

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

**AGENDA**  
**LAND USE COMMISSION MEETING**  
**MONDAY, SEPTEMBER 16, AT 5:30 P.M.**

THERE WILL BE A REGULAR MEETING OF THE SULPHUR LAND USE COMMISSION, **MONDAY, SEPTEMBER 16, 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 rezone from Residential to Business to Donnie Presutti Moss, 218 Texas Street.
2. Resolution granting a rezone from Residential to Business to Donnie Presutti Moss, 220 Texas Street.
3. Resolution granting a rezone from Residential to Business to Donnie Presutti Moss, 222 Texas Street.
4. Resolution granting a rezone from Residential to Business to Donnie Presutti Moss, 224 Texas Street.

ADJOURNMENT

\*\*\*(Anyone addressing the Land Use Commission will be limited to speak for 3 minutes only)

*If you are not satisfied with the outcome of the Land Use 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 to 14<sup>th</sup> Judicial District Court.*

\*\*\*The next regular Land Use Commission 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 rezone to Donnie Presutti Moss, 218 Texas Street, from Residential to Business.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Donnie Presutti Moss, 218 Texas Street, from Residential to Business for the following described property:

LOT 154 BLK 3 WEST POINT SUB PART C

This rezone is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said rezone interfere with the rights and privileges owned by the City of Sulphur pursuant to a pre-existing right of way,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 If withdrawn, any improvements constructed thereon shall be removed at the expenses of owner thereof.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 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.**

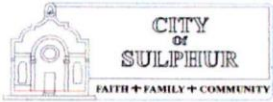
BE IT FURTHER RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Donnie Presutti Moss, 218 Texas Street, from Residential to Business.

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

Date Received

8-22-24

\$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 COUNCIL APPROVES/DISAPPROVES, APPLICANT MUST REMOVE SIGN FROM PROPERTY.**

**PRINT NAME** Donnie Presutti Moss **DATE** Aug 22, 2024

PROPERTY OWNER INFORMATION

Name of Property Owner Donnie Presutti Moss

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

Mailing Address: 224 Texas Street City: Sulphur State: LA Email: taxplusdonnie@gmail.com

Physical Address: 218 Texas Street City: Sulphur State: LA

Phone Number

(H) 337-794-4745

(W) 337-527-2354

(C) 337-794-4745

PROPERTY INFORMATION

Location Address: 218 Texas Street, Sulphur, LA 70663

Present Zoned Classification: Residential

LEGAL DESCRIPTION FROM ABSTRACT OR TAX RECORD (PRINT NEATLY OR TYPE) @350910-2073-3 0154 0000 LOT 154 BLK 3 WEST POINT SUB PART C REF 1-MURTIS W BLEICH DON BK 14 P 344-79 REF 1-JOHN WILLIAM BLEICH B 2357 P 570-92

DO YOU CURRENTLY HAVE ANY PENDING VIOLATION WITH ANY ORDINANCE OF THE CITY OF SULPHUR YOU, OR A REPRESENTATIVE, MUST ATTEND BOTH LAND USE AND CITY COUNCIL MEETING YES  NO   
INITIAL O

REQUEST INFORMATION

REZONE  EXCEPTION  SUBDIVISION  BILLBOARD  PRE. PLAT  FINAL PLAT

DOES REZONE REQUIRE FENCING

NAME OF SUBDIVISION West Point Sub Part C

Zoning Change: From Residential To Business

Purpose of Request This rezoning is necessary as the property is ideally located for business development and will contribute positively to the local economy. I have made all the necessary arrangements to ensure that the property complies with all zoning regulations and will not negatively impact the surrounding area.

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.

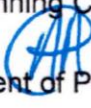
Furthermore, I, the applicant agree to dispose of the Land Use sign(s) placed on my property after the public hearing.

Applicant Signature: Donnie Moss Date: 8/22/2024

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



# 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: **218 Texas Street** Rezone Request  
File: Land Use: Rezone

---

Comments: **Application:**

**Donnie Presutti Moss** has requested a rezoning of the referenced area from **Residential Use** to **Business Use**.

**Situation:**

Applicant is requesting a rezoning of 218 Texas Street from Residential to Business Use. Per our Master Plan adopted in 2011, this area is considered a business corridor.

**Findings:**

In accordance with Article III, Part 1, Section 2(a,c,e) 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.
  2. The considered area is bordered by **developed land**.
  3. The considered area is bordered by land zoned **Residential**.
  4. **Residential** land uses permissible by right are single family dwelling, residential accessory uses, home occupations, public
-





uses, churches, schools, libraries, and museums, except businesses and trade schools.

5. **Business** land use areas are established by zoning within approximately 606 feet to the north and 363 approximate feet to the south of the area under consideration.
6. The nearest, contiguously zoned **Business** land use area is on the west side of Beglis Pkwy, between Carr Lane and Maplewood Drive. There is also continuously zoned Business land use area on Beglis Pkwy on the east side, south from Mississippi Street to Maplewood Drive.
7. The neighborhood area surrounding the area does exhibit indications of demand for **Business** land use due to the property bordering Beglis Pkwy.
8. The request to amend the land use map may constitute "spot zoning".

### **Recommendations:**

A recommendation for rezoning to Business District can be recommended due to previous rezoning approved by the City Council presenting the intent to make this a Business corridor. The City Council approved two properties, one located at 102 Louisiana Avenue bordering Beglis Pkwy to be rezoned to Business use at the December 2023 Council meeting Ordinance No. 130-23 and property to the south at the corner of Beglis Parkway and Mississippi street was also zoned Business at the May 2024 Council Meeting Ordinance No. 40-24.

The following stipulations or restrictions are suggested:

- a. 6' privacy fence along property abutting an existing residential use.
- b. No vehicle access except the primary residents will be allowed on Texas Street.











RESOLUTION

Resolution granting a rezone to Donnie Presutti Moss, 220 Texas Street, from Residential to Business.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Donnie Presutti Moss, 220 Texas Street, from Residential to Business for the following described property:

LOT 155 BLK 3 WEST POINT SUB PART C

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 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.**

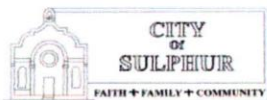
BE IT FURTHER RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Donnie Presutti Moss, 220 Texas Street, from Residential to Business.

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

Date Received

8-22-24

\$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 COUNCIL APPROVES/DISAPPROVES, APPLICANT MUST REMOVE SIGN FROM PROPERTY.**

PRINT NAME Donnie Presutti Moss DATE Aug 22, 2024

PROPERTY OWNER INFORMATION

Name of Property Owner Donnie Presutti Moss

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

Mailing Address 224 Texas Street City: Sulphur State: LA Email: taxplusdonnie@gmail.com

Physical Address: 220 Texas Street City: Sulphur State: LA

Phone Number

(H) 337-794-4745 (W) 337-527-2354 (C) 337-794-4745

PROPERTY INFORMATION

Location Address: 220 Texas Street, Sulphur, LA 70663

Present Zoned Classification: Residential

LEGAL DESCRIPTION FROM ABSTRACT OR TAX RECORD (PRINT NEATLY OR TYPE @350910-2073-3 0155 0000 LOT 155 BLK 3 WEST POINT SUB PART C REF1-HOWARD E AND CHARLOTTE URBAN HOFFNER B 1015 P 356-67 REF2-CHARLOTTE JOYCE HOFFNER ET AL B 2327 P 473-92

DO YOU CURRENTLY HAVE ANY PENDING VIOLATION WITH ANY ORDINANCE OF THE CITY OF SULPHUR YES XNO  
YOU, OR A REPRESENTATIVE, MUST ATTEND BOTH LAND USE AND CITY COUNCIL MEETING INITIAL O

REQUEST INFORMATION

REZONE  EXCEPTION  SUBDIVISION  BILLBOARD  PRE. PLAT  FINAL PLAT

DOES REZONE REQUIRE FENCING NAME OF SUBDIVISION West Point Sub Part C

Zoning Change: From Residential To Business

Purpose of Request This rezoning is necessary as the property is ideally located for business development and will contribute positively to the local economy. I have made all the necessary arrangements to ensure that the property complies with all zoning regulations and will not negatively impact the surrounding area.

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: Donnie Moss Date: 8/22/2022

	Yes	No	N/A
1. Is site located within the City Limits?	<u>X</u>		
2. Will the proposed use be a nuisance to the surrounding area because of odors, vibrations, unsightly areas or other unwarranted elements?		<u>X</u>	
3. Is the capacity of the road and off-street parking facilities adequate for use by the proposed development?	<u>X</u>		
4. Will the location be served by a fire protection?	<u>X</u>		
5. Can the proposed development be expected to adversely affect the character/aesthetics of the area involved?			<u>X</u>
6. Is property within a designated flood hazard area?		<u>X</u>	
Flood zone classification _____ 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: **220 Texas Street** Rezone Request  
File: Land Use: Rezone

---

Comments: **Application:**

**Donnie Presutti Moss** has requested a rezoning of the referenced area from **Residential** to **Business**.

**Situation:**

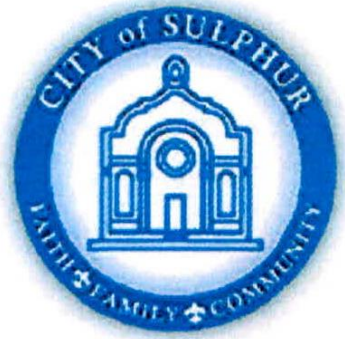
Applicant is requesting a rezoning of 220 Texas Street from Residential to Business Use. Per our Master Plan adopted in 2011, this area is considered a business corridor.

**Findings:**

In accordance with Article III, Part 1, Section 2(a,c,e) 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.
  2. The considered area is bordered by **developed land**.
  3. The considered area is bordered by land zoned **Residential**.
  4. **Residential** land uses permissible by right are single family dwelling, residential accessory uses, home occupations, public
-





uses, churches, schools, libraries, and museums, except businesses and trade schools.

5. **Business** land use areas are established by zoning within 606 approximate feet to the north and 363 approximate feet to the south of the area under consideration.
6. The nearest, contiguously zoned **Business** land use area is on the west side of Beglis Pkwy, between Carr Lane and Maplewood Drive. There is also continuously zoned Business land use area on Beglis Pkwy on the east side, south from Mississippi Street to Maplewood Drive.
7. The neighborhood area surrounding the area does exhibit indications of demand for **Business** land use due to the property bordering Beglis Pkwy.
8. The request to amend the land use map may constitute "spot zoning".

### **Recommendations:**

A recommendation for rezoning to Business Land Use can be recommended due to previous rezoning approved by the City Council presenting the intent to make this a Business corridor. The City Council approved two properties, one located at 102 Louisiana Avenue bordering Beglis Pkwy to be rezoned to Business use at the December 2023 Council meeting Ordinance No. 130-23 and property to the south at the corner of Beglis Parkway and Mississippi street was also zoned Business at the May 2024 Council Meeting Ordinance No. 40-24.

The following stipulations or restrictions are suggested:

- a. 6' privacy fence along property line abutting existing residential uses.
- b. No vehicle access except the primary residents will be allowed on Texas Street.











RESOLUTION

Resolution granting a rezone to Donnie Presutti Moss, 222 Texas Street, from Residential to Business.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Donnie Presutti Moss, 222 Texas Street, from Residential to Business for the following described property:

LOT 156 BLK 3 WEST POINT SUB PART C

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 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.**

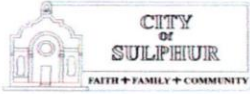
BE IT FURTHER RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Donnie Presutti Moss, 222 Texas Street, from Residential to Business.

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

Date Received 8-22-24

\$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 COUNCIL APPROVES/DISAPPROVES, APPLICANT MUST REMOVE SIGN FROM PROPERTY.**

PRINT NAME Donnie Presutti Moss DATE Aug 22, 2024

PROPERTY OWNER INFORMATION

Name of Property Owner Donnie Presutti Moss

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

Mailing Address 224 Texas Street City: Sulphur State: LA Email: taxplusdonnie@gmail.com

Physical Address: 222 Texas Street City: Sulphur State: LA

Phone Number

(H) 337-794-4745 (W) 337-527-2354 (C) 337-794-4745

PROPERTY INFORMATION

Location Address: 222 Texas Street, Sulphur, LA 70663

Present Zoned Classification: Residential

LEGAL DESCRIPTION FROM ABSTRACT OR TAX RECORD (PRINT NEATLY OR TYPE) @350910-2073-3 0156 0000 LOT 156 BLK 3 WEST POINT SUB PART C IMPS 87/REB/04 REF1-ROBERT LEE MYERS AND BERTHA ALINE BAKER MYERS B 1267 P 399, B 1266 P 124-74

DO YOU CURRENTLY HAVE ANY PENDING VIOLATION WITH ANY ORDINANCE OF THE CITY OF SULPHUR YES XNO  
YOU, OR A REPRESENTATIVE, MUST ATTEND BOTH LAND USE AND CITY COUNCIL MEETING INITIAL O

REQUEST INFORMATION

REZONE  EXCEPTION  SUBDIVISION  BILLBOARD  PRE. PLAT  FINAL PLAT

DOES REZONE REQUIRE FENCING NAME OF SUBDIVISION West Point Sub Part C

Zoning Change: From Residential To Business

Purpose of Request This rezoning is necessary as the property is ideally located for business development and will contribute positively to the local economy. I have made all the necessary arrangements to ensure that the property complies with all zoning regulations and will not negatively impact the surrounding area.

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: Donnie Moss Date: 8/22/2024

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





# Memo

To: Land Use and Planning Commissioners  
From: Austin Abrahams *AA*  
Director, Department of Public Works  
CC: Arlene Blanchard, Mayor Mike Danahay  
Date: 9/6/2024  
Re: **222 Texas Street** Rezone Request  
File: Land Use: Rezone

---

Comments: **Application:**

**Donnie Presutti Moss** has requested a rezoning of the referenced area from **Residential Use** to **Business Use**.

**Situation:**

Applicant is requesting a rezoning of 222 Texas Street from Residential to Business Use. There is a home business at this location for Tax Preparation.

**Findings:**

In accordance with Article III, Part 1, Section 2(a)(c)(e) 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.
  2. The considered area is bordered by **developed land**.
  3. The considered area is bordered by land zoned **Residential**.
  4. **Residential** land uses permissible by right are single family dwelling, residential accessory uses, home occupations, public
-



---

uses, churches, schools, libraries, and museums, except businesses and trade schools.

**Business** land use areas are established by zoning within approximately 606 feet to the north and 363 approximate feet to the south of the area under consideration.

5. The nearest, contiguously zoned **Business** land use area is on the west side of Beglis Pkwy, between Carr Lane and Maplewood Drive. There is also continuously zoned Business land use area on Beglis Pkwy on the east side, south from Mississippi Street to Maplewood Drive.
6. The neighborhood area surrounding the area does exhibit indications of demand for **Business** land use due to the property bordering Beglis Pkwy.
7. The request to amend the land use map may constitute "spot zoning".

#### **Recommendations:**

A recommendation for rezoning to Business Land Use can be recommended due to previous rezoning approved by the City Council presenting the intent to make this a Business corridor. The City Council approved two properties, one located at 102 Louisiana Avenue bordering Beglis Pkwy to be rezoned to Business use at the December 2023 Council meeting Ordinance No. 130-23 and property to the south at the corner of Beglis Parkway and Mississippi street was also zoned Business at the May 2024 Council Meeting Ordinance No. 40-24.

The following stipulations or restrictions are suggested:

- a. 6' privacy fence along property line abutting existing residential uses.
  - b. No vehicle access except the primary residents will be allowed on Texas Street.
-









RESOLUTION

Resolution granting a rezone to Donnie Presutti Moss, 224 Texas Street, from Residential to Business.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Donnie Presutti Moss, 224 Texas Street, from Residential to Business for the following described property:

LOT 157 BLK 3 WEST POINT SUB PART C

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 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 Donnie Presutti Moss, 224 Texas Street, from Residential to Business.

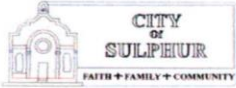
APPROVED AND ADOPTED by  
the Board of Zoning Adjustment  
of the City of Sulphur, Louisiana,  
on this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
TROY DARBY, Chairman

ATTEST:

\_\_\_\_\_  
ARLENE BLANCHARD, Secretary





CITY OF SULPHUR
APPLICATION FOR
DEVELOPMENT APPROVAL

Date Received 8-22-24 \$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 COUNCIL APPROVES/DISAPPROVES, APPLICANT MUST REMOVE SIGN FROM PROPERTY.

PRINT NAME Donnie Presutti Moss DATE Aug 22, 2024

PROPERTY OWNER INFORMATION

Name of Property Owner Donnie Presutti Moss

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

Mailing Address 224 Texas Street City Sulphur State LA Email taxplusdonnie@gmail.com

Physical Address 224 Texas Street City Sulphur State LA

Phone Number

(H) 337-794-4745 (W) 337-527-2354 (C) 337-794-4745

PROPERTY INFORMATION

Location Address 224 Texas Street Sulphur, LA 70663

Present Zoned Classification Residential

LEGAL DESCRIPTION FROM ABSTRACT OR TAX RECORD (PRINT NEATLY OR TYPE) @350910-2073-3 0157 0000 LOT 157 BLK 3 WEST POINT SUB PART 'C' 16/GAR REF1-ORAN A MCLEMORE AND JAMES S B 1079 P 648-69 REF2-B 2350 P 151,B 2352 P 123-92 REF3-B 2517 P 546-95

DO YOU CURRENTLY HAVE ANY PENDING VIOLATION WITH ANY ORDINANCE OF THE CITY OF SULPHUR YOU, OR A REPRESENTATIVE, MUST ATTEND BOTH LAND USE AND CITY COUNCIL MEETING

REQUEST INFORMATION

[X] REZONE [ ] EXCEPTION [ ] SUBDIVISION [ ] BILLBOARD [ ] PRE. PLAT [ ] FINAL PLAT

[ ] DOES REZONE REQUIRE FENCING NAME OF SUBDIVISION West Point Sub Part C

Zoning Change: From Residential To Business

Purpose of Request This rezoning is necessary as the property is ideally located for business development and will contribute positively to the local economy. I have made all the necessary arrangements to ensure that the property complies with all zoning regulations and will not negatively impact the surrounding area.

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: Donnie Moss Date: 8/22/2024

Table with 4 columns: Question, Yes, No, N/A. Contains 6 questions regarding site location, nuisance, parking, fire protection, aesthetics, and flood hazard.



# 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: **224 Texas Street** Rezone Request  
File: Land Use: Rezone

---

Comments: **Application:**

**Donnie Presutti Moss** has requested a rezoning of the referenced area from **Residential Use** to **Business Use**.

**Situation:**

Applicant is requesting a rezoning of 224 Texas Street from Residential to Business Use. Per our Master Plan adopted in 2011, this area is considered a business corridor.

**Findings:**

In accordance with Article III, Part 1, Section 2(a)(c)(e) 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.
  2. The considered area is bordered by **developed land**.
  3. The considered area is bordered by land zoned **Residential**.
  4. **Residential** land uses permissible by right are single family dwelling, residential accessory uses, home occupations, public
-





uses, churches, schools, libraries, and museums, except businesses and trade schools.

5. **Business** land use areas are established by zoning within approximately 606 feet to the north and approximately 363 feet to the south of the area under consideration.
6. The nearest, contiguously zoned **Business** land use area is on the west side of Beglis Pkwy, between Carr Lane and Maplewood Drive. There is also continuously zoned Business land use area on Beglis Pkwy on the east side, south from Mississippi Street to Maplewood Drive.
7. The neighborhood area surrounding the area does exhibit indications of demand for **Business** land use due to the property bordering Beglis Pkwy.
8. The request to amend the land use map may constitute "spot zoning".

### **Recommendations:**

A recommendation for rezoning to Business Land Use can be recommended due to previous rezoning approved by the City Council presenting the intent to make this a Business corridor. The City Council approved two properties, one located at 102 Louisiana Avenue bordering Beglis Pkwy to be rezoned to Business use at the December 2023 Council meeting Ordinance No. 130-23 and property to the south at the corner of Beglis Parkway and Mississippi street was also zoned Business at the May 2024 Council Meeting Ordinance No. 40-24.

The following stipulations or restrictions are suggested:

- a. 6' privacy fence along property lines abutting existing residential uses.
- b. No vehicle access except the primary residents will be allowed on Texas Street.







© 2024 Google

Google Earth



