

May 20, 2024

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 20th day of May, 2024, 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  
EDDIE LEBLANC, 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 and Pledge of Allegiance was led by Mr. Darby.

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

Motion was then made by Mr. LeBlanc seconded by Mrs. Allison that the agenda stand as written. Motion carried unanimously.

The first item on the agenda is a resolution electing a Chairman and Vice-Chairman for the Board of Zoning Adjustment. Motion was made by Mrs. Allison seconded by Mr. LeBlanc that the following resolution be adopted to-wit:

#### RESOLUTION

Resolution electing a Chairman and Vice-Chairman for the Board of Zoning Adjustment of the City of Sulphur.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby elect Troy Darby as Chairman and Jonathan Brazzell as Vice-Chairman for the Board of Zoning Adjustment of the City of Sulphur.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mr. Darby, Mrs. Allison, Mr. LeBlanc, Mr. Brazzell  
NAYS: None  
ABSENT: None

And the said resolution was declared duly adopted on this 20th day of May, 2024.

ATTEST:

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ARLENE BLANCHARD, Secretary

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TROY DARBY, Chairman

At this time Mr. Darby presented Mrs. Carroll with a plaque and thanked her for being Chairman for the past year.

The next item on the agenda is a resolution granting a variance to Tulco II, LLC, 1825 East Napoleon Street, to allow for structure height to be 57 feet tall rather than the required 50 feet. Brandon Jargneaux, representative, stated that their other buildings are 55 feet tall but this building is wider so it needs a higher pitch. Mrs. Allison asked if this would affect the city's fire rating. Mr. Abrahams, Land Use Administrator, stated that he didn't think so. Motion was then made by Mr. Brazzell seconded by Mrs. Carroll that the following amendment be made:

WHEREAS, the following stipulation shall be placed on property:

1. Exterior lighting shall not glare into, or upon, the neighboring properties or any residential premises.

Motion carried unanimously.

Motion was then made by Mr. LeBlanc seconded by Mrs. Carroll that the following resolution be adopted to-wit:

**RESOLUTION AS AMENDED**

**RESOLUTION GRANTING A VARIANCE TO TULCO II, LLC. 1825 EAST NAPOLEON STREET, TO ALLOW FOR STRUCTURE HEIGHT TO BE 57 FEET TALL RATHER THAN THE REQUIRED 50 FEET.**

WHEREAS, in accordance with Article IV, Part 3, Section 5 (4) (b) of the Land Use Ordinance of the City of Sulphur, Louisiana, the required height of a structure is 50 feet; and

WHEREAS, the applicant is requesting that the height of the structure be 57 feet tall rather than the required 50 feet tall; and

WHEREAS, the following stipulation shall be placed on property:

1. Exterior lighting shall not glare into, or upon, the neighboring properties or any residential premises.

BE IT RESOLVED by the Board of Zoning Adjustment of the City of Sulphur, Louisiana, that they do hereby grant the variance to Tulco, Inc., 1825 East Napoleon Street, to allow for structure height to be 57 feet tall rather than the required 50 feet tall for the following described property:

LOT 1 CLAYSTONE10X SUB

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 Tulco II, LLC, 1825 East Napoleon Street, to allow for structure height to be 57 feet tall rather than the required 50 feet tall.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 20th day of May, 2024.

ATTEST:

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ARLENE BLANCHARD, Secretary

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TROY DARBY, Chairman

The next item on the agenda is a resolution granting a variance to D.W. Greenwood, LLC, 925 Kirby Street, to allow for 2 mobile homes to each sit on 40-foot of road frontage rather than the required 50-foot of road frontage. Mr. Greenwood stated that he would like to put 2 mobile homes on this lot. They meet the square footage on density but not the 50-foot road frontage. Each mobile home would have 40-foot of road frontage. It would be just like the mobile home park to the north of his lot. Motion was then made by Mr. Brazzell seconded by Mrs. Allison that the following amendment be made:

WHEREAS, the following stipulation shall be placed on property:

- An executed access servitude from Brimstone MHP, LLC shall be provided if not already in the deed.

Motion carried unanimously.

Mrs. Carroll stated that the 50% rule would not apply to this lot. Mr. Greenwood stated that he wants to use this property as rental income. Frank Gautreaux, Kirby Street, stated that there are already drainage problems in this area. The west side of the street doesn't even have a ditch. He's against this variance. He's been trying for years to get Gravity Drainage out there to look at the drainage problem and he can't get them out there.

Royce Helmer, Kirby Street, stated that they have enough trouble on this street and don't need more rentals. The cops are always on this road. Mr. Greenwood can put one mobile home in the middle of his property. There are also bad sewer problems on this street. Mr. Abrahams, Land Use Administrator, stated that Gravity Drainage has a project for a detention pond in this area to alleviate some of the problems. Mr. Greenwood stated that he could meet all the setbacks. After discussion, the Chairman asked for a motion to adopt the following resolution:

RESOLUTION GRANTING A VARIANCE TO D.W. GREENWOOD  
PROPERTIES, LLC, 925 KIRBY STREET, TO ALLOW FOR TWO MOBILE  
HOMES TO EACH HAVE 40 FOOT OF ROAD FRONTAGE RATHER THAN  
THE REQUIRED 50 FOOT OF ROAD FRONTAGE.

WHEREAS, in accordance with Article IV, Part 3, Section 2 (3) (b) of the Land Use Ordinance of the City of Sulphur, Louisiana, no front foot dimension of a lot shall be less than fifty (50) feet.; and

WHEREAS, although the density requirements will be met with each mobile home having at least 6,000 sq. ft., applicant is requesting to allow each mobile home to sit on 40 foot of road frontage rather than the required 50 foot of road frontage for the following described property:

COM NE COR LOT 13 K AND M SUB IN NE SE 27.9.10, TH W 150 FT, N 80 FT  
ETC.

WHEREAS, the following stipulation shall be placed on property:

- An executed access servitude from Brimstone MHP, LLC shall be provided if not already in the deed.

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 RESOLVED by the Board of Zoning Adjustment of the City of Sulphur, Louisiana, that they do hereby grant a variance to D.W. Greenwood Properties, LLC, 925 Kirby Street, to allow for two mobile homes to each sit on 40 foot of road frontage rather than the required 50 foot of road frontage.

With no motion being made, the resolution failed on this 20<sup>th</sup> day of May, 2024.

ATTEST:

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ARLENE BLANCHARD, Secretary

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TROY DARBY, Chairman

The next item on the agenda is a resolution granting variances to James Tilley, 410 Poole Street, for the following:

- a. To allow for the existing accessory structure to be larger than the proposed single-family dwelling.
- b. To allow for the existing accessory structure to be in the front yard of the proposed single-family dwelling.

Mr. Tilley addressed the Commission and stated that the shop was built in the late 1960's and it had a small mobile home in the back yard. The mobile home is no longer there, and he wants to build a 640 sq. ft. home for one of their elderly friends. After discussion, the Chairman asked for a motion to adopt the following resolution:

**RESOLUTION GRANTING VARIANCES TO JAMES TILLEY, 410 POOLE STREET.**

WHEREAS, in accordance with Article II, Section 2 (1) of the Land Use Ordinance of the City of Sulphur, an accessory structure or use is subordinate to and serves a principal structure or use; and

WHEREAS, in accordance with Article IV, Part 2, Section 3 (2) (a) of the Land Use Ordinance of the City of Sulphur, all detached accessory structures and uses in any residential district, other than fences, shall be located in the rear or side yard of the residential unit.

BE IT RESOLVED by the Board of Zoning Adjustment of the City of Sulphur, Louisiana, that they do hereby grant the following variances to James Tilley, 410 Poole Street:

- c. To allow for the existing accessory structure to be larger than the proposed single-family dwelling.
- d. To allow for the existing accessory structure to be in the front yard of the proposed single-family dwelling.

BE IT FURTHEREST RESOLVED that the above variances be granted for the following described property:

COM 182 FT S AND 350 FT E OF NW COR LOT 1 LEBRUN SUB W 175 FT  
S 150 FT E 517 FT N 76 FT FOR PT OF COM TH N 76 FT W 132 FT M/L N 2  
FT W 50 FT S 78 FT E 192 FT TO STOR

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 the following variances to James Tilley, 410 Poole Street:

- a. To allow for the existing accessory structure to be larger than the proposed single-family dwelling.
- b. To allow for the existing accessory structure to be in the front yard of the proposed single-family dwelling.

With no motion being made, the resolution failed on this 20<sup>th</sup> day of May, 2024.

ATTEST:

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ARLENE BLANCHARD, Secretary

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TROY DARBY, Chairman

The next item on the agenda is a resolution granting a variance to Carolyn Meche, 430 Breaux Lane, to allow for replacement of a mobile home on a non-conforming lot since lot frontage doesn't front a public street (private road). Motion was made by Mr. Brazzell seconded by Mrs. Allison that the following amendment be made:

WHEREAS, the new mobile home shall be limited to 680 sq. ft.; and

WHEREAS, prior to the issuance of any permits, 432 Breaux Lane shall be cleared from any junk and/or debris.

Motion carried unanimously.

Mrs. Meche stated that they lost their mobile home in hurricane Laura and didn't move it in time to qualify for LA Restore. She wants to put a 2024 mobile home in its place. It's a 16x56 (896 sq. ft.) mobile home. Mr. Abrahams, Land Use Administrator, stated that since this lot is non-conforming, she can only put a 680 sq. ft. mobile home here (size of her old mobile home) and not an 896 sq. ft. mobile home. After discussion, the Chairman asked for a motion to adopt the following resolution:

RESOLUTION GRANTING A VARIANCE TO CAROLYH MECHE, 430  
BREAUX LANE, TO ALLOW FOR REPLACEMENT OF A MOBILE HOME ON  
A NON-CONFORMING LOT SINCE LOT FRONTAGE DOESN'T FRONT A  
PUBLIC STREET.

WHEREAS, in accordance with Article II, Section 2 of the Land Use Ordinance of the City of Sulphur, the definition of frontage is as follows:

*Frontage.* Points of contact of a lot along a public street.

WHEREAS, applicant is requesting to replace her mobile home that was destroyed more than 50% during Hurricane Laura; and

WHEREAS, the existing lot is on Breaux Lane extension which said extension is private and does not meet the requirement of fronting a public street; and

WHEREAS, the new mobile home shall be limited to 680 sq. ft.; and

WHEREAS, prior to the issuance of any permits, 432 Breaux Lane shall be cleared from any junk and/or debris.



BE IT RESOLVED by the Board of Zoning Adjustment of the City of Sulphur, Louisiana, that they do hereby grant a variance to Carolyn Meche, 430 Breaux Lane, to allow for the replacement of a mobile home on a non-conforming lot since the lot frontage doesn't front a public street for the following described property:

"TRACT 12" COM NW COR LT 5 LEBRUN SUB; TH E ALONG N/L LT 5 772.83 FT TO POB; TH E 50 FT; TH S 166 FT TO S/L LT 5, ETC, 0.19 ACS M/L; AND "TRACT 13" COM NE COR LT 5 LEBRUN SUB; TH E ALONG N/L LT 5 822.83 FT TO POB; TH E 50 FT; TH S 166 FT TO S/L LT 5, ETC, 0.19 ACS M/L; AND "TRACT 14" COM NW COR LT 5 LEBRUN SUB; TH E ALONG N/L LT 5 872.83 FT TO POB; TH E 50 FT; TH S 166 FT TO S/L LT 5, ETC, 0.19 ACS M/L, ALL SUBJ TO 25 FT ACCESS EASMT S SIDE AND ALL SUBJ TO 15 FT UTILITY EASMT N SIDE

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 Carolyn Meche, 430 Breaux Lane, to allow for the replacement of a mobile home on a non-conforming lot since the lot frontage doesn't front a public street.

With no motion being made, the resolution failed on this 20<sup>th</sup> day of May, 2024.

ATTEST:

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ARLENE BLANCHARD, Secretary

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TROY DARBY, Chairman

The next item on the agenda is a resolution granting a variance to Carlon Harrison, 604 Maple Street, to allow for the following variances:

- a. To allow two duplexes on a 13,630 sq. ft. lot rather than the required 14,520 sq. ft. lot.
- b. To allow west duplex to be 13 feet 3 inches from the side property line rather than the required 15 feet.

Mr. Carlon stated that he found out that he lost a portion of his property since his neighbor's fence has been on his property for many, many years. If I could include this sq. ft. in my measurements, I would have enough property and wouldn't need the variance. After discussion, motion was made by Mrs. Allison seconded by Mrs. Carroll that the following resolution be adopted to-wit:

#### RESOLUTION

Resolution granting two variances to Carlon Harrison, 604 Maple Street, to allow to exceed density and setback requirements for duplexes.

WHEREAS, in accordance with Article IV, Part 3, Section 2 of the Land Use Ordinance of the City of Sulphur, the density for multi-family units is 12 dwelling units per acre and a 15-foot corner setback.

BE IT RESOLVED by the Board of Zoning Adjustment of the City of Sulphur, Louisiana, that they do hereby grant the following variances to Carlon Harrison, 604 Maple Street:

- a. To allow two duplexes on a 13,630 sq. ft. lot rather than the required 14,520 sq. ft. lot.
- b. To allow west duplex to be 13 feet 3 inches from the side property line rather than the required 15 feet.

BE IT FURTHEREST RESOLVED that the above variances be granted for the following described property:

THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE  
NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35,  
TOWNSHIP 9 SOUTH, RANGE 10 WEST, LA MERIDIAN, CALCASIEU PARISH,  
LA., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING 150.0 FEET SOUTH AND 30.0 FEET EAST OF THE NORTHWEST  
CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER;  
THENCE EAST 145.0 FEET; THENCE SOUTH 94.0 FEET; THENCE WEST 145.0  
FEET; THENCE NORTH 94.0 FEET TO THE POINT OF COMMENCEMENT.

HEREIN DESCRIBED TRACT CONTAINING 0.313 ACRES, MORE OR LESS,  
AND SUBJECT TO ANY RIGHTS OF WAY, SERVITUDES AND/OR EASEMENTS  
OF RECORD OR BY USE.

These variance are granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said variances 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 these variances, 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 these variances the owner of these variances 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 these variances.

**No work shall commence until all applicable permits are obtained. In the event work is commenced prior to obtaining all applicable permits, these variances 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 the following variances to Carlon Harrison, 605 Maple Street:

- a. To allow two duplexes on a 13,630 sq. ft. lot rather than the required 14,520 sq. ft. lot.
- b. To allow west duplex to be 13 feet 3 inches from the side property line rather than the required 15 feet.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 20<sup>th</sup> day of May, 2024.

ATTEST:

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ARLENE BLANCHARD, Secretary

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TROY DARBY, Chairman

There being no further business to come before the Board of Zoning Adjustment, the Chairman declared the meeting adjourned.

ATTEST:

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ARLENE BLANCHARD, Secretary

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TROY DARBY, Chairman

5/20/24  
6:10 P.M.