

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
MONDAY, AUGUST 21, 2023, AT 5:30 P.M.

THERE WILL BE A REGULAR MEETING OF THE SULPHUR BOARD OF ZONING ADJUSTMENT AND LAND USE COMMISSION, **MONDAY, AUGUST 21, 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

BZA

1. Resolution granting a variance to Charles Wentzell, 31 Mulberry Road, to allow for son to live in RV to help care for his father if needed.

LAND USE

1. Resolution granting a rezone to Mark Deshotel, 2210 Saunier Street, from Residential to Mixed Residential to allow for a manufactured home.
2. Resolution amending Appendix B, Article II, Section 2 of the Code of Ordinances of the City of Sulphur – removing definition of neighborhood commercial.
3. Resolution amending Appendix B, Article IV, Part III, Section 2 of the Code of Ordinances of the City of Sulphur – removing neighborhood commercial from Mixed Residential District.

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, September 18, 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 VARIANCE TO CHARLES WENTZELL, 31 MULBERRY ROAD, TO ALLOW FOR SON TO LIVE IN RV TO HELP CARE FOR HIS FATHER IF NEEDED.

WHEREAS, in accordance with Article IV, Part 3, Section 1 (1) (a) of the Land Use Ordinance of the City of Sulphur, Louisiana, an RV is not considered a single family detached dwelling; and

WHEREAS, variance shall expire and RV shall be removed at any time Charles Wentzell no longer resides in the home. Property shall be maintained at all times and if a violation occurs and is not corrected within 30 days this variance shall be revoked automatically.

BE IT RESOLVED by the Board of Zoning Adjustment of the City of Sulphur, Louisiana, that they do hereby grant a variance to Charles Wentzell, 31 Mulberry Road, to allow for son to live in RV to help care for his father if needed for the following described property:

LOT E BLK 12 MAPLEWOOD PARTITION

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.

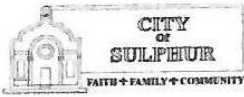
BE IT FURTHER RESOLVED by the Board of Zoning Adjustment of the City of Sulphur, Louisiana, that they do hereby grant a variance to Charles Wentzell, 31 Mulberry Road, to allow for son to live in RV to help care for his father if needed.

APPROVED AND ADOPTED by
the Board of Zoning Adjustment
of the City of Sulphur, Louisiana,
on this _____ day of _____, 2022.

VERONICA ALLISON, Chairman

ATTEST:

ARLENE BLANCHARD, Secretary



CITY OF SULPHUR
APPLICATION FOR

DEVELOPMENT APPROVAL - VARIANCE

Date Received 7/31/23 \$50.00 Fee (Non-Refundable) pd.
(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 VARIANCE IS APPROVED/DISAPPROVED, APPLICANT MUST REMOVE SIGN FROM PROPERTY
Print Name Charles Wentzell Date 7/31/23

PROPERTY OWNER INFORMATION

Name of Property Owner Charles Wentzell
(Owner must provide proof of ownership such as property tax record or recorded deed)
Mailing Address 31 Mulberry Rd. City: Sulphur State: LA Email: angela.wentzell@gmail.com
Physical Address 31 Mulberry Rd. City: Sulphur State: LA
Phone Number (H) 337 656 8724 (W) n/a (C) 337 936-6034

PROPERTY INFORMATION

Location Address: 31 Mulberry Rd Sulphur, LA 70663
Present Zoned Classification: Residential

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

@320909-1197-12 000E 0000
LOT E BLK 12 Maplewood Partition IMPS 92/RDC

DO YOU CURRENTLY HAVE ANY PENDING VIOLATION WITH ANY ORDINANCE OF THE CITY OF SULPHUR

YES ☐ NO ☒

YOU, OR A REPRESENTATIVE, MUST ATTEND THE SCHEDULED MEETING

INITIAL ew

VARIANCE REQUEST INFORMATION

Purpose of Variance Request: Hardship - I am 83 yrs old, my wife just passed away on 6/1/23 and I would like my son, Scott, to be allowed to keep the RV on the property so he can help and assist me if needed.

How did you find out you needed a variance? researched it.

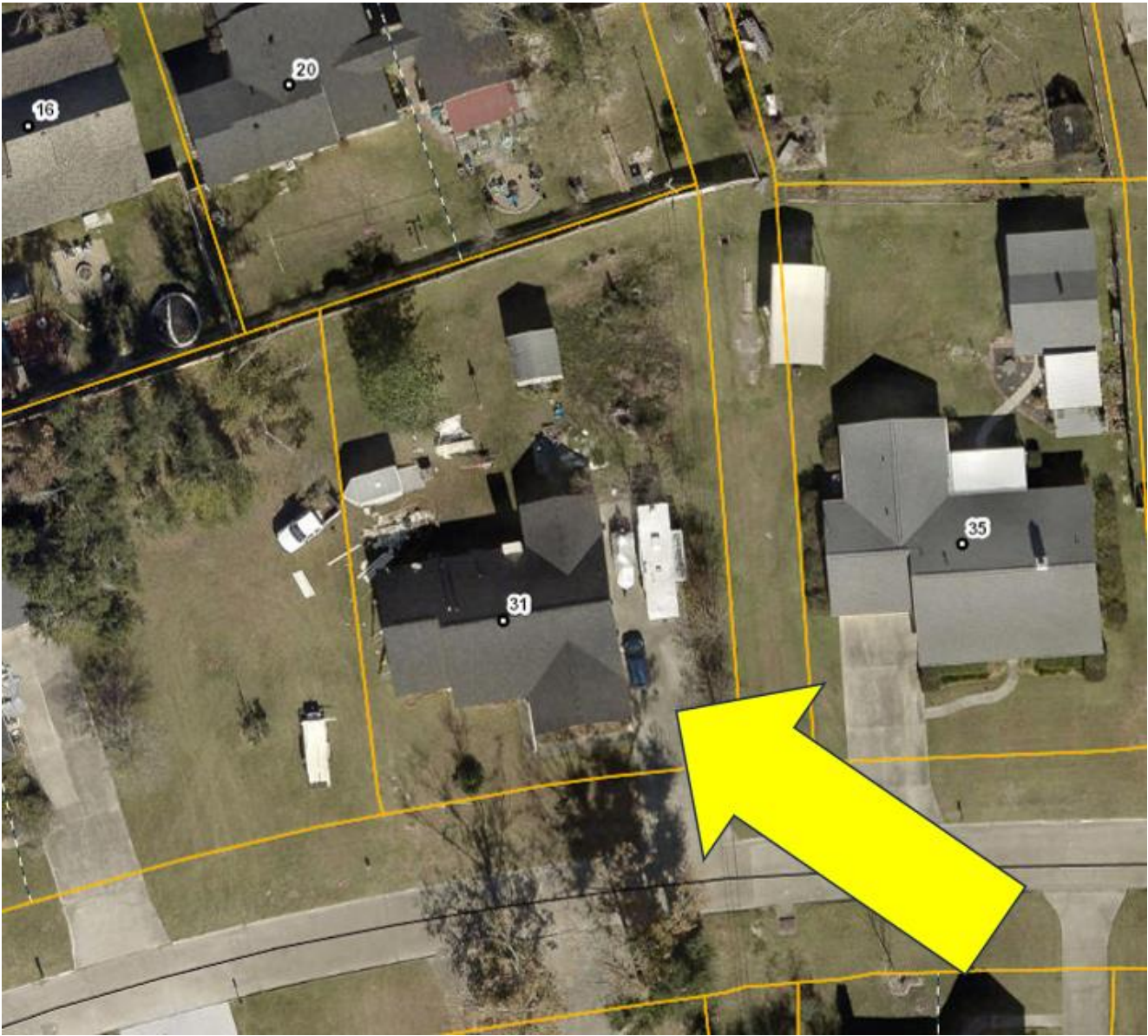
I do hereby understand that no petition for a change in the classification of property shall be filed unless such petition is duly signed and acknowledged by the owners of authorized agents of not less than fifty (50) percent of the area of land for which a change of classification is requested; provided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

Applicant Signature Charles Wentzell Date 7/31/23

	Yes	No	N/A
1. Is site located within the City Limits?	<input checked="" 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 checked="" 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"/>		
4. Will the location be served by a fire protection?	<input checked="" type="checkbox"/>		
5. Can the proposed development be expected to adversely affect the character/aesthetics of the area involved?		<input checked="" type="checkbox"/>	
6. Is property within a designated flood hazard area?		<input checked="" type="checkbox"/>	
Flood zone classification _____ bfe _____ ft.			





RESOLUTION

Resolution granting a rezone to Mark Deshotel, 2210 Saunier Street, from Residential District to Mixed Residential District to allow for a manufactured home.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Mark Deshotel, 2210 Saunier Street, from Residential District to Mixed Residential District to allow for a manufactured home for the following described property:

COMMENCING AT A POINT ON THE EAST SIDE OF SAUNIER STREET BEING 20 FEET EAST OF THE NORTHWEST CORNER OF THE S/2 OF NE/4 OF NW/4 OF SW/4 OF SECTION 3, TOWNSHIP 10 SOUTH, RANGE 10 WEST, LA. MER., THENCE EAST 100 FEET, THENCE SOUTH 145 FEET TO THE NORTH LINE OF BOICE STREET, THENCE WEST 100 FEET TO THE EAST LINE OF SAUNIER STREET, THENCE NORTH 145 FEET TO THE POINT OF COMMENCEMENT.

BE IT FURTHER RESOLVED, that a six (6) foot tall buffer constructed of wood or brick masonry shall be constructed on the north and east side of the property.

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.

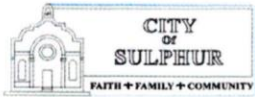
BE IT FURTHEREST RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to rezone to Mark Deshotel, 2210 Saunier Street, from Residential District to Mixed Residential District to allow for a manufactured home.

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

TROY DARBY, Vice-Chairman

ATTEST:

ARLENE BLANCHARD, Secretary



CITY OF SULPHUR

APPLICATION FOR

DEVELOPMENT APPROVAL

Date Received

8-2-23

\$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

Janice K Wilson

DATE

8/2/23

PROPERTY OWNER INFORMATION

Name of Property Owner

Mark A. Deshotel

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

Mailing Address: 1418 Lewis St City: Sulphur State: LA Email: jkwillson2@bellsouth.net

Physical Address: Same

City:

State:

Phone Number (H) 337 661-3787 (W) (C) 337 485-1373

2nd cell #

PROPERTY INFORMATION

Location Address: 2210 Saunier St.

Present Zoned Classification:

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

See attached

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 WAD

REQUEST INFORMATION

☒ REZONE ☐ EXCEPTION ☐ SUBDIVISION ☐ BILLBOARD ☐ PRE. PLAT ☐ FINAL PLAT☐ DOES REZONE REQUIRE FENCING

NAME OF SUBDIVISION

Zoning Change: From Residential To Mixed Residential

Purpose of Request: Elderly Couple that had home destroyed wants to purchase property to put a Manufactured Home (double wide) which will be Brand new, with all improvements which includes Privacy fence, new Drive way & any other Requirements for a Single Family Home

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: Mark A. Deshotel Date: 8-2-23

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

