

AGENDA
LAND USE REGULAR MEETING
MONDAY, AUGUST 19, 2019

**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, AUGUST 19, 2019**, 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 the subdividing of lots to Albert Andrepont, property located on the southeast corner of Hwy. 90 and Prater Road.
2. Resolution granting the subdividing of lots to Thomas Lee, property located at 943 Prater Road for Leeland Pointe Subdivision.

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, September 16, 2019 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.

RESOLUTION

Resolution granting the subdividing of lots to Albert Andrepont, property located on the northeast and southeast corner of Hwy. 90 and Prater Road.

WHEREAS, in accordance with Chapter 18, Section 2 (c) and Appendix B, Article III, Part I, Section 1, (6) (c) and (e) of the Code of Ordinances of the City of Sulphur, application has been received from Albert Andrepont, to subdivide lots and revise the Land Use Map for property located on the northeast and southeast corner of Hwy. 90 and Prater Road for property described as follows:

SHOWING THE DIVISION OF LOT 6 OF BLOCKS A AND B, OF HEIRS OF SOL RYAN, LESS PART FOR PRATER ROAD PROJECT.

BEING MORE PARTICULARLY DESCRIBED AS,

TRACT 6B1:

COMMENCING AT THE NORTHEAST CORNER OF LOT 6, BLOCK B, OF HEIRS OF SOL RYAN; THENCE SOUTH 00°50'32" WEST A DISTANCE OF 146.42 FEET; THENCE NORTH 89°31'44" WEST A DISTANCE OF 100.43 FEET, TO THE POINT OF BEGINNING; THENCE NORTH 89°31'44" WEST A DISTANCE OF 82.90 FEET; THENCE NORTH 44°01'09" WEST A DISTANCE OF 28.38 FEET; THENCE NORTH 00°35'15" EAST A DISTANCE OF 126.44 FEET; THENCE SOUTH 89°27'16" EAST A DISTANCE OF 104.55 FEET; THENCE SOUTH 01°15'38" EAST A DISTANCE OF 146.56 FEET, TO POINT OF BEGINNING; CONTAINING 15,001.5 SQUARE FEET OR 0.34 ACRES, MORE OR LESS.

TRACT 6B2:

COMMENCING AT THE NORTHEAST CORNER OF LOT 6, BLOCK B, OF HEIRS OF SOL RYAN; THENCE SOUTH 00°50'32" WEST A DISTANCE OF 146.42 FEET; THENCE NORTH 89°31'44" WEST A DISTANCE OF 100.43 FEET; THENCE NORTH 01°15'38" WEST A DISTANCE OF 146.56 FEET; THENCE SOUTH 89°27'16" EAST A DISTANCE OF 99.36 FEET, TO THE POINT OF COMMENCEMENT; CONTAINING 14,634.17 SQ. FT. OR 0.34 ACRES, MORE OR LESS.

TRACT 6A1:

COMMENCING AT THE MOST WESTERN NORTHWEST CORNER OF LOT 6 OF BLOCK A OF HEIRS OF SOL RYAN, A FOUND RIGHT OF WAY MONUMENT; THENCE NORTH 46°11'35" EAST FOR A DISTANCE OF 24.93 FEET; THENCE SOUTH 89°26'26" EAST FOR A DISTANCE OF 169.78 FEET; THENCE SOUTH 00°50'35" WEST A DISTANCE OF 147.11 FEET; THENCE NORTH 89°49'51" WEST A DISTANCE OF 187.52 FEET; THENCE NORTH 04°34'08" EAST A DISTANCE OF 8.88 FEET; THENCE NORTH 00°34'15" EAST A DISTANCE OF 122.18 FEET, BACK TO THE POINT OF COMMENCEMENT; CONTAINING 27,530.66 SQ. FT. OR 0.63 ACRES, MORE OR LESS.

TRACT 6A2:

COMMENCING AT THE MOST WESTERN NORTHWEST CORNER OF LOT 6 OF BLOCK A OF HEIRS OF SOL RYAN, A FOUND RIGHT OF WAY MONUMENT; THENCE SOUTH 00°34'15" WEST FOR A DISTANCE OF 122.18 FEET; THENCE SOUTH 04°34'08" WEST FOR A DISTANCE OF 8.88 FEET, TO THE POINT OF BEGINNING; THENCE SOUTH 89°49'51" EAST A DISTANCE OF 187.52 FEET; THENCE SOUTH 00°50'35" WEST A DISTANCE OF 185.22 FEET; THENCE NORTH 89°27'35" WEST A DISTANCE OF 199.50 FEET; THENCE NORTH 04°34'08" EAST A DISTANCE OF 184.46 FEET, BACK TO THE POINT OF BEGINNING; CONTAINING 35,785.34 SQ. FT. OR 0.82 ACRES, MORE OR LESS.

TRACT 6A3:

COMMENCING AT THE MOST WESTERN NORTHWEST CORNER OF LOT 6 OF BLOCK A OF HEIRS OF SOL RYAN, A FOUND RIGHT OF WAY MONUMENT; THENCE SOUTH 00°34'15" WEST FOR A DISTANCE OF 12.18 FEET; THENCE SOUTH 04°34'08" WEST FOR A DISTANCE OF 193.34 FEET, TO THE POINT OF BEGINNING; THENCE SOUTH 89°27'35" EAST A DISTANCE OF 199.50 FEET; THENCE SOUTH 00°50'35" WEST A DISTANCE OF 102.81 FEET; THENCE NORTH 89°29'21" WEST A DISTANCE OF 201.27 FEET; THENCE NORTH 01°40'14" EAST A DISTANCE OF 95.85 FEET; THENCE NORTH 04°34'08" EAST A DISTANCE OF 7.10 FEET, BACK TO THE POINT OF BEGINNING; CONTAINING 20,628.96 SQ. FT. OR 0.47 ACRES, MORE OR LESS.

TRACT 6A4:

COMMENCING AT THE MOST WESTERN NORTHWEEST CORNER OF LOT 6 OF BLOCK A OF HEIRS OF SOL RYAN, A FOUND RIGHT OF WAY MONUMENT; THENCE SOUTH 00°34'15" WEST FOR A DISTANCE OF 122.18 FEET; THENCE SOUTH 04°34'08" WEST FOR A DISTANCE OF 200.44 FEET, THENCE SOUTH 01°40'14" WEST A DISTANCE OF 95.85 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°29'21" EAST A DISTANCE OF 201.27 FEET; THENCE SOUTH 00°50'35" WEST A DISTANCE OF 125.66 FEET; THENCE NORTH 89°49'00" WEST A DISTANCE OF 202.94 FEET; THENCE NORTH 01°40'14" EAST A DISTANCE OF 123.30 FEET, BACK TO THE POINT OF BEGINNING; CONTAINING 25,155.76 SQ. FT. OR 0.58 ACRES, MORE OR LESS.

TRACT 6A5:

COMMENCING AT THE MOST WESTERN NORTHWEST CORNER OF LOT 6 OF BLOCK A OF HEIRS OF SOL RYAN, A FOUND RIGHT OF WAY MONUMENT; THENCE SOUTH 00°34'15" WEST FOR A DISTANCE OF 122.18 FEET; THENCE SOUTH 04°34'08" WEST A DISTANCE OF 200.44 FEET; THENCE SOUTH 01°40'14" WEST A DISTANCE OF 219.15 FEET, TO THE POINT OF BEGINNING; THENCE SOUTH 88°49'00" EAST A DISTANCE OF 202.94 FEET; THENCE SOUTH 00°50'35" WEST A DISTANCE OF 97.19 FEET; THENCE NORTH 89°30'19" WEST A DISTANCE OF 204.57 FEET; THENCE NORTH 01°40'14" EAST A DISTANCE OF 99.65 FEET, BACK TO THE POINT OF BEGINNING, CONTAINING 20,061.80 SQ. FT. OR 0.46 ACRES, MORE OR LESS.

WHEREAS, this subdividing of lots is accepted by the City of Sulphur and may be withdrawn by the City of Sulphur should said 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 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 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 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 grant the subdividing of lots to Albert

Andrepont, for property located on the northeast and southeast corner of Hwy. 90 and Prater Road, to subdivide property into conforming lots.

APPROVED AND ADOPTED by
Land Use Commission of the City of
Sulphur, Louisiana, on this _____
day of _____, 2019.

PHYLLIS WILSON, Chairman

ATTEST:

ARLENE BLANCHARD, Secretary



CITY OF SULPHUR
APPLICATION FOR
DEVELOPMENT APPROVAL

Date Received 7-17-19

\$50.00 Fee (Non-Refundable)

pd. (AB)

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 Albert Andrepont DATE 7-17-19

PROPERTY OWNER INFORMATION

Name of Property Owner Pont Properties LLC

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

Mailing Address: 3311 Ernest St. Suite A

Email albert.andrepont@gmail.com

Phone Number (H) _____ (W) _____ (C) 337-548-7817

PROPERTY INFORMATION

Location Address: 220, 224, 228, 232, 236 Plater Rd. 3907+3903 Hwy 90

Present Zoned Classification: Commercial

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

Lot 6 of Block A and Lot 6 of Block B of the Subdivision of Heirs of SOL RYAN, as per plat recorded in Plat Book 3, page 127 of the records of Calcasieu Parish, together with all improvements.

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 A.A.

☐ REZONE ☐ EXCEPTION ☒ SUBDIVISION

REQUEST INFORMATION

☐ BILLBOARD ☐ PRE. PLAT

☒ FINAL PLAT

☐ DOES REZONE REQUIRE FENCING

Zoning Change: From _____ To _____

Purpose of Request: _____

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: Albert Andrepont Date: 7-17-19

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



Memo

To: Board of Land Use

From: Stacy Dowden
Director of Public Works *SD*

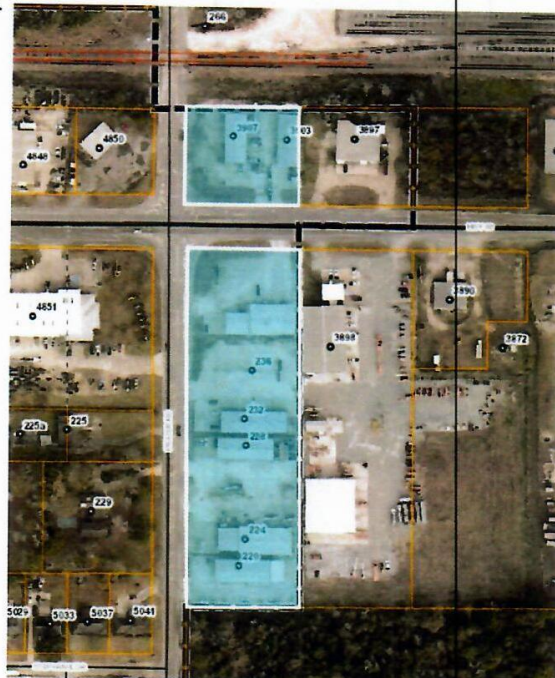
cc: Arlene Blanchard, Mayor Mike Danahay

Date: August 9, 2019

Re: Item 1: Resolution granting the subdividing of lots to Albert Andrepont, property located on the southeast corner of Highway 90 and Prater Road

Staff Findings:

The property is located in a commercial district. All lots will conform to City ordinances including lot size and setbacks.





RESOLUTION

Resolution granting the subdividing of lots to Thomas Lee, property located at 943 Prater Road for Leeland Pointe Subdivision.

WHEREAS, in accordance with Chapter 18, Section 2 (c) and Appendix B, Article III, Part I, Section 1, (6) (c) and (e) of the Code of Ordinances of the City of Sulphur, application has been received from Thomas Lee, to subdivide lots and revise the Land Use Map for property located at 943 Prater Road for Leeland Pointe Subdivision for property described as follows:

LOT FIVE OF M.R. WAIT SURVEY, ATTACHED PARTITION FILED FEBRUARY 7, 1949, CLERK'S FILE NO. 418320, RECORDED IN COB 450, PAGE 625, DESCRIBED AS COMMENCING 462 FEET NORTH AND 36.7 FEET WEST OF THE SOUTHEAST CORNER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE/4 OF SW/4) OF SECTION 32, TOWNSHIP 9 SOUTH, RANGE 9 WEST, THENCE NORTH 167.65 FEET, THENCE WEST 624.86 FEET, THENCE SOUTH 167.58 FEET, THENCE EAST 624.84 FEET TO COMMENCEMENT, LESS PARCEL FOR ROAD RIGHT OF WAY, TOGETHER WITH ALL BUILDINGS AND IMPROVEMENTS THEREON SITUATED.

WHEREAS, this subdividing of lots is accepted by the City of Sulphur and may be withdrawn by the City of Sulphur should said 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 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 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 plat shall be withdrawn and considered null and void.

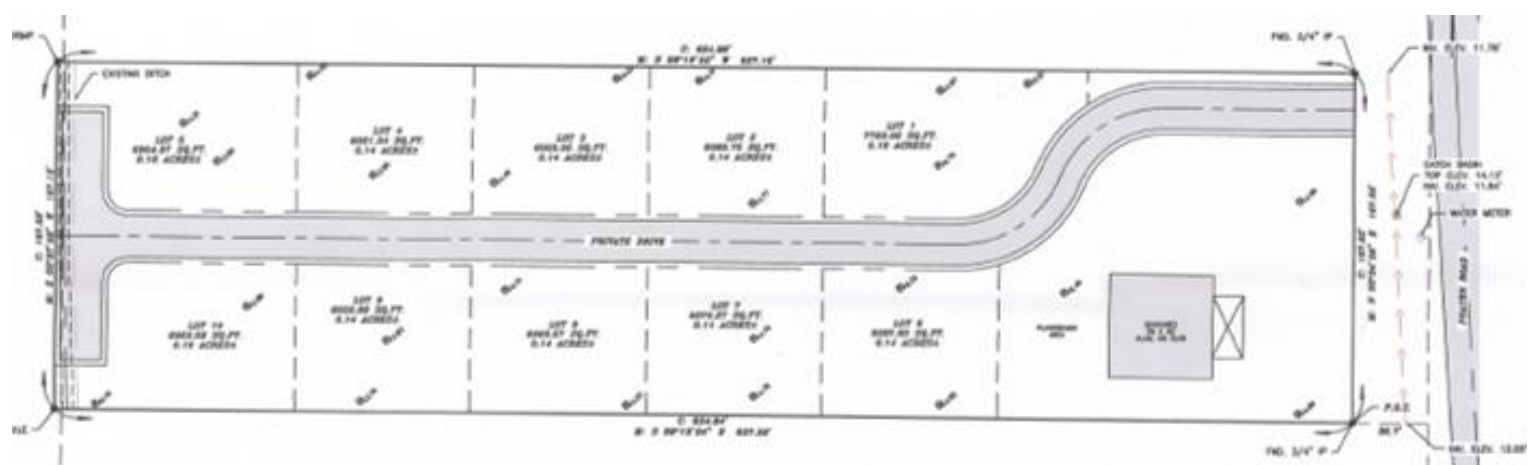
NOW THEREFORE, BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant the subdividing of lots to Thomas Lee, property located at 943 Prater Road for Leeland Pointe Subdivision to subdivide property into conforming lots.

APPROVED AND ADOPTED by
Land Use Commission of the City of
Sulphur, Louisiana, on this _____
day of _____, 2019.

PHYLLIS WILSON, Chairman

ATTEST:

ARLENE BLANCHARD, Secretary





CITY OF SULPHUR
APPLICATION FOR
DEVELOPMENT APPROVAL

Date Received 8-5-19

\$50.00 Fee (Non-Refundable)

pd. (AB)

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 Thomas E. LEE DATE 6-24-19

PROPERTY OWNER INFORMATION

Name of Property Owner Thomas E. LEE

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

Mailing Address: 3527 Quibodenue RD

Email: thom54lee@gmail

Phone Number (H) 337-764-6897

(C)

PROPERTY INFORMATION

Location Address: 943 PRATER ROAD

Present Zoned Classification: Single Family Dwelling - Residential

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

Commencing 36.1 ft West + 46.2 ft S of S/E Corner of the East 60th St
half of the S/E Quarter of the S/4 Quarter of Section 32, Township 9 South
Range 9 West N 88th W 62.7 ft to the E 598 ft thence E 62.7 ft to Point of Commencement

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 TEL

☐ REZONE ☐ EXCEPTION ☒ SUBDIVISION

REQUEST INFORMATION

☐ BILLBOARD ☒ PRE. PLAT

☐ FINAL PLAT

☐ DOES REZONE REQUIRE FENCING - no

Zoning Change: From

To

Purpose of Request: Subdivide lots for Leeland Pointe Subd.

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: Thomas E. Lee Date: 6-24-19

	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 checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the location be served by a fire protection?	<input checked="" type="checkbox"/>	<input checked="" 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.			



Memo

To: Board of Land Use

From: Stacy Dowden
Director of Public Works *JD*

cc: Arlene Blanchard, Mayor Mike Danahay

Date: August 9, 2019

Re: Item 2: Resolution granting the subdividing of lots to Thomas Lee, property located at 943 Prater Road for Leeland Pointe Subdivision.

Staff Findings:

The property is located in a residential district. The lots conform to City Ordinances.

The intention is for the infrastructure within the development to remain private but to be built to city specifications.

