

JUNE 18, 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 18<sup>th</sup> day of June, 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. With no changes made, motion was made by Mr. Lawrence seconded by Mr. Darby that the agenda stand as written. 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 December, 2006 for 6 month extensions**

<b><u>Address</u></b>	<b><u>Council District</u></b>
607 Cass	1
1222 Burton	1
1216 Post Oak 3A	4
317 E. Brimstone	1
805 W. Burton	1
821 E. Burton	1
210 E. Carlton	1
304 W. Carlton	1
202 Louisiana	3
407 Morgan	3

Motion was then made by Mr. Darby 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 granting a rezone to Will J. Belton, corner of Louis Alleman and Old Spanish Trail from Business to Residential District to allow for single family dwellings. Mr. Belton, developer, addressed the Commission and stated that he wanted to bring home ownership to Sulphur and increase the tax base. They also have the Peppermill Apartments on Beglis Parkway and Sunquest Property is management. Mr. Lawrence stated that the property is now zoned Business and houses are allowed in a Business District, so why does this need to be rezoned to Residential? Mr. Belton stated that they wanted to be a good citizen to Sulphur and they can enjoy the protection in a residential area. They will have a daycare, swimming pool, tennis court, clubhouse and all the amenities of a subdivision. There will be no retail in the subdivision. Mr. Bergeron stated that in accordance with the zoning ordinance these homes can be built in a Business District. The only piece that needs to be rezoned is the

triangular shape in the upper right corner of the subdivision. You can't build homes in an Industrial District. The subdivision can still be built but no homes will be able to be built in that triangular piece.

Mr. Darby asked Mr. Belton if he was concerned with the homes abutting a road that leads to an industrial park. That area is growing with industrial businesses and heavy trucks travel up and down that road all day long. One of the Land Use Commission's goals is to keep industrial areas away from our residential areas. Mr. Darby also stated that he would like to see a 200' buffer on Louis Alleman Road so more businesses could be built there. Mr. Belton stated that if they left a 200' buffer that will be a substantial material change. They will put a fence up where children will be playing.

Calvin Broussard addressed the Commission and stated that the property at the beginning of Louis Alleman Road was never intended to be part of the Industrial Park. He is selling property on the north side of Louis Alleman so an individual can build more businesses. Mr. Broussard also stated that he is retaining property on Beglis Parkway for his future use. That portion along Beglis Parkway will maintain a Business District.

Mr. Belton stated that the main entrance into the subdivision will be on Burton Street. Also, a daycare and community center will be built in the v-shaped property that is zoned Industrial. Mr. Bergeron stated that a daycare and housing could not be built in an Industrial District.

Coleman Brown, architect, addressed the Commission and stated that a few things could be reconfigured so everything will work out. After discussion, motion was made by Mr. Lawrence seconded by Mr. David that the following resolution be adopted to-wit:

#### RESOLUTION

Resolution to allow Will J. Belton to rezone property located at the corner of Louis Alleman and Old Spanish Trail from Business District to Residential District to allow for single family dwellings.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, that they do hereby allow Will J. Belton to rezone property located at the corner of Louis Alleman and Old Spanish Trail from Business District to Residential District to allow for single family dwellings.

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 18<sup>th</sup> day of June, 2007.

ATTEST:

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ARLENE BLANCHARD, Secretary

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JOHNNY BERGERON, Chairman

The next item on the agenda a resolution granting a rezone to Tammy Breaux, 424 Darbonne Street, from Residential District to Business District to allow for a shed to be converted into a hair salon behind residence. Mrs. Breaux addressed the Commission and stated that she would like to make the shed that is in the back of her residence into a hair salon. She will build some type of buffer by the duplex. Mr. Berry, Inspector, stated that the Fire Marshall will have to look at it before she starts doing anything. They will give a list of things that will need to be done prior to opening the salon. Mr. Lawrence asked Mrs. Breaux if she spoke to any of the adjacent neighbors. Mrs. Breaux stated no, because next door to her is a set of duplexes and across the street are apartments and on the other side of her is rental property that is vacant.

Mrs. Breaux also stated that she has small children and she would like to be home with her children. Mr. Darby stated that it is hard for small businesses to survive especially when they have to lease or rent a building.

Mr. Ray Birch, West Kent Drive, asked the Commission to really think about this rezone because this will put more traffic in the neighborhood. There is already a large amount of traffic that goes down Darbonne Street. After discussion, motion was made by Mr. Darby seconded by Mr. Lawrence that the following resolution be tabled for 30 days:

Resolution to allow Tammy Breaux to rezone property located at 424 Darbonne Street from Residential District to Business District to allow for a shed to be converted into a hair salon behind residence.

Motion carried.

The next item on the agenda a resolution granting a variance to Jody Guidry, 210 Roddam Street, to allow for a duplex to be located 3 feet from the side property line instead of the required 5 feet. Kim Guidry, Pete Seay Road, addressed the Commission and stated that there was a misunderstanding with their contractor, Joe Hardy. Mr. Hardy moved the foundation of one of the duplexes without Mr. Guidry knowing because Mr. Hardy thought that the duplexes were too close to the road. This was an honest mistake. Mr. Berry, Inspector, stated that if they hardy-plank the eaves of the home this will resolve the issue. Mr. Berry stated that he did an inspection on the foundation but did not go back to look at the overhangs.

Mr. Hardy addressed the Commission and stated that this was an oversight on his part. He moved the duplexes closer together because he thought they were too close to the road. He didn't realize that the duplexes would be too close. Mr. Darby asked Mr. Berry what would happen if the Commission didn't give the variance. Mr. Berry stated

that they will either have to tear the duplexes down or cut the overhangs off. Danny Dupre, Fire Chief, stated that the Inspectors are well aware of what they are doing and when they do inspections there are hundreds of things they are looking for. When the Inspectors went and inspected this job, the foundation was correct. Everyone took for granite that the overhangs were going to be correct also. If the eaves are fire-proofed then that will be alright. After discussion, motion was made by Mr. David seconded by Mr. Lawrence that the following resolution be adopted to-wit:

#### RESOLUTION

Resolution granting a variance to Jody Guidry, 210 Roddam Street, to allow for duplex to be located 3 feet from the side property line instead of the required 5 feet.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a variance to allow for duplex to be located 3 feet from the side property line instead of the required 5 feet.

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 18<sup>th</sup> day of June, 2007.

ATTEST:

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ARLENE BLANCHARD, Secretary

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JOHNNY BERGERON, Chairman

The next item on the agenda is Public to Address Commission. Mr. James O'Quain addressed the Commission and stated that Mr. Joe Hardy probably did make an honest mistake but does the Commission keep passing variances to everyone who doesn't follow setbacks? He also stated that Mr. Guidry needs to let the people know who rent the duplexes that they are closer than they should be.

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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JOHNNY BERGERON, Chairman

6/18/07  
6:17 P.M.