

December 19, 2022

The Board of Zoning Adjustment and the Land Use Commission 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 19th day of December, 2022, after full compliance with the convening of said meeting with the following members present:

LENORE CARROLL, Land Use Commission District 1
VERONICA ALLISON, Land Use Commission District 3
ROBIN BAUDOIN, Land Use Commission District 4
JONATHAN BRAZZELL, Land Use Commission of District 5

ABSENT - TROY DARBY, Land Use Commission District 2

After the meeting was called to order and the roll called with the above results, prayer was led by Mrs. Allison followed by the reciting of the Pledge of Allegiance led by Mr. Brazzell.

Motion was then made by Mr. Brazzell seconded by Mrs. Carroll that the minutes from the previous Land Use and Board of Zoning Adjustment meetings stand as written. Motion carried unanimously.

Motion was then made by Mr. Brazzell seconded by Mrs. Carroll that item #7 be removed from the agenda (applicant had a violation with the City so this item was removed):

Resolution granting a rezone to Brandi Cormier, 914 Platt Street, from Business to Mixed Residential (*property was zoned incorrect in 2003*).

Motion carried unanimously.

Motion was then made by Mrs. Carroll seconded by Mr. Brazzell that item #1 be removed from the agenda (at the applicant's request).

Resolution granting a variance to L and J Properties of Southwest Louisiana LLC, property located at 2348 Royal Oak Street, to allow for 5 mobile homes rather than the required 3 mobile homes (*4,000 sq. ft. for ea. mobile home rather than the required 6,000 sq. ft.*)

Motion carried unanimously.

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

Motion carried unanimously.

The first item on the agenda is a resolution granting a variance to Johnny Morgan, Sr., 205 Mathew Street, to allow for an accessory structure without a primary structure. Mr. Morgan addressed the Commission and stated that the building is already there. He needs to run plumbing so he can have a restroom on his property until he can get his mobile home in about a year. He also stated that he will not live in the accessory structure. Mrs. Carroll asked if this was his 3rd structure on the property. Mr. Morgan stated, yes. Once he gets his mobile home all the accessory structures will be gone except for this new one. Billy Loftin, Asst. City Attorney, stated that Mr. Morgan will still need to follow all city ordinances, i.e. setbacks, etc.

After discussion, motion was made by Ms. Baudoin. Motion failed due to no second.

And the said resolution failed on this 19th day of December, 2022.

ATTEST:

ARLENE BLANCHARD, Clerk

VERONICA ALLISON, Chairman

The next item on the agenda is a resolution zoning property to Business for Johnny Morgan, Sr., 205 Mathew Street, with an Exception to allow for a mobile home. Mr. Abrahams, Land Use Administrator, stated that this strip of property was dedicated to the City many years ago for an extension of West Thomas Street. The owner then revoked the dedication shortly thereafter. At the time of zoning, 2003, the city didn't zone this strip. The city feels that zoning it to Business would fit this area since the north portion is zoned Business. The Exception would

allow Mr. Morgan to place his mobile home on the property. Motion was then made by Mrs. Carroll seconded by Mr. Brazzell that the following resolution be adopted to-wit:

RESOLUTION

RESOLUTION ZONING PROPERTY TO BUSINESS FOR JOHNNY MORGAN, SR., 205 MATHEW STREET, WITH AN EXCEPTION TO ALLOW FOR A MOBILE HOME.

WHEREAS, at the time zoning was adopted in 2003 this property erroneously did not get zoned.

BE IT RESOLVED by the Board of Zoning Adjustment of the City of Sulphur, Louisiana, that they do hereby zone the following described property to Business with an Exception:

COM NE COR LOT 1 BLK 8 OTS SULPHUR TH W 150 FT N 50 FT ETC
REF1- SUPPLEMENTAL ROLL SULPHUR ORDINANCE #132 (1992)

This zoning is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said zone 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 zoning, 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 zoning the owner of this resolution 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 resolution 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 zone property to Business for Johnny Morgan, Sr., 205 Mathew Street, with an Exception to allow for a mobile home.

A vote was then called with the results as follows:

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

NAYS: None
ABSENT: Mr. Darby

And the said resolution was declared duly adopted on this 19th day of December, 2022.

ATTEST:

ARLENE BLANCHARD, Clerk

VERONICA ALLISON, Chairman

The next item on the agenda is a resolution granting a request from D.F. Development LLC, 2202 Augusta Street, to remove the stipulation that only allows 1 mobile home on the property so up to 8 multi-family units can be built. Devin Fuselier addressed the Commission and stated that he is asking for the stipulation that was placed on the property to be removed so he can build duplexes. *(The following stipulation was placed on the property in 2009 when the property was rezoned to mixed residential to allow for previous property owners son to live in a mobile home).*

- Improvements on the property will include 1 mobile home south of the drainage ditch.

The following residents spoke against the resolution:

Aris Young, Paul Garofolo, James Broussard, Bobby and Robert Gilbert, Elise Dowling

Mrs. Carroll then stated that in Mixed Residential multi-family is allowed but there was a stipulation placed on the property that only allowed for 1 mobile home. Mr. Fuselier, applicant, stated that if he knew there was opposition, he wouldn't have requested this change. No one called him and voiced their opinion, so he didn't know he had opposition. After discussion, motion was made by Mrs. Carroll seconded by Mr. Brazzell that the following resolution be adopted to-wit:

RESOLUTION GRANTING A REQUEST FROM D.F. DEVELOPMENT LLC, 2202 AUGUSTA STREET, TO REMOVE THE STIPULATION THAT ALLOWS ONLY 1 MOBILE HOME ON THE PROPERTY SO UP TO 8 MULTI-FAMILY UNITS CAN BE BUILT.

WHEREAS, in June, 2009, this property was rezoned from residential to mixed residential with the following stipulation:

- Improvements on the property will include 1 mobile home south of the drainage ditch.

WHEREAS, applicant is requesting that this stipulation be removed so he can build up to 8 multi-family units that meet the density requirement.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby lift the stipulation for the following described property:

FROM SW CORNER GO NORTH 415' ALONG AUGUSTA STREET TO NW CORNER THEN GO EAST 182' TO NE CORNER THEN GO SOUTH 415' TO SE CORNER THEN WEST 182' TO STARTING POINT.

This request is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said request 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 request, 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 request, the owner of this resolution 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 resolution 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 request from D.F. Development LLC, 2202 Augusta Street, to remove the stipulation that allows only 1 mobile home on the property so up to 8 multi-family units can be built.

A vote was then called with the results as follows:

YEAS: None

NAYS: Mrs. Carroll, Mrs. Allison, Ms. Baudoin, Mr. Brazzell

ABSENT: Mr. Darby

And the said resolution failed on this 19th day of December, 2022.

ATTEST:

ARLENE BLANCHARD, Clerk

VERONICA ALLISON, Chairman

The next item on the agenda is a resolution granting a rezone to CSG Enterprises, LLC, 1101 Gulf Lane, from Residential to Mixed Residential to allow for 3 additional mobile homes. Sharon Galicia addressed the Commission and stated that she bought this property 22 years ago mobile homes were allowed on this property. Hurricanes Laura and Delta destroyed 3 of the mobile homes and she's requesting that she be allowed to replace 2 of them for a total of 4. Density wise, she's allowed 5 but she doesn't want to place the 5th one on the property since she'll have to build a road to the 5th one and that cost is very expensive. The following residents spoke against the resolution:

George VanderHey, Charles Carroll

(There were other residents in attendance that were against it but didn't speak)

After discussion, motion was made by Mrs. Carroll seconded by Mrs. Baudoin that the following resolution be adopted to-wit:

Resolution granting a rezone to CSG Enterprises, LLC, 1101 Gulf Lane, from Residential to Mixed Residential to allow for 3 additional mobile homes.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to CSG Enterprises, LLC, 1101 Gulf Lane, from Residential to Mixed Residential to allow for 3 additional mobile homes (total of 5) for the following described property:

LOTS 7, 8 BLK 4 F G LOCK SUB IN 2.10.10

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 CSG Enterprises, LLC, 1101 Gulf Lane, from Residential to Mixed Residential to allow for 3 additional mobile homes (total of 5).

A vote was then called with the results as follows:

YEAS: Mrs. Carrol, Ms. Baudoin

NAYS: Mr. Brazzell, Mrs. Allison

ABSENT: Mr. Darby

And the said resolution failed on this 19th day of December, 2022.

ATTEST:

ARLENE BLANCHARD, Clerk

VERONICA ALLISON, Chairman

The next item on the agenda is a resolution granting a rezone to Kermit Richard, 304 and 306 East Burton Street, from Mixed Residential to Business to allow for an electrical business.

Mr. Richard stated that he wants to rezone to Business so he can sell the property to Premier Electric. Motion was made by Ms. Baudoin seconded by Mrs. Carroll that the following resolution be adopted to-wit:

RESOLUTION

RESOLUTION GRANTING A REZONE TO KERMIT RICHARD, 304 AND 306 EAST BURTON STREET, FROM MIXED RESIDENTIAL TO BUSINESS TO ALLOW FOR AN ELECTRICAL BUSINESS.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Kermit Richard, 304 and 306 East Burton Street, from Mixed Residential to Business to allow for an electrical business for the following described property:

LOT 16 BURGESS DOIRON SUB OF LOT 7 PARTITION OF SW SE 27.9.10

AND

LOT 15 BURGESS DOIRON SUB OF LOT 7 PARTITION OF SW SE 27.9.10 (R1, 2, 4) IMPS 88/CE\$1190 'SMITTY'S' IMPS 99/CMS \$600 'TIRE DEPT' @270910-0438 – 001402 0000 W/2 -OR- W 25 FT LOT 14 BURGESS DOIRON SUB OF LOT 7 DOIRON HEIRS PARTITION (R3, 5,6) REF-CLARENCE DUBOSE B 900 P 288-64 REF2-B 1998 P 403-87 REF3-PART LENARD PACIFIC BOUTTE AND PART FROM LEONARD P BOUTTE B 2061 P 202-88 REF4-B 2220 P 58-90 REF5-SOLD TO STATE AND CITY FOR 92 TAXES-92 REF6-REDEEMED FROM STATE AND CITY TAXES IN THE NAME OF RAMONA GAYLE DAVANT B 2386 P 144, B 2385 P 480 B 2384 P 518-93

WHEREAS, a privacy fence shall be installed to the east side of the property due to single family living.

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 Kermit Richard, 304 and 306 East Burton Street, from Mixed Residential to Business to allow for an electrical business.

A vote was then called with the results as follows:

YEAS: Mrs. Carrol, Mrs. Allison, Ms. Baudoin, Mr. Brazzell

NAYS: None

ABSENT: Mr. Darby

And the said resolution was declared duly adopted on this 19th day of December, 2022.

ATTEST:

ARLENE BLANCHARD, Clerk

VERONICA ALLISON, 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:

(Living in RV after 2 years)

- a. To extend temporary housing in a recreational vehicle located at 116 Garden Street in accordance with Ordinance No. 1693, M-C Series.

Scott Young, owner, addressed the Commission and stated that he doesn't need a full 6 months. They're laying floors currently so they should be done shortly. Motion was then made by Mr. Brazzell seconded by Mrs. Carroll that the above address be given a 6-month extension. Motion carried unanimously.

- b. To extend temporary housing in a recreational vehicle located at 1408 Forest Lane in accordance with Ordinance No. 1693, M-C Series.

Robert Carter, property owner, addressed the Commission and stated that it's currently in the Federal court system in arbitration. The house is ½ sheet-rocked. At the advice of their attorney, they were told to stop working until they went to court which will be January 17th. He has contractors lined up to start work on January 18th. They have purchased all their material, so they are ready to proceed. Ricky Blackwell, Forest Lane, stated that he was mainly at the

meeting to just listen. The neighbors see what's going on at this address and they think it's ok for them to park on the road, etc. It's getting old with seeing nothing happening at this house. The neighbors are just curious to see what was going on. Mr. Blackwell stated that he's glad to see they'll soon start renovations.

Motion was then made by Mrs. Carroll seconded by Ms. Baudoin 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

VERONICA ALLISON, Chairman

12/19/22
6:15 P.M.