

December 18, 2023

The Land Use Commission and 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 18th day of December 2023, after full compliance with the convening of said meeting with the following members present:

LENORE CARROLL, Land Use Commission District 1  
TROY DARBY, Land Use Commission District 2  
VERONICA ALLISON, Land Use Commission District 3  
JONATHAN BRAZZELL, Land Use Commission of District 5

ABSENT - ROBIN BAUDOIN, Land Use Commission District 4

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

Motion was then made by Mr. Darby seconded by Mrs. Allison that the minutes of the previous meeting stand as written. Motion carried unanimously.

Motion was then made by Mr. Darby seconded by Mr. Brazzell that item #2 on the Land Use agenda be postponed to the January 16, 2024, meeting:

Resolution granting a rezone to 3A Holding, LLC, 201 North Claiborne Street, from Mixed Residential to Business to allow for 3 video poker machines.

Motion carried unanimously.

Motion was then made by Mr. Darby seconded by Mr. Brazzell that the agenda stand as amended. Motion carried unanimously.

The first item on the agenda is a resolution granting a variance to Suzanne Hebert, 706 Live Oak, to allow for a second dwelling to be placed on property until the primary dwelling can be demolished. Mrs. Hebert addressed the Commission and stated that she needs time to clean out the house after she moves into the manufactured home. She has so much stuff in the house, and it'll take a

few months to get it clean. She's a teacher so she was hoping she could have the summer months to have most of it done. After much discussion, the following amendments were made:

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.

Motion carried unanimously.

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

RESOLUTION AS AMENDED

RESOLUTION GRANTING A VARIANCE TO SUZANNE HEBERT, 706 LIVE OAK,  
TO ALLOW FOR A SECOND DWELLING TO BE PLACED ON PROPERTY UNTIL  
THE PRIMARY DWELLING 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 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 variance to Suzanne Hebert, 706 Live Oak, to allow for a second dwelling to be placed on property until the primary dwelling can be demolished.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Baudoin

And the said resolution was declared duly adopted on this 18th day of December, 2023.

ATTEST:

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ARLENE BLANCHARD, Secretary

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LENORE CARROLL, Chairman

The next item on the agenda is a resolution granting a variance to Darion Stofira, 201 Ann Avenue, to allow for accessory structure height to exceed primary structure height. Mr. Stofira addressed the Commission and stated that he wants to put a loft in the structure because he doesn't have a lot of storage in his home. He does woodworking as a hobby and a lot of times the wood is 12 feet in length and if he stands them up, he needs the height. Mr. Brazzell's concern was that this isn't a hardship and Mr. Stofira wouldn't lose much storage space if he built to city regulations. Mr. Darby reminded the Commission that a variance was granted last year for this same thing and the Commission granted it. After discussion, motion was made by Mrs. Allison seconded by Mr. Darby that the following resolution be adopted to-wit:

RESOLUTION GRANTING A VARIANCE TO DARION STOFIRA, 201 ANN  
AVENUE, TO ALLOW FOR ACCESSORY STRUCTURE HEIGHT TO EXCEED  
PRIMARY STRUCTURE HEIGHT.

A vote was then called with the results as follows:

YEAS: Mrs. Allison, Mr. Darby  
NAYS: Mrs. Carroll, Mr. Brazzell  
ABSENT: Mrs. Baudoin

And the said resolution failed on this 18th day of December, 2023.

ATTEST:

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ARLENE BLANCHARD, Secretary

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LENORE CARROLL, Chairman

The next item on the agenda is a resolution granting a rezone to K & V Realty, LLC, property located 620 feet south of Maplewood Drive/South Post Oak Road, from Residential to Mixed Residential for potential sell of property. Mr. Loftin stated that this is not a spot zone. There's mixed residential across the street on Post Oak Road. Mr. Brazzell then stated that this land is considered wetlands. Mr. Singletary stated that they had the property mitigated already. Mr. Brazzell stated that the certificate from Army Corp of Engineers says you need to put 30,000 sq. ft. of dirt. Mr. Singletary stated that is not a

definitive study. Mr. Loftin stated that Mr. Singletary would still have to meet all city requirements for drainage. There's a process that Mr. Singletary would be required to follow if he proceeds further.

Mathew Edwards, North Rosepark Avenue, stated that he was concerned about the drainage. This area floods a lot. Mr. Singletary stated that probably at some point he would have to get a Cooperative Endeavor Agreement with Gravity Drainage District 5 for the drainage.

Mrs. Allison stated that this rezone doesn't guarantee what will be built on this property. This is just a rezone. After discussion, motion was made by Mrs. Allison seconded by Mr. Darby that the following resolution be adopted to-wit:

#### RESOLUTION

RESOLUTION GRANTING A REZONE TO K & V REALTY, LLC, PROPERTY LOCATED APPROXIMATELY 500 FEET SOUTH OF MAPLEWOOD DRIVE/SOUTH POST OAK ROAD, FROM RESIDENTIAL TO MIXED RESIDENTIAL FOR POTENTIAL SELL OF PROPERTY.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to K & V Realty, LLC, from Residential to Mixed Residential for potential sell of property for the following described property:

A TRACT OF LAND IN THE NORTH HALF OF THE NORTHEAST QUARTER (N ½ OF NE ¼) OF SECTION 2, TOWNSHIP 10 SOUTH, RANGE 10 WEST, CALCASIEU PARISH LOUISIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT A POINT ON THE WEST RIGHT OF WAY LINE OF SOUTH POST OAK ROAD, SAID POINT BEING SOUTH 00°53'52" WEST 1,328.96 FEET AND NORTH 89°18'38" WEST 30 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 2, SAID POINT ALSO BEING THE NORTHEAST CORNER OF ROSE PARK NO. 11 SUBDIVISION AS RECORDED IN PLAT BOOK 26, PAGE 77, FILE NO. 1434241 RECORDS OF CALCASIEU PARISH, LA;

THENCE NORTH 89°18'38" WEST 1,476.71 FEET ALONG THE NORTH LINE AND ITS WESTERLY PROLONGATION OF SAID ROSE PARK NO. 11 SUBDIVISION;

THENCE NORTH 01°04'49" EAST 664.65 FEET;

THENCE SOUTH 89°18'16" EAST 1,474.60 FEET TO A POINT OF THE WEST RIGHT OF WAY LINE OF SOUTH POST OAK ROAD;

THENCE SOUTH 00°53'52" WEST 664.48 FEET ALONG THE WEST RIGHT OF WAY LINE OF SOUTH POST OAK ROAD TO THE POINT OF BEGINNING.

THE HEREIN DESCRIBED TRACT CONTAINS 22.51 ACRES, MORE OR LESS.

BE IT FURTHER RESOLVED that the following stipulations be placed on the property:

1. 6' privacy fence along south property lines.
2. Maintain 20' wide buffer yard along south property lines.
3. Develop a drainage plan and have it approved as part of the Permit process.
4. Containers for solid waste shall be located no closer than fifteen feet to an adjacent property line and screened with a 6' tall, gated, masonry or lumber fence.
5. Manufactured/Mobile Homes are prohibited.
6. Revisions to the proposed plan shall require approval from the Land Use Commission.

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 K & V Realty, LLC, property located 500 feet south of Maplewood Drive/South Post Oak Road, from Residential to Mixed Residential for potential sell of property with the above stipulations.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mr. Darby, Mrs. Allison

NAYS: Mr. Brazzell

ABSENT: Mrs. Baudoin

And the said resolution was declared duly adopted on this 18th day of December, 2023.

ATTEST:

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ARLENE BLANCHARD, Secretary

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LENORE CARROLL, Chairman

There being no further business to come before the Commission, the Chairman declared the meeting adjourned.

ATTEST:

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ARLENE BLANCHARD, Secretary

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LENORE CARROLL, Chairman

12/18/23  
6:15 P.M.