

April 30, 2007

The City Council of the City of Sulphur, Louisiana, met in special session at its regular meeting place at City Hall, Sulphur, Louisiana, on April 30, 2007 at 8:00 a.m., after full compliance with the convening of said meeting with the following members present:

DRU ELLENDER, Council Representative of District 1
CHRIS DUNCAN, Council Representative of District 3
NANCY TOWER, Council Representative of District 4
STUART MOSS, Council Representative of District 5

ABSENT: MIKE KOONCE, Council Representative of District 2

After the meeting was called to order and the roll called with the above result, prayer was led by Mrs. Ellender and Pledge of Allegiance led by Mr. Moss.

The first item on the agenda a public hearing on ordinance granting a variance to Allen Oliver, 2502 Allen Street, to allow for a mobile home for a 6 month period. Motion was made by Mr. Moss seconded by Mrs. Ellender that the following ordinance be adopted to-wit:

ORDINANCE NO. 770, M-C SERIES

AN ORDINANCE GRANTING A VARIANCE TO ARTICLE IV, PART 3, SECTION 1 (2) OF THE LAND USE ORDINANCE OF THE CITY OF SULPHUR, LOUISIANA, TO ALLEN OLIVER, 2502 ALLEN STREET, SULPHUR, LOUISIANA, TO EXEMPT CERTAIN PROPERTY AND IMPROVEMENTS.

WHEREAS, the following described property located in the City of Sulphur, State of Louisiana, is owned by Allen Oliver, 2502 Allen Street, Sulphur, Louisiana 70663, to-wit:

Commencing 701.4 feet North of the Southwest corner of the South Half of the Southeast Quarter (S/2 of SE/4) of Section 3, Township 10 South, Range 10 West, thence East 126.37 feet, thence North 82 degrees 39 minutes East 537.73 feet to the point of commencement; thence from said

point of commencement go North 82 degrees 39 minutes East 159 feet to Allen Street, thence South 154 feet, thence West 160 feet, thence North 136 feet to the point of commencement, together with all additions and improvements situated thereon.

WHEREAS, improvements on the property will include a mobile home for a 6 month period.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL 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 variance to Allen Oliver, 2502 Allen Street, of Article IV, Part 3, Section 1 (2) to exempt the following described property to wit:

Commencing 701.4 feet North of the Southwest corner of the South Half of the Southeast Quarter (S/2 of SE/4) of Section 3, Township 10 South, Range 10 West, thence East 126.37 feet, thence North 82 degrees 39 minutes East 537.73 feet to the point of commencement; thence from said point of commencement go North 82 degrees 39 minutes East 159 feet to Allen Street, thence South 154 feet, thence West 160 feet, thence North 136 feet to the point of commencement, together with all additions and improvements situated thereon.

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.

That 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 ORDAINED that this Ordinance shall become effective upon Mayor's signature.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Duncan, Mrs. Tower, Mr. Moss

NAYS: None

ABSENT: Mr. Koonce

And the said ordinance was declared duly adopted on this 30th day of April, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda a public hearing on ordinance granting a variance to James Andersen, 131 Mustang Street, to allow for a mobile home. Motion was made by Mrs. Ellender seconded by Mr. Moss that the following ordinance be adopted to-wit:

ORDINANCE NO. 771, M-C SERIES

AN ORDINANCE GRANTING A VARIANCE TO ARTICLE IV, PART 3, SECTION 1 (2) OF THE LAND USE ORDINANCE OF THE CITY OF SULPHUR, LOUISIANA, TO JAMES ANDERSEN, 131 A MUSTANG STREET, SULPHUR, LOUISIANA, TO EXEMPT CERTAIN PROPERTY AND IMPROVEMENTS.

WHEREAS, the following described property located in the City of Sulphur, State of Louisiana, is owned by James Andersen, 131 A Mustang Street, Sulphur, Louisiana 70663, to-wit:

Lot Thirty-five (35) of the Sonnier Subdivision of part of the South Half of the Northeast Quarter of Section 3, Township 10 South, Range 10 West.

WHEREAS, improvements on the property will include a mobile home for a 12-16 period.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL 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 variance to James Andersen, 131 A Mustang Street, of Article IV, Part 3, Section 1 (2) to exempt the following described property to wit:

Lot Thirty-five (35) of the Sonnier Subdivision of part of the South Half of the Northeast Quarter of Section 3, Township 10 South, Range 10 West.

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.

That 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 ORDAINED that this Ordinance shall become effective upon Mayor's signature.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Duncan, Mrs. Tower, Mr. Moss

NAYS: None

ABSENT: Mr. Koonce

And the said ordinance was declared duly adopted on this 30th day of April, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

The next item on the agenda an introduction of ordinance accepting preliminary plans for Frenchman's Creek Subdivision Phase I. Mrs. Tower stated that she put this back on the agenda because it was not voted on the last time it was on the agenda. These people can build the subdivision without Council approval. If we don't adopt this subdivision with restrictions then they will build it without the restrictions. Mrs. Tower also stated that she would like to have this introduced today so the public hearing can be May 14th. Mr. Moss stated that this subdivision will be in Mr. Duncan's district and Mr. Duncan would like to have a town hall meeting prior to the Council voting. Mr. Moss also stated that he hasn't received any calls in favor of this subdivision. He has heard conflicting stories from both sides and no one has called him to verify their story.

Mayor LeLeux stated that he isn't for this project because the developers are saying that if the city doesn't vote their way then they will build it anyway and that's without the restrictions. The developers really don't care about the city. Mr. Duncan stated that he wants to have a meeting with his district to let them know exactly what will be built on this property. Mrs. Tower stated if this doesn't get introduced today then they couldn't have the public hearing on May 14th. These people have a deadline to meet and if we have the public hearing after May 14th it will be too late. After discussion, motion was made by Mr. Moss seconded by Mrs. Ellender that the following ordinance be tabled:

ORDINANCE ACCEPTING PRELIMINARY PLANS FOR FRENCHMAN'S CREEK SUBDIVISION PHASE I.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Moss

NAYS: Mr. Duncan, Mrs. Tower

ABSENT: Mr. Koonce

And the said ordinance was not tabled on this 30th day of April, 2007.

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

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

ATTEST:

ARLENE BLANCHARD, Clerk

CHRISTOPHER L. DUNCAN, Chairman

4-30-07
8:15 A.M.