

October 16, 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 16th day of October, 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
VERONICA ALLISON, Land Use Commission District 3
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 Mr. Darby followed by the reciting of the Pledge of Allegiance led by Mrs. Carroll.

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

Motion was then made by Mr. Darby seconded by Mr. Brazzell that item #1 on the Board of Zoning Adjustment agenda be removed:

RESOLUTION GRANTING A VARIANCE TO JOSEPH LAVERGNE, 612 LELAND STREET, TO ALLOW FOR AN ACCESSORY STRUCTURE TO EXCEED THE 35% OF THE TOTAL FLOOR AREA OF ALL STRUCTURES ON THE ENTIRE LOT.

Motion carried unanimously.

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

Motion carried unanimously.

The first item on the Land Use agenda is a resolution granting a rezone to Lee Marsalise, 102 Louisiana Avenue, from Residential to Business to allow for an office. Dominique Valenti, representative, stated that the home that is currently located on this lot is older and they'd like to

make an office on the property. Ms. Baudoin asked if he had spoke to the neighbor that's adjacent to the property. He said no, the signs were posted in the front and the back so they should have seen when the meeting would be held. Billy Loftin, City Attorney, stated that if the subdivision restrictions are still valid, the vote of the Commission does not supersede the restrictions. The Commission doesn't give opinions on private restrictions. The owner will need to check to see if restrictions are still valid/expired. After discussion, motion was made by Mr. Brazzell seconded by Mr. Darby that the following amendment be made:

- Approval is contingent upon ingress/egress from Beglis Parkway.

Motion carried unanimously.

Mr. Darby asked if this rezone was in line with the city's Master Plan. Austin Abrahams, Land Use Administrator, stated that it was. The Master Plan shows Beglis Parkway as Corridor Commercial.

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

RESOLUTION AS AMENDED

RESOLUTION GRANTING A REZONE TO LEE MARSALISE, 102 LOUISIANA AVENUE, FROM RESIDENTIAL TO BUSINESS TO ALLOW FOR AN OFFICE.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Lee Marsalise, 102 Louisiana Avenue, from Residential to Business to allow for an office for the following described property:

LOT 40 BLK 3 WEST POINT SUB

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

- That 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.

- Approval is contingent upon ingress/egress from Beglis Parkway.

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 Lee Marsalise, 102 Louisiana Avenue, from Residential to Business to allow for an office with the above stipulations.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 16th day of October, 2023.

ATTEST:

ARLENE BLANCHARD, Secretary

LENORE CARROLL, Chairman

The next item on the agenda is a resolution granting a rezone to Shannon Carroll, 1516 LeBlanc Street, from Residential to Mixed Residential to allow for the continuance of a mobile home on the property. Mr. Carroll stated that there is currently a mobile home on the property.

He's moved mobile homes on and off this property many times. He purchased the property in 2004 and there was an existing mobile home there. He rezoned the property next door to mixed residential several years ago. The property is legal non-conforming, but he doesn't want any trouble down the road to be able to put a mobile home there. Mr. Brazzell stated that if 50% or more of the mobile home is damaged it will no longer be legal. It would strictly be residential property. There was then discussion concerning the city's Master Plan and how this area was zoned. Mr. Abrahams stated that he wasn't sure how the Master Plan had this area zoned. There was also discussion concerning how many mobile homes were in this area. Mr. Loftin, City Attorney, stated that if there are that many mobile homes in this area, then this entire area should be rezoned to mixed residential.

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

RESOLUTION GRANTING A REZONE TO SHANNON CARROLL, 1516 LEBLANC STREET, FROM RESIDENTIAL TO MIXED RESIDENTIAL TO ALLOW FOR THE CONTINUANCE OF A MOBILE HOME ON THE PROPERTY.

Motion failed unanimously.

The next item on the agenda is a resolution granting an Exception to 3 A Holding, LLC, 201 North Claiborne Street, to allow for an expansion of a Neighborhood Commercial Use in a Mixed Residential District. Fayaz Khan, owner, addressed the Commission and stated that he purchased the property a couple of months ago and wants to extend it 12 feet to the south for storage. The Fire Marshal has released the permit. There will be cosmetic work on the outside of the building. He is also a licensed contractor. Motion was made by Mr. Darby seconded by Mr. Brazzell that the following resolution be adopted to-wit:

RESOLUTION

RESOLUTION GRANTING AN EXCEPTION TO 3 A HOLDING, LLC, 201 CLAIBORNE STREET, TO ALLOW FOR AN EXPANSION OF A NEIGHBORHOOD COMMERCIAL USE IN A MIXED RESIDENTIAL DISTRICT.

WHEREAS in accordance with Appendix B, Article IV, Part 3, Section 2 of the Land Use Ordinance of the City of Sulphur, applicant is requesting an Exception to allow for an expansion of a neighborhood commercial use in a Mixed Residential District for the following described property:

A CERTAIN PIECE OR PORTION OF GROUND, SITUATED IN THE PARISH OF CALCASIEU, STATE OF LOUISIANA, DESCRIBED AS LOTS 1 AND 2 OF BLOCK "A" OF THE WEST END SUBDIVISION OF THE TOWN OF SULPHUR, LOUISIANA, AS PER PLAT RECORDED IN PLAT BOOK 3, PAGE 263.

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 3 A Holding, LLC, 201 Claiborne Street, to allow for an expansion of a neighborhood commercial use in a mixed residential district.

A vote was then called with the results as follows:

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

NAYS: Mrs. Allison, Mrs. Baudoin

ABSENT: None

And the said resolution was declared duly adopted on this 16th day of October, 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 945 Beulah Street, in accordance with Ordinance No. 1693, M-C Series.

Mr. Abrahams stated that the rough-in is done and the home is ready for sheetrock.

Motion was made by Mr. Darby seconded by Mr. Brazzell that the above address be granted a 6-month extension. Motion carried unanimously.

- b. To extend temporary housing in a recreational vehicle located at 906 Taylor Street, in accordance with Ordinance No. 1693, M-C Series.

Mr. Abrahams stated that the contractor needs about 3 or so more months to finish.

Motion was then made by Mr. Darby seconded by Mrs. Allison that the above address be granted a 6-month extension. Motion carried unanimously.

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

ATTEST:

ARLENE BLANCHARD, Secretary

LENORE CARROLL, Chairman

10/16/23
6:03 P.M.