

August 17, 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 17th day of August, 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
JOHNNY PEEL, Land Use Commission of District 3
LAWRENCE DAVID, Land Use Commission of 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. Lawrence followed by the reciting of the Pledge of Allegiance led 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 item #4 be removed from the agenda. Motion carried.

Motion was then made by Mr. Darby seconded by Mr. Lawrence that the agenda be approved as amended. Motion carried.

The first item on the agenda is a resolution granting an exception in accordance with Article IV, Part 3, Section 4 (3) to Calcasieu Association for Retarded Citizens, Inc., 3909 Maplewood Drive, to construct a 9 unit apartment complex for individuals with developmental disabilities. Kendrick Guidry, president of the Board for CARC, addressed the Commission and stated that this is a Supervised Independent Living program that will consist of a 9 unit apartment complex; 8 apartments for the disabled

and 1 apartment for the supervisor. There will also be a social worker that will visit periodically. This is low income living and must meet HUD requirements. There are also (2) two other complexes like this one in Lake Charles. CARC will provide all the maintenance. There are currently 18 people on the waiting list so there is a need for this sort of program. CARC has submitted many letters of support. Mr. Lawrence stated that he has visited the duplexes in Lake Charles and commends CARC for doing such a fine job. Motion was then made by Mr. Peel seconded by Mr. Lawrence that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting an exception in accordance with Article IV, Part 3, Section 4 (3) (b) to Calcasieu Association for Retarded Citizens, Inc., 3909 Maplewood Drive, to construct a 9 unit apartment complex for individuals with developmental disabilities.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant an exception in accordance with Article IV, Part 3, Section 4 (3) (b) to Calcasieu Association for Retarded Citizens, Inc., 3909 Maplewood Drive, to construct a 9 unit apartment complex for individuals with developmental disabilities with the following stipulations:

1. A six foot privacy fence shall be constructed on the south property line.
2. An approved drainage plan must be put in place prior to issuing permit.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 17th day of August, 2009.

ATTEST:

ARLENE BLANCHARD, Secretary

LAWRENCE DAVID, Chairman

The next item on the agenda is a resolution granting an extension to a temporary use variance to Daniel Ardoin, 936 Starlin, to allow for elderly mother to continue residing in mobile home next door. Daniel Ardoin addressed the Commission and stated that he would like another year extension on his variance. His mother's health has deteriorated a little and would like to keep her next door so he can take care of her. Motion was then made by Mr. Darby seconded by Mr. Peel that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting an extension to a temporary use variance to Daniel Ardoin, 936 Starlin, to allow for elderly mother to continue residing in mobile home next door.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant an extension to a temporary use variance to Daniel Ardoin, 936 Starlin, to allow for elderly mother to continue residing in mobile home next door with the following stipulation:

1. Variance will terminate upon mother no longer being the occupant of the mobile home.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 17th day of August, 2009.

ATTEST:

ARLENE BLANCHARD, Secretary

LAWRENCE DAVID, Chairman

The next item on the agenda is a resolution granting a rezone to James Guidry, 1813 Owen Street, from Residential District to Commercial District to allow for production, bottling and packaging of non-beverage cooking wines. James Guidry, owner, addressed the Commission and stated that this would be a temporary rezone for approximately 3 ½ years. Mr. Darby asked how he was going to get the products distributed to the businesses. Mr. Guidry stated that he has a 6x10 trailer that he will use to transport the wine. There will be no 18-wheelers coming into the neighborhood. There will also be no sales to the public; just to businesses. Mr. Peel stated that this rezone doesn't fit into our comprehensive plan that we are working on. Mr. Lawrence stated that when he opened his business he had to find a location that was zoned correctly. He wants to stay away from spot zoning. He suggested to Mr. Guidry that there are some buildings to rent behind Wal-Mart in Sulphur for approximately \$400.00 per month. Mr. Guidry stated that if his business succeeds their intentions are to move to a bigger location. His partner lives in Lafayette and they would probably open a business somewhere in the middle of Sulphur and Lafayette. There is a 6 month fermenting stage prior to selling the first bottle of cooking wine. Mr. Guidry also stated that he currently makes cooking wine in the metal building but it is strictly for personal use.

Mr. Darby stated that we have granted businesses a rezone like this before (i.e. the BBQ business on Alice Street and the metal business on LaFargue). He also stated that the Land Use Commission will have to look at each rezone case by case and decide whether or not this will affect the neighborhood. He doesn't see this rezone affecting the

neighborhood at all. Everything will be done within the metal building and there will be no noise or smell. Mr. Darby then stated that he doesn't think the rezone should be for a 42 month period. At this time motion was made by Mr. Darby seconded by Mr. Lawrence that the following stipulations be added to the resolution and to amend (a) from 42 months to 24 months as follows:

1. Rezoning is contingent upon the City's receipt of approval/releases from the FDA, DHH and State TTB for the described business enterprise.
2. Zoning shall revert to Residential in the event of:
 - a. Passage of 24 months from date of effectiveness, or
 - b. Transfer of the described activities to another location, or
 - c. Cessation of commercial activities at the described location, or
 - d. Action by the City Council revoking this conditional Rezoning
3. Contingent upon no product consumption on the premises
4. Contingent upon sales being restricted to commercial entities
5. Contingent upon 6' privacy fence constructed between adjacent lots

Motion carried.

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

RESOLUTION

Resolution granting a rezone to James Guidry, 1813 Owen Street, from Residential District to Commercial District to allow for production, bottling and packaging of non-beverage cooking wines.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to James Guidry, 1813 Owen Street, from Residential District to Commercial District to allow for production, bottling and packaging of non-beverage cooking wines with the following stipulations:

1. Rezoning is contingent upon the City's receipt of approval/releases from the FDA, DHH and State TTB for the described business enterprise.
2. Zoning shall revert to Residential in the event of:
 - a. Passage of 24 months from date of effectiveness, or

- b. Transfer of the described activities to another location, or
 - c. Cessation of commercial activities at the described location, or
 - e. Action by the City Council revoking this conditional Rezoning
- 6. Contingent upon no product consumption on the premises
 - 7. Contingent upon sales being restricted to commercial entities
 - 8. Contingent upon 6' privacy fence constructed between adjacent lots

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 17th day of August, 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

8/17/09
6:04 P.M.