

May 20, 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, at 5:30 p.m., on the 20th day of May, 2019, after full compliance with the convening of said meeting with the following members present:

PHYLLIS WILSON, Land Use Commission District 2
VERONICA ALLISON, Land Use Commission District 3
ROBIN BAUDOIN, Land Use Commission District 4
JONATHAN BRAZZELL, Land Use Commission of District 5

LENORE CARROLL, Land Use Commission District 1

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

Motion was then made by Mr. Brazzell seconded by Mrs. Baudoin that the agenda stand as written. Motion carried unanimously.

The first item on the agenda is resolution electing a Chairman and Vice-Chairman for Land Use Commission. Motion was made by Mrs. Allison seconded by Mr. Brazzell that the following resolution be adopted to-wit:

RESOLUTION

Resolution electing a Chairman and Vice-Chairman for the Land Use Commission of the City of Sulphur.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby elect Phyllis Wilson as Chairman and Robin Baudoin as Vice-Chairman for the Land Use Commission of the City of Sulphur.

A vote was then called with the results as follows:

YEAS: Mrs. Wilson, Mrs. Allison, Mrs. Baudoin, Mr. Brazzell
NAYS: None

ABSENT: Mrs. Carroll

And the said resolution was declared duly adopted on this 20th day of May, 2019.

ATTEST:

ARLENE BLANCHARD, Secretary

Phyllis Wilson, Chairman

The next item on the agenda is a resolution accepting Final Plat from Palvest, Inc. for Park Place Subdivision Phase II, property located at the end of Cassy Drive. Motion was made by Mrs. Baudoin seconded by Mrs. Allison that the following resolution be adopted to-wit:

RESOLUTION

Resolution accepting Final Plat from Palvest, Inc. for Park Place Subdivision Phase II.

WHEREAS, Palvest, Inc. has submitted a final plat for Park Place Subdivision Phase II;
and

WHEREAS, said examination reflects that the final plat submitted by Palvest, Inc. complies with Chapter 18 of the Code of Ordinances and Article III, Part 1, Section 1, (6) (c) and (e) of the Land Use Ordinance for the City of Sulphur.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby accept final plat from Palvest, Inc., 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 SOUTH 89°24'25" 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 SOUTH 89°24'25" EAST, A DISTANCE OF 373.17 FEET, MORE OR LESS; THENCE SOUTH 00°35'16" WEST, A DISTANCE OF 190.06 FEET; THENCE SOUTH 89°24'25" EAST, A DISTANCE OF 147.15 FEET, THENCE NORTH 80°14'46" EAST, A DISTANCE OF 11.05 FEET; THENCE SOUTH 90°45'14" EAST, A DISTANCE OF 50.00 FEET; THENCE SOUTH 80°14'46" WEST, A DISTANCE OF 15.58 FEET; THENCE NORTH 89°24'25" WEST, A DISTANCE OF 59.26 FEET; THENCE SOUTH 01°22'13" EAST, A DISTANCE OF 292.01 FEET; THENCE SOUTH 64°26'07" WEST, A DISTANCE OF 64.49 FEET, MORE OR LESS; THENCE MEANDERING NORTHWESTERLY ALONG THE WEST HIGH BANK OF A DRAINAGE

DITCH, A DISTANCE OF 700.51 FEET, MORE OR LESS, BACK TO THE POINT OF BEGINNING. CONTAINING 126,496.77 SQ. FT. OR 2.90 ACRES, MORE OR LESS.

WHEREAS, this final plat is accepted by the City of Sulphur and may be withdrawn by the City of Sulphur should said 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; and

WHEREAS, Grantee hereby agrees and contracts to hold Grantor harmless from any damages created and/or caused by the acceptance of this 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; and

WHEREAS, if City Council does hereby accept this final plat and the owner of such 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 acceptance of final plat 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 accept the final plat from Palvest, Inc. for Park Place Subdivision Phase II. and revise the Land Use Map for property located on the west end of Cassy Drive.

A vote was then called with the results as follows:

YEAS: Mrs. Wilson, Mrs. Allison, Mrs. Baudoin, Mr. Brazzell
NAYS: None
ABSENT: Mrs. Carroll

And the said resolution was declared duly adopted on this 20th day of May, 2019.

ATTEST:

ARLENE BLANCHARD, Secretary

Phyllis Wilson, Chairman

The next item on the agenda is a resolution granting a rezone to Polar Refrigeration & Sheet Metal, Inc., 320 Lewis Street and 1201/1205 Sherwood Street from Residential to

Commercial. Motion was made by Mrs. Allison seconded by Mrs. Baudoin that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting a rezone to Polar Refrigeration & Sheet Metal, Inc., 320 Lewis Street and 1201/1205 Sherwood Street from Residential to Commercial.

WHEREAS, Polar Refrigeration & Sheet Metal, Inc. has submitted application to rezone from Residential District to Commercial 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 Polar Refrigeration & Sheet Metal, Inc., 320 Lewis Street and 1201/1205 Sherwood Street, from Residential District to Business District for the following described property to wit:

320 LEWIS STREET

COMMENCING AT THE NORTHWEST CORNER OF LOT 16 OF PINECREST SUBDIVISION, PART I, A SUBDIVISION OF THE N/2 OF THE NW/4 OF SECTION 35, TOWNSHIP 9 SOUTH, RANGE 10 WEST, AS PER PLAT RECORDED IN PLAT BOOK 8, PAGE 155 OF THE RECORDS OF CALCASIEU PARISH, LOUISIANA; THENCE WEST 40 FEET, THENCE SOUTH 119 FEET, THENCE EAST 40 FEET, THENCE NORTH 119 FEET TO THE POINT OF COMMENCEMENT, AND LOT 16 OF PINECREST SUBDIVISION, PART I, A SUBDIVISION OF THE N/2 OF THE NW/4 OF SECTION 35, TOWNSHIP 9 SOUTH, RANGE 10 WEST, AS PER PLAT RECORDED IN PLAT BOOK 8, PAGE 155 OF THE RECORDS OF CALCASIEU PARISH, LOUISIANA.

1201 SHERWOOD

LOT 16 LESS THE WEST 10' PINECREST SUBDIVISION PART I

1205 SHERWOOD

LOT SEVENTEEN (17) OF PINECREST SUBDIVISION PART I, A SUBDIVISION IN THE NORTH HALF OF THE NORTHWEST QUARTER (N/2 NW/4) OF SECTION 35, TOWNSHIP 9 SOUTH, RANGE 10 WEST, AS PER PLAT RECORDED IN PLAT BOOK 8 AT PAGE 155, 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 Polar Refrigeration & Sheet Metal, Inc., 320 Lewis Street and 1201/1205 Sherwood Street from Residential to Commercial.

A vote was then called with the results as follows:

YEAS: Mrs. Wilson, Mrs. Allison, Mrs. Baudoin, Mr. Brazzell

NAYS: None

ABSENT: Mrs. Carroll

And the said resolution was declared duly adopted on this 20th day of May, 2019.

ATTEST:

ARLENE BLANCHARD, Secretary

Phyllis Wilson, Chairman

The next item on the agenda is a resolution granting an Exception to John and Stacy Perry – Jowitt, LLC, 4004 Maplewood Drive, to allow for 6 apartments in a Business District. Motion was made by Mrs. Allison seconded by Mrs. Baudoin that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting an Exception to Jowitt, LLC-John & Stacy Perry, 4004 Maplewood Drive, to allow for apartments in a Business District.

WHEREAS, application has been received from Jowitt LLC – John and & Stacy Perry, 4004 Maplewood Drive, to allow for apartments in a Business District with the following stipulation:

- Driveway access shall be on Kingston Road

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant an Exception to Jowitt, LLC-John & Stacy Perry, 4004 Maplewood Drive, to allow for apartments in a Business District., in accordance with Article IV, Part 3, Section 4 (3) of the Land Use ordinance for the following property description:

TRACT 1: THE EAST 50 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

COMMENCING AT A POINT 30 FEET NORTH AND 1,655 FEET EAST OF THE SOUTHWEST CORNER OF SECTION THIRTY-ONE (31), TOWNSHIP NINE (9) SOUTH, RANGE NINE (9) WEST, LOUISIANA, MERIDIAN, THENCE EAST 73 FEET, THENCE NORTH 200 FEET, THENCE WEST 73 FEET, THENCE SOUTH 200 FEET, TO POINT OF COMMENCEMENT, TOGETHER WITH ALL BUILDINGS AND IMPROVEMENTS SITUATED THEREON, BEARING A MUNICIPAL ADDRESS OF 4004 MAPLEWOOD DRIVE, SULPHUR, LA (BEING THE SAME PROPERTY INHERITED FROM RUTH NAGEL PURSUANT TO THE JUDGEMENT OF POSSESSION DATED JULY 27, 2010 IN SUIT NO. 49,809, ENTITLED SUCCESSION OF RUTH NAGEL, 14TH JUDICIAL DISTRICT COURT, PARISH OF CALCASIEU, STATE OF LOUISIANA).

TRACT 2: THE WEST 23 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

COMMENCING AT A POINT 30 FEET NORTH AND 1,655 FEET EAST OF THE SOUTHWEST CORNER OF SECTION THIRTY-ONE (31), TOWNSHIP NINE (9) SOUTH, RANGE NINE (9) WEST, LOUISIANA, MERIDIAN, THENCE EAST 73 FEET, THENCE NORTH 200 FEET, THENCE WEST 73 FEET, THENCE SOUTH 200 FEET, TO POINT OF COMMENCEMENT, TOGETHER WITH ALL BUILDINGS AND IMPROVEMENTS SITUATED THEREON, BEARING A MUNICIPAL ADDRESS OF 4004 MAPLEWOOD DRIVE, SULPHUR, LOUISIANA, (BEING THE SAME PROPERTY INHERITED FROM RUTH NAGEL PURSUANT TO THE JUDGEMENT OF POSSESSION DATED JULY 27, 2010 IN SUIT NO. 49,809, ENTITLED SUCCESSION OF RUTH NAGEL, 14TH JUDICIAL DISTRICT COURT, PARISH OF CALCASIEU, STATE OF LOUISIANA).

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.

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.

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.

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.

BE IT FURTHER RESOLVED by the Land Use Commission of the City of Sulphur Louisiana, that they do hereby grant an Exception to Jowitt, LLC-John & Stacy Perry, 4004 Maplewood Drive, to allow for apartments in a Business District.

A vote was then called with the results as follows:

YEAS: Mrs. Wilson, Mrs. Allison, Mrs. Baudoin

NAYS: Mr. Brazzell

ABSENT: Mrs. Carroll

And the said resolution was declared duly adopted on this 20th day of May, 2019.

ATTEST:

ARLENE BLANCHARD, Secretary

Phyllis Wilson, Chairman

The next item on the agenda is Public to address Commission. The following people spoke:

Nancy Curtis – flooding in Mimosa Park

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

ATTEST:

ARLENE BLANCHARD, Secretary

PHYLLIS WILSON, Chairman

5/20/19

6:15 P.M.