



St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043
(504) 278-4228 Fax (504) 278-4209
www.sbpq.net

Guy McInnis
Councilman
at Large

George Cavnac
Councilman
at Large

Ray Lauga, Jr.
Councilman
District A

Nathan Gorbaty
Councilman
District B

Richard "Richie" Lewis
Councilman
District C

Casey W. Hunnicutt
Councilman
District D

**Manuel "Monty"
Montelongo III**
Councilman
District E

Roxanne Adams
Clerk of Council

#28

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, JULY 7, 2015 AT SEVEN O'CLOCK P.M.

On motion of Mr. Lewis, seconded by Mr. McInnis, it was moved to **adopt** the following ordinance:

ORDINANCE SBPC #1658-07-15

Summary No. 3243

Introduced by: Councilman Lewis on 6/2/15

Public hearing held on 6/16/15

EFC recommended **APPROVAL** on 7/1/15

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 22-5; RESIDENTIAL ZONING DISTRICTS, SUBSECTION 5; PERMITTED ACCESSORY BUILDINGS AND STRUCTURES OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The Parish Council hereby amends Chapter 22; Zoning, Section 22-5; Residential Zoning Districts, Subsection 5; Permitted Accessory Buildings and Structures as attached in Exhibit "A".

SECTION 2. Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto, this Ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this Ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion this Ordinance with the invalid portions omitted.



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Extract #28, continued
July 7, 2015

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The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

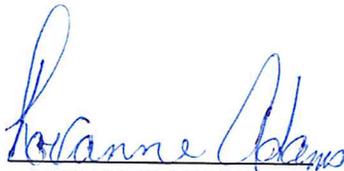
YEAS: Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

NAYS: None

ABSENT: None

The Chairman, Mr. Cavnagac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7th day of July, 2015.


ROXANNE ADAMS
CLERK OF COUNCIL


GEORGE CAVNAGAC
COUNCIL CHAIRMAN

Delivered to the Parish President 7/10/2015 10:30am
Date and Time

Approved Vetoed

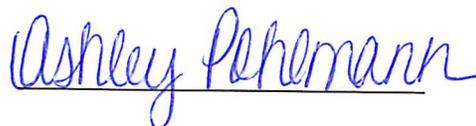
Parish President


David E. Peralta

Returned to Clerk of the Council

7/10/15 12:21pm
Date and Time

Received by



ORDINANCE SBPC #1658-07-15
EXHIBIT "A"
SUMMARY NO. 3243

Chapter 22; Zoning
Section 22-5; Residential Zoning Districts
Subsection 5; Permitted Accessory Buildings and Structures

22-5-5 Permitted accessory buildings and structures. No accessory building or structure shall be constructed or placed in such a manner that it could be used as a dwelling unit. All accessory buildings or structures must be permitted by the department of community development, and such structure must be accompanied by a dwelling with a certificate of occupancy unless they are being used for a lawful commercial purpose in the appropriate zone with the exception of barns, boat docks and other such agricultural and fishing-related accessory structures in an A-1 Rural Zone.

1. The following accessory buildings and structures are permitted in the rear and side yards:
 - a. Storage sheds, detached garages and carports, playhouses, swimming pools, bath houses, antenna, dishes, and other outbuildings or structures.
 - b. Fences, stone walls, and retaining wall. (Retaining walls shall not have to comply with setbacks.)
 - c. Dog houses, runs, kennels, and penned areas.
 - d. Residential accessory buildings and structures shall not occupy more than thirty (30) percent of the required rear yard, and in no case shall the size exceed thirty (30) percent of the total square footage of the dwelling to which it is an accessory. This provision shall not apply to accessory buildings and structures in A-1 Rural, SA Suburban Agricultural, or the SBV St. Bernard Village zones.
 - e. Residential accessory buildings and structures shall not exceed thirteen (13) feet in height.
 - f. Residential accessory buildings and structures must be fenced in. Garages may not be fenced in on the front side of a dwelling in instances where there is an impervious driveway leading to the structure. In instances where a garage is located on a lot which has a rear yard that fronts a street, the structure must be fenced in along the width of the rear property setback. A portion of the rear property setback may remain unfenced only for the width of the required rear impervious driveway leading to the garage. This provision shall not apply to accessory buildings and structures in A-1 Rural, SA Suburban Agricultural, or the SBV St. Bernard Village zones.
 - g. When used as an accessory to a dwelling, metal storage buildings shall not exceed one hundred twenty (120) square feet in area and nine (9) feet in height. Metal storage buildings shall not front a rear property setback when said property has a rear property line which fronts a street. This provision shall not apply to accessory buildings and structures in A-1 Rural, SA Suburban Agricultural, or the SBV St. Bernard Village zones.
 - h. Portable storage units such as PODS are allowed in any district for a period not to exceed thirty (30) days and shall only be permitted in the rear or side yard in accordance

with the provisions outlined in section 22-5-5.1.f. of this chapter. Mobile homes, travel trailers, and recreational vehicles may not be used as portable storage units.

2. An accessory building or structure that does not comply with the above requirements may be permitted by variance if the board of zoning adjustments finds that such accessory building or structure will be compatible with the location in which it is proposed to be built after considering:
 - a. The character of the neighborhood and area;
 - b. The size and shape of the lot;
 - c. The location of the accessory structure; and
 - d. The proposed use of the accessory structure.

3. Fences are permitted on lots without a substantially completed dwelling when they share a common property line with a lot with an occupied dwelling under same ownership. The property shall meet the following conditions:
 - a. The proposed fence addition can be placed at the same depth from property lines as the adjacent, existing fence line.
 - b. When a servitude separates adjacent lots under common ownership, the property owner shall submit written approval from the servitude holder to the department of community development prior to the issuance of the fence permit.
 - c. Fences shall have at least one (1) latched gate or opening to the lot.