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8 Amended by Ord. 2043 on 12/9/86
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Introduced June 24, 1986 by
Councilwoman Williams, seconded by
Councilman Salvaggio (by request)

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12 Item No. 86-6-1036
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16 ORDINANCE NO. 2000
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20 An ordinance amending Appendix A-Zoning, Part 7, Board
21 of Adjustment, Section 7.2 Powers of the board., subsections
22 7.201 and 7.202, of the Code of Ordinances of the City of
23 Slidell.
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25 BE IT ORDAINED by the Slidell City Council that
26 Appendix A-Zoning, Part 7, Board of Adjustment, Section 7.2
27 Powers of the board., subsections 7.201 and 7.202, of the Code
28 of Ordinances of the City of Slidell are amended as follows:
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31 Delete subsections 7.201 and 7.202 as written and
32 reenact as follows:
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37 7.201 (A) The board shall hear and decide upon:

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39 (1) Appeals from alleged error in the Zoning Officer's
40 decision;
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42 (2) Interpretation of the provisions of this ordi-
43 nance;
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45 (3) Appeals for variances where exceptional and
46 peculiar hardship would be caused by enforcement
47 of the regulations in this ordinance and where
48 such variance would not substantially deviate
49 from the intent of this ordinance but not other-
50 wise.
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59 7.201 (B) Appeals to the Board of Adjustment may be taken by any
60 person aggrieved or by any officer, department, board,
61 or bureau of the municipality affected by any decision
62 of the administrative officer. Appeals shall be taken
63 within a reasonable time, as provided by the rules of
64 the board, by filing with the officer from whom the
65 appeal is taken and specifying the grounds thereof. The
66 officer from whom the appeal is taken shall forthwith
67 transmit to the board all the papers constituting the
68 record upon which the action appealed from was taken.
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12 7.201 (C) An appeal stays all proceedings in furtherance of the
13 action appealed from, unless the officer from whom the
14 appeal is taken certifies to the Board of Adjustment
15 after the notice of appeal shall have been filed with
16 him, that by reason of facts stated in the certificate
17 a stay would, in his opinion, cause imminent peril of
18 life or property. In such case proceedings shall not
19 be stayed otherwise than by a restraining order that
20 may be granted by the Board of Adjustment or by a
21 court of record on application or notice to the
22 officer from whom the appeal is taken and on due cause
23 shown.

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38 7.201 (D) For purpose of this section, the word "appeal"
39 includes requests for variances and ordinance inter-
40 pretations.

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44 7.201 (E) Any person requesting an appeal for a condition which
45 is in violation at the time of filing of the appeal or
46 which would become in violation during the pendency of
47 the appeal if the appeal had not been filed, must deposit
48 with the permit office the amount of \$150.00. If the
49 board rules against the applicant, the deposit shall be
50 forfeited if the board specifically finds that the appeal
51 was for a matter over which the board has no authority
52 to act. If, in the opinion of the Planning Department,
53 Permit Department, or City Attorney, the board has no
54 authority to act on the matter requested, the applicant
55 shall be so notified in writing at the time of the
56 application on a form to be provided by the Planning
57 Officer and signed by the applicant. If the deposit
58 is not forfeited, it shall be returned to the applicant
59 within ten (10) days after the board's decision on the
60 matter.
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20 7.202 (A) The board shall not be authorized to grant variances in
21 the use of land or to take any other action the result
22 of which would constitute a change in the district
23 boundaries.

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28 7.202 (B) Standards for Variations: The Board of Adjustment shall
29 not vary the regulations of this ordinance, unless it
30 shall make findings based upon the evidence presented
31 to it in each specific case that each of the following
32 standards is complied with:

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38 (1) Because of the particular physical surroundings,
39 shape or topographical conditions of the specific
40 property involved, a particular hardship to the
41 owner would result, as distinguished from a mere
42 inconvenience, if a strict letter of regulations
43 were not carried out.
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50 (2) The conditions upon which the petition for a
51 variation is based are unique to the property for
52 which the variance is sought and are not applicable,
53 generally, to other property within the same zoning
54 classification.
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60 (3) The alleged difficulty or hardship is caused by the
61 ordinance and has not been created by any person
62 presently having an interest in the property.
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66 (4) The granting of the variation will not be detrimental
67 to the public welfare or injurious to other property
68 or improvements in the neighborhood in which the
69 property is located.
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12 (5) The proposed variation will not impair an adequate
13 supply of light and air to adjacent property, or
14 substantially increase the congestion in the public
15 streets, or increase the danger of fire, or endanger
16 the public safety, or substantially diminish or
17 impair property value within the neighborhood.

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20 (6) The variation will not serve as a precedent which,
21 in effect, will re-write a provision of this ordinance.

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24 7.202 (C) The Board of Adjustment may impose such conditions and
25 restrictions upon the premises benefited by a variation
26 as may be necessary to comply with the standards
27 established in this subsection, to reduce or minimize
28 the effect of such variations upon other property in the
29 neighborhood and to better carry out the general intent
30 of the ordinance.
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44 ADOPTED this 12th day of August, 1986.
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52 **DELIVERED**
53 8-14-86 10:00 a.m.
54 to the Mayor

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56 *Philip M. Salvaggio*
57 Philip M. Salvaggio
58 Councilman, District F
59 Vice President of the Council

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61 **RECEIVED**
62 8-14-86 3:00 p.m.
63 from the Mayor

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65 *Alvin D. Singletary*
66 Alvin D. Singletary
67 Councilman at Large
68 Mayor

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71 *Barbara Manteris Penton*
72 Barbara Manteris Penton
73 Clerk of the Council
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