

June 20, 2016

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 20th day of June, 2016, after full compliance with the convening of said meeting with the following members present:

LENORE CARROLL, Land Use Commission District 1
MIKE MOORE, Land Use Commission District 3
LAWRENCE DAVID, Land Use Commission District 4
GERRIT LAWRENCE, Land Use Commission of District 5

ABSENT: SANDRA VINCENT, Land Use Commission District 2

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 Mr. Lawrence seconded by Mrs. Carroll that the minutes of the previous meeting stand as written. Motion carried.

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

The first item on the agenda is a resolution enlarging and extending the boundaries of the City of Sulphur for the annexation of 1765 Hwy. 90 West owned by Carl H. Vincent. Motion was made by Mr. Lawrence seconded by Mrs. Carroll that the following resolution be adopted to-wit:

RESOLUTION

RESOLUTION ENLARGING AND EXTENDING THE BOUNDARIES OF THE CITY OF SULPHUR FOR THE ANNEXATION FOR CARL H. VINCENT, 1765 HWY. 90 WEST.

WHEREAS, the City of Sulphur has received a petition from Carl H. Vincent for the annexation of certain property which is adjacent to and contiguous to the existing corporate limits

of the City of Sulphur, which said property is generally described as lying on the south side of Hwy 90 West and west of Kim Street; and

WHEREAS, this resolution will serve as the introduction of ordinance proposing to enlarge and extend the boundaries of the City of Sulphur, Louisiana, to include the said property; and

WHEREAS, a Public Hearing will be held in accordance with State law and will be duly advertised with Public Notice to enlarge and extend the boundaries to include said property. At time of Public Hearing a complete description of the geographic boundaries of the City of Sulphur will be included; and

WHEREAS, said property, currently zoned as R-1 land use district by the Parish; and

WHEREAS, property owner wishes to have property zoned Residential.

NOW, THEREFORE, BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that the boundaries of the City of Sulphur, Louisiana, be and the same are hereby enlarged and extended to include the following described property situated in the Parish of Calcasieu, State of Louisiana, to-wit:

A TRACT OF LAND IN THE NORTHWEST QUARTER OF THE
SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 9 SOUTH, RANGE
10 WEST, CALCASIEU PARISH, LOUISIANA; COMMENCING WHERE THE
WEST LINE OF SECTION 33, TOWNSHIP 9 SOUTH, RANGE 10 WEST
INTERSECTS WITH THE SOUTH RIGHT OF WAY LINE OF HIGHWAY 90;
THENCE NORTH 75' EAST, A DISTANCE OF 790.12 FEET; THENCE
SOUTH, A DISTANCE OF 309.40 FEET; THENCE EAST, A DISTANCE OF
150.00 FEET; THENCE SOUTH, A DISTANCE OF 625.36 FEET; THENCE
WEST, A DISTANCE OF 916.16 FEET; THENCE NORTH, A DISTANCE OF
703.34 FEET BACK TO THE POINTING OF COMMENCEMENT.
CONTAINING 16.82 ACRES, MORE OR LESS.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Vincent

And the said resolution was declared duly adopted on this 20th day of June, 2016.

ATTEST:

ARLENE BLANCHARD, Secretary

LAWRENCE DAVID, Chairman

The next item on the agenda is a resolution enlarging and extending the boundaries of the City of Sulphur for the annexation of 60 acres of undeveloped property located on south side of Highway 90 West and west of Kim Street owned by Curtis and Emma Vincent. Motion was made by Mr. Lawrence seconded by Mr. Moore that the following resolution be adopted to-wit:

RESOLUTION

RESOLUTION ENLARGING AND EXTENDING THE BOUNDARIES OF THE CITY OF SULPHUR FOR THE ANNEXATION FOR CURTIS AND EMMA VINCENT, PROPERTY LOCATED ON SOUTH SIDE OF HWY. 90 WEST AND WEST OF KIM STREET.

WHEREAS, the City of Sulphur has received a petition from Curtis and Emma Vincent for the annexation of certain property which is adjacent to and contiguous to the existing corporate limits of the City of Sulphur, which said property is generally described as lying on the south side of Hwy 90 West and west of Kim Street; and

WHEREAS, this resolution will serve as the introduction of ordinance proposing to enlarge and extend the boundaries of the City of Sulphur, Louisiana, to include the said property; and

WHEREAS, a Public Hearing will be held in accordance with State law and will be duly advertised with Public Notice to enlarge and extend the boundaries to include said property. At time of Public Hearing a complete description of the geographic boundaries of the City of Sulphur will be included; and

WHEREAS, said property, currently zoned as A-1 land use district by the Parish; and

WHEREAS, property owner wishes to have property zoned Residential.

NOW, THEREFORE, BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that the boundaries of the City of Sulphur, Louisiana, be and the same are hereby enlarged and extended to include the following described property situated in the Parish of Calcasieu, State of Louisiana, to-wit:

COMMENCING AT THE INTERSECTION OF THE EAST LINE OF SECTION 32, TOWNSHIP 9 SOUTH, RANGE 10 WEST, WITH THE SOUTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 90; THENCE SOUTH 0°20'45" EAST ALON GTHE EAST LINE OF SAID SECTION 32, A DISTANCE OF 2026.81 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 32; THENCE NORTH 89°48'03" WEST ALONG THE SOUTH LINE OF SAID SECTION 32, A DISTANCE OF 1162.92 FEET; THENCE NORTH 0°20'45"

WEST, A DISTANCE OF 1719.53 FEET TO THE SOUTHERLY RIGHT OF WAY OF U.S. HIGHWAY 90; THENCE NORTH 75°21'46" EAST ALONG THE SOUTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 90, A DISTANCE OF 1200.0 FEET TO THE POINT OF COMMENCEMENT, CONTAINING 50 ACRES, MORE OR LESS, AND ALL BEING IN CALCASIEU PARISH, LOUISIANA.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Vincent

And the said resolution was declared duly adopted on this 20th day of June, 2016.

ATTEST:

ARLENE BLANCHARD, Secretary

LAWRENCE DAVID, Chairman

The next item on the agenda is a resolution granting the subdividing of lots for Jerry and Leslie Trahan, 301 Davis Street with lots being less than the required 6,000 sq. ft. Mr. Dautriel, neighbor, addressed the Commission and stated that he is opposed to subdividing these lots.

They owner purchased at an auction. He's a business man and wants to build two homes here. A petition from the neighborhood has been submitted opposing the subdividing of lots. There are several lots/homes that are declined in this area and we're trying to take care of our

neighborhood. There was once a nice home on this property but then Road Home demolished it.

Mr. Lawrence stated that all these lots are a nice big size and he doesn't think the lot should be split in two. Mr. Daigle, Land Use Administrator, stated that they need to maintain the character

of the neighborhood. This is contrary to the code. Motion was then made by Mrs. Carroll

seconded by Mr. Lawrence that the following resolution be adopted to-wit:

Resolution granting the subdividing of lots for Jerry and Leslie Trahan, 301 Davis Street with lots being less than the required 6,000 sq. ft.

WHEREAS, the plat has been presented and examined for compliance in accordance with Chapter 18, Section 24 (j) (4) of the Code of Ordinances of the City of Sulphur; and

WHEREAS, each lot will consist of 5,625 sq. ft. rather than the required 6,000 sq. ft. in accordance with Article IV, Part 3, Section 2 (d) of the Land Use Ordinance of the City of Sulphur; and

WHEREAS, in accordance with Chapter 18, Section 24 (j) (4) of the Code of Ordinances of the City of Sulphur, application has been received from Jerry and Leslie Trahan, 301 Davis Street to subdivide property into 2 parcels with each parcel being 5,625 sq. ft. rather than the required 6,000 sq. ft. for the property described as follows:

THE EAST HALF (E/2) OF LOT ONE (1) OF BLOCK ELEVEN (11) OF BEVERLY HILLS SUBDIVISION, A SUBDIVISION IN SECTION 31, TOWNSHIP 9 SOUTH, RANGE 9 WEST, LOUISIANA MERIDIAN, CALCASIEU PARISH, LOUISIANA, AS PER PLAT RECORDED IN THE RECORDS OF CALCASIEU PARISH, LOUISIANA.

HEREIN DESCRIBED TRACT CONTAINING 0.129 ACRES, MORE OR LESS, AND SUBJECT TO ANY RIGHT OF WAYS, SERVITUDES AND/OR EASEMENTS OF RECORD OR BY USE.

A vote was then called with the results as follows:

YEAS: None

NAYS: Mrs. Carroll, Mr. Moore, Mr. David, Mr. Lawrence

ABSENT: Mrs. Vincent

And the said resolution failed on this 20th day of June, 2016.

ATTEST:

ARLENE BLANCHARD, Secretary

LAWRENCE DAVID, Chairman

The next item on the agenda is a resolution accepting final plat from Belle Savanne, LLC for Mimosa Park Phase I. Mr. Daigle, Land Use Administrator, stated that the lift station will not be accepted at this time as stated in the resolution. The dedication will be done at a later date.

Motion was made by Mr. Lawrence seconded by Mrs. Carroll that the following resolution be adopted to-wit:

RESOLUTION

Resolution accepting final plat from Belle Savanne, LLC for Mimosa Park Phase I.

WHEREAS, Belle Savanne, LLC has submitted a final plat for Mimosa Park Phase I located east of Hwy. 1256, south of I-10; and

WHEREAS, lift station shall not be accepted at this time and would require a separate dedication/acceptance upon final inspection and certification has been performed; and

WHEREAS, variances listed on attached plat map were approved with adoption of 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.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby accept final plat (with exception of lift station) from Belle Savanne, LLC for Mimosa Park Phase I. for the following described property:

THAT CERTAIN TRACT OF LAND SITUATED IN SECTIONS 10 AND 15, TOWNSHIP 10 SOUTH, RANGE 10 WEST, CITY OF SULPHUR, CALCASIEU PARISH, LOUISIANA, CONTAINING 17.649 ACRES AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF ROADWAY CENTERLINES FOR CARLYSS BOULEVARD AND WRIGHT ROAD, SAID POINT BEING THE POINT OF COMMENCEMENT (P.O.C.); THENCE PROCEED NORTH 89°06'02" WEST A DISTANCE OF 25.25 FEET; THENCE SOUTH 00°58'12" WEST A DISTANCE OF 1,279.27 FEET TO THE POINT OF BEGINNING (P.O.B.).

THENCE SOUTH 00°58'12" WEST A DISTANCE OF 746.42 FEET;
THENCE NORTH 89°01'50" WEST A DISTANCE OF 171.98 FEET;
THENCE SOUTH 00°58'10" WEST A DISTANCE OF 36.59 FEET;
THENCE NORTH 89°06'02" WEST A DISTANCE OF 677.86 FEET;
THENCE NORTH 00°53'58" EAST A DISTANCE OF 40.02 FEET;
THENCE NORTH 89°06'02" WEST A DISTANCE OF 115.00 FEET;
THENCE NORTH 00°53'58" EAST A DISTANCE OF 773.00 FEET;
THENCE SOUTH 89°06'02" EAST A DISTANCE OF 793.85 FEET;
THENCE SOUTH 00°58'10" WEST A DISTANCE OF 30.00 FEET;
THENCE SOUTH 89°01'50" EAST A DISTANCE OF 171.99 FEET;

TO THE POINT OF BEGINNING (P.O.B.).

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Vincent

And the said resolution was declared duly adopted on this 20th day of June, 2016.

ATTEST:

ARLENE BLANCHARD, Secretary

LAWRENCE DAVID, Chairman

The next item on the agenda is a resolution granting a rezone to Alicia Burton, 707 Phillips Street, from Residential to Mixed Residential to allow for a manufactured home. Alicia Burton, applicant, addressed the Commission and stated that there was an old house on the property and they tore it down to put a manufactured home there. There was a slab poured and the city should have stopped us. Mr. Berry, Building Official, stated that you can pour a slab for anything. When the Inspectors went to inspect the slab they were told it was for a modular home. We issued a permit for a modular home because that's what y'all told us it was. Juan Alonis, addressed the Commission and stated that when we applied for the permit the Inspector told us he just needed a diagram of what was going where and there shouldn't be a problem. We gave him the paperwork from the manufactured home company. At this time Mr. Berry was asked to explain the difference between a modular home and manufactured home. Mr. Moore asked if the Inspectors/Clerks are trained on green tags. Mr. Berry stated, yes they are. Inspectors did a slab inspection then gave a green tag. After discussion, motion was made by Mr. Lawrence seconded by Mrs. Carroll that the following resolution be adopted to-wit:

Resolution granting a rezone to Alicia Burton, 707 Phillips Street, from Residential to Mixed Residential to allow for a manufactured home.

WHEREAS, Alicia Burton has submitted application to rezone from Residential to Mixed Residential to allow for a manufactured home; 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 Alicia Burton, 707 Phillips Street, from Residential to Mixed Residential to allow for a manufactured home for the following described property to wit:

LOT 11 AND W 25 FT OF LOT 10 BLK 3 JOHNSON SUB OF NW NW SW
34.9.10 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: Mr. David

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

ABSENT: Mrs. Vincent

And the said resolution failed on this 20th day of June, 2016.

ATTEST:

ARLENE BLANCHARD, Secretary

LAWRENCE DAVID, Chairman

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

ATTEST:

ARLENE BLANCHARD, Secretary

LAWRENCE DAVID, Chairman

6/20/16

6:05 P.M.