

AGENDA
LAND USE REGULAR MEETING
MONDAY, NOVEMBER 16, 2020
**IMMEDIATELY FOLLOWING THE BOARD OF ZONING ADJUSTMENT
MEETING HELD AT 5:30 P.M.**

THERE WILL BE A REGULAR MEETING OF THE SULPHUR LAND USE COMMISSION, **MONDAY, NOVEMBER 16, 2020**, IMMEDIATELY FOLLOWING THE BOARD OF ZONING ADJUSTMENT MEETING HELD AT 5:30 P.M. IN THE CITY COUNCIL CHAMBERS LOCATED AT 500 NORTH HUNTINGTON, SULPHUR, LOUISIANA TO ADOPT THE FOLLOWING:

CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE
ROLL CALL
APPROVAL OF MINUTES OF PREVIOUS MEETING (S)
APPROVAL OF AGENDA

1. Resolution granting an Exception to Joseph Smith III, 1808 Ruth Street, to allow for living in a Business District.
2. Resolution zoning property to Business District for Kenny Phipps, 2747 East Napoleon Street.

ADJOURNMENT

******(Anyone addressing Council will be limited to speak for 3 minutes only)**

If you are not satisfied with the outcome of the Land Use Commissions decision, the City Council will meet on all these issues at their next City Council meeting. If you are still not satisfied with their decision you can appeal it.

***The next regular Land Use meeting will be held on Monday, December 21, 2020 immediately following the Board of Zoning Adjustment meeting held at 5:30 p.m. in the Council Chambers located at 500 North Huntington Street, Sulphur, La.

In accordance with the Americans with Disabilities Act, if you need special assistance to attend this meeting, please contact Arlene Blanchard at 527-4500, describing the assistance that is necessary.

ORDINANCE NO. _____, M-C SERIES

ORDINANCE GRANTING AN EXCEPTION TO JOSEPH SMITH III, 1808 RUTH STREET, TO ALLOW FOR LIVING A BUSINESS DISTRICT.

WHEREAS, on August 10, 2015, City Council adopted Ordinance No. 1320, M-C Series which granted an Exception to Joseph Smith, 1808 Ruth Street, to allow for duplex cabin rentals in a Business District; and

WHEREAS, since applicant revised his plans from duplex cabin rentals to another type of structure, it is required that the applicant re-submit the application for an Exception; and

WHEREAS, application has been received from Joseph Smith III, 1808 Ruth Street, to allow for living in a Business District.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, that they do hereby grant an Exception to Joseph Smith III, 1808 Ruth Street, 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 described property:

THE WEST 220 FEET AND THE EAST 220 FEET OF LOT 24 OF A SUBDIVISION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 9 SOUTH, RANGE 10 WEST, AND THE WEST HALF OF THE EAST HALF OF SECTION 3, TOWNSHIP 10 SOUTH, RANGE 10 WEST, AS PER PLAT RECORDED IN PLAT BOOK 3, PAGE 141, RECORDS OF CALCASIEU PARISH, LOUISIANA, TOGETHER WITH ALL IMPROVEMENTS SITUATED THEREON, AND,

COMMENCING 220 FEET EAST OF THE NORTHWEST CORNER OF LOT 24 OF A SUBDIVISION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 9 SOUTH, RANGE 10 WEST, AND THE WEST HALF OF THE EAST HALF OF SECTION 3, TOWNSHIP 10 SOUTH, RANGE 10 WEST, AS PER PLAT RECORDED IN PLAT BOOK 3, PAGE 141, RECORDS OF CALCASIEU PARISH, LOUISIANA, THENCE SOUTH 100 FEET; THENCE EAST 5 FEET; THENCE NORTH 100 FEET; THENCE WEST 5 FEET TO THE POINT OF COMMENCEMENT, TOGETHER WITH ALL IMPROVEMENTS SITUATED THEREON, AND,

COMMENCING 225 FEET EAST OF THE NORTHWEST CORNER OF LOT 24 OF A SUBDIVISION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 9 SOUTH, RANGE 10 WEST, AND THE WEST HALF OF THE EAST HALF OF SECTION 3, TOWNSHIP 10 SOUTH, RANGE 10 WEST, AS PER PLAT RECORDED IN PLAT BOOK 3, PAGE 141, RECORDS OF CALCASIEU PARISH, LOUISIANA, THENCE SOUTH 100 FEET; THENCE EAST 75 FEET; THENCE NORTH 100 FEET; THENCE WEST 75 FEET TO THE POINT OF COMMENCEMENT, TOGETHER WITH ALL IMPROVEMENTS SITUATED THEREON, AND,

COMMENCING 300 FEET EAST OF THE NORTHWEST CORNER OF LOT 24 OF A SUBDIVISION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 9 SOUTH, RANGE 10 WEST, AND THE WEST HALF OF THE EAST HALF OF SECTION 3, TOWNSHIP 10 SOUTH, RANGE 10 WEST, AS PER PLAT RECORDED IN PLAT BOOK 3, PAGE 141, RECORDS OF CALCASIEU PARISH, LOUISIANA, THENCE SOUTH 100 FEET; THENCE EAST 80 FEET; THENCE NORTH 100 FEET; THENCE WEST 80 FEET TO THE POINT OF BEGINNING, TOGETHER WITH ALL IMPROVEMENTS SITUATED THEREON. (SAID PROEPRTY DESCRIPTIONS DESCRIBING ALL OF LOT 24), BEING THE SAME PROEPRTY AS DESCRIBED IN AFFIDAVIT OF CORRECTION OF CASH DEED, DATED JANUARY 20, 2010, RECORDED

JANUARY 21, 2010, BEING CLERK'S FILE NO. 2949526, RECORDED IN CONVEYANCE BOOK 3630, PAGE 365, RECORDS OF CALCASIEU PARISH, LOUISIANA.

THIS SALE IS MADE SUBJECT TO ANY RESTRICTIONS, MINERAL OR ROYALTY RESERVATIONS, MINERAL LESSES, RIGHTS OF WAY OR ANY OTHER SERVITUDE OR EASEMENT WHICH MAY APPEAR OF RECORD OR BEAR UPON THE PROPERTY HEREIN CONVEYED, ALL OF WHICH IS SPECIFICALLY EXCLUDED FROM THE GENERAL WARRANTY OF TITLE HEREIN CONTAINED.

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 ORDAINED by the City Council of the City of Sulphur Louisiana, that they do hereby grant an Exception to Joseph Smith III, 1808 Ruth Street, to allow for living in a Business District.

APPROVED AND ADOPTED by
City Council of the City of
Sulphur, Louisiana, on this _____
day of _____, 2020.

MIKE KOONCE, Chairman

I HEREBY CERTIFY that the
foregoing Ordinance has been
presented to the Mayor on this
____ day of _____,
2020, at _____ o'clock ____ .m.

ARLENE BLANCHARD, Clerk

I HEREBY CERTIFY that I have received
from the Mayor at _____ o'clock ____ .m.
on this _____ day of _____,
2020, the foregoing ordinance which has
approved/vetoed by the Mayor.

ARLENE BLANCHARD, Clerk



CITY OF SULPHUR
APPLICATION FOR

DEVELOPMENT APPROVAL

Date Received 10/28/20

\$50.00 Fee (Non-Refundable) pd. 10/28/20

IT IS APPLICANT'S RESPONSIBILITY TO KEEP SIGN POSTED ON PROPERTY. IF SIGN ISN'T PLACED ON PROPERTY 10 DAYS PRIOR TO MEETING DATE PLEASE NOTIFY CITY. IF SIGN IS REMOVED IT COULD DELAY ACTION ANOTHER MONTH. ONCE COUNCIL APPROVES/DISAPPROVES, APPLICANT MUST REMOVE SIGN FROM PROPERTY.

PRINT NAME Joseph L Smith III **DATE** 10-28-2020

PROPERTY OWNER INFORMATION

Name of Property Owner Joseph L Smith III

(Owner must provide proof of ownership such as property tax record or recorded deed)

Mailing Address: 357 Invader ST

Email: biglake3@suddenlink.net

Phone Number (H) 337-794-2407 (W) _____ (C) _____

PROPERTY INFORMATION

Location Address: 1808 Ruth ST

Present Zoned Classification: Business

LEGAL DESCRIPTION FROM ABSTRACT OR TAX RECORD (PRINT NEATLY OR TYPE)

DO YOU CURRENTLY HAVE ANY PENDING VIOLATION WITH ANY ORDINANCE OF THE CITY OF SULPHUR YES NO
YOU, OR A REPRESENTATIVE, MUST ATTEND BOTH LAND USE AND CITY COUNCIL MEETING INITIAL JLS

REQUEST INFORMATION
 REZONE EXCEPTION SUBDIVISION BILLBOARD PRE. PLAT FINAL PLAT
 DOES REZONE REQUIRE FENCING NAME OF SUBDIVISION _____

Zoning Change: From _____ To _____

Purpose of Request: Previously granted to build duplex cabin rentals. Now I want to build apartments instead

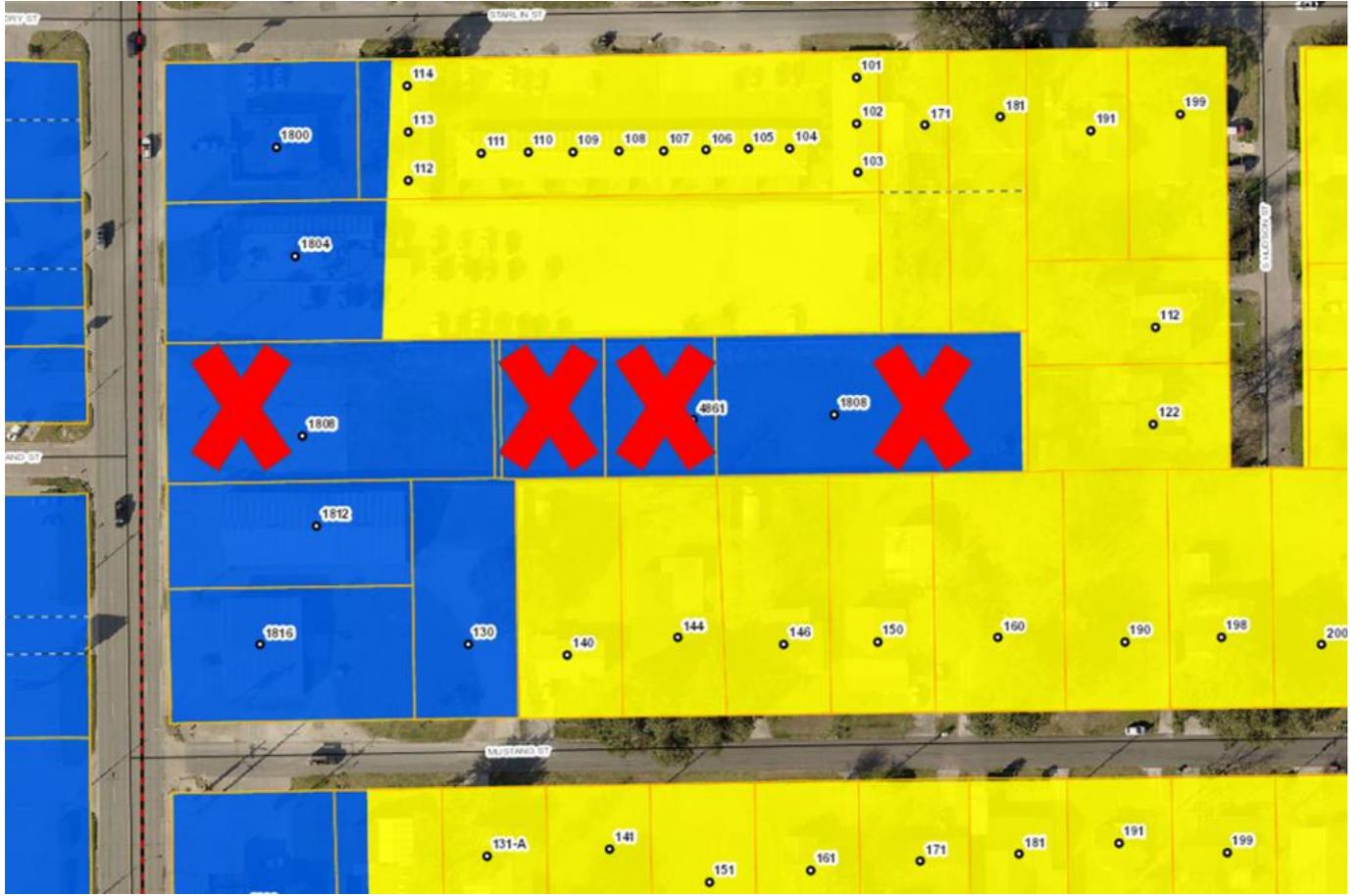
I do hereby understand that no petition for a change in the classification of property shall be filed unless such petition is duly signed and acknowledged by the owners of authorized agents of not less than fifty (50) percent of the area of land for which a change of classification is requested; provided however, that where any lot located in the aforesaid area is owned in division, all co-owners must sign the petition for that lot to be included in the fifty (50) percent area provision, as stated in the City of Sulphur Land Use Ordinance, Number 541, M-C Series.

Further, I do certify that the property for which the above request is being made does not hold any restrictions or covenants that would be in conflict with said request.

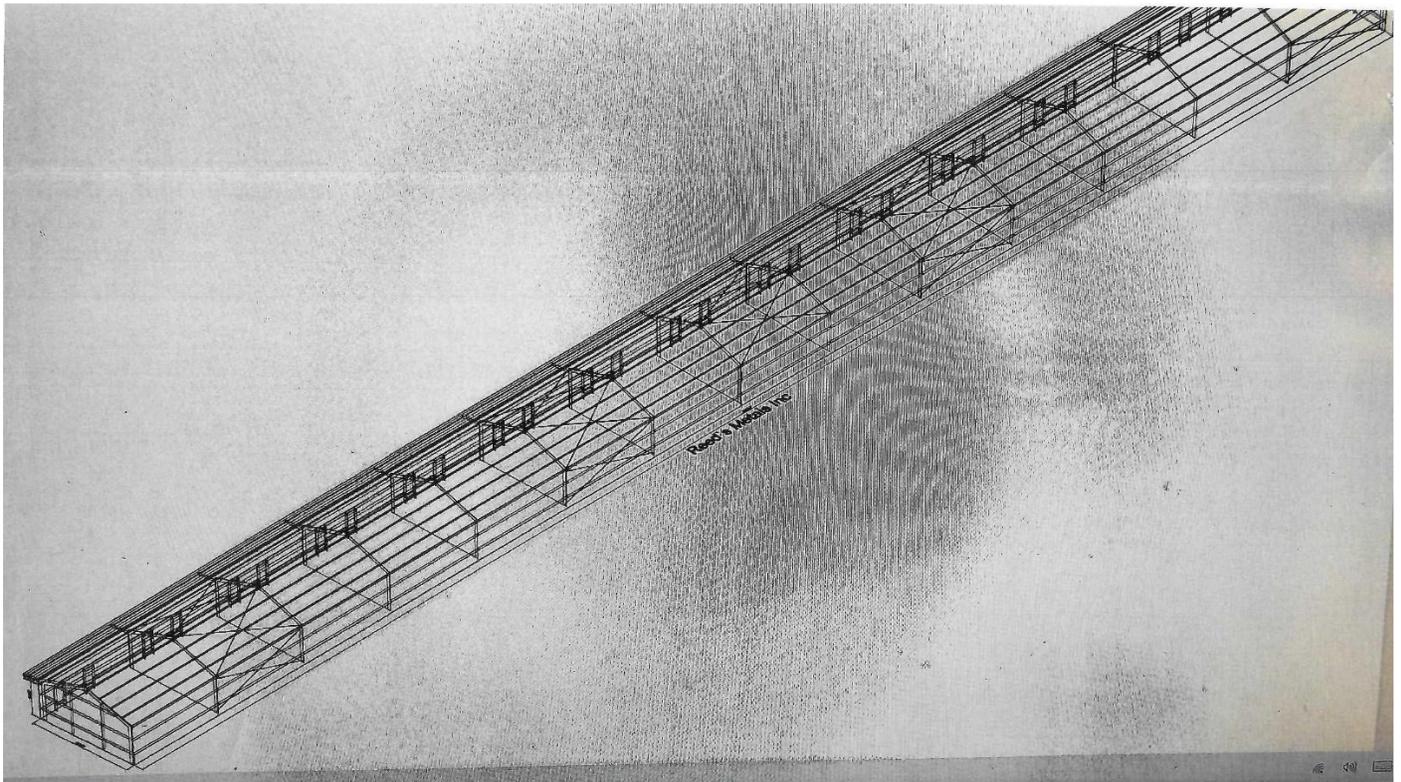
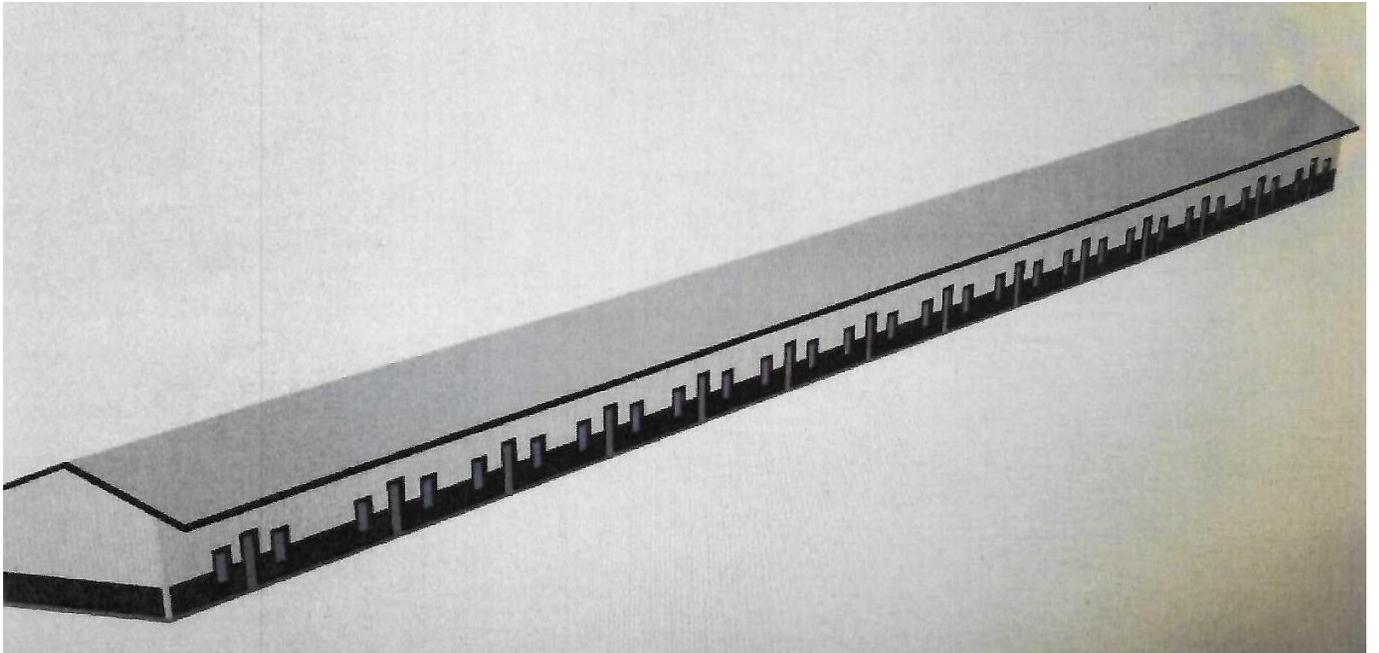
Furthermore, I, the applicant agree to dispose of the Land Use sign(s) placed on my property after the public hearing.

Applicant Signature: Joseph L Smith III Date: 10-28-2020

	Yes	No	N/A
1. Is site located within the City Limits?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed use be a nuisance to the surrounding area because of odors, vibrations, unsightly areas or other unwarranted elements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Is the capacity of the road and off-street parking facilities adequate for use by the proposed development?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the location be served by a fire protection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Can the proposed development be expected to adversely affect the character/aesthetics of the area involved?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is property within a designated flood hazard area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Flood zone classification _____ bfe _____ ft.			



EXAMPLE OF APARTMENTS





RESOLUTION

Resolution granting the zoning of property to Business District owned by Kenneth Phipps, for property located at 2747 East Napoleon Street.

WHEREAS, at the time City Council adopted zoning in 2003, said parcel failed to be zoned.

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 zone property for Kenneth Phipps, 2747 East Napoleon Street, to Business District for the following described property to wit:

COM ON E/L SE NW SEC 36.9.10, WHERE IT INTERSECTS N/L HWY 90,
TH W ALONG N/S HWY, 100 FT, N T S/L RR R/W OF S P R R 170 FT M/L
ETC "OFFC COMPLEX"

E 50 FT OF – COM 100 FT W OF E/L SE NW 36.9.10, ON N/S HWY 90, TH W
300 FT, N TO R/W OF S P R R 170 FT M/L ETC

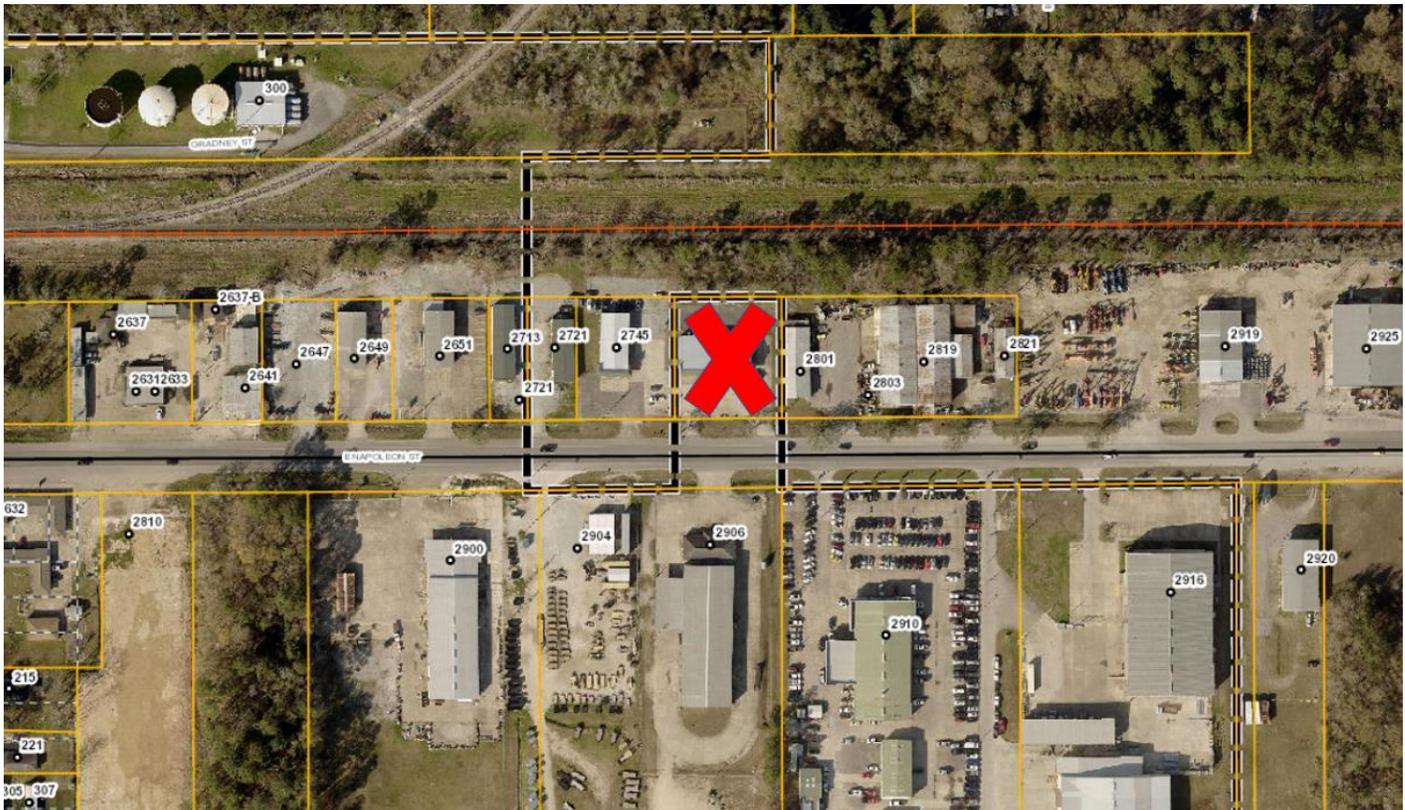
If City Council does hereby approve this Zoning, applicant shall be responsible for the recordation thereof, with the Clerk of Court, Calcasieu Parish, Louisiana, and shall provide the City of Sulphur a receipt evidencing recordation within 10 days of the effective date of this Zoning.

APPROVED AND ADOPTED by
Land Use Commission of the City of
Sulphur, Louisiana, on this ____
day of _____, 2020.

ROBIN BAUDOIN, Chairman

ATTEST:

ARLENE BLANCHARD, Secretary





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