

AGENDA
BOARD OF ZONING ADJUSTMENT
REGULAR MEETING
MONDAY, MAY 18, 2020 AT 5:30 P.M.

THERE WILL BE A REGULAR MEETING OF THE SULPHUR BOARD OF ZONING ADJUSTMENT ON MONDAY, MAY 18, 2020 AT 5:30 P.M. IN THE CITY COUNCIL CHAMBERS LOCATED AT 500 NORTH HUNTINGTON, SULPHUR, LOUISIANA TO ADOPT THE FOLLOWING:

CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE
ROLL CALL
APPROVAL OF MINUTES
APPROVAL OF AGENDA

1. Resolution electing a Chairman and Vice-Chairman for the Board of Zoning Adjustment.
2. Resolution granting a variance to Marcus Benny, 918 Invader Street, to allow for east front of home to be located 5 feet from front property line and the west front of home to be located 19 feet from the front property line rather than the required 30 feet.

ADJOURNMENT

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

If you are not satisfied with the outcome of the Board of Zoning Adjustment decision, you can appeal it to Judicial Court.

***The next BZA meeting will be held on Monday, June 15, 2020 at 5:30 p.m.

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

BE IT RESOLVED by the Board of Zoning Adjustment of the City of Sulphur, Louisiana, that they do hereby elect _____ as Chairman and _____ as Vice-Chairman for the Board of Zoning Adjustment of the City of Sulphur.

APPROVED AND ADOPTED by
the Board of Zoning Adjustment of the
City of Sulphur, Louisiana, on this
_____ day of _____, 2020.

, Chairman

ATTEST:

ARLENE BLANCHARD, Secretary

RESOLUTION

Resolution granting a variance to Marcus Benny, 918 Invader Street, to allow for east front of home to be located 5 feet from front property line and the west front of home to be located 19 feet from the front property line rather than the required 30 feet.

WHEREAS, in accordance with Article IV, Part 3, Section 2 (3) (c) the front setback for a structure shall be 30 feet from eave of the structure to the property line, and

WHEREAS, applicant is requesting a variance to allow for the east front of the home to be located 5 feet from the front property line and the west front of the home to be located 19 feet from the front property line rather than the required 30 feet for the following described property:

COMMENCING AT THE NORTHEAST CORNER OF LOT SEVEN (7) OF BLOCK 2 OF SAID STARLIN SUBDIVISION NO. 2; THENCE SOUTH 00°12'48" WEST A DISTANCE OF 225.83 FEET (CALL=217.70'); THENCE SOUTH 88°38'32" WEST A DISTANCE OF 13.00 FEET; THENCE SOUTH 60°56'59" WEST A DISTANCE OF 79.85 FEET; THENCE NORTH 00°12'48" EAST A DISTANCE OF 196.21 FEET; THENCE NORTH 49°16'46" EAST A DISTANCE OF 32.73 FEET; THENCE NORTH 50°50'02" EAST A DISTANCE OF 74.97 FEET TO THE POINT OF COMMENCEMENT. HEREIN DESCRIBED TRACT CONTAINING 17,237.32 SQ. FT. MORE OR LESS, AND SUBJECT TO ANY RIGHT OF WAYS, SERVITUDES AND/OR EASEMENTS OF RECORD OR BY USE.

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 Marcus Benny, 918 Invader Street, to allow for east front of home to be located 5 feet from front property line and the west front of home to be located 19 feet from the front property line rather than the required 30 feet.

APPROVED AND ADOPTED by
the Board of Zoning Adjustment of the
City of Sulphur, Louisiana, on this
_____ day of _____, 2020.

PHYLLIS WILSON, Chairman

ATTEST:

ARLENE BLANCHARD, Secretary



Memo

To: Board of Zoning

From: Stacy Dowden
Director of Public Works

cc: Arlene Blanchard, Mayor Mike Danahay, Billy Loftin

Date: May 8, 2020

Re:

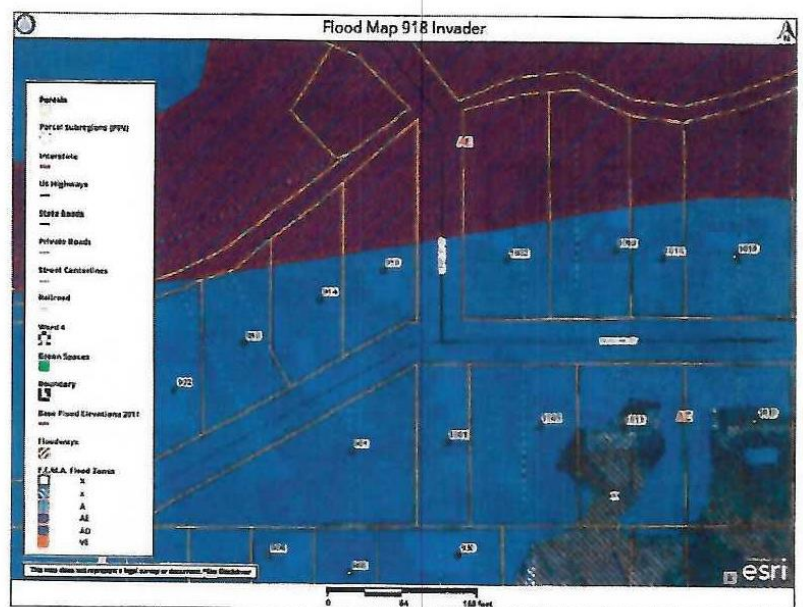
2. Resolution granting a variance to Marcus Benny, 918 Invader Street, to allow for east front of home to be located 5 feet from the front property line and the west front of home to be located 19 feet from the front property line rather than the required 30 feet.

Application:

The applicant, Mr. Benny, is requesting a reduction in the setback requirements due to a hardship caused by the existing floodway and Entergy powerlines.

The red hatched area of the map is the floodway. Buildings are not permitted to build within this area.

A similar variance was granted in 2017 for the property located directly to the west at 914 Invader due to the floodway and Entergy powerlines.





Memo

To: Board of Zoning

From: Stacy Dowden
Director of Public Works *SD*

cc: Arlene Blanchard, Mayor Mike Danahay, Billy Loftin

Date: April 9, 2020

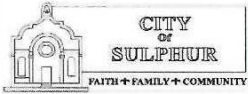
Re: 2. Resolution granting a variance to Marcus Benny, 918 Invader Street, to allow for east front of home to be located 5 feet from the front property line and the west front of home to be located 19 feet from the front property line rather than the required 30 feet.

Application:

The applicant, Mr. Benny, is requesting a reduction in the setback requirements due to a hardship caused by the existing floodway and Entergy powerlines.

A similar variance was granted in 2017 for the property located directly to the west at 914 Invader due to the floodway and Entergy powerlines.





CITY OF SULPHUR
APPLICATION FOR
DEVELOPMENT APPROVAL - VARIANCE

Date Received _____ \$50.00 Fee (Non-Refundable) pd

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 BZA APPROVES/DISAPPROVES, APPLICANT MUST REMOVE SIGN FROM PROPERTY

Print Name Marcus Penny Date 4/1/20

PROPERTY OWNER INFORMATION

Name of Property Owner Marcus Ray Penny

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

Mailing Address: _____ Email: MRPENNY1942@GMAIL.COM

Phone Number (H) 537-6167 (W) 489-8345 (C) _____

PROPERTY INFORMATION

Location Address: 918 Invader Lot 7

Present Zoned Classification: A/E

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

DO YOU CURRENTLY HAVE ANY PENDING VIOLATION WITH ANY ORDINANCE OF THE CITY OF SULPHUR YES NO
YOU, OR A REPRESENTATIVE, MUST ATTEND THE BOARD OF ZONING ADJUSTMENT MEETING INITIAL MB

VARIANCE REQUEST INFORMATION

Purpose of Variance Request: Hard ship to put fence on property - High fence and flood safety on back part of property

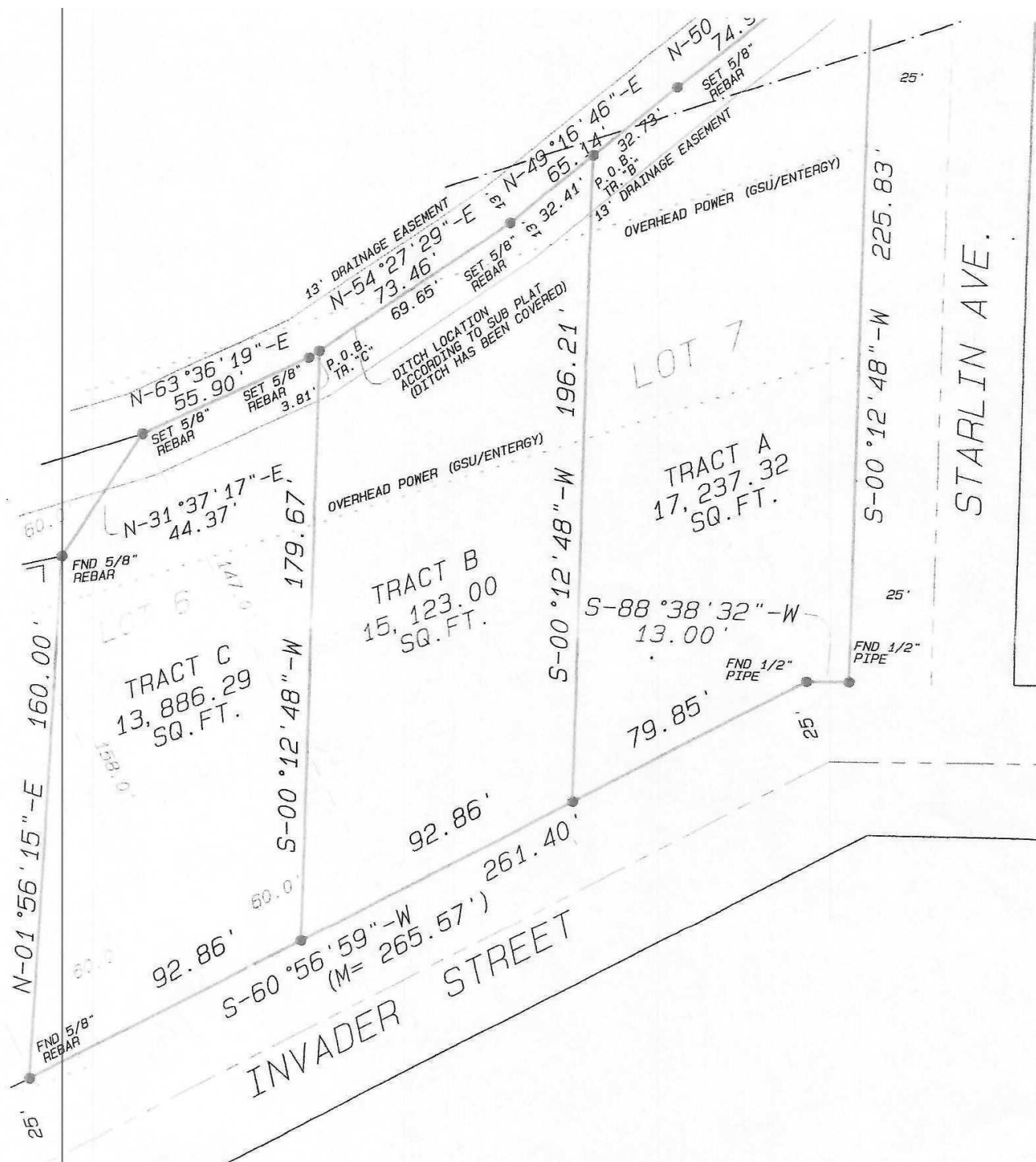
I do hereby understand that no petition for a change in the classification of property shall be filed unless such petition is duly signed and acknowledged by the owners of authorized agents of not less than fifty (50) percent of the area of land for which a change of classification is requested; provided 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 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 Board of Zoning Adjustment sign(s) placed on my property after the hearing.

Applicant Signature: Marcus Ray Penny Date: 4/1/20

- | | 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 checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. Is property within a designated flood hazard area? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Flood zone classification _____ bfe _____ ft. | | | |



High lines and floodway

property line

9'3"

25'

property line

5' 10" / 17

15'

20'

19'

5'

property line

In vader





