

May 15, 2023

The Land Use Commission and the Board of Zoning Adjustment of the City of Sulphur, Louisiana, met in regular session at its temporary meeting place located at 1551 East Napoleon Street, Sulphur, LA, held at 5:30 p.m., on the 15th day of May, 2023, after full compliance with the convening of said meeting with the following members present:

TROY DARBY, Land Use Commission District 2
VERONICA ALLISON, Land Use Commission District 3
ROBIN BAUDOIN, Land Use Commission District 4
JONATHAN BRAZZELL, 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. Darby followed by the reciting of the Pledge of Allegiance led by Mr. Brazzell.

Motion was then made by Mr. Brazzell seconded by Mr. Darby that the minutes from the previous Land Use and Board of Zoning Adjustment meetings stand as written. Motion carried unanimously.

Motion was then made by Mr. Brazzell seconded by Mr. Darby that items #2 and #4A be removed from the agenda:

2. Resolution amending Appendix B Land Use of the Code of Ordinances of the City of Sulphur to provide for Conditional Uses.
- 4A. To extend temporary housing in a recreational vehicle located at 2589 Augustine Street, in accordance with Ordinance No. 1693, M-C Series.

Motion carried unanimously.

Motion was then made by Mr. Darby seconded by Mr. Brazzell that the agenda stand as amended. Motion carried unanimously.

The first item on the BZA agenda is a resolution electing a Chairman and Vice-Chairman for Board of Zoning Adjustment and Land Use Commission. Motion was made by Mr. Brazzell seconded by Mrs. Baudoin that the following resolution be adopted to-wit:

RESOLUTION

Resolution electing a Chairman and Vice-Chairman for the Land Use Commission of the City of Sulphur.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby elect Lenore Carroll as Chairman and Troy Darby as Vice-Chairman for the Land Use Commission of the City of Sulphur.

A vote was then called with the results as follows:

YEAS: Mr. Darby, Mrs. Allison, Ms. Baudoin, Mr. Brazzell

NAYS: None

ABSENT: Mrs. Carroll

And the said resolution was declared adopted on this 15th day of May, 2023.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

At this time Mr. Darby presented Mrs. Allison with a plaque and thanked her for serving as Chairman for 2022-2023 term.

The next item on the agenda is a resolution granting an extension to a variance for Eugene & Monica LeBlanc, 315 Navarre Street, to allow for temporary living in an RV while home is being rebuilt due to a fire. Motion was made by Mrs. Allison seconded by Mr. Brazzell that the following resolution be adopted to-wit:

RESOLUTION

RESOLUTION GRANTING AN EXTENSION TO A VARIANCE FOR EUGENE & MONICA LEBLANC, 315 NAVARRE STREET, TO ALLOW FOR TEMPORARY LIVING IN AN RV WHILE HOME IS BEING REBUILT DUE TO A FIRE.

WHEREAS, in accordance with Article IV, Part 3, Section 1 (1) (a) of the Land Use Ordinance of the City of Sulphur, Louisiana, an RV is not considered a single family detached dwelling; and

WHEREAS, said variance shall not exceed 6-months from date of adoption or until a Certificate of Occupancy is issued.

BE IT RESOLVED by the Board of Zoning Adjustment of the City of Sulphur, Louisiana, that they do hereby grant an extension to a variance for Eugene & Monica LeBlanc, 315 Navarre Street, to allow for temporary living in an RV while home is being rebuilt due to a recent fire for the following described property:

COM 750 FT W AND 40 FT S OF NE COR NE SW 3.10.10, TH W 200 FT,
S 150 FT

This variance is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said variance interfere with the rights and privileges owned by the City of Sulphur pursuant to a pre-existing right of way, servitude or easement. If withdrawn, any improvements constructed thereon shall be removed at the expenses of owner thereof.

Grantee hereby agrees and contracts to hold Grantor harmless from any damages created and/or caused by the granting of this variance, including, but not limited to, litigation defense, litigation costs, violation of subdivision restrictive covenants, building code violations or any other damages, property and/or monetary or otherwise, relating thereto.

Upon approval of this variance the owner of this variance shall be responsible for the recordation thereof, with the Clerk of Court, Calcasieu Parish, Louisiana, and shall provide the City of Sulphur a receipt evidencing recordation within 10 days of the effective date of this variance.

No work shall commence until all applicable permits are obtained. In the event work is commenced prior to obtaining all applicable permits, this variance shall be withdrawn and considered null and void.

BE IT FURTHER RESOLVED by the Board of Zoning Adjustment of the City of Sulphur, Louisiana, that they do hereby grant an extension to a variance for Eugene & Monica LeBlanc, 315 Navarre Street, to allow for temporary living in an RV while home is being rebuilt due to a recent fire.

A vote was then called with the results as follows:

YEAS: Mr. Darby, Mrs. Allison, Ms. Baudoin, Mr. Brazzell

NAYS: None

ABSENT: Mrs. Carroll

And the said resolution was declared adopted on this 15th day of May, 2023.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

The first item on the Land Use agenda is a resolution granting a variance to James Braden, 2111 Trailer Street, to allow for a tenant to live in an RV due to damages caused by Hurricane Laura. Mr. Braden, owner of Sulphur Palms Park, stated that he has a tenant that his home was destroyed in Hurricane Laura, and he received an RV from FEMA to reside in. FEMA is allowing him to purchase the RV, but he has to find a place to move it to before FEMA will allow him to purchase it. He's asking the Commission to allow his tenant to live in his park temporarily until he finds a place to put the RV. Mr. Birote, owner of RV, stated that he just needs 6 months to find a place. That'll give him plenty of time to find a place to put it. Motion was then made by Mrs. Allison seconded by Mr. Brazzell that the following resolution be adopted to-wit:

RESOLUTION

RESOLUTION GRANTING A VARIANCE TO JAMES BRADEN, 2111 TRAILER STREET, TO ALLOW FOR A TENANT TO LIVE IN AN RV DUE TO DAMAGES CAUSED BY HURRICANE LAURA.

WHEREAS, in accordance with Article IV, Part 3, Section 1 (1) (a) of the Land Use Ordinance of the City of Sulphur, Louisiana, an RV is not considered a single family detached dwelling; and

WHEREAS, said variance shall expire in 6 months (i.e. November 20, 2023).

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a variance to James Braden, 2111 Trailer Street, to allow for a tenant to live in an RV due to damages caused by Hurricane Laura for the following described property:

(LOT 6 ONLY)
COM 217.8 FT E OF NW COR LOT 41 SECOND SUB SUL FARMS TH S 360
FT E 142 FT N 98.5 FT E 175.8 FT N 261.5 FT W 317.8 FT TO BEG SUBJ TO
PUB ROAD R/W LESS .061 – ACS M/L SOLD (R/H LOT 51)
COM 359.8 FT E AND 261.5 FT S OF NW COR LOT 41 SECOND SUB SUL
FARMS S 238.5 FT E 175.8 FT ETC

This variance is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said variance interfere with the rights and privileges owned by the City of Sulphur pursuant to a pre-existing right of way, servitude or easement. If withdrawn, any improvements constructed thereon shall be removed at the expenses of owner thereof.

Grantee hereby agrees and contracts to hold Grantor harmless from any damages created and/or caused by the granting of this variance, including, but not limited to, litigation defense, litigation costs, violation of subdivision restrictive covenants, building code violations or any other damages, property and/or monetary or otherwise, relating thereto.

Upon approval of this variance the owner of this variance shall be responsible for the recordation thereof, with the Clerk of Court, Calcasieu Parish, Louisiana, and shall provide the City of Sulphur a receipt evidencing recordation within 10 days of the effective date of this variance.

No work shall commence until all applicable permits are obtained. In the event work is commenced prior to obtaining all applicable permits, this variance shall be withdrawn and considered null and void.

BE IT FURTHER RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a variance to James Braden, 2111 Trailer Street, to allow for a tenant to live in an RV due to damages caused by Hurricane Laura with the above stipulations.

A vote was then called with the results as follows:

YEAS: Mr. Darby, Mrs. Allison, Ms. Baudoin, Mr. Brazzell

NAYS: None

ABSENT: Mrs. Carroll

And the said resolution was declared duly adopted on this 15th day of May, 2023.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

The next item on the agenda is a resolution amending Article IV, Part 2, Section 9 of the Code of Ordinances of the City of Sulphur – Signs. Mr. Brazzell asked what's the rush and the reason for amending this ordinance. Mr. Loftin, City Attorney, stated that the city is trying to be pro-development and rather than grant exceptions for sign heights we'll just change the ordinance. Mrs. Allison stated that signs for businesses need to be high to they can be seen from I-10, and we need to change with the times.

Mr. Brazzell then made a motion to strike out the entire ordinance. There was no second to his motion, to his motion failed.

Sheila Broussard, Pecan Street, addressed the Commission and stated that she looked up the distance a sign has to be for a certain height and the location of this business is 2,000 feet more than what the ordinance allows. She's pro-business and Whataburger said they're coming no matter if the sign ordinance is changed or not.

Mr. Darby stated that the ordinance reads for the amendment on north and south corridors only. Ruth Street is one of those corridors but how far north does Ruth Street go. Ruth Street turns into Huntington Street. Mr. Abrahams, Land Use Administrator, stated that Ruth Street stops at the curve by Tamarack Street.

After discussion, motion was made by Mrs. Baudoin seconded by Mrs. Allison that the following resolution be adopted to-wit:

RESOLUTION

RESOLUTION AMENDING ARTICLE IV, PART 2, SECTION 9 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR – SIGNS

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby amend Article IV, Part 2, Section 9 of the Code of Ordinances of the City of Sulphur – Signs as follows:

Article IV, Part 2

Section 9. Signs.

- (1) *Purpose.* To ensure that signage in the City of Sulphur does not constitute a visual blight on the landscape and character of the city and further poses no hazard to vehicular or pedestrian traffic.
- (2) *General Prohibition.* No person shall develop, install, locate, construct or cause any sign to be put in any district in the City of Sulphur except as expressly authorized in this section and in conformance with all other codes and ordinances of the City of Sulphur.
- (3) *Regulations of General Applicability.*
 - (a) *Location of Signs.*
 - (1) No portion of any sign shall be located within the sight triangle described in section 21-5 at roadway intersections;
 - (2) All signs and sign structures shall be located a minimum of five (5) feet from the front property line and/or right-of-way line of any public street or highway; all signage shall remain free and clear and shall not project into any public right-of-way or interfere with overhead transmission lines;
 - (3) Facade signage in addition to freestanding signs, facade signage shall be considered separate and will not be considered in the accumulated signage allowable in any district. Notwithstanding this provision, any sign mounted or integrated into the facade of the building shall not extend beyond such building and shall not exceed more than fifty (50) percent of the total front facade of the building.
 - (b) *Maximum Height of Signs.* No portion of any sign or sign structure shall exceed the following maximum heights:
 - (1) The height of any sign structure shall be measured from grade elevation to the tallest portion of the sign.
 - (a) Facade signs shall not extend above the top of such facade;
 - (b) Freestanding signs shall not exceed a height of thirty-five (35) feet;
 - (c) *Exceptions.*
 - (1) Within interstate roadway corridors as defined in article IV, part 2, section 8 of this appendix; in interstate corridors, the height limit for all signs may be sixty (60) feet above grade.
 - (2) On-Premises Signs placed in the following roadway corridors shall not exceed a height of fifty (50) feet.
 - (a) Beglis Parkway;
 - (b) Cities Service Hwy;
 - (c) Ruth St.

(c) *Illumination of all signs.* Lumens must be reduced automatically by 75 percent from dusk to dawn.

(4) *Permitted On-Premises Signs.*

- (a) *Residential Districts.* No commercial on or off-site advertising sign shall be allowed in a residential or mixed residential district with the exception of a two (2) square foot sign, non-digital in conjunction with a home occupation as allowed by Article IV, Part 2, Section 6 of this appendix.
- (b) *Mixed Residential Districts.* One (1) freestanding sign structure or building mounted sign per non-residential use with no more than nine (9) square feet of total sign face area visible from any single point of view.
- (c) *Business/Industrial Districts.* Subject to the provision of paragraphs 1, 2, and 3 below the total amount of sign face area visible from any single point of view or per sign face shall not exceed average of the following:
 - (1) One (1) square foot per two hundred (200) square foot of land area; or
 - (2) One (1) square foot per fifty (50) square foot of gross floor area; or
 - (3) One (1) square foot per two (2) linear feet of street frontage.

(5) *Number of Signs Allowed.* Not more than one (1) freestanding sign structure shall be located on any single parcel of land, except those parcels having more than one (1) frontage on arterial, collector roadways, or interstate highways. In such cases there shall be one (1) freestanding sign permitted per street frontage.

(6) *Increase Signage.* Signage permitted under this subsection may be increased by a maximum of twenty-five (25) percent if the sign is:

- (a) Landscaped or installed on a wood, stone or other base structure;
- (b) Constructed of natural or natural appearing materials;
- (c) Integrated or otherwise visually related to a building and is composed of materials compatible with and similar to the materials of the building;
- (d) The sign is landscaped or architecturally treated.

(7) *Permitted Portable/Temporary Signs.* Portable/temporary, changeable copy signs shall be permitted in any non-residential land use classification within the City of Sulphur on a temporary basis under the following conditions:

- (a) The sign is non-illuminated and non-flashing;
- (b) The sign is temporary in nature not to exceed a period of sixty (60) days renewable once annually;
- (c) The sign placement adheres to all setback requirements and imposes no hazard to vehicular or pedestrian safety and further provides no deterrent to health, safety and welfare of the general citizenry;
- (d) Officially authorized by City of Sulphur Permit office;

- (e) The sign is out of any sight triangle described section 21-5 at roadway intersections;
 - (f) The sign is securely fastened to the ground to avoid the sign from being easily removed, overturned or relocated.
- (8) *Permitted Off-Premises Signs.*
- (a) All off-premises advertising signs shall be placed in the following roadway corridors and shall be subject to paragraph (b) below.
 - (1) Hwy. 90;
 - (2) Beglis Parkway;
 - (3) Cities Service Hwy;
 - (4) Hwy. 1256.
 - (b) Off-premises advertising signs shall not be placed on residential parcels.
 - (c) Roadway Corridor. No off-premises sign shall be located outside a designated roadway corridor. For the purpose of this section, a roadway corridor shall be an area parallel to and lying on either side of the center line of a roadway as follows:
 - (1) Major Arterial (on each side)200 ft.
 - (2) Interstate (on each side)1000 ft. and applicable to any federal and state laws.
- (9) *Exemptions.* All city and/or state regulatory signs and devices, including, but not limited to, traffic lights, stop signs, yield signs, and any and all traffic regulatory signs are exempt from this article.
- (10) *Spacing.* At intersecting roadway corridors the minimum distance between any off-site sign shall be no closer than five hundred (500) feet in any direction provided that such signs are not visible from one (1) another from any one (1) line of view. Notwithstanding this provision no off-premises sign shall be located less than the following minimum distances:
- (a) If the proposed sign is two hundred fifty (250) square feet or less than two hundred (200) feet from any other off-premises sign;
 - (b) If the proposed sign is more than two hundred fifty (250) square feet but less than five hundred (500) square feet, five hundred (500) feet from any other off-premises sign;
 - (c) If the proposed sign is more than five hundred (500) square feet, seven hundred (700) feet from any other off-premises sign.

A vote was then called with the results as follows:

YEAS: Mr. Darby, Mrs. Allison, Ms. Baudoin,

NAYS: Mr. Brazzell

ABSENT: Mrs. Carroll

And the said resolution was declared adopted on this 15th day of May, 2023.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

The next item on the agenda is a resolution granting an extension for temporary housing in recreational vehicles due to damage caused by Hurricane Laura for the following addresses:

- a. To extend temporary housing in a recreational vehicle located at 706 Live Oak Street, in accordance with Ordinance No. 1693, M-C Series.

Suzanne Hebert, 706 Live Oak, addressed the Commission and stated that she now has a contractor and her daughter is drawing up the plans. Her neighbor is also a contractor and will be helping her. Her brother will be retiring soon, and he'll be helping also. Motion was made by Ms. Baudoin seconded by Mr. Brazzell that the above address be granted a 6-month extension. Motion carried unanimously.

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

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

5/15/23
6:20 P.M.