



# City of Lake Charles

326 Pujo Street  
P.O. Box 900  
Lake Charles, LA  
70602-0900

## Meeting Minutes Planning and Zoning Commission

---

Monday, June 10, 2024

5:30 PM

Council Chambers

---

### OPEN MEETING

*Chairman Reginald Weeks called the meeting of the Planning and Zoning Commission to order at approximately 5:30pm, and requested a roll call. Alvin Joseph led the meeting in prayer. Gus Schram led the Pledge of Allegiance.*

### ROLL CALL

**Present** 4 - Alvin Joseph, Gus Schram III, Reginald Weeks, and Mitchell Gregory Pete

**Absent** 3 - Adam McBride, David Berryhill, and Thomas Sanders Jr.

### MINUTES OF PREVIOUS MEETING

*Chairman Reginald Weeks asked if everyone received a copy of the minutes from the previous meeting. Mr. Schram noted corrections to be made to the minutes. The other commissioners agreed.*

### SPECIAL ANNOUNCEMENTS

*Chairman Reginald Weeks asked if there are any special announcements.*

*Mrs. Bynum states that any person aggrieved by the decision of this Commission for a Major Conditional Use permit, Variance, or Special Exception may file a written appeal with the Director of Planning within (15) days of the decision of the commission.*

### COMMISSION BUSINESS

**ANX 24-02**

**CHAPTER 24 - LAKE CHARLES ZONING ORDINANCE**

**APPLICANT:** JOHN STURLESE/CITY OF LAKE CHARLES

**SUBJECT:** The applicant is requesting annexation approval of 4.11-acres M/L, and generally described as the **Eastside 5400 Blk. Weaver Road.**

**STAFF FINDINGS:** The on-site and site plan reviews revealed that the proposed annexation is under review by the Registrar of Voters office and the Tax Assessor Office for Annexation Certification.

*Chairman Weeks asked applicant to state name and address for the record.*

*Tom Gayle, 713 Kirby Street, Lake Charles, LA*

*Mr. Gayle's asked if the zoning office picked up the corner lot "postage stamp" portion.*

*Mrs. Bynum responded, "Yes."*

*Mr. Gayle stated that the entire parcel now is now included.*

*Mrs. Bynum stated that planner Stacey Peveto received the documentation she needed.*

*Mr. Gayle stated to the members of the board that a small quarter of the parcel had been excluded initially. He just wanted to make sure that the entire rectangle was included.*

*Mrs. Bynum said it is.*

*Opposition: NA*

**Chairman Weeks called for a vote. The motion carried with the following vote.**

**For:** 4 - Alvin Joseph, Gus Schram III, Reginald Weeks and Mitchell Gregory Pete

**Against:** 0

**Absent:** 3 - Adam McBride, David Berryhill and Thomas Sanders Jr.

**ANXZON  
24-02**

**CHAPTER 24 - LAKE CHARLES ZONING ORDINANCE**

**APPLICANT:** JOHN STURLESE/CITY OF LAKE CHARLES

**SUBJECT:** The applicant is requesting a zoning classification of Residential Zoning District of 4.11-acres M/L, and generally described as the **Eastside 5400 Blk. Weaver Road.**

**STAFF FINDINGS:** The on-site and site plan reviews revealed that the proposed zoning classification of Residential is consistent with the current zoning classification of the Parish of Calcasieu (R-1). Therefore, staff finds the request reasonable and acceptable for passage.

*See minutes for Case ANX 24-02*

**Chairman Weeks called for a vote. The motion carried with the following vote.**

**For:** 4 - Alvin Joseph, Gus Schram III, Reginald Weeks and Mitchell Gregory Pete

**Against:** 0

**Absent:** 3 - Adam McBride, David Berryhill and Thomas Sanders Jr.

**PREFNL  
24-09**

**LAKE CHARLES SUBDIVISION REGULATIONS**

**APPLICANT:** SCOTT PATTERSON, P.L.S. (CAPSTONE AT THE OAKS RE-SUBDIVISION)

**SUBJECT:** Applicant is requesting Preliminary and Final Subdivision approval (Sec. 2.3 & 2.4) in order to re-subdivide a 10.085-acre tract of land into ten (10) lots (with re-adjusted lot lines), within a Mixed Use and Residential Zoning District. Location of the request is **2401 6th Street.**

**STAFF FINDINGS:** The on-site and site plan reviews revealed the proposed subdivision of a 10.085-acre tract of land into ten (10) lots (with re-adjusted lot lines), within a Mixed-Use and Residential Zoning District. Subdivision meets all development standards. If approved, applicants shall adhere to any recommendations by the Department of Engineering and Public Works.

*Chairman Weeks asked applicant to state name and address for the record.  
David Patterson, 6730 Exchequer Drive, Baton Rouge, LA 70809*

*Mr. Patterson is a developer representing Capstone at the Oaks who is the developer.*

*The developer said he is trying to resolve the title problem.*

*Opposition: NA*

**Chairman Weeks called for a vote. The motion carried with the following vote.**

**For:** 4 - Alvin Joseph, Gus Schram III, Reginald Weeks and Mitchell Gregory Pete

**Against:** 0

**Absent:** 3 - Adam McBride, David Berryhill and Thomas Sanders Jr.

**PREFNL-MA LAKE CHARLES SUBDIVISION REGULATIONS/CHAPTER 24 - L.C. ZONING  
J-VAR 24-10 ORDINANCE**

**APPLICANT:** PENTANGELI ROW DEVELOPMENT (PENTANGELI ROW SUBDIVISION)  
**SUBJECT:** Applicant is requesting Preliminary and Final Subdivision approval (Sec. 2.3 & 2.4) in order to subdivide a 2.4-acre m/l tract of land into thirty-two (32) residential tracts including a Major Conditional Use Permit for private drive access and Variance for lot size reductions, within a Residential Zoning District. Location of the request is the **Northwest corner W. Claude Street @ Ernest Street.**

**STAFF FINDINGS:** The on-site and site plan reviews revealed the proposed subdivision of a 2.4 acre m/l tract of land into thirty-two (32) residential tracts will also include a Major Conditional Use Permit for private drive access over 200' (proposed +/-324') and a variance for lot size reductions which will also include allowing lot coverage over the required 40%. The proposal is bordered on all sides by single family residential and across the street to the south by a public use (library). Garbage services will be privately contracted. If approved, applicants shall adhere to any recommendations by the Department of Engineering and Public Works including utility services.

*Chairman Weeks asked applicant to state name and address for the record.*

*David Minton, Cypress Engineering & Development Group, 4310 Ryan Street, Lake Charles, LA*

*Mr. Minton stated that the project proposes to construct 16 duplex town home structures. It is a 32-unit overall development. These units will be sold. It is not going to be individual renters. They will be individually titled units. One of the variance request is a front setback on Ernest Street. The reason for that variance is because it is rear-loaded with parking to the rear of those structures. So he is asking to move the structures from a 30 ft. setback to a 20 ft. setback. He then showed images of each of the individual lots to the commission along with the common space. Through the middle of the development Cypress Development has planned and included a walking park. The walking park will have a sidewalk and a few benches around the detention area for the storm water.*

*Mr. Minton noted that there were petitions submitted by some of the neighbors. The main concern of the neighbors is flooding.*

*Mr. Schram's main concern is about the detention system. He asked Mr. Minton to explain how the detention system works.*

*Mr. Minton stated that the City's requirement is that we detain up to a 25-year storm event. "This is a new ordinance that was passed about 2 years ago," he said. "When you look at the pre-development of what the property is today our development is not allowed to exceed the existing conditions for a 25 year storm." Mr. Minton understands that there are some*

drainage issues on Ernest Street connecting to Sale Road. "But with regards to what we are allowed to discharge from the property," he said "it cannot exceed the current conditions, this has to be proved with science, engineering reports and studies that the City will review with its engineering staff to confirm that our science is valid."

Mr. Schram asked Mr. Minton to explain what a 25-year flood or rain event is. "How do you define that in terms of inches of rainfall?"

Mr. Minton stated that it is a statistical measurement in the hydrology world of a given rainfall amount over a certain period of time. What governs it is the intensity of rain.

Mr. Schram asked what this 25-year rain flood event equates to in terms of inches of rainfall per hour or some measure like that.

Mr. Minton stated that it is measured over a 24 hour period. "Based on the DOTD standards I believe it is about 8 inches in a 24 hour period."

Mr. Schram asked Mr. Minton if his design meets that criteria.

Mr. Minton stated that he must stamp and certify that all of his designs meet the requirements of the City of Lake Charles.

Mr. Schram then asked Mr. Minton how tall are the buildings.

Mr. Minton replied these buildings are 2-story town homes. "One thing that we are taking into consideration is an increase in the structural quality of the structures. Typical standards for our building code," he said, "is the International Residential Code which generally is about 130-mph wind speed. All of these structures are going to be built to meet 4 to 5 design code which is extra strapping and extra hurricane nail clips. It is a more resilient structure, and it actually provides a reduction on the home owner's insurance because the structure meets the fortified design criteria."

Mr. Schram asked if the town homes were going to be built on slabs.

Mr. Minton replied, "Yes, Sir."

Mr. Minton noted that the fortified design has to be reviewed and approved by a third party. A third party engineer has to be hired and certify that it meets all those standards during construction.

Mr. Schram asked Mr. Minton the height of the buildings, how high are the second-floor windows and if the privacy fence is 6-feet tall.

I

Mr. Minton stated initially proposed was a 6-foot fence but after discussing with the group of developers and the architect he feels an 8-foot fence is needed. Mr. Minton said, "This is a typical two story structure. We expect 10-foot ceilings on the first floor 9 foot ceilings on the second floor. This provides a better quality of finish on the interior. The roofs will be a hip roof," he said.

Mr. Schram noted Mr. Minton is asking for a reduced setback along the edges.

Mr. Minton stated that on the Ernest Street and the street to the south typically the requirement would be 30 feet. He is asking for 20 feet.

*Mr. Schram stated he is asking about the perimeter.*

*Mr. Minton said that the perimeter is generally a 5-foot setback on the sides and 15 in the rear. "We are requesting a 10-foot in what would be the rear most lot. Because of the detention requirements we had to make the pond eat up a good bit of space, so it kind of pushed those buildings back, and every foot with regards to detention is important.*

*Mr. Schram asked Mr. Minton what he consider the rear.*

*Mr. Minton replied the north most property line on what would be called the second phase. "We approached it as if it was a side setback which I think we have 10 feet. The requirement is 15 feet due to the type of development."*

*Mr. Schram noticed what appears to be generous sized driveways.*

*Mr. Minton noted that there would be low leveled lighting through the walking trails.*

*Mr. Schram asked how trash pickup would be handled.*

*Mr. Minton stated that trash pickup is required to be a private system.*

*Mr. Schram asked if a private contractor would drive in and pick up trash at each home.*

*Mr. Minton replied. "Yes, Sir. It will not be out along the road."*

*Mr. Schram then asked, "What are the size of the lots?"*

*Mr. Minton replied, "Give or take close to 3000 sq. ft." He said the common space will be similar to a condo type of association.*

*Mr. Schram asked, "For each building structure will the 2 lots comprise more than 6000 sq. ft.?"*

*Mr. Minton replied, "Approximately give or take." "We looked at this property to see if it could be developed as a single-family residences. The city ordinance at 6000 sq. ft. per lot would allow for 18 structures. When we took that into consideration with 16 structures granted that they are duplexes again with the planned development we are kind of in line with what would be allowed if it was a single-family residence development."*

*Mr. Weeks noted that the commission received from the following to appear in opposition Jo Clopper, Ingrid Ayers, Dr. Hal Trey Vaughan, Cassandra Matte, John Matte, Pam Portie, Amanda Weeks, Joseph Dore, Beau Betbeze, Therrance Chrtien, and Audra Melton none requested to speak at the meeting. Mr. Weeks stated that their opposition will be noted.*

*Phyllis Loftin, 3866 N. Jasmine Drive, Lake Charles, LA*

*Phyllis Loftin was present but did not wish to speak. She requested her written comments be made part of the record. In her written comments she wrote "As a real estate agent and citizen of the City of Lake Charles I support this development and feel there is a need for additional housing in the central Lake Charles area and surrounding McNeese."*

*Mrs. Bynum stated that for the record the Planning Department did receive letters of opposition which were forwarded to the Planning & Zoning Commission members.*

*Mr. Weeks asked opponent to state name and address for the record.  
Tim Bowles, 320 W. Claude Street, Lake Charles, LA*

*Mr. Bowles reviewed the proposed subdivision layout and he feels that it is designed to maximize the profit by squeezing as many town homes as possible on a 2.4 acres piece of land. "There is no consideration for the privacy of the neighbors when you have a two-story home towering next to them," he said. "Currently on the entire block there are 42 existing homes. If you add another 32 homes the existing infrastructure system has not been updated in decades," he said. Mr. Bowles is concerned about the effect on the sewer system when adding that many people to the neighborhood. He said, "The intersection of Ernest and Claude floods during heavy rains, every square foot is being covered with pavement or structures." He does not think that the planned retention area is adequate. The development in the area will make flooding worse. Mr. Bowles is concerned that with this development it could adversely affect the neighborhood drainage in the future. "I oppose both of these variances 24-1- and 24-25 which the developer is seeking. The developer needs to design something that fits the characteristics of the neighborhood and respects the neighbors that border the property," he said.*

*Mr. Weeks asked opponent to state name and address for the record.  
Dennis Ayres, 3800 Ernest Street, Lake Charles, LA*

*Mr. Ayres main concerns are the flooding, draining and congestion.*

*Mr. Weeks asked opponent to state name and address for the record.  
William Bowles, 314 W Claude Street, Lake Charles, LA*

*Mr. Bowles stated that the back of these 10 townhouses will be up against his property, with no way to install a buffer. "I will no longer have any privacy nor view. I will be looking at the sides of these homes. I have lived there for 55 years." He asked the commission to oppose this request. He stated that the construction needs to be reconfigured. Flooding is also a major concern for him.*

*Mr. Weeks asked opponent to state name and address for the record.  
Jeffrey Johnson, 203 Pecan Wood Drive, Lake Charles, LA 70605*

*Mr. Johnson stated, "In order to build 32 structures on 2.4 acres the developers are trying to maximize the amount of structures that you can build and sell. A more satisfactory use of this property would be like Pecan Woods subdivision where there are 32-single family dwellings, and in that subdivision the homes are on what the subdivision requires, 6000 sq. ft. single-family lots. Each of the lots are 50 ft. across in front and 120 ft. in back. This is 6000 sq. ft. of living area for each single family home. Why not build something similar to Pecan Wood Subdivision because you can sell 32 units for a more considerable amount of money.*

*Mr. Weeks asked opponent to state name and address for the record->  
Dominique Darbonne, W Oak Lane, Lake Charles, LA*

*Ms. Darbonne stated she and many of her neighbors are in opposition to these plans. She thinks that it is irresponsible to continue to develop in these ways. "If people want to*

*invest in our neighborhood and our community by way of making affordable housing there are other options," she said.*

*Mr. Weeks asked opponent to state name and address for the record.  
Joann Wallwork, 176 Pecan Wood Drive, Lake Charles, LA*

*Ms. Wallwork expressed her concerns about flooding, drainage and traffic. "Sometimes you can wait 10 -15 minutes to get on Sale Road from Ernest Street. This is an overshoot. We do not need that many houses there.  
A traffic study needs to be done. Whenever there is a large amount of rain on a summer afternoon this area floods".*

*Mr. Weeks asked opponent to state name and address for the record.  
Walter Melton, 509 W Oak Lane, Lake Charles, LA*

*Mr. Melton said the building structure does not fit the neighborhood, especially the 2-story effect. He said the retention pond is built off of .33 inches of rain per hour in a 24-hour span with 8 inches in that span. He noted that a typical rainfall is 1 to 2 inches within an hour. He also would like to see something that matches the neighborhood.*

*Mr. Weeks asked opponent to state name and address for the record.  
Bob Wheeldon, 204 Pecan Wood Drive, Lake Charles, LA*

*Mr. Wheeldon stated that his concern is the setback of 20 ft. from Ernest Street. This is going to be a hazard as far as visibility is concerned. He thinks this is too early for a development like this until Sale Road is widened.*

*Mr. Weeks asked opponent to state name and address for the record  
Audra Melton, 509 W. Oak Lane, Lake Charles, LA*

*Mrs. Melton stated that privacy is an issue. She feels the space could be better utilized for the community. This project would take away from the neighborhood aesthetics.*

*Mr. Weeks noted additional opponents to the project who did not wish to speak. They are Maria Bartie and Sharon Elkins.*

*Mr. Weeks asked opponent to state name and address for the record>  
Armin Brawn, 211 Pecan Wood Drive, Lake Charles< LA*

*Mr. Brawn opposes the new development because it takes out 2.4 acres of absorbable soil, increasing flooding into the Pecan Wood area.*

*Mr. Weeks asked opponent Claude Corbello to speak. Mr. Corbello did not wish to speak because other opponents mentioned his concerns.*

*Mr. Minton then addressed concerns. As to sidewalks he said the sidewalks will be retained and additional sidewalks will be built through the property because walkability is an important aspect of the community. All landscape requirements will be met. "Originally when this project was evaluated, he said we looked at it as to how we could make it just like Pecan Wood Subdivision. It was not economically possible to make the lot cost work out for single family residences due to the cost of the land. We looked at the number of roof tops in consistency of what could be allowed there if it was single family verses the number of roof tops that we are putting there. They are pretty consistent with what could be allowed for single family residences, if it was individual*

structures. We will install Bahama Shutters on the second floors that face adjoining properties as a part of the architectural requirements of the structure. This prevents anyone looking out from the second floor to the adjoining properties. If necessary we can install an 8 ft. fence verses a 6 ft. fence as part of the development."

Mr. Schram asked Mr. Minton if he had any thoughts other than Bahama Shutters and an 8 ft. fence on how he could mitigate the problem of tall structures.

Mr. Minton stated that the reason the Bahama Shutters are architecturally used in this type of situation is because they allow for emergency egress. "He said, "They only open about 1 ft to 1 1/2 ft. In an emergency situation you can get out. Typically for a town home type structure the bedrooms are on the second floor, unless you specifically design them. We are working on how to get a master bedroom on the first floor. The solution would be the Bahama Shutters on those faces that face adjoining properties. They prevent you from being able to see out and also from being able to see in."

Mr. Schram asked Mrs. Bynum the requirement is a 15-foot setback.

Ms. Bynum answered that it is a 15-foot buffer yard which has a landscaping requirement. The landscape requirement would be One Class A tree per 40 feet and that will be where the density of this development that is up against any single family residential lot would require a 6 ft. privacy fence and a 15 ft. buffer yard with the landscaping. He is asking for a reduction of that but the privacy fence and the landscaping would still be required. While there is landscaping shown on the plans it would be reviewed through the permitting process to make sure that it meets requirements.

Mr. Schram mentioned that he is worried about the fact that it is so close. "Five feet is really close to the property line."

Mr. Minton stated that the 5-ft. setback request is only for the 2 structures that front Ernest Street to the North.

Mrs. Bynum stated that according to the drawings submitted the 5-ft.setback is to the pavement, for when someone pulls out of the parking spot and backs up and leaves the parking lot. The buffer yard it is not just a building setback it is any trash can area, pavement or anything else that is within the buffer yard, so that 5 ft. is just to the pavement.

Mr. Schram asked what is the actual design setback to the houses.

Mrs. Bynum stated that it is not dimensioned. It appears to be consistent with the 10 ft. that is around what he is asking for the remainder of the development. The 10 foot verses the 15 feet, but he does not have it dimensioned.

Mr. Schram stated that anytime there is a potential of a house being 5 ft. from a property line or 5 ft. from the fence it will be a point of potential conflict.

Mr. Minton did not disagree with Mr. Schram.

Mr. Minton stated that the setback request is to the parking so that whenever you are backing out of the last house you have somewhere for your vehicle to maneuver. It is not necessarily the buildings distance to the fence. Mr. Minton thinks it is consistent with the 10 ft. all the way around.



*Mr. Schram stated it seems the only way this is going to have "a shot" is to amend Mr. Minton's proposal.*

*Mr. Minton asked Mr. Schram if he is referring to the number of units or the whole site plan .*

*Mr. Schram recommended that Mr. Minton refigure what he has done.*

*Mr. Minton stated that he can work with the City if that is necessary. "The goal from a planning perspective is strictly what is the most efficient use of the land," he said.*

*Mr. Joseph stated that "we probably would not be here today if we were discussing single family homes."*

*Mr. Minton said he could not comment. "If it was single family homes the project would probably not work because of the cost of the land."*

**Chairman Weeks called for a vote. The motion failed with the following vote.**

**For:** 0

**Against:** 4 - Alvin Joseph, Gus Schram III, Reginald Weeks and Mitchell Gregory Pete

**Absent:** 3 - Adam McBride, David Berryhill and Thomas Sanders Jr.

**SPC 24-02 CHAPTER 24 - LAKE CHARLES ZONING ORDINANCE**

**APPLICANT:** CLIFTON & PAULA HARMON

**SUBJECT:** Applicant is requesting Special Exception (Sec. 4-206) in order to re-establish a non-conforming use (construction storage yard), within a Neighborhood Zoning District. Location of the request is **1712 Cessford Street**.

**STAFF FINDINGS:** The on-site and site plan reviews revealed the applicant is requesting to re-establish a nonconforming use of a construction storage yard, within a Neighborhood Zoning District. The property is bordered on all sides by residential properties and to the West by vacant property.

*Chairman Weeks asked applicant to state name and address for the record.  
Paula Harmon and Clifton Harmon, 700 Williams Street, Lake Charles, LA*

*Mrs. Harmon is requesting to park dump trucks on the property located at 1712 Cessford Street. The property was once used for Harmon Construction for 20 years. There was once a privacy fence all around the area. The dump trucks leave early in the morning and return later in the evening to park on this property.*

*Mr. Schram asked if they had not been using the property.*

*Mrs. Harmon responded that since Hurricane Laura the construction company closed and then the couple started a company with dump trucks. There are approximately 4 to 5 dump trucks.*

*Mr. Weeks asked how many dump trucks were there before.*

*Mrs. Harmon stated Harmon Construction only had 1 dump truck.*

*Mr. Weeks mentioned he was concerned about 4 to 5 dump trucks in a residential district coming in and out.*

*Mrs. Harmon stated that the dump trucks leave at 5 am and return between 6- 7 pm.*

*Mr. Weeks asked about the neighbors complaining.*

*Mr. Harmon stated that there is only one neighbor.*

*Mr. Corey Rubin mentioned that the Harmon's came before an administrative hearing. At the hearing they spoke about a privacy fence being installed if the commission approved the case. Mr. Rubin asked the Harmon's if the privacy fence would be around the whole perimeter.*

*Mrs. Harmon responded, "Yes."*

*Mrs. Bynum stated that the property is about a third of an acre, about 100 x 130 ft.*

*Mr. Schram asked the Harmon's if they have a concrete driveway that comes off the street.*

*Mr. Harmon stated he has a concrete apron and the rest of the lot is rock.*

*Mr. Schram noted that the property has a concrete apron approximately 20 to 30 feet from the street.*

*Mr. Schram asked if the fence is part of the application.*

*Mrs. Bynum responded that the fence is not part of the application.*

*Mr. Rubin stated that at the administrative hearing when the Harmon's were cited for a violation they had already parked some vehicles there. After speaking with the Harmon's they stated that they had a fence there before but the hurricane destroyed it. If this case is approved it would be a condition that they install a 6-foot privacy fence, Mr. Rubin said.*

*Mr. Schram proposed an amendment that there be a 6-foot privacy fence installed completely around the property.*

*Mr. Weeks seconded the motion.*

*Mr. Schram, Mr. Weeks, Mr. Joseph and Mr. Pete voted in favor of the amendment.*

**Chairman Weeks called for a vote as amended. The motion carried with the following vote.**

**For:** 4 - Alvin Joseph, Gus Schram III, Reginald Weeks and Mitchell Gregory Pete

**Against:** 0

**Absent:** 3 - Adam McBride, David Berryhill and Thomas Sanders Jr.

**VAR 24-17 CHAPTER 24 - LAKE CHARLES ZONING ORDINANCE**

**APPLICANT:** JESUS JUAREZ

**SUBJECT:** Applicant is requesting Variances (Sec. 4-205) in order to construct two accessory uses 1) thereby exceeding the allowable 40% of principal structure and 2) allowing height of accessory uses to exceed height of principal structure, within a

Residential Zoning District. Location of the request is **3206 1st Avenue**.

**STAFF FINDINGS:** The on-site and site plan reviews revealed the applicant is requesting to maintain two accessory uses thereby exceeding the allowable 40% of the principal structure. The principal structure appears to be 1320 s.f. and the total of the accessory building s.f. appears to be 1756 s.f. One of these structures will exceed the height of the principal structure, 14' 3 1/2" vs. the principal structure at 12' 3". The total square footage of the lot appears to be 18,000 s.f.

*Chairman Weeks asked applicant to state name and address for the record.*

*The applicant for this case Jesus Juarez was not present.*

*Mrs. Bynum noted that both of the structures will be exceeding the principal height by 2 ft.*

*Mrs. Bynum stated they exceed 40 percent of the principal structure not of the lot coverage. It appears to be a double lot, but the main structure is not that large. It looks to be about 1300 sq. ft. If they were attached that part would not be an issue, but they are detached.*

**Chairman Weeks called for a vote. The motion failed with the following vote due to a tie.**

**For:** 2 - Alvin Joseph and Gus Schram III

**Against:** 2 - Reginald Weeks and Mitchell Gregory Pete

**Absent:** 3 - Adam McBride, David Berryhill and Thomas Sanders Jr.

**VAR 24-20 CHAPTER 24 - LAKE CHARLES ZONING ORDINANCE**

**APPLICANT:** RUSSELL J. STUTES CONSTRUCTION

**SUBJECT:** Applicant is requesting a Variance (Sec. 4-205) in order to reduce the required landscape buffer yard from 15' to 10' along public right of ways for a proposed new car wash, within a Business Zoning District. Location of the request is **3701 Ryan Street**.

**STAFF FINDINGS:** The on-site and site plan reviews revealed the applicant is requesting a reduction in the required landscape buffer yard from 15' to 10' along a public right of way (fronting an arterial corridor) for a proposed new car wash, within a Business District. The additional 5' landscape buffer is required along all collectors and arterials.

*Chairman Weeks asked applicant to state name and address for the record.  
Beau Melerine, 16343 Hwy 101, Iowa, LA*

*Mr. Melerine is a representative of Russell J. Stutes Construction. Russell J. Stutes Construction is requesting approval for installation of a sidewalk and expansion joints. There will also be a curb installed. The sidewalk will be for the car wash. The vacuums for the car wash face Ryan Street. The sidewalk is being built behind the vacuums so that customers can walk around the vacuum.*

*Mr. Schram noted that the drawing submitted shows a 10-ft. landscape buffer and then a sidewalk. Mr. Schram asked Mr. Melerine how much landscape area he would have.*

*Mr. Melerine answered, "10-feet."*

Mr. Schram asked Mr. Melerine to confirm that there is a sidewalk in addition to that.

Mr. Melerine responded, "A 5-ft. sidewalk."

Mr. Schram asked if there is an existing sidewalk, then there will be a 10-ft. buffer that will be landscaped, and then there will be another sidewalk installed and a vacuum area.

Mr. Melerine responded, "Yes, Sir." "We will also install expansion joints."

Mrs. Bynum asked if that had changed since the drawing was submitted.

Mr. Melerine responded that 2 drawings were submitted. "The first drawing which was submitted was before the engineer realized there was a 15-foot rule. He thought it was 10 feet. So a revised plan was submitted to show the 15 ft. That was resubmitted and approved. Then the variance was submitted requested 5 ft. with a 10 ft. buffer."

Mrs. Bynum said that the drawing on file does not show another sidewalk. It shows the 10-ft. landscape buffer.

Mr. Schram asked if where the drawings show the stalls for the vacuum Mr. Melerine will actually pull it back 5 ft. and create a sidewalk.

Mr. Melerine responded, "No, there is a 15-ft. buffer in between the stalls and the existing."

Mr. Schram noted that installing a 5-ft. sidewalk is not what the definition of a landscape buffer is. He also noted that a 10 ft. landscape is being installed for this project.

Mrs. Bynum stated, "That the landscape requirements are One Class A tree per 40 ft. of frontage and a buffer is required. There could also be layers of landscaping giving a more layered look in a 10 ft. area. The reduction of the buffer does not reduce the required landscaping it still has to be done within the 10 ft. It is One Class A tree per 40 ft. of frontage or Two Class B trees. Class A is a single trunk tree and Class B is a multi-trunk tree."

Mr. Melerine noted that the permit office requested a revision to show a 15 ft. buffer.

Mr. Pete noted that the commission is voting on the variance to go to 10 ft. which the updated drawing is showing.

Mr. Pete proposed an amendment for a 10-ft. variance with a sidewalk on the eastern edge of the area.

Mr. Schram seconded the motion.

Mr. Schram, Mr. Weeks, Mr. Joseph and Mr. Pete voted in favor of the amendment.

**Chairman Weeks requested a vote on the amended item. The motion carried with the following vote.**

**For:** 3 - Alvin Joseph, Reginald Weeks and Mitchell Gregory Pete

**Against:** 1 - Gus Schram III

**Absent:** 3 - Adam McBride, David Berryhill and Thomas Sanders Jr.

**VAR 24-21 CHAPTER 24 - LAKE CHARLES ZONING ORDINANCE**

**APPLICANT:** GENERAL REMODELING/FRANCISCO HERNANDEZ, LLC

**SUBJECT:** Applicant is requesting a Variance (Sec. 4-205) in order to install a façade sign which exceeds the roof line of the building by 2', within a Business Zoning District. Location of the request is **206 W. Prien Lake Road.**

**STAFF FINDINGS:** The on-site and site plan reviews revealed the applicant is requesting a variance in order to maintain an unpermitted a façade sign which exceeds the roof line on the building by 2', within a Business Zoning District. Staff could find no evidence of hardship or similar sign applications in the immediate area and therefore cannot forward a position of support. If approved, applicant is required to obtain a sign permit.

*Chairman Weeks asked applicant to state name and address for the record.  
Jose Hernandez, 2729 Todd Jude Road, Lake Charles, LA*

*Mr. Hernandez is the contractor for the job located at 206 W. Prien Lake Road. When he purchased the said permit for the job he thought the permit also included the sign for the job.*

*Mrs. Bynum stated that the issue is that the sign is above the roof line.*

*Mr. Schram stated that a permit will be needed for the sign. This means that the inspectors will inspect the installation of the sign. Mr. Schram noted that Mr. Hernandez may have to make modifications to the sign. "If the board approves this variance the board should approve it contingent upon any modifications that may need to be made," Mr. Schram said.*

*Mr.. Pete suggested that Mr. Hernandez make the application for the sign, schedule an inspection and obtain approval by the inspection department with a time period of 30 days.*

*Mr. Schram proposed an amendment that Mr. Hernandez purchase a sign permit, schedule an inspection and obtain approval for the sign within 30 days.*

*Mr. Pete seconded the motion.*

*Mr. Weeks then mentioned that Mr. Hernandez would have a problem with high winds with this sign. He also stated that the sign in not in compliance.*

*Mr. Schram, Mr. Joseph and Mr. Pete voted in favor of the amendment. Mr. Weeks voted against the amendment.*

**Chairman Weeks requested a vote on the amended item. The motion carried the following vote.**

**For:** 3 - Alvin Joseph, Gus Schram III and Mitchell Gregory Pete

**Against:** 1 - Reginald Weeks

**Absent:** 3 - Adam McBride, David Berryhill and Thomas Sanders Jr.

**VAR 24-22 CHAPTER 24 - LAKE CHARLES ZONING ORDINANCE**

**APPLICANT:** MURPHY JAMES BELLARD III

**SUBJECT:** Applicant is requesting a Variance (Sec. 4-205) in order to re-construct a residence with a 25' front setback vs. the required 30', within a Neighborhood Zoning District. Location of the request is the **Southwest corner of Abel Circle @ W. 18th Street.**

**STAFF FINDINGS:** The on-site and site plan reviews revealed the applicant is requesting to reconstruct a residence with a 25' front setback. Staff's review revealed the proposed setback is consistent with the previous residence's setback, therefore feels the request falls reasonable.

*Chairman Weeks asked applicant to state name and address for the record.  
Murphy James Bellard, 1009 Louise Street, Lake Charles, LA*

*Mr. Pete asked Mr. Bellard if he was rebuilding what was there on the current slab.*

*Mr. Bellard responded "Yes, Sir."*

*Mr. Bellard hired a construction engineer and had the property surveyed*

*Opposition: NA*

**Chairman Weeks called for a vote. The motion carried with the following vote.**

**For:** 4 - Alvin Joseph, Gus Schram III, Reginald Weeks and Mitchell Gregory Pete

**Against:** 0

**Absent:** 3 - Adam McBride, David Berryhill and Thomas Sanders Jr.

**VAR 24-23 CHAPTER 24 - LAKE CHARLES ZONING ORDINANCE**

**APPLICANT:** JASON BELL/DAVID JOHNSON

**SUBJECT:** Applicant is requesting a Variance (Sec. 4-205) in order to establish a bar/lounge use within 300ft. of a Residential Zoning District, within a Business Zoning District. Location of the request is **2708 Gerstner Memorial Drive.**

**STAFF FINDINGS:** The on-site and site plan reviews revealed the applicant is requesting to establish a bar/lounge use within 300ft of a Residential Zoning District. The proposed bar/lounge site is approximately 105' from the nearest Residential Zoning District. If approved, this development is a new use on the property and will require the development to meet current development standards in the Zoning Ordinance including landscaping requirements as outlined in Sec 5-210.

*Chairman Weeks asked applicant to state name and address for the record.  
Robin Basone, 2708 Gerstner Memorial Drive, Lake Charles, LA*

*Mrs. Basone is representing Jason Bell and David Johnson. Mr. Bell and Mr. Johnson have leased the building since January and are currently doing renovations and are hoping to apply for a bar at this location.*

*Mr. Schram asked if it was a drive thru daiquiri business.*

*Mrs. Basone stated that she is not aware that they are applying for a drive thru application which would require DOTD approval. It could be a possibility in the future, she said.*

*Mrs. Bynum stated that the whole development will have to get DOTD approval.*

*Mrs. Basone is not aware that the applicants are requesting a drive thru at this time.*

*Mr. Schram stated that if it is a quiet bar then it is a non-- issue. If there is loud music and there are homes in the area that are a 100 ft. away then that presents a problem.*

*Mr. Schram expressed that he is not against a bar in the neighborhood it is just that sometimes it gets out of hand.*

*Mr. Corey Rubin with the legal department stated that if this variance is approved by the board, the owners still have to go before the City's Alcohol Review Board. If a neighbor objects they could get denied. If they get approval for the liquor license they still have to abide by the noise ordinance. City Council has now changed the ordinance where bar owners are responsible for a 2 block radius.*

*Mr. Joseph mentioned that it seems like there are more and more requests for bars in neighborhoods. The law is enforced for a reason. Mr. Joseph stated that he could not support this request.*

*Mrs. Basone stated that Gerstner Memorial is a commercial corridor and that there are other bar establishments in the same perimeter that have that neighborhood behind them.*

*Mr. Joseph stated, "There is an established bar that was approved with 0 lot lines by his mother's home. We have been hearing noise from the bar for the past year and it is still happening. The owners came before the Planning Board and City Council."*

**Chairman Weeks called for a vote. The motion failed by the following vote due to a tie..**

**For:** 2 - Gus Schram III and Reginald Weeks

**Against:** 2 - Alvin Joseph and Mitchell Gregory Pete

**Absent:** 3 - Adam McBride, David Berryhill and Thomas Sanders Jr.

**VAR 24-24 CHAPTER 24 - LAKE CHARLES ZONING ORDINANCE**

**APPLICANT:** DIVINE PETROLEUM GROUP LLC

**SUBJECT:** Applicant is requesting Variances (Sec. 4-205) in order to establish a convenience store while maintaining 1) existing four curb cuts vs. the maximum 2 allowed; 2) existing buffer yard abutting residential uses vs. the required 15'; and 3) existing landscaping bufferyard along public right of ways vs. required 15' buffer yard, within a Business Zoning District. Location of the request is **1920 Gerstner Memorial Drive.**

**STAFF FINDINGS:** The on-site and site plan reviews revealed the applicant is requesting a variances in order to establish a convenience store while maintaining 1) existing four curb cuts vs. the maximum 2 allowed; 2) existing buffer yard abutting residential uses vs. the required 15'; and 3) existing landscaping buffer yard along public right of ways vs. required 15' buffer yard, within a Business Zoning District. While the applicant has made efforts to comply with the development standards, staff can find no evidence of hardship and therefore cannot forward a position of support.

*Chairman Weeks stated that there was no representative present for this case.*

*Mrs Bynum stated that there was no real evidence of hardship so that is why the Planning Department does not forward a position of support.*

*Mr. Weeks asked if the Planning Department was contacted prior to the meeting that the applicant had a hardship or would not be able to attend.*

*Mrs. Bynum asked Mrs. Paulette Lupo, Administrative Assistant in the Zoning department. She replied no.*

**Chairman Weeks called for a vote. The motion failed with the following vote.**

**For:** 0

**Against:** 4 - Alvin Joseph, Gus Schram III, Reginald Weeks and Mitchell Gregory Pete

**Absent:** 3 - Adam McBride, David Berryhill and Thomas Sanders Jr.

**VAR 24-25**

**CHAPTER 24 - LAKE CHARLES ZONING ORDINANCE**

**APPLICANT:** PENTANGELI ROW DEVELOPMENT LLC

**SUBJECT:** Applicant is requesting Variances (Sec. 4-205) in order to construct a townhome development with interior 0' lot lines and reduction of landscape buffer yard abutting single-family residential uses from 15' to 10', within a Residential Zoning District. Location of the request is the **Northwest corner W. Claude Street @ Ernest Street.**

**STAFF FINDINGS:** The on-site and site plan reviews revealed the applicant is requesting setback variances from front and side property lines and 0' interior lot lines. The proposed development requires a 15' buffer yard abutting single-family uses and a 30' setback on the frontage. The proposal is surrounded on all sides by single-family residential, therefore staff cannot forward a position of support.

*See minutes for Case PREFNL/MAJ/VAR 24-10*

**Chairman Weeks called for a vote. The motion failed with the following vote.**

**For:** 0

**Against:** 4 - Alvin Joseph, Gus Schram III, Reginald Weeks and Mitchell Gregory Pete

**Absent:** 3 - Adam McBride, David Berryhill and Thomas Sanders Jr.

**OTHER BUSINESS**

**ADJOURN**

*MEETING ADJOURNED*

*APPROVAL OF MINUTES*

—



\_\_\_\_\_  
*Reginald Weeks, Chairman*

*Lake Charles Planning and Zoning Commission*

\_\_\_\_\_  
*Doug Burguieres, Director*

*Office of Zoning & Land Use*