

June 19, 2023

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 June, 2023, 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
ROBIN BAUDOIN, Land Use Commission District 4

ABSENT - VERONICA ALLISON, Land Use Commission District 3
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 Mr. Darby followed by the reciting of the Pledge of Allegiance led by Mrs, Carroll.

Motion was then made by Mr. Darby seconded by Ms. Baudoin 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 Mr. Darby seconded by Ms. Baudoin that the agenda stand as written. Motion carried unanimously.

The first item on the BZA agenda is a resolution granting a variance to Phoenix Group, LLC, property north of 204 North Beglis, to adjust the length of the required bufferyard along the northern boundary. Motion was made by Mr. Darby seconded by Ms. Baudoin that the following resolution be adopted to-wit:

RESOLUTION

RESOLUTION GRANTING A VARIANCE TO PHOENIX GROUP, LLC, PROPERTY NORTH OF 204 NORTH BEGLIS PARKWAY, TO ADJUST THE LENGTH OF THE REQUIRED BUFFERYARD ALONG THE NORTHERN BOUNDARY.

WHEREAS, in accordance with Article IV, Part 2, Section 8 of the Land Use Ordinance of the City of Sulphur, Louisiana, whenever an existing residential use is bounded by a less restricted use, the proposed use will install a six (6) foot tall buffer constructed of wood or brick masonry. Furthermore, a twenty (20) foot buffer width will also be maintained that will be void of any parking apron, construction, accessory use, etc. The buffer-yard is to remain free, clear and open of any obstruction; and

WHEREAS, applicant is requesting a variance for the buffer along northern lot line of the northern parcel to be 380 feet instead of 630 feet, the entire length of the northern parcel.

BE IT RESOLVED by the Board of Zoning Adjustment of the City of Sulphur, Louisiana, that they do hereby grant a variance to Phoenix Group, LLC, property north of 204 North Beglis Parkway, to adjust the length of the required bufferyard along the northern boundary for the following described property:

COM 37.46 FT E AND 67 FT N OF SW COR SW NW NE SEC 35.9.10, TH E 634.12 FT, N 64 FT, W 634.12 FT M/L PARL TO S/L SW NW NE TO E/L TRACT 2-1 ST PROJ NO 31-06-30, TH S 64 FT M/L TO COM 0.93 ACS

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 of the City of Sulphur, Louisiana, that they do hereby grant a variance to Phoenix Group, LLC, property north

of 204 North Beglis Parkway, for the buffer along northern lot line of the northern parcel to be 380 feet instead of 630 feet, the entire length of the northern parcel.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mr. Darby, Ms. Baudoin

NAYS: None

ABSENT: Mrs. Allison, Mr. Brazzell

And the said resolution was declared adopted on this 19th day of June, 2023.

ATTEST:

ARLENE BLANCHARD, Secretary

LENORE CARROLL, Chairman

The next item on the agenda is a resolution granting a variance to Steve Daley, 704 North Crocker Street, to allow carport to be 5 feet from front property line rather than the required 30 feet. Mr. Daley stated that he's called Entergy several times to get approval to be 5' from their powerlines but haven't spoken with anyone yet. Billy Loftin, Asst. City Attorney, stated that the Commission could adopt this resolution contingent upon getting written approval from Entergy. Motion was made by Mr. Darby seconded by Ms. Baudoin that the following amendment be made:

- WHEREAS, this variance is granted contingent upon written approval from Entergy.

Motion carried unanimously.

Motion was then made by Mr. Darby seconded by Ms. Baudoin that the following resolution be adopted to-wit:

RESOLUTION AS AMENDED

RESOLUTION GRANTING A VARIANCE TO STEVE DALEY, 704 NORTH CROCKER STREET, TO ALLOW CARPORT TO BE 5 FEET FROM FRONT PROPERTY LINE RATHER THAN THE REQUIRED 30 FEET.

WHEREAS, in accordance with Article IV, Part 3, Section 2 (3) (c) of the Land Use Ordinance of the City of Sulphur, Louisiana, front setback shall be 30' from property line; and

WHEREAS, applicant is requesting for the front setback to be 5 feet from the front property line rather than the required 30 feet; and

WHEREAS, this variance is granted contingent upon written approval from Entergy.

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 of the City of Sulphur, Louisiana, that they do hereby grant a variance to Steve Daley, 704 North Crocker Street, to allow carport to be 5 feet from front property line rather than the required 30 feet.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mr. Darby, Ms. Baudoin

NAYS: None

ABSENT: Mrs. Allison, Mr. Brazzell

And the said resolution was declared adopted on this 19th day of June, 2023.

ATTEST:

ARLENE BLANCHARD, Secretary

LENORE CARROLL, Chairman

The next item on the agenda is a resolution accepting Preliminary Plat from Bel Commercial LLC, for The Cedars Subdivision located south of Mimosa Park Phase II, west of Wright Road. Mr. Darby questioned the drainage. David Hensgens, Stillwater Development, stated

that it all drains to the west corner. Mrs. Carroll showed concern that these sort of variances are being granted to these big developers but not to the local smaller developers. We need something in place for developments like this. Motion was made by Mr. Darby seconded by Ms. Baudoin that the following resolution be adopted to-wit:

RESOLUTON

RESOLUTION ACCEPTING PRELIMINARY PLAT FROM BEL COMMERCIAL LLC, FOR THE CEDARS SUBDIVISION LOCATED SOUTH OF MIMOSA PARK PHASE II, WEST OF WRIGHT ROAD.

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

WHEREAS, improvements on the property will include the following variances approved by the Board of Zoning Adjustment dated July 16, 2018:

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.

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 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 45.20 ACRES AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF CENTERLINES OF WRIGHT ROAD AND RAVIA ROAD;
THENCE SOUTH 20°48' 6" WEST A DISTANCE OF 35.06 FEET TO A FOUND 5/8" IRON ROD, SAID IRON ROD BEING THE POINT OF BEGINNING (P.O.B.)

THENCE NORTH 89° 18' 26" WEST A DISTANCE OF 1335.04 FEET TO A FOUND 5/8" IRON ROD.

THENCE NORTH 1° 9' 1" EAST A DISTANCE OF 734.12 FEET TO A FOUND 5/8" IRON ROD.

THENCE NORTH 0° 57' 55" EAST A DISTANCE 731.14 FEET TO A FOUND 5/8" IRON ROD.

THENCE NORTH 89° 47' 56" EAST A DISTANCE OF 1334.89 FEET THROUGH A FOUND 5/8" IRON WITNESS ROD TO A POINT ALONG WRIGHT ROAD.

THENCE SOUTH 1° 2' 26" WEST ALONG WRIGHT ROAD A DISTANCE OF 1486.08 FEET TO A FOUND 5/8" IRON ROD, SAID IRON ROD BEING THE POINT OF BEGINNING (P.O.B.)

A vote was then called with the results as follows:

YEAS: Mr. Darby, Mrs. Allison, Ms. Baudoin

NAYS: None

ABSENT: Mrs. Allison, Mr. Brazzell

And the said resolution was declared duly adopted on this 19th day of June, 2023.

ATTEST:

ARLENE BLANCHARD, Secretary

LENORE CARROLL, Chairman

The next item on the agenda is a resolution granting a variance to Paula Louvier, 436 Sands Point, to allow for living in an RV due to hurricane Laura. Austin Abrahams, Director of Public Works, stated that Ms. Louvier did get permits and she had to go through a different agency for funding. Steve Hardy, 460 Sands Point, stated that Ms. Louvier hasn't done any work to her home. There's someone living in the house and the house isn't suitable for living. He asked that the police check it out. Motion was then made by Mr. Darby seconded by Ms. Baudoin that the following resolution be adopted to-wit:

RESOLUTION GRANTING A VARIANCE TO PAULA LOUVIER, 436 SANDS POINT, TO ALLOW FOR LIVING IN AN RV DUE TO HURRICANE LAURA.

A vote was then called with the results as follows:

YEAS: None

NAYS: Mrs. Carroll, Mr. Darby, Ms. Baudoin

ABSENT: Mrs. Allison, Mr. Brazzell

And the said resolution failed on this 19th day of June, 2023.

ATTEST:

ARLENE BLANCHARD, Secretary

LENORE CARROLL, Chairman

The next item on the agenda is an Extension for temporary housing in recreational vehicles due to damage caused by Hurricane Laura for the following addresses:

- a. To extend temporary housing in a recreational vehicle located at 1408 Forest Lane, in accordance with Ordinance No. 1693, M-C Series.

Mrs. Carter, owner, stated that they'll be moving into a home on Julie Drive temporarily until their home is complete. All they need is a two-month extension. Motion was made by Mr. Darby seconded by Ms. Baudoin that the above address be granted a 2-month extension. Motion carried unanimously.

The next item on the agenda is a resolution granting an Exception to Gerald Burnett, 217 West Thomas Street, to allow for living in a business district. Mr. Burnett addressed the Commission and stated that he moved the mobile home off the property and wants to replace it with a newer one. Mr. Darby stated that the city has taken a stance to clean up the city and trying to condense all mobile homes into mobile home parks rather than placed individually throughout the city. After discussion, motion was made by Mr. Darby seconded by Ms. Baudoin that the following resolution be adopted to-wit:

RESOLUTION

RESOLUTION GRANTING AN EXCEPTION TO GERALD BURNETT, 217 WEST THOMAS STREET, 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 Gerald Burnett, 217 West Thomas Street, to allow for living in a Business District for the following described property:

LOT 6 BLK Q ORIGINAL TOWNSITE SULPHUR

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 Gerald Burnett, 217 West Thomas Street, to allow for living in a Business District

BE IT FURTHER 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 located south of Mimosa Park Phase II, west of Wright Road.

A vote was then called with the results as follows:

YEAS: Mr. Darby, Mrs. Carroll

NAYS: Ms. Baudoin

ABSENT: Mrs. Allison, Mr. Brazzell

And the said resolution failed on this 19th day of June, 2023.

ATTEST:

ARLENE BLANCHARD, Secretary

LENORE CARROLL, Chairman

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

ATTEST:

ARLENE BLANCHARD, Secretary

LENORE CARROLL, Chairman

6/19/23

6:10 P.M.