

AGENDA
BOARD OF ZONING ADJUSTMENT
REGULAR MEETING
TUESDAY, FEBRUARY 18, 2020 AT 5:30 P.M.

THERE WILL BE A REGULAR MEETING OF THE SULPHUR BOARD OF ZONING ADJUSTMENT ON TUESDAY, FEBRUARY 18, 2020 AT 5:30 P.M. IN THE CITY COUNCIL CHAMBERS LOCATED AT 500 NORTH HUNTINGTON, SULPHUR, LOUISIANA TO ADOPT THE FOLLOWING:

CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE
ROLL CALL
APPROVAL OF MINUTES
APPROVAL OF AGENDA

1. Resolution granting a variance to Wilton Fruge and Ray Fruge, 708 Pitre Street, to allow for front footage to be 48.75 feet rather than the required 50 feet.
2. Resolution granting a variance to Roger Burgess, 2321 Royal Oak Lane, to allow for living in an RV until new mobile home is delivered.
3. Resolution granting a variance to Amrik Khinda – HPS Enterprises, LLC, 4848 East Napoleon Street, to allow for rear setback to be 7 feet rather than the required 10 feet.

ADJOURNMENT

******(Anyone addressing Council will be limited to speak for 3 minutes only)**

If you are not satisfied with the outcome of the Board of Zoning Adjustment decision, you can appeal it to Judicial Court.

***The next BZA meeting will be held on Monday, March 16, 2020 at 5:30 p.m.

In accordance with the Americans with Disabilities Act, if you need special assistance to attend this meeting, please contact Arlene Blanchard at 527-4500, describing the assistance that is necessary.

RESOLUTION

Resolution granting a variance to Wilton Fruge and Ray Fruge, 708 Pitre Street, to allow for front footage to be 48.75 feet rather than the required 50 feet.

WHEREAS, in accordance with Article IV, Part 3, Section 2 (3) (b), no front foot dimension of a lot shall be less than fifty (50) feet.; and

WHEREAS, applicant is requesting the front foot dimension to be 48.75 feet rather than the required 50 feet for the following described property:

TRACT 1:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 9 SOUTH, RANGE 10 WEST, CALCASIEU PARISH, LOUISIANA; THENCE SOUTH 234.81 FEET AND EAST 41.25 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°06'27" EAST, A DISTANCE OF 250.00 FEET; THENCE SOUTH 00°48'47" WEST, A DISTANCE OF 79.43 FEET; THENCE NORTH 88°57'11" WEST, A DISTANCE OF 230.00 FEET; THENCE NORTH 33°55'51" WEST A DISTANCE OF 35.09 FEET; THENCE NORTH 00°48'47" EAST, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING, CONTAINING 19485.30 SQUARE FEET OR 0.45 ACRES, MORE OR LESS.

TRACT 2:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 9, SOUTH, RANGE 10 WEST, CALCASIEU PARISH, LOUISIANA; THENCE SOUTH 284.81 FEET AND EAST 40.92 FEET TO THE POING OF BEGINNING; THENCE SOUTH 33°55'51" EAST A DISTANCE OF 35.09 FEET; THENCE SOUTH 88°57'11" EAST, A DISTANCE OF 230.00 FEET; THENCE NORTH 00°48'47" EAST, A DISTANCE OF 79.43 FEET; THENCE SOUTH 89°06'27" EAST, A DISTANCE OF 152.45 FEET; THENCE SOUTH 00°23'57" WEST, A DISTATNCE OF 99.84 FEET; THENCE NORTH 88°57'11" WEST, A DISTANCE OF 403.18 FEET; THENCE NORTH 00°48'47" EAST, A DISTANCE OF 48.75 FEET TO THE POINT OF BEGINNING, CONTAINING 20513.15 SQUARE FEET OR 0.47 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.

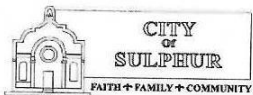
BE IT RESOLVED by the Board of Zoning Adjustment of the City of Sulphur, Louisiana, that they do hereby grant a variance to Wilton Fruge and Ray Fruge, 708 Pitre Street, to allow for front footage to be 48.75 feet rather than the required 50 feet.

APPROVED AND ADOPTED by
the Board of Zoning Adjustment of the
City of Sulphur, Louisiana, on this
_____ day of _____, 2020.

PHYLLIS WILSON, Chairman

ATTEST:

ARLENE BLANCHARD, Secretary



CITY OF SULPHUR
APPLICATION FOR
DEVELOPMENT APPROVAL - VARIANCE

Date Received

1-23-20

\$50.00 Fee (Non-Refundable)

pd. (AB)

IT IS APPLICANT'S RESPONSIBILITY TO KEEP SIGN POSTED ON PROPERTY. IF SIGN ISN'T PLACED ON PROPERTY 10 DAYS PRIOR TO MEETING DATE PLEASE NOTIFY CITY. IF SIGN IS REMOVED IT COULD DELAY ACTION ANOTHER MONTH. ONCE BZA APPROVES/DISAPPROVES, APPLICANT MUST REMOVE SIGN FROM PROPERTY

Print Name WILTON FRUGE

Date 1/23/2020

PROPERTY OWNER INFORMATION

Name of Property Owner WILTON FRUGE & Ray Allen FRUGE

(Owner must provide proof of ownership such as property tax record or recorded deed)

Mailing Address: 625 Petra St Sulphur, La Email: KATUNMAN49@aol.com

Phone Number (H) 225 610 0445 (W) (C)

PROPERTY INFORMATION

Location Address: 708 Petra St

Present Zoned Classification: mixed

LEGAL DESCRIPTION FROM ABSTRACT OR TAX RECORD (PRINT NEATLY OR TYPE)

Section 27, Township 9 South, Range 10 West, South Western land district, Louisiana Meridian, Calcasieu Parish La

DO YOU CURRENTLY HAVE ANY PENDING VIOLATION WITH ANY ORDINANCE OF THE CITY OF SULPHUR

YES

NO

YOU, OR A REPRESENTATIVE, MUST ATTEND THE BOARD OF ZONING ADJUSTMENT MEETING

INITIAL

AB

VARIANCE REQUEST INFORMATION

Purpose of Variance Request: To approve lot with less than 50' Hard surface on Petra St its 17 half foot wide

I do hereby understand that no petition for a change in the classification of property shall be filed unless such petition is duly signed and acknowledged by the owners of authorized agents of not less than fifty (50) percent of the area of land for which a change of classification is requested; provided however, that where any lot located in the aforesaid area is owned in division, all co-owners must sign the petition for that lot to be included in the fifty (50) percent area provision, as stated in the City of Sulphur Land Use Ordinance, Number 541, M-C Series.

Further, I do certify that the property for which the above request is being made does not hold any restrictions or covenants that would be in conflict with said request.

Furthermore, I, the applicant agree to dispose of the Board of Zoning Adjustment sign(s) placed on my property after the hearing.

Applicant Signature

Wilton Fruge
Ray Allen Fruge

Date:

1/23/2020

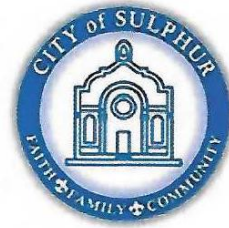
1. Is site located within the City Limits?
 2. Will the proposed use be a nuisance to the surrounding area because of odors, vibrations, unsightly areas or other unwarranted elements?
 3. Is the capacity of the road and off-street parking facilities adequate for use by the proposed development?
 4. Will the location be served by a fire protection?
 5. Can the proposed development be expected to adversely affect the character/aesthetics of the area involved?
 6. Is property within a designated flood hazard area?
- Flood zone classification X bfe _____ ft.

Yes

No


N/A

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Memo

To: Board of Zoning Adjustment

From: Stacy Dowden
Director of Public Works 

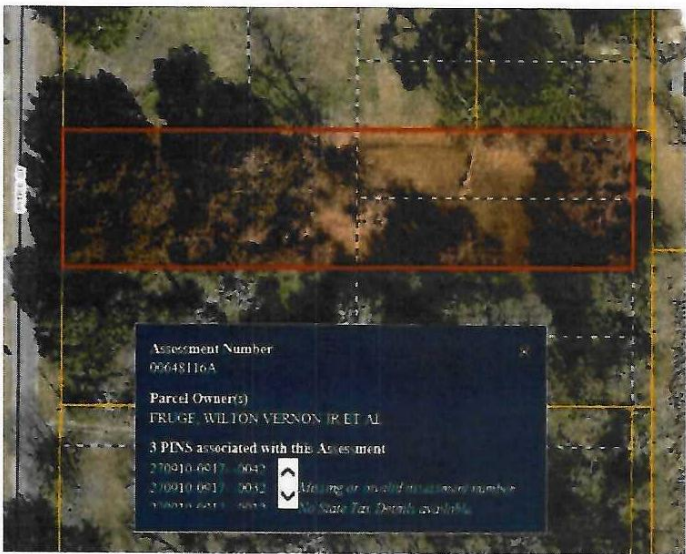
cc: Arlene Blanchard, Mayor Mike Danahay

Date: February 7, 2020

Re: 1. Resolution granting a variance to Wilton Fruge and Ray Fruge, 708 Pitre Street, to allow for front footage to be 48.75 feet rather than the required 50 feet.

Application:

The applicant is wanting to subdivide the property with his brother. The rear property will be accessed by the 48.75' frontage if approved.

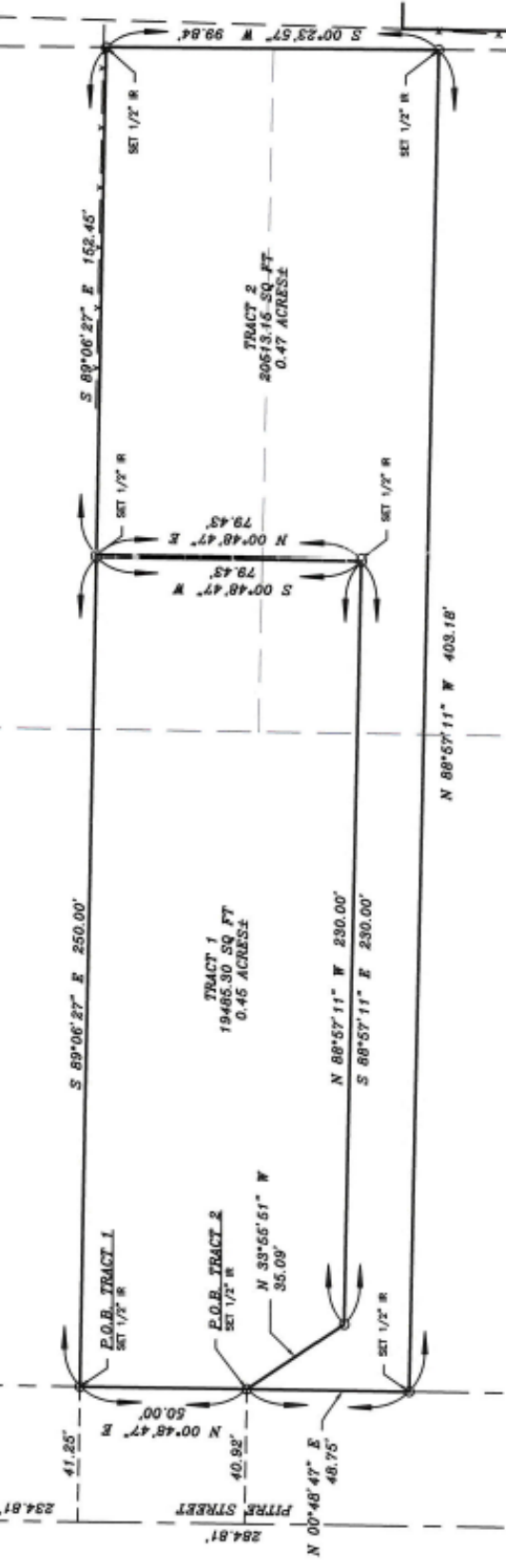


BOUNDARY SURVEY

Situated in the:
SECTION 27, TOWNSHIP 9 SOUTH, RANGE 10 WEST,
SOUTHWESTERN LAND DISTRICT, LOUISIANA MERIDIAN,
CALCASIEU PARISH, LOUISIANA.

LEGEND

- IRONS FOUND IN PLACE
- 1/2" RODS SET IN PLACE
- ✱ POWER POLE
- EASEMENT OR RIGHT OF WAY LINES
- DEED OR RECORD LINES
- INTERIOR AND ADJACENT LOT LINES
- x - x - FENCES
- CENTERLINE
- OP - OVERHEAD POWER LINES
- - - BUILDING TIES



BASIS OF BEARINGS:
ALL BEARINGS SHOWN HEREON ARE BASED ON THE LOUISIANA SOUTH ZONE 1702, NAD 83.

SERVITUDES RESEARCH NOTE:
THE SERVITUDES AND RESTRICTIONS SHOWN ON THIS SURVEY ARE LIMITED TO THOSE SET FORTH IN THE DESCRIPTION FURNISHED US AND THERE IS NO REPRESENTATION THAT ALL APPLICABLE SERVITUDES AND RESTRICTIONS ARE SHOWN HEREON. THE SURVEYOR HAS MADE NO TITLE SEARCH OR PUBLIC RECORD SEARCH IN COMPILING THE DATA FOR THIS SURVEY.

CERTIFICATIONS:
I HEREBY CERTIFY THAT THIS PLAT REPRESENTS AN ACTUAL GROUND SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND WAS PERFORMED IN ACCORDANCE WITH THE APPLICABLE PROFESSIONAL AND OCCUPATIONAL STANDARDS PER LOUISIANA ADMINISTRATIVE CODE, TITLE 46, PART LXI, CHAPTER 25, FOR A CLASS "C" SURVEY AS DEFINED IN SUBPART #2505.



ACCU~LINE SURVEYING, INC.

FLOOD ZONE INFORMATION:
FIRM COMMUNITY-PANEL
NO. 2201800451F
MAP REVISED:
02/18/2011
PROPERTY IS IN ZONE "X"
SURVEY AND MAP FOR:
WILTON FRUGE
TBD PITRE STREET
SULPHUR, LA 70663

DATE: 08/12/2019	SCALE: 1" = 40'	DRAWN BY: SLM	CHECKED BY: GJJ	W.O. NUMBER: 19-215	REVISION: 01/14/2019 - REVISED TRACTS AND LEGAL DESCRIPTIONS	235 LEWIS STREET SULPHUR, LOUISIANA	PHONE: (337)-528-0060 FAX: (337)-528-0061
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RESOLUTION

Resolution granting a variance to Roger Burgess, 2321 Royal Oak Lane, to allow for living in an RV until new mobile home is delivered.

WHEREAS, in accordance with Chapter 14, Section 5 (a) (3) (m) of the Code of Ordinances of the City of Sulphur, Louisiana a recreational vehicle or motor home shall not be used as a primary or rental domicile, and

WHEREAS, applicant is requesting a variance to allow for living in an RV until new mobile home is delivered for the following described property:

COM 498.6 FT S AND 490 FT E OF NW COR NW SW 1.10.10 SAID PT LYING ON
S/L CEDAR SUB, TH E 100 FT, S 145 FT TO N/L ROYAL OAK ST, W 100 FT, N
145 FT TO COM

WHEREAS, said variance shall expire August 18, 2020.

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.

BE IT RESOLVED by the Board of Zoning Adjustment of the City of Sulphur, Louisiana, that they do hereby grant a variance to Roger Burgess, 2321 Royal Oak Lane, to allow for living in an RV until new mobile home is delivered.

APPROVED AND ADOPTED by
the Board of Zoning Adjustment of the
City of Sulphur, Louisiana, on this
_____ day of _____, 2020.

PHYLLIS WILSON, Chairman

ATTEST:

ARLENE BLANCHARD, Secretary



CITY OF SULPHUR
APPLICATION FOR

DEVELOPMENT APPROVAL - VARIANCE

Date Received 1-31-20 \$50.00 Fee (Non-Refundable) pd. AB

IT IS APPLICANT'S RESPONSIBILITY TO KEEP SIGN POSTED ON PROPERTY. IF SIGN ISN'T PLACED ON PROPERTY 10 DAYS PRIOR TO MEETING DATE PLEASE NOTIFY CITY. IF SIGN IS REMOVED IT COULD DELAY ACTION ANOTHER MONTH. ONCE BZA APPROVES/DISAPPROVES, APPLICANT MUST REMOVE SIGN FROM PROPERTY

Print Name Roger Burgess

Date 1/28/20

PROPERTY OWNER INFORMATION

Name of Property Owner Roger Burgess

(Owner must provide proof of ownership such as property tax record or recorded deed)

Mailing Address: 421 Honeyuckle Ln, Sulphur, LA 70663 Email: erinhilburn77@gmail.com

Phone Number (H) 337-478-8888 (C) 337-540-2838

PROPERTY INFORMATION

Location Address: 2321 Royal Oak Ln, Sulphur, LA 70663

Present Zoned Classification: Residential-Mixed

LEGAL DESCRIPTION FROM ABSTRACT OR TAX RECORD (PRINT NEATLY OR TYPE)

com 498.6 FT S and 490 FT E of NW Cor NW SW 1.10.10 SHD PT 4/11/09 ON
SL CEDAR SUB, T# E 100th, S 145 FT to N/R Royal Oak St, W 100 FT,
N 145 FT to com

DO YOU CURRENTLY HAVE ANY PENDING VIOLATION WITH ANY ORDINANCE OF THE CITY OF SULPHUR ☒ YES ☐ NO
YOU, OR A REPRESENTATIVE, MUST ATTEND THE BOARD OF ZONING ADJUSTMENT MEETING INITIAL EL

VARIANCE REQUEST INFORMATION

Purpose of Variance Request: new trailer coming before March or in March
would like to be able to stay in RV on property while waiting
otherwise would be homeless.

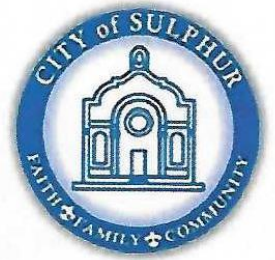
I do hereby understand that no petition for a change in the classification of property shall be filed unless such petition is duly signed and acknowledged by the owners of authorized agents of not less than fifty (50) percent of the area of land for which a change of classification is requested; provided however, that where any lot located in the aforesaid area is owned in division, all co-owners must sign the petition for that lot to be included in the fifty (50) percent area provision, as stated in the City of Sulphur Land Use Ordinance, Number 541, M-C Series.

Further, I do certify that the property for which the above request is being made does not hold any restrictions or covenants that would be in conflict with said request.

Furthermore, I, the applicant agree to dispose of the Board of Zoning Adjustment sign(s) placed on my property after the hearing.

Applicant Signature: [Signature] Date: 1/28/20

	Yes	No	N/A
1. Is site located within the City Limits?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed use be a nuisance to the surrounding area because of odors, vibrations, unsightly areas or other unwarranted elements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Is the capacity of the road and off-street parking facilities adequate for use by the proposed development?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Will the location be served by a fire protection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Can the proposed development be expected to adversely affect the character/aesthetics of the area involved?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is property within a designated flood hazard area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Flood zone classification _____ bfc _____ ft.			



Memo

To: Board of Zoning Adjustment

From: Stacy Dowden
Director of Public Works *SD*

cc: Arlene Blanchard, Mayor Mike Danahay

Date: February 7, 2020

Re: 3. Resolution granting a variance to Roger Burgess, 2321 Royal Oak Lane, to allow for living in an RV until a new mobile home is delivered.

Application:

The applicant is requesting temporary approval to live in an RV. Approval could be made with stipulations to set a deadline for the RV to be removed.





