

NOTICE.....The BZA meetings will temporarily be held at 1551 East Napoleon Street.

AGENDA
BOARD OF ZONING ADJUSTMENT
TUESDAY, FEBRUARY 20, 2024, AT 5:30 P.M.

THERE WILL BE A REGULAR MEETING OF THE SULPHUR BOARD OF ZONING ADJUSTMENT AND LAND USE COMMISSION, **TUESDAY, FEBRUARY 20, 2024, 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

1. Resolution granting a variance to Thomas O'Quain, 2325 Royal Oak Street, to allow for accessory structure to occupy 71% of the total floor area of all structures on the entire lot rather than the required 35%.
2. Resolution appealing an administrative decision for a home business for Richard Carriere located at 316 Landry Street.

ADJOURNMENT

****(Anyone addressing the BZA 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 14th Judicial District Court within thirty (30) days of the Board Zoning Adjustment decision.

***The next regular Board of Zoning Adjustment meeting will be held on Monday, March 18, 2024, 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 THOMAS O'QUAIN, 2325 ROYAL OAK, TO ALLOW FOR AN ACCESSORY STRUCTURE TO EXCEED THE 35% OF THE TOTAL FLOOR AREA OF ALL STRUCTURES ON THE ENTIRE LOT.

WHEREAS, in accordance with Article IV, Part 2, Section 3 (2) (c) of the Land Use Ordinance of the City of Sulphur, Louisiana, no accessory structure or use in a residential district shall occupy more than thirty-five (35) percent of the total floor area of all structures on the entire lot; and

WHEREAS, said applicant is requesting for an accessory structure to be forty-two (42) percent of the total floor area of all structures on the entire lot rather than the maximum allowed thirty-five (35) percent.

BE IT RESOLVED by the Board of Zoning Adjustment of the City of Sulphur, Louisiana, that they do hereby grant a variance to Thomas O'Quain, 2325 Royal Oak, to allow for an accessory structure to exceed the 35% of the total floor area of all structures on the entire lot for the following described property:

COM 498.6 FT AND 640 FT E OF NW COR NW SW 1.10.10 SAID PT LYING ON S LINE CEDAR SUB TH E 60 FT S 145 FT TO N LINE ROYAL OAK STREET TH W 60 FT TH N 145 FT TO COM (.20 AC)

COM 498.6 FT S AND 700 FT E OF NW COR NW SW 1.10.10 SAID PT LYING ON S LINE CEDAR SUB TH E 20 FT S PARALLEL TO W LINE OF NW SW 145 FT TO N LINE ROYAL OAK STREET TH W 20 FT N 145 FT TO COM (.07 AC)

W ½ OF THE FOLLOWING: COM 498.6 FT S AND 720 FT E OF NW COR NW SW SEC 1.10.10, SAID PT LYING ON S LINE CEDAR SUB, TH E 75 FT, S 145 FT TO N LINE ROYAL OAK ST, ETC (.125 ACS)

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 Thomas O'Quain, 2325 Royal Oak, to allow for an accessory structure to exceed the 35% of the total floor area of all structures on the entire lot.

APPROVED AND ADOPTED by
the Board of Zoning Adjustment
of the City of Sulphur, Louisiana,
on this _____ day of _____, 2024.

LENORE CARROLL, Chairman

ATTEST:

ARLENE BLANCHARD, Secretary



Memo

To: Land Use and Planning Commissioners
From: Austin Abrahams *AA*
Director, Department of Public Works
CC: Arlene Blanchard, Mayor Mike Danahay
Date: 2/8/2024
Re: 2325 Royal Oak Street - Variance Request

Comments: **Summary of Recommendation:**

A recommendation in support of the variance cannot be given.

Application:

Thomas O'Quain has requested a variance relative to development standards of accessory structure and the total floor area of all structures on the entire lot.

Situation:

Accessory use development standards (Article IV, Part 2, Section 3(2)) state that no accessory structure or use in a residential district shall occupy more than thirty-five (35) percent of the total floor area of all structures on the entire lot. This variance application requests an accessory structure to occupy forty-two (42) percent of all structures.

Findings:

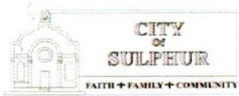
In accordance with Article III, Part 1, Section 2(a) of the Land Use Ordinance (Ordinance), the application has been reviewed. The following findings are offered for your consideration:



-
1. Application is substantially complete.
 2. Special conditions result from the actions of the applicant
 3. Adherence to the regulations would not result in demonstrable hardship

Recommendation:

In accordance with Article III, Part 2, Section 4(5), based on the above findings, it is recommended that the variance be denied.



CITY OF SULPHUR
APPLICATION FOR

DEVELOPMENT APPROVAL - VARIANCE

Date Received

2/2/24

\$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 Thomas O'Quain

Date 2/2/24

PROPERTY OWNER INFORMATION

Name of Property Owner Thomas O'Quain

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

Mailing Address: 2325 Royal Oak City: Sulphur State: LA Email: _____

Physical Address: 2325 Royal Oak St City: Sulphur State: LA

Phone Number (H) _____ (W) _____ (C) 337-304-4078

PROPERTY INFORMATION

Location Address: 2325 Royal Oak St Sulphur LA 70663

Present Zoned Classification: _____

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 SCHEDULED MEETING INITIAL MO

VARIANCE REQUEST INFORMATION

Purpose of Variance Request: TO GAIN ADDITIONAL SQUARE FOOTAGE TO A NEW BUILDING (SHOP) ON MY PROPERTY. PARTIALLY ENCLOSED AND PARTIALLY OPEN.

How did you find out you needed a variance? I ASKED MARK LETURNE & HE GUIDED ME

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 Thomas O'Quain Date 2-2-24

	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 <u>X</u> bfe _____ ft.			

See attached drawing

Map



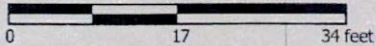
City Parks

Parks

Parcels

Parcel Subregions (PINs)

This map does not represent a legal survey or document. *See Disclaimer



Scalebar accurate at map center





RESOLUTION

Resolution appealing an administrative decision on a Home Business Application for Richard Carriere, 316 Landry Street, to allow him to make woodwork products on his back porch to sell at markets.

WHEREAS, in accordance with Appendix B, Article IV, Part 2, Section 6 of the Code of Ordinances of the City of Sulphur, a home business for outdoor activities shall have no discernable off-site impact and are conducted in a backyard and are totally enclosed within an accessory building, wall or fence and are clearly subordinate to the principal structure.

BE IT RESOLVED by the Board of Zoning Adjustment of the City of Sulphur, Louisiana, that they do hereby approve the application for a Home Business for Richard Carriere, 316 Landry Street, to allow him to make woodwork products on his back porch to sell at markets, with the following stipulations:

- 1.
- 2.

APPROVED AND ADOPTED by the
Board of Zoning Adjustment of the City of
Sulphur, Louisiana, on this _____
day of _____, 2024.

LENOE CARROLL, Chairman

ATTEST:

ARLENE BLANCHARD, Secretary



Memo

To: Land Use and Planning Commissioners
From: Austin Abrahams *AA*
Director, Department of Public Works
CC: Arlene Blanchard, Mayor Mike Danahay
Date: 2/8/2024
Re: 316 Landry Street - Variance Request

Comments: **Application:**

Richard Carrier has requested a hearing relative to Article III, Part 2, Section 3, Appeals. Specifically, Mr. Carrier is appealing the determination made by an administrative decision on a home business.

Situation:

Article IV, Part 2, Section 6(3)(d), Particular Home Occupations Permitted, states outdoor activities which have no discernable off-site impact and are conducted in the backyard and totally enclosed within an accessory building, wall or fence and are clearly subordinate to the principal structure are permitted. However, the application was not approved due to the applicant conducting the activities in the backyard of the principal structure, where that backyard is not totally enclosed by wall or fence.





MAP ANALYST

