

The following ordinance was introduced by Mr. Phillip Gouaux in regular session convened on May 27, 2014.

### **PROPOSED ORDINANCE**

The following ordinance, having been previously introduced and published, was offered for final adoption by Mr. Phillip Gouaux, seconded by Mr. Lindel Toups.

### **ORDINANCE NO. 5472**

#### **ORDINANCE PROVIDING A VARIANCE FROM THE LAFOURCHE PARISH SUBDIVISION REGULATIONS (CHAPTER 22, ARTICLE VI, DIVISION 5, SECTION 22-482. FIRE HYDRANTS) ON DIVISION OF TRACT C OF THE LAROSE INTRACOASTAL LAND CO. (WARD 9, DISTRICT 7) AS RECOMMENDED BY THE LAFOURCHE PARISH PLANNING COMMISSION AT THEIR APRIL 24, 2014 MEETING.**

**BE IT ORDAINED**, by the Lafourche Parish Council, convened in Regular Session on June 10, 2014, that:

#### **SECTION 1.**

**WHEREAS**, The Lafourche Parish Planning Commission met on April 24, 2014 in regular session to review proposed subdivisions and redivisions; and

**WHEREAS**, representatives of the Division of Tract C of the Larose Intracoastal Land Co. proposed development requested a variance of the Lafourche Parish Subdivision Regulations from the installation of a fire hydrant; this variance provides that:

#### **CHAPTER 22, ARTICLE VI, DIVISION 5, SEC. 22-482. - FIRE HYDRANTS.**

Except as provided for in subsection (1) of this section, three-way steamer fire hydrants shall be required for all public subdivisions. Fire hydrants shall be located no more than 600 feet apart with no lot frontage along a street exceeding 300 feet from any fire hydrant measured along the centerline of the street, or as approved by the parish water district. This spacing may be altered slightly to conform to the location of lot lines. Fire hydrants should be located as near to block corners as possible. All underground utilities including fire hydrants shall be installed before any final paving of a street shown on the subdivision plat.

(1) In those instances where the existing water main is less than six inches or receives water from a line less than six inches, said line should be upgraded to a minimum of an eight line or meets state standards, whichever is greater.

(2) Along existing public rights-of-way with existing water facilities that meet our regulations in all other aspects, a fire hydrant shall be located a maximum of 500 feet from any proposed lot line.

#### **CHAPTER 22, ARTICLE V, DIVISION I, SEC. 22-121. - VARIANCES.**

(a) *Generally*. Where the planning commission finds that extraordinary hardships or practical difficulties may result from strict compliance with this article and/or that the purposes of this article may be served to a greater extent by an alternative proposal, it may recommend to the 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 this article; and further provided that 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 that:

(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 this article are carried out; and

(4) The variances will not in any manner vary the provisions of the development ordinance, master plan or the parish base map.

(b) *Conditions.* In recommending approval of variances to the parish council, the planning commission may attach such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements of this article.

**WHEREAS**, this ordinance was sponsored for Administration by Mr. Phillip Gouaux, Councilman, District 7; and

**WHEREAS**, the Lafourche Parish Planning Commission does recommend that the variance is justified and would not violate the integrity of the subdivision regulation as a whole; and

**THEREFORE BE IT ORDAINED**, that the Lafourche Parish Council does hereby provide a variance of Chapter 22, Article VI, Division 5, Section 22-482. Fire Hydrants – Along existing public rights-of-way with existing water facilities that meet our regulations in all other aspects, a fire hydrant shall not have to be located a maximum of 500 feet from any proposed lot line due to fire protection being provided by “draft site” provided by the Intracoastal Canal; and

**BE IT FURTHER ORDAINED**, that the Lafourche Parish Council convened in Regular Session on June 10, 2014, and hereby grants a variance from the Lafourche Parish Subdivision Regulations (Chapter 22, Article VI, Division 5, Section 22-482. Fire Hydrants) on Division of Tract C of the Larose Intracoastal Land Co. (Ward 9, District 7) as recommended by the Lafourche Parish Planning Commission at their April 24, 2014 meeting; and

**BE IT FURTHER ORDAINED**, that a certified copy of this Ordinance shall be forwarded to Lafourche Parish Government Department of Planning & Permitting and the Office of the Parish Administrator; and

**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:** Mr. Jerry Jones  
Mr. Michael Delatte  
Mr. Joseph “Joe” Fertitta  
Mr. John Arnold  
Mr. Lindel Toups  
Mr. Phillip Gouaux  
Mr. Jerry LaFont  
Mr. Daniel Lorraine

**NAYS:** None

**ABSENT:** Mr. Aaron Caillouet

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

/s/ Daniel Lorraine  
**DANIEL LORRAINE, CHAIRMAN**  
**LAFOURCHE PARISH COUNCIL**

/s/ Carleen B. Babin  
**CARLEEN B. BABIN, COUNCIL CLERK**  
**LAFOURCHE PARISH COUNCIL**

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**Delivered to the Parish President on**

**June 16, 2014, at 9:10 a.m.**

**APPROVED:                X**

**UNAPPROVED:**

**VETOED:**

/s/ Charlotte A. Randolph  
**Lafourche Parish President**

**Returned to the Council Clerk on**

**June 17, 2014, at 1:05 p.m.**

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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. 5472, enacted by the Assembled Council in Regular Session on June 10, 2014, at which meeting a quorum was present, and was finally adopted on June 17, 2014.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE ON THIS 25TH DAY OF JUNE, 2014.

/s/ Carleen B. Babin  
**CARLEEN B. BABIN, COUNCIL CLERK**  
**LAFOURCHE PARISH COUNCIL**

DATE PUBLISHED: JUNE 30, 2014

DATE EFFECTIVE: JULY 10, 2014