

July 17, 2023

The Land Use Commission and the Board of Zoning Adjustment of the City of Sulphur, Louisiana, met in regular session at its temporary meeting place located at 1551 East Napoleon Street, Sulphur, LA, held at 5:30 p.m., on the 17th day of July, 2023, after full compliance with the convening of said meeting with the following members present:

TROY DARBY, Land Use Commission District 2
ROBIN BAUDOIN, Land Use Commission District 4
JONATHAN BRAZZELL, Land Use Commission of District 5

ABSENT - LENORE CARROLL, Land Use Commission District 1
VERONICA ALLISON, Land Use Commission District 3

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

Motion was then made by Mr. Brazzell seconded by Ms. Baudoin that the minutes from the previous Land Use and Board of Zoning Adjustment meetings stand as written. Motion carried unanimously.

Motion was then made by Mr. Brazzell seconded by Ms. Baudoin that item #3B be amended to read as follows:

- Amend from 1905 Diane Drive to 1906 Diane Drive

Motion carried unanimously.

Motion was then made by Mr. Brazzell seconded by Ms. Baudoin that the agenda stand as amended.

Motion carried unanimously.

The first item on the Land Use agenda is a resolution granting a rezone to Tulco II, LLC, 1825 East Napoleon Street, from Business to Commercial to allow for warehousing. Motion was made by Mr. Brazzell seconded by Ms. Baudoin that the following stipulation be added:

- Restrict access to only East Napoleon Street. No rear access from Carr Lane.

Motion carried unanimously.

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

RESOLUTION

RESOLUTION GRANTING A REZONE TO TULCO II, LLC, 1825 EAST NAPOLEON STREET, FROM BUSINESS TO COMMERCIAL TO ALLOW FOR WAREHOUSING.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Tulco II, LLC, 1825 East Napoleon Street, from Business to Commercial to allow for warehousing for the following described property:

LOT 1 CLAYSTONE 10X SUB

BE IT FURTHER RESOLVED that in accordance with Article IV, Part II, Section 8 of the Land Use Ordinance of the City of Sulphur, a six (6) foot tall buffer constructed of wood or brick masonry shall be constructed along an existing residential use. Furthermore, a twenty (20) foot buffer width will also be maintained that will be void of any parking apron, construction, accessory use, etc. The bufferyard is to remain free, clear and open of any obstruction. Also, access is restricted to only East Napoleon Street. No rear access shall be from Carr Lane.

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.

Upon approval of 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 rezone.

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.

BE IT FURTHEREST RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Tulco II, LLC, 1825 East Napoleon Street, from Business to Commercial to allow for warehousing.

A vote was then called with the results as follows:

YEAS: Mr. Darby, Ms. Baudoin, Mr. Brazzell

NAYS: None

ABSENT: Mrs. Carroll, Mrs. Allison

And the said resolution was declared duly adopted on this 17th day of July, 2023.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Vice-Chairman

The next item on the agenda is a resolution granting a rezone to BAB Rentals, LLC, SW corner of East Burton and Palmetto Drive, from Residential to Business to allow for an office with warehouse for the business. Mr. Babineaux stated that this will be a spec building. Motion was made by Mr. Brazzell seconded by Ms. Baudoin that the following stipulation be added:

- If construction has not commenced within 1 year, property shall revert back to residential.

Motion carried unanimously.

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

RESOLUTION

RESOLUTION GRANTING A REZONE TO BAB RENTALS, LLC, SOUTHWEST CORNER OF EAST BURTON AND PALMETTO DRIVE, FROM RESIDENTIAL TO BUSINESS TO ALLOW FOR AN OFFICE WITH WAREHOUSE FOR THE BUSINESS.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to BAB Rentals, LLC, southwest corner of East Burton and Palmetto Drive, from Residential to Business to allow for an office with warehouse for the business for the following described property:

THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE/4 OF NW/4) OF SECTION 35, TOWNSHIP 9 SOUTH, RANGE 10 WEST, CALCASIEU PARISH, LOUISIANA; LESS AND EXCEPT:

- (1) 31.16 ACRES;
- (2) TRACT SOLD TO STATE OF LOUISIANA, DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT FOR PARCEL No. 2-11 RELOCATION OF LA 27 AT SULPHUR IN THAT SALE FILED 02/08/1989 AT CLERK'S FILE NUMBER 2012783 IN CONVEYANCE BOOK 2112, PAGE 643, RECORDS OF CALCSIEU PARISH, LOUISIANA;
- (3) TRACT SOLD TO PONT PROPERTIES, LLC, BY CASH SALE DEED FILED 08/26/2014 AT CLERK'S FILE NUMBER 3152563 IN CONVEYANCE BOOK 3980, PAGE 188, RECORDS OF CALCASIEU PARISH, LOUISIANA;

BEING MORE PARTICULARLY DESCRIBED AS:

ALL THAT CERTAIN PARCEL OR TRACT OF LAND CONTAINING 1.496 ACRES, MORE OR LESS, AND BEING SITUATED IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE/4 OF NW/4) OF SECTION 35, TOWNSHIP 9 SOUTH, RANGE 10 WEST, SOUTHWESTERN LAND DISTRICT, LOUISIANA MERIDIAN, CALCASIEU PARISH, LOUISIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND ½ INCH IRON PIPE ON THE NORTHEAST CORNER OF LOT 47 OF PINECREST SUBDIVISION, PART I, AS PER PLAT RECORDED IN PLAT BOOK 8, AT PAGE 155, OF THE PUBLIC RECORDS OF THE CALCASIEU PARISH, LOUISIANA; THENCE RUN SOUTH 89°08'14" EAST, ALONG THE SOUTH RIGHT OF WAY LINE OF EAST BURTON STREET, FOR A DISTANCE OF 74.18 FEET TO A FOUND

5/8 INCH IRON ROD AND THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT; THENCE CONTINUE SOUTH 89°08'14" EAST, ALONG SAID SOUTH RIGHT OF WAY, FOR A DISTANCE OF 161.00 FEET TO A SET 5/8 INCH CAPPED IRON REBAR ON THE APPARENT WEST RIGHT OF WAY LINE OF PALMETTO DRIVE; THENCE RUN SOUTH 01°03'43" WEST, ALONG SAID WEST RIGHT OF WAY LINE, FOR A DISTANCE OF 406.32 FEET TO A SET 5/8 INCH CAPPED IRON REBAR; THENCE RUN NORTH 89°07'58" WEST, FOR A DISTANCE OF 159.79 FEET TO A SET 5/8 INCH CAPPED IRON REBAR; THENCE RUN NORTH 00°53'32" EAST, FOR A DISTANCE OF 406.30 FEET TO THE POINT OF BEGINNING, CONTAINING 1.496 ACRES, MORE OR LESS, AND BEING SUBJECT TO ANY RIGHTS OF WAY, SERVITUDES, EASEMENTS, RECORDED, UNRECORDED, VISIBLE OR INVISIBLE, AS SHOWN IN THAT BOUNDARY SURVEY DATED 06/06/2023 PREPARED BY GEORGE A. EVANS, JR., RPLS.

TAX ASSESSMENT/PARCEL ID NO. 00177466

BE IT FURTHER RESOLVED that in accordance with Article IV, Part II, Section 8 of the Land Use Ordinance of the City of Sulphur, a six (6) foot tall buffer constructed of wood or brick masonry shall be constructed along an existing residential use. Furthermore, a twenty (20) foot buffer width will also be maintained that will be void of any parking apron, construction, accessory use, etc. The bufferyard is to remain free, clear and open of any obstruction.

BE IT FURTHER RESOLVED that if construction has not commenced within 1 year, the property shall revert back to residential.

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.

Upon approval of 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 rezone.

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.

BE IT FURTHEREST RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to BAB Rentals, LLC, southwest corner of East Burton and Palmetto Drive, from Residential to Business to allow for an office with warehouse.

A vote was then called with the results as follows:

YEAS: Mr. Darby, Ms. Baudoin, Mr. Brazzell

NAYS: None

ABSENT: Mrs. Carroll, Mrs. Allison

And the said resolution was declared duly adopted on this 17th day of July, 2023.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Vice-Chairman

The next item on the agenda is an Extension for temporary housing in recreational vehicles due to damage caused by Hurricane Laura for the following addresses:

- a. To extend temporary housing in a recreational vehicle located at 851 McArthur Street, in accordance with Ordinance No. 1693, M-C Series.

Jill Fontenot, owner, addressed the Commission and stated that she's still in the construction phase. She had to stop construction for a while so she could regain funds to continue. The insurance company wants her to be 80% complete before they'll release more money. She's not even close. She had to tear one structure down to build the other structure and it was off scope for the insurance company. She's hoping to be complete within the 6-month period. Motion was made by Mr. Brazzell seconded by Ms. Baudoin that the above address be granted a 6-month extension.

Motion carried unanimously.

- b. To extend temporary housing in a recreational vehicle located at 1906 Diane Drive, in accordance with Ordinance No. 1693, M-C Series.

Glen Hanks, owner, addressed the Commission and stated that the plumber is done connecting everything to the city. They're working on fixtures. They need a last coat of paint on

the walls. His last contractor is in jail in Houma, Louisiana, where he belongs. He's now trying to get his insurance company to pay for the remainder of construction. He's now the General Contractor. He doesn't know how long it'll take. He thought he would have been done the last 6-months the Commission granted him. Motion was made by Ms. Baudoin seconded by Mr. Brazzell that the above address be granted a 6-month extension.

Motion carried unanimously.

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

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Vice-Chairman

7/17/23
5:40 P.M.