

September 19, 2022

The Land Use Commission and the Board of Zoning Adjustment of the City of Sulphur, Louisiana, met in regular session at its temporary meeting place located at 1551 East Napoleon Street, Sulphur, LA, held at 5:30 p.m., on the 19th day of September, 2022, after full compliance with the convening of said meeting with the following members present:

LENORE CARROLL, Land Use Commission District 1
TROY DARBY, Land Use Commission District 2
VERONICA ALLISON, Land Use Commission District 3
JONATHAN BRAZZELL, Land Use Commission of District 5

ABSENT - ROBIN BAUDOIN, Land Use Commission District 4

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

Motion was then made by Mr. Brazzell seconded by Mrs. Carroll that the minutes from the previous Land Use and Board of Zoning Adjustment meetings stand as written. Motion carried unanimously.

Motion was then made by Mrs. Carroll seconded by Mr. Darby that item #1 be removed from the agenda:

Resolution granting a variance to Maplewood First Baptist Church, 4501 Maplewood Drive, to allow for a temporary office trailer, two 18-wheelers used as a bunkhouse, and two 5th wheel campers used by contractors during construction at church.

Motion carried unanimously.

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

Resolution granting a variance to Raymond Arabie, 999 Live Oak Street, to allow for living in an RV due to damages caused by Hurricane Laura.

Motion carried unanimously.

Motion was then made by Mr. Brazzell 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 extension to Eric and Tena Fogleman, 222 Vine Street, to allow for temporary living in an RV. Mr. Fogleman addressed the Commission and stated that the home that has been purchased for his sister-in-law will be complete within the 6-month timeframe. Motion was made by Mrs. Carroll seconded by Mr. Brazzell that the following resolution be adopted to-wit:

RESOLUTION

RESOLUTION GRANTING A VARIANCE EXTENSION TO ERIC AND TENA FOGLEMAN, 222 VINE STREET, TO ALLOW FOR TEMPORARY LIVING IN AN RV.

WHEREAS, in accordance with Article IV, Part 3, Section 1 (1) (a) of the Land Use Ordinance of the City of Sulphur, Louisiana, an RV is not considered a single family detached dwelling; and

WHEREAS, variance shall expire in 6 months (i.e. March 19, 2023).

BE IT RESOLVED by the Board of Zoning Adjustment of the City of Sulphur, Louisiana, that they do hereby grant a variance extension to Eric and Tena Fogleman, 222 Vine Street, to allow for temporary living in an RV for the following described property:

LOT 11 BLK 5 HOLLYWOOD SUBDIVISION PLAT 2

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 FURTHER RESOLVED by the Board of Zoning Adjustment, that they do hereby grant a variance extension to Eric and Tena Fogleman, 222 Vine Street, to allow for temporary living in an RV.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mr. Darby, Mrs. Allison, Mr. Brazzell

NAYS: None

ABSENT: Ms. Baudoin

And the said resolution was declared duly adopted on this 19th day of September, 2022.

ATTEST:

ARLENE BLANCHARD, Clerk

VERONICA ALLISON, Chairman

The next item on the agenda is a resolution granting an Exception to KAB Investments, LLC, 2024 Carr Lane, Lots 2 and 3, to allow for living in a Business District. Mrs. Miller addressed the Commission and stated that they want to build a small duplex. Motion was then made by Mr. Darby seconded by Mrs. Carroll that the following resolution be adopted to-wit:

RESOLUTION

RESOLUTION GRANTING AN EXCEPTION TO KAB INVESTMENTS, LLC, 2024 CARR LANE, LOTS 2 AND 3, TO ALLOW FOR LIVING IN A BUSINESS DISTRICT.

WHEREAS in accordance with Article IV, Part 3, Section 4 (3) of the Land Use Ordinance of the City of Sulphur, application has been received from KAB Investments, LLC, 2024 Carr Lane, Lots 2 and 3, to allow for living in a Business District for the following described property:

@350910-1141-004005 @350910-1141-004105 0000 FROM SW COR SE NE 35.9.10 W 189.5 FT N 90 FT TO PT OF COM TH E 82.5 FT N 45 FT ETC (BEING IN LTS 40, 41 OF LOCKMOOE SUB) @350910-1141-004004 0000

@350910-1141-004104 0000 FROM SW COR SE NE 35.9.10 N 30 FT W 189.5 FT N 45 FT TO PT OF COM TH E 82.5 N 45 FT ETC (BEING IN LTS 40, 41 LOCKMOORE SUB) REF1-DELMAR L DOLAN B 1661 P 217-81 REF2-GUIDRY, JOSEPH WILLARD AND EDITH B 2774 P 463 B 2986 P 101 B 2750 P 386 B 2930 P 683-02

This Exception is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said Exception 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 Exception, 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.

If City Council does hereby approve this Exception the owner of this Exception 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 Exception.

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

BE IT RESOLVED by the City Council of the City of Sulphur Louisiana, that they do hereby grant an Exception to KAB Investments, LLC, 2024 Carr Lane, Lots 2 and 3, to allow for living in a Business District.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mr. Darby, Mrs. Allison, Mr. Brazzell

NAYS: None

ABSENT: Ms. Baudoin

And the said resolution was declared duly adopted on this 19th day of September, 2022.

ATTEST:

ARLENE BLANCHARD, Clerk

VERONICA ALLISON, Chairman

The next item on the agenda is a resolution granting a rezone to Sticker Stop, Inc. 688 South Post Oak Road, from Business to Commercial to allow for a high-end RV storage facility.

Mr. Ruiz addressed the Commission and stated that they'd like to build a high-end RV storage facility for motor homes that cost \$500,000 and up. It will face Post Oak Road and will also be accessible on Maplewood Drive. He also stated that they still aren't sure if it'll be an open or closed facility. After discussion, motion was made by Mrs. Carroll seconded by Mr. Brazzell that the following stipulation be made:

- Applicant is required to sign an irrevocable consent in connection with this rezone and if this use would discontinue it would be an automatic reapplication to rezone back to Business District.

Motion carried unanimously.

Mr. Ruiz then stated that it's required that they have a 20-foot buffer on the north side of the property. When the carwash was there, it sat on the property line. The carwash was much more intrusive than what the RV storage will be. If we are required to have the buffer, it may kill this project. There was discussion regarding postponing this rezone to include the variance, but Mr. Ruiz wanted to move forward with this rezone then come back next month with the variance. Motion was then made by Mr. Darby seconded by Mrs. Carroll that the following resolution be adopted to-wit:

RESOLUTION GRANTING A REZONE TO STICKER STOP, INC. 688 SOUTH POST OAK ROAD, FROM BUSINESS TO COMMERCIAL TO ALLOW FOR A HIGH-END RV STORAGE FACILITY.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Sticker Stop, Inc., 688 South Post Oak Road, from Business to Commercial to allow for a high-end RV storage facility for the following described property:

ALL THAT CERTAIN 0.808 ACRE TRACT OR PARCEL OF LAND, BEING A PORTION OF THE NORTH HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (N/2 OF S/2 OF SW/4 OF SW/4 OF SW/4) OF SECTION 36, TOWNSHIP 9 SOUTH, RANGE 10 WEST, SOUTHWESTERN LAND DISTRICT, LOUISIANA MERIDIAN, CALCASIEU PARISH, LOUISIANA, LESS THE EAST 435.00 FEET AND LESS THE SOUTH 14.0 FEET, BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 36, TOWNSHIP 9 SOUTH, RANGE 10 WEST, SOUTHWESTERN LAND DISTRICT, LOUISIANA MERIDIAN, CALCASIEU PARISH, LOUISIANA; THENCE RUN NORTH 00°53'52" EAST, ALONG THE WEST LINE OF SAID SECTION 36, FOR A DISTANCE OF 179.18 FEET TO THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT; THENCE CONTINUE NORTH 00°53'52" EAST, ALONG THE WEST LINE OF SAID SECTION 36, FOR A DISTANCE OF 151.18 FEET TO THE NORTHWEST CORNER OF SAID N/2 OF S/2 OF SW/4 OF SW/4; THENCE RUN SOUTH 89°15'43" EAST, ALONG THE NORTH LINE OF SAID N/2 OF S/2 OF SW/4 OF SW/4 OF SW/4, FOR A DISTANCE OF 232.80 FEET TO A POINT 435.00 FEET WEST OF THE NORTHEAST CORNER OF SAID N/2 OF S/2 OF SW/2 OF SW/4 OF SW/4; THENCE RUN SOUTH 00°54'54" WEST, PARALLEL TO THE EAST LINE OF SAID N/2 OF S/2 OF SW/4 OF SW/4 OF SW/4, FOR A DISTANCE OF 151.17 FEET TO A POINT 14.0 FEET NORTH OF THE SOUTH LINE OF SAID N/2 OF S/2 OF SW/2 OF SW/4 OF SW/4; THENCE RUN NORTH 89°15'51" WEST, PARALLEL TO SAID SOUTH LINE, FOR A DISTANCE OF 232.74 FEET TO THE POINT OF BEGINNING, CONTAINING 0.808 ACRES, MORE OR LESS. SUBJECT TO A 30 FOOT ROAD RIGHT OF WAY FOR SOUTH POST OAK ROAD ALONG THE WEST SIDE THEREOF AND ANY OTHER RIGHTS OF WAY, SERVITUDES OR EASEMENTS, EITHER VISIBLE OR INVISIBLE, RECORDED OR UNRECORDED.

BE IT FURTHER RESOLVED that the following stipulation be placed on property:

- Applicant is required to sign an irrevocable consent in connection with this rezone and if this use would discontinue it would be an automatic reapplication to rezone back to Business District.

This rezone is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said rezone 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 rezone, 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 rezone the owner of this rezone 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 rezone.

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

BE IT FURTHER RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Sticker Stop, Inc., 688 South Post Oak Road, from Business to Commercial to allow for a high-end RV storage facility.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mr. Darby
NAYS: Mrs. Allison, Mr. Brazzell
ABSENT: Ms. Baudoin

And the said resolution failed on this 19th day of September, 2022.

ATTEST:

ARLENE BLANCHARD, Clerk

VERONICA ALLISON, Chairman

The next item on the agenda is a resolution granting an Exception to Johnny and Amy Frost, 415 North Huntington Street, to allow for living in a Business District. Mr. Frost addressed the Commission and stated that he will build a house on a slab. Motion was made by Mrs. Carroll seconded by Mr. Darby that the following resolution be adopted to-wit:

RESOLUTION

RESOLUTION GRANTING AN EXCEPTION TO JOHNNY AND AMY FROST, 415 NORTH HUNTINGTON STREET, TO ALLOW FOR LIVING IN A BUSINESS DISTRICT.

WHEREAS, application has been received from Johnny and Amy Frost, 415 North Huntington Street, to allow for living in a Business District.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant an Exception to Johnny and Amy Frost, 415 North Huntington Street, to allow for living in a Business District, in accordance with Article IV, Part 3, Section 4 (3) of the Land Use ordinance for the following property description:

AN UNDIVIDED ONE-HALF (1/2) INTEREST IN AND TO REAL ESTATE
SITUATED IN CALCASIEU PARISH, LOUISIANA, TO-WIT:

1. THE NORTH FORTY-FIVE FEET OF LOTS 1 AND 2 OF BLOCK ELEVEN (ONE AND TWO OF BLK 11) OF THE VERDINE ADDITION IN THE CITY LIMITS OF SULPHUR, LOUISIANA, AND THE SOUTH FIFTEEN (15) FEET OF LOTS 3 AND 4 (THREE AND FOUR) OF BLOCK "D" OF THE VERDINE SUBDIVISION OF THE NORTH PART OF THE NORTHEAST QUARTER (NE1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 34, TOWNSHIP 9 SOUTH, RANGE 10 WEST, LOUISIANA MERIDIAN, ALL IN THE CITY LIMITS OF SULPHUR, LOUISIANA, WITH ALL IMPROVEMENTS LOCATED THEREON.
2. BEGINNING AT THE SOUTHWEST CORNER OF LOT TWO (2) OF BLOCK D OF THE VERDINE SUBDIVISION IN THE CITY OF SULPHUR, LOUISIANA, AS PER PLAT RECORDED, THENCE EAST FIFTY (50) FEET, THENCE NORTH FIFTEEN (15) FEET, THENCE WEST FIFTY (50) FEET, THENCE SOUTH FIFTEEN (15) FEET, TO THE POINT OF BEGINNING BEING THE SOUTH FIFTEEN (15) FEET OF SAID LOT TWO (2), BLOCK D, VERDINE SUBDIVISION

AND

COMMENCING FIFTEEN (15) NORTH OF THE SOUTHEAST CORNER OF LOT 4 (FOUR) OF BLOCK "D" OF THE VERDINE SUBDIVISION OF THE NORTH PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4 OF NE1/4) OF SECTION 34, TOWNSHIP 9 SOUTH, RANGE 10 WEST, LOUISIANA MERIDIAN, WITHIN THE CITY LIMITS OF SULPHUR, LOUISIANA, THENCE WEST 150 FEET TO THE WEST LINE OF LOT 2 (TWO) IN SAID SUBDIVISION; THENCE NORTH 5 (FIVE) FEET, THENCE EAST 150 FEET TO THE EAST LINE OF SAID LOT 4 (FOUR); THENCE SOUTH 5 (FIVE) FEET TO THE POINT OF COMMENCEMENT.

This Exception is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said Exception 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 Exception, 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.

If City Council does hereby approve this Exception the owner of this Exception 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 Exception.

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

BE IT FURTHER RESOLVED by the Land Use Commission of the City of Sulphur Louisiana, that they do hereby grant an Exception to Johnny and Amy Frost, 415 North Huntington Street, to allow for living in a Business District.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mr. Darby, Mrs. Allison, Mr. Brazzell

NAYS: None

ABSENT: Ms. Baudoin

And the said resolution was declared duly adopted on this 19th day of September, 2022.

ATTEST:

ARLENE BLANCHARD, Clerk

VERONICA ALLISON, Chairman

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

ATTEST:

ARLENE BLANCHARD, Secretary

VERONICA ALLISON, Chairman

9/19/22
600 P.M.