

April 15, 2024

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 15th day of April, 2024, 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
EDDIE LEBLANC, Land Use Commission District 4
JONATHAN BRAZZELL, Land Use Commission of District 5

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

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

The first item on the agenda is a resolution granting a variance to Donovan Monceaux, 1722 Todd Street, to allow for awning to be located 2 feet from the front property line rather than the required 16.5 feet (50% rule). Mr. Abraham's, Land Use Administrator, stated that the resolution needed to be amended from 2 feet to 7 feet from the front property line. Motion carried unanimously.

Mr. Monceaux stated that when he went to the Permit office to get a permit to extend his decking under his front patio the Permit office told him that he would need a variance since his little extension in the front was too close to the property line and he'd need a variance for his project. Mr. Monceaux then stated that after the hurricane his contractor did the work, and he didn't know his contractor didn't get a permit. Mr. Abraham's, Land Use Administrator, stated that there's an ordinance that states nothing can

be constructed within 10 feet of a public utility. If he would have gotten a permit, he would have been stopped from building it. Mr. Monceaux stated that he could take down the little extension if that would help him. Mrs. Allison stated that she didn't have a problem with it being this close to the property line. Mr. Abraham's stated that if the little extension was removed then he would only need a 3½ foot variance. His awning for his patio would be 13 feet from the front property line rather than the required 16 ½ feet. After discussion, motion was made by Mr. LeBlanc seconded by Mr. Darby that the following amendment be made:

- Amend 7 feet from front property line to 13 feet.

A vote was then called with the results as follows:

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

NAYS: Mrs. Allison

ABSENT: None

And the said amendment was declared duly adopted on this 15th day of April, 2024.

ATTEST:

ARLENE BLANCHARD, Secretary

LENORE CARROLL, Chairman

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 Donavan Monceaux, 1722 Todd Street, to allow for awning to be located 13 feet from the front property line rather than the required 16.5 feet (50% rule).

WHEREAS, in accordance with Article IV, Part 2, Section 2 (6) (a) of the Land Use Ordinance of the City of Sulphur, Louisiana, 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; and

WHEREAS, the average front yard setback for said block face is 16.5 feet from the front property line but applicant is requesting to be 13 feet from the front property line.

BE IT RESOLVED by the Board of Zoning Adjustment of the City of Sulphur, Louisiana, that they do hereby grant a variance to Donovan Monceaux, 1722 Todd Street, to allow for awning to be located 13 feet from the front property line rather than the required 16.5 feet for the following described property:

COM 164.3 FT E AND 332 FT S OF NW COR OF SW NW SEC 3.10.10, TH E
130 FT, S 100 FT ETC

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 Adjustments of the City of Sulphur, Louisiana, that they do hereby grant a variance to Donovan Monceaux 1722 Todd Street, to allow for awning to be located 13 feet from the front property line rather than the required 16.5 feet (50% rule).

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 15th day of April, 2024.

ATTEST:

ARLENE BLANCHARD, Secretary

LENORE CARROLL, Chairman

The next item on the agenda is a resolution granting a variance to Isaac Roberts, 505 ½ North Claiborne Street, to allow for continued existence of a non-conforming structure. The following people spoke asking about all the asbestos in this house and how will it be handled:

David George – West Dave Dugas Road
Richard Suarez – North Claiborne Street

After much discussion, motion was made by Mr. LeBlanc seconded by Mr. Darby that the following amendment be made:

- Density variance be granted subject to meeting setback requirements.

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 ISAAC ROBERTS, 505 ½ NORTH CLAIBORNE STREET, TO ALLOW FOR CONTINUED EXISTENCE OF A NON-CONFORMING STRUCTURE DUE TO DENSITY REQUIREMENTS.

WHEREAS, in accordance with Article IV, Part 2, Section 4 (e) (1) of the Land Use Ordinance of the City of Sulphur, Louisiana, unless a special exception is granted under the provisions of Article III, Part 2, Section 4, if a structure housing a nonconforming use is damaged or destroyed by fifty (50) percent of price per sq. ft. at time of construction of building code.

BE IT RESOLVED by the Board of Zoning Adjustment of the City of Sulphur, Louisiana, that they do hereby grant a variance for density, subject to meeting all setback requirements, to Isaac Roberts, 505 ½ North Claiborne Street, to allow for continued existence of a non-conforming structure for the following described property:

COMMENCING AT A POINT 210 FEET NORTH AND 30 FEET WEST OF THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE/4 SE/4) OF SECTION 28, TOWNSHIP 9

SOUTH, RANGE 10 WEST, THENCE NORTH 69 FEET, THENCE WEST 170 FEET, THENCE SOUTH 69 FEET, THENCE EAST 170 FEET, TO THE POINT OF COMMENCEMENT.

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 for density, subject to meeting all setback requirements, to Isaac Roberts, 505 ½ North Claiborne Street, to allow for continued existence of a non-conforming structure.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mr. Darby, Mrs. Allison, Mr. LeBlanc, Mr. Brazzell
NAYS: None
ABSENT: None

And the said resolution was declared duly adopted on this 15th day of April, 2024.

ATTEST:

ARLENE BLANCHARD, Secretary

LENORE CARROLL, Chairman

The next item on the agenda is a resolution granting a variance to Charles Bean, 803 East Burton Street, to allow for living in an RV due to hardship until he no longer resides in RV. Kim Guidry, daughter of Mr. Bean, stated that her dad has been living with her sister for about 10 years and they are

repairing their home from the hurricane and they're at the point of construction to the room that her dad is staying in. He needs a place to stay in this emergency situation. His lung capacity is working at only 45%. She's not sure how long his life expectancy will be. This would be a temporary situation until he no longer resides in the RV. Motion was then made by Mr. Darby seconded by Mrs. Allison that the following resolution be adopted to-wit:

RESOLUTION

RESOLUTION GRANTING A VARIANCE TO CHARLES BEAN, 803 EAST BURTON STREET, TO ALLOW FOR LIVING IN AN RV DUE TO HARDSHIP UNTIL HE NO LONGER RESIDES IN THE RV.

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, said variance shall expire until Charles Bean no longer resides in the RV.

BE IT RESOLVED by the Board of Zoning Adjustment of the City of Sulphur, Louisiana, that they do hereby grant a variance to Charles Bean, 803 East Burton Street, to allow for living in an RV due to hardship until he no longer resides in the RV for the following described property:

COM 30 FT S OF N LINE 34.9.10 AND 560 FT E OF E LINE OF O.S.T.
THENCE S 150 FT E 100 FT ETC BEING IN LOT 1 LEBRUN SUB

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 Bean, 803 East Burton Street, to allow for living in an RV due to hardship until he no longer resides in the RV.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 15th day of April, 2024.

ATTEST:

ARLENE BLANCHARD, Secretary

LENORE CARROLL, Chairman

There being no further business to come before the Board of Zoning Adjustment, the Chairman declared the meeting adjourned.

ATTEST:

ARLENE BLANCHARD, Secretary

LENORE CARROLL, Chairman

3/15/24
5:15 P.M.