

September 16, 2024

The Land Use Commission 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 16th day of September, 2024, after full compliance with the convening of said meeting with the following members present:

TROY DARBY, Land Use Commission District 2
VERONICA ALLISON, Land Use Commission District 3
EDDIE LEBLANC, Land Use Commission District 4
JONATHAN BRAZZELL, Land Use Commission of District 5

ABSENT – LENORE CARROLL, Land Use Commission District 1

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

Motion was then made by Mr. Brazzell seconded by Mr. LeBlanc that the minutes of the previous meeting stand as written. Motion carried unanimously.

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

The first item on the agenda is a resolution granting a rezone from Residential to Business to Donnie Presutti Moss, 218 Texas Street. Mrs. Moss stated that she bought the property in 2009, and her home tax business is located at 222 Texas Street. She needs to extend her parking so she's requesting to rezone all 4 properties. There was then discussion concerning these homes being located in a Business District and would they need an Exception to allow for living. Billy Loftin, City Attorney stated that once these are zoned Business the homes will then be non-conforming and the homes will never be able to be expanded unless the process is followed.

Danny DiPetta, Bonin Drive, asked if these addresses would need fencing and could there be alcohol sales at these locations. Mr. Abrahams, Land Use Administrator, stated that fencing would be required along residential living as soon as the home turns into a business. Mrs. Blanchard, Secretary, then explained that if the business wanted to sell alcohol, they would have to meet the 300-foot distance from the school. The rule is as follows:

Sec. 3-28. Location—Affecting issuance.

The City of Sulphur, through its governing authority, shall follow state law in accordance with R.S. 26:81 and all future amendments to state statute.

- (1) No permit required by this division shall be granted for any premises situated within three hundred (300) feet or less, of a public playground or of a building used exclusively as a church or synagogue, public library, or school, or full-time day care center except a school for business education conducted as a business college or school. This distance shall be measured as a person walks, using the sidewalk, from the nearest point of the property line of the church or synagogue, library, playground or school to the nearest point of the premises to be licensed.*
- (2) Should any premises licensed to deal in beverages of low alcoholic content be located within three hundred (300) feet of property which is subsequently purchased or acquired for the construction, erection, movement or development of a public playground, or of a building used exclusively as a church or synagogue, public library or school, or full-time day care center, the subsequent purchase or acquisition shall not be grounds for the revocation, withholding, denial or refusal to renew the permit on the premises. The prohibitions contained in this section do not apply to premises licensed to deal in alcoholic beverages for a period of one (1) year or more prior to December 14, 1962.*

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

RESOLUTION

Resolution granting a rezone to Donnie Presutti Moss, 218 Texas Street, from Residential to Business.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Donnie Presutti Moss, 218 Texas Street, from Residential to Business for the following described property:

LOT 154 BLK 3 WEST POINT SUB PART C

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 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 FURTHER RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Donnie Presutti Moss, 218 Texas Street, from Residential to Business.

A vote was then called with the results as follows:

YEAS: Mr. Darby, Mr. LeBlanc, Mr. Brazzell

NAYS: Mrs. Allison

ABSENT: Mrs. Carroll

And the said resolution was declared duly adopted on this 16th day of September, 2024.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

The next item on the agenda is a resolution granting a rezone from Residential to Business to Donnie Presutti Moss, 220 Texas Street. Motion was made by Mrs. Allison seconded by Mr. Brazzell that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting a rezone to Donnie Presutti Moss, 220 Texas Street, from Residential to Business.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Donnie Presutti Moss, 220 Texas Street, from Residential to Business for the following described property:

LOT 155 BLK 3 WEST POINT SUB PART C

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 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 FURTHER RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Donnie Presutti Moss, 220 Texas Street, from Residential to Business.

A vote was then called with the results as follows:

YEAS: Mr. Darby, Mr. LeBlanc, Mr. Brazzell

NAYS: Mrs. Allison

ABSENT: Mrs. Carroll

And the said resolution was declared duly adopted on this 16th day of September, 2024.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

The next item on the agenda is a resolution granting a rezone from Residential to Business to Donnie Presutti Moss, 222 Texas Street. Motion was made by Mr. Brazzell seconded by Mrs. Allison that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting a rezone to Donnie Presutti Moss, 222 Texas Street, from Residential to Business.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Donnie Presutti Moss, 222 Texas Street, from Residential to Business for the following described property:

LOT 156 BLK 3 WEST POINT SUB PART C

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 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 FURTHER RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Donnie Presutti Moss, 222 Texas Street, from Residential to Business.

A vote was then called with the results as follows:

YEAS: Mr. Darby, Mrs. Allison, Mr. LeBlanc, Mr. Brazzell

NAYS: None

ABSENT: Mrs. Carroll

And the said resolution was declared duly adopted on this 16th day of September, 2024.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

The next item on the agenda is a resolution granting a rezone from Residential to Business to Donnie Presutti Moss, 224 Texas Street. Motion was made by Mr. Brazzell seconded by Mrs. Allison that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting a rezone to Donnie Presutti Moss, 224 Texas Street, from Residential to Business.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Donnie Presutti Moss, 224 Texas Street, from Residential to Business for the following described property:

LOT 157 BLK 3 WEST POINT SUB PART C

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 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 FURTHER RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Donnie Presutti Moss, 224 Texas Street, from Residential to Business.

A vote was then called with the results as follows:

YEAS: Mr. Darby, Mrs. Allison, Mr. LeBlanc, Mr. Brazzell

NAYS: None
ABSENT: Mrs. Carroll

And the said resolution was declared duly adopted on this 16th day of September, 2024.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

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

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

9/16/24
6:15 P.M.