

**LAFOURCHE PARISH COUNCIL
AUGUST 9, 2011
UNANIMOUS AGENDA**

A. PROPOSED ORDINANCES:

1. **PROPOSED ORDINANCE providing a variance from the Lafourche Parish Subdivision Regulations for the maximum street light spacing to exceed two hundred fifty feet (250') at Grande Maison Subdivision (Ward 5, District 3) as not recommended by the Lafourche Parish Planning Commission at their July 28, 2011 meeting. (M. DELATTE FOR ADMINISTRATION)**

2. **PROPOSED ORDINANCE providing a variance from the Lafourche Parish Subdivision Regulations on Pointe Fourchon Subdivision - Division of Lot 18 Block 7 (Ward 10, District 9) as recommended by the Lafourche Parish Planning Commission at their May 26, 2011 meeting. (D. LORRAINE FOR ADMINISTRATION)**

ITEM 1

The following ordinance was introduced by _____ in regular session convened on _____.

PROPOSED ORDINANCE

The following ordinance, having been previously introduced and published, was offered for final adoption by _____, seconded by _____.

ORDINANCE NO. _____

ORDINANCE PROVIDING A VARIANCE FROM THE LAFOURCHE PARISH SUBDIVISION REGULATIONS FOR THE MAXIMUM STREET LIGHT SPACING TO EXCEED TWO HUNDRED FIFTY FEET (250') AT **GRANDE MAISON SUBDIVISION** (WARD 5, DISTRICT 3) AS NOT RECOMMENDED BY THE LAFOURCHE PARISH PLANNING COMMISSION AT THEIR JULY 28, 2011 MEETING

WHEREAS, this ordinance was sponsored for Administration by Mr. Michael Delatte, Councilman, District 2; and



BE IT ORDAINED, by the Lafourche Parish Council, convened in Regular Session on _____, that:

SECTION 1.

WHEREAS, The Lafourche Parish Planning Commission met on July 28, 2011 in regular session to review proposed subdivisions and redivisions; and

WHEREAS, representatives of the Grande Maison Subdivision proposed development requested a variance of the Lafourche Parish Subdivision Regulation; this variance provides that:

Regulations Section 19:352.A.7 Street Lights:

Providing a variance from exceeding the distance of two hundred fifty feet (250') to approximately three hundred feet (300') for the spacing of the street lights.

WHEREAS, Section 19:314 A. provides that the Planning Commission and Council can provide a variance in these regulations where the Planning Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or that the purposes of these regulations may be served to a greater extent by an alternative proposal, it may recommend to the Lafourche Parish Council variances to these subdivision regulations so that the substantial justice may be done and the public interest secured, provided that such variance shall not have the effect of nullifying the intent and purpose of these regulations; and further provided the

ITEM 1

Planning Commission shall not recommend approval of variances unless it shall make findings based upon the evidence presented to it in each specific case;

1. The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property;
2. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property;
3. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations are carried out;
4. The variance will not in any manner vary the provision of the Development Ordinance, Master Plan or Parish Base Map.

WHEREAS, the Lafourche Parish Planning Commission does not recommend that the variance is justified based on lack of evidence of the findings stated above.

THEREFORE BE IT ORDAINED, that the Lafourche Parish Council does hereby provide a variance of Section 19:352.A.7 of the Subdivision Regulation for the street light spacing exceeding the distance of two hundred fifty feet (250') to approximately three hundred feet (300') at the Grande Maison Subdivision.

SECTION 2. If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not effect other provisions, items or application of this ordinance which can be given affect without the invalid provisions, items or application, and to this end the provisions of this ordinance are declared severable.

SECTION 3. All Ordinance or parts of Ordinances by the Lafourche Parish Council conflicting with or inconsistent with the provisions of these regulations are hereby repealed.

SECTION 4. This Ordinance shall be published in the Official Journal of the Lafourche Parish Council in the manner provided by law.

SECTION 5. This Ordinance, having been submitted in writing, having been read and adopted by sections at a public meeting of said council, was then submitted to an official vote as a whole, the vote thereon being as follows:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

SECTION 6. This Ordinance shall become effective on the tenth day after final publication.

ITEM 1

**LOUIS RICHARD, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

**CARLEEN B. BABIN, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

Delivered to the Parish President on

_____, 2011, at _____, __.m.

APPROVED: _____

VETOED: _____

**Charlotte A. Randolph
Lafourche Parish President**

Returned to the Council Clerk on

_____, 2011, at _____, __.m.

I, CARLEEN B. BABIN, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of Ordinance No._____, enacted by the Assembled Council in Regular Session on _____, at which meeting a quorum was present, and was finally adopted on _____.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS _____,
DAY OF _____, 2011.

**CARLEEN B. BABIN, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

DATE PUBLISHED: _____

DATE EFFECTIVE: _____

ITEM 2

The following ordinance was introduced by _____ in regular session convened on _____.

PROPOSED ORDINANCE

The following ordinance, having been previously introduced and published, was offered for final adoption by _____, seconded by _____.

ORDINANCE NO. _____

ORDINANCE PROVIDING A VARIANCE FROM THE LAFOURCHE PARISH SUBDIVISION REGULATIONS ON **POINTE FOURCHON SUBDIVISION – DIVISION OF LOT 18 BLOCK 7** (Ward 10 District 9) AS **RECOMMENDED** BY THE LAFOURCHE PARISH PLANNING COMMISSION AT THEIR MAY 26, 2011, MEETING

BE IT ORDAINED, by the Lafourche Parish Council, convened in Regular Session on _____, that:

SECTION 1. WHEREAS, The Lafourche Parish Planning Commission met on May 26, 2011, in regular session to review proposed subdivisions and redivisions; and

WHEREAS, representatives of Pointe Fourchon Subdivision – Division of Lot 18 Block 7 proposed development requested variances of the Lafourche Parish Subdivision Regulations; the variances provide that:

Section 19:351. B.1 (i) providing a variance from the minimum 6,000 square feet to 5,210 square feet on Lot 18-A and 5,336 square feet on Lot 18-C to conform to existing private development, and

Section 19:351. B.1 (ii) providing a variance from the minimum sixty (60') foot front building line on Lot 18-A to fifty (50') feet to conform to the existing private development, and

Section 19:351.B.2 (iii) providing a variance from the minimum ten (10') foot side yard requirement setback to five (5') feet to conform to existing private development.

The Lafourche Parish Subdivision Regulations, Section 19:314.A. provides that the Planning Commission and Council can provide a variance in these regulations where the Planning Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or that the purposes of these regulations may be served to a greater extent by an alternative proposal, it may recommend to the Lafourche Parish Council variances to these subdivision regulations so that the substantial justice may be done and the public interest secured, provided that such variance shall not have the effect of

ITEM 2

nullifying the intent and purpose of these regulations; and further provided the Planning Commission shall not recommend approval of variances unless it shall make findings based upon the evidence presented to it in each specific case.

WHEREAS, the Lafourche Parish Planning Commission does **recommend** that the variances are justified and would not violate the integrity of the subdivision regulations as a whole;

THEREFORE BE IT ORDAINED, that the Lafourche Parish Council does hereby grant variances of Section 19:351. B.1 (i) providing a variance from the minimum 6,000 square feet to 5,210 square feet on Lot 18-A and 5,336 square feet on Lot 18-C to conform to existing private development, and Section 19:351. B.1 (ii) providing a variance from the minimum sixty (60') foot front building line on Lot 18-A to fifty (50') feet to conform to the existing private development, and Section 19:351.B.2 (iii) providing a variance from the minimum ten (10') foot side yard requirement setback to five (5') feet to conform to existing private development.

SECTION 2. If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not effect other provisions, items or application of this ordinance which can be given affect without the invalid provisions, items or application, and to this end the provisions of this ordinance are declared severable.

SECTION 3. All Ordinance or parts of Ordinances by the Lafourche Parish Council conflicting with or inconsistent with the provisions of these regulations are hereby repealed.

SECTION 4. This Ordinance shall be published in the Official Journal of the Lafourche Parish Council in the manner provided by law.

SECTION 5. This Ordinance, having been submitted in writing, having been read and adopted by sections at a public meeting of said council, was then submitted to an official vote as a whole, the vote thereon being as follows:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

SECTION 6. This Ordinance shall become effective on the tenth day after final publication.

LOUIS RICHARD, CHAIRMAN
LAFOURCHE PARISH COUNCIL

CARLEEN BABIN, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL

ITEM 2

PUBLISHED:

Delivered to the Parish President on

_____, 2011, at _____, __. m.

APPROVED: _____

VETOED: _____

Lafourche Parish President

Returned to the Council Clerk on

_____, 2011, at _____, __.m.

I, CARLEEN BABIN, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Assembled Council in Regular Session on _____, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS _____, DAY OF _____, 2011.

CARLEEN BABIN, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL

DATE PUBLISHED: _____

DATE EFFECTIVE: _____