

## SECTION 7.08 MODIFICATIONS AND EXCEPTIONS

### 7.0801 LOT OF RECORD

- A. 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 adoption of the St. Tammany Parish Land Use Ordinance No. 523. Where applicable, the contiguous lot of record regulations shall 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
    - a. Standard Requirement. 20% of lot depth or twenty five (25) feet, whichever is the lesser
    - b. Special Requirement.
      1. Lakeview Drive, Slidell – Except as provided in subparagraph (b)(2) immediately herein below, all properties fronting the south side of Lakeview Drive shall adhere to the standard rear yard requirements and, in addition, shall not extend the distance of the primary structure on the property more than one hundred thirty-five feet (135') lakeward of the front property line adjacent to the Lakeview Drive right-of-way. (Amended 5/3/2012 OCS# 12-2714)
      2. All properties with road frontage along Lakeview Drive where any portion of said frontage is within seven hundred (700') feet of the Eastern right-of-way of U. S. Highway 11 may have a primary structure located beyond the setback provided for immediately herein above, except that no primary structure shall be located more than three hundred and fifty (350') feet from the front property line. (Amended 5/3/2012 OCS# 12-2714)
  3. Side Yard Setbacks - Except as otherwise provided in subparagraphs (a) and (b) hereof, five (5') feet on each side of lots with widths of fifty (50') feet or less. Seven and one-half (7½') feet on each side of lots with widths greater than fifty (50') feet, except that side yard setbacks of five (5') feet may be authorized when the Department of Engineering has determined that drainage impacts have been adequately addressed, based on review and approval of a drainage plan for developments with lots of record that have widths greater than fifty (50') feet, or the proposed installation of subsurface drainage, in lieu of drainage swales, on an individual lot that would otherwise be required to have seven and one-half (7½') feet setbacks. However, for corner lots, there shall be a side

yard setback from the side street of not less than ten (10') feet. (Amended 8/5/2010 ZC10-07-068 OCS# 10-2307)

- a. Lots With a Width of Fifty (50') Feet Located in a Critical Drainage Area: In administering the provisions of Chapter 7 Drainage and Flood Control, Article 1 Section 7-002.00 Use of Fill Materials Prohibited, in addition to meeting all of the requirements applicable to lots ninety (90') feet or less in width, a lot that is fifty (50') feet in width and located in a critical drainage area may be required to have side yard setbacks of seven and one-half (7½') feet on each side when the Department of Engineering determines, based upon review of the required development plan and application of best engineering practices, that drainage swales are required.
  - b. Lots With a Width of Fifty (50') Feet or Less in Areas of Special Concern: In the following areas of special concern, lots with widths of fifty (50') feet or less shall have seven and one-half (7½') foot setbacks, except that the setbacks shall be five (5') feet in those cases where a lot with a width less than fifty (50') feet satisfies all of the requirements set forth in Section 40-034.01(4) governing a buildable substandard lot:
    - (i) Part of Ward 4 and Ward 7: Commence at the corner of the Section Lines common to Sections 2, 3, 10 and 11, T8S – R12E, the Point of Beginning. Thence proceed in a northerly direction along the Section line between Sections 2 and 3 to the southern boundary line of the I-12 right of way; thence proceed in a south-easterly direction along the southern boundary line of the I-12 right of way to the Section Line common to Sections 21 and 22; thence proceed in a southerly direction along the common Section Line of Sections 21 and 22 to Lake Pontchartrain; thence proceed along the shoreline of Lake Pontchartrain in a westerly, thence in a north and north-westerly direction along the shoreline to Cane Bayou; thence proceed along Cane Bayou in a north, north-easterly direction to the Section line common to Sections 3 and 10; then proceed west to the Point of Beginning, all as more particularly depicted on the attached map identified as “St. Tammany Parish Council District 7 Set Backs”.
  4. No driveway accessing a dwelling or accessory building may be located within any side yard setback.
- B. Commercial and industrial setbacks shall be as provided in this ordinance.

#### 7.0802 EXCEPTIONS TO HEIGHT REQUIREMENTS

The following structures shall be limited to fifty (50) feet in height, unless granted written permission from the Director of Planning to exceed that height.

1. Churches
2. Schools
3. Hospitals
4. Public Service buildings
5. Institutions
6. Barns, silos and other farm structures when located on farms.
7. Belfries, cupolas, domes, flagpoles, and monuments.
8. Water towers, transmission towers, windmills.
9. Chimneys and smoke stacks
10. Fire towers
11. Oil derricks
12. Bulkheads; elevator penthouses; water tanks; cooling towers; scenery; lofts and similar structures provided that such structures shall cover not more than twenty-five (25) percent of the total roof area of the building of which such structure is located.

#### 7.0803 EXISTING RAILROADS AND MINERAL DEPOSITS

Existing railroads may continue to operate and be maintained in dwelling and commercial districts. Mineral deposits may be mined but residential areas shall be protected as set forth under Article 5.