

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 2947 AAIL ORDINANCE COUNCIL SERIES NO. _____

COUNCIL SPONSOR: MR. GOULD PROVIDED BY: COUNCIL OFFICE

REINTRODUCED BY: MR. BAGERT SECONDED BY: MR. GOULD

ON THE 2ND DAY OF DECEMBER 2004.

ORDINANCE TO AMEND THE ST. TAMMANY PARISH CODE OF ORDINANCES, APPENDIX B, LAND USE REGULATIONS ORDINANCE (ORDINANCE NO. 523), SECTION 5.11 SIDE YARDS, SECTION 5.13 ACCESSORY BUILDINGS & STRUCTURES AND SECTION 10 - DEFINITIONS - ACCESSORY BUILDING, ACCESSORY STRUCTURE OR USES. (ZC04-08-065)

WHEREAS, the St. Tammany Parish Council has determined that it is necessary to amend parish land use regulations to provide for clarifications in the accessory structure provisions; and

WHEREAS, the unprecedented growth and development experienced by this Parish mandates that more comprehensive restrictions be placed in order to protect citizens and property.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that the St. Tammany Parish Land Use Regulatory Ordinance No. 523, specifically, Section 5.11 Side Yards, be hereby amended to henceforth read as follows:

1. For the purpose of the side-yard and lot frontage regulations, a two-family, three-family, or four-family dwelling, a group of town houses, a multiple-family dwelling, electric substation, telephone exchanges, or telephone repeater structures for public utility purposes shall be considered as one building occupying one lot.

~~2. A carport/garage, attached to or detached from the main building, may be constructed in a required side yard or may be attached to an enclosed accessory building. No wall of such accessory building shall be less than forty (40) feet from the front lot line nor less than five (5) feet from the side lot line, that the combined length of such carport/garage and accessory building does not exceed forty (40) feet, and that the height of such carport or accessory building does not exceed fourteen (14) feet.~~

3. 2. Where a side yard(s) is not required, but is provided, such yard(s) shall not be less than three (3) feet in width paralleling the side lot line.

BE IT FURTHER ORDAINED that the St. Tammany Parish Land Use Regulatory Ordinance No. 523, Section 5.13 Accessory Buildings & Structures, be hereby amended to henceforth read as follows:

1. ~~Except as hereinafter provided (for a corner lot see paragraph 3 of this section); Any accessory building may be built in a required side rear yard. However, an accessory building must be located shall not be less than at least forty (40) feet from the front lot line, ten (10') feet from an interior rear lot line, ten (10') feet nor closer than five (5) feet from the nearest interior side lot line and fifteen (15') feet from the nearest side street lot line. On through lots, an accessory building must be located at least forty (40) feet from the designated rear lot line. may be built in a required side yard if no part of such accessory is less than five (5) feet from the nearest interior side lot line and no portion of such building is located in either required front yard:~~

Accessory buildings placed on buildable lots of record, or any accessory building under 100 square feet in area, must be located at least twenty-five (25') feet from the front lot line, five (5') feet from an interior rear lot line, five (5') feet from the nearest interior side lot line and ten (10') feet from the nearest side street lot line. On through lots, an accessory building must be located at least twenty-five (25') feet from the designated rear lot line.

2. **The size of any accessory buildings may be built in required rear yards; but such accessory buildings shall not exceed seven and one half (7 ½ %) percent of the area of the lot on which the main building is situated. occupy more than forty (40) percent of the required rear yard; provided in any case where accessory buildings are not built on the side or rear lot line.**

3. ~~On corner lots where a side yard or a front yard on a side street is required there shall be a minimum distance between any accessory building and the side street. Where a lot adjoining the rear of a corner lot fronts on the side street, no part of any accessory building on the corner lot within fifteen (15) feet of the common lot line shall project beyond the prolongation of the front yard line of the lot in the rear; provided, however, that this limitation shall not reduce the length of the buildable area of the accessory building to less than twenty (20) feet.~~

4. **3. Except as otherwise provided in this ordinance; Accessory buildings or structures permitted in a required rear or side yard by this ordinance shall not be higher than the peak of the roof of the principal building in residentially zoned districts, exceed fourteen (14) in height. However, in any case, an accessory building or structure in a residentially zoned district cannot exceed twenty (20') feet in height.**

5. ~~Accessory buildings may project from the required rear yard into a required side yard on or approximately parallel to an interior side lot line, provided no portion of the accessory building is located more than ten (10) feet from the rear property line and five (5) feet from the side lot line.~~

6. ~~The combined gross area of all accessory buildings or portions thereof located in required side and rear yards shall not exceed forty (40) percent of the required rear yard area, nor shall more than one accessory building cover any part of a required side yard.~~

7. ~~Filling station pumps and pump islands, without canopies or with canopies attached to a main building, may occupy the required yards; provided, however, that pumps, pump islands, and canopies are not less than fifteen (15) feet from the rear of the Front Yard Planting Area.~~

8. ~~Accessory swimming pools, open and unenclosed, may occupy a required rear or side yard provided the water's edge is not located closer than four (4) feet to a rear or interior side lot line. Adequate hand holding provisions shall be made for pool entry and exit. Every swimming pool shall be protected by a safety fence or barrier. A walk space at least three (3) feet in width shall be provided on two sides or 50% of the exterior of the pool, whichever is greater, between the pool walls and protective fences or barrier walls.~~

9. ~~Power plants, heating or refrigerating plants or apparatus or machinery not a part of the main building and when accessory to permitted uses shall be permitted in the buildable area or required side or rear yards only when so placed and operated as to cause the least inconvenience to owners and tenants of adjoining lots and buildings; and provided that all of the above mentioned activities comply with existing Parish Ordinances and do not cause serious annoyance or injury to occupants of adjoining premises by reason of the emission of odors, fumes, or gases, dust, smoke, noise or vibration, light, glare, or other nuisances.~~

~~10.4.~~ 4. No accessory building may be located in a required front yard. Fences, signs, lighting, paved driveways and other accessory structures may be located in required front yards, **subject to meeting Parish site triangle requirements, when applicable.**

~~11.~~ Accessory building and structures may be located in a required rear yard, providing they not cover more than forty (40) percent of said yard and that no accessory building is located less than ten (10) feet from the rear lot line.

~~12.~~ Accessory building and structures may be located in a required side yard, providing that no accessory building is located less than five (5) feet from the side lot line.

~~13.5.~~ 5. In all single-family residential districts, no accessory buildings or structures, **greater than on hundred (100) square feet in combined gross area,** shall be constructed prior to construction of the primary structure ~~without an Administrative Permit issued by the Department of Permits and Inspections.~~

6. The combined length of an accessory structure shall not exceed fifty (50) feet in all residential districts.

7. Agricultural buildings are permitted in R (Rural), SA (Suburban Agricultural) & A-1 (Suburban) Districts on lots with a minimum area of 5 acres of land. There is no size limitations for an agricultural building, with the exception of the standard seven and one half (7 ½ %) percent maximum building coverage for non-residential structures.

BE IT FURTHER ORDAINED that the St. Tammany Parish Land Use Regulatory Ordinance No. 523, Section 10 - Definitions - Accessory Building, Accessory Structures & Uses, be hereby amended to henceforth read as follows:

Accessory Building, Accessory Structure or Uses. An "accessory building, accessory structure or use" is one which:

- a. Is subordinate to and serves a principal building or principal use;
- b. Is subordinate in area, extent or purpose to the principal building or principal use served;
- c. Contributes to the comfort, convenience or necessity of occupants of the principal building or principal use served;
- d. Is located on the same zoning lot as the principal building or principal use served with the single exception of such accessory off-street parking facilities as are permitted to locate elsewhere than on the same zoning lot with the building or use served;
- e. ~~Occupies not more than five (5) percent of the area of the lot on which the main building is situated and which is not higher than the principal building and in residentially zoned districts shall not exceed twenty (20) feet in height.~~

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REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective fifteen (15) days after adoption.

MOVED FOR ADOPTION BY: _____, SECONDED BY: _____

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE ____ DAY OF _____, 2004; AND BECOMES ORDINANCE COUNCIL SERIES NO. 04-_____.

PATRICIA BRISTER, COUNCIL CHAIRMAN

ATTEST:

DIANE HUESCHEN, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published Introduction: _____, 2004

Published Adoption: _____, 2004

Delivered to Parish President: _____, 2004 @ _____

Returned to Council Clerk: _____, 2004 @ _____