

January 17, 2017

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 January, 2017, 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
GERRIT LAWRENCE, Land Use Commission of District 5

ABSENT: BILL McMULLEN, Land Use Commission District 4

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 Ms. Wilson that the minutes of the previous meeting stand as written. Motion carried.

Motion was then made by Ms. Wilson seconded by Ms. Carroll 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. After much discussion, motion was made by Ms. Carroll seconded by Mr. Moore to table the below item until February 21st Land Use meeting since the Developer did not show up again:

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

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Ms. Wilson, Mr. Moore, Mr. Lawrence

NAYS: None
ABSENT: Mr. McMullen

And the said resolution was tabled until the February 21, 2017 Land Use meeting.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution granting a rezone from Residential to Business to Troy Fountain, 207 Rio Hondo to enhance usage of adjacent property located at 206 South Cities Service Hwy. (*rezone approximately the eastern 37 feet of 207 Rio Hondo*). Chris Khoury, Realtor, addressed the Commission and stated that they plan on putting a retail center on Cities Service. They plan on a few restaurants to be located here. They need extra property for parking. Without purchasing this extra property, the deal will fall through. They will put a privacy fence and crepe myrtles abutting the residential property. Mr. Lawrence told Mr. Khoury about the deed restrictions and he may have to get 51% of the subdivision to sign a petition. Mr. Khoury stated that if he needs to he will. After discussion, motion was made by Mr. Moore seconded by Ms. Carroll that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting a Rezone from Residential to Business to Troy Fountain, the west portion of the borrow pit of 207 Rio Hondo.

WHEREAS, Troy Fountain has submitted application to Rezone from Residential District to Business District; and

WHEREAS, the following stipulations shall be placed on property:

1. Construct a 6-foot tall buffer constructed of wood or brick masonry in accordance with Article IV, Part II, Section 8 of the Land Use Ordinance of the City of Sulphur.

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 Troy Fountain from Residential to Business for the following described property to wit:

THE WEST PORTION OR PARCEL OF BORROW PIT LYING BETWEEN LOTS (6) SIX AND (29) TWENTY-NINE OF BLOCK ONE (1) OF INDIAN HILLS PART I, A SUBDIVISION IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE/4 - NW/4) OF SECTION 6, TOWNSHIP 10 SOUTH, RANGE 9 WEST, AS PER PLAT RECORDED IN PLAT BOOK 6, PAGE 78, RECORDS OF CALCASIEU PARISH, LA.

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, Ms. Wilson, Mr. Moore, Mr. Lawrence

NAYS: None

ABSENT: Mr. McMullen

And the said resolution was declared duly adopted on this 17th day of January, 2017.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution granting a rezone from Residential to Business to Teresa Ann Tucker Wall, 209 Rio Hondo, to enhance usage of adjacent property

located at 208 South Cities Service Hwy. (*rezone approximately the eastern 34.5 feet of 209 Rio Hondo*). Motion was made by Mr. Moore seconded by Ms. Wilson that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting a Rezone from Residential to Business to Teresa Ann Tucker Wall, the west portion of the borrow pit of 209 Rio Hondo.

WHEREAS, Teresa Ann Tucker Wall has submitted application to Rezone from Residential District to Business District; and

WHEREAS, the following stipulations shall be placed on property:

1. Construct a 6-foot tall buffer constructed of wood or brick masonry in accordance with Article IV, Part II, Section 8 of the Land Use Ordinance of the City of Sulphur.

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 Teresa Ann Tucker Wall from Residential to Business for the following described property to wit:

THE WEST PORTION OR PARCEL OF BORROW PIT LYING BETWEEN LOTS (7) SEVEN AND (28) TWENTY-EIGHT OF BLOCK ONE (1) OF INDIAN HILLS PART II, A SUBDIVISION IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE/4 - NW/4) OF SECTION 6, TOWNSHIP 10 SOUTH, RANGE 9 WEST, AS PER PLAT RECORDED IN PLAT BOOK 6, PAGE 179, RECORDS OF CALCASIEU PARISH, LA.

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, Ms. Wilson, Mr. Moore, Mr. Lawrence

NAYS: None

ABSENT: Mr. McMullen

And the said resolution was declared duly adopted on this 17th day of January, 2017.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution granting a rezone from Residential to Business to Brett Michael Reulet, 211 Rio Hondo to enhance usage of adjacent property located at 210 South Cities Service Hwy. (*rezone approximately the eastern 40 feet of 211 Rio Hondo*). Motion was made by Mr. Moore seconded by Ms. Carroll that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting a Rezone from Residential to Business to Brett Michael Reulet, the west portion of the borrow pit of 211 Rio Hondo.

WHEREAS, Brett Michael Reulet has submitted application to Rezone from Residential District to Business District; and

WHEREAS, the following stipulations shall be placed on property:

1. Construct a 6-foot tall buffer constructed of wood or brick masonry in accordance with Article IV, Part II, Section 8 of the Land Use Ordinance of the City of Sulphur.

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 Teresa Ann Tucker Wall from Residential to Business for the following described property to wit:

THE WEST PORTION OR PARCEL OF BORROW PIT LYING BETWEEN LOTS (8) EIGHT AND (27) TWENTY-SEVEN OF BLOCK ONE (1) OF INDIAN HILLS PART II, A SUBDIVISION IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE/4 - NW/4) OF SECTION 6, TOWNSHIP 10 SOUTH, RANGE 9 WEST, AS PER PLAT RECORDED IN PLAT BOOK 6, PAGE 179, RECORDS OF CALCASIEU PARISH, LA.

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, Ms. Wilson, Mr. Moore, Mr. Lawrence

NAYS: None

ABSENT: Mr. McMullen

And the said resolution was declared duly adopted on this 17th day of January, 2017.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution granting a rezone from Business/Mixed Residential to Commercial to West Calcasieu Veterans Association, 1235 East Napoleon Street.

Justin Babineaux, Realtor, stated that this is the old VFW and he wants to be able to rent or lease this building and property. He doesn't have a tenant yet but wants to get it rezoned before he purchases it. Ms. Carroll asked Mr. Babineaux why was he zoning to Commercial rather than Business. Mr. Babineaux stated that there isn't much difference between the two districts. Ms. Carroll stated that there's a big difference. Mr. Lawrence stated that the Commission frowns on spot zone. He suggested to Mr. Babineaux that he rezone to Business rather than Commercial. Motion was then made by Ms. Carroll seconded by Ms. Wilson that the item below be tabled until February 21, 2017 Land Use meeting:

Resolution granting a Rezone from Business/Mixed Residential to Commercial to
West Calcasieu Veterans Association, 1235 East Napoleon Street.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Ms. Wilson, Mr. Moore, Mr. Lawrence

NAYS: None

ABSENT: Mr. McMullen

And the said resolution was tabled until February 21, 2017 Land Use meeting on this 17th day of January, 2017.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution granting a rezone from Residential to Business to Michael Scott Enos, 309 Cherry Street. Jason Wright addressed the Commission and stated that he wants to purchase this property but wanted to make sure it could get rezoned before he purchased it. The house that is currently there will be remodeled and used as a hair salon by his wife. There will not be more than 7 employees. They'll keep the trees. Mr.

Lawrence stated that this is a spot zone. After discussion, motion was made by Ms. Wilson seconded by Ms. Carroll that the following resolution be adopted to-wit:

Resolution granting a Rezone from Residential to Business to Michael Scott Enos, 309 Cherry Street.

A vote was then called with the results as follows:

YEAS: Ms. Wilson

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

ABSENT: Mr. McMullen

And the said resolution failed on this 17th day of January, 2017.

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

1/17/17
6:10 P.M.