

February 18, 2020

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, at 5:30 p.m., on the 18th day of February, 2020, after full compliance with the convening of said meeting with the following members present:

LENORE CARROLL, Land Use Commission District 1
PHYLLIS WILSON, Land Use Commission District 2
VERONICA ALLISON, Land Use Commission District 3
(Mrs. Allison attended at 5:33 p.m.)
ROBIN BAUDOIN, Land Use Commission District 4
JONATHAN BRAZZELL, Land Use Commission of District 5

After the meeting was called to order and the roll called with the above results, prayer was led by Mrs. Wilson followed by the reciting of the Pledge of Allegiance led by Mrs. Carroll.

Motion was then made by Mrs. Carroll seconded by Mr. Brazzell that item #3 be removed from the agenda:

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.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mrs. Wilson, Ms. Baudoin, Mr. Brazzell

NAYS: None

ABSENT: Mrs. Allison (attended at 5:33)

And the above item #3 was declared removed from the agenda on this 18th day of February, 2020.

ATTEST:

ARLENE BLANCHARD, Secretary

PHYLLIS WILSON, Chairman

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

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mrs. Wilson, Mrs. Allison, Ms. Baudoin, Mr. Brazzell

NAYS: None

ABSENT: None

And the agenda was declared amended on this 18th day of February, 2020.

ATTEST:

ARLENE BLANCHARD, Secretary

PHYLLIS WILSON, Chairman

The first item on the agenda is a 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. Mr. Fruge stated that him and his brother will put a home on each lot. One of them can't get a loan since the property is in both names so they need to separate the property. One lot is 50 feet wide but the other one is 48.75 feet wide. Emma Hughes, adjacent neighbor, stated that they've owned the property for 90-100 years and the road frontage has always been 99.6. Now the survey is showing a different road frontage. Billy Loftin, Asst. City Attorney, stated that this property is already divided into 3 lots and they're making it into 2 lots. They can currently build on the property with a servitude to get to the rear lot. After discussion, motion was made by Mr. Brazzell seconded by Mrs. Carroll that the following resolution be adopted to-wit:

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.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mrs. Wilson, Mrs. Allison, Ms. Baudoin, Mr. Brazzell

NAYS: None

ABSENT: None

And the resolution was declared duly adopted on this 18th day of February, 2020.

ATTEST:

ARLENE BLANCHARD, Secretary

PHYLLIS WILSON, Chairman

The next item on the agenda is a resolution granting a variance to Roger Burgess, 2321 Royal Oak Lane, to allow for living in an RV until new mobile home is delivered. Shawn Guillory, resident, stated that he'd like his family to be able to stay in the RV until they get their income tax to finish the repairs on the mobile home they purchased so he can move the mobile home onto the property. Mr. Guillory also stated that he's renting to own, and he's almost finished paying for the property. Mrs. Wilson stated that she was abstain from voting since she is employed by the property owner (Roger Burgess). Motion was then made by Mrs. Allison seconded by Ms. Baudoin that the following resolution be adopted to-wit:

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.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mrs. Allison, Ms. Baudoin, Mr. Brazzell

NAYS: None

ABSENT: None

ABSTAIN: Mrs. Wilson

And the resolution was declared duly adopted on this 18th day of February, 2020.

ATTEST:

ARLENE BLANCHARD, Secretary

PHYLLIS WILSON, Chairman

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

ATTEST:

ARLENE BLANCHARD, Secretary

PHYLLIS WILSON, Chairman

2/18/20

5:40 P.M.