

July 16, 2018

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 16th of July, 2018, after full compliance with the convening of said meeting with the following members present:

PHYLLIS WILSON, Land Use Commission District 2
MIKE MOORE, Land Use Commission District 3
BILL McMULLEN, Land Use Commission District 4
JONATHAN BRAZZELL, Land Use Commission of District 5

ABSENT: LENORE CARROLL, Land Use Commission District 1

After the meeting was called to order and the roll called with the above results, prayer was led by Mr. Brazzell followed by the reciting of the Pledge of Allegiance led by Mr. Moore.

The first item on the agenda is a resolution granting a rezone to Tramack Investments from Residential to Mixed Residential, 901 Mathew Street to allow for a manufactured home. After discussion, motion was made by Mr. Moore seconded by Mr. Brazzell that the following resolution be adopted to-wit:

Resolution granting a rezone to Tramack Investments from Residential District to Mixed Residential District for property located at 901 Mathew Street to allow for a manufactured home.

WHEREAS, Tramack Investments, has submitted application to Rezone from Residential District to Mixed Residential District; and

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 Tramack Investments from Residential District to Mixed Residential District for the following described property to wit:

LOTS 4 AND 5 OF BLOCK 16 OF THE D.J. WOODWARD ADDITION TO THE TOWN OF SULPHUR, LOUISIANA, AS PER PLAT RECORDED, CALCASIEU PARISH, LOUISIANA, TOGETHER WITH ALL BUILDINGS AND

IMPROVEMENTS, SUBJECT TO ALL RIGHTS OF WAY, EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY

This Rezone is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said Rezone interfere with the rights and privileges owned by the City of Sulphur pursuant to a pre-existing right of way,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 If withdrawn, any improvements constructed thereon shall be removed at the expenses of owner thereof.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: Mrs. Wilson, Mr. Moore, Mr. McMullen, Mr. Brazzell

ABSENT: Mrs. Carroll

And the said resolution failed on this 16th day of July, 2018.

ATTEST:

ARLENE BLANCHARD, Secretary

PHYLLIS WILSON, Vice-Chairman

The next item on the agenda is a resolution accepting Preliminary Plat from Bel Commercial LLC, for Cedars Subdivision, Phase I, located south of Sabine Canal, west of Wright Road. After much discussion, motion was made by Mr. Moore seconded by Mr. McMullen that the following resolution be adopted to-wit:

RESOLUTION

Resolution accepting Preliminary Plat from Bel Commercial LLC, for The Cedars Subdivision, Phase I, located south of Sabine Canal, west of Wright Road.

WHEREAS, Bel Commercial, LLC, has submitted application to accept Preliminary Plat for The Cedars Subdivision, Phase I; and

WHEREAS, improvements on the property include the following variances which shall be contingent upon adoption by the Board of Zoning Adjustment on Monday, July 16, 2018:

1. Increase allowed building coverage from 40% to 50%.
2. Reduce total allowed lot area from 6,000 sq. ft. to 5,500 sq. ft.
3. Reduce required size of cul-de-sac lots from 10,000 sq. ft. to 6,000 sq. ft.
4. Reduce front setbacks from 30 ft. to 12 ft. for residence and 20 ft. for garage.
5. Measurements to be taken from building face.
6. Reduce side corner setback from 15 ft. to 12.5 ft.

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

THAT CERTAIN TRACT OF LAND SITUATED IN SECTION 15, TOWNSHIP 10 SOUTH, RANGE 10 WEST, CITY OF SULPHUR, CALCASIEU PARISH, LOUISIANA, CONTAINING 23.494 ACRES AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF CENTERLINE OF WRIGHT ROAD AND RAVIA ROAD, SAID POINT BEING THE POINT OF COMMENCEMENT (P.O.C.);

THENCE PROCEED ALONG A BEARING OF SOUTH 39°58'31" WEST A DISTANCE OF 39.31 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING (P.O.B.).

THENCE PROCEED ALONG A BEARING OF NORTH 88° 23' 50" WEST FOR A DISTANCE OF 1326.07 FEET TO A POINT;

THENCE PROCEED ALONG A BEARING OF NORTH 01° 03' 40" EAST FOR A DISTANCE OF 218.37 FEET TO A POINT;

THENCE PROCEED ALONG A BEARING OF SOUTH 89° 27' 26" EAST FOR A DISTANCE OF 723.87 FEET TO A POINT;

THENCE PROCEED ALONG A BEARING OF NORTH 00° 32' 34" EAST FOR A DISTANCE OF 170.00 FEET TO A POINT;

THENCE PROCEED ALONG A BEARING OF NORTH 89° 27' 26" WEST FOR A DISTANCE OF 65.00 FEET TO A POINT;

THENCE PROCEED ALONG A BEARING OF NORTH 00° 32' 34" EAST FOR A DISTANCE OF 765.00 FEET TO A POINT;
THENCE PROCEED ALONG A BEARING OF SOUTH 89° 27' 26" EAST FOR A DISTANCE OF 65.00 FEET TO A POINT;
THENCE PROCEED ALONG A BEARING OF NORTH 00° 32' 34" EAST FOR A DISTANCE OF 176.20 FEET TO A POINT;
THENCE PROCEED ALONG A BEARING OF NORTH 89° 47' 16" EAST FOR A DISTANCE OF 598.64 FEET TO A POINT;
THENCE PROCEED ALONG A BEARING OF SOUTH 00° 29' 00" WEST FOR A DISTANCE OF 1361.98 FEET TO THE POINT OF BEGINNING.

NOW THEREFORE, BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby accept the Preliminary Plat from Bel Commercial LLC, for The Cedars Subdivision, Phase I, with the following variances being contingent upon adoption by the Board of Zoning Adjustment on Monday, July 16, 2018:

1. Increase allowed building coverage from 40% to 50%.
2. Reduce total allowed lot area from 6,000 sq. ft. to 5,500 sq. ft.
3. Reduce required size of cul-de-sac lots from 10,000 sq. ft. to 6,000 sq. ft.
4. Reduce front setbacks from 30 ft. to 12 ft. for residence and 20 ft. for garage.
5. Measurements to be taken from building face.
6. Reduce side corner setback from 15 ft. to 12.5 ft.

A vote was then called with the results as follows:

YEAS: Mrs. Wilson, Mr. Moore, Mr. McMullen

NAYS: Mr. Brazzell

ABSENT: Mrs. Carroll

And the said resolution was declared duly adopted on this 16th day of July, 2018.

ATTEST:

ARLENE BLANCHARD, Secretary

PHYLLIS WILSON, Vice-Chairman

The next item on the agenda is a resolution granting Melvin Ceasar, 933 Alice Street, an Exception to allow for living in a Business District and accept Final Plat. Motion was made by Mr. Brazzell seconded by Mr. Moore that the following amendment be made:

- Amend from granting an Exception to allow for living in a Business District to a Rezone from Business District to Mixed Residential District.

Motion carried unanimously.

Motion was then made by Mr. Brazzell seconded by Mr. Moore that the following resolution be adopted to-wit:

RESOLUTION AS AMENDED

Resolution granting a Rezone from Business District to Mixed Residential District (for Tract 1 on final plat) and accepting Final Plat from Melvin Ceasar, 933 Alice Street.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a Rezone from Business District to Mixed Residential District (for Tract 1 on final plat) and accept Final Plat from Melvin Ceasar, 933 Alice Street, in accordance with Article IV of the Land Use ordinance and Appendix B, Article III, Part 1, Section 1 (6) (c) of the Code of Ordinances for the following described property:

PARENT TRACT:

DESCRIPTION SURVEY OF A PORTION OF LOT 4, C.B. RICHARD, A SUBDIVISION OF THE SOUTHWEST QUARTER, OF THE NORTHWEST QUARTER (SW/4 OF NW/4) OF SECTION 35, TOWNSHIP 9 SOUTH, RANGE 10 WEST, BEING MORE PARTICULARLY DESCRIBE AS:

COMMENCING AT A POINT 100.0 FEET NORTH AND 460.0 FEET EAST OF SOUTHWEST CORNER OF SAID LOT 4, THENCE S 89°58'16"E A DISTANCE OF 98.61', THENCE S 0° 10' 32 E, A DISTANCE OF 97.38', THENCE N 89°58'16" W, A DISTANCE OF 98.61', THENCE N 0°10'32" W, A DISTANCE OF 97.38', TO THE POINT OF COMMENCEMENT, CONTAINING 0.22 ACRES MORE OR LESS.

TRACT 1: (REZONE FROM BUSINESS TO MIXED RESIDENTIAL)

DESCRIPTION SURVEY OF A PORTION OF LOT 4, C.B. RICHARD, A SUBDIVISION OF THE SOUTHWEST QUARTER, OF THE NORTHWEST QUARTER (SW/4 OF NW/4) OF SECTION 35, TOWNSHIP 9 SOUTH, RANGE 10 WEST, BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT A POINT 100.0 FEET NORTH AND 505.10 FEET EAST OF SOUTHWEST CORNER OF SAID LOT 4, THENCE S 89°14'31" E, A DISTANCE OF 53.51', THENCE S 0°33'16" W, A DISTANCE OF 67.51', THENCE N 89°14'28" W, A DISTANCE OF 53.56', THENCE N 0°36'01" E, A DISTANCE OF 67.51' TO THE POINT OF COMMENCEMENT, CONTAINING 0.08 ACRES MORE OR LESS.

TRACT 2:

DESCRIPTION SURVEY OF A PORTION OF LOT 4, C.B. RICHARD, A SUBDIVISION OF THE SOUTHWEST QUARTER, OF THE NORTHWEST QUARTER (SW/4 OF NW/4) OF SECTION 35, TOWNSHIP 9 SOUTH, RANGE 10 WEST, BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT A POINT 100.0 FEET NORTH AND 460 FEET EAST OF SOUTHWEST CORNER OF SAID LOT 4, THENCE S 89°14'31" E, A DISTANCE OF 45.10, THENCE S 0°36'01" W, A DISTANCE OF 67.51', THENCE S 89°14'28" E, A DISTANCE OF 53.56', THENCE S 0°33'16" W, A DISTANCE OF 30.0', THENCE N 89°14'28" W, A DISTANCE OF 98.69', THENCE N 0°36'01" E, A DISTANCE OF 97.51', TO THE POINT OF COMMENCEMENT, CONTAINING 0.14 ACRES MORE OR LESS.

BE IT FURTHER RESOLVED that this Rezone and Final Plat shall be contingent upon the adoption of the following variances voted on by the Board of Zoning Adjustment held on July 16, 2018:

1. Allow front foot dimension of west parcel to be 45.10 ft. rather than the required 50 ft.
2. Allow sq. ft. of east parcel to be 3,614 sq. ft. rather than the required 5,000 sq. ft.

This Rezone and Final Plat is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said Rezone and Final Plat 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 and Final Plat, 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 and Final Plat the owner 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.

No work shall commence until all applicable permits are obtained. In the event work is commenced prior to obtaining all applicable permits, this Rezone and Final Plat shall be withdrawn and considered null and void.

BE IT FURTHER RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a Rezone from Business District to Mixed Residential District (for Tract 1 on final plat) and accept Final Plat from Melvin Ceasar for property located at 933 Alice Street.

A vote was then called with the results as follows:

YEAS: Mrs. Wilson, Mr. Moore, Mr. McMullen, Mr. Brazzell
NAYS: None
ABSENT: Mrs. Carroll

And the said resolution was declared duly adopted on this 16th day of July, 2018.

ATTEST:

ARLENE BLANCHARD, Secretary

PHYLLIS WILSON, Vice-Chairman

The next item on the agenda is a resolution amending Resolution adopted by Land Use Commission on June 20, 2016 which enlarged the boundaries of the City of Sulphur for the annexation of Curtis and Emma Vincent, property located on south side of Hwy. 90 West, west of Kim Street (to correct property description). Mrs. Blanchard, Council Clerk, stated that when this property was annexed this parcel description was accidentally left out. Motion was made by Mr. Moore seconded by Mr. Brazzell that the following resolution be adopted to-wit:

RESOLUTION

RESOLUTION AMENDING RESOLUTION ADOPTED BY LAND USE COMMISSION ON JUNE 20, 2016 WHICH ENLARGED THE BOUNDARIES OF THE CITY OF SULPHUR FOR THE ANNEXATION OF CURTIS AND EMMA VINCENT, PROPERTY LOCATED ON SOUTH SIDE OF HWY. 90 WEST, WEST OF KIM STREET (TO CORRECT PROPERTY DESCRIPTION).

WHEREAS, in said annexation Resolution that was adopted by the Land Use Commission on June 20, 2016 a portion of the property description was erroneously left out.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby amend Resolution adopted June 20, 2016 which annexed property owned by Curtis and Emma Vincent, located on the south side of Hwy. 90 West, west of Kim Street to include the following described property:

THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE
NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 10 SOUTH, RANGE 10
WEST, CALCASIEU PARISH, LOUISIANA.

A vote was then called with the results as follows:

YEAS: Mrs. Wilson, Mr. Moore, Mr. McMullen, Mr. Brazzell

NAYS: None

ABSENT: Mrs. Carroll

And the said resolution was declared duly adopted on this 16th day of July, 2018.

ATTEST:

ARLENE BLANCHARD, Secretary

PHYLLIS WILSON, Vice-Chairman

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

ATTEST:

ARLENE BLANCHARD, Secretary

PHYLLIS WILSON, Vice-Chairman

7/16/18
6:00 P.M.