

December 20, 2010

The Land Use Commission of the City of Sulphur, Louisiana, met in regular session at its regular meeting place located at 500 North Huntington Street, Sulphur, Louisiana, at 5:30 p.m., on the 20th day of December, 2010, after full compliance with the convening of said meeting, with the following members present:

TROY DARBY, Land Use Commission of District 2
LAWRENCE DAVID, Land Use Commission of District 4
GERRIT LAWRENCE, Land Use Commission of District 5

ABSENT LENORE CARROLL, Land Use Commission District 1
 JOHNNY PEEL, Land Use Commission of District 3

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

The Chairman asked if there were any changes to the minutes of the previous meeting. With no changes being made, motion was made by Mr. Lawrence seconded by Mr. David that the minutes stand as written. Motion carried.

The Chairman asked if there were any changes to the agenda. Motion was made by Mr. Lawrence seconded by Mr. David that the agenda stand as written. Motion carried.

The first item on the agenda is a resolution granting a variance to Stan Johnson, 2026 Ruth Street (Wendy's Hamburger), to allow for a second sign (3'x3') located on property for America's Best Value hotel. Mr. Bruce stated that the City requested Mr. Patel to gather the square footage of Wendy's sign so it could be compared to the lot dimensions. Mr. Patel has not turned any information in, therefore, an informed decision

cannot be made. Motion was made by Mr. David seconded by Mr. Lawrence that the following item be tabled:

(At this time Mr. Lawrence stated that W.R. Foods (Wendy's) is a client of his business - Webtronics).

Resolution granting a variance to Stan Johnson, 2026 Ruth Street (Wendy's Hamburger), to allow for a second sign (3'x3') located on property for America's Best Value hotel.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Carroll, Mr. Peel

And the said resolution was tabled on this 20th day of December, 2010.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

The next item on the agenda is a resolution amending Article IV, Part 2, Section 6 of the Land Use ordinance – Home Business/Occupations. Motion was made by Mr. Lawrence seconded by Mr. David that the following resolution be adopted to-wit:

RESOLUTION

RESOLUTION AMENDING ARTICLE IV, PART 2, SECTION 6 OF
THE LAND USE ORDINANCE OF THE CITY OF SULPHUR.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana that they do hereby amend Article IV, Part 2, Section 6 of the Land Use Ordinance of the City of Sulphur to read as follows:

Section 6

HOME BUSINESS/OCCUPATIONS

(1) Authority

Home occupations shall be permitted in any residential dwelling unit provided that the home occupation complies

with the lot size, bulk regulations and parking requirements of the land use district in which the home occupation is located.

(2) Purpose

The regulations of this Section are designed to protect and maintain the residential character of established neighborhoods while recognizing that particular professional and limited business activities are traditionally carried on in the home and are compatible with the long term of integrity of a residential neighborhood.

(3) Particular Home Occupations Permitted

Permitted Home Occupations are:

- (a) Homebound employment of a physically, mentally, or emotionally handicapped person who is unable to work away from home by reason of his disability;
- (b) Office facilities for salesmen, sales representatives, or authorized agents of firms or companies;
- (c) Studio or office of an artist, musician, photographer, craftsman, writer, tailor, seamstress, accountant, architect, beautician, broker, doctor, engineer, lawyer, insurance agent, realtor or member of similar profession or similar person provided that the existence of the home occupation will not increase the number of average daily automobile trips generated by the residence in which the home occupation is located;
- (d) Outdoor activities which have no discernable off-site impact and are conducted in a backyard and are totally enclosed within an accessory building, wall or fence and are clearly subordinate to the principal structure.

(4) Home Occupations Permitted as Exceptions by Land Use Commission and City Council

- (a) Recreational instruction, day care facilities and fine arts and crafts instruction, provided:

- (1) Applicant must obtain all applicable permits and licenses required by state regulatory agencies.
 - (2) Hours of operation, except for day care, shall be limited to 9:00 a.m. – 4:30 p.m., Monday through Friday.
 - (3) All parking shall be off street parking, on a paved driveway.
 - (4) The home occupation shall be conducted entirely within the enclosed principal structure or within a surrounding wall or fence.
 - (5) Outdoor storage of equipment or material is limited to that normally supporting a residential outdoor activity being conducted on the premises.
 - (6) For day care facilities, no more than six children are on the premises at any time, not including those related to the caregiver.
 - (7) All use limitations in (5) “Use Limitations”, below, not modified in this section, (4) (a), shall be met.
- (b) The procedure for Permitted as Exceptions by Land Use Commission and City Council shall be in accordance with Article III, Part 2, Section 1.

(5) Use Limitations

In addition to the requirements of the land use district in which it is located, all home/business occupations shall comply with the following restrictions subject to the exceptions set forth in Section 6 (4).

- (a) The home occupation shall be conducted entirely within the enclosed principal structure, and shall not be visible from any residential structure or a public way;
- (b) The home occupation shall not occupy more than ten (10) percent of the floor area of the dwelling unit;
- (c) There shall be no outdoor storage of equipment or materials used in the home occupation;

- (d) No mechanical, electrical, or other equipment which produces noise, electrical or magnetic interference, vibration, heat, glare or other nuisance outside the residential or accessory structure shall used;
- (e) No home occupation shall be permitted which is noxious, offensive or hazardous by reason of vehicular traffic, generation or emission of noise, vibration, smoke, dust or other particulate matter, odorous matter, heat, humidity, glare, refuse, radiation or other objectionable emissions;
- (f) No more than one employee shall be permitted other than a resident of the dwelling;
- (g) No sign shall advertise the presence or conduct of the home occupation, other than a non-illuminated name plate, which does not exceed two square feet in size.
- (h) The home occupation will not increase the number of average daily automobile trips generated by the residence in which the home occupation if located.
- (i) All business activities conducted upon the premises are conducted within the dwelling by a member or members of the immediate family by blood or marriage residing in the dwelling and such business activities are incidental and secondary to the use of the dwelling for dwelling purposes. The dwelling used for the home occupation must be the principal residence of the resident conducting the home occupation, evidenced by voter registration or driver's license registration at that location.
- (j) No commercial vehicle exceeding one and one-half (1½) tons rating shall be parked upon any residentially zoned lot or parcel except while in the process of making a pickup or delivery. Not more than one (1) commercial vehicle associated with the home occupation (a vehicle registered in the name of a business or used in the conduct of a business) may be parked upon a residentially zoned lot or parcel. This restriction shall not apply to automobiles, in which case the limit shall be two (2).

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Carroll, Mr. Peel

And the said resolution was declared duly adopted on this 20th day of December, 2010.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

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

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

12/20/10
5:36 P.M.