

October 20, 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 20th day of October, 2014, after full compliance with the convening of said meeting with the following members present:

LENORE CARROLL, Land Use Commission District 1
JOHNNY PEEL, Land Use Commission District 3
LAWRENCE DAVID, Land Use Commission District 4
GERRIT LAWRENCE, Land Use Commission of District 5
ABSENT - SANDRA VINCENT, Land Use Commission District 2

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. David.

The first item on the agenda is a resolution accepting petition from Sealy-Ratcliff Swisco Road L.L.C. for the annexation of property located west of Allied Waste on Swisco Road. Motion was made by Mr. Peel seconded by Mr. David that the following resolution be adopted to-wit:

RESOLUTION

Resolution accepting petition from Sealy-Ratcliff Swisco Road, L.L.C. for the annexation of property located on the south side of I-10, west of Allied Waste, north of Swisco Road.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby accept petition from Sealy-Ratcliff Swisco Road, L.L.C. for the annexation of property located on the south side of I-10, west of Allied Waste, north of Swisco Road for the following described property:

THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW/4 OF NE/4)
OF SECTION 12, TOWNSHIP 10 SOUTH, RANGE 10 WEST, CALCASIEU PARISH,
LOUISIANA, LESS AND EXCEPT A RIGHT OF WAY ON THE SOUTH SIDE.

HEREIN DESCRIBED TRACT CONTAINING 40.80 ACRES, MORE OR LESS, AND

THAT CERTAIN TRACT OR PARCEL OF LAND LYING IN THE SOUTH HALF OF THE SOUTHEAST QUARTER (S/2-SE/4) OF SECTION 1, TOWNSHIP 10 SOUTH RANGE 10 WEST, CALCASIEU PARISH, LOUISIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO-WIT:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 1, TOWNSHIP 10 SOUTH, RANGE 10 WEST, CALCASIEU PARISH, LOUISIANA;

THENCE NORTH 88° 57' 53" WEST, ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE/4-SE/4) SAID SECTION 1, FOR A DISTANCE OF 1336.11 FEET TO AN EXISTING 5/8" ROD MARKING THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE/4-SE/4) OF SAID SECTION 1;

THENCE NORTH 89° 05' 58" WEST, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW/4-SE/4) OF SAID SECTION 1, FOR A DISTANCE OF 1335.90 FEET TO AN EXISTING 1 1/4" IRON PIPE MARKING THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW/4-SE/4) OF SAID SECTION 1;

THENCE NORTH 00° 56' 29" EAST, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW/4-SE/4) OF SAID SECTION 1, FOR A DISTANCE OF 989.16 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF INTERSTATE 10;

THENCE SOUTH 89°29'17" EAST, ALONG THE SOUTH LINE OF SAID INTERSTATE 10, FOR A DISTANCE OF 2672.85 FEET TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE/4-SE/4) OF SAID SECTION 1;

THENCE SOUTH 00°59'07" WEST, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE/4-SE/4) OF SECTION 1, FOR A DISTANCE OF 1010.44 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT

A CERTAIN TRACT OF LAND LOCATED, IN SECTION 12, T10S-R10W, CALCASIEU PARISH, LOUISIANA AND CONTAINING 2.44 ACRES MORE OR LESS, AND BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NW1/4 NE1/4 OF SECTION 12, T10S-R10W; THENCE: N 01°25'17" E A DISTANCE OF 443.00'; THENCE N 89°06'44" W A DISTANCE OF 240.00'; THENCE S 01°25'17" W A DISTANCE OF 443.00'; THENCE S 89°06'44" E A DISTANCE OF 240.00' BACK TO THE POINT OF

BEGINNING, AS PER SURVEY PREPARED BY COLBY C. BULLER DATED JANUARY 15, 2014.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby accept petition from Sealy-Ratcliff Swisco Road, L.L.C. for the annexation of property located on the south side of I-10, west of Allied Waste, north of Swisco Road.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Vincent

And the said resolution was declared duly adopted on this 20th day of October, 2014.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution granting a rezone to Dyrell Stokes, 310 Patton Street, from Residential to Business to allow for a vintage retail business. Dyrell Stokes addressed the Commission and stated that the business will be for his daughter. It will be like an antique, flea market type business. There is plenty of parking in the rear of building and it'll be very quiet. Mr. Lawrence asked about ingress/egress and if it will be handicap accessible. Mr. Berry stated that his office hasn't looked at any of this yet. Usually the Commission/Council vote on the rezone then the applicant gives us a plan of action and we make sure he complies with all ordinances, ADA and Fire Marshal requirements. Mr. Lawrence suggested that this item be tabled to allow Mr. Stokes to see how much this will cost (i.e. ADA accessible, etc.). He may find out that it'll cost too much and may not want to open the business. After discussion, motion was made by Mrs. Carroll seconded by Mr. David that the following resolution be tabled until the November Land Use regular meeting:

Resolution granting a rezone to Dyrell Stokes, 310 Patton Street, from Residential to Business to allow for a vintage retail business.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Vincent

And the said resolution was tabled until the November Land Use regular meeting on this 20th day of October, 2014.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution granting an exception to J. Trough Distilleries, LLC, 1716 East Burton Street, to allow for a duplex in a Commercial district. Michelle Phelps addressed the Commission and stated that Mr. Trough will live in one of the duplexes and rent the other one. He is almost ready to start the distillery next door. Mr. Peel asked if Mr. Trough was going to use the duplexes as office space. Ms. Phelps stated, probably not. After discussion, motion was made by Mr. David seconded by Mr. Peel that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting an exception to J. Trough Distilleries, LLC, 1716 East Burton Street, to allow for a duplex in a Commercial District.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant an exception to J. Trough Distilleries, LLC, 1716 East Burton Street, to allow for a duplex in a Commercial District for the following described property:

BEG 105 FT, E OF NW COR NW NW NE 35.9.10, E 105 FT, S 210 FT

BE IT FURTHER RESOLVED that said exception is to allow for a duplex in a Commercial District.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Vincent

And the said resolution was declared duly adopted on this 20th day of October, 2014.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution granting a variance to Neal Bean, 610 East Burton Street, to allow for an accessory structure to be located on parcel without a dwelling. Mr. Bean addressed the Commission and stated that he wants to put a 40x50 pole barn with a concrete floor. He collects cars and boats and needs an enclosure for them. He owns most of the property adjacent to this parcel. Mr. Berry stated that in order to have an accessory building there must be a primary dwelling on parcel and he doesn't have that. Mr. Bean stated that there is currently a carport there but no house. The existing carport isn't big enough for what I need. After discussion, motion was made by Mr. Peel seconded by Mrs. Carroll that the following resolution be adopted to-wit:

Resolution granting a variance to Neal Bean, 610 East Burton Street, to allow for an accessory structure to be located on parcel without a dwelling.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a variance to Neal Bean, 610 East Burton Street, to allow for an accessory structure to be located on parcel without a dwelling.

A vote was then called with the results as follows:

YEAS: None

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

ABSENT: Mrs. Vincent

And the said resolution failed on this 20th day of October, 2014.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution amending Article III, Part 2, Section 1 (5) of the Land Use Ordinance of the City of Sulphur – Successive Applications. Motion was made by Mr. David seconded by Mr. Peel that the following resolution be adopted to-wit:

RESOLUTION

Resolution amending Article III, Part 2, Section 1 (5) of the Land Use Ordinance of the City of Sulphur – Successive Applications.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby amend Article III, Part 2, Section 1 (5) of the Land Use ordinance of the City of Sulphur to read as follows:

- (5) Successive Applications.
 - (a) Whenever any application for development approval is denied, an application involving the same property cannot be accepted for filing within one (1) year from the date of denial, unless the subsequent application involves a development proposal which is materially different from prior proposals or is responsive, in the opinion of the decision making body, to negative findings set forth in the denial of the prior application.
 - (b) An applicant who files an application to petition for a development approval may withdraw the application one (1) time within one (1) year from the date of the submission of the application. Any resubmittal for development approval shall be a \$50.00 non-refundable fee.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Vincent

And the said resolution was declared duly adopted on this 20th day of October, 2014.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution amending Article IV, Part 3, Section 1 (2) (d) of the Land Use Ordinance of the City of Sulphur – Development Standards in Residential

District. Motion was made by Mr. Peel seconded by Mrs. Carroll that the following resolution be adopted to-wit:

RESOLUTION

Resolution amending Article IV, Part 3, Section 1 (2) (d) of the Land Use Ordinance of the City of Sulphur – Development Standards in Residential District.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby amend Article IV, Part 3, Section 1 (2) (d) of the Land Use Ordinance of the City of Sulphur to read as follows:

- (d) All development in the Residential District shall conform to the development standards set out in the following table:

Side and rear setbacks to be determined by building codes adopted by City.

Use	Density	Lot Size (sq. ft.)	Front Setback (ft.)	Height (ft.)
s/f det	7 du/a	6000 s.f.	30	35
Churches, Schools, Public Uses	---	1 acre	50	35
Accessory Uses	---	---	30	35
Rec. (low Intensity)	---	---	50	35
Mfr. Housing and Mobile Homes	Not Permitted			

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Vincent

And the said resolution was declared duly adopted on this 20th day of October, 2014.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution amending Article IV, Part 3, Section 2, (3) (c) of the Land Use Ordinance of the City of Sulphur – Development Standards in Mixed Residential. Motion was made by Mr. Peel seconded by Mr. David that the following resolution be adopted to-wit:

RESOLUTION

Resolution amending Article IV, Part 3, Section 2 (3) (c) of the Land Use Ordinance of the City of Sulphur – Development Standards in Mixed Residential District.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby amend Article IV, Part 3, Section 2 (3) (c) of the Land Use Ordinance of the City of Sulphur to read as follows:

- (c) All development in the Mixed Residential District shall conform to the development standards set out in the following table:

Side and rear setbacks to be determined by building codes adopted by City.

Use	Density	Lot Size (sq. ft.)	Front Setback (sq. ft.)	Height (ft.)
s/f det.	7 du/a	6000	30	35
Multi-family	12 du/a	6000	30	35
Churches	---	1 acre	50	35
Schools, Public Uses	FAR .35	---	50	35
Rec. (low intensive)	---	---	50	35
Mfg. Housing	7du/a	6,000	30	35
Mobile Homes	7du/a	6,000	30	35
Neighborhood Commercial	FAR .5	5,000	30	35

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Vincent

And the said resolution was declared duly adopted on this 20th day of October, 2014.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution amending Article IV, Part 3, Section 4 (4) (b) of the Land Use ordinance of the City of Sulphur – Development Standards in Business District. Motion was made by Mr. Peel seconded by Mr. David that the following resolution be adopted to-wit:

RESOLUTION

Resolution amending Article IV, Part 3, Section 4 (4) (b) of the Land Use Ordinance of the City of Sulphur – Development Standards in Business District.

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

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

Side and rear setbacks to be determined by building codes adopted by City.

(see chart below)

Use	Density	Lot Size (sq. ft.)	Front Setback (sq. ft.)	Height (ft.)
Single Family	7 du/a	6,000	20	35
Multi-family	18 du/a	6,000	20	50
Retail & Service	FAR .5	5,000	20	50
Offices, Restaurant & Entertainment	FAR 1	5,000	20	50
Schools, Churches	---	10,000	20	50

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Vincent

And the said resolution was declared duly adopted on this 20th day of October, 2014.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution amending Article IV, Part 3, Section 5 (4) (b) of the Land Use Ordinance of the City of Sulphur – Development Standards in Commercial

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

RESOLUTION

Resolution amending Article IV, Part 3, Section 5 (4) (b) of the Land Use Ordinance of the City of Sulphur – Development Standards in Commercial District.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby amend Article IV, Part 3, Section 5 (4) (b) of the Land Use Ordinance of the City of Sulphur to read as follows:

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

Side and rear setbacks to be determined by building codes adopted by City.

(see chart below)

Use	Density	Lot Size (sq. ft.)	Front Setback (sq. ft.)	Height (ft.)
Multi-Family	18 du/a	6,000	20	50
Retail & Service	FAR .5	5,000	20	50
Offices, Restaur & Entertainment	FAR 1	5,000	20	50
Wholesaling, Warehousing, Light Manufact, Inst. & Public Use	FAR 1	10,000	20	50
Hotels & Motels	FAR 1	25,000	20	50
Schools, Church, Kennels	---	10,000	20	50
Bars	FAR 1	5,000	20	50
Rec. Facil.	FAR .5	10,000	20	50

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Vincent

And the said resolution was declared duly adopted on this 20th day of October, 2014.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution amending Article IV, Part 3, Section 6 (4) (b) of the Land Use Ordinance of the City of Sulphur – Development Standards in Industrial District. Motion was made by Mr. Peel seconded by Mr. David that the following resolution be adopted to-wit:

RESOLUTION

Resolution amending Article IV, Part 3, Section 6 (4) (b) of the Land Use Ordinance of the City of Sulphur – Development Standards in Industrial District.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby amend Article IV, Part 3, Section 6 (4) (b) of the Land Use Ordinance of the City of Sulphur to read as follows:

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

Side and rear setbacks to be determined by building codes adopted by City.

(see chart below)

Use	Density	Lot Size (sq. ft.)	Front Setback (sq. ft.)	Height (ft.)
Retail & Service	FAR .5	5,000	20	50
Offices, Restaur & Entertainment	FAR 1	5,000	20	50
Wholesaling, Warehousing, Light Manufact, Inst. & Public Use	FAR 1	10,000	20	50
Kennels	---	10,000	20	50
Rec. Facil.	FAR .5	10,000	20	50
Airport				
General Industrial		25,000	25	
Agriculture				

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Vincent

And the said resolution was declared duly adopted on this 20th day of October, 2014.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

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

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

10/20/14
5:55 P.M.