

July 16, 2018

The Board of Zoning Commission of the City of Sulphur, Louisiana, met in regular session at its regular meeting place located at 500 N. Huntington Street, Sulphur, Louisiana, at 5:30 p.m., on the 16th day of July, 2018, after full compliance with the convening of said meeting with the following members present:

PHYLLIS WILSON, Land Use Commission District 2
MIKE MOORE, Land Use Commission District 3
BILL McMULLEN, Land Use Commission District 4
JONATHAN BRAZZELL, Land Use Commission of District 5

ABSENT: LENORE CARROLL, Land Use Commission District 1

After the meeting was called to order and the roll called with the above results, prayer was led by Mr. Brazzell followed by the reciting of the Pledge of Allegiance led by Mr. Moore. Motion was then made by Mr. Brazzell seconded by Mr. Moore that the minutes of the previous meeting stand as written. Motion carried unanimously.

Motion was then made by Mr. McMullen seconded by Mr. Brazzell that the agenda stand as written. Motion carried unanimously.

The first item on the agenda is a resolution electing a Chairman and Vice-Chairman. Motion was made by Mr. Moore seconded by Mr. Brazzell that the following resolution be adopted to-wit:

RESOLUTION

Resolution electing a Chairman and Vice-Chairman for the Board of Zoning Adjustment of the City of Sulphur.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby elect Lenore Carroll as Chairman and Phyllis Wilson as Vice-Chairman for the Board of Zoning Adjustment of the City of Sulphur.

A vote was then called with the results as follows:

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

And the said resolution was declared duly adopted on this 16th day of July, 2018.

ATTEST:

ARLENE BLANCHARD, Secretary

PHYLLIS WILSON, Vice-Chairman

The next item on the agenda is a resolution granting a variance to Alfred Gintz, 2317 Roxanne Street, to allow for the height of accessory structure to exceed the height of principal structure (principal structure 12 ft – accessory structure 23 ft at peak). Motion was made by Mr. McMullen seconded by Mr. Moore that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting a variance to Alfred Gintz, 2317 Roxanne Street, to allow for the height of accessory structure to exceed the height of principal structure.

WHEREAS, in accordance with Article IV, Part 2, Section 3 (2) (c) of the Land Use Ordinance of the City of Sulphur, Louisiana, an accessory structure shall not exceed the height of the principal structure to which it is accessory; and

WHEREAS, the primary structure reaches a height of 12 feet and the applicant is requesting the accessory structure will reach a height of 23 feet.

BE IT RESOLVED by the Board of Zoning Adjustment of the City of Sulphur, Louisiana, that they do hereby grant a variance to Alfred Gintz, 2317 Roxanne Street, to allow for the height of the accessory structure to be 11 feet taller than the principal structure for the following described property:

COM 320 FT OF SW COR SW 36.9.10 N 200 FT E 50 FT ETC.

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: Mrs. Wilson, Mr. Moore, Mr. McMullen, Mr. Brazzell

NAYS: None

ABSENT: Mrs. Carroll

And the said resolution was declared duly adopted on this 16th day of July, 2018.

ATTEST:

ARLENE BLANCHARD, Secretary

PHYLLIS WILSON, Vice-Chairman

The next item in the agenda is a resolution granting the following variances to Bel Commercial LLC for Cedars Subdivision Phase I, property located south of Sabine Canal, west of Wright Road:

1. Increase allowed building coverage from required 40% of parcel to 50%
2. Reduce total allowed lot area to 5,500 sq. ft. rather than the required 6,000 sq. ft.
3. Reduce cul-de-sac lots from required 10,000 sq. ft. to 6,000 sq. ft.
4. Reduce front setbacks from required 30 ft. to 12 ft. for residence and 20 ft. for the garage
5. Measurements to be taken from building face rather than required eaves
6. Reduce the side corner setback from required 15 ft. to 12.5 ft.

After much discussion, motion was made by Mr. Moore seconded by Mr. McMullen that the following resolution be adopted to-wit:

RESOLUTION

Resolution accepting Preliminary Plat from Bel Commercial LLC, for The Cedars Subdivision, Phase I, located south of Sabine Canal, west of Wright Road.

WHEREAS, Bel Commercial, LLC, has submitted application to accept Preliminary Plat for The Cedars Subdivision, Phase I; and

WHEREAS, improvements on the property include the following variances which shall be contingent upon adoption by the Board of Zoning Adjustment on Monday, July 16, 2018:

1. Increase allowed building coverage from 40% to 50%.
2. Reduce total allowed lot area from 6,000 sq. ft. to 5,500 sq. ft.
3. Reduce required size of cul-de-sac lots from 10,000 sq. ft. to 6,000 sq. ft.
4. Reduce front setbacks from 30 ft. to 12 ft. for residence and 20 ft. for garage.
5. Measurements to be taken from building face.
6. Reduce side corner setback from 15 ft. to 12.5 ft.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby accept Preliminary Plat from Bel Commercial, LLC, for The Cedars Subdivision, Phase I, for the following described property:

THAT CERTAIN TRACT OF LAND SITUATED IN SECTION 15, TOWNSHIP 10 SOUTH, RANGE 10 WEST, CITY OF SULPHUR, CALCASIEU PARISH, LOUISIANA, CONTAINING 23.494 ACRES AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF CENTERLINE OF WRIGHT ROAD AND RAVIA ROAD, SAID POINT BEING THE POINT OF COMMENCEMENT (P.O.C.); THENCE PROCEED ALONG A BEARING OF SOUTH 39°58'31" WEST A DISTANCE OF 39.31 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING (P.O.B.).

THENCE PROCEED ALONG A BEARING OF NORTH 88° 23' 50" WEST FOR A DISTANCE OF 1326.07 FEET TO A POINT;
THENCE PROCEED ALONG A BEARING OF NORTH 01° 03' 40" EAST FOR A DISTANCE OF 218.37 FEET TO A POINT;
THENCE PROCEED ALONG A BEARING OF SOUTH 89° 27' 26" EAST FOR A DISTANCE OF 723.87 FEET TO A POINT;
THENCE PROCEED ALONG A BEARING OF NORTH 00° 32' 34" EAST FOR A DISTANCE OF 170.00 FEET TO A POINT;
THENCE PROCEED ALONG A BEARING OF NORTH 89° 27' 26" WEST FOR A DISTANCE OF 65.00 FEET TO A POINT;
THENCE PROCEED ALONG A BEARING OF NORTH 00° 32' 34" EAST FOR A DISTANCE OF 765.00 FEET TO A POINT;
THENCE PROCEED ALONG A BEARING OF SOUTH 89° 27' 26" EAST FOR A DISTANCE OF 65.00 FEET TO A POINT;

THENCE PROCEED ALONG A BEARING OF NORTH 00° 32' 34" EAST FOR A DISTANCE OF 176.20 FEET TO A POINT;

THENCE PROCEED ALONG A BEARING OF NORTH 89° 47' 16" EAST FOR A DISTANCE OF 598.64 FEET TO A POINT;

THENCE PROCEED ALONG A BEARING OF SOUTH 00° 29' 00" WEST FOR A DISTANCE OF 1361.98 FEET TO THE POINT OF BEGINNING.

NOW THEREFORE, BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby accept the Preliminary Plat from Bel Commercial LLC, for The Cedars Subdivision, Phase I, with the following variances being contingent upon adoption by the Board of Zoning Adjustment on Monday, July 16, 2018:

1. Increase allowed building coverage from 40% to 50%.
2. Reduce total allowed lot area from 6,000 sq. ft. to 5,500 sq. ft.
3. Reduce required size of cul-de-sac lots from 10,000 sq. ft. to 6,000 sq. ft.
4. Reduce front setbacks from 30 ft. to 12 ft. for residence and 20 ft. for garage.
5. Measurements to be taken from building face.
6. Reduce side corner setback from 15 ft. to 12.5 ft.

A vote was then called with the results as follows:

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

NAYS: Mr. Brazzell

ABSENT: Mrs. Carroll

And the said resolution was declared duly adopted on this 16th day of July, 2018.

ATTEST:

ARLENE BLANCHARD, Secretary

PHYLLIS WILSON, Vice-Chairman

The next item on the agenda is a resolution granting the following variances to Melvin Ceasar, 933 Alice Street:

1. Allow front foot dimension of west parcel to be 45.10 ft. rather than the required 50 ft.
2. Allow sq. ft. of east parcel to be 3,614 sq. ft. rather than the required 5,000 sq. ft.

Motion was made by Mr. McMullen seconded by Mr. Moore that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting a variance to Melvin Ceasar, 933 Alice Street, to allow for the front foot dimension of west parcel to be 45.10 feet rather than the required 50 feet and to allow the square footage of the east parcel to be 3,614 square feet rather than the required 5,000 square feet.

WHEREAS, in accordance with Article IV, Part 3, Section 4 (4) (a) and (b) of the Land Use Ordinance of the City of Sulphur, Louisiana, no front foot dimension of a lot shall be less than 50 feet. The total area of a lot shall not be less than 5,000 square feet (retail and service); and

BE IT RESOLVED by the Board of Zoning Adjustment of the City of Sulphur, Louisiana, that they do hereby grant a variance to Melvin Ceasar, 933 Alice Street, to allow for the front foot dimension of west parcel to be 45.10 feet rather than the required 50 feet and to allow the square footage of the east parcel to be 3,614 square feet rather than the required 5,000 square feet for the following described property:

PARENT TRACT:

DESCRIPTION SURVEY OF A PORTION OF LOT 4, C.B. RICHARD, A SUBDIVISION OF THE SOUTHWEST QUARTER, OF THE NORTHWEST QUARTER (SW/4 OF NW/4) OF SECTION 35, TOWNSHIP 9 SOUTH, RANGE 10 WEST, BEING MORE PARTICULARLY DESCRIBE AS:
COMMENCING AT A POINT 100.0 FEET NORTH AND 460.0 FEET EAST OF SOUTHWEST CORNER OF SAID LOT 4, THENCE S 89°58'16"E A DISTANCE OF 98.61', THENCE S 0° 10' 32 E, A DISTANCE OF 97.38', THENCE N 89°58'16" W, A DISTANCE OF 98.61', THENCE N 0°10'32" W, A DISTANCE OF 97.38', TO THE POINT OF COMMENCEMENT, CONTAINING 0.22 ACRES MORE OR LESS.

TRACT 1:

DESCRIPTION SURVEY OF A PORTION OF LOT 4, C.B. RICHARD, A SUBDIVISION OF THE SOUTHWEST QUARTER, OF THE NORTHWEST QUARTER (SW/4 OF NW/4) OF SECTION 35, TOWNSHIP 9 SOUTH, RANGE 10 WEST, BEING MORE PARTICULARLY DESCRIBED AS:
COMMENCING AT A POINT 100.0 FEET NORTH AND 505.10 FEET EAST OF SOUTHWEST CORNER OF SAID LOT 4, THENCE S 89°14'31" E, A DISTANCE OF 53.51', THENCE S 0°33'16" W, A DISTANCE OF 67.51', THENCE N 89°14'28" W, A DISTANCE OF 53.56', THENCE N 0°36'01" E, A DISTANCE OF 67.51' TO THE POINT OF COMMENCEMENT, CONTAINING 0.08 ACRES MORE OR LESS.

TRACT 2:

DESCRIPTION SURVEY OF A PORTION OF LOT 4, C.B. RICHARD, A SUBDIVISION OF THE SOUTHWEST QUARTER, OF THE NORTHWEST

QUARTER (SW/4 OF NW/4) OF SECTION 35, TOWNSHIP 9 SOUTH, RANGE 10 WEST, BEING MORE PARTICULARLY DESCRIBED AS:
COMMENCING AT A POINT 100.0 FEET NORTH AND 460 FEET EAST OF SOUTHWEST CORNER OF SAID LOT 4, THENCE S 89°14'31" E, A DISTANCE OF 45.10, THENCE S 0°36'01" W, A DISTANCE OF 67.51', THENCE S 89°14'28" E, A DISTANCE OF 53.56', THENCE S 0°33'16" W, A DISTANCE OF 30.0', THENCE N 89°14'28" W, A DISTANCE OF 98.69', THENCE N 0°36'01" E, A DISTANCE OF 97.51', TO THE POINT OF COMMENCEMENT, CONTAINING 0.14 ACRES MORE OR LESS.

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: Mrs. Wilson, Mr. Moore, Mr. McMullen, Mr. Brazzell

NAYS: None

ABSENT: Mrs. Carroll

And the said resolution was declared duly adopted on this 16th day of July, 2018.

ATTEST:

ARLENE BLANCHARD, Secretary

PHYLLIS WILSON, Vice-Chairman

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

ATTEST:

ARLENE BLANCHARD, Secretary

PHYLLIS WILSON, Vice-Chairman

7/16/18

6:30 P.M.