

November 20, 2017

The Board of Zoning Adjustment of the City of Sulphur, Louisiana, met in regular session at its regular meeting place located at 500 N. Huntington Street, Sulphur, Louisiana, held immediately following the Land Use Commission meeting at 5:30 p.m., on the 20th day of November, 2017, after full compliance with the convening of said meeting with the following members present:

LENORE CARROLL, BZA District 1  
PHYLLIS WILSON, BZA District 2  
MIKE MOORE, BZA District 3  
BILL McMULLEN, BZA District 4  
GERRIT LAWRENCE, BZA District 5

After the meeting was called to order and the roll called with the above results, prayer was led by Mr. Lawrence followed by the reciting of the Pledge of Allegiance led by Mr. McMullen.

Motion was made by Mr. Lawrence seconded by Mrs. Carroll that the minutes of the previous meeting stand as written. Motion carried unanimously.

Motion was then made by Mr. Lawrence seconded by Mrs. Carroll that item #4 be amended to read as follows:

- Resolution extending a variance for Tom Burton, 707 East Elizabeth Street, to allow for the continuance of temporary living in an RV while new home is being built.

Motion carried unanimously.

Motion was then made by Mr. Lawrence seconded by Mrs. Carroll that the agenda stand as amended. Motion carried unanimously.

The first item on the agenda is a resolution granting a variance to Martha Pousson, 306 #1 and 306 #2 South Post Oak Road to allow for metal awning to be located 2 feet from rear

property line rather than the required 10 feet. After discussion, motion was made by Mr.

Lawrence seconded by Mrs. Carroll that the following resolution be adopted to-wit:

Resolution granting a variance to Martha Pousson, 306 #1 and 306 #2 South Post Oak Road to allow for metal awning to be located 2 feet from rear property line rather than the required 10 feet.

WHEREAS, in accordance with Article IV, Part 3, Section 4 (4) (b) of the Land Use Ordinance of the City of Sulphur, Louisiana, rear setbacks shall be 10 feet from property line.

BE IT RESOLVED by the Board of Zoning Adjustment of the City of Sulphur, Louisiana, that they do hereby grant a variance to Martha Pousson, 306 #1 and 306 #2 South Post Oak Road to allow for metal awning to be located 2 feet from rear property line rather than the required 10 feet for the following described property:

WEST HALF OF LOT 2 BLK 1 MERWOOD PARK DUPLEXES

This variance is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said variance interfere with the rights and privileges owned by the City of Sulphur pursuant to a pre-existing right of way, servitude or easement. If withdrawn, any improvements constructed thereon shall be removed at the expenses of owner thereof.

Grantee hereby agrees and contracts to hold Grantor harmless from any damages created and/or caused by the granting of this variance, including, but not limited to, litigation defense, litigation costs, violation of subdivision restrictive covenants, building code violations or any other damages, property and/or monetary or otherwise, relating thereto.

Upon approval of this variance the owner of this variance shall be responsible for the recordation thereof, with the Clerk of Court, Calcasieu Parish, Louisiana, and shall provide the City of Sulphur a receipt evidencing recordation within 10 days of the effective date of this variance.

**No work shall commence until all applicable permits are obtained. In the event work is commenced prior to obtaining all applicable permits, this variance shall be withdrawn and considered null and void.**

A vote was then called with the results as follows:

YEAS: None

NAYS: Mrs. Carroll, Mrs. Wilson, Mr. Moore, Mr. McMullen, Mr. Lawrence

ABSENT: None

And the said resolution failed on this 20th day of November, 2017.

ATTEST:

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ARLENE BLANCHARD, Secretary

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MIKE MOORE, Chairman

The next item on the agenda is a resolution granting a variance to Kelsey Richard, 2517 Roxanne Street, to allow for grandmother to live in RV on east side of home. Mr. Richard stated that his grandmother has been living in the RV for two years. It's a dead-end street. Ms. Soileau (grandmother) addressed the Commission and stated that she doesn't have much longer to live due to her lung illness. Mrs. Carroll asked that they provide documentation from her doctor for the medical hardship. Motion was made by Mr. Lawrence seconded by Mr. Carroll that the below resolution be tabled until December 18<sup>th</sup> BZA meeting:

Resolution granting a variance to Kelsey Richard, 2517 Roxanne Street, to allow for grandmother to live in RV on east side of home.

BE IT RESOLVED by the Board of Zoning Adjustment of the City of Sulphur, Louisiana, that they do hereby grant a variance to Kelsey Richard, 2517 Roxanne Street, to allow for grandmother to live in RV for the following described property:

W 150 FT OF COM 200 FT W OF SE COR SW NW 36.9.10 W 300 FT N 200 FT ETC

Motion carried unanimously.

The next item on the agenda is a resolution granting a variance to Gary Babineaux, 4608 East Napoleon Street, to allow for RV to be temporarily placed for on-site Manager. Since this parcel is in an Industrial District it was discussed that in accordance with the permitted uses in an Industrial District, there can't be any single family detached, multi-family or mobile homes. Motion was then made by Mr. Lawrence seconded by Mrs. Carroll that the following resolution be adopted to-wit:

Resolution granting a variance to Gary Babineaux, 4608 East Napoleon Street, to allow for RV to be temporarily placed for on-site Manager.

BE IT RESOLVED by the Board of Zoning Adjustment of the City of Sulphur, Louisiana, that they do hereby grant a variance to Gary Babineaux, 4608 East Napoleon Street, to allow for RV to be temporarily placed for on-site Manager for the following described property:

COM WHERE THE W LINE OF S/2 NW 32.9.9 INTRSECTS WITH THE N LINE OF HWY 90 TH N 157.93 FT ALONG THE W LINE OF S/2 NW TO THE S R/W LINE OF SPRR R/W, TH E 664.47 FT ALONG THE S R/W LINE OF RR, TH S 157.28 FT PARL WITH THE W LINE OF S/2 NW TO THE N R/W LINE OF HWY 90, TH W 664.47 FT ALONG THE N R/W LINE OF SAID HWY 90 TO COM – CONT. 2.4 ACS WITH IMPS.

A vote was then called with the results as follows:

YEAS: None

NAYS: Mrs. Carroll, Mrs. Wilson, Mr. Moore, Mr. McMullen, Mr. Lawrence

ABSENT: None

And the said resolution failed on this 20th day of November, 2017.

ATTEST:

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ARLENE BLANCHARD, Secretary

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MIKE MOORE, Chairman

The next item on the agenda is a resolution extending a variance for Tom Burton, 707 East Elizabeth, to allow for the continuance of temporary living in an RV while new home is being built. Mrs. Burton addressed the Commission and stated that they need another 6 months. Motion was then made by Mr. Lawrence seconded by Mr. McMullen that the following resolution be adopted to-wit:

RESOLUTION AS AMENDED

Resolution extending a variance for Tom Burton, 707 West Elizabeth Street, to allow for the continuance of temporary living in an RV while new home is being built.

BE IT RESOLVED by the Board of Zoning Adjustment of the City of Sulphur, Louisiana, that they do hereby extend a variance for six months (i.e. May 20, 2018) for Tom Burton, 707 West Elizabeth Street, to allow for the continuance of temporary living in an RV while new home is being built for the following described property:

LT 3 BLK 13 OF OTS SULPHUR AND A TRACT OF LAND LYING W OF  
SAID LT 3 DESC AS: COM AT NW COR OF LT 3, BLK 13 OTS SULHUR TH  
A ALONG W LINE OF LT 3 A DIST OF 173 FT TO SW COR OF SAID LT 3,  
W 73 FT TO E BANK OF DRNG CANAL, N ALONG SAID BANK  
HEADWALL 129.4 FT TO S R/WAY OF ELIZABETH ST., E ALONG SAID  
R/WAY 35.5 FT TO POC.

Motion carried unanimously.

The next item on the agenda is a resolution granting a variance to Oak Creek Village, LLC, for Oak Creek Village Phase I and II to reduce the minimum required lot size from 6,000 to 5,500 sq. ft. for lots having a minimum of 50' front on a straight street, property located west of Beglis Parkway, east of Wright Road. Mr. Lawrence stated that he would rather wait until the annexation process for this property was voted on by Council before they grant these next three variances. After discussion, motion was made by Mr. Lawrence seconded by Mrs. Wilson that this item be tabled until January 16, 2018 BZA meeting:

Resolution granting a variance to Oak Creek Village, LLC, for Oak Creek Village Phase I and II to reduce the minimum required lot size from 6,000 to 5,500 sq. ft. for lots having a minimum of 50' front, for property located west of Beglis Parkway, east of Wright Road.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mrs. Wilson, Mr. Moore, Mr. McMullen, Mr. Lawrence  
NAYS: None  
ABSENT: None

And the said resolution was tabled until January 16, 2018 on this 20th day of November, 2017.

ATTEST:

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ARLENE BLANCHARD, Secretary

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MIKE MOORE, Chairman

The next item on the agenda is a resolution granting a variance to Oak Creek Village, LLC, for Oak Creek Village Phase I and II to reduce the minimum required lot size from 10,000 sq. ft. to 9,500 sq. ft. for lots having a minimum of 30' front which are located on a knuckle or

cul-de-sac, property located west of Beglis Parkway, east of Wright Road. Motion was made by Mr. Lawrence seconded by Mrs. Wilson that the following resolution be tabled until January 16, 2018 BZA meeting:

Resolution granting a variance to Oak Creek Village, LLC, for Oak Creek Village Phase I and II to reduce the minimum required lot size from 10,000 sq. ft. to 9,500 sq. ft. for lots having a minimum of 30' front which are located on a knuckle or cul-de-sac, property located west of Beglis Parkway, east of Wright Road.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mrs. Wilson, Mr. Moore, Mr. McMullen, Mr. Lawrence

NAYS: None

ABSENT: None

And the said resolution was tabled until January 16, 2018 on this 20th day of November, 2017.

ATTEST:

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ARLENE BLANCHARD, Secretary

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MIKE MOORE, Chairman

The next item on the agenda is a resolution granting a variance to Oak Creek Village, LLC, for Oak Creek Village Phase I and II to allow for front setbacks to be 20' rather than the required 30', property located west of Beglis Parkway, east of Wright Road. Motion was made by Mr. Lawrence seconded by Mr. Wilson that the following resolution be tabled until January 16, 2018 BZA meeting:

Resolution granting a variance to Oak Creek Village, LLC, for Oak Creek Village Phase I and II to allow for front setbacks to be 20' rather than the required 30' for property located west of Beglis Parkway, east of Wright Road.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mrs. Wilson, Mr. Moore, Mr. McMullen, Mr. Lawrence

NAYS: None

ABSENT: None

And the said resolution was tabled until January 16, 2018 on this 20th day of November, 2017.

ATTEST:

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ARLENE BLANCHARD, Secretary

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MIKE MOORE, Chairman

The next item on the agenda is Public to Address Council. Bill LeBlanc, Roberta Drive, addressed the Commission and asked if the applicant would still want to come into the City if the above 3 variances failed. Here lately the Commission has been granting variances from 6,000 sq. ft. lots to 5,500 sq. ft. Rather than granting all these variances, why don't they just amend the ordinance to 5,500 sq. ft. lots. There are no hardships in these 3 variances, only monetary.

There being no further business to come before the Board, the Chairman declared the meeting adjourned.

ATTEST:

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ARLENE BLANCHARD, Secretary

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MIKE MOORE, Chairman

11/20/17