

This meeting was regularly scheduled for Monday, December 18 but for unforeseen circumstances we did not have a quorum so it was rescheduled to Thursday, December 21, 2017.

December 21, 2017

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 21st day of December, 2017, after full compliance with the convening of said meeting with the following members present:

LENORE CARROLL, Land Use Commission District 1
PHYLLIS WILSON, Land Use Commission District 2
MIKE MOORE, Land Use Commission District 3
GERRIT LAWRENCE, Land Use Commission of District 5

BILL McMULLEN, Land Use Commission District 4 (death in family)

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 Mrs. Carroll. Motion was then made by Mrs. Wilson seconded by Mr. Lawrence that the minutes of the previous meeting stand as written. Motion carried unanimously.

Motion was then made by Mr. Lawrence seconded by Mrs. Wilson that the agenda stand as written. Motion carried unanimously.

The first item on the agenda is a resolution granting a rezone to FRD Properties One, LLC, from Residential to Commercial for property located at 225 Prater Road. Representative addressed the Commission and stated that they want to make the entire corner Commercial. They will move the fence to the south side of the property. James Martin, resident, stated that he's concerned that the neighborhood will get louder and louder. The Commercial District is creeping closer and closer to our residential neighborhood and that could hurt our property value. Mr. Moore stated that a fence would be required on the south side of the property since it abuts

Residential District. After discussion, motion was made by Mr. Lawrence seconded by Mrs. Wilson that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting a rezone to FRD Properties One, LLC, from Residential to Commercial for property located at 225 Prater Road.

WHEREAS, FRD Properties One, LLC, has submitted application to Rezone from Residential District to Commercial District.

NOW THEREFORE, BE IT RESOLVED BY THE LAND USE COMMISSION OF THE CITY OF SULPHUR, LOUISIANA, IN REGULAR SESSION CONVENED THAT:

The Land Use Ordinance of the City of Sulphur is hereby amended to grant a Rezone to FRD Properties One, LLC from Residential to Commercial for the following described property to wit:

COM 266.5 FT N AND 30 FT W OF SE COR SE NW SEC 32.9.9, TH N 100 FT
W 163 FT ETC LESS HWY PARCEL 7-1 FOR PRATER ROAD - .35 ACS M/L

This Rezone is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said Rezone 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 Rezone, 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.

If City Council does hereby approve this Rezone the owner of this rezone 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 re-zone.

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

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mrs. Wilson, Mr. Moore, Mr. Lawrence

NAYS: None

ABSENT: Mr. McMullen

And the said resolution was declared duly adopted on this 21st day of December, 2017.

ATTEST:

ARLENE BLANCHARD, Secretary

MIKE MOORE, Chairman

The next item on the agenda is a resolution granting a rezone to FRD Properties One, LLC, from Residential to Commercial for property located at 4851 East Napoleon Street. Mayor stated that a fence will be required on the west side of the property also. Motion was then made by Mr. Lawrence seconded by Mrs. Wilson that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting a rezone to FRD Properties One, LLC, from Residential to Commercial for property located at 4851 East Napoleon Street.

WHEREAS, FRD Properties One, LLC, has submitted application to Rezone from Residential District to Commercial District.

NOW THEREFORE, BE IT RESOLVED BY THE LAND USE COMMISSION OF THE CITY OF SULPHUR, LOUISIANA, IN REGULAR SESSION CONVENED THAT:

The Land Use Ordinance of the City of Sulphur is hereby amended to grant a Rezone to FRD Properties One, LLC from Residential to Commercial for the following described property to wit:

COM 366.5 FT N AND 30 FT W OF SE COR SE NW SEC 32.9.9, TH W 417.4 FT, N 1 DEG W 300 FT, E 417.4 FT, S 1 DEG E 300 FT TO COM- LESS .224 ACS FOR RD PARCEL 2-5 FOR US 90 – PRATER RD PROJECT 2.65 ACS IMPS 99/CMS CLM EQUIPMENT.

This Rezone is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said Rezone 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 Rezone, 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.

If City Council does hereby approve this Rezone the owner of this rezone 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 re-zone.

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

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mrs. Wilson, Mr. Moore, Mr. Lawrence

NAYS: None

ABSENT: Mr. McMullen

And the said resolution was declared duly adopted on this 21st day of December, 2017.

ATTEST:

ARLENE BLANCHARD, Secretary

MIKE MOORE, Chairman

The next item on the agenda is a resolution granting a rezone to Central Baptist Church, 2405 Maplewood Drive, from Residential to Business. Pat McConnahey, addressed the Commission and stated that he's leasing the property from the Church. He wants to expand the sno-ball stand so he has to rezone to Business to be compliant. Mr. Lawrence stated that he would need a fence on the west and south sides of the property since it would abut Residential District. Pat stated that he could ask the Church if they wanted to be included in the rezone so a fence wouldn't need to be put up. He said that he doubts they would want to rezone the Church to Business. Motion was then made by Mrs. Carroll seconded by Mr. Lawrence that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting a rezone to Central Baptist Church, 2405 Maplewood Drive, from Residential to Business.

WHEREAS, Central Baptist Church, has submitted application to Rezone from Residential District to Business District.

NOW THEREFORE, BE IT RESOLVED BY THE LAND USE COMMISSION OF THE CITY OF SULPHUR, LOUISIANA, IN REGULAR SESSION CONVENED THAT:

The Land Use Ordinance of the City of Sulphur is hereby amended to grant a Rezone to Central Baptist Church from Residential to Business for the following described property to wit:

LOTS ONE (1) AND TWO (2) OF BLOCK FOUR (4) OF ELMWOOD SUBDIVISION, A SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 10 SOUTH, RANGE 10 WEST, LOUISIANA MERIDIAN, AS PER PLAT RECORDED IN THE RECORDS OF CALCASIEU PARISH, LOUISIANA.

This Rezone is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said Rezone 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 Rezone, 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.

If City Council does hereby approve this Rezone the owner of this rezone 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 re-zone.

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

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mrs. Wilson, Mr. Moore, Mr. Lawrence

NAYS: None

ABSENT: Mr. McMullen

And the said resolution was declared duly adopted on this 21st day of December, 2017.

ATTEST:

ARLENE BLANCHARD, Secretary

MIKE MOORE, Chairman

The next item on the agenda is a resolution accepting Final Plat from Carl Hardy, for property located at the dead-end of Canal Street on west side of street, to subdivide into 2 lots. Mr. Hardy addressed the Commission and stated that he wants to subdivide into two lots so each lot could have a mobile home. One of the lots front footage is 49 feet rather than the required 50 but the back of the lot is 50. It well exceeds the 6,000 sq. ft. for each lot. After discussion, motion was made by Mr. Lawrence seconded by Mr. Wilson that the following resolution be adopted to-wit:

RESOLUTION

Resolution accepting final plat from Carl Hardy, for property located at the dead-end of Canal Street on west side of street, to subdivide into 2 lots

WHEREAS, in accordance with Appendix B, Article III, Part 1, Section 1 (6) (c) and Chapter 18 of the Code of Ordinances of the City of Sulphur, application has been received from Carl Hardy, to accept final plat and make revisions to the Land Use Map for property located at the dead-end of Canal Street on west side of street, to subdivide into 2 lots for property described as follows:

PARENT TRACT:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 15, BLOCK 2, DOIRON SUBDIVISION, SOUTHERLY AND PARALLEL TO THE EAST LINE OF SAID LOT 99.00 FEET TO THE POINT OF COMMENCEMENT, THENCE EASTERLY AND PARALLEL TO THE SOUTH LINE OF SAID LOT, THENCE 100.00 FEET TO THE WEST RIGHT OF WAY LINE OF CANAL STREET, SOUTHERLY ALONG SAID RIGHT OF WAY LINE 1.00 FEET, EASTERLY ALONG SOUTH RIGHT OF WAY LINE OF CANAL STREET 25.00 FEET, SOUTHERLY AND PARALLEL TO THE EAST LINE OF SAID LOT 99.00 FEET TO THE NORTH RIGHT OF WAY OF SOUTHERN PACIFIC RAILROAD, THENCE WESTERLY ALONG RAILROAD 125.00 FEET, NORTHERLY AND PARALLEL TO EAST LINE OF SAID LOT, 100.00 FEET TO THE POINT OF COMMENCEMENT. CONTAINING 12,483.51 SQUARE FEET OR 0.29 ACRES, MORE OR LESS.

TRACT 1:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 15, BLOCK 2, DOIRON SUBDIVISION; THENCE SOUTH 00°26'46" WEST, A DISTANCE OF 99.0 FEET TO THE POC; THENCE SOUTH 89°24'33" EAST, A DISTANCE OF 100.00 FEET TO THE WEST RIGHT OF WAY LINE OF CANAL STREET; THENCE SOUTH 00°26'46" WEST, A DISTANCE OF 1.00

FEET ALONG SAID RIGHT OF WAY LINE; THENCE SOUTH 89°24'33" WEST, A DISTANCE OF 25.00 FEET ALONG THE SOUTH RIGHT OF WAY LINE OF CANAL STREET; THENCE SOUTH 00°26'46" WEST, A DISTANCE OF 49.00 FEET; THENCE NORTH 89°22'21" WEST, A DISTANCE OF 125.00 FEET; THENCE NORTH 00°26'46" EAST, A DISTANCE OF 50.00 FEET BACK TO THE POINT OF COMMENCEMENT; CONTAINING 6,229.25 SQUARE FEET OR 0.14 ACRES, MORE OR LESS.

TRACT 2:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 15, BLOCK 2, DOIRON SUBDIVISIO; THENCE SOUTH 00°26'46" WEST, A DISTANCE OF 149.00 FEET TO THE POINT OF COMMENCEMENT; THENCE SOUTH 89°22'21" EAST, A DISTANCE OF 125.00 FEET; THENCE SOUTH 00°26'46" WEST, A DISTANCE OF 50.00 FEET TO THE NORTH RIGHT OF WAY LINE OF SOUTHERN PACIFIC RAILROAD; THENCE NORTH 89°20'09" WEST, A DISTANCE OF 125.00 FEET ALONG SAID NORTH RIGHT OF WAY LINE; THENCE NORTH 00°26'46" EAST, A DISTANCE OF 50.00 FEET BACK TO THE POINT OF COMMENCEMENT. CONTAINING 6,254.27 SQUARE FEET OR 0.14 ACRES, MORE OR LESS.

WHEREAS, the acceptance of final plat shall be contingent upon the following variance adopted by the Board of Zoning Adjustment:

To allow for front footage on Tract 1 to be 49 feet rather than the required 50 feet.

WHEREAS, this final plat, contingent upon the variance state above, is accepted by the City of Sulphur and may be withdrawn by the City of Sulphur should said final plat 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; and

WHEREAS, Grantee hereby agrees and contracts to hold Grantor harmless from any damages created and/or caused by the acceptance of this final plat, 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; and

WHEREAS, if City Council does hereby accept this final plat and the owner of such 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 subdivision; and

WHEREAS, no work shall commence until all applicable permits are obtained. In the event work is commenced prior to obtaining all applicable permits, this acceptance of final plat shall be withdrawn and considered null and void.

NOW THEREFORE, BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby accept the final plat from Carl Hardy and revise the Land Use Map.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mrs. Wilson, Mr. Moore, Mr. Lawrence

NAYS: None

ABSENT: Mr. McMullen

And the said resolution was declared duly adopted on this 21st day of December, 2017.

ATTEST:

ARLENE BLANCHARD, Secretary

MIKE MOORE, Chairman

The next item on the agenda is a resolution granting an Exception to the Bishop family, 1720 and 1720 ½ East Burton Street, to allow for living in a Business District. Mr. Lawrence stated that a few years ago the distillery next door wanted to put living quarters on the same property as the distillery and Land Use voted against it. Mrs. Carroll stated that the Land Use Commission voted no because he wanted to live in the same building as the distillery and this isn't the same thing. Mrs. Hebert, Realtor, stated that there are houses all around as well as townhouses. Mr. Daigle, Land Use Administrator, stated that he didn't object to the duplexes. After discussion, motion was made by Mrs. Carroll seconded by Mr. Lawrence that the following resolution be adopted to-wit:

Resolution granting an Exception to Ronnie, Jeff & Judy Bishop, 1720 and 1720 ½ East Burton Street, to allow for living in a Business District.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant an Exception to Ronnie, Jeff & Judy Bishop, 1720 and 1720 ½ East Burton Street, to allow for living in a Business District, in accordance with Article IV, Part 3, Section 4 (3) of the Land Use ordinance for the following property description:

1720 E. Burton .: Beginning 210 Ft East and 30 Feet South of the NW corner NW NW NE Sec 35, Township 9, Range 10, East 90 Feet South 97 Feet ETC IMPS REB

1720 1/2 E. Burton : Commencing 300 Feet East of NW Corner NW NW NE S35.T9 R10 Thence East 18 Ft , South 163.01 Ft., East 48 Ft, South 177 Ft ,West 196.5 Ft, M/L to A Pt 169.4 Ft East of West line of said 10 acre tract, thence N 130 Ft, E 39.95 Ft.,N 83 Ft, E 90 Ft, N 127 Ft to Commencement . (.90 Acre)

This Exception is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said Exception 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 Exception, 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.

If City Council does hereby approve this Exception the owner of this Exception 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 Exception.

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

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mr. Moore

NAYS: Mrs. Wilson, Mr. Lawrence

ABSENT: Mr. McMullen

And the said resolution failed on this 21st day of December, 2017.

ATTEST:

ARLENE BLANCHARD, Secretary

MIKE MOORE, Chairman

The next item on the agenda is a resolution accepting Preliminary Plat from Oak Creek Village, LLC, An Arizona Limited Liability Company for Oak Creek Village Subdivision for property located west of Beglis Parkway, east of Belle Savanne Reserve Subdivision. Jude Dubose, representative for Oak Creek Village, stated that there are 3 variances on the Board of

Zoning Adjustment agenda that will need to be approved also. After discussion, motion was made by Mr. Lawrence seconded by Mrs. Carroll that the following resolution be adopted to-wit:

Resolution accepting Preliminary Plat from Oak Creek Village, LLC, An Arizona Limited Liability Company for Oak Creek Village Subdivision for property located west of Beglis Parkway, east of Belle Savanne Reserve Subdivision.

WHEREAS, Oak Creek Village, LLC, An Arizona Limited Liability Company, has submitted application to accept Preliminary Plat for Oak Creek Village Subdivision; and

WHEREAS, the acceptance of Preliminary Plat for Oak Creek Village Subdivision shall be contingent upon property being annexed into the corporate limits of the City of Sulphur.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby accept Preliminary Plat from Oak Creek Village, LLC, An Arizona Limited Liability Company, for the following described property:

THAT CERTAIN TRACT OR PARCEL OF LAND LYING IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE/4 OF SW/4), THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE/4 OF SW/4) AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW/4 OF SE/4) OF SECTION ELEVEN (11), TOWNSHIP TEN (10) SOUTH, RANGE TEN (10) WEST, CALCASIEU PARISH, LOUISIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE/4 OF SW/4), SECTION ELEVEN (11), TOWNSHIP TEN (10) SOUTH, RANGE TEN (10) WEST;

THENCE NORTH 00°57'43" EAST, ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE/4 OF SW/4), FOR A DISTANCE OF 894.17 FEET;

THENCE SOUTH 46°12'18" EAST A DISTANCE OF 6.15 FEET;

THENCE SOUTH 35°54'01" EAST A DISTANCE OF 55.90 FEET;

THENCE SOUTH 46°12'18" EAST A DISTANCE OF 111.12 FEET TO THE POINT OF CURVATURE OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET;

THENCE SOUTHEAST ALONG SAID TANGENT CURVE TO THE LEFT FOR AN ARC LENGTH OF 868.88 FEET, SAID CURVE HAVING A CHORD WHICH BEARS SOUTH 67°51'00" EAST, FOR A DISTANCE OF 848.36 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 89°29'41", EAST, FOR A DISTANCE OF 274.91 FEET;
THENCE SOUTH 01°03'48" WEST, FOR A DISTANCE OF 299.40 FEET TO THE
SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO CLYDE P.
ECCLES, AS PER CONVEYANCE RECORDED IN CONVEYANCE BOOK 806 AT
PAGE 13, RECORDS OF CALCASIEU PARISH;

THENCE SOUTH 89°04'28" EAST, ALONG THE SOUTH LINE OF SAID CLYDE P.
ECCLES TRACT, FOR A DISTANCE OF 300.32 FEET TO A POINT LYING ON THE
WEST RIGHT OF WAY LINE OF SOUTH BEGLIS PARKWAY;

THENCE SOUTH 00°21'04" EAST, ALONG SAID RIGHT OF WAY LINE OF
SOUTH BEGLIS PARKWAY, FOR A DISTANCE OF 26.36 FEET TO THE POINT
OF CURVATURE OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF
11409.16 FEET;

THENCE SOUTH, ALONG SAID TANGENT CURVE TO THE RIGHT, FOR AN
ARC LENGTH DISTANCE OF 138.81 FEET TO A POINT LYING ON THE SOUTH
LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW/4
OF SE/4) OF SECTION ELEVEN (11), SAID CURVE HAVING A CHORD WHICH
BEARS SOUTH 00°00'09" EAST, A DISTANCE OF 138.81 FEET;

THENCE NORTH 89°04'25" WEST, ALONG THE SOUTH LINE OF SAID
SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE/4 OF SW/4), FOR
A DISTANCE OF 1488.18 FEET TO THE POINT OF BEGINNING.

HEREIN DESCRIBED TRACT CONTAINING 717173.74 SQ. FT. OR 16.4640
ACRES, MORE OR LESS, SUBJECT TO THE RIGHT OF WAY FOR BEGLIS
PARKWAY (LOUISIANA HIGHWAY 3077) ACROSS THE EAST SIDE THEREOF,
SUBJECT TO A DRAINAGE SERVITUDE ACROSS THE NORTH AND WEST
SIDES THEREOF AND SUBJECT TO ANY EASEMENTS, SERVITUDES OR
RIGHTS-OF-WAY OF RECORD OR BY USE.

A vote was then called with the results as follows:

YEAS: Mr. Lawrence, Mr. Moore
NAYS: Mrs. Carroll, Mrs. Wilson
ABSENT: Mr. McMullen

And the said resolution failed on this 21st day of December, 2017.

ATTEST:

ARLENE BLANCHARD, Secretary

MIKE MOORE, Chairman

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

ATTEST:

ARLENE BLANCHARD, Secretary

MIKE MOORE, Chairman

12/21/17
6:20 P.M.