

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, DECEMBER 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, DECEMBER 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

BZA

1. Resolution granting a variance to Suzanne Hebert, 706 Live Oak, to allow for a second dwelling to be placed on property until the primary dwelling can be demolished.
2. Resolution granting a variance to Darion Stofira, 201 Ann Avenue, to allow for accessory structure height to exceed primary structure height.

LAND USE

1. Resolution granting a rezone to K & V Realty, LLC, property located 620 feet south of Maplewood Drive/South Post Oak Road, from Residential to Mixed Residential for potential sell of property.
2. Resolution granting a rezone to 3A Holding, LLC, 201 North Claiborne Street, from Mixed Residential to Business to allow for 3 video poker machines.

ADJOURNMENT

****(Anyone addressing Commission 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 decisions, you can appeal it.

***The next regular Board of Zoning Adjustment and Land Use meeting will be held on Tuesday, January 16, 2024, 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.

Need wording from Billy for contractor to demolish

RESOLUTION

RESOLUTION GRANTING A VARIANCE TO SUZANNE HEBERT, 706 LIVE OAK, TO ALLOW FOR A SECOND DWELLING TO BE PLACED ON PROPERTY UNTIL THE PRIMARY DWELLING CAN BE DEMOLISHED.

WHEREAS, in accordance with Appendix B, Article IV, Part 3, Section 2 (3) of the Land Use Ordinance of the City of Sulphur, Louisiana, each dwelling shall have 6,000 sq. ft with 50 foot of road frontage.

BE IT RESOLVED by the Board of Zoning Adjustment of the City of Sulphur, Louisiana, that they do hereby grant a variance to Suzanne Hebert, 706 Live Oak, for the following described property:

BEG AT NW COR LOT 3 OF PORTION OF SW SE 27.9.10 OF DOIRON HEIRS TH S 116 FT E 217 FT ETC.

BE IT FURTHER RESOLVED that the existing primary structure shall be demolished within 30 days after manufactured home is installed with utilities.

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.

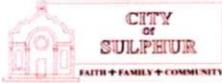
BE IT FURTHEREST RESOLVED by the Board of Zoning Adjustment of the City of Sulphur, Louisiana, that they do hereby grant a variance to Suzanne Hebert, 706 Live Oak, to allow for a second dwelling to be placed on property until the primary dwelling can be demolished.

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 - VARIANCE

Date Received 11/3/2023 \$50.00 Fee (Non-Refundable) pd (90) (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 VARIANCE IS APPROVED/DISAPPROVED, APPLICANT MUST REMOVE SIGN FROM PROPERTY
Print Name Suzanne R. Hebert Date 11/2/2023

PROPERTY OWNER INFORMATION: Suzanne R. Hebert, 706 Live Oak St., Sulphur, La. 70654. Mailing Address: 706 Live Oak St., Sulphur, La. 70654. Phone Number: 337-540-5986. PROPERTY INFORMATION: Location Address: 706 Live Oak St. LEGAL DESCRIPTION: Beg @ NW Cor Lot 3 of Block of SW SE 27.9.10 of Deiron Hebert Tr 5196 FS E 217 FT ETC. REF1 - Jack E Hebert B 1930 P 632-86 REF2 Hebert, Carl Joseph and Norma Jean Thomas B 2619 P 75, P 77, P 79-97. VARIANCE REQUEST INFORMATION: Purpose of Variance Request: Request is to allow beginning of construction of new residence, especially foundation, before manufactured home delivery while current residence is emptied and during demolition. How did you find out you needed a variance? After meeting with City Inspector & Building Officials. 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 sign(s) placed on my property after the hearing. Applicant Signature: Suzanne R. Hebert Date: 11/2/2023. Questions 1-6 regarding site location, nuisance, road capacity, fire protection, development impact, and flood hazard area.



Memo

To: Land Use and Planning Commissioners
From: Austin Abrahams 
Director, Department of Public Works
CC: Arlene Blanchard, Mayor Mike Danahay
Date: 12/8/2023
Re: 706 Live Oak - Variance Request

Comments: **Summary of Recommendation:**

A recommendation in support of the variance cannot be given.

Application:

Suzanne Hebert has requested a variance relative to the front foot dimension requirements. Mixed Residential Districts require fifty (50) feet of road frontage for each building.

Situation:

The applicant is requesting a variance to allow for a new manufactured home to be placed on the property in front of the existing dwelling. The existing dwelling has been damaged by Hurricane Laura. The applicant stated the existing dwelling will be demolished after the new manufactured home is installed. According to inspections department, the applicant is currently staying temporarily in the RV on the property. Her daughter is staying in the damaged house, with plans to move into the manufactured home once it is installed on the property.

Findings:



In accordance with Article III, Part 1, Section 2(a) of the Land Use Ordinance (Ordinance), the application has been reviewed. The following findings are offered for your consideration:

1. The applicant has had a variance for temporary living in RV while the home is repaired.
2. In the event the variance is granted, a situation will be created that will severely impact the City's ability to condemn the damaged structure. Specifically, the new manufactured home will significantly impede accesses to the damaged structure.

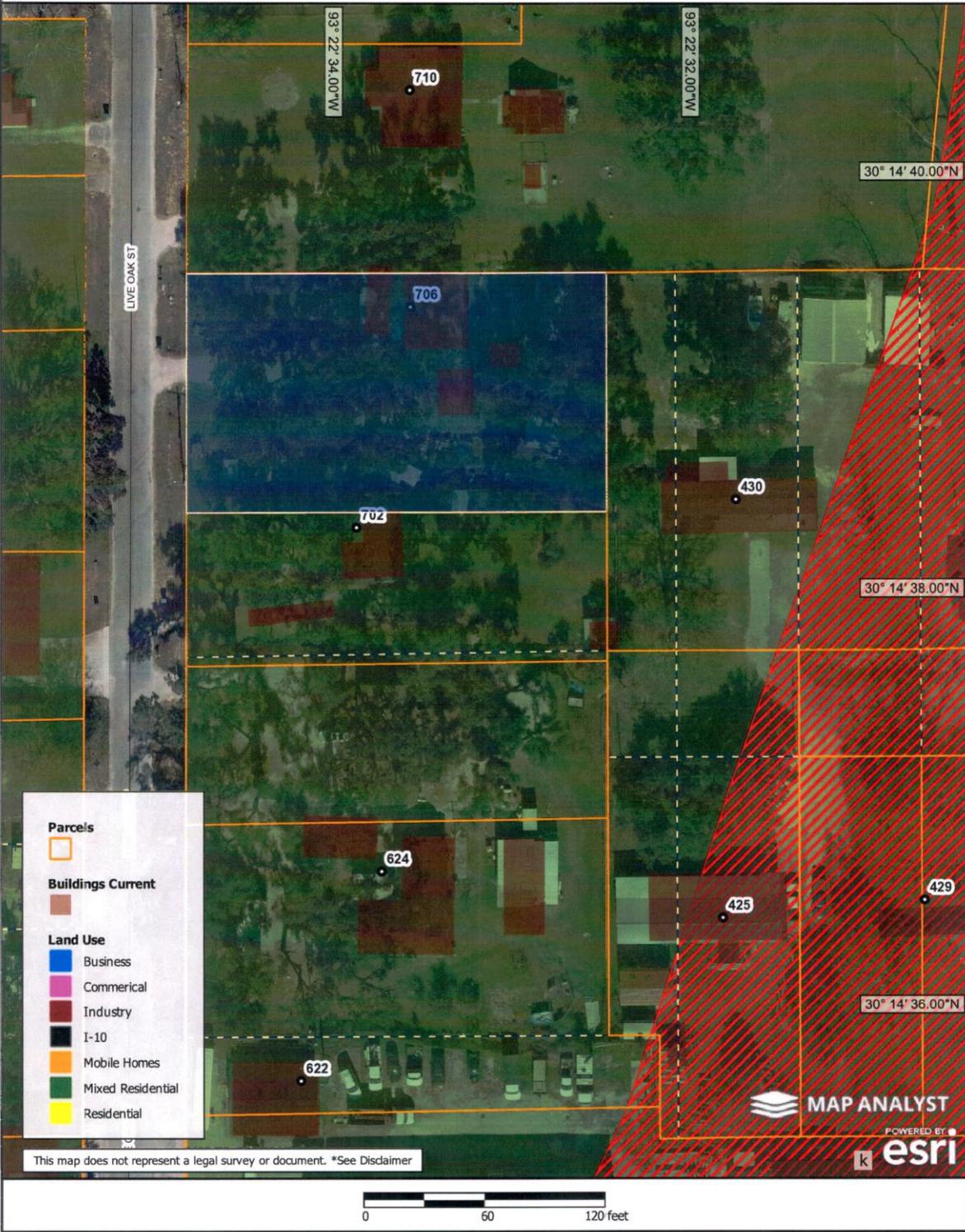
Recommendation:

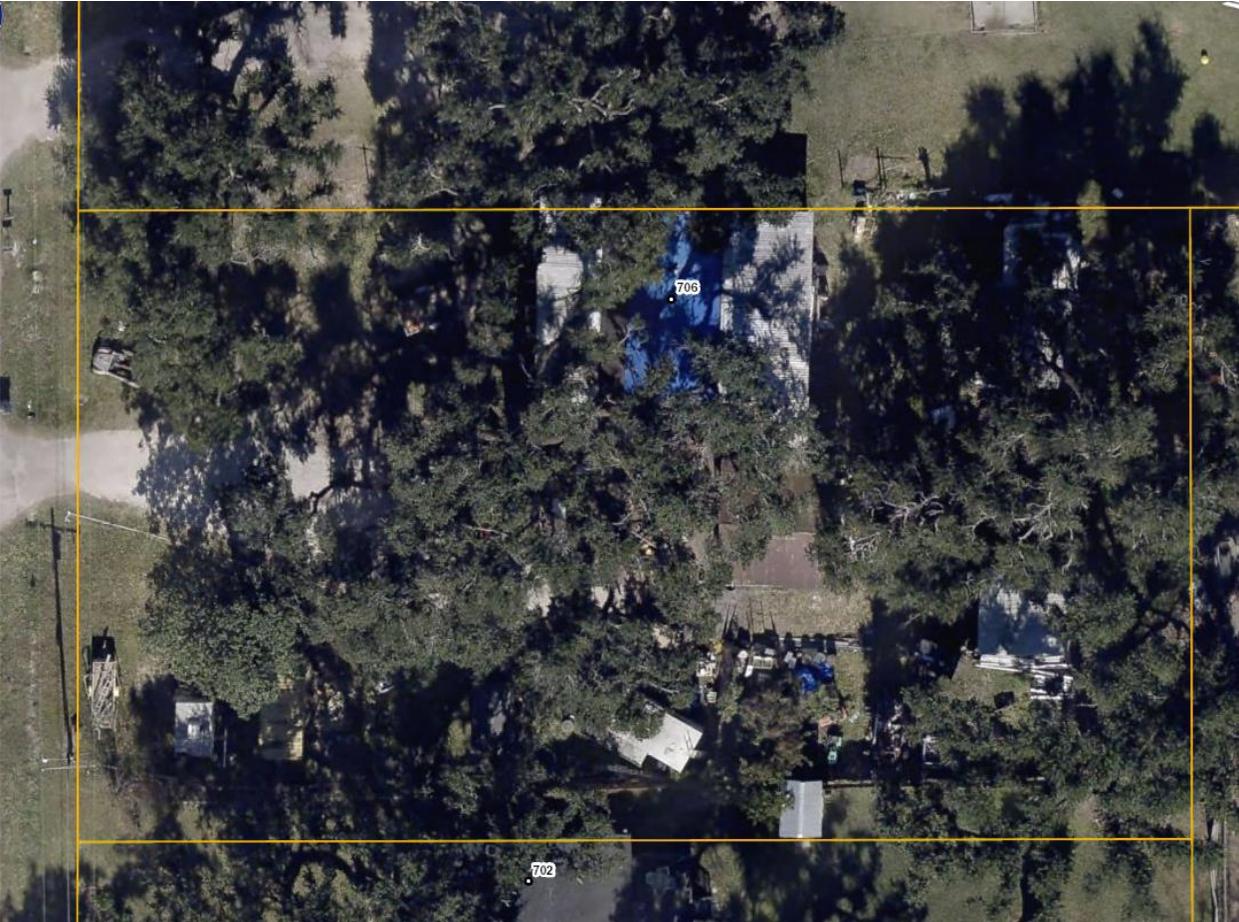
In accordance with Article III, Part 2, Section 4 (5), based on the above findings, it is recommended that the variance be denied. The following stipulations are suggested:

1. The existing primary structure is to be demolished within 30 days after manufactured home is installed with utilities.



Aerial - 706 Live Oak Street







RESOLUTION

RESOLUTION GRANTING A VARIANCE TO DARION STOFIRA, 201 ANN AVENUE, TO ALLOW FOR ACCESSORY STRUCTURE HEIGHT TO EXCEED PRIMARY STRUCTURE HEIGHT.

WHEREAS, in accordance with Appendix B, Article IV, Part 2, Section 3 (d) of the Land Use Ordinance of the City of Sulphur, Louisiana, no accessory structure or use shall exceed the height of the principal structure to which it is accessory; and

WHEREAS, the principal structure's height is 14 feet 8 inches and applicant is requesting the accessory structure to be 16 feet 6 inches.

BE IT RESOLVED by the Board of Zoning Adjustment of the City of Sulphur, Louisiana, that they do hereby grant a variance to Darion Stofira, 201 Ann Avenue, for the following described property:

LOT 1 AND E 25 FT -OR- E 1/3 LOT 2 BLK 6 BEVERLY HILLS

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.

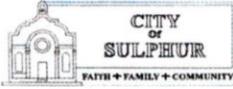
BE IT FURTHER RESOLVED by the Board of Zoning Adjustment of the City of Sulphur, Louisiana, that they do hereby grant a variance to Darion Stofira, 201 Ann Avenue, to allow for accessory structure height to exceed primary structure height.

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 - VARIANCE

Date Received 12-1-23

\$50.00 Fee (Non-Refundable) pd.
(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 VARIANCE IS APPROVED/DISAPPROVED, APPLICANT MUST REMOVE SIGN FROM PROPERTY
Print Name Darion J. Stofira Date 12/1/2023

PROPERTY OWNER INFORMATION
 Name of Property Owner Darion J. Stofira
(Owner must provide proof of ownership such as property tax record or recorded deed)
 Mailing Address: 201 Ann Ave City: Sulphur State: LA Email: darionstofira@gmail.com
 Physical Address: 201 Ann Ave City: Sulphur State: LA
 Phone Number (H) _____ (W) 337-708-4549 (C) 504-427-2292

PROPERTY INFORMATION
 Location Address: 201 Ann Ave. Sulphur, LA
 Present Zoned Classification: Residential

LEGAL DESCRIPTION FROM ABSTRACT OR TAX RECORD (PRINT NEATLY OR TYPE)
"Lot ONE (1) and the east Twenty-five (25') feet of lot Two (2) of block six (6) of Beverly Hills Subdivision, a subdivision in the Southeast Quarter (SE 1/4) of section Thirty-one (31), Township nine (9), south, range nine (9) West

DO YOU CURRENTLY HAVE ANY PENDING VIOLATION WITH ANY ORDINANCE OF THE CITY OF SULPHUR YES NO
 YOU, OR A REPRESENTATIVE, MUST ATTEND THE SCHEDULED MEETING INITIAL DS

VARIANCE REQUEST INFORMATION
 Purpose of Variance Request: ~~Square footage over 35% of floor plan and~~ Height greater than the main house peak for a detached shop. See attached for additional details.
 How did you find out you needed a variance? meeting with city inspectors.

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

Applicant Signature: [Signature] Date: 12/1/23

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



Memo

To: Land Use and Planning Commissioners
From: Austin Abrahams 
Director, Department of Public Works
CC: Arlene Blanchard, Mayor Mike Danahay
Date: 12/8/2023
Re: 201 Ann Avenue - Variance Request

Comments: **Summary of Recommendation:**

A recommendation in support of the variance cannot be given.

Application:

Darion Stofira has requested a variance relative to the accessory structure height requirements. Residential Districts require the accessory structure height to not exceed the height of the principal structure.

Situation:

The applicant is proposing a new 30ft x 40ft x 12ft accessory structure with a 3:12 roof pitch. The resulting height will exceed the height of the primary structure on the lot. The applicant is requesting a variance to allow for the accessory structure height to exceed the primary structure height by approximately two (2) feet. The current accessory structure on the property is to be removed for the new accessory structure floor area to be within 35% of total floor area of all structures on entire lot.

Findings:



In accordance with Article III, Part 1, Section 2(a) of the Land Use Ordinance (Ordinance), the application has been reviewed. The following findings are offered for your consideration:

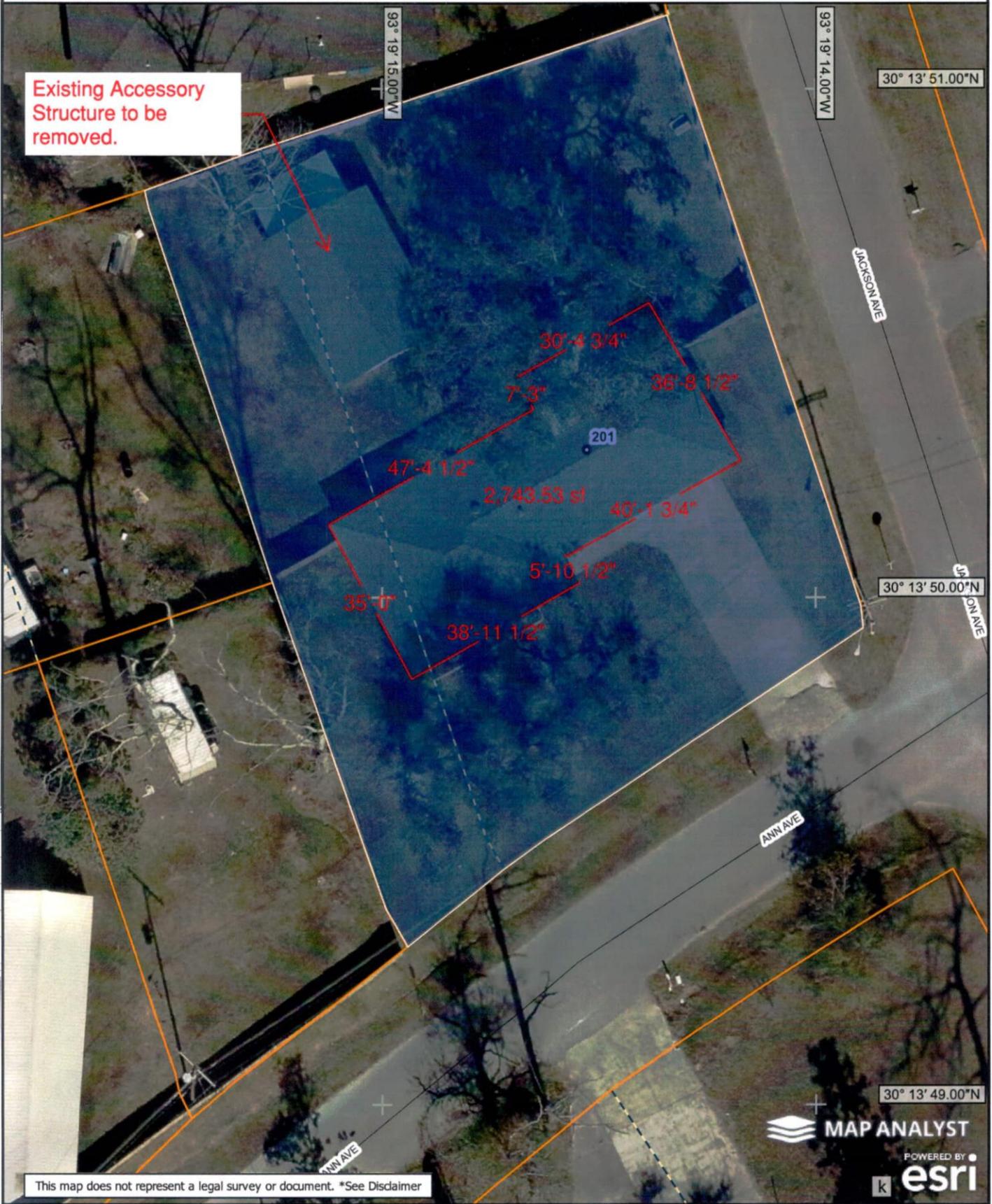
1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district. **False**
2. Literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance. **False**
3. The special conditions and circumstances do not result from the actions of the applicant or any other person who may have or had interest in the property. **True**
4. Granting the variance requested will not confer on the applicant any special privilege which is denied by this Ordinance to other lands, structures, or buildings in the same district or similarly situated. **False**
5. The variance, if granted, will not alter the essential character of the locality. **True**
6. Strict adherence to the regulation for the property would result in a demonstrable hardship upon the owner, as distinguished from mere inconvenience. **False**
7. The purpose of the variance is not based exclusively upon a desire to serve the convenience or profit of the property owner or other interested party(s). **True**
8. The proposed variance will not impair an adequate supply of light and air to adjacent property, or increase substantially the congestion in the public street, or increase the danger of fire, or endanger the public safety. **True**

Recommendation:

In accordance with Article III, Part 2, Section 4 (9), based on the above findings, **contingent upon the lack of objections from the Building Permits Division** it is recommended that the variance **not be granted**.



Aerial - 201 Ann Avenue



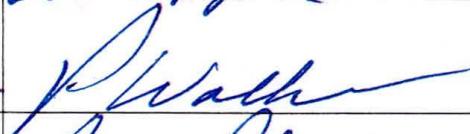
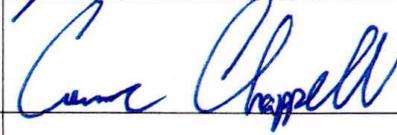






Structure will be torn down and replaced with another

The undersigned support the variance request of Darion Stofira at 201 Ann Ave, Sulphur, Louisiana regarding the construction of a new detached shop at 201 Ann Ave, Sulphur, Louisiana.

Name (printed)	Name (Signature)	Address
Steven Roger		202 Jackson Ave
PATRICK WALKER		102 AUDALIA AVE
Conner Chappell		203 Jackson Ave

REWORD THIS

RESOLUTION

RESOLUTION GRANTING A REZONE TO K & V REALTY, LLC, PROPERTY LOCATED APPROXIMATELY 400 ??????? FEET SOUTH OF MAPLEWOOD DRIVE/SOUTH POST OAK ROAD, FROM RESIDENTIAL TO MIXED RESIDENTIAL FOR POTENTIAL SELL OF PROPERTY.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to K & V Realty, LLC, from Residential to Mixed Residential for potential sell of property for the following described property:

A TRACT OF LAND IN THE NORTH HALF OF THE NORTHEAST QUARTER (N ½ OF NE ¼) OF SECTION 2, TOWNSHIP 10 SOUTH, RANGE 10 WEST, CALCASIEU PARISH LOUISIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT A POINT ON THE WEST RIGHT OF WAY LINE OF SOUTH POST OAK ROAD, SAID POINT BEING SOUTH 00°53'52" WEST 1,328.96 FEET AND NORTH 89°18'38" WEST 30 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 2, SAID POINT ALSO BEING THE NORTHEAST CORNER OF ROSE PARK NO. 11 SUBDIVISION AS RECORDED IN PLAT BOOK 26, PAGE 77, FILE NO. 1434241 RECORDS OF CALCASIEU PARISH, LA;

THENCE NORTH 89°18'38" WEST 1,476.71 FEET ALONG THE NORTH LINE AND ITS WESTERLY PROLONGATION OF SAID ROSE PARK NO. 11 SUBDIVISION;

THENCE NORTH 01°04'49" EAST 664.65 FEET;

THENCE SOUTH 89°18'16" EAST 1,474.60 FEET TO A POINT OF THE WEST RIGHT OF WAY LINE OF SOUTH POST OAK ROAD;

THENCE SOUTH 00°53'52" WEST 664.48 FEET ALONG THE WEST RIGHT OF WAY LINE OF SOUTH POST OAK ROAD TO THE POINT OF BEGINNING.

THE HEREIN DESCRIBED TRACT CONTAINS 22.51 ACRES, MORE OR LESS.

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

1. 6' privacy fence along south property lines.
2. Maintain 20' wide buffer yard along south property lines.
3. Develop a drainage plan and have it approved as part of the Permit process.
4. Containers for solid waste shall be located no closer than fifteen feet to an adjacent property line and screened with a 6' tall, gated, masonry or lumber fence.
5. Manufactured/Mobile Homes are prohibited.
6. Revisions to the proposed plan shall require approval from the Land Use Commission.

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.

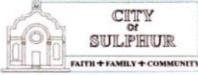
BE IT FURTHER RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to K & V Realty, LLC, property located 620 feet south of Maplewood Drive/South Post Oak Road, from Residential to Mixed Residential for potential sell of property with the above stipulations.

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: K&J Realty, LLC
(Owner must provide proof of ownership such as property tax record or recorded deed)
Mailing Address: P.O. Box 898, C.C., LA, ASIN@LETARY@INSTAGRAM.COM
Physical Address: 127 W. BROAD ST, City: L.C. 70602, State: LA
Phone Number: (H) _____ (W) 337-4930 511 (C) 337 4 96 6098

PROPERTY INFORMATION

Location Address: Maplewood Dr. @ FOOT C&K
Present Zoned Classification: Residential

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

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: AS

REQUEST INFORMATION

[X] REZONE [] EXCEPTION [] SUBDIVISION [] BILLBOARD [] PRE. PLAT [] FINAL PLAT
[] DOES REZONE REQUIRE FENCING NAME OF SUBDIVISION _____

Zoning Change: From Residential To Mixed Residential-Business
Purpose of Request: Potential Sell of Property

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 requests 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: 10/17/2023

Table with 3 columns: Question, Yes, No, N/A. Contains 6 questions regarding site location, nuisance, road capacity, fire protection, development impact, and flood hazard area.



Memo

To: Land Use and Planning Commissioners
From: Austin Abrahams 
Director, Department of Public Works
CC: Arlene Blanchard, Mayor Mike Danahay
Date: 12/8/2023
Re: Property located 620 feet South of Maplewood Drive & Post Oak Road
Intersection - Rezone Request

Comments: **Application:**

K & V Realty, LLC, has requested a rezoning of the reference area from Residential to Mixed Residential.

Situation:

The application is based on the proposed plan provided by the applicant. The proposed plan includes several "shopping centers" along Maplewood Drive and multi-family uses (apartment complexes) to the south of shopping centers that would require a rezone to Mixed Residential.

Findings:

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

1. The Application appears substantially complete.
 2. The considered area is bordered by undeveloped land.
-



-
3. The considered area is bordered by land zoned Mixed Residential to the East across Post Oak Road, Business to the North, and Residential to the South.
 4. The request to amend the current land use map may constitute "spot zoning".

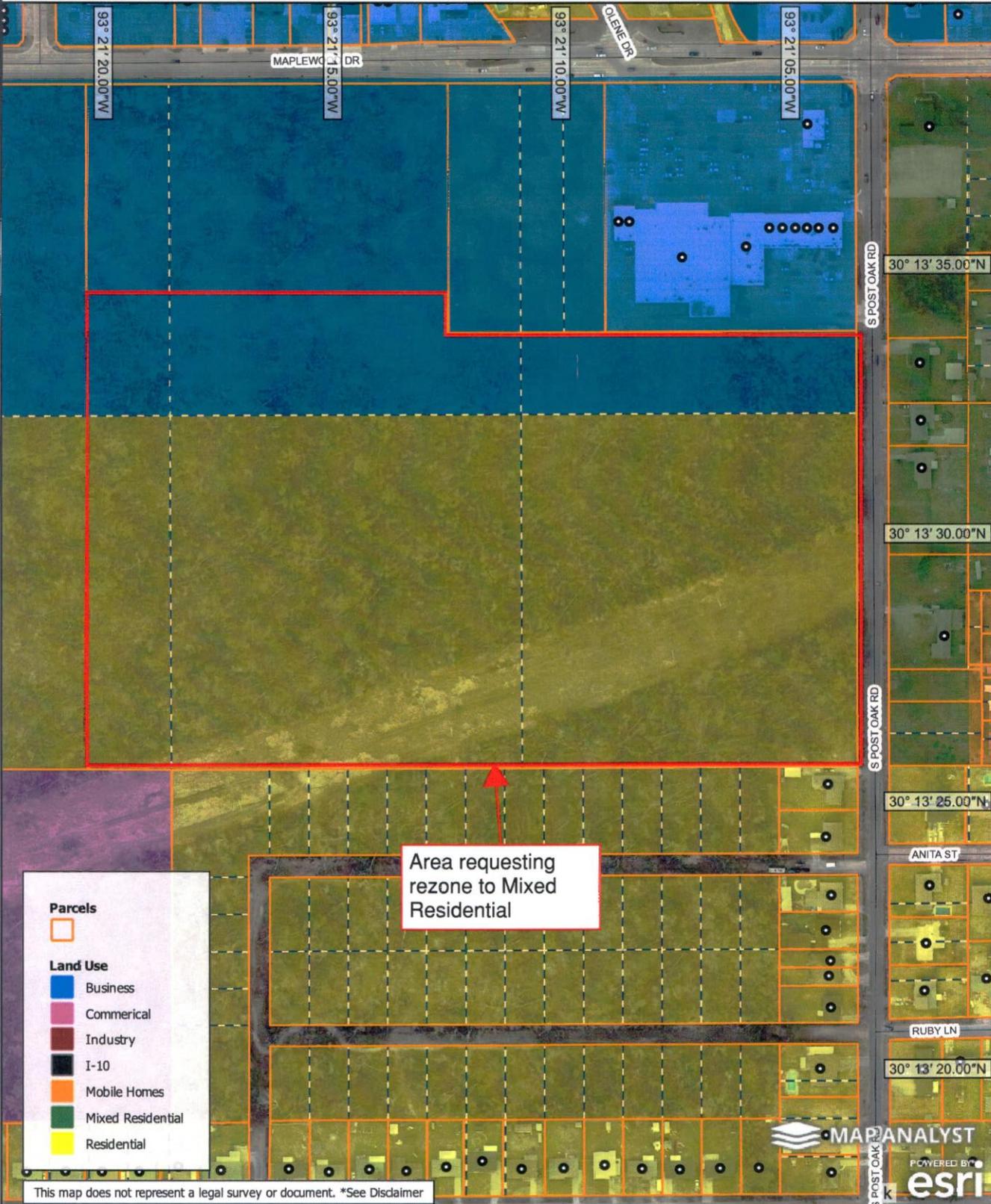
Recommendations:

Based on the above findings, it is recommended the rezone be granted with the following stipulations:

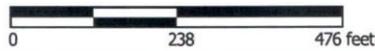
- a. 6' privacy fence along south property lines
 - b. Maintain 20' wide buffer yard along south property lines
 - c. Develop a drainage plan and have it approved as part of the Permit process
 - d. Containers for solid waste shall be located no closer than fifteen feet to an adjacent property line and screened with a 6' tall, gated, masonry or lumber fence.
 - e. Manufactured/Mobile Homes are prohibited.
 - f. Revisions to the proposed plan shall require approval from the Land Use Commission.
-



Aerial - K&V Realty, LLC Rezone



This map does not represent a legal survey or document. *See Disclaimer







IF OWNER HASN'T FILED HIS EXCEPTION PAPERWORK WITH CLERK OF COURT LAST MONTH FOR HIS EXCEPTION TO EXPAND, IS THIS GROUNDS TO PULL THIS REZONE?

RESOLUTION

RESOLUTION GRANTING A REZONE TO 3A HOLDING, LLC, 201 NORTH CLAIBORNE STREET, FROM MIXED RESIDENTIAL TO BUSINESS TO ALLOW FOR 3 VIDEO POKER MACHINES.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to 3A Holding, LLC, 201 North Claiborne Street, from Mixed Residential to Business to allow for 3 video poker machines 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.

BE IT FURTHER RESOLVED that this rezone is contingent upon video poker license being attained within 30 days from the rezoning approval.

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.

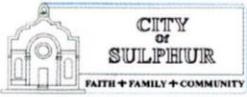
BE IT FURTHER RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to 3A Holding, LLC, 201 North Claiborne Street, from Mixed Residential to Business to allow for 3 video poker machines with the above stipulation.

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 11-14-23

\$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 Fayaz Khan DATE 11/14/2023

PROPERTY OWNER INFORMATION

Name of Property Owner 3A Holding - LLC
(Owner must provide proof of ownership such as property tax record or recorded deed)
Mailing Address: 3721 W. Park City City: Sulphur State: LA Email: Fayaz2245@yahoo.com
Physical Address: 201 Clairborn ST City: Sulphur State: LA
Phone Number (H) _____ (W) _____ (C) 337-802-3253

PROPERTY INFORMATION

Location Address: 201 N Clairborn, St. Sulphur
Present Zoned Classification: Mix Residential

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 [Signature]

REQUEST INFORMATION

REZONE EXCEPTION SUBDIVISION BILLBOARD PRE. PLAT FINAL PLAT
 DOES REZONE REQUIRE FENCING NAME OF SUBDIVISION _____

Zoning Change: From Mixed Residential To Business
Purpose of Request: To allow for 3 video poker machines

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: 11/14/2023

	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 checked="" type="checkbox"/>	<input 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? Flood zone classification _____ bfe _____ ft.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Memo

To: Land Use and Planning Commissioners
From: Austin Abrahams 
Director, Department of Public Works
CC: Arlene Blanchard, Mayor Mike Danahay
Date: 12/8/2023
Re: 201 North Claiborne Street - Rezone Request

Comments: **Application:**

The applicant 3A Holding, LLC, has requested a rezoning of property from Mixed Residential to Business.

Situation:

The applicant is requesting a rezone to allow for 3 video poker machines. The proposed use is not allowed in Mixed Residential and this will require a rezone to Business.

Findings:

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

1. The Application appears substantially complete.
 2. The considered area is bordered by land zoned Mixed Residential to the East, South, North and West.
 3. There is a property zoned Business to the Southwest of subject property requesting rezone to Business.
-



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4. The request to amend the land use map may constitute "spot zoning".
 5. The current liquor license renewal was due 11/30/2023 and per Licensing has been granted till 12/31/2023 to make current.
 6. Business currently has Class B license for off premises alcohol.

Recommendations:

Based on the above findings, a recommendation in support of the rezone **cannot be given**. In the event the rezone is approved, the following stipulation is recommended.

- a. Rezoning is contingent upon video poker license being attained within 30 days from the rezoning approval.
-



Aerial - 201 North Claiborne



This map does not represent a legal survey or document. *See Disclaimer

