

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

AGENDA
BOARD OF ZONING ADJUSTMENT
MONDAY, SEPTEMBER 16, 2024, AT 5:30 P.M.

THERE WILL BE A REGULAR MEETING OF THE SULPHUR BOARD OF ZONING ADJUSTMENT AND LAND USE COMMISSION, **MONDAY, SEPTEMBER 16, 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 Dianna Afemon, 332 Madison Crossing, to allow for -0- lot line on the east side of her home for a carport rather than the required 15 feet.
2. Resolution granting a variance to Benjamin Ferguson, 300 Pecan Street, to allow for extension of carport to be 1 foot from west property line rather than the required 5 feet.
3. Resolution extending a variance request to Suzanne Hebert, 706 Live Oak, to allow for a second dwelling in the rear of the property to remain until owner has time to clean out the house and have it demolished.

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, October 21, 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 DIANNA AFEMON, 332 MADISON CROSSING, TO ALLOW FOR -0- LOT LINE ON THE EAST SIDE OF HER HOME FOR A CARPORT RATHER THAN THE REQUIRED 15 FEET.

WHEREAS, in accordance with Chapter 17-21 (a) of the Code of Ordinances of the City of Sulphur, Louisiana, the following shall apply:

17-21 (a)

No permanent structure or improvement shall be constructed within five (5) feet of a utility easement (in favor of the city) or within ten (10) feet of a city-owned utility or within any recorded construction easement (in favor of the city), whichever is more restrictive. Structures shall include, but not be limited to, fences, decks, landscaping, accessory buildings, permanently installed recreational or entertainment facilities and other such features which may obstruct access to and maintenance of the utility. City shall have the right to remove any structure or improvement which encroaches within these limits. Cost of restoration or replacement of that structure shall be borne by the property owner. City shall not be liable for damages associated with removing or relocating said structure.

BE IT RESOLVED by the Board of Zoning Adjustment of the City of Sulphur, Louisiana, that they do hereby grant a variance to Dianna Afemon, 332 Madison Crossing, to allow for -0- lot line on the east side of her home for a carport rather than the required 15 feet for the following described property:

LOT 89 BELLE SAVANNE PHASE 1B

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 Dianna Afemon, 332 Madison Crossing, to allow for -0- lot line on the east side of her home for a carport rather than the required 15 feet.

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

TROY DARBY, Chairman


ATTEST:

ARLENE BLANCHARD, Secretary

3 STOP WORK ORDERS WERE ISSUED



Memo

To: Land Use and Planning Commissioners
From: Austin Abrahams 
Director, Department of Public Works
CC: Arlene Blanchard, Mayor Mike Danahay
Date: 9/6/2024
Re: **332 Madison Crossing** - Variance Request

Comments: **Summary of Recommendation:**

The recommendation in support of the variance cannot be given. In addition, the Developer of the subdivision does not want to hinder future development by abandoning the utility right of way or forfeiting access to available water. Please see Attachment A.

Application:

Dianne Afemon has requested a variance relative to the side setback requirements for the east side property line.

Situation:

Applicant built a carport to the east property line at 332 Madison Crossing. Normal side setback lines are 5 feet but, there is a utility right of way that requires the setback to be 15 feet. Applicant is requesting to have a 0 lot line instead of the required 15 feet.



Findings:

In accordance with Article III, Part 2, Section 4(3) of the Land Use Ordinance (Ordinance), the application has been reviewed. The following findings are offered for your consideration:

1. The Application appears substantially complete, containing the information required in Appendix C of the Ordinance.

Review Criteria per Article III, Part 2, Section 4 (5)

- a) Special conditions and circumstances that exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.
- b) Literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.
- c) The special conditions and circumstances do not result from the actions of the applicant or any other person who may have or had interest in the property.
- d) Granting the variance requested will not confer on the applicant any special privilege which is denied by this Ordinance to other lands, structures, or buildings in the same district or similarly situated.
- e) The variance, if granted, will not alter the essential character of the locality.
- f) Strict adherence to the regulations for the property would result in a demonstrable hardship upon the owner, as distinguished from mere inconvenience.
- g) The purpose of the variance is not based exclusively upon a desire to service the convenience or profit of the property owner or other interested party(s).
- h) The proposed variance will not impair an adequate supply of light and air to the adjacent property, or increase substantially the congestion in the public street, or increase the danger of fire, or endanger the public safety.

Recommendation:

In accordance with Article III, Part 2, Section 4 (3), based on the above findings, **contingent upon the lack of objections from the Building Permits Division** it is recommended that the variance be **denied**.



Attachment A

From: Nick Guillory <nguillory@lacassane.com>

Sent: Monday, August 12, 2024 1:21 PM

To: Austin Abrahams <aabrahams@sulphur.org>

Subject: RE: Bel Commercial - Utility Easement Abandonment

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Austin,

Apologies for just getting back on this. Although we have no immediate plans for the property adjoining to

the north, we do not want to hinder future development by abandoning the utility right of way or forfeiting

access to available water. We are currently focusing on the development of property along hwy. 1256 but

hope to move in this direction and east once Carlyss Drive extension is complete.

Thanks for your consideration.

Nick Guillory

500 Kirby Street

Lake Charles, LA 70601

337-721-5710 office

337-274-2281 cel

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of the **sender**, and may contain legally protected work product or privileged and confidential information for the intended recipient(s). This email or enclosed attachments should not be forwarded, or otherwise disseminated. If you are not an intended recipient, you must return all

information and refrain from disseminating, distributing or copying any portion of this message

and any attached documents. If you receive this message in error, please contact us and delete immediately.



**CITY OF SULPHUR
APPLICATION FOR
DEVELOPMENT APPROVAL - VARIANCE**

Date Received 6/27/24 \$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

Name: Dianna Afemon Date: 6/26/2024

PROPERTY OWNER INFORMATION

Name of Property Owner: Dianna Afemon (Owner)
must provide proof of ownership such as property tax record or recorded deed)

Mailing Address: 332 Madison Crossing Dr. City: Sulphur State: La. Email: dafemonmei@gmail.com Physical Address: 332 Madison Crossing Dr. City: Sulphur State: La. Phone Number
(H) _____ (W) _____ (C) 318-359-1199 PROPERTY

INFORMATION

Location Address: 332 Madison Crossing Dr. Sulphu La. 70665 Present Zoned
Classification: residential

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 THE SCHEDULED MEETING INITIAL _____

VARIANCE REQUEST INFORMATION

Purpose of Variance: To allow Patio Extension to the property line.

-0- lot line for east side of property

How did you find out you needed a variance? City of Sulphur permitting department.

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 Dianna Afemon Date 6/26/2024

Yes No N/A

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

















RESOLUTION

RESOLUTION GRANTING A VARIANCE TO BENJAMIN FERGUSON, 300 PECAN STREET, TO ALLOW FOR EXTENSION OF CARPORT TO BE 1 FOOT FROM THE WEST SIDE PROPERTY LINE RATHER THAN THE REQUIRED 5 FOOT.

WHEREAS, applicant is requesting for the extension of a carport to be 1 foot from the west side property line rather than the required 5 foot.

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 Benjamin Ferguson, 300 Pecan Street, to allow for extension of carport to be 1 foot from the west side property line rather than the required 5 foot.

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

TROY DARBY, Chairman

ATTEST:

ARLENE BLANCHARD, Secretary



CITY OF SULPHUR
APPLICATION FOR

DEVELOPMENT APPROVAL - VARIANCE

Date Received

8-28-24

\$50.00 Fee (Non-Refundable)

p.d.

(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 Benjamin Ferguson

Date 8/28/2024

PROPERTY OWNER INFORMATION

Name of Property Owner Benjamin J. Ferguson

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

Mailing Address: 204 W. Elizabeth St. City: Sulphur State: LA Email: benferguson84@gmail.com

Physical Address: 204 W. Elizabeth St. City: Sulphur State: LA

Phone Number (H) _____ (W) _____ (C) 337-476-4120

PROPERTY INFORMATION

Location Address: 300 Pecan St. Sulphur, LA 70663

Present Zoned Classification: R, Residential

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

340910 - 1420 - 1 0014 0000 LOT 14 BLK 1 PECAN GROVE SUB REF1 - OLAF JACOBSEN B 1014 P 184 - 67

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 BJF

VARIANCE REQUEST INFORMATION

Purpose of Variance Request: Adding 7 ft of concrete along existing carport/ driveway West line towards the North by 20ft to the East towards home/ back yard. Needing to Close in 1 wall on North side. Replacing framed louvered wall on carport West Wall with Studs and siding to match the home. South Side will add a roll up garage door. Requesting a variance of 1 ft from the 5 ft setback.

How did you find out you needed a variance? Contractor spoke with City Inspector

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 [Signature]

Date 8/28/2024

	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.			



Memo

To: Land Use and Planning Commissioners
From: Austin Abrahams 
Director, Department of Public Works
CC: Arlene Blanchard, Mayor Mike Danahay
Date: 9/6/2024
Re: **300 Pecan Street** - Variance Request

Comments: **Summary of Recommendation:**

Recommendation in support of the variance is given.

Application:

Benjamin Ferguson has requested a variance relative to the west side property line setback requirements. **Residential Districts** require a side property line setback of five (5) feet. Applicant is requesting the setback be one (1) foot from the west property line.

Situation:

Applicant is extending carport to the north but, the carport already does not meet the required side property line setback. This is typical on each lot within this area. Applicant does not wish to extend any further towards property line, only to the north into their back yard.

Findings:



In accordance with Article III, Part 2, Section 4(3) of the Land Use Ordinance (Ordinance), the application has been reviewed. The following findings are offered for your consideration:

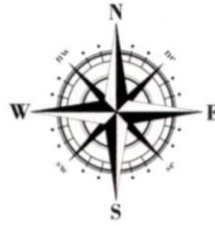
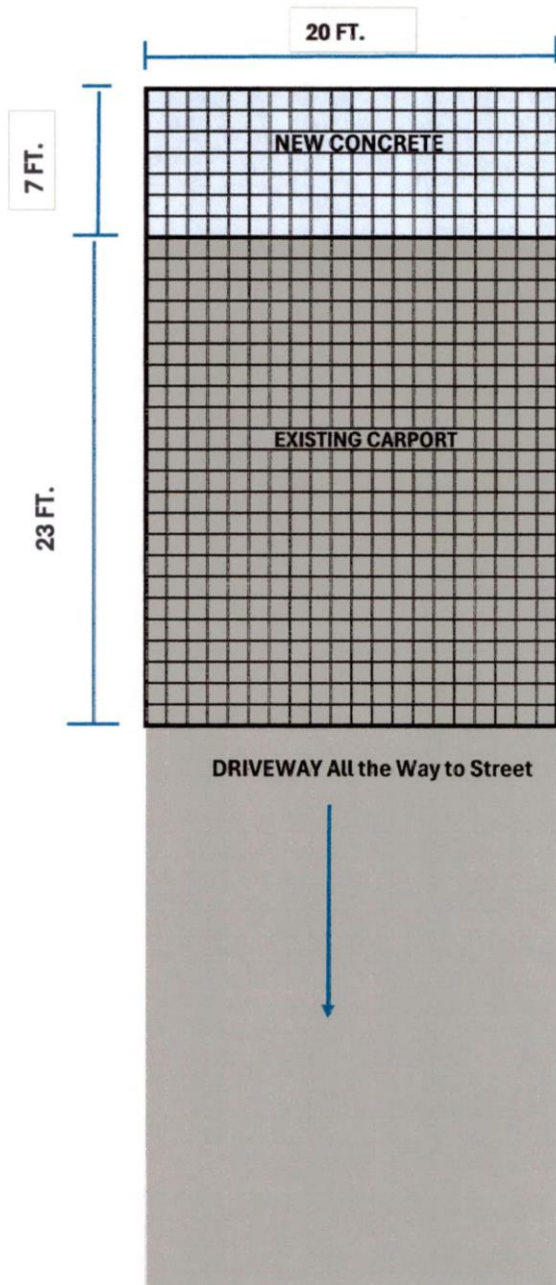
1. The Application appears substantially complete, containing the information required in Appendix C of the Ordinance.

Review Criteria per Article III, Part 2, Section 4 (5)

- a) Special conditions and circumstances that exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.
- b) Literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.
- c) The special conditions and circumstances do not result from the actions of the applicant or any other person who may have or had interest in the property.
- d) Granting the variance requested will not confer on the applicant any special privilege which is denied by this Ordinance to other lands, structures, or buildings in the same district or similarly situated.
- e) The variance, if granted, will not alter the essential character of the locality.
- f) Strict adherence to the regulations for the property would result in a demonstrable hardship upon the owner, as distinguished from mere inconvenience.
- g) The purpose of the variance is not based exclusively upon a desire to service the convenience or profit of the property owner or other interested party(s).
- h) The proposed variance will not impair an adequate supply of light and air to the adjacent property, or increase substantially the congestion in the public street, or increase the danger of fire, or endanger the public safety.

Recommendation:

In accordance with Article III, Part 2, Section 4 (3), based on the above findings, **contingent upon the lack of objections from the Building Permits Division** it is recommended that the variance be **approved**.



- Home was built in the 40s
- Existing Structure is the Carport- Slab, posts in concrete, framing, partial wood wall on west side and roof has all been there since the 50's
- Needing to enclose 1 wall on north side
- Replacing framed louvered WEST wall with studs and siding wall.
- South side will be a roll up garage door.
- East side is home side, wall already there.
- Electric
- No HVAC, no plumbing
- Will Gutter roof on West side
-







RESOLUTION

RESOLUTION EXTENDING A VARIANCE REQUEST TO SUZANNE HEBERT, 706 LIVE OAK, TO ALLOW FOR A SECOND DWELLING IN THE REAR OF THE PROPERTY TO REMAIN UNTIL OWNER HAS TIME TO CLEAN OUT THE HOME AND HAVE IT DEMOLISHED.

WHEREAS, on November 20, 2023, the Board of Zoning Adjustment granted the below variance to allow for a second dwelling to be placed on property until the primary dwelling can be demolished; and

WHEREAS, applicant is asking for an extension to allow for more time to clean out the home so it 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 extension to 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 an extension to variance to Suzanne Hebert, 706

Live Oak, to allow for a second dwelling in the rear of the property to remain until owner has time to clean out the home and have it demolished.

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

TROY DARBY, Chairman

ATTEST:

ARLENE BLANCHARD, Secretary



CITY OF SULPHUR
APPLICATION FOR

DEVELOPMENT APPROVAL - VARIANCE

Date Received

11/3/2023

\$50.00 Fee (Non-Refundable)

pcd (90)

(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 Suzanne R. Hebert Date 11/2/2023

PROPERTY OWNER INFORMATION

Name of Property Owner Suzanne R. Hebert

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

Mailing Address: 706 Live Oak St. Sulphur. La. State: susiehebert@bellsouth.net Email: LA

Physical Address: 706 Live Oak St. City: Sulphur. State: LA

Phone Number (H) 337-540-5986 (W) _____ (C) 337 540 5986

PROPERTY INFORMATION

Location Address: 706 Live Oak St

Present Zoned Classification: _____

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

0270910-0437 000301 0000
beg @ NW cor Lot 3 of Section of SW SE 27.9.10 of Deiron Heirs Tr
5196 FS E 217 FT ETC. REF1 - Jack E Hebert B 1930 P 632-86
REF 2 Hebert, Carl Joseph and Norma Jean Thomas B 2619 P 75, P 77, P 79-97

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 _____

VARIANCE REQUEST INFORMATION

Purpose of Variance Request: Request is to allow beginning of construction of new residence, especially foundation, before manufactured home delivery while current residence is emptied and during demolition.

How did you find out you needed a variance? After meeting with City Inspector & Building Officials

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.

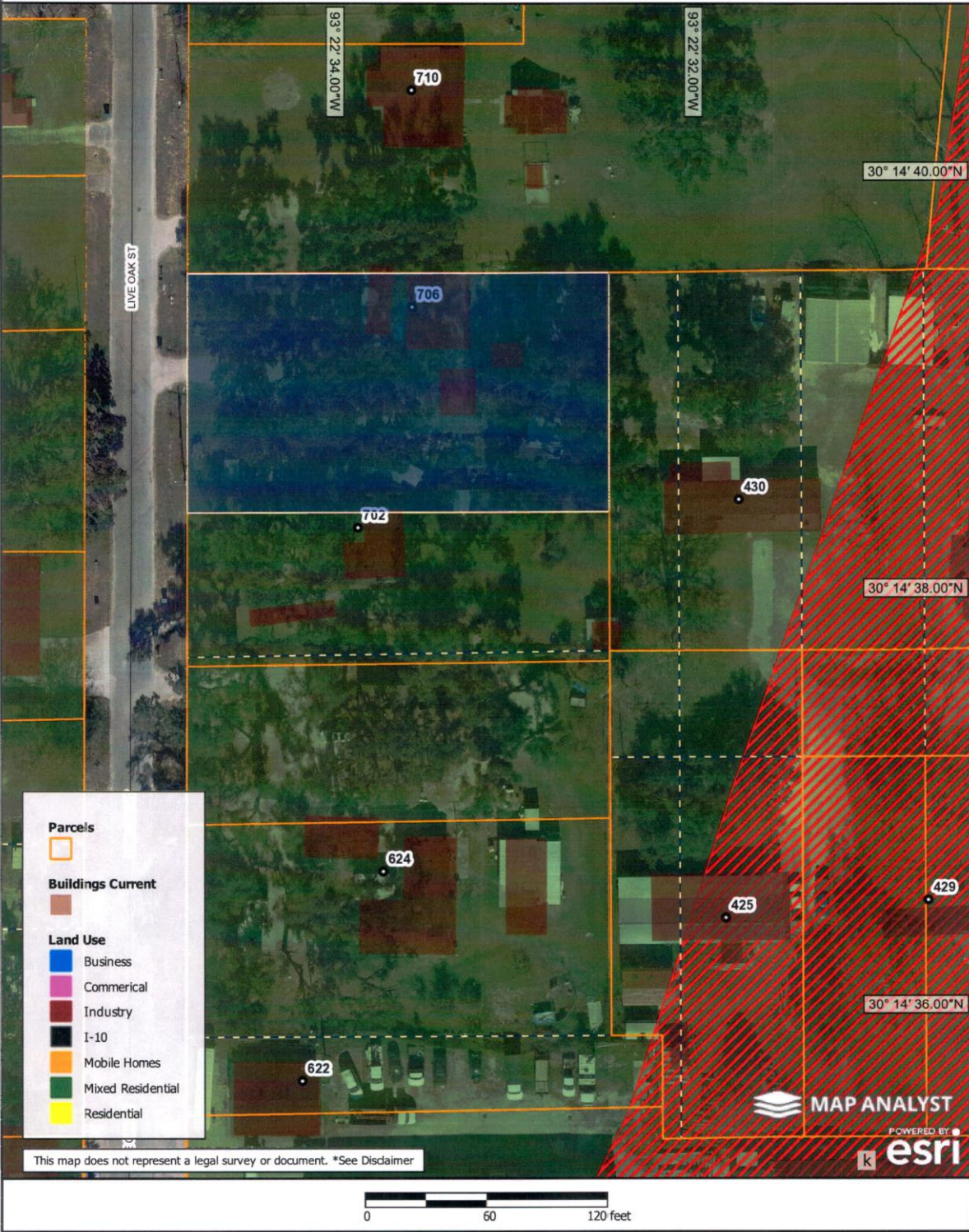
Furthermore, I, the applicant agree to dispose of the sign(s) placed on my property after the hearing.

Applicant Signature: Suzanne R. Hebert Date: 11/2/2023

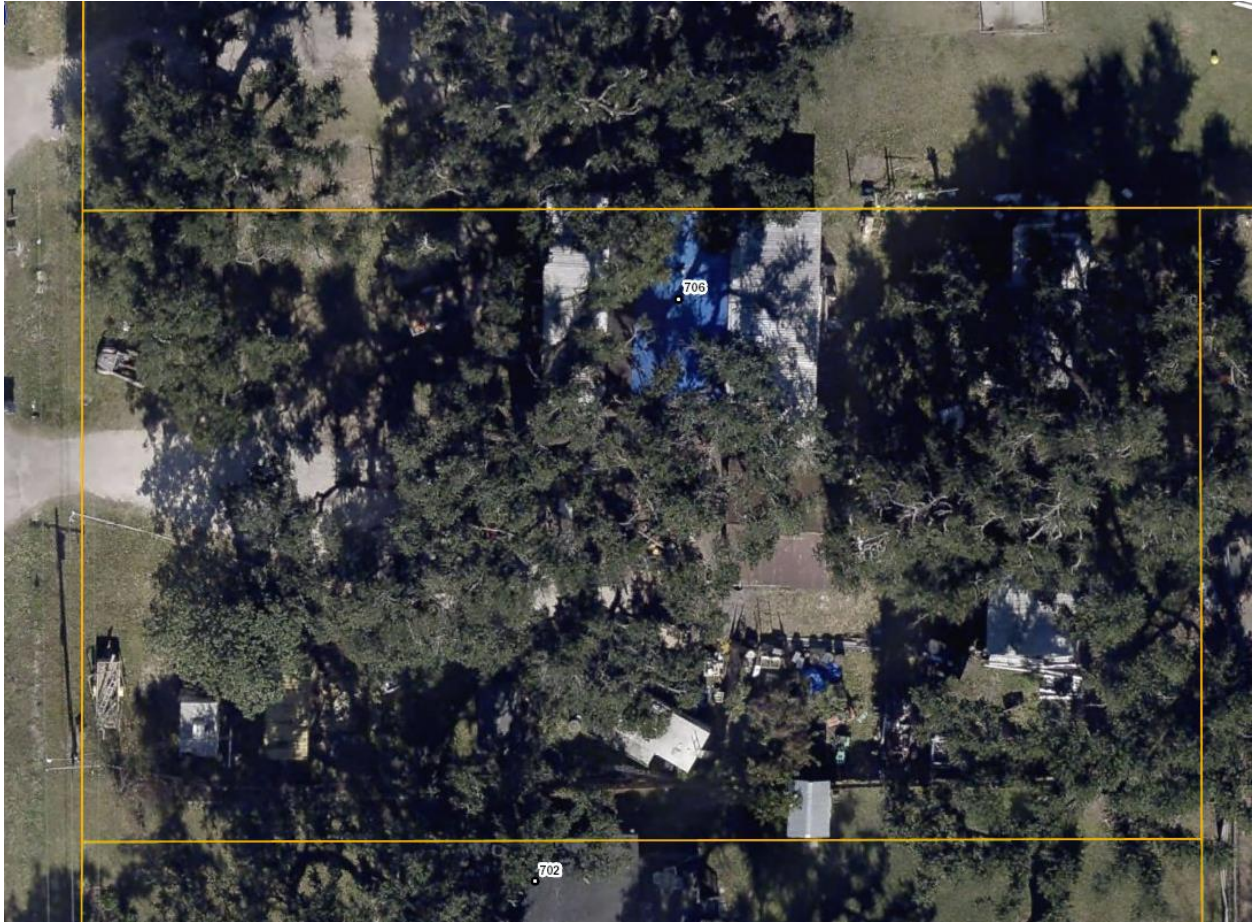
	Yes	No	N/A
1. Is site located within the City Limits?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed use be a nuisance to the surrounding area because of odors, vibrations, unsightly areas or other unwarranted elements?	<input type="checkbox"/>	<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.			



Aerial - 706 Live Oak Street










Memo

To: Land Use and Planning Commissioners
From: Austin Abrahams 
Director, Department of Public Works
CC: Arlene Blanchard, Mayor Mike Danahay
Date: 9/6/2024
Re: **706 Live Oak Street** - Variance Request

Comments: **Summary of Recommendation:**

Recommendation in support of the variance cannot be given.

Application:

Suzanne Hebert has requested a variance to allow for a second dwelling in the rear of property to remain until applicant can demolish. **Mixed Residential Districts** each dwelling shall have 6,000 sq. ft with 50 foot of road footage.

Situation:

Applicant applied for a variance to allow for a second dwelling to be placed on the property until the primary dwelling can be demolished in December of 2023. The Variance was granted with stipulations. Stipulation two (2) was the Applicant may seek an additional 90 days showing substantial progress and was granted the additional 90 days. Applicant is now requesting additional time to demo the second dwelling.



Findings:

In accordance with Article III, Part 2, Section 4(3) of the Land Use Ordinance (Ordinance), the application has been reviewed. The following findings are offered for your consideration:

1. The Application appears substantially complete, containing the information required in Appendix C of the Ordinance.

Review Criteria per Article III, Part 2, Section 4 (5)

- a) Special conditions and circumstances that exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.
- b) Literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.
- c) The special conditions and circumstances do not result from the actions of the applicant or any other person who may have or had interest in the property.
- d) Granting the variance requested will not confer on the applicant any special privilege which is denied by this Ordinance to other lands, structures, or buildings in the same district or similarly situated.
- e) The variance, if granted, will not alter the essential character of the locality.
- f) Strict adherence to the regulations for the property would result in a demonstrable hardship upon the owner, as distinguished from mere inconvenience.
- g) The purpose of the variance is not based exclusively upon a desire to service the convenience or profit of the property owner or other interested party(s).
- h) The proposed variance will not impair an adequate supply of light and air to the adjacent property, or increase substantially the congestion in the public street, or increase the danger of fire, or endanger the public safety.

Recommendation:

In accordance with Article III, Part 2, Section 4 (3), based on the above findings, **contingent upon the lack of objections from the Building Permits Division** it is recommended that the variance be **denied**.
