

June 15, 2009

The Land Use Commission of the City of Sulphur, Louisiana, met in regular session at its regular meeting place at City Hall, Sulphur, Louisiana, at 5:30 p.m., on the 15th day of June, 2009, after full compliance with the convening of said meeting, with the following members present:

EARL DORMAN, Land Use Commission of District 1
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: 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 by Mr. Darby.

The Chairman asked if there were any changes to the agenda. Motion was made by Mr. Darby seconded by Mr. Lawrence that the following item be removed from the agenda:

Resolution amending the Land Use Ordinance to allow the Land Use Administrator to administratively subdivide a lot into 5 or less lots.

Motion carried.

Motion was then made by Mr. Darby seconded by Mr. Lawrence that the agenda stand as changed. Motion carried.

The first item on the agenda is a resolution granting a rezone to Rodger Lambert, 845 West Verdine Street, from Mixed Residential District to Business District to allow for a tire business. Rhett, owner of business, addressed the Commission and stated that he wants to move

Tar Baby Tires across the street from existing business. He will stay at 845 West Verdine for approximately 1 ½ years until he finds a better location. At this time motion was made by Mr. Darby seconded by Mr. Lawrence that the following stipulation be added:

If said business closes or moves it shall revert back to Mixed Residential.

Motion carried.

Rhett also stated that he would also like to do brake jobs and oil changes. There would be no major mechanical work done at this location. Mr. Berry stated that if he expands his business to do brake jobs and oil changes he will have to have Fire Marshal approval. He can't have more than 50 tires inside the building without a suppression system. At this time Rhett stated that he will stick with only the tire business. Mr. Darby stated that the rezone is for a tire business, nothing else. If Rhett wants to do brake jobs and oil changes he will have to come back before the Land Use Commission and City Council. Motion was made by Mr. Darby seconded by Mr. Lawrence that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting a rezone to Rodger Lambert, 845 West Verdine Street, from Mixed Residential District to Business District to allow for a tire business.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone from Mixed Residential District to Business District to Rodger Lambert, 845 West Verdine Street to allow for a tire business with the following stipulations:

1. Use shall be limited to retail tire sales, and tire servicing.
2. Contingent upon the owner of 874 West Verdine relinquishing their right to use of property under the nonconformity provisions of the Land Use Ordinance upon adoption of the rezoning.
3. Contingent upon the owner of 874 West Verdine committing in writing to the City of Sulphur to have all indications of nonconforming use removed

- from the location within two years of the rezoning of 845 West Verdine.
Mixed Residential accessory uses are not affected by this stipulation.
4. Documentation of items two and three above shall be submitted to the Council Secretary.
 5. If said business closes or moves it shall revert back to Mixed Residential.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Peel

And the said resolution was declared duly adopted on this 15th day of June, 2009.

ATTEST:

ARLENE BLANCHARD, Secretary

LAWRENCE DAVID, Chairman

The next item on the agenda is a resolution granting a variance to William Emmons, et al, 1701 South Ruth Street, to allow for a storage building to be connected to an existing building located on the back (west) property line rather than the required 10 feet. Mr. Emmons addressed the Commission and stated that there is an existing building in the rear of the property and he wishes to expand off that building. Tires will be stored in the addition. There will also be a 2 hour fire wall. Mr. Berry, Building Official, stated that if more than 50 tires are stored in the building a sprinkler system will need to be installed. Mr. Emmons stated that he will speak to the owner of the business to see what his intentions are. Motion was then made by Mr. Darby seconded by Mr. Dorman that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting a variance to William Emmons, et al, 1701 South Ruth Street, to allow for a storage building to be connected to an existing building located on the back (west) 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 William Emmons, et al, 1701 South Ruth Street, to allow for a storage building to be connected to an existing building located on the back (west) property line rather than the required 10 feet.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Peel

And the said resolution was declared duly adopted on this 15th day of June, 2009.

ATTEST:

ARLENE BLANCHARD, Secretary

LAWRENCE DAVID, Chairman

The next item on the agenda is a resolution granting a variance to Elga LeBrun, 1052 Franklin Street, to allow for son's RV to be placed temporarily based on mother's health. Carl LeBrun, son of Elga LeBrun, addressed the Commission and stated that he is selling his home in Carlyss and would like to temporarily place his RV on his mother's property so he can take care of her. He will not be connected to City sewer but he will need a temporary power pole. Mr. Berry stated that he will need to get a temporary power pole permit. Mr. LeBrun also stated that he will travel most of the year but will need to come periodically to check on his mother especially during hurricane season. He also stated that he doesn't have a problem with any of the stipulations except the one that states "variance is subject to revocation by City at any time for any cause". He feels that if the City is going to make him move his RV there should be a good reason to make him move it, not for just any cause. Mr. Drost, City Attorney, stated that there is a law against living in an RV if it's not located in an RV park. He feels that if the City would make Mr. LeBrun move his RV it would be for a very good reason. Mr. Dorman stated Mr. LeBrun

will need to come back before the Commission and Council at the end of 12 months to get an extension on this variance. After discussion, motion was made by Darby seconded by Mr. Lawrence that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting a variance to Elga LeBrun, 1052 Franklin Street, to allow for son's RV to be placed temporarily based on mother's health.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a variance to Elga LeBrun, 1052 Franklin Street, to allow for son's RV to be placed temporarily based on mother's health with the following stipulations:

1. No connection shall be made to the City sanitary sewerage system.
2. Occupancy shall not exceed 180 calendar days out of any 365 calendar day period.
3. Variance is subject to revocation by City at any time for any cause.
4. Variance shall be effective for 12 months from date of adoption.
5. Variance shall be renewable by action of the Land Use Commission upon application from the property owner.
6. Variance shall terminate upon any change in ownership of this location.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Peel

And the said resolution was declared duly adopted on this 15th day of June, 2009.

ATTEST:

ARLENE BLANCHARD, Secretary

LAWRENCE DAVID, Chairman

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

ATTEST:

ARLENE BLANCHARD, Secretary

LAWRENCE DAVID, Chairman

6/15/09
6:10 P.M.