

February 19, 2019

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, immediately following the Board of Zoning Adjustment meeting at 5:30 p.m., on the 19th day of February, 2019, 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  
JONATHAN BRAZZELL, Land Use Commission of District 5

After the meeting was called to order and the roll called with the above results, motion was made by Mr. Brazzell seconded by Mr. McMullen that the minutes from the previous meeting stand as written. Motion carried unanimously.

Motion was then made by Mrs. Wilson seconded by Mr. Moore that items #4, #5 and #6 be removed from the agenda. Motion carried unanimously.

Motion was then made by Mrs. Wilson seconded by Mr. Moore that the agenda stand as amended. Motion carried unanimously.

The first item on the agenda is resolution granting a rezone to Audrey Duplechain, et al, from Residential to Commercial for property located at 229 Prater Road.

Applicant answer questions from the Commission.

After discussion, motion was made by Mr. Moore seconded by Mrs. Wilson to amend the resolution as follows:

- Amend from Commercial District to Business District

A vote was then called with the results as follows:

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

And the above resolution was amended on this 19th day of February, 2019.

ATTEST:

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ARLENE BLANCHARD, Secretary

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LENORE CARROLL, Chairman

James and Beverly Martin spoke against the rezone  
Donnie Fuslier commented on this rezone.  
Garry Johnson, commented on this rezone  
Dru Ellender answered questions from the Commission

Johnny Thomas addressed the Commission and stated that the Commissioners can make all the promises to the Duplechains that they want to, but they're not final action, City Council is.

At this time Billy Loftin, Asst. City Attorney, stated that he wanted it reflected in the minutes that the Commissioners gave no specific advice or promises. They're only saying it would be more advisable to have the type of development in detail for that development. It's important that it be noted that the Commissioners made no promises. *(Mr. Loftin felt that he needed to clarify this after the comment made by Johnny Thomas).*

After discussion, motion was made by Mr. Moore seconded by Mr. McMullen that the following resolution be postponed indefinitely:

Resolution granting a rezone to Audrey Duplechain, et al, from Residential to Business for property located at 229 Prater Road.

A vote was then called with the results as follows:

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

And the above resolution was postponed indefinitely on this 19th day of February, 2019.

ATTEST:

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ARLENE BLANCHARD, Secretary

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LENORE CARROLL, Chairman

The next item on the agenda is a resolution granting a rezone to Edward Darbonne, from Residential to Mixed Residential for property located on the west side of Eddie Street (Lots 3-13).

Anja Richard, Realtor representing the applicant, answered questions from the Commission.

Donnie Fuslier spoke in favor of the rezone

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 to Edward Darbonne, from Residential to Mixed Residential for property located on the west side of Eddie Street (Lots 3-13).

WHEREAS, Edward Darbonne 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 Edward Darbonne, from Residential District to Mixed Residential District for the following described property to wit:

LOTS 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 OF BLOCK ONE OF DARBONNE ESTATES SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW/4-NE/4) OF SECTION 3, TOWNSHIP 13 SOUTH, RANGE 10 WEST, LA. MERIDIAN, AS PER RECORDED IN THE RECORDS OF CALCASIEU PARISH, LOUISIANA.

HEREIN DESCRIBED TRACT/LOTS CONTAINING 2.01 ACRES, MORE OR LESS, AND SUBJECT TO ANY RIGHTS OF WAY, SERVITUDES AND/OR EASEMENTS OR 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.**

NOW THEREFORE, BE IT FURTHER RESOLVED, that the Land Use Commission of the City of Sulphur, Louisiana, does hereby grant a rezone to Edward Darbonne from Residential District to Mixed Residential District for the above stated lots located on the west side of Eddie Street, Sulphur, Louisiana.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the above resolution was declared duly adopted on this 19th day of February, 2019.

ATTEST:

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ARLENE BLANCHARD, Secretary

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LENORE CARROLL, Chairman

The next item on the agenda is a resolution granting a rezone to Justin Babineaux (BAB Rentals, LLC), from Business to Mixed Residential for property located on the west side of Cain Street (south of 172 Cain Street), to allow for a manufactured home.

Donnie Fuslier spoke in favor of the rezone

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

RESOLUTION

Resolution granting a rezone to Justin Babineaux, BAB Rentals, LLC, from Business to Mixed Residential for property located on the west side of Cain Street (south of 172 Cain Street), to allow for a manufactured home.

WHEREAS, Justin Babineaux, BAB Rentals, LLC, has submitted application to rezone from Business 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 Justin Babineaux, BAB Rentals, LLC, from Business District to Mixed Residential District for the following described property to wit:

LOT NINE (9) OF LOUIS CHARGEOIS SUBDIVISION, A SUBDIVISION BEGINNING 128 FTT EAST FROM THE WEST LINE OF SE/4 OF THE NW/4 OF SECTION 35, T-9-S, R-10-W, LA. MERIDIAN, AT THE INTERSECTION OF U.S. HIGHWAY 90 ON THE SOUTH SIDE; THENCE SOUTH 668.3 FEET; THENCE EAST 192 FEET; THENCE NORTH 667.7 FEET; THENCE WEST 192 FEET TO THE POINT OF BEGINNING, AS PER PLAT RECORDED AT FILE NO. 364410, RECORDS OF CALCASIEU PARISH, LOUISIANA.

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.**

NOW THEREFORE, BE IT FURTHER RESOLVED, that the Land Use Commission of the City of Sulphur, Louisiana, does hereby grant a rezone to Justin Babineaux, BAB Rental, LLC from Business District to Mixed Residential District for property located on the west side of Cain Street (south of 172 Cain Street), to allow for a manufactured home.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the above resolution was declared duly adopted on this 19th day of February, 2019.

ATTEST:

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ARLENE BLANCHARD, Secretary

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LENORE CARROLL, 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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LENORE CARROLL, Chairman

2/19/19  
6:30 P.M.