

December 5, 2016

The Land Use Commission of the City of Sulphur, Louisiana, met in special session at its regular meeting place located at 500 N. Huntington Street, Sulphur, Louisiana, at 5:00 p.m., on the 5th day of December, 2016, 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 Ms. Wilson followed by the reciting of the Pledge of Allegiance led by Mr. Moore.

The first item on the agenda is a resolution amending the Resolution that was adopted by the Land Use Commission on December 16, 2013 to correct the property description for property located at 329 Cities Service Hwy. Motion was made by Mrs. Carroll seconded by Mr. Moore that the following resolution be adopted to-wit:

RESOLUTION

RESOLUTION AMENDING RESOLUTION THAT WAS ADOPTED BY
LAND USE COMMISSION ON DECEMBER 16, 2013 WHICH WILL
CORRECT THE PROPERTY DESCRIPTION FOR PROPERTY LOCATED AT
329 CITIES SERVICE HWY.

WHEREAS, RR Company of America submitted application for a final plat for property located at 329 Cities Service Hwy; and

WHEREAS, Land Use adopted Resolution which accepted final plat on December 16, 2013; and

WHEREAS, property description that was submitted was incorrect.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby amend Resolution that was adopted on December 16, 2013 to include the following correct property description:

RR COMPANY OF AMERICA - ASSESSMENT NO. 00756431

DESCRIPTION:

THAT CERTAIN PARCEL OF LAND SITUATED IN THE PARISH OF CALCASIEU, STATE OF LOUISIANA, IN SECTION 31, TOWNSHIP 9, SOUTH, RANGE 9 WEST BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS 60 FEET NORTH OF THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE/4 OF SW/4) OF SECTION 31, TOWNSHIP 9 SOUTH, RANGE 9 WEST;

THENCE SOUTH 00° 00' 52" WEST 385.05 FEET;

THENCE SOUTH 89° 18' 40" WEST 745.72 FEET;

THENCE NORTH 53° 33' 51" WEST 100.52 FEET;

THENCE NORTH 00° 00' 16" WEST 264.37 FEET;

THENCE SOUTH 89° 18' 40" WEST 507.26 FEET;

THENCE NORTH 00° 01' 25" WEST 60.00 FEET;

THENCE NORTH 89° 18' 40" EAST 1334.00 FEET TO POINT OF BEGINNING.

HEREIN DESCRIBED TRACT CONTAINING 7.95 ACRES, MORE OR LESS.

LESS AND EXCEPT: (1.59 ACRES)

DESCRIPTION:

THAT CERTAIN TRACT OR PARCEL OF LAND LYING IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE/4 OF SW/4) OF SECTION THIRTY-ONE (31), TOWNSHIP NINE (9) SOUTH, RANGE NINE (9) WEST, CALCASIEU PARISH, LOUISIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO-WIT:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE/4 OF SW/4) OF SECTION THIRTY-ONE (31), TOWNSHIP NINE (9) SOUTH, RANGE NINE (9) WEST, CALCASIEU PARISH, LOUISIANA;

THENCE SOUTH 00°00'52" WEST, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE/4 OF SW/4), FOR A DISTANCE OF 150.05 FEET, THE POINT OF BEGINNING AND NORTHEAST CORNER OF HEREIN DESCRIBED TRACT;

THENCE SOUTH 00°00'52" WEST, ALONG SAID EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE/4 OF SW/4), FOR A DISTANCE OF 175.00 FEET TO A POINT 30.0 FEET NORTH OF AN EASTERLY PROJECTION OF THE NORTH LINE OF A TRACT OF LAND AS SHOWN ON PLAT OF SURVEY PREPARED BY GARY I. TODD, PLS, FOR MIKE AND MARK NORSWORTHY, DATED FEBRUARY 9, 1999, THE SOUTHEAST CORNER OF HEREIN DESCRIBED TRACT;

THENCE SOUTH 89°18'40" WEST, 30.0 FEET NORTH OF AND PARALLEL WITH SAID EASTERLY EXTENSION AND NORTH LINE OF THE MIKE AND MARK NORSWORTHY TRACT, FOR A DISTANCE OF 395.50 FEET, THE SOUTHWEST CORNER OF HEREIN DESCRIBED TRACT;

THENCE NORTH 00°00'52" EAST, PARALLEL WITH THE AFORESAID EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE/4 OF SW/4), FOR A DISTANCE OF 175.00 FEET, THE NORTHWEST CORNER OF HEREIN DESCRIBED TRACT:

THENCE NORTH 89°18'40" EAST, FOR A DISTANCE OF 395.50 FEET TO THE POINT OF BEGINNING.

HEREIN DESCRIBED TRACT CONTAINING 1.59 ACRES, MORE OR LESS AND SUBJECT TO THE RIGHT OF WAY OF LOUISIANA STATE HIGHWAY 108 ON THE EAST SIDE THEREOF.

ALSO LESS AND EXCEPT: (1.04 ACRES)

DESCRIPTION:

THAT CERTAIN PARCEL OF LAND SITUATED IN THE PARISH OF CALCASIEU, STATE OF LOUISIANA, IN SECTION 31, TOWNSHIP 9, SOUTH, RANGE 9 WEST BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT WHICH IS 60 FEET NORTH OF THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE/4 OF SW/4) OF SECTION 31, TOWNSHIP 9 SOUTH, RANGE 9 WEST;

THENCE SOUTH 89° 18' 40" WEST, FOR A DISTANCE OF 105.50 FEET, THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT;

THENCE SOUTH 00° 05' 33" EAST, FOR A DISTANCE OF 200.36 FEET;

THENCE SOUTH 89° 56' 36" EAST, FOR A DISTANCE OF 9.62 FEET;

THENCE SOUTH 00° 00' 52" WEST, FOR A DISTANCE OF 9.56 FEET;

THENCE SOUTH 89° 18' 40" WEST, FOR A DISTANCE OF 223.50 FEET;

THENCE NORTH 00° 43' 50" WEST, FOR A DISTANCE OF 210.04 FEET;

THENCE NORTH 89° 18' 40" EAST, FOR A DISTANCE OF 216.24 FEET, TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPT: (1.67 ACRES)

DESCRIPTION:

THAT CERTAIN TRACT OR PARCEL OF LAND LYING IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE/4-SW/4) OF SECTION 31, TOWNSHIP 9 SOUTH, RANGE 9 WEST, CALCASIEU PARISH, LOUISIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO-WIT:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE/4-SW/4) OF SECTION 31, TOWNSHIP 9 SOUTH, RANGE 9 WEST, CALCASIEU PARISH, LOUISIANA;

THENCE SOUTH 00° 00' 52" WEST, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE/4-SW/4) OF SAID SECTION 31, FOR A DISTANCE OF 325.05 FEET;

THENCE SOUTH 89° 18' 40" WEST, PARALLEL WITH THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE/4-SW/4) OF SAID SECTION 31, FOR A DISTANCE OF 395.50 FEET, THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT;

THENCE CONTINUING SOUTH 89° 18' 40" WEST, PARALLEL WITH THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE/4-SW/4) OF SAID SECTION 31, FOR A DISTANCE OF 350.22 FEET TO THE WESTERLY HIGH BANK OF THE MAPLE FORK DRAINAGE LATERAL;

THENCE MEANDERING ALONG THE WESTERLY HIGH BANK OF THE MAPLE FORK DRAINAGE LATERAL IN A GENERAL DIRECTION OF NORTH 53° 33' 51" WEST, FOR A DISTANCE OF 100.52 FEET;

THENCE NORTH 00° 00' 16" WEST, FOR A DISTANCE OF 114.36 FEET, THE NORTHWEST CORNER OF HEREIN DESCRIBED TRACT;

THENCE NORTH 89° 18' 40" EAST, PARALLEL WITH THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE/4-SW/4) OF THE AFORESAID SECTION 31, FOR A DISTANCE OF 431.15 FEET TO AN EXISTING 5/8" ROD, THE NORTHEAST CORNER OF HEREIN DESCRIBED TRACT;

THENCE SOUTH 00° 00' 52" WEST, PARALLEL WITH THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE/4-SW/4) OF THE SAID SECTION 31, FOR A DISTANCE OF 175.00 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPT: (0.51 ACRES – LA. HIGHWAY 108 RIGHT-OF-WAY)

DESCRIPTION:

THAT CERTAIN PARCEL OF LAND SITUATED IN THE PARISH OF CALCASIEU, STATE OF LOUISIANA, IN SECTION 31, TOWNSHIP 9, SOUTH, RANGE 9 WEST BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT WHICH IS 60 FEET NORTH OF THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE/4 OF SW/4) OF SECTION 31, TOWNSHIP 9 SOUTH, RANGE 9 WEST, THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT;

THENCE SOUTH 00° 00' 52" WEST, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE/4-SW/4) OF SAID SECTION 31, FOR A DISTANCE OF 210.05 FEET;

THENCE SOUTH 89° 18' 40" WEST, FOR A DISTANCE OF 95.50 FEET;

THENCE NORTH 00° 00' 52" EAST, FOR A DISTANCE OF 9.56 FEET;

THENCE NORTH 89° 56' 36" WEST, FOR A DISTANCE OF 9.62 FEET;

THENCE NORTH 00° 05' 33" WEST, FOR A DISTANCE OF 200.36 FEET;

THENCE NORTH 89° 18' 40" EAST, FOR A DISTANCE OF 105.50 FEET, TO THE POINT OF BEGINNING.

REMAINING ACREAGE BEING 3.14 ACRES, MORE OR LESS.

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 5th day of December, 2016.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution granting the subdividing of lots to Benoit's Properties of Sulphur, LLC, for property located between Savoy Road and Morgan Road. Motion was made by Mr. Moore seconded by Mrs. Carroll 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.

WHEREAS, this subdivision is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said subdivision 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 granting of this subdivision, 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 approve this subdivision the owner of this subdivision 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 subdivision 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 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: Mrs. Carroll, Mrs. Wilson, Mr. Moore, Mr. McMullen, Mr. Lawrence

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 5th day of December, 2016.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution granting an Exception to Christopher Lee Duncan and Angela Squibb Duncan for an Exception to allow for residential living for property located at 4028, 4032, 4080 (A & B) Maplewood Drive also 99 Advent and 4026 Maplewood Drive. Mayor Duncan stated that his legal advisor told him to make all his property's legit so he

can place in a corporation. He also stated that the building in the rear (Advent Street) is vacant. The building facing Maplewood Drive has been residential (2nd story) since the 70's. The bottom story is a business. Motion was made by Mr. Moore seconded by Mrs. Carroll that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting an Exception to Christopher Lee Duncan and Angela Squibb Duncan to allow for residential living in a Business District for property located at 4028, 4032, 4080 (A & B) Maplewood Drive also 99 Advent and 4026 Maplewood Drive.

WHEREAS, application has been received from Christopher Lee Duncan and Angela Squibb Duncan for an Exception to allow for residential living in a Business District for property located at 4028, 4032, 4080 (A & B) Maplewood Drive also 99 Advent and 4026 Maplewood Drive in accordance with Article IV, Part 3, Section 4 (3) (b) for the following described property:

ALL OF HIS UNDIVIDED INTEREST IN:

COMMENCING SOUTH 89° 10' WEST 551 FEET FROM THE SOUTHEAST CORNER OF SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 9 SOUTH, RANGE 9 WEST, THENCE NORTH 0° 05' EAST 180 FEET, THENCE SOUTH 89° 10' WEST 100 FEET, THENCE SOUTH 0° 05' WEST 180 FEET; THENCE NORTH 89° 10' EAST 100 FEET TO COMMENCEMENT SUBJECT TO ROAD RIGHT OF WAY ON THE SOUTH SIDE THEREOF, TOGETHER WITH ALL IMPROVEMENTS SITUATED THEREON.

WHEREAS, 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; and

Whereas, 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; and

WHEREAS, 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; 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 Exception 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 grant an Exception to Christopher Lee Duncan and Angela Squibb Duncan to allow for residential living in a Business District for property located at 4028, 4032, 4080 (A & B) Maplewood Drive also 99 Advent and 4026 Maplewood Drive.

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 5th day of December, 2016.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution granting a rezone to Christopher Lee Duncan and Angela Katherine Duncan from Residential to Mixed Residential to allow for multi-family for property located at 213 & 213 ½ Oak Street. Mayor Duncan stated that this has been 2 dwellings since approximately 1964. Mr. Daigle had suggested it be rezoned to Business with an Exception but I didn't want to zone it Business. The setbacks aren't in compliance. If something were to happen to the building I wouldn't want the same footprint. Mr. Daigle stated that it doesn't conform to our code and it doesn't fit. It'll be a spot zone for mixed residential. He suggested to leave it as it is. Mr. Lawrence suggested it wouldn't be a spot zone but if we zone it Business with Exception since it'll match the zoning to the east of this property. Mrs. Blanchard, Clerk, stated that if it's rezoned to anything other than how it's zoned on the agenda or how the posted sign reads, then it'll have to be put back on Land Use December regular meeting and start

over. Motion was then made by Mrs. Wilson seconded by Mrs. Carroll that this item be tabled until the December 19, 2016 Land Use meeting.

Motion carried.

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

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

12/5/16

5:45 P.M.