

October 17, 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 17th day of October, 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  
BILL McMULLEN, Land Use Commission District 4  
GERRIT LAWRENCE, Land Use Commission of District 5

ABSENT, Phyllis Wilson, 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 Mr. Moore. Motion was then made by Mrs. Carroll seconded by Mr. Moore that the minutes of the previous meeting stand as written. Motion carried.

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

The first item on the agenda is a resolution granting the subdividing of lot to Benoit's Properties of Sulphur, LLC, for property located between Savoy Road and Morgan Road. Mr. Benoit stated that he purchased the property one year ago and would like to put mobile homes on each lot. Mike Daigle, Land Use Administrator, stated that he was against this since two of the lots require a variance. This is for profit and he needs to get rid of one of the lots so all lots conform to our ordinance. Mr. Benoit stated that 2 of the lots are just shy of 50 feet wide. Garry Johnson, Surveyor, addressed the Council and stated that they could split the difference between all five lots. Mr. Daigle stated then he'd need a variance for 5 lots rather than 2 lots. It was mentioned that this resolution is contingent upon the adoption of the variance at the Board of

Zoning Adjustment meeting to be held after this meeting. If the variance fails at the next meeting, then this resolution is null and void. Motion was then made by Mr. Moore seconded by Mr. McMullen that the following resolution be adopted to-wit:

### RESOLUTION

Resolution granting the subdividing of lots to Benoit's Properties of Sulphur, LLC, for property located between Savoy Road and Morgan Road.

WHEREAS, in accordance with Chapter 18 of the Code of Ordinances of the City of Sulphur, application has been received from Benoit's Properties of Sulphur, LLC, to subdivide property for the property described as follows:

THE NORTH 50 FEET OF LOT 16 OF THE S.R. MORGAN SUBDIVISION.

LOTS 17 AND 18 OF S.R. MORGAN SUBDIVISION.

COMMENCING 201.9 FEET WEST AND 443.25 FEET NORTH OF THE SOUTHEAST CORNER OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 9 SOUTH, RANGE 10 WEST; THENCE WEST A DISTANCE OF 131.90 FEET; THENCE NORTH, A DISTANCE OF 147.75 FEET; THENCE EAST, A DISTANCE OF 131.90 FEET; THENCE SOUTH, A DISTANCE OF 147.75 FEET BACK TO THE POINT OF COMMENCEMENT.

COMMENCING 201.90 FEET WEST AND 341.85 FEET NORTH OF THE SOUTHEAST CORNER OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 9 SOUTH, RANGE 10 WEST; THENCE NORTH 101.40 FEET; THENCE WEST, A DISTANCE OF 131.90 FEET; THENCE SOUTH 101.40 FEET; THENCE EAST, A DISTANCE OF 131.90 FEET BACK TO THE POINT OF COMMENCEMENT.

ALL CONTAINING 68343.78 SQUARE FEET OR 1.56 ACRES, MORE OR LESS.

BE IT RESOLVED that said subdividing of lots is contingent upon the variances being adopted by the Board of Zoning Adjustment on Monday, October 17, 2016 to allow for road frontage on two parcels to be 49.91 feet and 49.24 feet rather than the required 50 feet.

BE IT FURTHER RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant the subdividing of lots to Benoit's Properties of Sulphur, LLC, for property located between Savoy Road and Morgan Road.

A vote was then called with the results as follows:

YEAS: Mr. Moore, Mr. McMullen, Mr. Lawrence

NAYS: Mrs. Carroll

ABSENT: Mrs. Wilson

And the said resolution was declared duly adopted on this 17<sup>th</sup> day of October, 2016.

ATTEST:

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ARLENE BLANCHARD, Secretary

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GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution accepting Preliminary Plat from Lee J. Marsalise for Maplewood Estates Phase III. Garry Johnson, Surveyor, stated that this is preliminary plat and all drainage reports were ready. Since Fire Marshal didn't want 2 cul-de-sacs they eliminated one of them and opened it up to go through Stephanie Drive. Mr. Lawrence stated that drainage is a major issue in this neighborhood. Mike Daigle stated that the goal is for zero to negative impact. Mr. Johnson stated that there will be a detention pond that will all drain within a few hours and will stay dry. This is approximately ½ acre and the kids can use as a playing field. Mr. Lawrence explained to the residents of the neighborhood in attendance that this was only Preliminary Plat. Once this is accepted then all the drainage reports and construction drawings will be submitted for review. Hank Hyatt, resident, asked that this be tabled until November since they just found out about the hearing since the signs were posted at the end of the street on the property. After much discussion, motion was made by Mr. McMullen seconded by Mrs. Carroll that the following resolution be adopted to-wit:

RESOLUTION

Resolution accepting preliminary plat from Lee J. Marsalise for Maplewood Estates Phase III.

WHEREAS, Lee J. Marsalise has submitted a Preliminary Plat for Maplewood Estates Phase III; and

WHEREAS, said examination reflects that the preliminary plat submitted by Lee J. Marsalise complies with all requirements of Chapter 18, Section 25 of the Code of Ordinances for 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 Lee J. Marsalise for Maplewood Estates Phase III for the following described property:

THIS PLAT REVISES LOTS 6, 7, 101-104, OF BLOCK 2; LOTS 9-11, 101, 112-116 OF BLOCK 4, LOTS 101, 122 OF BLOCK 5, AND LOTS 101-109 OF BLOCK 8 OF MAPLEWOOD ESTATES; A SUBDIVISION OF THE TOWN OF SULPHUR LOUISIANA, SITUATED IN THE SOUTHEAST QUARTER OF NORTHWEST QUARTER AND NORTHEAST QUARTER OF SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 9 SOUTH, RANGE 9 WEST ALL IN CALCASIEU PARISH, AS PER PLAT BY E. LEO REDDOCH, RLS #4446, DATED DECEMBER 9, 1989, AND RECORDED IN CALCASIEU PARISH, FILE NO. 2043345, PLAT BOOK 32, PAGE 402.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Wilson

And the said resolution was declared duly adopted on this 17<sup>th</sup> day of October, 2016.

ATTEST:

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ARLENE BLANCHARD, Secretary

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GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution granting a rezone from Agricultural to Residential to Bel Commercial LLC for Carlyss Place Subdivision Phase II. Motion was made by Mr. Moore seconded by Mr. McMullen that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting a rezone to Bel Commercial, LLC, from Agricultural to Residential for Carlyss Place Subdivision Phase II.

WHEREAS, Bel Commercial, LLC, has submitted application to rezone from Agricultural to Residential for Carlyss Place Subdivision Phase II.

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 Bel Commercial, LLC, from Agricultural to Residential for Carlyss Place Subdivision Phase II for the following described property to wit:

THAT CERTAIN TRACT OF LAND SITUATED IN SECTION 10,  
TOWNSHIP 10 SOUTH, RANGE 10 WEST, CITY OF SULPHUR,  
CALCASIEU PARISH, LOUISIANA, CONTAINING 15.77 ACRES AND  
BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF ROADWAY CENTERLINES  
FOR CARLYSS DRIVE AND LA 1256 SAID POINT BEING THE POINT OF  
COMMENCEMENT (P.O.C.); THENCE PROCEED SOUTH 00°53'59" WEST A  
DISTANCE OF 702.71 FEET; THENCE SOUTH 89°06'02" EAST A  
DISTANCE OF 979.35 FEET; TO THE POINT OF BEGINNING (P.O.B.).

THENCE SOUTH 89°06'02" EAST A DISTANCE OF 782.29 FEET;  
THENCE SOUTH 00°54'00" WEST A DISTANCE OF 160.00 FEET;  
THENCE SOUTH 89°06'02" EAST A DISTANCE OF 13.26 FEET;  
THENCE SOUTH 00°54'00" WEST A DISTANCE OF 110.00 FEET;  
THENCE SOUTH 89°06'02" EAST A DISTANCE OF 700.00 FEET;  
THENCE NORTH 00°58'10" EAST A DISTANCE OF 40.00 FEET;  
THENCE SOUTH 89°06'02" EAST A DISTANCE OF 167.00 FEET;

THENCE SOUTH 00°58'15" WEST A DISTANCE OF 350.21 FEET;  
THENCE NORTH 89°01'50" WEST A DISTANCE OF 171.99 FEET;  
THENCE NORTH 00°58'10" EAST A DISTANCE OF 30.00 FEET;  
THENCE NORTH 89°06'02" WEST A DISTANCE OF 958.85 FEET;  
THENCE NORTH 00°53'58" EAST A DISTANCE OF 5.00 FEET;  
THENCE NORTH 89°06'02" WEST A DISTANCE OF 115.44 FEET;  
THENCE NORTH 00°59'58" EAST A DISTANCE OF 2.32 FEET;  
THENCE NORTH 89°36'04" WEST A DISTANCE OF 415.66 FEET;  
THENCE NORTH 00°52'14" EAST A DISTANCE OF 546.32 FEET;  
TO THE POINT OF BEGINNING (P.O.B.).

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, Mr. Moore, Mr. McMullen, Mr. Lawrence

NAYS: None

ABSENT: Mrs. Wilson

And the said resolution was declared duly adopted on this 17<sup>th</sup> day of October, 2016.

ATTEST:

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ARLENE BLANCHARD, Secretary

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GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution accepting Preliminary Plat from Bel Commercial LLC for Carlyss Place Subdivision Phase II. Motion was made by Mr. Moore seconded by Mr. McMullen that the following resolution be adopted to-wit:

#### RESOLUTION

Resolution accepting Preliminary Plat from Bel Commercial LLC, for Carlyss Place Subdivision Phase II.

WHEREAS, Bel Commercial, LLC, has submitted application to accept Preliminary Plat for Carlyss Place Subdivision Phase II; and

WHEREAS, improvements on the property will include variances approved by City Council through a Cooperative Endeavor Agreement dated March 18, 2014; and

WHEREAS, acceptance of Preliminary Plat is contingent upon City Council adopting rezoning of property.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby accept Preliminary Plat from Bel Commercial, LLC, for Carlyss Place Subdivision Phase II for the following described property:

THAT CERTAIN TRACT OF LAND SITUATED IN SECTION 10,  
TOWNSHIP 10 SOUTH, RANGE 10 WEST, CITY OF SULPHUR,  
CALCASIEU PARISH, LOUISIANA, CONTAINING 15.77 ACRES AND  
BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF ROADWAY CENTERLINES  
FOR CARLYSS DRIVE AND LA 1256 SAID POINT BEING THE POINT OF  
COMMENCEMENT (P.O.C.); THENCE PROCEED SOUTH 00°53'59" WEST A  
DISTANCE OF 702.71 FEET; THENCE SOUTH 89°06'02" EAST A  
DISTANCE OF 979.35 FEET; TO THE POINT OF BEGINNING (P.O.B.).

THENCE SOUTH 89°06'02" EAST A DISTANCE OF 782.29 FEET;  
THENCE SOUTH 00°54'00" WEST A DISTANCE OF 160.00 FEET;  
THENCE SOUTH 89°06'02" EAST A DISTANCE OF 13.26 FEET;  
THENCE SOUTH 00°54'00" WEST A DISTANCE OF 110.00 FEET;  
THENCE SOUTH 89°06'02" EAST A DISTANCE OF 700.00 FEET;  
THENCE NORTH 00°58'10" EAST A DISTANCE OF 40.00 FEET;  
THENCE SOUTH 89°06'02" EAST A DISTANCE OF 167.00 FEET;

THENCE SOUTH 00°58'15" WEST A DISTANCE OF 350.21 FEET;  
THENCE NORTH 89°01'50" WEST A DISTANCE OF 171.99 FEET;  
THENCE NORTH 00°58'10" EAST A DISTANCE OF 30.00 FEET;  
THENCE NORTH 89°06'02" WEST A DISTANCE OF 958.85 FEET;  
THENCE NORTH 00°53'58" EAST A DISTANCE OF 5.00 FEET;  
THENCE NORTH 89°06'02" WEST A DISTANCE OF 115.44 FEET;  
THENCE NORTH 00°59'58" EAST A DISTANCE OF 2.32 FEET;  
THENCE NORTH 89°36'04" WEST A DISTANCE OF 415.66 FEET;  
THENCE NORTH 00°52'14" EAST A DISTANCE OF 546.32 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. McMullen, Mr. Lawrence

NAYS: None

ABSENT: Mrs. Wilson

And the said resolution was declared duly adopted on this 17<sup>th</sup> day of October, 2016.

ATTEST:

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ARLENE BLANCHARD, Secretary

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GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution accepting Preliminary Plat from Bel Commercial LLC for Belle Savanne Subdivision Phase II. Motion was made by Mr. Moore seconded by Mr. McMullen that the following resolution be adopted to-wit:

RESOLUTION

Resolution accepting Preliminary Plat from Bel Commercial LLC, for Belle Savanne Subdivision Phase II.

WHEREAS, Bel Commercial, LLC, has submitted application to accept Preliminary Plat for Belle Savanne Subdivision Phase II; and

WHEREAS, improvements on the property will include variances approved by City Council through a Cooperative Endeavor Agreement dated March 18, 2014; and

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby accept Preliminary Plat from Bel Commercial, LLC, for Belle Savanne Subdivision Phase II for the following described property:

THAT CERTAIN TRACT OF LAND SITUATED IN SECTION 10,  
TOWNSHIP 10 SOUTH, RANGE 10 WEST, CALCASIEU PARISH,  
LOUISIANA, CONTAINING 36.26 ACRES AND BEING MORE FULLY  
DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF ROADWAY CENTERLINES  
FOR MCNAIR ROAD AND RUTH STREET SAID POINT BEING THE  
POINT OF COMMENCEMENT (P.O.C.); THENCE PROCEED SOUTH  
00°53'59" WEST A DISTANCE OF 424.23 FEET; THENCE SOUTH 89°06'01"  
EAST A DISTANCE OF 49.97 FEET; THENCE PROCEED SOUTH 00°53'58"  
WEST A DISTANCE OF 130.00 FEET; THENCE PROCEED ALONG A  
CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, AN ARC  
LENGTH OF 39.27 FEET, A CHORD LENGTH OF 35.36 FEET AND A  
CHORD BEARING OF NORTH 45°53'58" EAST; THENCE SOUTH  
89°06'02" EAST A DISTANCE OF 125.00 FEET; THENCE SOUTH 00°53'58"  
WEST A DISTANCE OF 86.64 FEET TO THE POINT OF BEGINNING  
(P.O.B.);

THENCE SOUTH 89°06'02" EAST A DISTANCE OF 270.00 FEET;  
THENCE NORTH 86°44'02" EAST A DISTANCE OF 91.52 FEET;  
THENCE SOUTH 89°06'02" EAST A DISTANCE OF 730.00 FEET;  
THENCE SOUTH 00°53'58" WEST A DISTANCE OF 440.76 FEET;  
THENCE SOUTH 89°06'02" EAST A DISTANCE OF 65.00 FEET;  
THENCE SOUTH 00°53'58" WEST A DISTANCE OF 110.00 FEET;  
THENCE SOUTH 89°06'02" EAST A DISTANCE OF 85.38 FEET;



THENCE NORTH 00°53'58" EAST A DISTANCE OF 110.00 FEET;  
THENCE SOUTH 89°06'02" EAST A DISTANCE OF 65.00 FEET;  
THENCE NORTH 00°53'58" EAST A DISTANCE OF 440.76 FEET;  
THENCE SOUTH 89°06'02" EAST A DISTANCE OF 970.00 FEET;  
THENCE NORTH 00°53'58" EAST A DISTANCE OF 40.47 FEET;  
THENCE SOUTH 89°06'02" EAST A DISTANCE OF 163.55 FEET;  
THENCE SOUTH 00°35'22" WEST A DISTANCE OF 716.15 FEET;  
THENCE SOUTH 45°34'52" WEST A DISTANCE OF 49.36 FEET;  
THENCE NORTH 89°06'02" WEST A DISTANCE OF 2,259.37 FEET;  
THENCE NORTH 00°53'58" EAST A DISTANCE OF 374.11 FEET;  
THENCE NORTH 89°06'02" WEST A DISTANCE OF 150.00 FEET;  
THENCE NORTH 00°53'58" EAST A DISTANCE OF 330.00 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. McMullen, Mr. Lawrence

NAYS: None

ABSENT: Mrs. Wilson

And the said resolution was declared duly adopted on this 17<sup>th</sup> day of October, 2016.

ATTEST:

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ARLENE BLANCHARD, Secretary

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GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution granting a rezone from Residential to Commercial for Dr. Charles Smith for property located east of Beglis Parkway, north of I-10 and south of Linda Avenue to promote commercial development. Motion was made by Mr. Moore seconded by Mr. McMullen to amend the resolution as follows:

1. The 20-foot in width buffer abutting Residential District shall remain wooded.
2. Construct a 6-foot tall buffer constructed of wood or brick masonry.

Motion carried.

Matt Redd, Realtor, addressed the Commission and stated that this property is on a major interchange in the city and should be zoned commercial. We don't have a developer yet. We

wanted to rezone the property first. We want to bring in a quality developer. Plans will have to meet all drainage requirements.

Kristy Ramirez, resident of Linda Avenue, *(presented an opposing petition)* addressed the Commission and stated that the neighborhood was confused about where the zoning sign was located. It was located on Linda Avenue but the property isn't on Linda Avenue it's south of Linda Avenue. *(Later in the meeting Rachel Martin, Public Works Department, stated that the sign is supposed to be placed on the subject property but if they would have put the sign on the subject property then no one would have seen the sign. The property that is on Linda Avenue where the sign was posted, belongs to the same property owner that is requesting the rezone so we felt this was the best place to put the sign so the residents could see. There was a sign also posted on Beglis Parkway).* Mrs. Ramirez also stated that a piece of property on Cities Service was rezoned with the stipulation that no windows are to be placed on the west side of the hotel. I-10 is known for human trafficking. There were 140 calls this year and 42 were sex trafficking. The top place these people are found are in hotels/motels. Drainage is also a huge issue. Our neighborhood drains south to the property in question but we're not supposed to drain south. She asked that this item be tabled since the zoning sign didn't have a property description, nor did it sit on the correct property. Mr. Lawrence stated that if Administration would have put the sign according to the ordinance, then no one on Linda would have seen the sign.

Mr. Moore stated that this is only a rezone. Once we rezone the property then the applicant will submit all the drainage studies and construction drawings. Mr. Lawrence then stated that this property will not be able to drain onto the residents on Linda.

Chris Sonnier, Linda Avenue, addressed the Commission and presented documents from LSU Ag Center showing elevation shots of neighborhood. With a little bit of rain our

neighborhood gets flooded. He'd like to see the mitigation that the developer will propose. Mr. Daigle, Land Use Administrator, stated that once the property is rezoned then they will submit Preliminary Plat, then construction drawings, drainage study and drainage approval.

James, resident on Linda, presented flood pictures of Linda Avenue to the Commission.

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

RESOLUTION AS AMENDED

Resolution granting a Rezone to Dr. Charles Smith from Residential District to Commercial District for property located east of Beglis Parkway, north of I-10 and south of Linda Avenue.

WHEREAS, Dr. Charles Smith has submitted application to Rezone from Residential District to Commercial District for property located east of Beglis Parkway, north of I-10 and south of Linda Avenue; and

WHEREAS, the following stipulations shall be placed on property:

1. The 20-foot in width buffer abutting Residential District shall remain wooded.
2. Construct a 6-foot tall buffer constructed of wood or brick masonry.

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 Dr. Charles Smith from Residential District to Commercial District for property located east of Beglis Parkway, north of I-10 and south of Linda Avenue for the following described property to wit:

N ½ W ½ NE SE 2.10.10 (T-2)

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, Mr. Moore, Mr. McMullen, Mr. Lawrence

NAYS: None

ABSENT: Mrs. Wilson

And the said resolution was declared duly adopted on this 17<sup>th</sup> day of October, 2016.

ATTEST:

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ARLENE BLANCHARD, Secretary

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GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution accepting petition for the de-annexation of property owned by Sealy-Ratcliff Swisco Road, LLC, for property located between I-10 and Swisco Road. Motion was made by Mr. Moore seconded by Mrs. Carroll that the following resolution be adopted to-wit:

#### RESOLUTION

Resolution accepting petition from Sealy-Ratcliff Swisco Road, L.L.C. for the de-annexation of certain property located between I-10 and Swisco Road.

WHEREAS, Sealy-Ratcliff Swisco Road, LLC, submitted a petition for de-annexation for property described as all that area depicted on the attached plat lying west of a line parallel to and 38 feet east of Calcasieu Industrial Drive as depicted on the plat prepared by Monceaux Buller and Associates dated July 14, 2016, a portion of which currently exists and the remainder of which is proposed.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby accept petition from Sealy-Ratcliff Swisco Road, L.L.C. for the de-annexation of property described as follows:

A CERTAIN TRACT OF LAND LOCATED IN THE NW ¼, NE ¼ SECTION 12, & SE ¼ SECTION 1 TOWNSHIP 10 SOUTH, RANGE 10 WEST, CALCASIEU PARISH, LOUISIANA, AND CONTAINING 53.2 ACRES OR LESS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NW CORNER OF THE NW ¼, NE ¼, SECTION 12, T10S-R10W;  
PROCEED N 00°57'02" E A DISTANCE OF 989.16';  
THENCE S 89°28'11" E A DISTANCE OF 2561.93';  
THENCE S 60°13'44" W A DISTANCE OF 1042.31';  
THENCE ALONG A CURVE TO THE LEFT WITH A CHORD BEARING OF S 75°22'47" W, A CHORD LENGTH OF 284.88' AND A RADIUS OF 545.00';  
THENCE N 89°28'11" W A DISTANCE OF 632.84';  
THENCE S 45°31'49" W A DISTANCE OF 88.71';  
THENCE S 00°31'49" W A DISTANCE OF 330.80';  
THENCE S 00°31'16" W A DISTANCE OF 6.16';  
THENCE S 10°47'53" E A DISTANCE OF 50.99';  
THENCE S 00°30'43" W A DISTANCE OF 48.04';  
THENCE ALONG A CURVE TO THE LEFT WITH A CHORD BEARING OF S 07°32'41" W, A CHORD LENGTH OF 258.34' AND A RADIUS OF 1055.00';  
THENCE S 14°34'38" W A DISTANCE OF 44.74';  
THENCE S 25°31'03" W A DISTANCE OF 52.69';  
THENCE S 14°34'38" W A DISTANCE OF 281.55';  
THENCE ALONG A CURVE TO THE RIGHT WITH A CHORD BEARING OF S 07°44'20" W, A CHORD LENGTH OF 227.42' AND A RADIUS OF 955.00';  
THENCE S 00°54'02" W A DISTANCE OF 18.50';  
THENCE S 00°54'02" W A DISTANCE OF 61.25';  
THENCE S 04°48'37" E A DISTANCE OF 100.50';  
THENCE S 00°54'02" W A DISTANCE OF 101.67';  
THENCE S 44°05'58" E A DISTANCE OF 96.37';  
THENCE N 89°06'44" W A DISTANCE OF 642.78';  
THENCE N 01°23'45" E A DISTANCE OF 1301.46';  
BACK TO THE POINT OF BEGINNING.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Wilson

And the said resolution was declared duly adopted on this 17<sup>th</sup> day of October, 2016.

ATTEST:

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ARLENE BLANCHARD, Secretary

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GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution de-annexing certain property owned by Sealy-Ratcliff Swisco Road, LLC, located between I-10 and Swisco Road and contracting the boundaries of the City of Sulphur. Motion was made by Mrs. Carroll seconded by Mr. McMullen that the following resolution be adopted to-wit:

RESOLUTION

RESOLUTION DE-ANNEXING CERTAIN PROPERTY OWNED BY SEALY-RATCLIFF SWISCO ROAD, LLC, LOCATED BETWEEN I-10 AND SWISCO ROAD AND CONTRACTING THE BOUNDARIES OF THE CITY OF SULPHUR.

WHEREAS, the Land Use Commission of the City of Sulphur, Louisiana, has received from Sealy-Ratcliff Swisco Road, LLC, a petition for the de-annexation of property described as all that area depicted on the attached plat lying west of a line parallel to and 38 feet east of Calcasieu Industrial Drive as depicted on the plat prepared by Monceaux Buller and Associates dated July 14, 2016, a portion of which Calcasieu Industrial Drive currently exists and the remainder of which is proposed; and

WHEREAS, a petition for annexation filed by Sealy-Ratcliff Swisco Road, LLC was accepted by the Land Use Commission of the City of Sulphur, Louisiana on Monday, October, 20, 2014 and introduced on Monday, November 17, 2014; and

WHEREAS, the petition for annexation was then accepted by the Sulphur City Council on Monday, November 10, 2014 by Resolution No. 2785, M-C Series with a public hearing on ordinance held on Monday, December 8, 2014 by Ordinance No. 1271, M-C Series and the effective date of the ordinance was 30 days after the minutes of the Monday, December 8, 2014 Sulphur City Council hearing were published in the Official Journal (i.e. January, 2015); and

WHEREAS, this resolution shall serve as the introduction of an ordinance contracting the boundaries of the City of Sulphur, Louisiana and a public hearing shall be held no sooner than 14 days after said introduction.

NOW THEREFORE, BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that the boundaries of the City of Sulphur be and the same are hereby contracted so as to exclude the following described property:

A certain tract of land located in the NW ¼ , NE ¼ Section 12, & SE ¼ Section 1 Township 10 South, Range 10 West, Calcasieu Parish, Louisiana, and containing

53.2 acres more or less, and being more particularly described on Exhibit A attached hereto and depicted on the plat prepared by Monceaux Buller and Associates dated October 5, 2016 attached hereto as Exhibit B

BE IT FURTHER RESOLVED by the Land Use Commission of the City of Sulphur, that they do hereby de-annex that certain described property owned by Sealy-Ratcliff Swisco Road, LLC, described on Exhibit A attached hereto and depicted on the plat prepared by Monceaux Buller and Associates dated October 5, 2016 attached hereto as Exhibit B.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Wilson

And the said resolution was declared duly adopted on this 17<sup>th</sup> day of October, 2016.

ATTEST:

\_\_\_\_\_  
ARLENE BLANCHARD, Secretary

\_\_\_\_\_  
GERRIT LAWRENCE, Chairman

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

ATTEST:

\_\_\_\_\_  
ARLENE BLANCHARD, Secretary

\_\_\_\_\_  
GERRIT LAWRENCE, Chairman

10/17/16  
6:30 P.M.