

August 17, 2020

The Land Use Commission of the City of Sulphur, Louisiana, met in regular session at its regular meeting place located at 500 N. Huntington Street, Sulphur, Louisiana, held at 5:30 p.m., on the 17th day of August, 2020, after full compliance with the convening of said meeting with the following members present:

PHYLLIS WILSON, Land Use Commission District 2  
VERONICA ALLISON, Land Use Commission District 3  
ROBIN BAUDOIN, Land Use Commission District 4  
JONATHAN BRAZZELL, Land Use Commission of District 5

LENORE CARROLL, Land Use Commission District 1 (surgery)

After the meeting was called to order and the roll called with the above results, prayer was led by Mrs. Baudoin followed by the reciting of the Pledge of Allegiance led by Mr. Brazzell.

After the meeting was called to order and the roll called with the above results, motion was made by Mrs. Wilson seconded by Mr. Brazzell that the minutes from the previous meeting stand as written. Motion carried unanimously.

Motion was then made by Mrs. Wilson seconded by Mr. Brazzell that the agenda stand as written. Motion carried unanimously.

The first item on the agenda is a resolution granting a rezone to Tonya LeBlanc Moak, 217 West Napoleon Street, from Business to Commercial for future development. Mrs. Moak addressed the Commission and stated that she wants to rezone for future development. There's property adjacent to hers that recently got rezoned to Commercial. She doesn't have plans for anything right now. If/When she's ready to make that change to Commercial, she'll have to present her plans to the City anyway. Motion was made by Mrs. Allison seconded by Mr. Brazzell that the following resolution be adopted to-wit:

## RESOLUTION

RESOLUTION GRANTING A REZONE TO JON AND TONYA MOAK, 217 WEST NAPOLEON STREET, FROM BUSINESS TO COMMERCIAL FOR FUTURE DEVELOPMENT.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone from Business to Commercial to Jon and Tonya Moak, 217 West Napoleon Street to allow for future development for the following described property:

WEST 75 FT LOTS 9.10 BLK "M" (OTS) TOWN OF SULPHUR, DESC AS –  
COM NW COR BLK M SULPHUR OTS TH E 75 FT S 100 FT ETC.

This rezone is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said rezone interfere with the rights and privileges owned by the City of Sulphur pursuant to a pre-existing right of way,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 If withdrawn, any improvements constructed thereon shall be removed at the expenses of owner thereof.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 of this rezone 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 from Business to Commercial to Jon and Tonya Moak, 217 West Napoleon Street to allow for future development

A vote was then called with the results as follows:

YEAS: Mrs. Wilson, Mrs. Allison, Ms. Baudoin, Mr. Brazzell

NAYS: None

ABSENT: Mrs. Carroll

And the said resolution was declared duly adopted on this 17<sup>th</sup> day of August, 2020.

ATTEST:

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ARLENE BLANCHARD, Secretary

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ROBIN BAUDOIN, Chairman

The next item on the agenda is a resolution amending Article IV, Part 2, Section 5 of the Land Use Ordinance of the City of Sulphur to provide for (h) Portable On-Demand Storage Unit (POD). After discussion, motion was made by Mrs. Allison seconded by Mr. Brazzell that the following amendment be made:

- (2) The POD is removed within 6 months of placement. The Chief Building Official may grant additional time if needed due to hardship or natural disaster. No PODs may be used on a site if two other POD placements previously occurred in the prior twelve months.

Motion carried unanimously.

Motion was then made by Mrs. Allison seconded by Mr. Brazzell that the following resolution be adopted as amended:

RESOLUTION AS AMENDED

RESOLUTION AMENDING ARTICLE IV, PART 2, SECTION 5 OF THE  
LAND USE ORDINANCE OF THE CITY OF SULPHUR TO PROVIDE FOR  
(H) – PORTABLE ON-DEMAND STORAGE UNIT (POD).

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby amend Article IV, Part 2, Section 5 of the Land Use Ordinance of the City of Sulphur to provide for (h) – Portable On-Demand Storage Unit (POD) to read as follows:

Section 5. - Temporary uses.

- (1) *Authority.* Temporary uses are permitted in any land use district, subject to the standards hereinafter established, provided that all temporary uses shall meet the bulk regulations and parking requirements for the land use district in which the use is located and provided that no temporary use shall be permitted to continue for such a length of time that it constitutes in effect a permanent use.
- (2) *Particular Temporary Uses Permitted.* Permitted uses include:
  - (a) Garage sales.
  - (b) Indoor and outdoor art and craft show, exhibits and sales.

- (c) Contractor's office and equipment sheds which shall be limited to the actual period of construction and to be terminated thirty (30) days after completion of construction.
- (d) Sales of Christmas trees or other seasonal goods provided that such sales are located on property with direct access to collector or arterial.
- (e) Religious revival tents.
- (f) A temporary use permit may be issued by the administrator for the placement of a manufactured home/mobile home, not otherwise permitted in the land use district, for temporary, emergency housing in hardship cases, for a non-renewable period of up to one (1) year provided that the following conditions are met:
  - (1) Written certification of medical and/or economic hardship is presented to the administrator stating the nature and intent of condition.
  - (2) The manufactured home/mobile home is adjacent to the lawfully permitted house or housing unit of one related by blood or marriage.
  - (3) A permit be issued for the temporary manufactured home/mobile home.
- (g) Truck trailers used for the temporary storage of goods or equipment in connection with general retail sales and service, not to exceed thirty (30) days.
- (h) A temporary use permit shall be required, and may be issued, for the placement of a Portable On-Demand Storage Unit or POD for temporary use. PODs shall comply with the following:
  - (1) The POD does not obstruct any public right-of-way or site triangle and is not within the side or rear set-back limits that would be applicable to structures.
  - (2) The POD is removed within 6 months of placement. The Chief Building Official may grant additional time if needed due to hardship or natural disaster. No PODs may be used on a site if two other POD placements previously occurred in the prior twelve months.
  - (3) If a building permit has been issued for construction or remodeling, the POD must be removed within ten days of final building inspection.
  - (4) No hazardous or flammable materials may be stored in container.
  - (5) Containers must have fully operational locks and remain locked when unsupervised.
  - (6) The name and telephone number of the POD's supplier shall be on the exterior of the POD, but any other advertising is prohibited on container.
  - (7) All PODs shall be maintained in good condition and repair
  - (8) Exemptions: Properties located within Business, Commercial, or Industrial Districts are exempt from the provisions of this Paragraph, and no temporary storage use permit shall be required for a POD on a property within those land use districts.
- (3) *Temporary Placement of Recreational Vehicle for Occupancy for a related family member due to Natural Disaster.*

- (a) When a natural disaster occurs, a recreational vehicle may be placed either on a residential, mixed residential or industrial lot. Situations in other districts will be considered on a case by case basis to be determined by the land use administrator and mayor.
- (b) Prior to the placement of a recreational vehicle in districts as stated above, the land use administrator, chief building official/ordinance enforcement director and city council clerk shall review all requirements, as established by administration, as to whether the recreational vehicle will be allowed. In the absence of either the land use administrator, chief building official/ordinance enforcement director or city council clerk, the mayor shall be authorized to sign as a third signature.
- (c) The temporary placement of a recreational vehicle shall not exceed a 6-month period from the date the recreational vehicle is placed on property, unless voted on by the land use commission and city council.
- (d) Any applicant aggrieved by the decision of the land use administrator, chief building official/ordinance enforcement director and city council clerk, may be placed on the next available land use and city council agenda.
- (e) The enforcement of the temporary placement of recreational vehicle for occupancy for a related family member due to natural disaster shall be the duty of the land use administrator and the chief building official/ordinance enforcement director.
- (f) Any person violating this subsection shall be punished by a one hundred dollar (\$100.00) fine each day the violation occurs.

A vote was then called with the results as follows:

YEAS: Mrs. Wilson, Mrs. Allison, Ms. Baudoin, Mr. Brazzell

NAYS: None

ABSENT: Mrs. Carroll

And the said resolution was declared duly adopted on this 17<sup>th</sup> day of August, 2020.

ATTEST:

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ARLENE BLANCHARD, Secretary

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ROBIN BAUDOIN, Chairman

The next item on the agenda is Public Comment. Mr. LeBlanc addressed the Commission and stated that the City needs to have an employee that rides around checking on property that Land Use and Council have placed stipulations. After the ordinances are adopted no one follows up to make sure those stipulations are being carried out.

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

ATTEST:

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ARLENE BLANCHARD, Secretary

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ROBIN BAUDOIN, Chairman

8/17/20  
5:50 P.M.