

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
WEDNESDAY, FEBRUARY 22, 2023, AT 5:30 P.M.

THERE WILL BE A REGULAR MEETING OF THE SULPHUR BOARD OF ZONING ADJUSTMENT AND LAND USE COMMISSION, **WEDNESDAY, FEBRUARY 22, 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

LAND USE

1. Resolution granting a rezone to ALK Properties, 2616 Lena Street, from Residential to Business to allow for expansion of current business located at 317 Patton Street.
2. Resolution granting a rezone to ALK Properties, 2606 Allen Street, from Residential to Business to allow for expansion of current business located at 317 Patton Street.
3. Resolution granting a rezone to RDF Holdings, LLC, 333 North Beglis Parkway, from Business to Commercial to allow for a wholesale/distribution business.
4. Resolution repealing Appendix B, Article 1, Section 4 of the Code of Ordinances of the City of Sulphur - Grandfather.
5. Resolution amending Appendix B, Article IV, Part 2, Section 1 of the Code of Ordinances of the City of Sulphur – Permitted Uses.

ADJOURNMENT

****(Anyone addressing Council 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 decision you can appeal it.

***The next regular Board of Zoning Adjustment and Land Use meeting will be held on Monday, March 20, 2023, 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.

RESOLUTION

RESOLUTION GRANTING A REZONE TO ALK PROPERTIES, 2616 LENA STREET, FROM RESIDENTIAL TO BUSINESS TO ALLOW FOR EXPANSION OF CURRENT BUSINESS LOCATED AT 317 PATTON STREET.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to ALK Properties, 2616 Lena Street, from Residential to Business to allow for expansion of current business located at 317 Patton Street for the following described property:

LOT 12 WILLIE PICARD SUB 3.10.10

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.

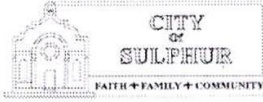
BE IT FURTHER RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to ALK Properties, 2616 Lena Street, from Residential to Business to allow for expansion of current business located at 317 Patton Street.

APPROVED AND ADOPTED by
the Board of Zoning Adjustment
of the City of Sulphur, Louisiana,
on this _____ day of _____, 2023.

VERONICA ALLISON, 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 KIM KOOL INC. DATE 1-25-2023

PROPERTY OWNER INFORMATION

Name of Property Owner TRAVIS MARBURGER (ALK PROPERTIES)

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

Mailing Address: 2619 LENA STREET City: SULPHUR State: LA Email: TMARBURGER@KIMKOOL.COM

Physical Address: 2619 LENA STREET City: SULPHUR State: LA

Phone Number (H) USE CELL (W) 337-527-5519 (C) 337-302-8513

PROPERTY INFORMATION

Location Address: 2616 LENA STREET

Present Zoned Classification: RESIDENTIAL

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

@031010-1451- 0012 0000 -2616 LENA ST- LOT 12 WILLIE PICARD SUB 3.10.10 REF1-ASSESSED (WD4) B 583 P 391-85

REF2-FERDINAND GUIDRY B 2236 P 386, P 630, B 2274 P 195-91 REF3-MILLER, WILSON J ET UX B 2505 P 389-94

REF4-BERCIER, MICHAEL HARDY B 2815 P 048-99

DO YOU CURRENTLY HAVE ANY PENDING VIOLATION WITH ANY ORDINANCE OF THE CITY OF SULPHUR YES NO X

YOU, OR A REPRESENTATIVE, MUST ATTEND BOTH LAND USE AND CITY COUNCIL MEETING INITIAL TM

REQUEST INFORMATION

☒ REZONE ☐ EXCEPTION ☐ SUBDIVISION ☐ BILLBOARD ☐ PRE. PLAT ☐ FINAL PLAT

☐ DOES REZONE REQUIRE FENCING

NAME OF SUBDIVISION WILLIE PICARD

Zoning Change: From RESIDENTIAL To BUSINESS

Purpose of Request: TO REMOVE HOUSE AND BUILD EXPANSION TO BUSINESS ON ADJOINING PROPERTY (KIM KOOL INC)

THE BUILDING EXPANSION WILL MATCH CURRENT CONSTRUCTION. PICKUP AND DELIVERIES WILL REMAIN FROM SOUTH PARKING LOT ALONG PATTON STREET. NO ADDITONAL TRAFFIC WILL UTILIZE LENA OR ALLEN STREET.

OPERATIONS SIMILAR TO CURRENT WILL BE MAINTANED, EXPANSION WILL ALLOW FOR INCREASED CAPACITY.

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: _____

Date: 1-25-23

	Yes	No	N/A
1. Is site located within the City Limits?	<u>X</u>	_____	_____
2. Will the proposed use be a nuisance to the surrounding area because of odors, vibrations, unsightly areas or other unwarranted elements?	_____	<u>X</u>	_____
3. Is the capacity of the road and off-street parking facilities adequate for use by the proposed development?	<u>X</u>	_____	_____
4. Will the location be served by a fire protection?	<u>X</u>	_____	_____
5. Can the proposed development be expected to adversely affect the character/aesthetics of the area involved?	_____	<u>X</u>	_____
6. Is property within a designated flood hazard area?	<u>X</u>	_____	_____
Flood zone classification <u>AE</u> bfe <u>13</u> ft.			



MEMORANDUM

To: Board of Zoning and Land Use Commission
From: Austin Abrahams (Signature)
Public Works Director, Land Use Administrator
cc: Arlene Blanchard, Mayor Mike Danahay
Date: 2/14/2023
RE: 1. Rezone 2616 Lena Street from Residential to Business

Summary of Recommendation:

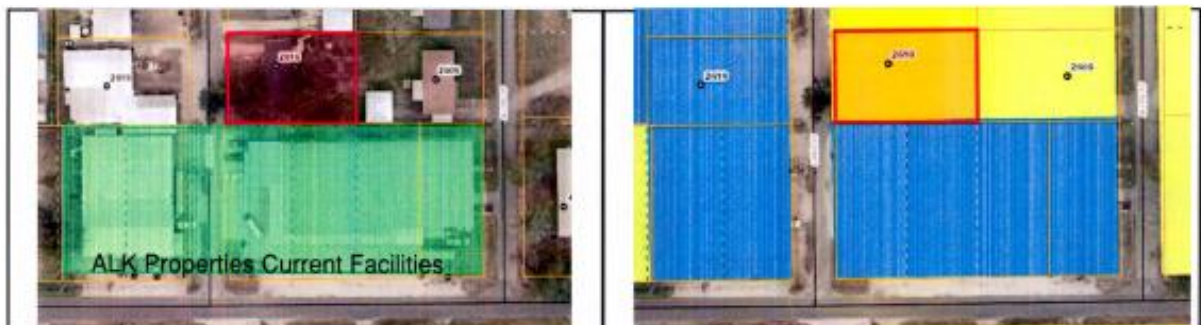
No objection to the rezone request.

Application:

Resolution granting a rezone to ALK Properties, 2616 Lena Street, from Residential to Business to allow for expansion of current business located at 317 Patton Street.

Situation:

Applicant has purchased the Residential properties to the North of their existing facilities for the purpose of expansion. The applicant is requesting a rezone of the purchased properties from Residential to Business to allow for the expansion.





Findings:

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

1. This lot is located within an AE Flood Zone. Each section of the City's Drainage Ordinance will apply.
2. A 20ft buffer yard shall apply to the Northern lot line.

Recommendation:

Based on the above findings, no objection is offered to the requested rezone.

The following stipulations are suggested:

- 1.





House will be
removed to expand
Kim Kool

KIM KOOL







RESOLUTION

RESOLUTION GRANTING A REZONE TO ALK PROPERTIES, 2606 ALLEN STREET, FROM RESIDENTIAL TO BUSINESS TO ALLOW FOR EXPANSION OF CURRENT BUSINESS LOCATED AT 317 PATTON STREET.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to ALK Properties, 2606 Allen Street, from Residential to Business to allow for expansion of current business located at 317 Patton Street for the following described property:

LOT 13 WILLIE PICARD SUB

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 ALK Properties, 2606 Allen Street, from Residential to Business to allow for expansion of current business located at 317 Patton Street.

APPROVED AND ADOPTED by
the Board of Zoning Adjustment
of the City of Sulphur, Louisiana,
on this _____ day of _____, 2023.

VERONICA ALLISON, Chairman

ATTEST:

ARLENE BLANCHARD, Secretary



CITY OF SULPHUR

APPLICATION FOR

DEVELOPMENT APPROVAL

Date Received

1-25-23

\$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 KIM KOOL INC.

DATE 1-25-2023

PROPERTY OWNER INFORMATION

Name of Property Owner TRAVIS MARBURGER (ALK PROPERTIES)

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

Mailing Address: 2619 LENA STREET City: SULPHUR State: LA Email: TMARBURGER@KIMKOOL.COM

Physical Address: 2619 LENA STREET City: SULPHUR State: LA

Phone Number (H) (W) 337-527-5519 (C) 337-302-8513

PROPERTY INFORMATION

Location Address: 2606 ALLEN STREET, SULPHUR, LA, 70665

Present Zoned Classification: RESIDENTIAL

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

@031010-1451-0013 0000 -2606 ALLEN ST- LOT 13 WILLIE PICARD SUB IMPS/RED 92 REF1-ASSESSED WD 4,
B 719 P444-85 REF2-TILLMAN, HARMON E B 2632 P 373-97

DO YOU CURRENTLY HAVE ANY PENDING VIOLATION WITH ANY ORDINANCE OF THE CITY OF SULPHUR YES NO X
YOU, OR A REPRESENTATIVE, MUST ATTEND BOTH LAND USE AND CITY COUNCIL MEETING INITIAL TM

REQUEST INFORMATION

☒ REZONE ☐ EXCEPTION ☐ SUBDIVISION ☐ BILLBOARD ☐ PRE. PLAT ☐ FINAL PLAT
☐ DOES REZONE REQUIRE FENCING NAME OF SUBDIVISION WILLIE PICARD

Zoning Change: From RESIDENTIAL To BUSINESS

Purpose of Request: TO REMOVE HOUSE AND BUILD EXPANSION TO BUSINESS ON ADJOINING PROPERTY (KIM KOOL INC)
HE BUILDING EXPANSION WILL MATCH CURRENT CONSTRUCTION. PICKUP AND DELIVERIES WILL REMAIN FROM SOUTH
PARKING LOT ALONG PATTON STREET. NO ADDITONAL TRAFFIC WILL UTILIZE LENA OR ALLEN STREET.

OPERATIONS SIMILAR TO CURRENT WILL BE MAINTANED, EXPANSION WILL ALLOW FOR INCREASED CAPACITY.

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 or 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:


Date:

1-25-23

	Yes	No	N/A
1. Is site located within the City Limits?	X		
2. Will the proposed use be a nuisance to the surrounding area because of odors, vibrations, unsightly areas or other unwarranted elements?		X	
3. Is the capacity of the road and off-street parking facilities adequate for use by the proposed development?	X		
4. Will the location be served by a fire protection?	X		
5. Can the proposed development be expected to adversely affect the character/aesthetics of the area involved?		X	
6. Is property within a designated flood hazard area?	X		
Flood zone classification AE bfe 13 ft.			



MEMORANDUM

To: Board of Zoning and Land Use Commission
From: Austin Abrahams 
Public Works Director, Land Use Administrator
cc: Arlene Blanchard, Mayor Mike Danahay
Date: 2/14/2023
RE: 2. Rezone 2606 Allen Street from Residential to Business

Summary of Recommendation:

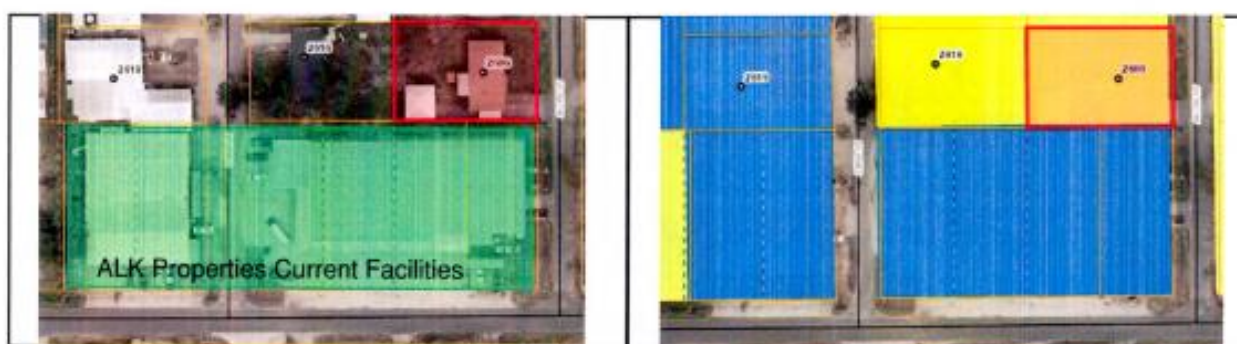
No objection to the rezone request.

Application:

Resolution granting a rezone to ALK Properties, 2606 Allen Street, from Residential to Business to allow for expansion of current business located at 317 Patton Street.

Situation:

Applicant has purchased the Residential properties to the North of their existing facilities for the purpose of expansion. The applicant is requesting a rezone of the purchased properties from Residential to Business to allow for the expansion.





Findings:

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

1. This lot is located within an AE Flood Zone. Each section of the City's Drainage Ordinance will apply.
2. A 20ft buffer yard shall apply to the Northern lot line.

Recommendation:

Based on the above findings, no objection is offered to the requested rezone.

The following stipulations are suggested:

- 1.









RESOLUTION

Resolution granting a rezone to RDF Holdings, LLC, 333 North Beglis Parkway, from Business to Commercial to allow for a wholesale/distribution business.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to RDF Holdings, LLC, 333 North Beglis Parkway, from Business to Commercial to allow for a wholesale/distribution business for the following described property:

COM AT SE COR OF NE NW 35-9-10, TH N 453.58 FT, TH W 37.77 FT TO CURRENT W R/W OF NORTH BEGLIS PKWY/HWY 27; TH N 394.22 FT TO POB; TH W 300.34 FT; TH N 101.85 FT; TH E 299.68 FT TO W R/W OF N BEGLIS PKWY/HWY 27; TH S 99.07 FT TO POB

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.

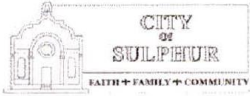
BE IT FURTHER RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to RDF Holdings, LLC, 333 North Beglis Parkway, from Business to Commercial to allow for a wholesale/distribution business.

APPROVED AND ADOPTED by
the Board of Zoning Adjustment
of the City of Sulphur, Louisiana,
on this _____ day of _____, 2023.

VERONICA ALLISON, Chairman

ATTEST:

ARLENE BLANCHARD, Secretary



CITY OF SULPHUR
APPLICATION FOR

DEVELOPMENT APPROVAL

Date Received

2/7/23

\$50.00 Fee (Non-Refundable)

psd.
(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 RDF HOLDINGS LLC / DONALD FUSELIER

DATE 02/02/2023

PROPERTY OWNER INFORMATION

Name of Property Owner RDF HOLDINGS LLC

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

Mailing Address: PO BOX 269 City: EUNICE State: LA Email: davidhaynes@controlconceptsllc.com
dfuselier1@charter.net

Physical Address: 123 ROBE DRIVE City: EUNICE State: LA

Phone Number (H) (W) 337-277-2511 337-540-1279 (C) 337-277-2511

PROPERTY INFORMATION

Location Address: 333 NORTH BEGLIS PARKWAY

Present Zoned Classification: BUSINESS

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

@350910-0000-410000516 0000 COM AT SE COR OF NE NW 35-910. TH N 453.58 FT, TH W 37.77 FT TO CURRENT W R/W OF NORTH BEGLIS PKWY/HWY 27;
TH N 394.22 FT TO POB; TH W 300.34 FT; TH N 101.85 FT; TH E 299.68 FT TO W R/W OF N BEGLIS PKWY/HWY 27; TH S 99.07 FT TO POB OFFICE/WHSE/CMS-16
REF1-SUPPL ROLL-73 REF2-ASSESSED WD 4-81 REF3-B 2112 P 643-HWY R/W-89

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 DF

REQUEST INFORMATION

☒ REZONE ☐ EXCEPTION ☐ SUBDIVISION ☐ BILLBOARD ☐ PRE. PLAT ☐ FINAL PLAT

☒ DOES REZONE REQUIRE FENCING

NAME OF SUBDIVISION

Zoning Change: From BUSINESS To COMMERCIAL

Purpose of Request: NEW STARTUP WHOLESALE / DISTRIBUTION BUSINESS (SOUTHERN SEAS DISTRIBUTING LLC)

STATE ATC PERMITTING REQUIRES LOCATION TO BE ZONED COMMERCIAL

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 dispoose of the Land Use sian(s) placed on my property after the public hearing.

Applicant Signature Donald Fuselier Date: 02/02/2023

	Yes	No	N/A
1. Is site located within the City Limits?	<u>x</u>		
2. Will the proposed use be a nuisance to the surrounding area because of odors, vibrations, unsightly areas or other unwarranted elements?		<u>x</u>	
3. Is the capacity of the road and off-street parking facilities adequate for use by the proposed development?	<u>x</u>		
4. Will the location be served by a fire protection?	<u>x</u>		
5. Can the proposed development be expected to adversely affect the character/aesthetics of the area involved?	<u>x</u>		
6. Is property within a designated flood hazard area?	<u>x</u>		
Flood zone classification <u>X</u> bfc <u>17</u> ft.			



MEMORANDUM

To: Board of Zoning and Land Use Commission
From: Austin Abrahams 
Public Works Director, Land Use Administrator
cc: Arlene Blanchard, Mayor Mike Danahay
Date: 2/14/2023
RE: 3. Rezone of 333 North Beglis Parkway, from Business to Commercial

Summary of Recommendation:

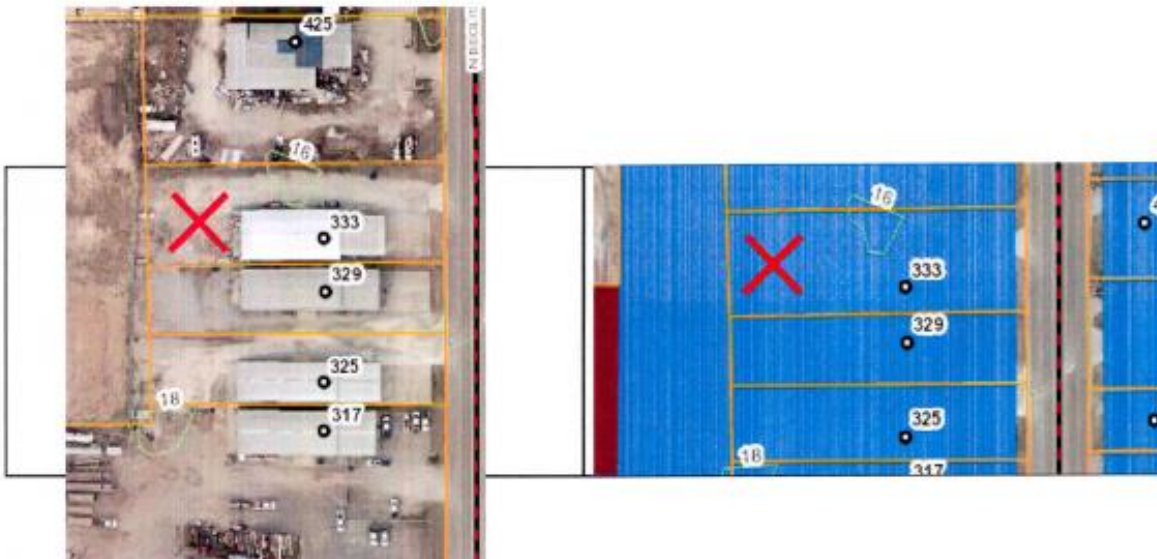
No objection to the requested rezone.

Application:

Resolution granting a rezone to RDF Holdings, LLC, 333 North Beglis Parkway, from Business to Commercial to allow for a wholesale/distribution business.

Situation:

Applicant has requested a rezone to allow for the wholesale/distribution of alcohol.





Findings:

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

1. This is a spot zone, however, the nature of existing uses surrounding the property is more Commercial rather than business.
- 2.

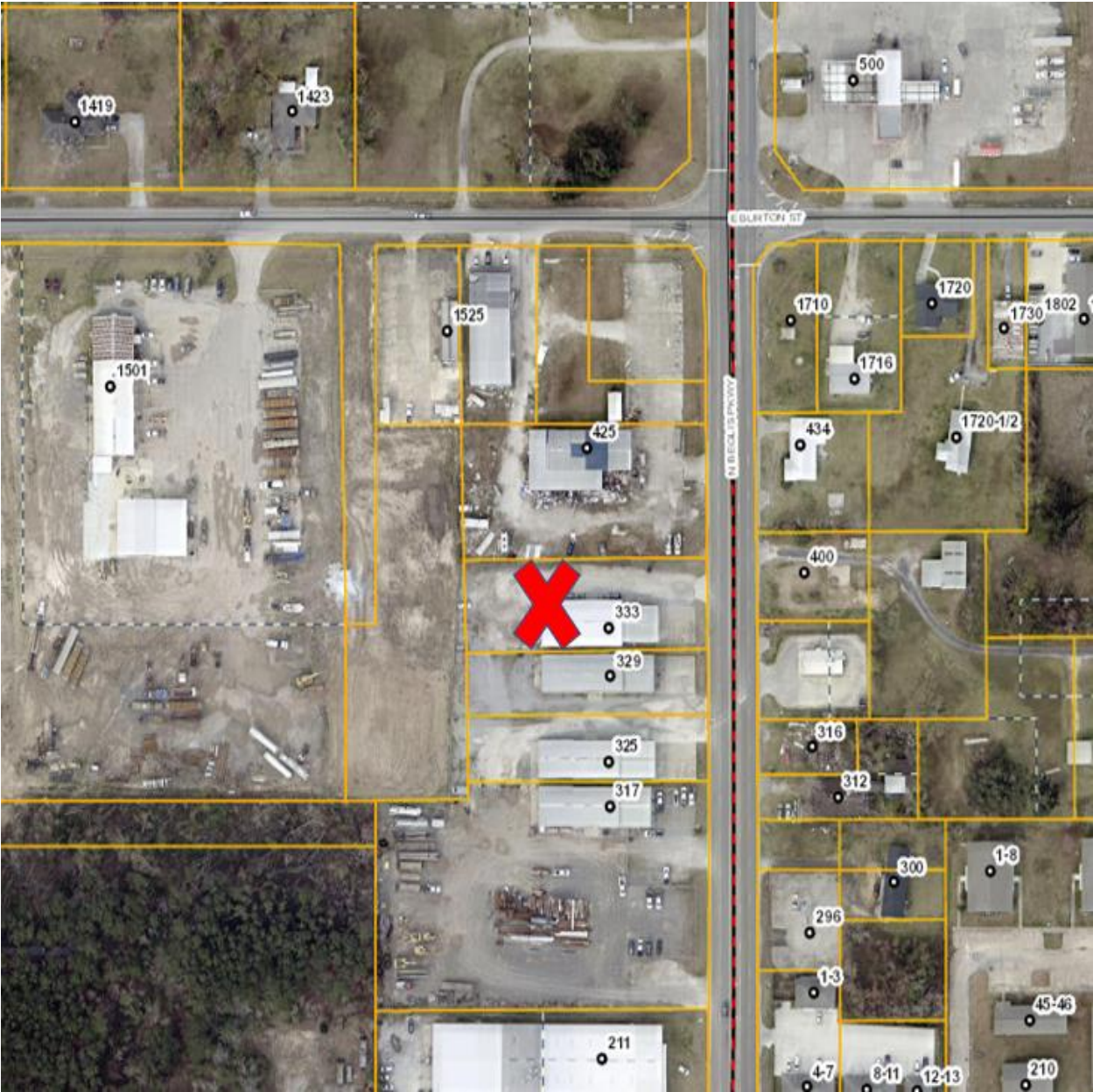
Recommendation:

Based on the above findings, no objection is offered to the requested rezone.

The following stipulations are suggested:

- 1.







RESOLUTION

RESOLUTION REPEALING APPENDIX B, ARTICLE I, SECTION 4
OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR –
GRANDFATHER.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby repeal the following Appendix B, Article I, Section 4 of the Code of Ordinances of the City of Sulphur – Grandfather:

Section 4. Grandfather.

How structures to be built on previously grandfathered property must meet equal or stricter restrictions and begin construction no later than two (2) years from date that the previous structure was determined to be unusable.

APPROVED AND ADOPTED by
the Land Use Commission of the
City of Sulphur, Louisiana on this
_____ day of _____,
2023.


JONATHAN BRAZZELL, Chairman

ATTEST

ARLENE BLANCHARD, Secretary



MEMORANDUM

To: Board of Zoning and Land Use Commission
From: Austin Abrahams 
Public Works Director, Land Use Administrator
cc: Arlene Blanchard, Mayor Mike Danahay
Date: 2/14/2023
RE: 48. Amending Appendix B, Article IV. Part 2, Section 1 of the Code of Ordinances of the City of Sulphur - Permitted Uses


Summary of Recommendation:

No objection to repealing this section of the Land Use Ordinance.

Application:

Resolution amending Appendix B, Article IV, Section 1 of the Code of Ordinances of the City of Sulphur - Permitted Uses

Situation:

Currently, this Grandfather clause is counterproductive and confusing when the City of Sulphur is enforcing the ordinance on Nonconformities. Per Appendix B, Article IV, Part 2, Section 4 - Nonconformities - the purpose of this section is to regulate the continued existence of uses, lots, and structures lawfully established prior to the effective date of this ordinance and which have not obtained special exception status under the provisions of Article II, Part 2, Section 4. 

RESOLUTION

RESOLUTION AMENDING APPENDIX B, ARTICLE IV, PART 2, SECTION 2 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR – DEVELOPMENT STANDARDS.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby amend Appendix B, Article IV, Part 2, Section 2 of the Code of Ordinances of the City of Sulphur to read as follows:

Section 2. Development standards.

- (1) *General.* All development shall meet or exceed the standards as specified in the specific land use district in which the structure or use is located.
- (2) *Prohibited Uses.* No shipping container, tent, travel trailer, motor home, portable buildings, or any other similar use shall be used as a dwelling.
 - (a) *Exception.* For the purpose of this article, portable buildings shall mean any prefabricated buildings except manufactured/modular home units.
- (3) *Corner Clip.* With the exception of existing nonconforming structures, no structure, parking lot or landscaping, other than mowed grass and traffic and street signs, shall be erected, placed or maintained within the triangular area formed by the intersecting street rights-of-way and a straight line adjoining the right-of-way lines at a point set forth as twenty-five (25) feet from the point of intersecting rights-of-way.
- (4) *Curb Cuts.* No structure shall be constructed or established on any parcel, built, moved, remodeled, reconstructed, occupied or used on any parcel of land unless access from the parcel to public roadways complies with the following standards:
 - (a) No curb cut shall exceed thirty (30) feet in width for residential driveways and thirty-five (35) feet in width for commercial driveways.
 - (b) Radii or flare of driveways shall be a minimum of three (3) feet and a maximum of fifteen (15) feet.
 - (c) Each curb cut serving a land use shall be spaced a minimum of twenty (20) feet apart.
- (5) *Calculation of Permitted Density.* In calculating the amount of development permitted on a parcel of land, density or intensity shall be based on the net area of any parcel, excluding installed on site improvements, such as roads, provided however, that the gross area of any parcel of land shall be utilized for the calculation of permitted density or intensity in the event that on-site improvements have not been installed at the time the application for development approval is filed.
- (6) *Required Front Yard for Developed Areas.*
 - (a) Notwithstanding any provision in this ordinance regarding required front yards, if fifty (50) percent or more of the structures fronting on the block face are already improved with buildings with less than the required front yard for the applicable district, the required front yard shall be consistent with the predominant setbacks in the area.
 - (b) The front yard of a corner lot may be designated by the landowner in his application for development approval. In making such designation, consideration shall be given to the predominant front yards in the immediate vicinity. The minimum required yard on any other side of a corner lot which adjoins a public street shall be one-half (½) of the minimum front yard required for the use proposed to be located on the lot.
- (7) *Minimum Building Setback.* Notwithstanding any other provision of this ordinance, no building or portion thereof shall hereafter be constructed, moved, reconstructed, or enlarged within a distance of eight (8) feet from the edge of pavement or roadway of any public street or highway.
- (8) *Activities Limited to Authorized Structures.* Except as otherwise permitted for an approved temporary use, no equipment or device which is designed for use primarily as a conveyance or for the transportation of persons or moveable property, shall be placed on any parcel of land for the purpose of providing shelter or enclosure for the storage or sale of goods, the

conduct of services, the housing of persons, or any other activity normally conducted within a building or structure.

(9) *Building Materials.*

- (a) *Business and Commercial Districts.* Exterior veneer finishes on primary street front of buildings shall include:

Approved non-metal finishes shall be brick, stone, architectural block, fiber cement siding (such as "hardie board"), stucco, wood or glass.

Exclusions for non-metal finishes include, but not limited to, vinyl siding.

Approved metal finishes shall be architectural metal panels with concealed fasteners set in multi-directional positions. Exposed fastener panels are to be of architectural design, which can include multi-directional panels.

Exclusions for metal finishes include standard metal panels with exposed fasteners of the R-panel and M-panel type.

- (b) *Residential and Mixed Residential Districts.* Exterior veneer finishes on dwellings shall include:

Approved finishes shall be brick, stone, architectural block, fiber cement siding (such as "hardie board"), stucco, wood, vinyl siding and metal (metal to be on sides and back of dwelling only).

Exclusion shall be no metal on front exterior of dwelling. Front of dwelling shall be of one (1) of the approved non-metal finishes.

(10) *Minimum Square Footage of Dwellings.* No dwelling shall hereafter be occupied, and no structure of any nature be used as a dwelling if the total floor area is less than the following:

(a) Residential District	1,000 s.f.
1. Exception. Accessory Dwelling Unit	600 s.f.
(b) Mixed Residential District	600 s.f.
(c) Business District (permitted by Exception)	600 s.f.

BE IT FURTHER RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby amend Appendix B, Article IV, Part 2, Section 2 of the Code of Ordinances of the City of Sulphur – Development Standards.

APPROVED AND ADOPTED by
the Land Use Commission of the
City of Sulphur, Louisiana on this
____ day of _____, 2023.


JONATHAN BRAZZELL, Chairman

ATTEST:

ARLENE BLANCHARD, Secretary



MEMORANDUM

To: Board of Zoning and Land Use Commission
From: Austin Abrahams 
Public Works Director, Land Use Administrator
cc: Arlene Blanchard, Mayor Mike Danahay
Date: 2/14/2023
RE: 5. Amending Appendix B, Article IV. Part 2, Section 2 of the Code of Ordinances of the City of Sulphur - Development Standards

Summary of Recommendation:

No objection to amending this section of the Land Use Ordinance.

Application:

Resolution amending Appendix B, Article IV, Part 2, Section 2 of the Code of Ordinances of the City of Sulphur - Development Standards

Situation:

The first amendment would prohibit the use of shipping containers, tents, travel trailer, motor home, and portable buildings as a dwelling. The second amendment would set the minimum floor area of a dwelling.