

September 16, 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 16th day of September, 2024, after full compliance with the convening of said meeting with the following members present:

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

ABSENT - LENORE CARROLL, Land Use Commission District 1

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 Mr. LeBlanc that the minutes of the previous meeting stand as written. Motion carried unanimously.

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

Motion carried unanimously.

The first item on the agenda is a resolution granting a variance to Dianna Afemon, 332 Madison Crossing, to allow for -0- lot line on the east side of her home for a carport rather than the required 15 feet. Mrs. Afemon stated that she's willing to get rid of the carport extension but wanted to get the permit to finish the fence on the east side because she has a pool that a kid could drown in. She also stated that Administration told her she could possibly amend the current variance to include a variance for the shed. Billy Loftin, City Attorney, stated that without it being properly advertised the shed can't be added to this variance. Mrs. Afemon then stated that the shed is on skids and can be easily moved.

She's tried to get DSLD to sign off on what she was doing before she even approached the city. Unless she can get a variance for the fence and the shed, she'll have to sue all the contractors involved. She has a demolition permit, and the carport will be removed. Mr. Abrahams, Land Use Administrator, stated that without the variance, she's only allowed approximately a 4-foot carport. She does not need a variance for the fence. Mr. Darby then stated that the following email was sent to Austin from the developer of Belle Savanne:

Although we have no immediate plans for the property adjoining to the north, we do not want to hinder future development by abandoning the utility right of way or forfeiting access to available water. We are currently focusing on the development of property along Hwy. 1256 but hope to move in this direction and east once Carlyss Drive extension is complete.

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

RESOLUTION GRANTING A VARIANCE TO DIANNA AFEMON, 332
MADISON CROSSING, TO ALLOW FOR -0- LOT LINE ON THE EAST SIDE
OF HER HOME FOR A CARPORT RATHER THAN THE REQUIRED 15 FEET.

WHEREAS, in accordance with Chapter 17-21 (a) of the Code of Ordinances of the City of Sulphur, Louisiana, the following shall apply:

17-21 (a)

No permanent structure or improvement shall be constructed within five (5) feet of a utility easement (in favor of the city) or within ten (10) feet of a city-owned utility or within any recorded construction easement (in favor of the city), whichever is more restrictive. Structures shall include, but not be limited to, fences, decks, landscaping, accessory buildings, permanently installed recreational or entertainment facilities and other such features which may obstruct access to and maintenance of the utility. City shall have the right to remove any structure or improvement which encroaches within these limits. Cost of restoration or replacement of that structure shall be borne by the property owner. City shall not be liable for damages associated with removing or relocating said structure.

BE IT RESOLVED by the Board of Zoning Adjustment of the City of Sulphur, Louisiana, that they do hereby grant a variance to Dianna Afemon, 332 Madison Crossing, to allow for -0- lot line on

the east side of her home for a carport rather than the required 15 feet for the following described property:

LOT 89 BELLE SAVANNE PHASE 1B

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 Adjustments of the City of Sulphur, Louisiana, that they do hereby grant a variance to Dianna Afemon, 332 Madison Crossing, to allow for -0- lot line on the east side of her home for a carport rather than the required 15 feet.

A vote was then called with the results as follows:

YEAS: None

NAYS: Mr. Darby, Mrs. Allison, Mr. LeBlanc, Mr. Brazzell

ABSENT: Mrs. Carroll

And the said resolution failed on this 16th day of September, 2024.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

The next item on the agenda is a resolution granting a variance to Benjamin Ferguson, 300 Pecan Street, to allow for extension of carport to be 1 foot from west property line rather than the required 5 feet. Mr. Ferguson stated that he wants to extend his existing carport 7 feet to the north. It will not encroach any closer to the west property line. He's asking that the extension continue north at 1

foot from the west property line. Motion was then made by Mr. LeBlanc seconded by Mr. Brazzell that the following stipulation be added:

- WHEREAS, a gutter shall be installed on the west side of the existing and new carport.

Motion carried unanimously.

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

RESOLUTION AS AMENDED

RESOLUTION GRANTING A VARIANCE TO BENJAMIN FERGUSON, 300 PECAN STREET, TO ALLOW FOR EXTENSION OF CARPORT TO BE 1 FOOT FROM THE WEST SIDE PROPERTY LINE RATHER THAN THE REQUIRED 5 FOOT.

WHEREAS, applicant is requesting for the extension of a carport to be 1 foot from the west side property line rather than the required 5 foot; and

WHEREAS, a gutter shall be installed on the west side of the existing and new carport.

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 Benjamin Ferguson, 300 Pecan Street, to allow for extension of carport to be 1 foot from the west side property line rather than the required 5 foot.

A vote was then called with the results as follows:

YEAS: Mr. Darby, Mr. LeBlanc, Mr. Brazzell

NAYS: Mrs. Allison

ABSENT: Mrs. Carroll

And the said resolution was declared duly adopted on this 16th day of September, 2024.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

The next item on the agenda is a resolution extending a variance request to Suzanne Hebert, 706 Live Oak, to allow for a second dwelling in the rear of the property to remain until owner has time to clean out the house and have it demolished. Mrs. Hebert stated that she moved into her new home in June and she's requesting another 90-day extension. She's already made a few truck loads, and her brother is supposed to come soon to help her. Mr. Darby stated that this will be another 90-day extension. Motion was then made by Mrs. Allison seconded by Mr. Brazzell that the following resolution be adopted to-wit:

RESOLUTION AS AMENDED

RESOLUTION EXTENDING A VARIANCE REQUEST TO SUZANNE HEBERT, 706 LIVE OAK, TO ALLOW FOR A SECOND DWELLING IN THE REAR OF THE PROPERTY TO REMAIN UNTIL OWNER HAS TIME TO CLEAN OUT THE HOME AND HAVE IT DEMOLISHED.

WHEREAS, on November 20, 2023, the Board of Zoning Adjustment granted the below variance to allow for a second dwelling to be placed on property until the primary dwelling can be demolished; and

WHEREAS, applicant is requesting a 90 day extension (i.e. December 15, 2024) to allow for more time to clean out the home so it 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 this variance is contingent upon the
applicant complying with the following conditions:

1. The existing dwelling may not be occupied once the manufactured home is completed with utilities;
2. The demolition of the existing structure shall be completed within 90 days of occupancy of the manufactured home. Applicant may seek an additional 90 days showing substantial progress;
3. The applicant shall deposit sufficient funds with the City of Sulphur to cover the costs of the demolition which have not already been deposited with the demolition contractor and authorizes the City of Sulphur to complete said demolition using the funds if not completed by the applicant;
4. Applicant shall comply with all City of Sulphur property standards requirements regarding cleaning of the lot within 10 days of receipt of same.

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 extension to 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 90-day extension (i.e. December 15, 2024) to variance to Suzanne Hebert, 706 Live Oak, to allow for a second dwelling in the rear of the property to remain until owner has time to clean out the home and have it demolished.

A vote was then called with the results as follows:

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

NAYS:

ABSENT: Mrs. Carroll

And the said resolution was declared duly adopted on this 16th day of September, 2024.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

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

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

9/16/24
5:50 P.M.