

MARCH 19, 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 19th day of March, 2007, after full compliance with the convening of said meeting, with the following members present:

TROY DARBY, Land Use Commission of District 2
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 - JAY SHELTON, Land Use Commission of District 1

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 remove item #5. Motion carried. Motion was then made by Mr. Lawrence seconded by Mr. Darby 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 September, 2006 for 6 month extensions

<u>Address</u>	<u>Council District</u>
1122 Verdine #16	
1122 Verdine #35	
1122 Verdine #17	
308 East Verdine	
1125 Alvin	
211 W. Lincoln	
607 Cass	
612 Miller	
939 Alice	
827 Elm	
455 Mimosa #6	
2141 Napoleon #6	
615 Peck	
1205 Sherwood	
203 Texas	
1203 Texas	
522 Phillips	
2111 Trailer #35	
220 Burton	
112 Vine	
112.1 Vine	
1017 Shasta #17	
205 N. Crocker	
900 Lilliput	
707 Johnson	
2300 Louis Alleman	
999 N. Claiborne	

Motion was then made by Mr. Darby seconded by Mr. Lawrence 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 to allow Dyrell Stokes, 429 Southgate for a rezone from Residential District to Mixed Residential District to allow for a mobile home. Dyrell Stokes, owner, addressed the Commission and stated that he purchased the property several years ago and had it cleared and cleaned it up. He put the trailer on the

property without knowing it wasn't allowed to be put there. Kim Kool, the business Mr. Stokes owns on Patton Street, is getting ready to expand again and he was going to let his temporary workers stay in that trailer.

AJ Goodfriend, Southgate Street, addressed the Commission and stated that he has been living at this address since 1964 and his kids were raised here. This street is a playground for all the kids that live on this street. It is a very quiet neighborhood. The trailer on Mr. Stokes' property is not a mobile home it is a travel trailer.

Gerald Hansen, Southgate Street, addressed the Commission and stated that it is a travel trailer, not a mobile home. A petition has been signed by the whole neighborhood in opposition of this trailer.

After discussion motion was made by Mr. David seconded by Mr. Lawrence that the following resolution be brought to a vote:

Resolution to allow Dyrell Stokes, 429 Southgate Street, for a rezone from Residential District to Mixed Residential District to allow for a mobile home.

A vote was then called with the results as follows:

YEAS: None

NAYS: Mr. Darby, Mr. Bergeron, Mr. David, Mr. Lawrence

ABSENT: Mr. Shelton

And the said resolution failed on this 19th day of March, 2007.

ATTEST:

ARLENE BLANCHARD, Secretary

JOHNNY BERGERON, Chairman

The next item on the agenda a resolution to allow Habco, LLC, Jules Habetz, 210 S. Cities Service, for a rezone from Residential District to Business District. Jules Habetz, owner of property, stated that Cities Service Hwy. is a very busy street and many

people don't want to live there. He received 25 signatures (he *only had to get 23*) from the neighbors to allow him to rezone to Business. Archie McKeever, Rio Hondo, addressed the Commission and stated that his backyard abuts Mr. Habetz's property. He doesn't want any industry to go there. Once it's zoned to a business, then any kind of business can go there. Mr. Lawrence stated that this was not correct. In a Business District there are certain businesses that can go there. Mr. McKeever stated that he would not be against a doctor's office or CPA firm locating there. This property will soon be all businesses anyway.

Resident, 209 Rio Hondo, addressed the Commission and stated that Mr. Habetz said no one wants to live on Cities Service Hwy. but Mr. Habetz rents this home out to a family, so there are people that like living there. He also stated that he didn't want the sound or smell of dumpsters or the varments that come from the dumpster.

At this time Mr. Darby stated that no petition was received from the opposing neighbors. Mr. Lawrence then stated to Mr. Habetz that he should sell to a business that would not impact the surrounding neighborhood. Mr. Bergeron stated that this is a prime location for a business. In the future it will probably all be business.

After discussion, motion was made by Mr. David seconded by Mr. Darby that the following resolution be adopted to-wit:

RESOLUTION

Resolution to allow HABCO, L.L.C., Jules Habetz, 210 South Cities Service Hwy., for a rezone from Residential District to Business District.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, that they do hereby allow HABCO, L.L.C., Jules Habetz, to rezone from Residential District to Business District to allow for the potential sale to a business.

BE IT FURTHER RESOLVED that a 6' to 8' privacy fence across the entire western boundary of both lots will be constructed and will leave a 20' buffer zone between the western boundary line and the construction of any improvements.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Shelton

And the said resolution was declared duly adopted on this 19th day of March, 2007.

ATTEST:

ARLENE BLANCHARD, Secretary

JOHNNY BERGERON, Chairman

The next item on the agenda a resolution to allow Habco, LLC, Jules Habetz, 208 S. Cities Service, for a rezone from Residential District to Business District. Motion was then made by Mr. David seconded by Mr. Lawrence that the following resolution be adopted to-wit:

RESOLUTION

Resolution to allow HABCO, L.L.C., Jules Habetz, 208 South Cities Service Hwy., for a rezone from Residential District to Business District.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, that they do hereby allow HABCO, L.L.C., Jules Habetz, to rezone from Residential District to Business District to allow for the potential sale to a business.

BE IT FURTHER RESOLVED that a 6' to 8' privacy fence across the entire western boundary of both lots will be constructed and will leave a 20' buffer zone between the western boundary line and the construction of any improvements.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Shelton

And the said resolution was declared duly adopted on this 19th day of March, 2007.

ATTEST:

ARLENE BLANCHARD, Secretary

JOHNNY BERGERON, Chairman

The next item on the agenda a resolution to allow Donald Daigle, 907 Franklin Street for a variance to allow for 2 dwellings on 1 lot. Mr. Daigle addressed the Commission and stated that he received a variance last year but he did not get his permit or certificate of occupancy within the 6 month timeframe, therefore, making his variance null and void. He did not realize he had to get his permit within a 6 month time period. He wants to make the unattached garage an apartment for his son to live in. Motion was made by Mr. Darby seconded by Mr. Lawrence that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting a variance to Donald Daigle, 907 Franklin Street, to allow for 2 dwellings on 1 lot.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a variance to allow Donald Daigle, 907 Franklin Street, for a variance to allow for 2 dwellings on 1 lot.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Shelton

and the said resolution was declared duly adopted on this 19th day of March, 2007.

ATTEST:

ARLENE BLANCHARD, Secretary

JOHNNY BERGERON, Chairman

The next item on the agenda a resolution to allow the following lots of Magnolia Forest #2 Subdivision to rezone from Business District to Residential District in accordance with subdivision restrictions:

Lot 6-100 Marilyn Drive, Lot 5-3804 Maplewood Drive, Lot 4-3808 Maplewood Drive, Lot 3-3812 Maplewood Drive, Lots 2 & 1-3816 Maplewood Drive

Mr. Lawrence stated that this property was inadvertently zoned incorrectly. The city did not have the authority to zone this to a Business District because their subdivision restrictions state that it must be zoned for residential purposes. Motion was then made by Mr. Darby seconded by Mr. Lawrence that the following resolution be adopted to-wit:

RESOLUTION

Resolution to allow certain lots located in Magnolia Forest #2 Subdivision for a rezone from Business District to Residential District in accordance with subdivision restrictions.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, that they do hereby allow the following lots located in Magnolia Forest #2 Subdivision for a rezone from Business District to Residential District in accordance with their subdivision restrictions:

- a. Lot 6 – 100 Marilyn Drive
- b. Lot 5 – 3804 Maplewood Drive
- c. Lot 4 – 3808 Maplewood Drive
- d. Lot 3 – 3812 Maplewood Drive
- e. Lots 2 & 1 – 3816 Maplewood Drive

A vote was then called with the results as follows:

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

NAYS: None
ABSENT: Mr. Shelton

And the said resolution was declared duly adopted on this 19th day of March, 2007.

ATTEST:

ARLENE BLANCHARD, Secretary

JOHNNY BERGERON, Chairman

The next item on the agenda a resolution amending Article IV, Part 3, Section 4 (3) (b) of the Land Use Ordinance of the City of Sulphur. Mrs. Blanchard, secretary, stated that this needs to be amended due to wholesaling, warehousing, hotels & motels, kennels, bars and recreational facilities needed to be deleted from the Business District table because these types of businesses are only allowed in the Commercial District. Motion was made by Mr. Lawrence seconded by Mr. Darby that the following resolution be adopted to-wit:

RESOLUTION

Resolution amending Article IV, Part 3, Section 4 Business District of the Land Use Ordinance of the City of Sulphur.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur that they do hereby amend Article IV, Part 3, Section 4 to read as follows:

Section 4 BUSINESS DISTRICT (B)

(1) Purpose:

This district is intended to provide an area of general commerce devoted to a healthy economic environment while minimizing impacts on more fragile areas.

(2) Permitted Uses:

(a) All uses as permitted in residential, mixed residential and mobile home land use classifications

(b) General retail sales - service establishments

(c) Offices

(d) Financial institutions

(e) Restaurants (sit down, drive through & drive in)

(f) Entertainment. (Establishments whose gross receipts for the sale of alcoholic beverages constitute less than 50% of their overall gross receipts)

(3) Development Standards

(a) No front foot dimension of a lot shall be less than 50 feet. The total area of a lot shall not be less than 6,000 square feet.

(1) Exception. No front foot dimension of any lot in a cul-de-sac shall be less than 30 feet and a total area of a lot shall not be less than 10,000 square feet. In a cul-de-sac with a front foot of 50 feet or more the lot shall not be exempt from the requirement of (b) of Article IV, Part 3, Section 4 (3).

(b) All development in the Business District shall conform to the development standards set out in the following table:

Distance measured from front, side and rear of structure shall measured from the overhang/eave of the structure.

USE	DENSITY	LOT SIZE	FRONT	SIDE	REAR	HEIGHT
Single family	7 du/a	6000 sf	20 ft	5 ft	10 ft	35 ft
Multi-Family	18 du/a	6000 sf	20 ft	5 ft	10 ft	50 ft
Retail & Service	FAR .5	5000 sf	20 ft	5 ft	10 ft	50 ft
Offices, Restaur.& Entert.	FAR 1	5000 sf	20 ft	5 ft	10 ft	50 ft
Schools, Churches	-----	10000 sf	20 ft	5 ft	10 ft	50 ft

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Shelton

And the said resolution was declared duly adopted on this 19th day of March, 2007.

ATTEST:

ARLENE BLANCHARD, Secretary

JOHNNY BERGERON, Chairman

At this time Mr. Goodfriend, Southgate Street, addressed the Commission and stated that when the city puts the zoning signs out they need to put them where people can see them. The sign for the rezone on Southgate Street was located at the very end of the dead-end road where people could not see it. Mrs. Blanchard, secretary, stated that the law states that the sign must be put on the property that is requesting the rezone/variance.

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

ATTEST:

ARLENE BLANCHARD, Secretary

JOHNNY BERGERON, Chairman

3/19/07
6:05 P.M.