

June 18, 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 18th of June, 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
BILL McMULLEN, Land Use Commission District 4
JONATHAN BRAZZELL, Land Use Commission of District 5

ABSENT - MIKE MOORE, Land Use Commission District 3

After the meeting was called to order and the roll called with the above results, prayer was led by Mrs. Wilson followed by the reciting of the Pledge of Allegiance led by Mr. McMullen. Motion was then made by Mrs. Wilson seconded by Mr. Brazzell that the minutes of the previous meeting stand as written. Motion carried unanimously.

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

Motion carried unanimously.

The first item on the agenda is a resolution electing a Chairman and Vice-Chairman. Motion was made by Mrs. Carroll seconded by Mrs. Wilson 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 Phyllis Wilson as Vice-Chairman for the Land Use Commission of the City of Sulphur.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mrs. Wilson, Mr. McMullen, Mr. Brazzell

NAYS: None

ABSENT: Mr. Moore

And the said resolution was declared duly adopted on this 18th day of June, 2018.

ATTEST:

ARLENE BLANCHARD, Secretary

LENORE CARROLL, Chairman

The next item on the agenda is a resolution accepting Final Plat from Belle Savanne Partners, LLC, for Belle Savanne Phase 2. Motion was made by Mr. McMullen seconded by Mr. Brazzell that the following resolution be adopted to-wit:

RESOLUTION

Resolution accepting Final Plat from Belle Savanne Partners, LLC, for Belle Savanne Phase II subdivision.

WHEREAS, Belle Savanne Partners, LLC has submitted a final plat for Belle Savanne Phase II; and

WHEREAS, variances listed on attached plat map were approved with the adoption of a Cooperative Endeavor Agreement between the City of Sulphur, Parish of Calcasieu and Bel Commercial Limited Liability Company and Belle Savanne Development, LLC, on March 18, 2014; and

WHEREAS, said examination reflects that the final plat submitted by Belle Savanne Partners, LLC complies with Chapter 18 of the Code of Ordinances and Article III, Part 1, Section 1, (6) (c) and (e) of the Land Use Ordinance for the City of Sulphur.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby accept final plat from Belle Savanne Partners, LLC, for Belle Savanne Phase II for the following described property:

A CERTAIN PARCEL OF LAND BEING 36.258 ACRES SITUATED IN SECTION 10, TOWNSHIP 10 SOUTH, RANGE 10 WEST, CITY OF SULPHUR, CALCASIEU PARISH, LOUISIANA FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT FROM THE INTERSECTION OF WRIGHT ROAD AND CARLYSS BLVD BEING THE POINT OF COMMENCEMENT, THENCE PROCEED ALONG A BEARING OF NORTH 50°23'46" EAST FOR A DISTANCE OF 79.96 FEET, TO A POINT, BEING SAID POINT BEING THE POINT OF BEGINNING.

THENCE PROCEED ALONG A BEARING OF NORTH 89°06'02" WEST FOR A DISTANCE OF 2259.37 FEET TO A POINT;
THENCE PROCEED ALONG A BEARING OF NORTH 00°53'58" EAST FOR A DISTANCE OF 374.11 FEET TO A POINT;
THENCE PROCEED ALONG A BEARING OF NORTH 89°06'00" WEST FOR A DISTANCE OF 150.00 FEET TO A POINT;
THENCE PROCEED ALONG A BEARING OF NORTH 00°53'58" EAST FOR A DISTANCE OF 330.00 FEET TO A POINT;
THENCE PROCEED ALONG A BEARING OF SOUTH 89°06'02" EAST FOR A DISTANCE OF 270.00 FEET TO A POINT;
THENCE PROCEED ALONG A BEARING OF NORTH 86°44'02" EAST FOR A DISTANCE OF 91.52 FEET TO A POINT;
THENCE PROCEED ALONG A BEARING OF SOUTH 89°06'02" EAST FOR A DISTANCE OF 730.00 FEET TO A POINT;
THENCE PROCEED ALONG A BEARING OF SOUTH 00°53'58" WEST FOR A DISTANCE OF 440.76 FEET TO A POINT;
THENCE PROCEED ALONG A BEARING OF SOUTH 89°06'02" EAST FOR A DISTANCE OF 65.00 FEET TO A POINT;
THENCE PROCEED ALONG A BEARING OF SOUTH 00°53'58" WEST FOR A DISTANCE OF 110.00 FEET TO A POINT;
THENCE PROCEED ALONG A BEARING OF SOUTH 89°06'02" EAST FOR A DISTANCE OF 85.38 FEET TO A POINT;
THENCE PROCEED ALONG A BEARING OF NORTH 00°53'58" EAST FOR A DISTANCE OF 110.00 FEET TO A POINT;
THENCE PROCEED ALONG A BEARING OF SOUTH 89°06'02" EAST FOR A DISTANCE OF 65.00 FEET TO A POINT;
THENCE PROCEED ALONG A BEARING OF NORTH 00°53'58" EAST FOR A DISTANCE OF 440.76 FEET TO A POINT;
THENCE PROCEED ALONG A BEARING OF SOUTH 89°06'02" EAST FOR A DISTANCE OF 970.00 FEET TO A POINT;
THENCE PROCEED ALONG A BEARING OF NORTH 00°53'58" EAST FOR A DISTANCE OF 40.47 FEET TO A POINT;
THENCE PROCEED ALONG A BEARING OF SOUTH 89°06'01" EAST FOR A DISTANCE OF 163.55 FEET TO A POINT;
THENCE PROCEED ALONG A BEARING OF SOUTH 00°35'22" WEST FOR A DISTANCE OF 716.15 FEET TO A POINT;
THENCE PROCEED ALONG A BEARING OF SOUTH 45°34'49" WEST FOR A DISTANCE OF 49.36 FEET TO THE POINT OF BEGINNING.

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 Belle Savanne Partners, LLC for Belle Savanne Phase II subdivision and revise the Land Use Map for property located north of Carlyss Blvd.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mrs. Wilson, Mr. McMullen, Mr. Brazzell

NAYS: None

ABSENT: Mr. Moore

And the said resolution was declared duly adopted on this 18th day of June, 2018.

ATTEST:

ARLENE BLANCHARD, Secretary

LENORE CARROLL, Chairman

The next item on the agenda is a resolution accepting Final Plat from Carl Vincent, 1763 Highway 90 West, to subdivide a parcel for a single-family dwelling. Mr. Vincent stated that the parcel is a little over ½ acre for a new home for his son. Motion was made by Mr. Brazzell seconded by Mr. McMullen that the following resolution be adopted to-wit:

RESOLUTION

Resolution accepting Final Plat from Carl Vincent for property located at 1763 Highway 90 West to allow for a single-family dwelling.

WHEREAS, in accordance with Chapter 18, Section 2 and Appendix B, Article III, Part I, Section 1, (6) (c) and (e) 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 at 1763 Highway 90 West for property described as follows:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 33, TOWNSHIP 9 SOUTH, RANGE 10 WEST, CALCASIEU PARISH, LOUISIANA; THENCE NORTH 2026.72 FEET, THENCE NORTH 76°35'46" EAST A DISTANCE OF 645.82 FEET TO THE POINT OF BEGINNING; THENCE CONTUING NORTH 76°35'46" EAST A DISTANCE OF 92.76 FEET, THENCE SOUTH 00°36'56" WEST A DISTANCE OF 266.93 FEET, THENCE NORTH 89°17'53" WEST A DISTANCE OF 90.00 FEET, THENCE NORTH 00°36'56" EAST A DISTANCE OF 244.32 FEET TO THE POINT OF BEGINNING; CONTAINING 0.528 ACRES MORE OR LESS.

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 Carl Vincent and revise the Land Use Map for property located at 1763 Highway 90 West.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mrs. Wilson, Mr. McMullen, Mr. Brazzell
NAYS: None
ABSENT: Mr. Moore

And the said resolution was declared duly adopted on this 18th day of June, 2018.

ATTEST:

ARLENE BLANCHARD, Secretary

LENORE CARROLL, Chairman

The next item on the agenda is a resolution granting a rezone to Wayne Smith from Residential to Mixed Residential for property located at 413 Ash Street, to allow for a duplex. Mr. Smith stated that he'd like to convert this single-family home into a duplex. There will be parking in the front as well as the back. Mr. LeBlanc addressed the Commission and stated that there are already apartments on the west side and a duplex on the east side. He doesn't see a problem with the rezone. Mrs. Carroll stated that this is one area she doesn't understand why it was zoned Residential and not Mixed Residential. After discussion, motion was made by Mr. McMullen seconded by Mr. Brazzell that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting a rezone to Wayne Smith from Residential to Mixed Residential for property located at 413 Ash Street to allow for a duplex

WHEREAS, Wayne Smith has submitted application to Rezone from Residential District to Mixed Residential 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 Wayne Smith from Residential to Mixed Residential for the following described property to wit:

A PORTION OF LOT 53 BLK D GEO LOCK SUB OF N/2 SE AND S/2 NE
34.9.10 DESC AS: COM AT PT 87.75 FT E OF NW COR OF E 15.75 FT OF
LOT 52, TH E ALONG S R/W LINE OF ASH ST 50.4 FT, TH S 195.47 FT TO
S/LINE LOT 53 TH W 50.4 FT, TH N 195.39 FT TO PT OF COM IMPS

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. McMullen

NAYS: Mr. Brazzell

ABSENT: Mr. Moore

And the said resolution was declared duly adopted on this 18th day of June, 2018.

ATTEST:

ARLENE BLANCHARD, Secretary

LENORE CARROLL, Chairman

The next item on the agenda is a resolution granting a rezone to John LaFleur from Mixed Residential to Business for property located at 301 Navarre Street, to allow for a drive-thru restaurant. Motion was made by Mrs. Wilson seconded by Mr. Brazzell that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting a rezone to John LaFleur, Agnes LaFleur, et al, from Mixed Residential to Business for property located at 301 Navarre Street, to allow for a drive-thru restaurant.

WHEREAS, John LaFleur and Agnes LaFleur et al, has submitted application to Rezone from Mixed Residential District to Business District; and

WHEREAS, in accordance with Article IV, Part II, Section 8 of the Land Use Ordinance the following buffer shall be installed:

Section 8. - Bufferyards.

Whenever an existing residential use is bounded by a less restricted use, the proposed use will install a six (6) foot tall buffer constructed of wood or brick masonry. Furthermore, a twenty (20) foot buffer width will also be maintained that will be void of any parking apron, construction, accessory use, etc. The bufferyard is to remain free, clear and open of any obstruction.

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 John LaFleur and Agnes LaFleur, et al from Mixed Residential to Business for the following described property to wit:

031010-0000-3100011 0000 COM 50 FEET WEST AND 40 FT S NE COR NE
SW 3.10.10 S 100 FT W 200 FT ETC
@031010-0000-3100010 0000 COM 250 FT W AND 40 FT S OF N COR NE
SW 3.10.10 S 150 FT W 100 FT ETC

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. McMullen, Mr. Brazzell
NAYS: None
ABSENT: Mr. Moore

And the said resolution was declared duly adopted on this 18th day of June, 2018.

ATTEST:

ARLENE BLANCHARD, Secretary

LENORE CARROLL, Chairman

The next item on the agenda is a resolution granting a rezone to William Emmons from Residential to Mixed Residential for property located south of 1709 Todd Street to allow for a mobile home. Mr. Vincent addressed the Commission and stated that he tried to rezone his property at the end of this street about 9-10 years ago and it did not pass. He's submitted a petition with 10 signatures opposing this rezone. Mrs. Page, Asst. City Attorney, stated that the petition that was turned in was only signatures, it didn't state anything about being in opposition. This petition could be for anything.

Mrs. Wilson stated that she thought it would be considered spot zoning. Mrs. Carroll stated that there are a bunch of mobile homes on this street already.

Mr. Emmons, owner, stated that he bought this property to clean up the neighborhood. It'll be a nice mobile home with a porch. Mr. Brazzell asked Mr. Emmons if he'd be willing to put a single-family home rather than a mobile home. Mr. Emmons stated, yes. Mr. Emmons stated that there are 9 mobile homes on this street.

Mr. Fuselier addressed the Commission and stated that by putting a mobile home on this property it won't mess up the dynamics of the neighborhood. Mrs. Carroll stated that further east on Parish Road someone wanted to rezone to Mixed Residential and it failed but she questions the zoning in this area. After discussion, motion was made by Mr. McMullen seconded by Mr. Brazzell that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting a rezone to William Emmons from Residential to Mixed Residential for property located south of 1709 Todd Street, to allow for a mobile home.

WHEREAS, William Emmons has submitted application to Rezone from Residential District to Mixed Residential District; and

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 William Emmons from Residential to Mixed Residential for the following described property to wit:

COM 232 FT S OF NW COR SW NW 3.10.10 S 50 FT E 130 FT ETC

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. McMullen

NAYS: Mr. Brazzell

ABSENT: Mr. Moore

And the said resolution was declared duly adopted on this 18th day of June, 2018.

ATTEST:

ARLENE BLANCHARD, Secretary

LENORE CARROLL, Chairman

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

ATTEST:

ARLENE BLANCHARD, Secretary

LENORE CARROLL, Chairman

6/18/18
5:55 P.M.