 "An ordinance amending the Subdivision Regulatory Ordinance enacted by the St. Tammany Parish Police Jury on January 21, 1954, and amended on March 4, 1954; Repealing all provisions of the Ordinance of January 21, 1954 in conflict with these amendments and to re-enact the said ordinance as amended herein." (See pg. 430 of the Police Jury Book); and

WHEREAS, of particular pertinence to the amendment being provided for herein below, Section 3(d)(1) of Ordinance No. 201 provided that ". . . no lot in any subdivision shall be less than 5000 sq.ft. in area with a minimum of 50 ft. at the building set-back line on streets, nor 7500 sq.ft. in area, with a minimum width of 75 ft. at the building set-back line on avenues and boulevards." Prior to this amendment, the minimum width of a residential lot was required to be 60' at the building set back line; and

WHEREAS, on December 20, 1956, after receiving the recommendation of the Subdivision Regulatory Committee, the St. Tammany Parish Police Jury amended Section 3(d)(1) of Ordinance No. 201 to provide that ". . . no lot in any subdivision shall be less than 7500 square feet in area, with a minimum of 75 feet front on the set back line."(See pg. 590 of the Police Jury Book); and

WHEREAS, on June 20, 1957, the St. Tammany Parish Police Jury unanimously approved the final plat for Dove Park Subdivision, Sec. 26-7-11, Ward 4 (See pg. 52 of Police Jury Book 4). On the same date, the subdivision plat for Dove Park was recorded in the Clerk's Office, Map # 16A. In accordance with the amendments to Section 3(d)(1) of Ordinance No. 201, adopted on December 20, 1956, they inscribed the following on the approved and recorded Dove Park Subdivision plat: "Note: Restriction of minimum building sight of 75' front."

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that, in conformity with the herein above requirements for approval of the Dove Park Subdivision, and as inscribed on the final recorded plat attached hereto (Map #16A), the Contiguous Lot Rule, Section 40-034.01 of St. Tammany Parish Subdivision Regulatory Ordinance 499, is amended and reenacted to require a minimum building site of seventy-five feet front on the setback line within the Dove Park Subdivision, to-wit:

Section 40-034.01 Contiguous Lot Rule

A buildable substandard lot is a lot which has been determined, upon review of the Planning Commission, to meet all of the requirements of Section 40-034.01(4) of these regulations and, therefore, may be constructed upon following the subsequent review and approval of the Department of Engineering in accordance with the provisions hereof. For purposes of this Section the division of lots to create smaller lots will not be permitted.