

FEBRUARY 21, 2007

The Land Use Commission of the City of Sulphur, Louisiana, met in regular session at its regular meeting place at City Hall, Sulphur, Louisiana, at 5:00 p.m., on the 21ST day of February, 2007, after full compliance with the convening of said meeting, with the following members present:

JAY SHELTON, Land Use Commission of District 1

Jay arrived at 5:29 p.m.

JOHNNY BERGERON, Land Use Commission of District 3

LAWRENCE DAVID, Land Use Commission of District 4

GERIT LAWRENCE, Land Use Commission of District 5

ABSENT - TROY DARBY, Land Use Commission of District 2

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

The Chairman asked if there were any changes to the agenda. Motion was made by Mr. Lawrence seconded by Mr. David that the agenda be amended to swap #3 and #4. Motion carried. Motion was then made by Mr. Lawrence seconded by Mr. David that the agenda be approved as changed. Motion carried

The first item on the agenda a resolution authorizing the extension of a six month temporary permit which allows for temporary placement of travel trailers and/or mobile homes on residential property for living purposes during reconstruction of damages caused by Hurricane Rita for the following addresses:

Permits obtained in August, 2006 for 6 month extensions

<u>Address</u>	<u>Council District</u>
1010 East Kent	3
1101 Elm	3
228 Hazel	5
458 Brimstone	1
411 Irwin	1
531 North Crocker	1
133 Roberta Drive	1
402 Garrett	2
2005 Post Oak	4
708 Huntington	1
919 Platt	1
1102 Alvin	1
1109 North Huntington	1
1130 Huntington	2
989 Beulah	3
2024 Carr Lane #16	3

Motion was then made by Mr. Lawrence seconded by Mr. David that the above addresses be granted a 6 month extension and passed on to City Council for their ratification. Motion carried.

The next item on the agenda a resolution allowing Joe Bascle, 107 Garden Street, for a variance to build a 30x70 foot storage building. (bldg. will be greater than 35% of total floor area of all structures on the entire lot). Mr. Bascle addressed the Commission and stated that he would like to build a storage building for his boat, pick-up truck and cargo trailer. It is not for construction use, only for storage. Mr. Lawrence stated that there will not be enough room for emergency vehicles to get in the back if a fire starts. This building is too big and may cause a fire hazard if there is a lot of storage in it. Mr. Lawrence asked Mr. Bascle if he had planned on resubdividing his property in the future because the property that is adjacent to the rear of his property is commercial property.

Mr. Bascle stated that he plans on staying in this house for a very long time and he has no plans of resubdividing. He will have no plumbing in the storage building just lights. It will be a pole barn with metal exterior on a slab.

Mr. Lawrence asked Mr. Bascle what his total square footage of everything on his lot was. Mr. Bascle stated that he wasn't sure. At this time Mr. Drost stated that in the Land Use Ordinance under Limitations on Variances it states that the commission shall not recommend variances for new structures which would permit a structure with a height, floor area ratio, or coverage 10% greater than otherwise permitted. The Commission can grant a variance up to 35% of the total floor area of all structures on the entire lot, which would make it really 45% if you add the 10% to this. Mr. Bascle will take up more than 45% of the total floor area of all structures on the lot.

Mr. Bascle asked if he could build something smaller but have an overhang so he could still store some things. Mr. Drost stated that he would still be in violation because it will all be under roof. Mr. Drost stated that he roughly figured that Mr. Bascle could build a storage building approximately 900-1,000 sq. ft.

At this time Jane Whittaker, Garden Street, addressed the Commission and stated that she fears that if Mr. Bascle builds this huge storage building it will impede the drainage for his neighbors. She is faced with drainage problems every time it rains because of something like this that was built next door to her home.

Mr. Drost stated that it would be better for Mr. Bascle to withdraw his application at this time because if the Commission rejects this application he will have to wait 1 full year before putting it back on the agenda. Once Mr. Bascle decides what he wants to do

then he can have it put back on the agenda. At this time Mr. Bascle withdrew his application.

The next item on the agenda a resolution allowing Tony Palermo Sr., and Palermo Co. to rezone property behind Boiling Point Restaurant on Beglis Parkway from Residential District to Business District. Mrs. Tower addressed the Commission and asked how Mr. Palermo will get to this property in the back. Mr. Moss stated that he will enter from Beglis Parkway. Mr. Tower then stated that Mr. Palermo gave a right-of-way for the drainage for the North Rose Park area. She would like to see this written into the resolution. Mr. Moss stated that Mr. Palermo plans on putting storage buildings on the back part of this property. Mrs. Tower asked if Mr. Palermo is asking to be zoned Business or our new Commercial District. After discussion, motion was made by Mr. Lawrence seconded by Mr. David that the resolution be amended to change the wording from Business District to Commercial District. Motion carried.

Motion was then made by Mr. Lawrence seconded by Mr. David that the following resolution be adopted to-wit:

RESOLUTION

Resolution to allow Tony Palermo Sr., and Palermo Co., to rezone property behind Boiling Point Restaurant on Beglis Parkway from Residential District to Commercial District.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, that they do hereby allow Tony Palermo Sr., and Palermo Co., to rezone property behind Boiling Point Restaurant on Beglis Parkway from Residential District to Commercial District.

A vote was then called with the results as follows:

YEAS: Mr. Shelton, Mr. Bergeron, Mr. David, Mr. Lawrence

NAYS: None

ABSENT: Mr. Darby

And the said resolution was declared duly adopted on this 21st day of February, 2007.

ATTEST:

ARLENE BLANCHARD, Secretary

JOHNNY BERGERON, Chairman

The next item on the agenda a resolution allow Mark & Sandra Hebert, 1607 Poplar Street, for a variance to allow 2 dwellings on 1 lot (travel trailer). Mr. Hebert addressed the Commission and stated that his brother-in-law's home burnt down a few weeks ago and the only thing that's left is his clothes that were on his back. We didn't mean to cause this much trouble for everyone but we didn't think it would be this much a deal. All we're trying to do his help him out by letting his stay here. His travel trailer will be gone by this weekend. He's found a place to go. Mr. Lawrence asked Mr. Drost if under Section 5-Temporary Uses in the Land Use ordinance could we grant a variance for 1 year. Mr. Drost stated no because it says "except in residential districts" and Mr. Hebert lives in a residential district.

Bernadette Allen, Poplar Street, addressed the Commission and stated that the Commission needs to follow the law in non-use binding. This is a single family dwelling neighborhood. They have permanent plumbing in the travel trailer (Mr. Hebert stated that he did not have permanent plumbing). Two city officials went out and looked at this situation and they should have taken care of the problem. Mrs. Allen then presented a petition of signatures to the Commission that were against the variance.

Mrs. Hebert then addressed the Commission and stated that her brother's trailer got stuck in her yard. They tried pulling it out but couldn't. He will be moving his trailer this weekend if it doesn't rain anymore. There is a problem with the drainage on our road

and if it rains a lot the water will not drain and then he will be stuck again. Mr. Lawrence asked that the trailer be moved out within the next 7 days. Mr. Drost then stated, after reviewing the ordinance, that the Commission cannot pass this resolution under the guidelines of Part II, Section 4 (7c).

Mrs. Tower then stated that if the travel trailer is not gone within 10 days enforcement will take place immediately. At this time Mr. Hebert withdrew his application.

There being no further business to come before the Commission, the Chairman declared the meeting adjourned.

ATTEST:

ARLENE BLANCHARD, Secretary

JOHNNY BERGERON, Chairman

2/21/07
6:00 P.M.