



City of Lake Charles

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

Meeting Minutes Planning and Zoning Commission

Monday, October 14, 2024

5:00 PM

Council Chambers

OPEN MEETING

Chairman David Berryhill called the meeting of the Planning and Zoning Commission to order at approximately 5:00 pm, and requested a roll call. Alvin Joseph led the meeting in prayer. Gus Schram led the Pledge of Allegiance. Chairman Berryhill requested a roll call.

ROLL CALL

Present 5 - Adam McBride, Alvin Joseph, David Berryhill, Gus Schram III, and Mitchell Gregory Pete

Absent 2 - Reginald Weeks and Thomas Sanders Jr.

MINUTES OF PREVIOUS MEETING

Chairman David Berryhill asked if everyone received a copy of the minutes from the previous meeting. Chairman Berryhill noted that REZONE-MAJ 24-04 for 2207 Doreen Street did not list the vote in the minutes. Chairman Berryhill stated the motion carried by the following vote.

For: Gus Schramm III

Against: Alvin Joseph, David Berryhill and Reginald Weeks

Absent: Adam McBride, Thomas Sanders, Jr. and Mitchell Gregory Pete

Chairman Berryhill called for a motion to approve the minutes as stated.. Alvin Joseph made a motion to approve the minutes and Gus Schram seconded the motion.

The motion was carried the following vote: For: Alvin Joseph, David Berryhill, Gus Schram, Adam McBride and Gregory Pete. The amendments were approved unanimously.

SPECIAL ANNOUNCEMENTS

Chairman David Berryhill 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

MCU 24-20

CHAPTER 24 - LAKE CHARLES ZONING ORDINANCE

APPLICANT: LIVING WATER GLOBAL METHODIST CHURCH

SUBJECT: Applicant is requesting a Minor Conditional Use permit (Sec. 5-301(3)(a)(iii) in order to construct a worship facility comprised of a multi-use fellowship hall, classrooms, sanctuary, and administrative offices, within a Residential Zoning District.

Location of the request is **5497 Weaver Road**.

STAFF FINDINGS: The on-site and site plan reviews revealed that the applicant is requesting to construct a new church in a Residential Zoning District. Staff's review revealed that the proposal is bordered to the North and East by residential properties and to the South and West by vacant properties. The proposal will still need to meet all development standards and may require variances as presented. Staff feels the use of the property is reasonable.

Mrs. Bynum noted the Planning Office received some comments and a petition was forwarded to the Planning and Zoning Commission members and is part of the record.

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

David Moss, 3217 Port Rush Drive, Lake Charles, LA (project architect for the church)

Mr. Moss stated that the preliminary plan identifies the buffer yards and will make sure that all the zoning issues are addressed.

Chairman Berryhill asked Mr. Moss when the proposed construction is going to begin.

Mr. Moss answered 6- 8 months. The first phase is the sanctuary and the middle section and the second phase will be the fellowship hall and the rear parking lot.

Chairman Berryhill asked Mr. Moss if all the construction access would be from Weaver Road.

Mr. Moss answered that access will be from Weaver Road.

Mr. Berryhill asked opponent to state name and address for the record.

Dr. Collin Seale, 2308 Camellia Nicole Drive, Lake Charles, LA

Dr. Seale spoke as a representative for the Weaver Oaks neighborhood. Dr. Seale stated that he is not opposed to the church. The main concern is lighting and drainage.

Chairman Berryhill asked opponent to state name and address for the record.

Don Johnson, 2309 Camelia Nichole Dr., Lake Charles, LA

Mr. Johnson stated that he is not in opposition to the project. However, there are several homes that are located on the North side of the property. He noted that the property is higher in elevation and his main concern is the drainage. Lighting is another issue and he wanted to make sure that the lighting would be dimmed after a certain period of time.

Chairman Berryhill read the comments from Mason McCain & Lauren McCain who did not wish to speak. "We are concerned with the drainage issues, nighttime lighting, and noise with this zoning change. We want no access to usage of the street (ours) to construction individuals or church members after construction is complete."

Chairman Berryhill asked Mrs. Bynum if the church would be required to install a fence.

Mrs. Bynum responded the church would be required to provide at minimum a 6 ft. privacy fence which would be a wood fence.

Chairman Berryhill stated this would close off any access from the side neighborhood. He also noted that all construction access would be from Weaver Road.

Mr. Moss stated that the back street of the subdivision ends at the property line. A gate will be installed for emergency purposes. The gate will not be used as access to and from the church on a regular basis. The gate will be for emergency use only.

Mrs. Bynum noted that the Minor Conditional Use application was reviewed for use and not for any potential variances. The northern property line that abuts residential would be a required 15 ft. buffer which would need to be planted.

*Chairman Berryhill asked opponent to state name and address for the record.
Dr. Erin Seale, 2308 Camellia Nichole Drive, Lake Charles, LA*

Dr. Seale is opposed to the gate because of the use of construction vehicles and noted that there are 8 children in the neighborhood under the age of 4.

Chairman Berryhill noted that it was stated that the gate would not be used during construction at all. There would have to be a buffer space of at least 8 ft. if not 15 ft.

Mr. Don Johnson would like to ensure that on the issue of the gate there is some enforceable condition if the gate gets abused there would be some recourse.

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

For: 5 - Adam McBride, Alvin Joseph, David Berryhill, Gus Schram III and Mitchell Gregory Pete

Against: 0

Absent: 2 - Reginald Weeks and Thomas Sanders Jr.

**PREFNL
24-19**

LAKE CHARLES SUBDIVISION REGULATIONS

APPLICANT: TPLRE, LLC (BAYOU POINT SUBDIVISION)

SUBJECT: Applicant is requesting Preliminary and Final Subdivision approval (Sec. 2.3 & 2.4) in order to subdivide a 0.880-acre tract of land M/L into two (2) development tracts, within a Mixed Use Zoning District. Location of the request is the **Northside 800 Blk. Bayou Pines Drive.**

STAFF FINDINGS: The on-site and site plan reviews revealed the proposed subdivision of a .88-acre tract of land into two (2) development tracts, within a Mixed Use Zoning District. If approved, applicants shall adhere to any recommendations by the Department of Engineering and Public Works.

*Chairman Berryhill asked applicant to state name and address for the record.
Jared Watson, 1777 Ryan Street, Lake Charles, LA*

Mr. Watson represented the applicant and is preparing the title. This is a re-subdivision of lots owned by the Pathology Lab which is trying to sell the lot to the Racquet Club next door.

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

For: 5 - Adam McBride, Alvin Joseph, David Berryhill, Gus Schram III and Mitchell Gregory Pete

Against: 0

Absent: 2 - Reginald Weeks and Thomas Sanders Jr.

**PREFNL
24-20****LAKE CHARLES SUBDIVISION REGULATIONS**

APPLICANT: ERIC & HOPE LEDOUX/BRYAN & JULIE MANLEY (SHEARMAN PLACE SUBDIVISION)

SUBJECT: Applicant is requesting Preliminary and Final Subdivision approval (Sec. 2.3 & 2.4) in order to subdivide an 8.14-acre tract of land M/L into two (2) residential lots, within a Residential Zoning District. Location of the request is **3615 Holly Hill Road**.

STAFF FINDINGS: The on-site and site plan reviews revealed the proposed subdivision of a 8.14-acre tract of land into two (2) residential lots, within a Residential Zoning District. If approved, applicants shall adhere to any recommendations by the Department of Engineering and Public Works.

*Chairman Berryhill asked applicant to state name and address for the record.
Eric Ledoux, 4000 E Bayouwood Drive, Lake Charles, LA*

Mr. Ledoux represented the Ledoux and the Manley families. He stated that the Manley family will be taking the "top" 4.5 acres and the Ledoux family will be taking the "bottom" 4.5 acres to eventually build a home.

Chairman Berryhill asked Mr. Ledoux if these are going to be single family residences.

Mr. Ledoux responded, "Yes, Sir."

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

For: 5 - Adam McBride, Alvin Joseph, David Berryhill, Gus Schram III and Mitchell Gregory Pete

Against: 0

Absent: 2 - Reginald Weeks and Thomas Sanders Jr.

MAJ 24-07**CHAPTER 24 - LAKE CHARLES ZONING ORDINANCE**

APPLICANT: CITY OF LAKE CHARLES

SUBJECT: Applicant is requesting a Major Conditional Use Permit (Sec 5-302(3)(b)(i)) in order to establish a parking lot to support a city park on a separate lot, within a Neighborhood Zoning District. Location of the request is **1624 Cessford Street**.

STAFF FINDINGS: The on-site and site plan review revealed that the applicant is requesting to construct a parking lot directly across the street from the community center to support Goosport Park. The parking lot will meet all development standards, therefore staff recommends approval.

*Chairman Berryhill asked applicant to state name and address for the record.
Michael Castille, Director of Community Services for the City of Lake Charles*

Chairman Berryhill asked Mr. Castille if the parking lot would have hours of use to where it could be controlled.

Mr. Castille responded yes, hours would match the same hours as the site.

Mr. Schram asked if the lighting had been designed yet.

Mr. Castille stated that the City is very early in the design phase. There are major improvements for the site. There will be lights shining on the street side facing the site

itself and pushing into the lot for security purposes. There will also be a lot of light pedestals. Mr. Castille is also looking into purchasing the property on the corner. There will be minimal intrusion when it comes to lights for the neighbors.

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

For: 5 - Adam McBride, Alvin Joseph, David Berryhill, Gus Schram III and Mitchell Gregory Pete

Against: 0

Absent: 2 - Reginald Weeks and Thomas Sanders Jr.

SPC 24-07 CHAPTER 24 - LAKE CHARLES ZONING ORDINANCE

APPLICANT: LAKE CHARLES HOUSING AUTHORITY

SUBJECT: Applicant is requesting a Special Exception (Sec. 4-206) in order to expand an existing non-conforming use (commercial office building) by constructing an accessory maintenance warehouse building, within a Neighborhood Zoning District. Location of the request is **2916 Hazel Street**.

STAFF FINDINGS: The on-site and site plan review indicated that the applicant is seeking to expand an existing non-conforming use (commercial office building located at 400 W. Hale Street) by constructing an accessory metal maintenance warehouse. This site is located within a Neighborhood Zoning District. Staff observations noted that the property is bordered by single-family residential uses to the north, west, and east.

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

Matt Redd, 1424 Ryan Street, Lake Charles, LA

Board of Commissioners for the Lake Charles Housing Authority

Chairman Berryhill asked Mr. Redd how the building would be finished.

Mr. Redd stated that the building is a metal frame building and the facades will meet city code requirements.

Mr. Schram asked if the buildings would be connected.

Mr. Redd stated that there are 4 back doors on the office building and there will be some type of awning from the main office building to the maintenance facility building. The owners will do everything aesthetically to make it match. Mr. Redd noted that there will be parking lots in the front which will be paved.

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

Scott Moffett, 1450 Williams Drive, Lake Charles, LA

Mr. Moffett said since the office is already there, tying it together would enhance the area. Mr. Moffett represents Craig Thibodeaux and Joe Shaver who own the two different properties.

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

For: 5 - Adam McBride, Alvin Joseph, David Berryhill, Gus Schram III and Mitchell Gregory Pete

Against: 0

Absent: 2 - Reginald Weeks and Thomas Sanders Jr.

VAR 24-47 CHAPTER 24 - LAKE CHARLES ZONING ORDINANCE**APPLICANT:** DONALD SHAW**SUBJECT:** Applicant is requesting Variances (Sec. 4-205) in order to construct a new carport without a principal structure (residence is located on separate assessed lot across street) and reduction of front setback to 23' vs. required 30', within a Residential Zoning District. Location of the request is **110 Shell Beach Drive**.**STAFF FINDINGS:** The on-site and site plan review indicated that the applicant seeks to build a new carport without an accompanying principal structure. The proposed carport will be located on the lake side across the street from the main residence. Additionally, the applicant is requesting a reduction in the front setback from the required 30' to 23'. Staff's review noted similar situations along Shell Beach Drive, therefore staff finds the request reasonable.

*Chairman Berryhill asked applicant to state name and address for the record.
Donald Shaw, 111 Shell Beach Drive, Lake Charles, LA*

Mrs. Bynum stated that there would be an amendment to the staff findings that the applicant is requesting for a reduction in the front setback from the required 30' to 14' 10". She also noted that the Planning Office received communication from Gravity Drainage stating that the location is on a berm that was established to protect Shell Beach Drive. The zoning office will have no objection to the variance only if the berm maintains the correct elevation as determined by Walt Jessen. The information from Gravity Drainage was submitted to the Planning Commission members.

*Chairman Berryhill asked applicant to state name and address for the record.
Don Shaw, 111 Shell Beach Drive, Lake Charles, LA*

Chairman Berryhill asked Mr. Shaw if he was aware of the berm and maintaining the elevations.

Mr. Shaw replied that he was aware of the elevations. The berm is a hill and will remove some of it and pour concrete on it.

Mr. Schram stated that the point of Gravity Drainage is to maintain the barrier to the water from a storm surge. After Hurricane Rita Gravity Drainage built up the berm along the lakefront. It was built to hold water back Gravity Drainage does not want to cut a hole in it.

Chairman Berryhill asked Mr. Shaw if the use was going to be a carport.

Mr. Shaw replied, "Yes."

Mr. Sanders asked Mr. Shaw if he has already lowered the elevation.

Mr. Shaw replied, "Yes".

Mr. Sanders noted that Mr. Shaw may need to re-elevate that in order to maintain the correct height.

Mr. Schram stated that Mr. Shaw is trying to reconstruct the berm to that elevation but on the lakeside of his carport. He also noted that the carport will be towards the street.

Mr. Shaw replied that is correct.

Mr. Shaw stated that he will have that elevation on the property, but the berm will come down in order to put cars on there.

Mrs. Bynum stated that her office will contact Walt Jessen and Mr. Jessen will go out to the property to discuss it with Mr. Shaw.

Chairman Berryhill asked Mrs. Bynum if the commissioners are only addressing the setback.

Mrs. Bynum replied the commissioners are addressing the setback and building it on an accessory piece of property.

Chairman Berryhill stated that Mr. Shaw will have to address the elevation with the city or state.

*Chairman Berryhill asked opponent to state name and address for the record.
Bill Shearman, 310 Wilson Avenue, Lake Charles, LA*

Mr. Shearman stated that the berm has been diminished by an elevation of about 2 ft. and the potential for a flood is there. There are no stand-alone structures along Shell Beach Drive from Gravity District headquarters on the Pithon Coulee to the Port of Lake Charles. This would be the only stand-alone structure that is on the shoreline. This would disrupt the shoreline and the image of the lake.

Mr. Schram made a motion that the application be amended to adjust the front setback to 14 ft. 10 in. rather than 23 ft. and to also require Mr. Shaw to consult with Walt Jessen, engineer for the Gravity Drainage District, to meet its needs in terms of reinstituting the berm for storm surge protection.

Mr. Sanders seconded the motion.

Chairman Berryhill, Mr. Schram, Mr. Sanders, Mr. Joseph and Mr. Pete voted in favor of the amendment.

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

For: 3 - Adam McBride, Gus Schram III and Mitchell Gregory Pete

Against: 2 - Alvin Joseph and David Berryhill

Absent: 2 - Reginald Weeks and Thomas Sanders Jr.

VAR 24-48 CHAPTER 24 - LAKE CHARLES ZONING ORDINANCE

APPLICANT: ALEX DAIGLE

SUBJECT: Applicant is requesting a Variance (Sec. 4-205) in order to maintain an existing unpermitted continuous curb cut thereby allowing drive in parking thereby eliminating required bufferyard along right-of-way and the ability to enter and exit in a forward manner, within a Mixed Use Zoning District. Location of the request is **403 7th Street.**

STAFF FINDINGS: The on-site and site plan review revealed that the applicant intends to maintain a recently constructed and unpermitted continuous curb cut, which would permit dive-in parking. This would eliminate the required bufferyard along the right-of-way

and hinder the ability to enter and exit the property in a forward direction. As well as eliminating the ability to meet the required bufferyard. Staff can find no evidence of hardship and therefore cannot forward a position of support.

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

Alex Daigle, 3210 Lake Crest Drive, Lake Charles, LA

Mr. Daigle rented the property to a construction company and was unaware that he needed a permit.

Chairman Berryhill asked Mr. Daigle how much parking he needs.

Mr. Daigle stated there are 7 office spaces. There are 4 parking spaces in the front and 3 in the rear to accommodate the office spaces.

Chairman Berryhill asked if the building in the rear will be removed.

Mr. Daigle replied yes.

Chairman Berryhill asked Mrs. Bynum if the side parking was ok because it was existing.

Mrs. Bynum stated that the existing drive was approved. The parking added in the back violated the buffer and the concrete added in the front does as well.

Mr. Schram asked Mrs. Bynum if the buffer is on the west side.

The buffer is going to be on the west side and the north side and the drive parking on the south side. There are 3 sides that appear to be an issue. On the west side there is an 8 ft. buffer; on the north side there is an 8 ft. buffer which includes planting requirements that included no pavement and no parking of equipment. The south side would require a 15 ft. landscape buffer because it is on a collector arterial.

Chairman Berryhill asked Mr. Daigle if he understood that on the back property there is no buffer when the concrete goes so close to the property line where the trailer is parked. Another issue is the 8 ft. along the side where the concrete encroaches.

Mr. Daigle said it is 5 ft.

Chairman Berryhill stated that from the front of the street the distance is supposed to be 15 ft. from the property line back towards the building. The Planning Commission will try to help him maintain at least 2 parking spaces in the front.

Chairman Berryhill proposed an amendment to: maintain a 0 front buffer on the South side of the front property line, (all the concrete from the property line to the street except for the sidewalk), cut concrete 8 ft. in the back and remove concrete on the North side, and on the side maintain a 5 ft. side buffer instead of an 8 ft. side buffer.

Mr. Schram seconded the motion.

Chairman Berryhill, Adam McBride, Gus Schram, Alvin Joseph and Mitchell Gregory Pete voted in favor of the amendment.

Chairman Berryhill called for a vote on the application as amended. The motion carried with the following vote.

For: 5 - Adam McBride, Alvin Joseph, David Berryhill, Gus Schram III and Mitchell Gregory Pete

Against: 0

Absent: 2 - Reginald Weeks and Thomas Sanders Jr.

VAR 24-49 CHAPTER 24 - LAKE CHARLES ZONING ORDINANCE

APPLICANT: GLORIA DUHON

SUBJECT: Applicant is requesting a Variance (Sec. 4-205) in order to maintain existing accessory buildings, planter, and carport cover without a principal structure, within a Neighborhood Zoning District. Location of the request is **1905 Cessford Street**.

STAFF FINDINGS: The on-site and site plan review revealed that the applicant is requesting to maintain existing accessory buildings, planter, and carport cover without a principal structure. Staff can find no evidence of hardship and therefore cannot forward a position of support.

*Chairman Berryhill asked applicant to state name and address for the record.
Gloria Duhon, 508 N.Goos Blvd., Lake Charles, LA*

Chairman Berryhill asked Ms. Duhon how long it would be before she would rebuild.

Ms. Duhon stated that due to medical reasons she could not give a definite answer. The house is in the process of being demolished.

Chairman Berryhill asked Ms. Duhon if she was using the storage building.

Ms. Duhon replied yes. The storage building is being used for storage of antiques.

Chairman Berryhill asked Ms. Duhon again about a time period for rebuilding.

Ms. Duhon stated she could not give a definite time period.

Mr. Joseph made a motion to propose an amendment to set a time period of 2 years from October 14, 2024, in order to rebuild the home.

Mr. Pete seconded the motion.

Chairman Berryhill, Mr. Schram, Mr. Joseph, Mr. McBride and Mr. Pete voted in favor of the amendment.

Chairman Berryhill called for a vote on the amendment. The motion carried with the following vote.

For: 5 - Adam McBride, Alvin Joseph, David Berryhill, Gus Schram III and Mitchell Gregory Pete

Against: 0

Absent: 2 - Reginald Weeks and Thomas Sanders Jr.

VAR 24-50 CHAPTER 24 - LAKE CHARLES ZONING ORDINANCE

APPLICANT: ROBERT CLAYTON GARDNER

SUBJECT: Applicant is requesting Variances (Sec. 4-205) in order to construct homes with reduced setbacks of 15' garage front setback and 20' home front setback vs.

required 30' front setback and increase maximum lot coverage from 40% to 50%, within a Residential Zoning District. Location of the request is the **Northside 3400 Blk. of E. McNeese Street. (Edgewood at Morganfield, Phase 2).**

STAFF FINDINGS: The on-site and site plan review revealed that the applicant is requesting to construct homes with reduced setbacks of 15' garage front setback and 20' home front setback vs. required 30' front setback and increase maximum lot coverage from 40% to 50%, within a Residential Zoning District. Staff's review revealed similar variances in other neighborhoods in the vicinity, including Phase I. Therefore staff finds the request reasonable.

Mrs. Bynum stated that the staff findings would need to be amended.

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

Robert Gardner, 7660 Pecue Lane, Baton Rouge, LA - representative of DSLD Homes

Mrs. Bynum asked Mr. Gardner if his intent is to have 20 ft from the front property line to the garage and a 15 ft to the house.

Mr. Gardner stated that he wanted to match Phase I of Edgewood at Morganfield.

Chairman Berryhill made a motion to amend the staff findings to reflect the correct setbacks, that being to construct homes with reduced setbacks of a 20 ft. garage front setback and a 15 ft. home front setback.

Mr. Schram seconded the motion.

Chairman Berryhill, Mr. McBride, Mr. Schram, Mr. Joseph and Mr. Pete voted in favor of the amendment.

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

For: 5 - Adam McBride, Alvin Joseph, David Berryhill, Gus Schram III and Mitchell Gregory Pete

Against: 0

Absent: 2 - Reginald Weeks and Thomas Sanders Jr.

VAR 24-51 CHAPTER 24 - LAKE CHARLES ZONING ORDINANCE

APPLICANT: SIGN EDGE USA, LLC

SUBJECT: Applicant is requesting a Variance (Sec. 4-205) in order to remove and reconstruct an existing pylon sign vs. install required monument sign and allow 30' in height vs. required maximum 10', within a Business Zoning District. Location of the request is **981 Gerstner Memorial Drive.**

STAFF FINDINGS: The on-site and site plan review revealed that the applicant is requesting to remove and reconstruct an existing pylon sign vs. install required monument sign and to exceed the maximum height requirement (30' vs the required 10'), within a Business Zoning District. The recently adopted ordinance (Ordinance #19906) amending Section 24-5-211 of the Code of Ordinances requires a monument sign with a height not to exceed 10'. The sign the applicant is requesting to construct is 30' high with a pole structure. Therefore, staff can find no evidence of hardship and cannot find a position of support.

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

Gerald Bordeau, 2791 Ithaca Drive, Lake Charles, LA - General Manager for Clayton Homes of Lake Charles

Mr. Bordeau said the sign was destroyed by Hurricane Laura and then it was replaced. Then in April the sign was again damaged by a tornado. The primary reason for requesting the variance is that the signage is a very integral aspect of our branding and our marketing. "I was unaware of the ordinance change until I began the process of applying for a permit," he said.

Chairman Berryhill asked Mr. Bordeau if he understood that part of the reasoning for the ordinance enacted after the storm damage is to make signs more secure than just having one single point of contact on the frame.

Mr. Bordeau replied he understood.

Mr. Schram noted that the city has offered a 75 percent grant of up to \$5000 for the cost to go towards putting in the correct monument sign.

Mr. Bordeaux stated that he is aware of the grant but would like to keep the same branding.

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

Brian Byron, 1168 Hwy. 115, Deville, LA

Mr. Byron stated that Clayton Homes has a very unique imaging. The company could change it into a monument sign but it would not be matching all the other Clayton Homes signs and it would not have the same branding which Mr. Bordeau is trying to keep for his company. Mr. Byron does not see what the issue would be in going back and putting the exact same sign.

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

For: 1 - Alvin Joseph

Against: 4 - Adam McBride, David Berryhill, Gus Schram III and Mitchell Gregory Pete

Absent: 2 - Reginald Weeks and Thomas Sanders Jr.

VAR 24-52 CHAPTER 24 - LAKE CHARLES ZONING ORDINANCE

APPLICANT: JOSHUA FUSELIER

SUBJECT: Applicant is requesting a Variance (Sec. 4-205) in order to maintain an existing unpermitted accessory building with a 3' rear setback vs. required 5' and 4' street side setback vs. required 15', within a Neighborhood Zoning District. Location of the request is **2225 Clooney Street**.

STAFF FINDINGS: The on-site and site plan review revealed that the applicant is requesting to maintain an existing unpermitted accessory building with a 3' rear setback vs. required 5' and 4' street side setback vs. required 15', within a Neighborhood Zoning District. Staff can find no evidence of hardship and therefore cannot forward a position of support.

Chairman Berryhill stated that since the applicant was not present this item would be deferred until the November 14th meeting.

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

For: 5 - Adam McBride, Alvin Joseph, David Berryhill, Gus Schram III and Mitchell Gregory Pete

Against: 0

Absent: 2 - Reginald Weeks and Thomas Sanders Jr.

d VAR 24-53 CHAPTER 24 - LAKE CHARLES ZONING ORDINANCE

APPLICANT: RYAN QIU

SUBJECT: Applicant is requesting a Variance (Sec. 4-205) in order to maintain an existing unpermitted 20' pylon sign vs. required monument sign with maximum height of 10', within a Business Zoning District. Location of the request is **4517 Nelson Road**.

STAFF FINDINGS: The on-site and site plan review revealed that the applicant is requesting to maintain an existing unpermitted pylon sign vs. required monument sign, within a Business Zoning District. The recently adopted ordinance (Ordinance #19906) amending Section 24-5-211 of the Code of Ordinances requires a monument sign with a height not to exceed 10'. The unpermitted sign the applicant is requesting to maintain is 20' high with a pole structure. Therefore, staff can find no evidence of hardship and cannot find a position of support.

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

Ryan Qui, 1492 Abigail Lane, Lake Charles, LA

Chairman Berryhill the pole for the sign is existing and the sign at the top was added.

Mr. Qui stated that the sign contractor installed a new sign. The 20 ft. pole was existing when the building was purchased, and he was not aware of the new sign ordinance requirements. Mr. Qui thought he was repairing the sign. His main concern is if he would have to lower the sign and install a monument sign some of the landscaping would have to be removed and the traffic for the entrance and the exit could be blocked.

Mr. Schram said he understands Mr. Qui's concern about blocking the vision along the street. There are some standards that the City is using requiring how far from the right of way and the property line the sign has to be so that the sign is not blocking a motorist's vision in or out.

Chairman Berryhill asked Mr. Qui when the sign was installed.

Mr. Qui answered, "August 2024."

Chairman Berryhill stated this is a 7 ft tall sign so Mr. Qui would be required to only be 3 ft. off the ground to maintain the 10 ft. maximum height. The purpose of lowering the signs is to make the pylon more resilient to the high winds. Mr. Qui could also request a variance if the placement of the sign does not fit within the requirements.

Chairman Berryhill asked Mr. Qui if he was proposing any changes to the sign to make it more in compliance

Mr. Qui is asking for this variance to maintain as existing.

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

For: 0

Against: 5 - Adam McBride, Alvin Joseph, David Berryhill, Gus Schram III and Mitchell Gregory Pete

Absent: 2 - Reginald Weeks and Thomas Sanders Jr.

VAR 24-54 CHAPTER 24 - LAKE CHARLES ZONING ORDINANCE

APPLICANT: CONSTRUCTION SERVICES OF SWLA

SUBJECT: Applicant is requesting a Variance (Sec. 4-205) in order construct an 18'8" in height monument sign vs. the required maximum height of 10ft., within a Business/Mixed Use-X Zoning District. Location of the request is **3160 Power Centre Pkwy.**

STAFF FINDINGS: The on-site and site plan review revealed that the applicant is requesting to construct an 18'8" in height monument sign vs. the required maximum height of 10ft., within a Business/Mixed Use-X Zoning District. Staff can find no evidence of hardship and cannot find a position of support.

*Chairman Berryhill asked applicant to state name and address for the record.
John Ladner, 1600 Ira Breaux Road, Lake Charles, LA*

Mr. Ladner stated that this sign is for LC Charter Academy. There is an existing monument sign that is shorter and it has a small LED screen on it. Mr. Ladner is requesting a variance for the 8 ft .extra height. The sign is designed for wind load is on shafts, and matches the other 2 school signs. The sign at Southwest Charter Academy is 18 ft. 8" and the sign at College Prep is 16 ft.

Chairman Berryhill asked if there was any way to modify the height.

Mr. Ladner responded he could probably lower the sign a minimum of 16 feet in order for the logo to fit on top and still be able to get the digital board on the monument itself. This sign is 30 ft. from the curb.

Mr. Schram asked what the top section of the sign is made of.

Mr. Ladner responded metal. The minimum size this sign could be is 16 ft. 6 inches with the school logo and still be able to get all the components to fit.

Chairman Berryhill stated the board could amend the application from 18 ft. 8 inches to 16 ft. 6 inches.

Mr. Pete made a motion to amend the request to decrease from 18 ft. 8 inches to 16 ft. 6 inches.

Chairman Berryhill seconded the motion.

Mr. McBride, Mr. Schram and Mr. Joseph voted against the amendment. Chairman Berryhill and Mr. Pete voted in favor of the amendment.

Mrs. Bynum stated the amendment failed.

Chairman Berryhill called for a vote on the application as stated without the amendment. The motion failed with the following vote.

For: 0

Against: 5 - Adam McBride, Alvin Joseph, David Berryhill, Gus Schram III and Mitchell Gregory Pete

Absent: 2 - Reginald Weeks and Thomas Sanders Jr.

VAR 24-55 CHAPTER 24 - LAKE CHARLES ZONING ORDINANCE

APPLICANT: KATHRYN ROZAS

SUBJECT: Applicant is requesting Variances (Sec. 4-205) in order to 1) reduce the required 8' bufferyard to 3'11" along west property line; 2) eliminate 10' landscape bufferyard along North property line; and 3) allow continuous curb cut for drive in parking spaces prohibiting the ability to enter and exit in a forward manner, within a Business Zoning District. Location of the request is **115 W. Oak Lane**.

STAFF FINDINGS: The on-site and site plan review revealed that the applicant is requesting to 1) reduce the required 8' bufferyard to 3'11" along west property line; 2) eliminate 10' landscape bufferyard along North property line; and 3) allow continuous curb cut for drive in parking spaces prohibiting the ability to enter and exit in a forward manner, within a Business Zoning District. Staff's review of the proposed parking configuration found the vehicle maneuverability to be very difficult and therefore, staff cannot recommend approval.

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

Robin Basone, 1011 Lakelane Drive, Lake Charles, LA - representing Kathryn Rozas

Ms. Basone stated that Ms. Rozas is proposing to open a business at 115 W Oak Lane that would be a plant craft store. Because of the square footage of the business and the business hours being 10am to 6pm Ms. Rozas and Ms. Basone feel the parking proposal is needed because in the center of the front yard is a huge oak tree. In a effort to try to save the oak tree the parking configuration is with the side setback on the west side.

Chairman Berryhill stated there are still a lot of obstacles to overcome such as the drainage in the front and the water meter. He asked if Ms. Rozas is planning to plant bushes within 3 feet on the west side.

Ms. Rozas then spoke and answered the plan is to make sure there is a proper bufferyard.

Chairman Berryhill asked if there is a residence next door.

Ms. Rozas stated that the property is zoned commercial but it is used as a residence.

Chairman Berryhill asked Ms. Rozas if she wanted to totally eliminate the 10 ft. bufferyard along the north.

Ms. Rozas stated basically it is going to be a reconfiguration of how parking happens in the yard so it is going to be a loop around to go around the tree to save the tree.

Chairman Berryhill stated that by having the drive through parking Ms. Rozas would be eliminating any landscaping where Ms. Rozas would put a drive. The parking space on the east side is in the bufferyard. So there would be no landscaping in the front.

Ms. Basone stated that it would be Ms. Rozas' goal to put some landscaping but she is not sure what could be planted and live.

Chairman Berryhill stated that the landscape has been eliminated and now there is a continuous curb cut.

Ms. Basone stated that it says continuous curb cut but all of that is existing. It is all level now. Where Ms. Rozas would add the concrete for the entrance to the front of the parking space to the left and the front of the parking space to the right of the water meter that could remain grass.

Chairman Berryhill stated that a lot of the grass is being eliminated.

Ms. Rozas stated that it is also going to be a garden store.

Mr. Schram asked if there is any access to the back yard.

Ms. Rozas responded, "No." There is a covered patio.

Mr. Sanders asked Ms. Rozas what is the surface material that is going to be used.

Ms. Rozas responded, "Concrete or asphalt. Since asphalt deteriorates it would have to be concrete."

Chairman Berryhill asked opponent to state and address for the records.

Jay Penfield, 123 W Oak Lane, Lake Charles, LA

Mr. Penfield's concern is the concrete, drainage and maintaining the oak tree. Mr. Penfield noted that there are only 5 parking spots proposed.

CB asked Ms. Bynum if a fence would be required since there is a residence next door.

Ms. Bynum responded, "Yes."

Mr. Schram noted that there are materials that Ms. Rozas can use for paving that are pervious and allow water to percolate into the soil and still provide a hard surface to drive on.

Chairman Berryhill asked Ms. Rozas how many square feet is the building.

Ms. Rozas responded 1700 sq. ft.

Ms. Bynum stated that 6 parking spots would be required. The staffs concern is maneuverability of the site and how people will be parking.

Chairman Berryhill asked applicants if they would like to defer to the next meeting and reevaluate this plan.

Ms. Rozas stated she did not know if there was another option for keeping the tree.

Chairman Berryhill asked Ms. Bynum if a variance would be needed for the parking.

Ms. Bynum responded, "Yes." "There are a couple of spots where customers would be backing up into oncoming traffic." Mrs. Bynum is concerned that the drainage is in the right of way and some of the parking is also.

Chairman Berryhill called for a vote to defer this item to the November meeting. The motion carried with the following vote.

For: 5 - Adam McBride, Alvin Joseph, David Berryhill, Gus Schram III and Mitchell Gregory
Pete

Against: 0

Absent: 2 - Reginald Weeks and Thomas Sanders Jr.

OTHER BUSINESS

ADJOURN

MEETING ADJOURNED.

APPROVAL OF THE MINUTES:

*David Berryhill
Chairman
Lake Charles Planning and Zoning Commission*

*Doug Burguières
Director
Office of Zoning & Land Use*