



# St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
[www.sbpgr.net](http://www.sbpgr.net)

**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*

**#20**

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, MARCH 20, 2018 AT THREE O'CLOCK P.M.

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

## ORDINANCE SBPC #2039-03-18

### Summary No. 3565

Introduced by: Administration on 3/6/18

Planning Commission recommended **APPROVAL** on 2/27/18

Public hearing held on 3/20/18

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 22-4; GENERAL PROVISIONS, AND SUB SECTION 22-4-2.13; PROJECTIONS INTO REQUIRED YARDS AS WELL AS SUB SECTION 22-4-2.14; ACCESSORY BUILDINGS AND STRUCTURES OF THE ST. BERNARD CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** The St. Bernard Parish Council hereby amends Chapter 22: Zoning; Section 22-4: General Provisions; and Sub Section 22-4-2.13 Projections into required yards and Sub Section 22-4-2.14: Accessory buildings and structures of the St. Bernard Parish Code of Ordinances 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 of this Ordinance with the invalid portions omitted.



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Extract #20 continued  
March 20, 2018

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

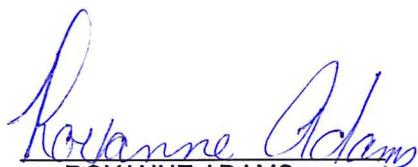
**YEAS:** McCloskey, Gorbaty, Luna, Alcon, Montelongo, Lewis

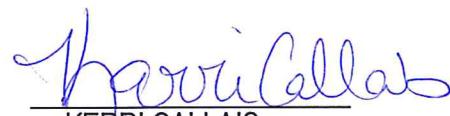
**NAYS:** None

**ABSENT:** None

The Council Chair, Ms. Callais, cast her vote as YEA.

And the motion was declared adopted on the 20<sup>th</sup> day of March, 2018.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
KERRI CALLAIS  
COUNCIL CHAIR

Delivered to the Parish President 3/22/2018 12:55pm  
Date and Time

Received by

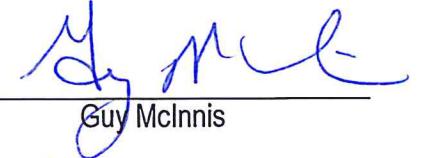
Magen Campu

Approved



Vetoed

Parish President

  
Guy McInnis

Returned to Clerk of the Council

3/22/2018 4:15pm  
Date and Time

Received by

Jennifer Lemaine

**EXHIBIT "A"**  
**SUMMARY NO. 3565**  
**ORDINANCE SBPC #2039-03-18**

## Chapter 22 – Zoning

## Section 22-4 – General Provisions

### Subsection 22-4-2.13 – Projections into required yards

- a) Buildings or structures shall provide for at least three (3) feet of sky clearance. Ordinary projections such as roofs, gutters or eaves may project up to eighteen (18) inches from the building and into the required sky clearance area.
  - b) A carport or porte-cochere, attached to the main building, may be constructed in a required side yard provided that such carport or porte-cochere is at least three (3) feet removed from the nearest side lot line, and that the combined length of such carport does not exceed forty (40) feet, and that the height of such carport does not exceed fourteen (14) feet at the eave. A carport attached to the main building shall be unenclosed on the street side and on the side nearest the side lot line.
  - c) An open unenclosed uncovered porch, terrace or steps not greater in elevation than the ground floor may project into a required front yard a distance not more than ten (10) feet, but in no case no more than half the distance from the building line to the front property line, or project into a required side yard to a point not closer than three (3) feet to any side lot line. This shall not be interpreted to include or permit fixed marquees or canopies except where otherwise provided herein.

## Chapter 22 – Zoning

## Section 22-4 – General Provisions

#### Subsection 22-4-2.14 – Accessory buildings and structures

- a) The following provisions shall regulate the location of accessory buildings with respect to required yards:
    - (1) Accessory buildings and carports shall be prohibited in any required front yard or side street side yard.
    - (2) Where an accessory building is located in a zone requiring a side yard and such building is entirely to the rear of the principal structure, the accessory building shall be distant at least three (3) feet (sky clearance) from any adjoining lot line.
    - (3) Where any portion of an accessory building projects between a principal structure and the side lot line, the accessory building shall comply with the required side yard restriction for a principal structure in the zone in which it is located.
    - (4) Where a corner lot adjoins in the rear a lot in any residential zone, no part of an accessory building shall extend closer to the street than the actual or required depth, whichever is less, of the front yard for the principal structure on the adjoining lot.
  - b) Accessory buildings (not including detached carports) shall not exceed eighteen (18) feet in mean height except for barns, boat docks and other such agricultural and fishing-related accessory structures in an A-1 Rural Zone. Detached carports shall not exceed sixteen (16) feet in height at the ridge and fourteen (14) feet in height at the eave.

**EXHIBIT "A"**  
**SUMMARY NO. 3565**  
**ORDINANCE SBPC #2039-03-18**

- c) Where any portion of or entire accessory building in a residential zone occupies the required rear yard, said portion or entire accessory building shall not occupy more than seventy (70) percent of the required rear yard.
- d) Metal accessory buildings shall not exceed one hundred twenty (120) square feet and nine (9) feet in height; and shall not be located closer than fifty (50) feet to a front property line.
- e) For purposes of this chapter, shipping containers, cargo containers, railroad cars, truck vans, converted mobile homes, trailers, recreational vehicles, bus bodies, vehicles and similar prefabricated items and structures originally built for purposes other than the storage of goods and materials are not accessory storage buildings.
  - (1) A shipping container or similar items are prohibited from the following zoning districts: R-1, R-2, R-3, R-1(M), R-4, RO, C-1, C-2, C-3 and SBV.
  - (2) Shipping containers or similar items are not subject to variances or waivers by the board of zoning adjustments in zoning districts where prohibited.
  - (3) Shipping containers or similar items may be used for the temporary location of an office, equipment and/or materials storage structure during non-residential construction which is taking place on the property where the shipping container or similar item is located, subject to an active building permit.
  - (4) The temporary placement of portable site storage containers (PODS) not exceeding one hundred fifty (150) square feet in total area on residentially zoned properties, or on properties the primary use of which is residential, for a limited purpose of loading and unloading household contents shall be permitted for a period of time not exceeding thirty (30) days in any twelve-month period. An extension is subject to the review and approval of the director of the department of community development.