

July 15, 2013

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, at 5:30 p.m., on the 15th day of July, 2013, after full compliance with the convening of said meeting, with the following members present:

LENORE CARROLL, Land Use Commission District 1
TROY DARBY, Land Use Commission District 2
JOHNNY PEEL, Land Use Commission District 3
LAWRENCE DAVID, Land Use Commission District 4
GERRIT LAWRENCE, Land Use Commission of District 5

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

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

The Chairman then asked if there were any changes to the agenda. Motion was made by Mr. Lawrence seconded by Mr. Peel that item #8 be moved up to #1. Motion carried.

Motion was then made by Mr. Lawrence seconded by Mr. Peel that the wording on item #2 needed to be amended as follows:

Resolution granting a rezone to Sulphur Inn Acquisition, LLC, 2033 Ruth Street,
from Residential/Business to Commerical to allow for Commercial development.

Motion carried.

Motion was then made by Mr. Lawrence seconded by Mr. Peel that item #8 be added to the agenda:

9. Discussion concerning Home Business applications.

Mayor Duncan stated that this was being added to the agenda due to the agenda already being published. There was no comment from the public.

Motion carried.

The first item on the agenda is a resolution granting a variance to Schanon Turner, 320 Ann Avenue, to allow for a double carport to be located 21 feet from the front property line rather than the required 30 feet. Ms. Turner addressed the Commission and stated that after her husband passed away her mother moved into the home with her. They closed in the carport for her a room. She got signatures from neighbors in support of the variance. The carport will be shingled just like the home. Mr. Peel stated that if this variance is granted she will never be able to close in the carport because it will block the view for the neighbors. Motion was made by Mr. Lawrence seconded by Mr. Peel that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting a variance to Shannon Turner, 320 Ann Avenue, to allow for a double carport to be located 21 feet from the front property line rather than the required 30 feet.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a variance to Shannon Turner, 320 Ann Avenue, to allow for a double carport to be located 21 feet from the front property line rather than the required 30 feet.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mr. Darby, Mr. Peel, Mr. David, Mr. Lawrence

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 15th day of July, 2013.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

The next item on the agenda is a resolution accepting Preliminary Plat from Lee Marsalise for Maplewood Estates Phase III. Mr. Lawrence stated that the major concern is the drainage. After a big rain the streets hold water. He's afraid after the new construction it will make the problem worse or create new problems. Eric Conner, Engineer, stated that the discharge will tie into the existing storm water collection system. The detention pond will be located in the northwest corner of the subdivision. This will not create any additional problems. The Homeowners Association usually maintains the detention pond or the Developer maintains until all the homes are sold. Mayor Duncan stated that maybe in the restrictions or in the ordinance it can state that the Developer is responsible for maintaining the pond that way Ordinance Enforcement won't have to send out 30 or more letters to the Homeowners Association if the grass gets too tall.

Mr. Bruce, Director of Public Works, stated that the pond will equalize the flow of water. Mr. Lawrence asked Mr. Conner if he could look into other ways, other than the detention pond, to drain the water. He also stated that Land Use can accept the preliminary plat and in the mean time they can work out the problem. Several surrounding neighbors addressed the Commission and asked questions (1) size of lots (2) what kind of homes (3) what will the home be made of (4) will they have enclosed 2 car garages. Dominique Valenta, representative of developer, stated that the same restrictions will apply as submitted a couple of years ago when they first started Phase III. After discussion, motion was made by Mr. Lawrence seconded by Mr. Peel that the following resolution be adopted to-wit:

RESOLUTION

Resolution accepting Preliminary Plat from Lee Marsalise for Maplewood Estates Phase III Subdivision.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby accept Preliminary Plat from Lee Marsalise for Maplewood Estates Phase III Subdivision in accordance with Article III, Part 1, Section 1, (6) (e) of the Land Use Ordinance and Chapter 18 of the Code of Ordinances with the following variance included:

1. Right-of-way radius in turning circles shall be 35' rather than the required 68'.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mr. Peel, Mr. David, Mr. Lawrence

NAYS: Mr. Darby

ABSENT: None

And the said resolution was declared duly adopted on this 15th day of July, 2013.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

The next item on the agenda is a resolution granting a rezone to Sulphur Inn Acquisition, LLC, 2033 Ruth Street, from Residential/Business to Commercial to allow for Commercial development. Robbie Guillory, representative, addressed the Commission and stated that they want to completely remodel the existing structure. The front lot that is fronting Ruth Street is a big eyesore and that will be landscaped. After discussion, motion was made by Mr. Lawrence seconded by Mr. Peel that the following amendment be made:

1. 6' privacy fence along north property line (*only applicable where commercial zoned property borders residential zoned property*).
2. Maintain 6' wide buffer yard along north property line (*only applicable where commercial zoned property borders residential zoned property*).

Motion carried.

Motion was then made by Mr. Lawrence seconded by Mr. Peel that the following amendment be made:

3. Containers for solid waste shall be located no closer than fifteen feet to an adjacent residential land use property line and screened with a 6' tall, gated, masonry or lumber fence (*applies only to new container sites*).

Motion carried.

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

RESOLUTION

Resolution granting a rezone to Sulphur Inn Acquisition, LLC, 2033 Ruth Street, from Residential/Business to Commercial.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Sulphur Inn Acquisition, LLC, 2033 Ruth Street, (property description attached) from Residential/Business to Commercial to allow for Commercial development with the following stipulations:

1. 6' privacy fence along north property line (*only applicable where commercial zoned property borders residential zoned property*).
2. Maintain 6' wide buffer yard along north property line (*only applicable where commercial zoned property borders residential zoned property*).
3. Containers for solid waste shall be located no closer than fifteen feet to an adjacent residential land use property line and screened with a 6' tall, gated, masonry or lumber fence (*applies only to new container sites*).
4. Permitted Uses shall exclude kennels or light manufacturing as listed in Article IV, Part 3, Section 5 (2).

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mr. Darby, Mr. Peel, Mr. David, Mr. Lawrence

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 15th day of July, 2013.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

The next item on the agenda is a resolution granting a rezone to Jeffrey Harrell, 301 East Elizabeth Street (west parcel), from Residential to Mixed Residential to allow for 2 duplexes. Mayor Duncan stated that there will need to be separate water cut-offs that will be on Elizabeth Street in right-of-way. Mr. Bruce, Director of Public Works, stated that this rezone is in line with the Master Plan. Motion was made by Mr. Peel seconded by Mr. David that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting a rezone to Jeffrey Harrell, 301 East Elizabeth Street (west parcel), from Residential to Mixed Residential to allow for 2 duplexes.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Jeffrey Harrell, 301 East Elizabeth Street (west parcel), from Residential to Mixed Residential to allow for 2 duplexes with the following stipulations:

1. 6' privacy fence along property lines adjacent to residential land use.
2. Maintain 6' wide buffer yard along lines adjacent to residential land use
3. Containers for solid waste shall be located no closer than fifteen feet to an adjacent property line and screened with a 6' tall, gated, masonry or lumber fence.
4. The following uses are excluded from the list of Permitted Uses:
Manufactured Housing Units, Neighborhood Commercial and Agriculture Use, small scale.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mr. Darby, Mr. Peel, Mr. David, Mr. Lawrence

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 15th day of July, 2013.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

The next item on the agenda is a resolution granting a rezone to Jeffrey Harrell, 301 East Elizabeth Street, (east parcel), from Residential to Mixed Residential to allow for a 2 bedroom

apartment in existing building in rear of property. Mr. Harrell stated that he bought this property in 1995 and he's always said when he gets to a certain point in his life he would move into the rear building. Mr. Bruce stated that there is no harm in the rezone but there is a density issue. After discussion, motion was made by Mr. Lawrence seconded by Mr. Peel that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting a rezone to Jeffrey Harrell, 301 East Elizabeth Street (east parcel), from Residential to Mixed Residential to allow for a 2 bedroom apartment in existing building in rear of property.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Jeffrey Harrell, 301 East Elizabeth Street (west parcel), from Residential to Mixed Residential to allow for a 2 bedroom apartment in existing building in rear of property with the following stipulations:

1. 6' privacy fence along property lines adjacent to residential land use.
2. Maintain 6' wide buffer yard along property lines adjacent to residential land use.
3. Containers for solid waste shall be located no closer than fifteen feet to an adjacent property line and screened with a 6' tall, gated, masonry or lumber fence.
4. The following uses are excluded from the list of Permitted Uses:
Manufactured Housing Units, Neighborhood Commercial and Agriculture Use, small scale.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mr. Darby, Mr. Peel, Mr. David, Mr. Lawrence

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 15th day of July, 2013.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

The next item on the agenda is a resolution granting a rezone to Charles Fellows, MD, Lots 13 and 29 of Forest Hills Subdivision (two lots south of 1403 Beth and 1404 Forest Lane, from Residential to Business to allow for offices. Dr. Fellows addressed the Commission and stated that he has people interested in this property for either business or a church. Dr. Fellows stated that in his restrictions it allows for certain types of businesses. Mr. Bruce stated that when zoning was adopted a certain depth of frontage all along Maplewood Drive was zoned business. The City didn't look at restrictions. Mr. Redd, City Attorney, stated that the restrictions were set up for limited business type purposes. Dr. Fellows stated that the ingress/egress will only be on Maplewood Drive and the businesses will close in the early afternoon. Motion was made by Mr. David seconded by Mr. Peel that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting a rezone to Charles Fellows, MD, Lots 13 and 29 of Forest Hills Subdivision (two lots south of 1403 Beth and 1404 Forest Lane) from Residential to Business to allow for offices.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Charles Fellows, MD, Lots 13 and 29 of Forest Hills Subdivision (two lots south of 1403 Beth and 1404 Forest Lane) from Residential to Business to allow for offices with the following stipulations:

1. 6' privacy fence along property lines adjacent to residential land use.
2. Maintain 6' wide buffer yard along property lines adjacent to residential land use.
3. Containers for solid waste shall be located no closer than fifteen feet to an adjacent property line and screened with a 6' tall, gated, masonry or lumber fence.
4. Develop a drainage plan and have it approved as part of the Permit process.
5. Vehicular access shall be restricted to Maplewood Drive with curb cut locations no closer than 25' to an existing intersection turnout. Curb cut details shall be approved as part of the building permit process.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mr. Darby, Mr. Peel, Mr. David, Mr. Lawrence

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 15th day of July, 2013.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

The next item on the agenda is a resolution accepting final plat from Charles Fellows, MD, for Lots 13 and 29 of Forest Hills Subdivision and also 3 lots fronting Maplewood Drive between Beth Street and Forest Lane. Motion was made by Mr. Peel seconded by Mr. Lawrence that the following resolution be adopted to-wit:

RESOLUTION

Resolution accepting final plat for subdividing of lots from Charles Fellows, for Lots 13 and 29 of Forest Hills Subdivision and also 3 lots fronting Maplewood Drive between Beth Street and Forest Lane.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby accept final plat for subdividing of lots from Charles Fellows, for Lots 13 and 29 of Forest Hills Subdivision and also 3 lots fronting Maplewood Drive between Beth Street and Forest Lane with the following stipulations:

1. 6' privacy fence along property lines adjacent to residential land use.
2. Maintain 6' wide buffer yard along property lines adjacent to residential land use.
3. Containers for solid waste shall be located no closer than fifteen feet to an adjacent property line and screened with a 6' tall, gated, masonry or lumber fence.
4. Develop a drainage plan and have it approved as part of the Permit process.
5. Vehicular access shall be restricted to Maplewood Drive with curb cut locations no closer than 25' to an existing intersection turnout. Curb cut details shall be approved as part of the building permit process.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mr. Darby, Mr. Peel, Mr. David, Mr. Lawrence

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 15th day of July, 2013.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

The next item on the agenda is a resolution accepting final plat from Arizona OST, LLC, property fronting east side of Beglis and north of Burton Street, to allow for marketing. Mr.

Andrepons stated that he wants to subdivide so he can sell the lots. Motion was made by Mr.

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

RESOLUTION

Resolution accepting final plat for the subdividing of lots for Arizona OST II, LLC, property fronting east side of Beglis and north of Burton Street, to allow for marketing.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby accept final plat for the subdividing of lots Arizona OST II, LLC, property fronting east side of Beglis and north of Burton Street, to allow for marketing.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mr. Darby, Mr. Peel, Mr. David, Mr. Lawrence

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 15th day of July, 2013.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

The next item on the agenda is a discussion concerning Home Business applications. Mr. Lawrence stated that there are home businesses popping up all over the city. He would like to see the home business ordinance changed to where the verbiage is better written. Mr. Darby stated that some businesses have been turned down and some haven't. He would like to see every home business go before Land Use and City Council. There was one home business recently that was

approved and shouldn't have been. Mr. David stated that a home business should only be in the home itself, not behind a home or attached to the home. The ordinance needs more clarification.

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

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

7/15/13

6:45 P.M.