

1 Introduced April 23, 2019, by Councilwoman  
2 Harbison, seconded by Councilman Borchert,  
3 (by request of Administration)

4 **Item No. 19-04-3270**

5 **ORDINANCE NO. 3938**

6  
7 An ordinance amending the Code of Ordinances of the City of Slidell,  
8 Appendix A- Zoning, Part 7. Board of Adjustment, Section 7.2. Powers of the board, by  
9 adding language giving authority to the City Planning Director to approve setback  
10 encroachments created as a result of elevating residential structures.

11 WHEREAS, many of Slidell's single-family homes were constructed before  
12 there was a Flood Insurance Study, therefore they were not built to meet today's flood  
13 plain regulations; and

14  
15 WHEREAS, most of these single-family homes were built slab-on-grade and  
16 as close to the allowed lot setback line as possible to maximize the building's size.  
17 Entrances were usually constructed at grade, and equipment servicing the building was  
18 located on the ground usually within the side yard; and

19  
20 WHEREAS, the City of Slidell encourages homes at risk of flooding to be  
21 elevated. When a structure is elevated, landings and stairs must be constructed to provide  
22 safe access from the elevated landing to the ground. Equipment servicing the building  
23 must be relocated to platforms that are elevated above the flood elevation requirement.  
24 With the addition of landings, stairs and platforms, encroachments into the required yard  
25 setbacks are unavoidable and out of the control of the property owner; and

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27 WHEREAS, encroachments into a setback are prohibited, unless a Variance  
28 is granted by the Board of Zoning Adjustments (BZA). The Variance review process can  
29 take as long as 45 days from application to decision. In most cases involving  
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4 encroachments into the setback due to elevation, the BZA acknowledges primacy of  
5 protecting the structure from future flooding and approves the Variance request; and  
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7 WHEREAS, the City of Slidell Administration wishes to amend Appendix A  
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9 Zoning, Part 7, Section 7.2 to include language giving authority to the City Planning  
10 Director to approve setback encroachments created as a result of elevating residential  
11 structures; and  
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13  
14 WHEREAS, protecting homes from the risk of flooding should take  
15 precedence over encroachments into the yard setbacks created by an elevation; and  
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17 WHEREAS, in the majority of cases the Variance requested is reasonable  
18 and the process of review and approval by the BZA has become perfunctory and might be  
19 more efficiently handled administratively; and  
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22 WHEREAS, the Zoning Commission has issued a favorable recommendation  
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24 for said amendment.

25 NOW THEREFORE BE IT ORDAINED by the Slidell City Council that it  
26 hereby amends Appendix A – Zoning, Part 7. BOARD OF ADJUSTMENT, Section 7.2  
27 Powers of the board, by adding the following language:  
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31 “(4) Director of Planning and Building Safety is authorized to approve  
32 encroachments into required yard setbacks for stairs, landings, and  
33 equipment platforms required when a building is elevated up to the following  
34 distances:

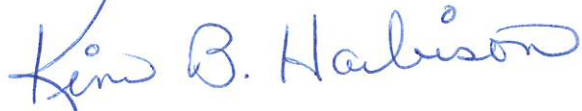
35 Front Yard:	Up to 10 feet of property line
36 Side Yards:	Up to 2 feet of property line
37 Rear Yard:	Up to 10 feet of property line

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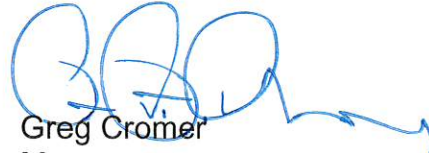
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5 Encroachments closer to the property line than those provided above must  
6 be referred to the Board of Zoning Adjustments for review and approval.”  
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9 **ADOPTED** this 28th day of May, 2019/

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11 Kim Harbison  
12 President of the Council  
13 Councilwoman, District F  
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16 Greg Cromer  
17 Mayor  
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19  
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21 Thomas P. Reeves  
22 Council Administrator  
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DELIVERED	5-30-19
<i>d. w. p. r.</i>	to the Mayor
RECEIVED	6/4/19
<i>q. w. a.</i>	from the Mayor