

May 21, 2018

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 of May, 2018, 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
BILL McMULLEN, Land Use Commission 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 Mrs. Wilson. Motion was then made by Mr. Lawrence seconded by Mrs. Wilson that the minutes of the previous meeting stand as written. Motion carried unanimously.

Motion was then made by Mr. Lawrence seconded by Mrs. Carrol that item #1 be removed:

1. Resolution electing a Chairman and Vice-Chairman.

Motion carried unanimously.

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

Motion carried unanimously.

At this time Mr. Lawrence took a personal point of privilege and stated that this was his last meeting as a Land Use Commissioner. He's served for 12 years and it was a great experience. He thanked all the Commissioners and Administration and said he'll look forward to helping-out any way he can.

At this time Mrs. Carroll presented a plaque to Mr. Moore and thanked him for serving as Chairman for May 2017 – May 2018. She then presented a plaque to Mr. Lawrence and thanked him for serving on the Land Use Commission the past 12 years. He will be greatly missed.

The first item on the agenda is a resolution granting an Exception to Joel Isaac, parcel located east of 119 East Thomas Street, to allow for living in a mobile home in a Business District. Mr. Isaac addressed the Commission and stated that this property has been in his family for many, many years. He wants to put a mobile home on this lot for his grandson. Mr. Lawrence stated that this property is in a Business District and more conducive to businesses. This area is a gray area since ½ is business and ½ is residential. This property was initially zoned Business when zoning was adopted in 2003. Mr. Moore stated that he was part of the Comprehensive Zoning Committee a couple of years ago, but the ordinance was put on hold for a while. This is one area that needs to be addressed. Mrs. Carroll stated that there are many areas of the city that are zoned Business and a lot of these areas have come before the Commission for Exception, etc. We need to stick to how the properties are zoned.

Donnie Fuselier addressed the Commission and stated that if this Exception is allowed the Commission will set precedence. Markel Andrepont stated that this is vacant property and there are other homes/duplexes in this area so why not let him put a mobile home. Bill LeBlanc stated that people should be able to do what they want to do with their property. If he's allowed to put a mobile home on this property it will bring the tax base up just a tiny bit for Sulphur. Jerome Picou stated that family means a lot to most people. He's trying to help his grandson. Family should always come first.

Mr. Wilson stated that people always complain about things the Commission votes for/against so how can we approve this.

Mr. Berry stated that if he's allowed to put the mobile home on this property, this is an existing parcel, so he'd only have to meet all the setbacks. It doesn't have to be a 6,000 sq. ft. lot.

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

RESOLUTION

Resolution granting an Exception to Joel Isaac, parcel located east of 119 East Thomas Street, to allow for a mobile home 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 Joel Isaac, parcel located east of 119 East Thomas Street, to allow for a mobile home in a Business District, in accordance with Article IV, Part 3, Section 4 (3) of the Land Use ordinance for the following property description:

LOTS 4 & 5 OF BLOCK 4 OF C.B. RICHARD SUBDIVISION OF THAT PART OF THE SOUTHWEST QUARTER OF NORTHEAST QUARTER (SW/4-NE/4) OF SECTION 34, TOWNSHIP 9 SOUTH RANGE 10 WEST, LYING SOUTH OF RIGHT OF WAY OF LA. WESTERN RR AND WEST OF RIGHT OF WAY HOUSTON RIVER CANAL

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, Mrs. Wilson, Mr. Moore, Mr. McMullen, Mr. Lawrence

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 21st day of May, 2018.

ATTEST:

ARLENE BLANCHARD, Secretary

MIKE MOORE, Chairman

The next item on the agenda is a resolution granting an Exception to Asad Khan, 115 South Cities Service Hwy., to allow for living in mobile homes in a Business District. Mr. Kahn addressed the Commission and stated that he would like to put 5 mobile homes in the rear of this property. The front of the property will be businesses. He'd like to house the employees that will be working in the businesses up front. There are other mobile homes and duplexes in this area. Mr. Lawrence stated that there are mobile homes and single-family dwellings in this area but they were there prior to our zoning ordinance being adopted. Mrs. Carroll stated that this is a Business District so put a business there.

Donnie Fuselier addressed the Commission and stated that this property floods in the back. With the work that's getting ready to start on I-210 the traffic in this area will be a nightmare. Kim Andrepont stated that there are lots of single family homes on Self Street and children live in this area also. There is also concern with one-way in and out to this property.

Mr. Moore stated that they are striving to keep Cities Service a commercial corridor. After discussion, motion was made by Mr. Lawrence seconded by Mrs. Wilson that the following resolution be adopted to-wit:

Resolution granting an Exception to Asad Khan, 115 South Cities Service Hwy., to allow for living in mobile homes 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 Asad Khan, 115 South Cities Service Hwy., to allow for living in mobile homes in a Business District, in accordance with Article IV, Part 3, Section 4 (3) of the Land Use ordinance for the following property description:

THE NORTH HALF OF SOUTH HALF OF NORTH HALF OF NORTHWEST QUARTER OF NORTHEAST QUARTER (N/2 OF S/2 OF N/2 OF NW/4 OF NE/4) OF SECTION 6, TOWNSHIP 10 SOUTH, RANGE 9 WEST, LOUISIANA MERIDIAN, CALCASIEU PARISH, LOUISIANA; LESS THE PORTION SOLD OFF THE WEST END TO DEPARTMENT OF HIGHWAYS, STATE OF LOUISIANA BY DEED RECORDED IN COB 3171, PAGE 177, CALCASIEU PARISH, LOUISIANA.

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: None

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

ABSENT: None

And the said resolution failed on this 21st day of May, 2018.

ATTEST:

ARLENE BLANCHARD, Secretary

MIKE MOORE, Chairman

The next item on the agenda is a resolution accepting Final Plat from Maple Creek Development, LLC, for Maple Creek Subdivision located off Driftwood Drive (behind Maplewood School). Mr. Lawrence stated that the City needs to look at Driftwood and maybe widen it; this street is very narrow. Motion was then made by Mr. Lawrence seconded by Mrs. Carroll that the following resolution be adopted to-wit:

RESOLUTION

Resolution accepting Final Plat from Maple Creek Development, LLC, for Maple Creek Subdivision located off Driftwood Drive (behind Maplewood School).

WHEREAS, in accordance with Appendix B, Article III, Part 2, Section 1 (6) (c) of the Code of Ordinances of the City of Sulphur, application has been received from Maple Creek Development, LLC, to accept final plat and revise the Land Use Map for property located off Driftwood Drive (behind Maplewood School) for property described as follows:

THAT CERTAIN TRACT OF LAND SITUATED IN SECTION 6, TOWNSHIP 10 SOUTH, RANGE 9 WEST, CALCASIEU PARISH, LOUISIANA, CONTAINING 36.89 ACRES AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH WESTERLY CORNER OF SAID TRACT OF LAND, ALSO KNOWN AS THE POINT OF COMMENCEMENT (POC) AND THE POINT OF BEGINNING (POB).

THENCE SOUTH 89°48'36" EAST A DISTANCE OF 1330.00 FEET;
THENCE SOUTH 00°12'39" WEST A DISTANCE OF 823.61 FEET;
THENCE PROCEED ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2144.80 FEET, AN ARC DISTANCE OF 823.64 FEET, A CHORD BEARING OF SOUTH 50°49'37" WEST AND A CHORD DISTANCE OF 818.59 FEET;
THENCE NORTH 89°22'13" WEST A DISTANCE OF 710.29 FEET;
THENCE NORTH 00°45'59" EAST A DISTANCE OF 1337.40 FEET TO THE POINT OF BEGINNING (POB).

WHEREAS, this final plat 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 Maple Creek Development, LLC and revise the Land Use Map for property located off Driftwood Drive, behind Maplewood School.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 21st day of May, 2018.

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

5/21/18
6:15 P.M.