

April 21, 2014

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 21st day of April, 2014, after full compliance with the convening of said meeting with the following members present:

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

ABSENT: LENORE CARROLL, Land Use Commission District 1

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 Mr. Lawrence.

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. Peel that the minutes stand as written. Motion carried.

Motion was then made by Mr. Peel seconded by Mr. Lawrence that the agenda stand as written. Motion carried.

The first item on the agenda is a resolution granting a variance to Manuel Builders, LLC, 2210 Alexa Lane, to allow for side setbacks to be located 4 feet from side property lines rather than the required 5 feet. Chad Deshotel, contractor, stated that when the house plans were drawn they did not know the ordinance was 5 feet from eave. Most city ordinances are 5 feet from the wall. They also own the house to the east of this lot. The lot to the west is for sale. They didn't mean to break the code. If this variance is adopted the soffits will be fire rated. Mr. Berry, Building Official, stated that when the Inspectors went for foundation inspection they found

there wasn't any room for the overhang. They went ahead and poured the concrete and said that if the variance didn't pass they would build without overhangs. Lionel Noel, neighbor, addressed the Commission and stated that the home is also 2 feet closer to the road than other homes. Mr. Deshotel stated that the front foot meets setbacks. After discussion, motion was made by Mr. Lawrence seconded by Mr. Peel that the following resolution be adopted to-wit:

#### RESOLUTION

Resolution granting a variance to Manuel Builders, LLC, 2210 Alexa Lane, to allow for side setbacks to be located 4 feet from side property lines rather than 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 Manuel Builders, LLC, 2210 Alexa Lane, to allow for side setbacks to be located 4 feet from side property lines rather than the required 5 feet in accordance with Article IV, Part 3, Section 1 (2) of the Land Use Ordinance of the City of Sulphur.

A vote was then called with the results as follows:

YEAS: Mr. Darby, Mr. Peel, Mr. Lawrence

NAYS: Mr. David

ABSENT: Mrs. Carroll

And the said resolution was declared duly adopted on this 21<sup>st</sup> day of April, 2014.

ATTEST:

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ARLENE BLANCHARD, Secretary

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TROY DARBY, Chairman

The next item on the agenda is a resolution accepting final plat from Tony Mancuso and Monica Carroll, property located to east of 2401 Augustine Street, to allow for two lots (property is already two lots, just redescribing boundaries). Mr. Lawrence stated that neighbors are concerned that there won't be enough room for two homes and most lots are wider but not as long. (No one attended the meeting to answer questions). The Chairman then asked for a motion. The following resolution died for lack of motion:-

Resolution accepting final plat from Tony Mancuso and Monica Carroll, property located to east of 2401 Augustine Street, to allow for two lots.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby accept final plat from Tony Mancuso and Monica Carroll, property located to east of 2401 Augustine Street, to allow for two lots in accordance with Chapter 18, Section 2 of the Code of Ordinances of the City of Sulphur.

And the above resolution died for lack of motion on this 21<sup>st</sup> day of April 2014.

ATTEST:

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ARLENE BLANCHARD, Secretary

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TROY DARBY, Chairman

The next item on the agenda is a resolution granting a variance to Maplewood First Baptist Church, 4501 Maplewood Drive, to allow for drive-thru to be located 8 ½ feet from west side property line rather than the required 10 feet. At this time Mr. Peel recused himself from voting since he is a member of this Church. Motion was made by Mr. Lawrence seconded by Mr. David that the following amendment be made:

- To allow for drive-thru to be located 7 feet from west property line rather than the required 10 feet.

Motion carried.

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

#### RESOLUTION

Resolution granting a variance to Maplewood First Baptist Church, 4501 Maplewood Drive, to allow for drive-thru to be 7 feet from west side property line rather than the required 10 feet.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a variance to Maplewood First Baptist Church, 4501 Maplewood Drive, to allow for drive-thru to be 7 feet from west side property line rather than the required 10 feet in accordance with Article IV, Part 3, Section 1 (2) of the Land Use ordinance of the City of Sulphur.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Carroll

And the said resolution was declared duly adopted on this 21<sup>st</sup> day of April, 2014.

ATTEST:

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ARLENE BLANCHARD, Secretary

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TROY DARBY, Chairman

The next item on the agenda is a resolution granting a rezone to The Investors Group of La., LLC, from Business to Mixed Residential for property north of 914 Cypress Street and west of Frenchmen's Creek, to allow for a residential development. Allen Singletary, representing Natali, addressed the Council and stated that there are 17 acres at this location and they would like to build single family, as well as multi-family housing. They would like to down zone to accommodate the use. At this time motion was made by Mr. Lawrence seconded by Mr. Peel to amend the resolution as follows:

- There shall be no mobile homes/manufactured homes or modular homes located on development.

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 The Investors Group of La., LLC from Business to Mixed Residential for property north of 914 Cypress Street and west of Frenchmen's Creek, to allow for a residential development.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to The Investors Group of La., LLC from Business to Mixed Residential for property north of 914 Cypress Street and west of Frenchmen's Creek, to allow for a residential development with the following stipulations:

1. Develop a drainage plan and have it approved as part of the Permit process.
2. 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 and not within the viewscape of Cypress Street.
3. There shall be no mobile homes/manufactured homes or modular homes located on development.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Carroll

And the said resolution was declared duly adopted on this 21<sup>st</sup> day of April, 2014.

ATTEST:

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ARLENE BLANCHARD, Secretary

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TROY DARBY, Chairman

The next item on the agenda is a resolution granting a rezone from Mixed Residential to Business and subdividing lots to Stephen and Pamela Carnahan, 503 North Huntington Street, to allow for retail. Mr. Carnahan addressed the Commission and stated that the retail shops will be 25' x 175'. It will be a while before they start construction. After discussion, motion was made by Mr. Lawrence seconded by Mr. David that the following resolution be adopted to-wit:

#### RESOLUTION

Resolution granting a rezone and subdividing lots to Stephen and Pamela Carnahan, 503 North Huntington Street, from Mixed Residential District to Business District to allow for retail.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone and subdividing lots to Stephen and Pamela Carnahan, 503 North Huntington Street, from Mixed Residential District to Business District to allow for retail in accordance with Article IV, Part 3 of the Land Use Ordinance and Chapter 18, Section 2 of the Code of Ordinances of the City of Sulphur with the following stipulations:

1. Develop a drainage plan and have it approved as part of the Permit process.
2. Buffer yard and privacy fence are required.
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.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Carroll

And the said resolution was declared duly adopted on this 21<sup>st</sup> day of April, 2014.

ATTEST:

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ARLENE BLANCHARD, Secretary

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TROY DARBY, Chairman

The next item on the agenda is a resolution granting a rezone from Mixed Residential to Business and subdividing lots to Stephen Carnahan, et al, 509 North Huntington Street, to allow for retail. Mr. Carnahan stated that all buildings and trees will be cleared from the lot. Motion was made by Mr. Lawrence seconded by Mr. Peel that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting a rezone and subdividing lots to Stephen Carnahan, et al, 509 North Huntington Street, from Mixed Residential District to Business District to allow for retail.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone and subdividing lots to Stephen Carnahan, et al, 509 North Huntington Street, from Mixed Residential District to Business District to allow for retail in accordance with Article IV, Part 3 of the Land Use Ordinance and Chapter 18, Section 2 of the Code of Ordinances of the City of Sulphur.

1. Develop a drainage plan and have it approved as part of the Permit process.
2. Buffer yard and privacy fence are required.
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.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Carroll

And the said resolution was declared duly adopted on this 21<sup>st</sup> day of April, 2014.

ATTEST:

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ARLENE BLANCHARD, Secretary

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TROY DARBY, Chairman

The next item on the agenda is a resolution granting a rezone to Bill and Jill Bolen from Residential to Mixed Residential and granting a variance to allow for a duplex to be located on a 5,000 sq. ft. lot rather than the required 7,260 sq. ft. lot for property located on the northwest corner of Elizabeth and Mathew Street. Mr. Bolen addressed the Commission and stated that one month ago there was a trailer there. The trailer has been removed. A mobile home is grandfathered in but we want to build a duplex. The duplex will be two story and will improve the neighborhood. A duplex will look better than a mobile home. All setbacks will be followed. The front door will face Elizabeth Street. Johnny Thomas, resident of this neighborhood, addressed the Commission and stated that he was against the duplex before Mr. Bolen spoke but now he's OK with it. He feels it will improve the neighborhood. Mayor Duncan stated that the duplexes will have to be built like the picture that was submitted. Mr. Darby stated that a mobile home cannot go back on this lot, only duplexes. Motion was then made by Mr. Peel seconded by Mr. Lawrence that the following amendment be made:

- There shall be no mobile homes/manufactured homes or modular home on development.

Motion carried.

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

- Duplexes shall be built as plans presented

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 Bill and Jill Bolen from Residential to Mixed Residential and granting a variance to allow for a duplex to be located on a 5,000 sq. ft. lot rather than the required 7,260 sq. ft. for property located on the northwest corner of Elizabeth and Mathew Streets.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Bill and Jill Bolen from Residential to Mixed Residential and granting a variance to allow for a duplex to be located on a 5,000 sq. ft. lot rather than the required 7,260 sq. ft. for property located on the northwest corner of Elizabeth and Mathew Streets.

- There shall be no mobile homes/manufactured homes or modular home on development.
- Duplex shall be built as plans presented

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Carroll

And the said resolution was declared duly adopted on this 21<sup>st</sup> day of April, 2014.

ATTEST:

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ARLENE BLANCHARD, Secretary

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TROY DARBY, Chairman

The next item on the agenda is a resolution granting a rezone to ESE International LLC, 320 East Napoleon Street, from Business to Commercial to allow for the manufacturing of furniture. Steve Floyd, representing applicant, addressed the Commission and stated that they will be making beds, tables, pallets and crates. Mr. Berry, Building Official, stated that there isn't any electricity in warehouse and there is structural damage on roof. Mr. Floyd stated that most of the work will be done inside. The west side of the building belongs to someone else. Motion was made by Mr. Lawrence seconded by Mr. David that the following resolution be adopted to-wit:



## RESOLUTION

Resolution granting a rezone from Business to Commercial to ESE International LLC, 320 East Napoleon Street, to allow for the manufacturing of furniture.

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 ESE International LLC, 320 East Napoleon Street, to allow for the manufacturing of furniture with the following stipulations:

1. Develop a drainage plan and have it approved as part of the Permit process.
2. 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.
3. Exterior, electronic speakers shall be installed in a manner to minimize nuisances to adjacent property.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Carroll

And the said resolution was declared duly adopted on this 21<sup>st</sup> day of April, 2014.

ATTEST:

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ARLENE BLANCHARD, Secretary

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TROY DARBY, Chairman

The next item on the agenda is a discussion concerning the Moratorium on billboards. Mayor Duncan stated that the council needed to amend the ordinance. Danny Dupre, Fire Chief, stated that definitions need to be incorporated into the ordinance. His department has been bombarded by business owners that either want to move a sign or put up a new one. The moratorium has been in effect for 5-6 years and that's way too long. We need to define the problem. Mr. Darby stated that the new zoning ordinance should address the billboard problem (off-premise). Mr. Lawrence stated that off-premise signs should be looked at on a case by case basis.

Mr. Redd, City Attorney, stated that in the moratorium it references the moratorium will be in effect “until said review is complete” and “the City has contracted Professional Planners to review the Land use ordinance”. The Comprehensive Plan has been adopted but not the new zoning ordinance that will address billboards. Mr. Dupre stated that we need to know if portable signs, vinyl signs or banners will be approved signs. There are too many unanswered questions when it comes to signs/billboards. Mr. David stated that the material it’s made of should play a big part of this. Mr. Lawrence suggested that a couple of Commissioners along with a couple of Councilmen should sit down with Administration and figure this 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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TROY DARBY, Chairman

4-21-14

6:45 P.M.