

August 21, 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 21st day of August, 2023, after full compliance with the convening of said meeting with the following members present:

LENORE CARROLL, Land Use Commission District 1
ROBIN BAUDOIN, Land Use Commission District 4
JONATHAN BRAZZELL, Land Use Commission of District 5

ABSENT - TROY DARBY, Land Use Commission District 2
VERONICA ALLISON, Land Use Commission District 3

After the meeting was called to order and the roll called with the above results, prayer was led by Rev. Margaret Lovejoy followed by the reciting of the Pledge of Allegiance led by Mr. Brazzell.

Motion was then made by Mr. Brazzell seconded by Ms. Baudoin that the minutes of the previous meeting stand as written. Motion carried unanimously.

Motion was then made by Mr. Brazzell seconded by Ms. Baudoin that item #2 on the Land Use agenda be removed:

Resolution amending Appendix B, Article II, Section 2 of the Code of Ordinances of the City of Sulphur – removing definition of neighborhood commercial.

Motion carried unanimously.

Motion was then made by Mr. Brazzell seconded by Ms. Baudoin that item #3 be amended to read as follows:

Resolution amending Appendix B, Article IV, Part III, Section 2 of the Code of Ordinances of the City of Sulphur – neighborhood commercial uses.

Motion carried unanimously.

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

The first item on the BZA agenda is a resolution granting a variance to Charles Wentzell, 31 Mulberry Road, to allow for son to live in RV to help care for his father if needed. Mr. Wentzell addressed the Commission and stated that his son has a 30-foot 5th wheel and he would like for his son to live in the RV to help care for him. He's 80 years old and his wife died, and he loses his balance a lot and falls. Him and his son doesn't want to live together in the same house. Mrs. Carroll asked if he had the letter from his doctor stating he needs assistance. He said no. He had an appointment, but something came up and he had to cancel. Motion was then made by Mr. Brazzell seconded by Ms. Baudoin that the following additional stipulations be placed on the property:

Variance is contingent upon receiving letter from applicant's doctor with evidence of needing assistance. The RV shall be parked in the rear yard at all times.

Motion carried unanimously.

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

RESOLUTION AS AMENDED

RESOLUTION GRANTING A VARIANCE TO CHARLES WENTZELL, 31 MULBERRY ROAD, TO ALLOW FOR SON TO LIVE IN RV TO HELP CARE FOR HIS FATHER IF NEEDED.

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 and RV shall be removed at any time Charles Wentzell no longer resides in the home. Property shall be maintained at all times and if a violation occurs and is not corrected within 30 days this variance shall be revoked automatically. Variance is contingent upon receiving letter from applicant's doctor with evidence of needing assistance. The RV shall be parked in the rear yard at all times.

BE IT RESOLVED by the Board of Zoning Adjustment of the City of Sulphur, Louisiana, that they do hereby grant a variance to Charles Wentzell, 31 Mulberry Road, to allow for son to live in RV to help care for his father if needed for the following described property:

LOT E BLK 12 MAPLEWOOD PARTITION

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 Charles Wentzell, 31 Mulberry Road, to allow for son to live in RV to help care for his father if needed.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Darby, Mrs. Allison

And the said resolution was declared duly adopted on this 21st day of August, 2023.

ATTEST:

ARLENE BLANCHARD, Secretary

LENORE CARROLL, Chairman

The next item on the Land Use agenda is a resolution granting a rezone to Mark Deshotel, 2210 Saunier Street, from Residential to Mixed Residential to allow for a manufactured home. Mr.

Deshotel addressed the Commission and stated that he's selling the property to a couple that hasn't had a home since hurricane Laura. They are down-sizing. Mr. Brazzell stated that he's never voted for a spot zone and that's what this is. Mrs. Carroll stated that this property was on a Land Use agenda a while back and not sure if it didn't pass or it was pulled off the agenda, but it didn't get rezoned.

Kim Suarez, Navarre Street, stated that a few months ago there was a rezone at the end of Augusta Street, and it failed. He's asking that this rezone doesn't pass either. Mike Granger stated that he can stand in his driveway and do a 360 degree turn and he can't see any mobile homes in his view.

After discussion, motion was made by Ms. Baudoin.

And the said resolution failed due to lack of a second on this 21st day of August, 2023.

ATTEST:

ARLENE BLANCHARD, Secretary

LENORE CARROLL, Chairman

The next item on the agenda is a resolution amending Appendix B, Article IV, Part III, Section 2 of the Code of Ordinances of the City of Sulphur – Neighborhood Commercial Uses. Billy Loftin, Asst. City Attorney, stated that in the mixed residential section Neighborhood Commercial Uses were a permitted use. It's now being deleted from the permitted use and moved to a subsection that only allows it as an Exception by Land Use and Council.

Mrs. Robertson, West Verdine Street, addressed the Commission and stated that the neighborhood commercial uses allow citizens to have small businesses in residential neighborhoods. She also stated that she would have been allowed to have her business at her home before this change. She shouldn't have to go before Land Use and Council. James Hyatt, Lake Charles, stated that he's interested in knowing how this change came up. He asked that they leave

this section alone and not change it. Mrs. Robertson is providing services and products for her immediate neighborhood. Rev. Margaret Lovejoy addressed the Commission and stated that she supports Micah68. Her church has a blessing box. She feels like Mrs. Robertson is being targeted. Mr. Loftin stated that this rule change won't affect Mrs. Robertson in any way. *(She wasn't allowed to do what she wanted to do prior to this amendment).*

After discussion, motion was made by Ms. Baudoin seconded by Mr. Brazzell that the following resolution be adopted to-wit:

RESOLUTION

RESOLUTION AMENDING APPENDIX B, ARTICLE IV, PART III, SECTION 2 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR – NEIGHBORHOOD COMMERCIAL USES.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby amend Appendix B, Article IV, Part III, Section 2 of the Code of Ordinances of the City of Sulphur – Neighborhood Commercial Uses to read as follows:

APPENDIX B, ARTICLE IV, PART III

Section 2. Mixed residential district.

(1) Permitted Uses.

- (a) All uses as permitted in Residential Land Use Classifications
- (b) Multi-Family.
- (c) Day Care.
- (d) Manufactured housing units/mobile home units, provided that:
 - (1) All mobile units shall be securely fastened, anchored or tied down with a minimum of four (4) placements at the corner in a suitable fashion consistent with normally acceptable standards in mobile home industry.
 - (2) All mobile home units shall provide for two (2) parking spaces per unit off street.

~~(e) Neighborhood Commercial Uses.~~

(2) Permitted as Exceptions by Land Use Commission and City Council.

- (a) Agriculture Use, small scale provided that:
 - (1) There shall be no outdoor storage of machinery, equipment, supplies or materials.
 - (2) There shall be no on-site bulk storage of fertilizers, pesticides or herbicides.
 - (3) Minimum lot size shall be thirty thousand (30,000) square feet.

- (4) Dumpsters shall be screened on all sides.
- (5) There shall be no production of noxious, offensive or hazardous effects or conditions by reason of vehicular traffic, noise, vibration, smoke, dust or other particulate matter, odorous matter, heat, humidity, glare, refuse, radiation or other objectionable emissions.
- (6) Permitted crops shall not be considered to be weeds or noxious growth, as provided for in chapter 12 of the Code of Ordinances, during the conventional growing season, contingent upon continued operation of this use as evidenced in part by all permitting, licensing and utility payments being current.
- (7) Crops shall not be located within twenty (20) feet of the side or rear property line or within twenty-five (25) feet of any property line which coincides with a street right-of-way line.

(b) Neighborhood Commercial Uses:

- (1) Barbershops
- (2) Beauty Shops
- (3) Drugstores
- (4) Grocery Stores (small scale)
- (5) Laundromats
- (6) Variety Stores
- (7) Service Stations
- (8) Restaurants

(3) Development Standards.

- (a) The proportion of lot area covered by buildings shall not exceed a maximum of forty (40) percent on any parcel within this district.
- (b) No front foot dimension of a lot shall be less than fifty (50) feet. The total area of a lot shall not be less than six thousand (6,000) square feet.
 - (1) *Exception.* No front foot dimension of any lot in a cul-de-sac shall be less than thirty (30) feet and a total area of a lot shall not be less than ten thousand (10,000) square feet. In a cul-de-sac with a front foot of fifty (50) feet or more the lot shall not be exempt from the requirement of (b) of Article IV, Part 3, Section 2(2).
- (c) All development in the Mixed Residential District shall conform to the development standards set out in the following table:

Side and rear setbacks to be determined by building codes adopted by city.

Use	Density	Lot Size (sq. ft.)	Front Setback (sq. ft.)	Height (ft.)
s/f det.	7 du/a	6,000	30	35
Multi-family	12 du/a	6,000	30	35
Churches	—	1 acre	50	35

Schools, Public Uses	FAR .35	—	50	35
Rec. (low intensive)	—	—	50	35
Mfg. Housing	7 du/a	6,000	30	35
Mobile Homes	7 du/a	6,000	30	35
Neighborhood Commercial	FAR .5	5,000	30	35

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Darby, Mrs. Allison

And the said resolution was declared duly adopted on this 21st day of August, 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

8/21/23
6:15 P.M.