

**2021-0210**

**INTRODUCED BY: MATTHEW JEWELL, PARISH PRESIDENT  
(DEPARTMENT OF PLANNING & ZONING)**

**ORDINANCE NO. 21-8-10**

An ordinance to amend the St. Charles Parish Zoning Ordinance of 1981, Appendix A, as amended, Section XIII., C., 7.d. and Section XIII., E., 3. and Section XX., D., 5.a.5. and Section XXIV, Fees to provide for recordation of variances with the Clerk of Court.

**WHEREAS,** if a property is developed with the benefit of a variance from any requirements of granted by the Zoning Board of Adjustments, a purchaser should be aware of this prior to purchasing it; and,

**WHEREAS,** many other jurisdictions require variances to be filed in the records of their Clerk of Court, attached to the deed to the property, in order to advise future owners; and,

**WHEREAS,** the Planning and Zoning Department wishes to have variances filed with or attached to the deed of a property in order to make future owners aware; and,

**WHEREAS,** the current application fee for a variance does not include the cost of filing record with the deed in the St. Charles Parish Clerk of Court.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** That the St. Charles Parish Code of Ordinances, Appendix A., Section XIII., C., 7.d. "Fees" is hereby amended as follows with new text in underline and deleted text in ~~strikethrough~~:

- d. Fees. A fee of ~~fifty dollars (\$50.00)~~ one hundred fifty dollars (\$150) for single family residential. A fee of ~~one hundred dollars (\$100.00)~~ two hundred fifty dollars (\$250) for all other applications. No public hearing will be held on any case until all required fees are paid in full. No fees shall be refunded once a case or petition has been advertised for a public hearing.

**SECTION II.** That the St. Charles Parish Code of Ordinances, Appendix A. Section XIII., E., *Public hearings and decisions issued by the Board*, item 3. is hereby amended as follows, with new text in underline and deleted text in ~~strikethrough~~:

3. The Planning Director shall keep records of all such appeals or applications and of all fees paid therefore, shall file with the St. Charles Parish Clerk of Court record of permits completed pursuant to variances issued by the Board, and shall transmit all of such fees collected to the Director of Finance for deposit to the general fund of the Parish of St. Charles.

**SECTION III.** That the St. Charles Parish Code of Ordinances, Appendix A. Section XX., D., 5., a. Appeal Board: 5. is hereby amended as follows, with new text in underline and deleted text in ~~strikethrough~~:

5. The Director of Planning and Zoning shall maintain the records of all appeal actions, including technical information, shall file with the St. Charles Parish Clerk of Court record of buildings permitted pursuant to variances issued by the Board, and shall report variances to the Federal Emergency Management Agency upon request.

**SECTION IV.** That the St. Charles Parish Code of Ordinances, Appendix A. Section XXIV. Fees, recently amended by Ordinance No. 21-5-7, is hereby amended as follows, with new text in underline and deleted text in ~~strikethrough~~:

Land use application fees are detailed as follows:  
(see Appendix C. Section V.A. for subdivision application fees)

Home Occupation	Administrative: \$25 Planning Commission: \$200 <sup>1</sup>
Rezoning	\$5 per acre or fraction thereof (\$40 minimum, \$200 maximum)
Special Permit	\$50
Zoning Board of Adjustments (Variance) <sup>2</sup>	Single Family: <del>\$50</del> <u>\$150</u> All other use types: <del>\$100</del> <u>\$250</u>

<sup>1</sup>For home occupations requiring additional state or federal licensing, permits, certification, etc., beyond standard business licensing (Appendix A. Section XXII.B.5.b.)

<sup>2</sup>See Appendix A. Section XIII.C.7.d.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: BILLINGS, FONSECA, DARENSBOURG GORDON, CLULEE, DUFRENE,  
BELLOCK, FISHER, FISHER-PERRIER  
NAYS: NONE  
ABSENT: GIBBS

And the ordinance was declared adopted this 9th day of August, 2021, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: *Marilyn Bellock*  
SECRETARY: *Michelle Spadato*  
DLVD/PARISH PRESIDENT: August 10, 2021  
APPROVED: *[Signature]* DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: *Matt Janello*  
RETD/SECRETARY: August 12, 2021  
AT: 9:24 am RECD BY: *[Signature]*