

December 15, 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 15th day of December, 2014, after full compliance with the convening of said meeting with the following members present:

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

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

Motion was then made by Mr. David seconded by Mrs. Carroll that the minutes stand as written. Motion carried.

The Chairman asked if there were any changes to the agenda. With no changes made, motion was made by Mrs. Vincent seconded by Mr. David that the agenda stand as written. Motion carried.

The first item on the agenda is a resolution repealing Resolution adopted June 16, 2008 which suspended Article IV, Part II, Section 9 of the Land Use Ordinance for the issuance of permits to erect billboards within the City limits of Sulphur. Motion was made by Mr. David seconded by Mrs. Vincent that the following resolution be adopted to-wit:

RESOLUTION

Resolution repealing Resolution adopted June 16, 2008 which suspended Article IV, Part II, Section 9 of the Land Use Ordinance for the issuance of permits to erect billboards within the City limits of Sulphur.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby repeal Resolution adopted June 16, 2008 which suspended Article IV, Part II, Section 9 of the Land Use Ordinance for the issuance of permits to erect billboards within the City limits of Sulphur.

A vote was then called for with the following results:

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

NAYS: None

ABSENT: Mr. Peel

And the said resolution was declared duly adopted on this 15th day of December, 2014.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution repealing Resolution adopted May 19, 2014 which amended Resolution adopted June 16, 2008 by Land Use Commission which suspended Article IV, Part II, Section 9 of the Land Use Ordinance of the City of Sulphur for the issuance of permits to erect billboards within the city limits of Sulphur. Motion was made by Mr. David seconded by Mrs. Vincent that the following resolution be adopted to-wit:

RESOLUTION

Resolution repealing Resolution adopted May 19, 2014 which amended Resolution adopted June 16, 2008 by Land Use Commission which suspended Article IV, Part II, Section 9 of the Land Use Ordinance of the City of Sulphur for the issuance of permits to erect billboards within the city limits of Sulphur.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby repeal Resolution adopted May 19, 2014 which amended Resolution adopted June 16, 2008 by Land Use Commission which suspended Article IV, Part II, Section 9 of the Land Use Ordinance of the City of Sulphur for the issuance of permits to erect billboards within the city limits of Sulphur.

A vote was then called for with the following results:

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

NAYS: None

ABSENT: Mr. Peel

And the said resolution was declared duly adopted on this 15th day of December, 2014.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution suspending Article IV, Part II, Section 9 of the Land Use Ordinance of the City of Sulphur for the issuance of permits to erect billboards within the City limits of Sulphur. Mr. Lawrence stated that Land Use and Council want to put a moratorium on billboards once again since the billboard ordinance isn't what we want for the City. It should take no longer than 90 days. Mr. David stated that there are two options for the billboards on the agenda. The first option is if Land Use votes on the billboards today there is a possibility they could vote no, then the applicant will have to wait a whole year to submit same application. The second option is to table all of them until the moratorium is over. Bill Parker, Tiger Outdoor Advertising, stated that he would prefer to table items until moratorium is over. Motion was made by Mr. David seconded by Mrs. Vincent that the following resolution be tabled until the moratorium was over:

Resolution approving an off-premise billboard to be located at 3626 East Napoleon Street for Dwaine Ellender-Ellender Industrial Prop. Inc.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby approve an off-premise billboard to be located at 3626 East Napoleon Street for Dwaine Ellender-Ellender Industrial Prop. Inc. for the following described property:

COM ON N SIDE U S HWY 90, 200 FT E OF W LINE OF SW NE 31.9.9 TH N 0 DEG 7 MIN E 161.76 FT M/L TO S R/W LINE OF SPRR, ELY ALONG RAILROAD R/W 750 FT S 0 DEG 7 MIN W 160.83 FT M/L TO N R/W LINE US HWY 90, WLY 750 FT TO COM (2.76 ACS) LESS .04 ACS FOR PARCEL #6-5 i-10 TO HWY 90 RT LA 108 DESC AS, COM SW COR N 30 FT, S 89 DEGS E 252.05 FT, S 86 DES E 200.25 FT, S 89 DEGS E 298.04 FT, S 20 FT, W 750.19 FT TO COM 2.72 ACS

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Peel

And the said resolution was tabled on this 15th day of December, 2014.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution approving an off-premise billboard to be located at 115 South Cities Service Hwy. for David Zachary and granting a variance to allow for 2 signs on one parcel. Motion was made by Mrs. Vincent seconded by Mr. David that the following resolution be tabled:

Resolution approving an off-premise billboard to be located at 115 South Cities Service Hwy. for David Zachary and granting a variance to allow for 2 signs on one parcel.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby approve an off-premise billboard to be located at 115 South Cities Service Hwy. for David Zachary and grant a variance to allow for 2 signs on one parcel in accordance with Article IV, Part 2, Section 9 (5) of the Land Use Ordinance of the City of Sulphur for the following described property:

N ½, S ½, N ½, NW NE 6.10.9 Less .25

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Peel

And the said resolution was tabled on this 15th day of December, 2014.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution approving an off-premise billboard to be located on 1720 East Napoleon Street for Mary Ann Ballard West and granting a variance to allow for two signs on one parcel. Motion was made by Mr. David seconded by Mrs. Vincent that the following resolution be adopted to-wit:

Resolution approving an off-premise billboard to be located at 1720 East Napoleon Street for Mary Ann Ballard and granting a variance to allow for 2 signs on one parcel.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby approve an off-premise billboard to be located at 1720 East Napoleon Street for Mary Ann Ballard and grant a variance to allow for 2 signs on one parcel in accordance with Article IV, Part 2, Section 9 (5) of the Land Use Ordinance of the City of Sulphur for the following described property:

TRACT IN SW NE 35.9.10 ON N SIDE HWY 90, COM 150 FT E OF W LINE SW NE 35, E 100 FT N 173.5 FT ETC "BERRY BROS"

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Peel

And the said resolution was tabled on this 15th day of December, 2014.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution granting a rezone to Joseph Lee Smith III, 356 ½ Invader Street, from Residential to Mixed Residential to allow for a three-plex. Mayor Duncan stated that this tri-plex will be an improvement to the neighborhood. Motion was made by Mr. David seconded by Mrs. Vincent that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting a rezone to Joseph Lee Smith III, 356 ½ Invader Street, from Residential to Mixed Residential to allow for a triplex.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Joseph Lee Smith III, 356 ½ Invader Street from Residential to Mixed Residential to allow for a triplex in accordance with Article IV, Part 3 of the Land Use Ordinance 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. An 8 foot tall privacy fence of wood or brick shall be located on the eastern and northern boundary of property.
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: Mrs. Carroll, Mrs. Vincent, Mr. David, Mr. Lawrence

NAYS: None

ABSENT: Mr. Peel

And the said resolution was declared duly adopted on this 15th day of December, 2014.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution accepting Preliminary Plat from Bel Commercial LLC, for Carlyss Place Phase II and granting the following variances included in plat:

- a. To increase the proportion of lot area covered by buildings on parcel from 40% to 50%.
- b. Reduce total area of lot from 6,000 sq. ft. to 5,500 sq. ft.
- c. Reduce total area of lot in cul-de-sac from 10,000 sq. ft. to 6,000 sq. ft.
- d. Reduce front setback from 30 ft. to 12 ft.
- e. Reduce setback for garage to 20 feet.

Mayor Duncan stated that these variances were listed in the Cooperative Agreement between the City, Parish and Bel Group. Land Use did not get a chance to vote on these variances. These variances were also listed on the Plat for Carlyss Place Phase I which the Land

Use Commission did vote on these variances. This is simply house-keeping. Motion was made by Mr. David seconded by Mrs. Vincent that the following resolution be adopted to-wit:

RESOLUTION

Resolution accepting Preliminary Plat from Bel Commercial LLC, for Carlyss Place Subdivision Phase II and zone property Residential District.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby accept Preliminary Plat from Bel Commercial, LLC, for Carlyss Place Subdivision Phase II and zone property Residential in accordance with Article III, Part 1, Section 1, (6) (e) of the Land Use Ordinance and Chapter 18 of the Code of Ordinances for the following described property:

THAT CERTAIN TRACT OF LAND SITUATED IN SECTION 10, TOWNSHIP 10 SOUTH, RANGE 10 WEST, CITY OF SULPHUR, CALCASIEU PARISH, LOUISIANA, CONTAINING 17.649 ACRES AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF ROADWAY CENTERLINES FOR FUTURE CARLYSS BOULEVARD AND WRIGHT ROAD SAID POINT BEING THE POINT OF COMMENCEMENT (P.O.C.); THENCE PROCEED NORTH 89°06'02" WEST A DISTANCE OF 25.25 FEET; THENCE SOUTH 00°58'12" WEST A DISTANCE OF 1,279.27 FEET TO THE POINT OF BEGINNING (P.O.B.).

THENCE SOUTH 00°58'12" WEST A DISTANCE OF 746.42 FEET;
THENCE NORTH 89°01'50" WEST A DISTANCE OF 171.98 FEET;
THENCE SOUTH 00°58'10" WEST A DISTANCE OF 36.59 FEET;
THENCE NORTH 89°06'02" WEST A DISTANCE OF 677.86 FEET;
THENCE NORTH 00°53'58" EAST A DISTANCE OF 39.83 FEET;
THENCE NORTH 89°06'02" WEST A DISTANCE OF 115.00 FEET;
THENCE NORTH 00°53'58" EAST A DISTANCE OF 773.00 FEET;
THENCE NORTH 89°06'02" EAST A DISTANCE OF 793.85 FEET;
THENCE SOUTH 00°58'10" EAST A DISTANCE OF 30.00 FEET;
THENCE SOUTH 89°01'50" EAST A DISTANCE OF 171.99 FEET;
TO THE POINT OF BEGINNING (P.O.B.).

WHEREAS, improvements on the property will include the following variances as written on plat map:

- a. To increase the proportion of lot area covered by buildings on parcel from 40% to 50%.
- b. Reduce total area of lot from 6,000 sq. ft. to 5,500 sq. ft.
- c. Reduce total area of lot in cul-de-sac from 10,000 sq. ft. to 6,000 sq. ft.
- d. Reduce front setback from 30 ft. to 12 ft.

- e. Reduce setback for garage to 20 feet.

BE IT FURTHER RESOLVED that said Preliminary Plat shall be approved with all variances requested on plat map.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Peel

And the said resolution was declared duly adopted on this 15th day of December, 2014.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is a discussion concerning portable storage units (storage container PODS) in residential and mixed residential districts. Mayor Duncan stated that there is a problem with these PODS around town. These units are being used to store things and being left on property for a very long time. We need to draft an ordinance on how these PODS should be used. Some of these PODS are being modified for housing units.

Mr. Berry, Building Official, stated that these aren't accessory structures. There has been one on Maplewood Drive for years. Mr. Lawrence stated that we could amend ordinance to allow 30 days only or go to Land Use and Council for an extension. Mr. Berry stated that we need to distinguish between a POD and a C-can. He also stated that these PODS or C-can should be able to stay longer in a Business or Commercial District. Mr. Lawrence stated that as long as the construction is active in a Residential/Mixed Residential District we can allow it to stay but they have to be active. Mrs. Carroll stated that there is a business on Carlton Street that always has C-cans on property. Mr. Berry stated that he will check with Fire Marshal's office to see if they have language.

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

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

12/15/14
6:00 P.M.