

December 19, 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 19th 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  
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. McMullen that the minutes of the previous meeting stand as written. Motion carried.

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

The first item on the agenda is a resolution amending the Resolution that was adopted by Land Use on October 17, 2016 which accepted Preliminary Plat from Lee J. Marsalise for Maplewood Estates Phase III. To hear entire discussion log onto [www.sulphur.org](http://www.sulphur.org) and view the Land Use meeting from December 19, 2016. After a lengthy discussion, motion was made by Mr. McMullen seconded by Mrs. Carroll that the following resolution be tabled until the January 17, 2017 Land Use meeting:

Resolution amending the Resolution that was adopted by Land Use on October 17, 2016 which accepted Preliminary Plat from Lee J. Marsalise for Maplewood Estates Phase III.

Motion carried.

The next item on the agenda is a resolution granting the subdividing of lots to Jiten Zaveri for property located on the south side of Arena Road. Mr. Porche', representative, stated that two hotels will be located on these parcels. Motion was made by Mrs. Carroll seconded by Mr. Moore that the following resolution be adopted to-wit:

### RESOLUTION

Resolution granting the subdividing of lots to Jiten Zaveri for property located on the south side of Arena Road.

WHEREAS, in accordance with Chapter 18 of the Code of Ordinances of the City of Sulphur, application has been received from Jiten Zaveri, to subdivide property for the property described as follows:

#### LOT 1

ALL OF THAT 1.51 ACRE TRACT OR PARCEL OF LAND SITUATED IN SECTION 3 AND SECTION 10, TOWNSHIP 10 SOUTH, RANGE 10 WEST, SOUTHWESTERN LAND DISTRICT, LOUISIANA MERIDIAN, CALCASIEU PARISH, LOUISIANA AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A FOUND ½" IRON ROD BEING SHOWN AS THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 10 SOUTH, RANGE 10 WEST, SOUTHWESTERN LAND DISTRICT, LOUISIANA MERIDIAN, CALCASIEU PARISH, LOUISIANA ON THAT SKETCH BY ACCULINE SURVEYING, THENCE RUN N 00°14'58" E ALONG AND WITH THE EAST LINE OF THE CALCASIEU PARISH COMMUNITY CENTER TRACT FOR A DISTANCE OF 129.77' TO A SET ½" IRON ROD ON THE SOUTH RIGHT OF WAY OF ARENA ROAD (PUBLIC); THENCE S 89°32'56" E ALONG AND WITH THE SOUTH RIGHT OF WAY OF ARENA ROAD FOR A DISTANCE OF 320.19' TO A SET 1/2" IRON ROD; THENCE LEAVING SAID SOUTH RIGHT OF WAY LINE OF ARENA ROAD, S 00°35'27" W FOR A DISTANCE OF 205.67' TO A SET ½" IRON ROD; THENCE N 89°32'56" W FOR A DISTANCE OF 319.76' TO A SET 1/2" IRON ROD ON THE EAST LINE OF WEST CALCASIEU COMMUNITY CENTER PROPERTY AS DEPICTED ON ACCULINE SURVEYING SKETCH; THENCE ALONG AND WITH SAID EAST LINE OF WEST CALCASIEU COMMUNITY CENTER PROPERTY AS DEPICTED ON ACCULINE SURVEYING SKETCH, N 00°50'49" E FOR A DISTANCE OF 75.90' TO THE POINT OF BEGINNING. TOGETHER WITH ANY AND ALL IMPROVEMENTS SITUATED THEREON AND BEING SUBJECT TO ANY

AND ALL RIGHTS OF WAYS, EASEMENTS AND SERVITUDES WHICH MAY AFFECT THE PROPERTY.

**LOT 2**

ALL OF THAT 1.90 ACRE TRACT OR PARCEL OF LAND SITUATED IN SECTION 3 AND SECTION 10, TOWNSHIP 10 SOUTH, RANGE 10 WEST, SOUTHWESTERN LAND DISTRICT, LOUISIANA MERIDIAN, CALCASIEU PARISH, LOUISIANA AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A FOUND 1/2" IRON ROD BEING SHOWN AS THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 10 SOUTH, RANGE 10 WEST, SOUTHWESTERN LAND DISTRICT, LOUISIANA MERIDIAN, CALCASIEU PARISH, LOUISIANA ON THAT SKETCH BY ACCULINE SURVEYING, THENCE RUN S 00°50'49" W ALONG AND WITH THE EAST LINE OF THE CALCASIEU PARISH COMMUNITY CENTER TRACT FOR A DISTANCE OF 75.90' TO A SET 1/2" IRON ROD, BEING THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT; THENCE LEAVING SAID EAST LINE OF THE WEST CALCASIEU PARISH COMMUNITY CENTER TRACT S 89°32'56" E FOR A DISTANCE OF 319.76' TO A SET 1/2" IRON ROD; THENCE N 00°35'27" E FOR A DISTANCE OF 205.67' TO A SET 1/2" IRON ROD ON THE SOUTH RIGHT OF WAY LINE OF ARENA ROAD (NOW OR FORMERLY); THENCE ALONG AND WITH SAID SOUTH RIGHT OF WAY LINE OF ARENA ROAD, S 89°32'56" E FOR A DISTANCE OF 51.17' TO A SET 1/2" IRON ROD ON OR IN A PROJECTION THEREOF OF THE WEST LINE OF THE TRACT OF LAND OWNED BY SHRADDHA, LLC (CONVEYANCE BOOK 3455, PAGE 746); THENCE S 00°35'27" W ALONG AND WITH SAID WEST LINE AND A PROJECTION THEREOF FOR A DISTANCE OF 400.00 TO A SET 1/2" IRON ROD; THENCE N 89°32'56" W FOR A DISTANCE OF 371.80' MORE OR LESS TO THE EAST LINE OF THE WEST CALCASIEU PARISH, COMMUNITY CENTER TRACT AND A SET 1/2" IRON ROD; THENCE N 00°50'49" E ALONG AND WITH SAID EAST LINE FOR A DISTANCE OF 194.34' TO THE POINT OF BEGINNING. TOGETHER WITH ANY AND ALL IMPROVEMENTS SITUATED THEREON AND BEING SUBJECT TO ANY AND ALL RIGHTS OF WAYS, EASEMENTS AND SERVITUDES WHICH MAY AFFECT THE PROPERTY.

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 Jiten Zaveri for property located on the south side of Arena Road.

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 19<sup>th</sup> day of December, 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 an Exception to Jiten Zaveri for property located on the south side of Arena Road to allow for hotel heights to be 58 feet instead of the required 50 feet. Mr. Porche' stated that the soffit will be taller than 50 feet. Motion was made by Mr. Moore seconded by Mrs. Carroll that the following resolution be adopted to-wit:

#### RESOLUTION

Resolution granting an Exception to Jiten Zaveri for property located on the south side of Arena Road to allow for hotel heights to be 58 feet instead of the required 50 feet.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant an Exception to Jiten Zaveri for property located on the south side of Arena Road to allow for hotel heights to be 58 feet instead of the required 50 feet in accordance with

Article IV, Part III, Section 5 (3) (b) of the Land Use Ordinance of the City of Sulphur, Louisiana for the following described property:

**LOT 1**

ALL OF THAT 1.51 ACRE TRACT OR PARCEL OF LAND SITUATED IN SECTION 3 AND SECTION 10, TOWNSHIP 10 SOUTH, RANGE 10 WEST, SOUTHWESTERN LAND DISTRICT, LOUISIANA MERIDIAN, CALCASIEU PARISH, LOUISIANA AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A FOUND ½" IRON ROD BEING SHOWN AS THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 10 SOUTH, RANGE 10 WEST, SOUTHWESTERN LAND DISTRICT, LOUISIANA MERIDIAN, CALCASIEU PARISH, LOUISIANA ON THAT SKETCH BY ACCULINE SURVEYING, THENCE RUN N 00°14'58" E ALONG AND WITH THE EAST LINE OF THE CALCASIEU PARISH COMMUNITY CENTER TRACT FOR A DISTANCE OF 129.77' TO A SET ½" IRON ROD ON THE SOUTH RIGHT OF WAY OF ARENA ROAD (PUBLIC); THENCE S 89°32'56" E ALONG AND WITH THE SOUTH RIGHT OF WAY OF ARENA ROAD FOR A DISTANCE OF 320.19' TO A SET 1/2" IRON ROD; THENCE LEAVING SAID SOUTH RIGHT OF WAY LINE OF ARENA ROAD, S 00°35'27" W FOR A DISTANCE OF 205.67' TO A SET ½" IRON ROD; THENCE N 89°32'56" W FOR A DISTANCE OF 319.76' TO A SET 1/2" IRON ROD ON THE EAST LINE OF WEST CALCASIEU COMMUNITY CENTER PROPERTY AS DEPICTED ON ACCULINE SURVEYING SKETCH; THENCE ALONG AND WITH SAID EAST LINE OF WEST CALCASIEU COMMUNITY CENTER PROPERTY AS DEPICTED ON ACCULINE SURVEYING SKETCH, N 00°50'49" E FOR A DISTANCE OF 75.90' TO THE POINT OF BEGINNING. TOGETHER WITH ANY AND ALL IMPROVEMENTS SITUATED THEREON AND BEING SUBJECT TO ANY AND ALL RIGHTS OF WAYS, EASEMENTS AND SERVITUDES WHICH MAY AFFECT THE PROPERTY.

**LOT 2**

ALL OF THAT 1.90 ACRE TRACT OR PARCEL OF LAND SITUATED IN SECTION 3 AND SECTION 10, TOWNSHIP 10 SOUTH, RANGE 10 WEST, SOUTHWESTERN LAND DISTRICT, LOUISIANA MERIDIAN, CALCASIEU PARISH, LOUISIANA AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A FOUND 1/2" IRON ROD BEING SHOWN AS THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 10 SOUTH, RANGE 10 WEST, SOUTHWESTERN LAND DISTRICT, LOUISIANA MERIDIAN, CALCASIEU PARISH, LOUISIANA ON THAT SKETCH BY ACCULINE

SURVEYING, THENCE RUN S 00°50'49" W ALONG AND WITH THE EAST LINE OF THE CALCASIEU PARISH COMMUNITY CENTER TRACT FOR A DISTANCE OF 75.90' TO A SET ½" IRON ROD, BEING THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT; THENCE LEAVING SAID EAST LINE OF THE WEST CALCASIEU PARISH COMMUNITY CENTER TRACT S 89°32'56" E FOR A DISTANCE OF 319.76' TO A SET ½" IRON ROD; THENCE N 00°35'27" E FOR A DISTANCE OF 205.67' TO A SET ½" IRON ROD ON THE SOUTH RIGHT OF WAY LINE OF ARENA ROAD (NOW OR FORMERLY); THENCE ALONG AND WITH SAID SOUTH RIGHT OF WAY LINE OF ARENA ROAD, S 89°32'56" E FOR A DISTANCE OF 51.17' TO A SET 1/2" IRON ROD ON OR IN A PROJECTION THEREOF OF THE WEST LINE OF THE TRACT OF LAND OWNED BY SHRADDHA, LLC (CONVEYANCE BOOK 3455, PAGE 746); THENCE S 00°35'27" W ALONG AND WITH SAID WEST LINE AND A PROJECTION THEREOF FOR A DISTANCE OF 400.00 TO A SET ½" IRON ROD; THENCE N 89°32'56" W FOR A DISTANCE OF 371.80' MORE OR LESS TO THE EAST LINE OF THE WEST CALCASIEU PARISH, COMMUNITY CENTER TRACT AND A SET 1/2" IRON ROD; THENCE N 00°50'49" E ALONG AND WITH SAID EAST LINE FOR A DISTANCE OF 194.34' TO THE POINT OF BEGINNING. TOGETHER WITH ANY AND ALL IMPROVEMENTS SITUATED THEREON AND BEING SUBJECT TO ANY AND ALL RIGHTS OF WAYS, EASEMENTS AND SERVITUDES WHICH MAY AFFECT THE PROPERTY.

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 Jiten Zaveri for property located

on the south side of Arena Road to allow for hotel heights to be 58 feet instead of the required 50 feet.

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 19<sup>th</sup> day of December, 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 to Christopher Lee Duncan and Angela Katherine Duncan from Residential to Business with an Exception to allow for residential living for property located at 213 & 213 ½ Oak Street. Mr. Lawrence stated that this property abuts Business so it's not spot zoning. Mr. LeBlanc asked why isn't it being zoned to Mixed Residential. Mrs. Carroll stated because a mobile home won't be able to go on property. Mrs. Blanchard, Clerk, stated that with an Exception granted a mobile home will be able to go on property. The Exception is to allow for living, it doesn't exclude mobile homes. Motion was then made by Mrs. Carroll seconded by Mr. Moore that the following stipulation be added:

- No mobile home shall be located on property

Motion carried.

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

## RESOLUTION

Resolution granting a rezone to Christopher Lee Duncan and Angela Katherine Duncan from Residential to Business with an Exception to allow for residential living for property located at 213 and 213 ½ Oak Street.

WHEREAS, Christopher Lee Duncan and Angela Katherine Duncan, has submitted application to rezone from Residential to Business with an Exception to allow for living for property located at 213 and 213 ½ Oak Street for the following described property:

LOT THIRTY-NINE (39) OF F.G. LOCK SUBDIVISION, A SUBDIVISION AS PER PLAT RECORDED IN CONVEYANCE BOOK 73, PAGE 415, RECORDS OF CALCASIEU PARISH, LOUISIANA, TOGETHER WITH ALL IMPROVEMENTS AND COMPONENT PARTS PERTAINING THERETO PLUS N 8 FT OF 10 FT ABND ALLEY ON S/S.

WHEREAS, 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; and

WHEREAS, 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; and

WHEREAS, 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; 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 Rezone 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 a rezone to Christopher Lee Duncan and Angela Katherine Duncan from Residential to Business with an Exception to allow for living for property located at 213 and 213 ½ Oak Street.

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 19<sup>th</sup> day of December, 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 to Phat Tang/Roy Washington (Cypress Property Rentals), from Residential to Mixed Residential for property located east of 224 Self Street to allow for duplexes. Roy Washington, representing the applicant, stated that they want to put 2 duplexes on this property for rental. Bryan, resident of Self Street, stated that the neighborhood is all residential and they have restrictions in place. He can only build one home on this lot. Mr. Moore asked Mr. Washington if he was opposed to single family dwellings. He also stated that the property is wide enough to split into two parcels and put a single family dwelling on each parcel. After discussion, motion was made by Mr. Carroll seconded by Mr. McMullen that the following resolution be adopted to-wit:

Resolution granting a rezone to Phat Tang/Roy Washington (Cypress Property Rentals), from Residential to Mixed Residential for property located east of 224 Self Street to allow for duplexes.

WHEREAS, Phat Tang/Roy Washington (Cypress Property Rentals), has submitted application to rezone from Residential to Mixed Residential to allow for duplexes for property located east of 224 Selt Street for the following described property:

BEING LOT 9 OF KENTWOOD SUBDIVISION, A SUBDIVISION OF A PORTION OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 10 SOUTH, RANGE 9 WEST, CALCASIEU PARISH, LOUISIANA.

WHEREAS, 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; and

WHEREAS, 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; and

WHEREAS, 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; 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 Rezone 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 a rezone to Phat Tang/Roy Washington (Cypress Property Rentals), from Residential to Mixed Residential for property located east of 224 Self Street to allow for duplexes.

A vote was then called with the results as follows:

YEAS: Mr. Moore

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

ABSENT: Mrs. Wilson

And the said resolution failed on this 19<sup>th</sup> day of December, 2016.

ATTEST:

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ARLENE BLANCHARD, Secretary

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GERRIT LAWRENCE, Chairman

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

ATTEST:

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ARLENE BLANCHARD, Secretary

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GERRIT LAWRENCE, Chairman

12/19/16  
7:00 P.M.