



# St. Bernard Parish Council

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

**#13**

**Kerri Callais**  
Councilmember  
at Large

**Richard "Richie" Lewis**  
Councilmember  
at Large

**Gillis McCloskey**  
Councilmember  
District A

**Nathan Gorbaty**  
Councilmember  
District B

**Howard Luna**  
Councilmember  
District C

**Wanda Alcon**  
Councilmember  
District D

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

**Roxanne Adams**  
Clerk of Council

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 WEDNESDAY, MARCH 6, 2019 AT SEVEN O'CLOCK P.M.

On motion of Mr. Gorbaty, seconded by Mrs. Alcon, it was moved to **adopt** the following ordinance:

## **ORDINANCE SBPC #2140-03-19**

### **Summary No. 3683**

Introduced by: Councilmember Gorbaty on 2/5/19

Planning Commission recommended **APPROVAL** on 2/26/19

Public Hearing held on 3/6/19

AN ORDINANCE TO AMEND CHAPTER 22, ZONING; SECTION 22-4, GENERAL PROVISIONS; SUBSECTION 22-4-3, EXCEPTIONS AND MODIFICATIONS; SUBSUBSECTION 22-4-3.2; EXCEPTIONS TO AREA REGULATIONS 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 22-4 General Provisions, SubSection 22-4-3 Exceptions and Modifications SubSubSection 22-4-3.2 Exceptions to area regulations 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 #13 continued  
March 6, 2019

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

**YEAS:** McCloskey, Gorbaty, Alcon, Montelongo, Callais

**NAYS:** None

**ABSENT:** Luna

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 6<sup>th</sup> day of March, 2019.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
RICHARD "RICHIE" LEWIS  
COUNCIL CHAIR

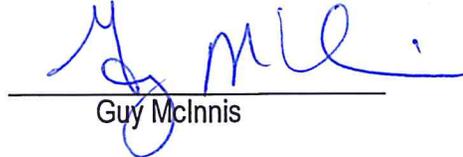
Delivered to the Parish President 3/11/19 9:50am  
Date and Time

Received by Margen Campo

Approved

Vetoed

Parish President

  
Guy McClinnis

Returned to Clerk of the Council

3/11/19 1:35pm  
Date and Time

Received by

Eliza Melba

**Summary No. 3683**  
**Exhibit "A"**  
**Ordinance SBPC #2140-03-19**

**Chapter 22 Zoning**

**Section 22-4 General provisions**

**SubSection 22-4-3 Exceptions and modifications**

**SubSubSub Section 22-4-3.2 Exceptions to area regulations**

- (a) Lots with less than a forty-foot frontage: Where a lot or parcel of land has an area less than the minimum requirements for the district in which it is located, but was a lot of record in separate ownership from adjacent property at the time of passage of the ordinance from which this chapter derives, such lot, tract or parcel may be used only for single-family residential purposes or for any nonresidential purposes permitted in the district in which the property is located. The proposed development shall be approved by the director of community development (design review) and then shall receive final approval from the planning commission (resolution).
- (b) Non-conforming lots with a forty-foot frontage or greater: Where a lot or parcel of land has an area less than the minimum requirements for the district in which it is located, but was a lot of record in separate ownership from adjacent property at the time of the building permit application, such lot, tract or parcel may be used only for single-family residential purposes or for any nonresidential purposes permitted in the district in which the property is located. The proposed development shall be approved by the director of community development (design review).
- (c) No cemetery or mausoleum may be located on a site less than fifteen (15) acres in size.
- (d) Where any lot or parcel of land located in an approved subdivision or phased subdivision which has been subdivided or resubdivided prior to December 23, 1996, and has received final approval, shall not be subdivided or resubdivided under five thousand (5,000) square feet and said lot or parcel of land shall have no less than a fifty-foot frontage.
- (e) Non-conforming lots in zoning districts where Two-Family Dwellings are permitted: Where a lot or parcel of land has an area less than the minimum requirements for the district in which it is located, but was a lot of record in separate ownership from adjacent property at the time of the building permit application, such lot, tract or parcel may be used for two-family residential purposes, subject to the following:
  - 1. Non-conforming lots shall have a minimum frontage lot width of 40' and a minimum lot area of 4,000 sq. ft.
  - 2. All new or substantially renovated development shall meet the provisions of Section 22-5-3 – Residential zoning districts Minimum Yard requirements and Section 22-7-3.2 – Off-street parking and loading requirements (number of parking spaces).
  - 3. Non-conforming lot width between 40' and 50' shall only be permitted one (1) driveway per lot frontage, adjacent to public right-of-way. Not more than two (2) vehicles shall be allowed per 'stacked' parking area design.