

NOTICE.....The BZA and Land Use meetings will temporarily be held at 1551 East Napoleon Street.

AGENDA
BOARD OF ZONING ADJUSTMENT AND LAND USE REGULAR MEETING
MONDAY, SEPTEMBER 18, 2023, AT 5:30 P.M.

THERE WILL BE A REGULAR MEETING OF THE SULPHUR BOARD OF ZONING ADJUSTMENT AND LAND USE COMMISSION, **MONDAY, SEPTEMBER 18, 2023, AT 5:30 P.M.** IN THE CITY COUNCIL CHAMBERS LOCATED AT 1551 EAST NAPOLEON STREET, SULPHUR, LOUISIANA TO ADOPT THE FOLLOWING:

CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE
ROLL CALL
APPROVAL OF MINUTES OF PREVIOUS MEETING (S)
APPROVAL OF AGENDA

Motion/second to remove #2

LAND USE

1. Resolution granting a rezone from Business to Commercial to DGP Properties, LLC, 822 North Beglis Parkway, to allow for a bar.
2. ~~Resolution temporarily suspending Appendix B, Article IV, Part III, Section 7 of the Code of Ordinances of the City of Sulphur the issuance of any permits in the Interstate 10 North Frontage Road Overlay District.~~

ADJOURNMENT

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

If you are not satisfied with the outcome of the Land Use Commissions decision, the City Council will meet on all these issues at their next City Council meeting. If you are still not satisfied with their decision you can appeal it.

***The next regular Board of Zoning Adjustment and Land Use meeting will be held on Tuesday, October 16, 2023, at 5:30 p.m. in the Council Chambers located at 1551 East Napoleon Street, Sulphur, La.

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 rezone to DGP Properties, 822 North Beglis Parkway, from Business to Commercial to allow for a bar.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to DGP Properties, 822 North Beglis Parkway, from Business to Commercial to allow for a bar for the following described property:

COM @ NWC OF NW/4 SE/4 SECT 26.9.10; TH E 78.31 FT; TH S 825.05 FT ALG E SIDE OF STATE HIGHWAY 27 AND S ROW LINE OF LOUIS ALLEMAND RD BEING POB; TH N 89 DEGS E 249.42 FT; TH S 264.30 FT; TH N 88 DEGS W 250 FT (MEASURES 249.79 FT); TH N 259.09 FT TO POB

BE IT FURTHER RESOLVED, that in accordance with Article IV, Part 2, Section 8 of the Land Use Ordinance of the City of Sulphur the following bufferyard shall apply:

Section 8. Bufferyards.

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 bufferyard is to remain free, clear and open of any obstruction.

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 FURTHEREST RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to DGP Properties, 822 North Beglis Parkway, from Business to Commercial to allow for a bar.

APPROVED AND ADOPTED by
the Board of Zoning Adjustment
of the City of Sulphur, Louisiana,
on this _____ day of _____, 2023.

LENORE CARROLL, Chairman

ATTEST:

ARLENE BLANCHARD, Secretary



CITY OF SULPHUR
APPLICATION FOR
DEVELOPMENT APPROVAL

Date Received _____ \$50.00 Fee (Non-Refundable) _____
(Exact cash or check only)

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 COUNCIL APPROVES/DISAPPROVES, APPLICANT MUST REMOVE SIGN FROM PROPERTY.

PRINT NAME _____ DATE _____

PROPERTY OWNER INFORMATION

Name of Property Owner DGP Properties LLC

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

Mailing Address: 820 North Beglis Parkway Sulphur, LA 70663

Physical Address: 822 N Beglis Parkway City: Sulphur State: LA 70663

Phone Number (H) 337-570-9513 (W) 337-570-9513 (C) 337-570-9513

PROPERTY INFORMATION

Location Address: 822 N Beglis Pkwy Sulphur LA 70663

Present Zoned Classification: Business

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

See attached

DO YOU CURRENTLY HAVE ANY PENDING VIOLATION WITH ANY ORDINANCE OF THE CITY OF SULPHUR YES ☒ NO ☐
YOU, OR A REPRESENTATIVE, MUST ATTEND BOTH LAND USE AND CITY COUNCIL MEETING INITIAL GS

REQUEST INFORMATION

☒ REZONE ☐ EXCEPTION ☐ SUBDIVISION ☐ BILLBOARD ☐ PRE. PLAT ☐ FINAL PLAT

☐ DOES REZONE REQUIRE FENCING NAME OF SUBDIVISION _____

Zoning Change: From Business To Commercial

Purpose of Request: Bar application

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 Land Use sign(s) placed on my property after the public hearing.

Applicant Signature: [Signature] Date: 9-5-2023

	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 checked="" type="checkbox"/>	<input 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 _____ bfe _____ ft.			



MEMORANDUM

To: Board of Zoning and Land Use Commission
From: Austin Abrahams 
Public Works Director, Land Use Administrator
cc: Arlene Blanchard, Mayor Mike Danahay
Date: 9-13-2023
RE: 1. Rezone 822 North Beglis Parkway from Business to Commercial

Summary of Recommendation:

No objection to the requested rezone.

Application:

Resolution granting a rezone from Business to Commercial to DGP Properties, LLC, 822 North Beglis Parkway, to allow for a bar.

Situation:

The applicant is requesting a rezone from Business to Commercial to allow for a bar. The lot is currently being used as a convenient store, which would also be allowed in Commercial District.





Findings:

In accordance with Article III, Part 2, Section 5(3) of the Land Use Ordinance the application has been reviewed. The following findings are offered for your consideration:

1. Commercial zoning exists to the North across Louis Alleman Pkwy, and Business District to the South. Residential uses to the East and West across Beglis Pkwy.
2. The lot to the South exists a bar which is a legally nonconforming use as it was established prior to adoption of zoning in 2003.

Recommendation:

Based on the above findings, no objection is offered to the requested rezone.

The following stipulations are suggested:

- 1.



