

February 21, 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 21st day of February, 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
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 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 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. Mr. Moss, Councilman for District 5, stated that he's received several calls regarding the fencing that the contractor knocked down while clearing the property. Two stop work orders were issued because they weren't doing things the correct way. There's already problems in the beginning of this project. If this development falls under all the guidelines there's nothing the City can do to stop the project. He grew up in this neighborhood and his parents didn't fight Maplewood Estates Phase I or II. He's received calls on the detention

pond and he has a problem with the pond. We've got to find a happy medium. The covenants are not the City's problem.

Fred Ellender, Jody Drive, asked at what point and time did the detention pond come about and why? Mr. Johnson stated that he didn't have that information. Mr. Johnson stated that they are required to produce -0- to no impact downstream. The most economical way for this project is the detention pond. An underground pond would cost \$2-3 million dollars.

Mr. Marsalise addressed the Commission and stated that he's built Phase I and II of Maplewood Estates within 10 years or so and he's had good success with them. Their property values have gone up. He will fix the fencing that Mr. Moss spoke of. Detention ponds are very popular now. They are everywhere. He also stated that City Council is the one that made him put the detention pond. After a very lengthy discussion, motion was made by Mr. McMullen seconded by Ms. Wilson that the following resolution be adopted to-wit:

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.

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: Mr. Moore

NAYS: Ms. Carroll, Ms. Wilson, Mr. Lawrence, Mr. McMullen

ABSENT: None

And the said resolution failed on this 21st day of February, 2017.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution granting a rezone from Mixed Residential to Business to West Calcasieu Veterans Association, 1235 East Napoleon Street. Motion was made by Mrs. Wilson seconded by Ms. Carroll that the following resolution be adopted to-wit:

RESOLUTION

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

WHEREAS, West Calcasieu Veterans Association has submitted application to Rezone from Mixed Residential to Business; 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 West Calcasieu Veterans Association from Mixed Residential to Business for the following described property to wit:

PARCEL #00757128

COM INTERSECTION OF E/L LOT 2 C B RICHARD SUB IN SW NW SEC 35.9.10 WITH S R/W LINE HWY 90, TH S 193 FT ALONG THE E/L OF SAID LOT 2 TO A 1 INCH IRON PIPE, ALSO BEING THE POB, TH S 469.61 FT

ALONG E/L OF LOTS 2, 3 AND 4 OF C B RICHARD SUB TO THE SE COR OF SAID LOT 4, TH W 83.13 FT ALONG THE S/L OF SAID LOT 4, THE N 469.60 FT, TH E 86.59 FT TO POB CONTG .9 ACS M/L

PARCEL 00757128B

COM INTERSECTION OF E/L LOT 2 C B RICHARD SUB IN SW NW SEC 35.9.10 WITH S R/W LINE HWY 90, TH W 80 FT ALONG HWY, S 198.8 FT, W 5 FT, S 365.4 FT, W 100 FT, S 98.7 FT TO S/L LOT 4 SAID SUB, E 185 FT TO E/L LOT 4, TH N ALONG E/L LOTS 4,3 AND 2 665.8 FT M/L TO COM LESS COM AT INTERSECTION OF E/L LOT 2 OF A SUB IN SW NW 35.9.10 WITH S R/W LINE W 125 FT, TH S 432.3 FT M/L TO N/L LOT 4, W 60 FT, S 133.5 FT M/L AND PT OF COM, TH E 100 FT, S 100 FT ETC .23 ACS M/L 1.51 ACS M/L

LESS B 4088 P 596 DESCRIBED AS: COM INTERSECTION OF E/L LOT 2 C B RICHARD SUB IN SW NW SEC 35.9.10 WITH S R/W LINE HWY 90, TH S 193 FT ALONG THE E/L OF SAID LOT 2 TO A 1 INCH IRON PIPE, ALSO BEING THE POB, TH S 469.61 FT ALONG E/L OF LOTS 2, 3 AND 4 OF C B RICHARD SUB TO THE SE COR OF SAID LOT 4, TH W 83.13 FT ALONG THE S/L OF SAID LOT 4, THE N 469.60 FT, TH W 86.59 FT TO POB CONTG .9 ACS M/L

PARCEL 00757152

COM ON S/S HWY 90 AT 40 LINE BETW SW NW 35.9.10 E 128 FT S 682 FT M/L TO STAKE ON S 40 LINE SE NW W 128 FT TO STAKE N 680 FT M/L TO COM

IMPS

LESS B 4088 P 596 DESCRIBED AS: COM AT THE SW COR OF LOCKMORE SUB OF THE SE NW AND SW OF NE 35-9-10, TH N 363.23 FT, TH E 128 FT, TO A PT INTERSECTING THE E/L OF LOT 2 OF LOCKMORE SUB, ALSO BEING THE W/L OF LOUIS CHARGEOIS SUB, TH S 364.91 FT TO SE COR OF LOT 2 OF LOCKMORE SUB, TH W 128 FT TO POB AND ALL OF LOT 9 LOUIS CHARGEOIS SUB

PARCEL 00757152A

COM AT THE SW COR OF LOCKMORE SUB OF THE SE NW AND SW OF NE 35-9-10, TH N 363.23 FT, TH E 128 FT, TO A PT INTERSECTING THE E/L OF LOT 2 OF LOCKMORE SUB, ALSO BEING THE W/L OF LOUIS CHARGEOIS SUB, TH S 364.91 FT TO SE COR OF LOT 2 OF LOCKMORE SUB, TH W 128 FT TO POC
LOT 9 LOUIS CHARGOIS SUB

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: Ms. Carroll, Ms. Wilson, Mr. Moore, Mr. Lawrence, Mr. McMullen

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 21st day of February, 2017.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution accepting petition for annexation from Henry and Lucille Misse for property located at 3006 and 3010 Stillwell Street. Motion was made by Mr. Moore seconded by Mr. McMullen that the following resolution be adopted to-wit:

RESOLUTION

Resolution accepting petition from Henry and Lucille Misse, for the annexation of property located at 3006 and 3010 Stillwell Street.

WHEREAS, in accordance with Article III, Part 1, Section 1 (6) of the Land Use Ordinance of the City of Sulphur, Louisiana, the Land Use Commission is revising the official Land Use map for the following described property:

SHOWING LOT 10 AND THE EAST 180.00 FEET OF LOT 9 AND THE EAST 180.00 FEET OF LOT 8 LYING SOUTH OF THE DRAINAGE DITCH OF BLOCK 1 OF THE J. A. BEL ET AL SUBURBAN ACRES NO. 1

SUBDIVISION AS PER PLAT RECORDED IN PLAT BOOK 5 ON PAGE 94,
RECORDS OF CALCASIEU PARISH, LOUISIANA.

WHEREAS, said property, currently zoned as C-2 land use district by Calcasieu Parish Police Jury; and

WHEREAS, said property shall be zoned Commercial; and

WHEREAS, approval is subject to consent by Calcasieu Parish Police Jury.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby accept petition from Henry and Lucille Misse for the annexation of property located at 3006 and 3010 Stillwell Street.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 21st day of February, 2017.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution enlarging and extending the boundaries of the City of Sulphur for the annexation of 3006 and 3010 Stillwell owned by Henry and Lucille Misse. Motion was made by Mr. McMullen 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 HENRY AND LUCILLE MISSE FOR PROPERTY LOCATED AT 3006 AND 3010 STILLWELL STREET.

WHEREAS, the City of Sulphur has received a petition from Henry and Lucille Misse 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 east side of Hwy. 1256 and west of Stillwell 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 C-1 land use district by the Parish; and

WHEREAS, property owner wishes to have property zoned Commercial.

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:

SHOWING LOT 10 AND THE EAST 180.00 FEET OF LOT 9 AND THE EAST 180.00 FEET OF LOT 8 LYING SOUTH OF THE DRAINAGE DITCH OF BLOCK 1 OF THE J. A. BEL ET AL SUBURBAN ACRES NO. 1 SUBDIVISION AS PER PLAT RECORDED IN PLAT BOOK 5 ON PAGE 94, RECORDS OF CALCASIEU PARISH, LOUISIANA.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 21st day of February, 2017.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is resolution granting a rezone from Residential to Business to Jason Gunter, 323 Ash Street. Mr. Gunter stated that he wants to open Gunter Tire & Service. We use to run Gunter Construction out of this business but recently bought the adjoining property on Cypress Street. We still use 323 Ash as our shop. We will dispatch service trucks from this location to repair 18-wheeler tires. Mr. Lawrence stated that there won't be any more traffic in this neighborhood since the trucks will be on the road making repairs rather than at the

shop. Mr. Daigle, Land Use Administrator, stated that he opposes this rezone since it's a non-conforming use. Motion was then made by Mr. Moore seconded by Mr. McMullen that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting a Rezone from Residential to Business to Jason Gunter for property located at 323 Ash Street.

WHEREAS, Jason Gunter has submitted application to Rezone property from Residential District to Business District for property located at 323 Ash Street; 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 Jason Gunter from Residential to Business for property located 323 Ash Street for the following described property to wit:

W ½ LOT 52 BLK D GEO LOCK SUB OF N ½ SE AND S ½ NE 34.9.10 IMPS
05/RMS (STOR) REF1-LEEWARD JOSEPH ROGER AND TINA B 1523 P
733-79 REF2-WHITE, EDWARD W JR AND JOHNNY E STANLEY B 2663 P
427-97 REF3-SMITH, SHEILA B 2851 P 714-2000

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: Ms. Carroll, Ms. Wilson, Mr. Moore, Mr. Lawrence, Mr. McMullen

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 21st day of February, 2017.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution granting a rezone from Residential to Mixed Residential to Powerhouse Commercial Construction, Inc., property located east of Beglis Parkway, south of Monet Acres Subdivision and north of drainage canal. Motion was made by Mrs. Wilson seconded by Mr. McMullen that the following resolution be adopted to-wit:

Resolution granting a Rezone from Residential to Mixed Residential to Ernie Anderson, Powerhouse Commercial Construction, Inc, property located east side of Beglis Parkway, south of Monet Acres, north of drainage ditch.

WHEREAS, Ernie Anderson, Powerhouse Commercial Construction, Inc. has submitted application to Rezone from Residential District to Mixed Residential District.

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 Ernie Anderson, Powerhouse Commercial Construction, Inc. from Residential to Mixed Residential for the following described property to wit:

THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 9 SOUTH, RANGE 10 WEST, LOUISIANA MERIDIAN, CALCASIEU PARISH, LOUISIANA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING IN THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 26, TOWNSHIP 9 SOUTH, RANGE 10 WEST;

THENCE GO SOUTH 89 DEGREES 02 MINUTES 33 SECONDS EAST ALONG THE SOUTH LINE OF SAID SECTION 26 A DISTANCE OF 582.29 FEET; THENCE NORTH 00 DEGREES 49 MINUTES 33 SECONDS EAST A DISTANCE OF 497.12 FEET; THENCE GO NORTH 88 DEGREES 42 MINUTES 46 SECONDS WEST A DISTANCE OF 273.07 FEET; THENCE NORTH 00 DEGREES 47 MINUTES 59 SECONDS EAST A DISTANCE OF 437.66 FEET TO THE CENTER LINE OF AN EXISTING DRAINAGE DITCH AND POINT OF BEGINNING OF HEREIN DESCRIBED TRACT; THENCE CONTINUE NORTH 00 DEGREES 47 MINUTES 59 SECONDS EAST A DISTANCE OF 304.61 FEET; THENCE SOUTH 89 DEGREES 50 MINUTES 11 SECONDS EAST A DISTANCE OF 124.97 FEET; THENCE SOUTH 00 DEGREES 47 MINUTES 59 SECONDS WEST A DISTANCE OF 60.00 FEET; THENCE SOUTH 89 DEGREES 50 MINUTES 11 SECONDS EAST A DISTANCE OF 370.01 FEET; THENCE SOUTH 00 DEGREES 47 MINUTES 59 SECONDS WEST A DISTANCE OF 125.01; THENCE SOUTH 89 DEGREES 50 MINUTES 11 SECONDS EAST A DISTANCE OF 250.02 FEET; THENCE NORTH 00 DEGREES 47 MINUTES 59 SECONDS EAST A DISTANCE OF 125.01 FEET; THENCE GO EAST A DISTANCE OF 237.41 FEET TO THE WEST TOP BANK OF AN EXISTING DRAINAGE DITCH; THENCE SOUTHWESTERLY ALONG THE WEST TOP BANK OF SAID DRAINAGE DITCH THE FOLLOWING 9 COURSES: SOUTH 15 DEGREES 54 MINUTES 44 SECONDS WEST 58.17 FEET; SOUTH 17 DEGREES 10 MINUTES 15 SECONDS WEST 100.81 FEET; SOUTH 15 DEGREES 31 MINUTES 39 SECONDS WEST 111.78 FEET; SOUTH 15 DEGREES 02 MINUTES 51 SECONDS WEST 106.97 FEET; SOUTH 15 FEET 32 MINUTES 17 SECONDS WEST 88.66 FEET, SOUTH 15 FEET 49 MINUTES 06 SECONDS WEST 52.94 FEET; SOUTH 03 DEGREES 51 MINUTES 14 SECONDS WEST 22.76 FEET; SOUTH 10 DEGREES 52 MINUTES 17 SECONDS WEST 17.78 FEET, SOUTH 87 DEGREES 16 MINUTES 35 SECONDS WEST 36.42 FEET; THENCE LEAVING SAID WEST BANK SOUTH 87 DEGREES 16 MINUTES 35 SECONDS WEST A DISTANCE OF 36.42 FEET TO THE CENTER OF THE AFOREMENTIONED DRAINAGE DITCH; THENCE NORTH 45 DEGREES 43 MINUTES 11 SECONDS WEST ALONG THE CENTER OF SAID DRAINAGE DITCH A DISTANCE OF 128.92 FEET; THENCE NORTH 63 DEGREES 10 MINUTES 52 SECONDS WEST ALONG THE CENTER OF SAID DRAINAGE DITCH A DISTANCE OF 119.47 FEET; THENCE NORTH 70 DEGREES 37 MINUTES 51 SECONDS WEST ALONG THE CENTER OF SAID DRAINAGE DITCH A DISTANCE OF 625.05 FEET TO THE POINT OF BEGINNING. HEREIN TRACT CONTAINING 8.011 ACRES, MORE OR LESS, AND SUBJECT TO ANY RIGHTS OF WAY, SERVITUDES AND/OR EASEMENTS OF RECORD OR BY USE.

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: None

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

ABSENT: None

And the said resolution failed on this 21st day of February, 2017.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution granting an Exception to Powerhouse Commercial Construction, Inc., property located at 222 and 304 North Beglis Parkway to allow for living in a Business District. Motion was made by Mrs. Wilson seconded by Mr. Moore that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting an Exception to Ernie Anderson, Powerhouse Commercial Construction, Inc., for property located at 222 and 304 North Beglis Parkway to allow for living in a Business District.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant an Exception to Ernie Anderson, Powerhouse Commercial Construction,

Inc., for property located at 222 and 304 North Beglis Parkway to allow for living in a Business District, in accordance with Article IV, Part 3, Section 4 (3) of the Land Use ordinance for the following property description:

304 NORTH BEGLIS PARKWAY

S ½ OF W ½ OF BEG AT NW COR SW NW NE 35.9.10 S 330 FT, E 264 FT, ETC (CONTG 1 AC) LESS .113 ACS FOR PARC #2 – 2 RELOCATION LA 27 AT SUL LESS .227 ACS FOR 30 FT RD R/W OFF W/SIDE - .66 ACS REF1-FANNIE JOHNSON B 2066 P 587, B 2080 P 414-88 REF2-B 2129 P 617 H/W R/W-89 REF3-SWEENEY, VAL A ET AL B 2871 P 132-2000 REF4-SWEENEY, THELMA HOOK ET AL B 3145 P 381 B 3147 P 264-04

222 NORTH BEGLIS PARKWAY

S 1/3 OF E ½ OF – COM NW COR SW NW NE SEC 35.9.10 TH S 330 FT, E 264 FT ETC REF1-CARL B BLAKE B 1112 P557-70 REF2-ASSESSED WD 4-81 REF3-ROSE BARNES B 2249 P 461, B 2244 P 378-91 REF4-B 2332 P 87-92 REF5-LAVERGNE, JOSEPH ET UX B 2528 P 806, B 2531 P 197-95 REF3-SWEENEY, VAL A ET AL B 2871 P 132-2000 REF4-SWEENEY, THELMA HOOK ET AL B 3147 P 264-04

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 21st day of February, 2017.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution granting the subdividing of lots to Palermo Land Company for property located on the south side of Evangeline Street (Rose Park 9, Block 10). Motion was made by Mr. McMullen seconded by Ms. Carroll that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting the subdividing of lots to Palermo Land Company for property located in Rose Park 9, Block 10 on the south side of Evangeline Street.

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

ROSE PARK NO. 9, BLOCK 10

THAT CERTAIN TRACT OR PARCEL OF LAND LOCATED IN THE SOUTH HALF OF NORTHEAST QUARTER OF SOUTHWEST (S/2-NE/4-SW/4) AND THE SOUTH HALF OF THE NORTHWEST QUARTER OF SOUTHEAST QUARTER (S/2-NW/4-SE/4) OF SECTION 1, TOWNSHIP 10 SOUTH, RANGE 10 WEST, LESS EVANGELINE ROAD RIGHT OF WAY, ALL BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, THENCE NORTH 89°10'31" WEST A DISTANCE OF 1341.45 FEET; THENCE NORTH 00°55'53" EAST A DISTANCE OF 302.84 FEET TO THE SOUTH RIGHT OF WAY LINE OF DIVISION STREET; THENCE SOUTH 89°25'16" EAST ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 160.88 FEET TO THE WEST RIGHT OF WAY LINE OF TAMMY STREET; THENCE SOUTH 00°49'29" WEST ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 158.53 FEET TO THE SOUTH RIGHT OF WAY LINE OF EVANGELINE ROAD; THENCE SOUTH 89°10'31" EAST ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 1180.00 FEET; THENCE LEAVING SAID SOUTH RIGHT OF WAY LINE SOUTH 00°49'29" WEST A DISTANCE OF 145.00.00 FEET TO POINT OF COMMENCEMENT.

HEREIN DESCRIBED TRACT CONTAINING 219,962.52 SQUARE FEET OR 5.05 ACRES MORE OR LESS AND BEING SUBJECT TO ROAD RIGHT OF WAY ON THE NORTH SIDE THEREOF.

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 and 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 Palermo Land Company for property located in Rose Park 9, Block 10 on the south side of Evangeline Street.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 21st day of February, 2017.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution granting the subdividing of lots to Palermo Land Company for property located on the south side of Evangeline Street (Rose Park 10, Block 9). Motion was made by Mr. McMullen seconded by Mrs. Wilson that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting the subdividing of lots to Palermo Land Company for property located in Rose Park 10, Block 9 on the south side of Evangeline Street.

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

ROSE PARK NO. 10, BLOCK 9
THAT CERTAIN TRACT OR PARCEL OF LAND LOCATED IN THE
SOUTH HALF OF NORTHWEST QUARTER (S/2-NW/4) OF SECTION 1,

TOWNSHIP 10 SOUTH, RANGE 10 WEST, LESS EVANGELINE ROAD
RIGHT OF WAY, ALL BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST
QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1,
THENCE NORTH 00°49'29" EAST A DISTANCE OF 145.00 FEET TO THE
SOUTH RIGHT OF WAY LINE OF EVANGELINE ROAD; THENCE SOUTH
89°10'31" EAST ALONG SAID SOUTH RIGHT OF WAY LINE A
DISTANCE OF 503.50 FEET; THENCE SOUTH 00°49'29" WEST LEAVING
SAID SOUTH RIGHT OF WAY A DISTANCE OF 145.00 FEET; THENCE
NORTH 89°10'31" WEST A DISTANCE OF 503.50 FEET TO THE POINT OF
BEGINNING.

HEREIN DESCRIBED TRACT CONTAINING 37,005.30 SQ. FT. OR 0.85
ACRES MORE OR LESS AND BEING SUBJECT TO ROAD RIGHT OF WAY
ON NORTH SIDE THEREOF.

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 and 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 Palermo Land Company for property located in Rose Park 10, Block 9 on the south side of Evangeline Street.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 21st day of February, 2017.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution accepting Preliminary Plat from Palvest for Park Place Phase II Subdivision located at the west end of Cassy Drive. Mayor Duncan asked Mr. Johnson, Acculine Surveying, what was going to happen with the existing cul-de-sac at the end of Phase I. Mr. Johnson stated that they're getting rid of it. Motion was then made by Mr. Moore seconded by Mr. McMullen that the following resolution be adopted to-wit:

RESOLUTION

Resolution accepting Preliminary Plat from Palvest for Park Place Subdivision Phase II.

WHEREAS, Palvest has submitted application to accept Preliminary Plat for Park Place Subdivision Phase II; and

WHEREAS, said examination reflects that the preliminary plat submitted by Palvest complies with all requirements of Chapter 18, Section 25 of the Code of Ordinances of 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 Palvest for Park Place Subdivision Phase II for the following described property:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 10 SOUTH, RANGE 9 WEST, CALCASIEU PARISH, LOUISIANA; THENCE NORTH 89°39'00" EAST, A DISTANCE OF 76.54 FEET, MORE OR LESS TO A POINT OF THE WEST HIGH BANK OF A DRAINAGE DITCH, ALSO BEING THE POINT OF BEGINNING; THENCE NORTH 89°39'00" EAST, A DISTANCE OF 373.17 FEET, MORE OR LESS; THENCE SOUTH 00°21'19" EAST, A DISTANCE OF 190.06 FEET; THENCE NORTH 89°39'00" EAST, A DISTANCE OF 147.15 FEET, THENCE NORTH 79°18'11" EAST, A DISTANCE OF 11.05 FEET; THENCE SOUTH 10°41'49" EAST, A DISTANCE OF 50.00 FEET; THENCE SOUTH 79°18'11" WEST, A DISTANCE OF 15.58 FEET; THENCE SOUTH 89°39'00" WEST, A DISTANCE OF 54.00 FEET; THENCE SOUTH 00°21'19" EAST, A DISTANCE OF 294.15 FEET; THENCE SOUTH 63°29'32" WEST, A DISTANCE OF 59.00 FEET, MORE OR LESS; THENCE MEANDERING NORTHWESTERLY ALONG THE WEST HIGH BANK OF DRAINAGE DITCH, A DISTANCE OF 700.51 FEET, MORE OR LESS, BACK TO THE POINT OF BEGINNING.

CONTAINING 126,569.70 SQ. FT. OR 2.91 ACRES, MORE OR LESS.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 21st day of February, 2017.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution granting a rezone from Mixed Residential to Commercial to Orvis Tully, property located east of 2632 East Napoleon Street. Kirk Weldon, Mgr. for Tulco, stated that this will be used for storage for Tulco located on the southeast corner of Hwy. 90 and Hazel Street. Mrs. Wilson asked what the difference was between this rezone and the rezone last month for the VFW. The VFW wanted to rezone to commercial but had to switch to Business because it was a spot zone. This is the same thing. Keith Berry, Building Official, stated that the VFW property was right in the middle of a Business District. Mrs. Wilson stated that she understands this but she doesn't agree with telling one property owner that he can't switch from Mixed Residential to Commercial but we're allowing someone else to do it. After discussion, motion was made by Mr. Moore seconded by Mr. McMullen that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting a Rezone from Mixed Residential to Commercial to Orvis Tully for property located east of 2632 East Napoleon Street.

WHEREAS, Orvis Tully has submitted application to Rezone property from Mixed Residential District to Commercial District for property located east of 2632 East Napoleon Street; 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 Orvis Tully from Mixed Residential to Commercial for property located east of 2632 East Napoleon Street for the following described property to wit:

TRACT 1-COM 330 FT E OF SW COR SE NW 36.9.10 TH IN A SUFFICIENT DIST TO REACH R/W OF HWY 90 E 165 FT S TO S/L SAID SE NW TH W 165 FT TO COM SUBJ TO 30 FT RD ON S/S; LESS AND EXCEPT COMM @ SW COR SE/4 OF NW/4 SECT 36.9.10; TH N 89 DEGS 45'52" E 330 FT; TH N 0 DEGS 0'46" E 437.32 FT TO POB; TH N 1 DEG 05'55" E 248.50 FT; TH S 89 DEGS 24'44" E 34.57 FT; TH S 1 DEG 05'55" W 248 FT; TH S 89 DEGS 45'52" W 34.58 FT TO POB
REF1-RAMESH N PATEL AND KANTI N PATEL B 1734 P 736-83
REF2-SOLD TO STATE FOR 1986 TAXES-86
REF3-REDEEMED FROM STATE FILE NO 1978993-87

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: Ms. Carroll, Mr. Moore, Mr. Lawrence, Mr. McMullen
NAYS: Ms. Wilson
ABSENT: None

And the said resolution was declared duly adopted on this 21st day of February, 2017.

ATTEST:

ARLENE BLANCHARD, Secretary

GERRIT LAWRENCE, Chairman

The next item on the agenda is a resolution granting the subdividing of lots to Orvis Tully for property located east of 2632 East Napoleon Street. Motion was made by Mr. Moore seconded by Mr. McMullen that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting the subdividing of lots to Orvis Tully for property located east of 2632 East Napoleon Street.

WHEREAS, in accordance with Chapter 18 of the Code of Ordinances of the City of Sulphur, application has been received from Orvis Tully, to subdivide property located east of 2632 East Napoleon Street for property described as follows:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 9 SOUTH, RANGE 10 WEST, CALCASIEU PARISH, LOUISIANA; THENCE SOUTH 89°14'12" EAST ON AND ALONG THE SOUTH LINE OF SAID SE/4 OF NW/4 A DISTANCE OF 330.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°46'52" EAST ON AND ALONG THE EAST LINE OF S. ELLENDER SUBDIVISION A DISTANCE OF 434.86 FEET; THENCE NORTH 89°46'20" EAST A DISTANCE OF 34.58 FEET; THENCE NORTH 00°46'48" EAST A DISTANCE OF 248.00 FEET; THENCE SOUTH 89°23'58" EAST ON AND ALONG THE SOUTH APPARENT RIGHT OF WAY OF E. NAPOLEON STREET. A DISTANCE OF 130.42 FEET; THENCE SOUTH 00°46'49" WEST A DISTANCE OF 683.82 FEET TO THE SOUTH LINE OF SAID SE/4 OF NW/4; THENCE NORTH 89°14'12" WEST A DISTANCE OF 165.00 FEET TO THE POINT OF BEGINNING. PROPERTY CONTAINING 2.392 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 and 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 Orvis Tully for property located east of 2632 East Napoleon Street.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 21st day of February, 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

2/21/17

7:35 P.M.