

November 18, 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 18th day of November, 2024, after full compliance with the convening of said meeting with the following members present:

LENORE CARROLL, Land Use Commission District 1
VERONICA ALLISON, Land Use Commission District 3
EDDIE LEBLANC, Land Use Commission District 4
JONATHAN BRAZZELL, Land Use Commission of District 5

ABSENT - TROY DARBY, Land Use Commission District 2

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

Motion was then made by Mrs. Carroll seconded by Mrs. Allison that the minutes of the previous meeting stand as written. Motion carried unanimously.

Motion was then made by Mrs. Carroll seconded by Mrs. Allison that item #5 be postponed to the December 16th Land Use meeting:

Resolution granting an Exception to Ann Marie Pego, 309 East Thomas Street, to allow for a living in a Business District.

Motion carried unanimously.

Motion was then made by Mrs. Carroll seconded by Mr. LeBlanc that item #6 be added to the agenda:

Resolution amending Resolution adopted August 19, 2024, that granted a rezone to Joshua Baden, 2209 Carr Lane from Residential to Business to allow for Freedom Plumbing, LLC (to remove stipulation of 8-foot fence).

With no comments from the public, motion carried unanimously.

Motion was then made by Mrs. Carroll seconded by Mrs. Allison that the agenda stand as amended.

Motion carried unanimously.

The first item on the agenda is a resolution granting a rezone to Rhonda Yanes, 307 Post Oak Road, from Residential to Business. The husband of the owner addressed the Commission and stated that his wife inherited this property. It used to be an inspection business, but it's been closed about 4-5 years. They will probably sell the property at a later date. Mr. Abrahams, Land Use Administrator, stated that it's all business across the street and there are businesses in this area that are zoned residential. Motion was made by Mrs. Carroll seconded by Mr. LeBlanc that the following resolution be adopted to-wit:

RESOLUTION

RESOLUTION GRANTING A REZONE TO RHONDA YANES, 307 SOUTH
POST OAK ROAD, 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 Rhonda Yanes, 307 South Post Oak Road, from Residential to Business for the following described property:

THE NORTH 55 FEET OF THE FOLLOWING DESCRIBED IMMOVABLE PROPERTY:

COMMENCING AT A POINT 30 FEET WEST AND 346.34 FEET SOUTH OF THE
NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 35,
TOWNSHIP 9 SOUTH, RANGE 10 WEST, THENCE SOUTH 201.16 FEET, THENCE
WEST 141.7 FEET, THENCE NORTH 201.16 FEET, THENCE EAST 141.7 FEET TO
THE POINT OF COMMENCEMENT, TOGETHER WITH ALL IMPROVEMENTS
SITUATED THEREON.

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 FURTHER RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Rhonda Yanes, 307 South Post Oak Road, from Residential to Business

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mrs. Allison, Mr. LeBlanc, Mr. Brazzell
NAYS: None
ABSENT: Mr. Darby

And the said resolution was declared duly adopted on this 18th day of November, 2024.

ATTEST:

ARLENE BLANCHARD, Secretary

JONATHAN BRAZZELL, Vice-Chairman

The next item on the agenda is a resolution granting a rezone to Dewey & Jessie Burnworth from Residential to Mixed Residential for property located at 1515 Weekly Road to allow for a mobile home. Catherine Burnworth, daughter of owner, addressed the Commission and stated that they would like to move a new mobile home on this property. It will be rental property for their cousin. Mr. LeBlanc stated that he doesn't like to spot zone but currently there are 6 mobile homes on Weekly Road, 12 individual mobile homes on Henning Drive plus RV's and mobile home parks on Henning Drive. Motion was made by Mr. LeBlanc seconded by Mrs. Allison that the following resolution be adopted to-wit:

Resolution granting a rezone to Dewey & Jessie Burnworth from Residential to Mixed Residential for property located at 1515 Weekly Road to allow for a new mobile home.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Dewey & Jessie Burnworth from Residential to Mixed Residential for

property located at 1515 Weekly Road to allow for a new mobile home for the following described property:

LOT 11 EARL PERKINS SUB.

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 Dewey & Jessie Burnworth from Residential to Mixed Residential for property located at 1515 Weekly Road.

A vote was then called with the results as follows:

YEAS: Mrs. Allison, Mr. LeBlanc

NAYS: Mrs. Carroll, Mr. Brazzell

ABSENT: Mr. Darby

And the said resolution failed on this 18th day of November, 2024.

ATTEST:

ARLENE BLANCHARD, Secretary

JONATHAN BRAZZELL, Vice-Chairman

The next item on the agenda is a resolution granting a rezone to Brookwood-Development, LLC, 320 South Cities Service Hwy., from Business to Commercial to allow for a storage facility. Chris Khoury, representing Brookwood-Development, LLC, stated that Brookwood is a leader in developing

properties. This will be a multi-story storage facility for individuals. They're the best neighbors to residential properties since they are quiet. The north portion of this parcel will not be rezoned to Commercial. They'll keep that zoned as Business and hopefully open a QSR (Quick Service Restaurant) soon. It'll probably be a ground lease and not sold. Mr. Abrahams stated that this would be a spot zone from a Land Use perspective. Mr. Khoury stated that Sulphur doesn't have a PUD (Planned Unit Development) or they would have used it. Mr. Brazzell stated that they voted down a spot zone just before this item and it wouldn't be fair to adopt this one and not the other one. Mr. Khoury stated that in most cities this storage facility would fit in the zoning which is right off the interstate. After discussion, motion was made by Mr. LeBlanc seconded by Mrs. Allison that the following resolution be adopted to-wit:

RESOLUTION GRANTING A REZONE TO BROOKWOOD-DEVELOPMENT, LLC, 320 SOUTH CITIES SERVICE HWY., FROM BUSINESS TO COMMERCIAL TO ALLOW FOR A SELF-STORAGE FACILITY.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Brookwood-Development, LLC, 320 South Cities Service Hwy., from Business to Commercial to allow for a self-storage facility for the following described property:

A CERTAIN TRACT OF LAND TOGETHER WITH ALL BUILDINGS AND IMPROVEMENTS LOCATED THEREON IN THE NORTHEAST $\frac{1}{4}$, SOUTHWEST $\frac{1}{4}$ AND SE $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 6, TOWNSHIP 10 NORTH, RANGE 9 WEST, CALCASIEU PARISH, BEING DESIGNATED AS A 1.47 ACRE PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 31 OF BLOCK 1 INDIAN HILLS SUBDIVISION PHASE III AT A $\frac{1}{2}$ " IRON ROD FOUND, ALSO KNOWN AS THE POINT OF COMMENCEMENT;

THENCE ALONG THE WESTERN RIGHT OF WAY OF LA HIGHWAY 108 (S CITIES SERVICE HIGHWAY) SOUTH 00 DEGREES, 42 MINUTES, 42 SECONDS WEST A DISTANCE OF 187.04 FEET TO A POINT, ALSO KNOWN AS THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID RIGHT OF WAY SOUTH 00 DEGREES, 42 MINUTES, 42 SECONDS WEST A DISTANCE OF 226.03 FEET TO A ½” IRON ROD FOUND ON THE NORTHERN RIGHT OF WAY OF INTERSTATE 10;

THENCE ALONG SAID RIGHT OF WAY SOUTH 56 DEGREES, 08 MINUTES, 04 SECONDS WEST A DISTANCE OF 275.70 FEET TO A POINT;

THENCE LEAVING SAID RIGHT OF WAY NORTH 03 DEGREES, 00 MINUTES, 04 SECONDS EAST A DISTANCE OF 25.34 FEET TO A 1/2” IRON ROD FOUND;

THENCE NORTH 02 DEGREES, 14 MINUTES, 19 SECONDS EAST A DISTANCE OF 75.05 FEET TO A ½” IRON ROD FOUND;

THENCE NORTH 00 DEGREES, 42 MINUTES, 42 SECONDS EAST A DISTANCE OF 75.00 FEET TO A ½” IRON ROD FOUND;

THENCE NORTH 00 DEGREES, 48 MINUTES, 59 SECONDS WEST A DISTANCE OF 75.01 FEET TO A ½” IRON ROD FOUND’

THENCE NORTH 86 DEGREES, 29 MINUTES, 58 SECONDS EAST A DISTANCE OF 31.07 FEET TO A ½” IRON ROD FOUND;

THENCE NORTH 00 DEGREES, 31 MINUTES, 45 SECONDS WEST A DISTANCE OF 75.01 FEET TO A POINT;

THENCE NORTH 05 DEGREES, 18 MINUTES, 01 SECONDS EAST A DISTANCE OF 55.07 FEET TO A POINT;

THENCE SOUTH 89 DEGREES, 17 MINUTES, 18 SECONDS EAST A DISTANCE OF 192.22 FEET TO A POINT, ALONG THE WESTERN RIGHT OF WAY OF LA HIGHWAY 108 (S CITIES SERVICE HIGHWAY), ALSO KNOWN AS THE POINT OF BEGINNING.

CONTAINING AN AREA OF 64,067.73 SQUARE FEET (1.47 ACRES). ALL AS SHOWN ON A SURVEY BY BASIN ENGINEERING & SURVEYING, DATED OCTOBER 24, 2024.

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 FURTHER RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Brookwood-Development, LLC, 320 South Cities Service Hwy., from Business to Commercial to allow for a self-storage facility

A vote was then called with the results as follows:

YEAS: None

NAYS: Mrs. Carroll, Mrs. Allison, Mr. LeBlanc, Mr. Brazzell

ABSENT: Mr. Darby

And the said resolution failed on this 18th day of November, 2024.

ATTEST:

ARLENE BLANCHARD, Secretary

JONATHAN BRAZZELL, Vice-Chairman

The next item on the agenda is a Resolution accepting Final Plat from The Cedars Subdivision, LLC, for The Cedars Subdivision Phase 1 – property located on the west side of Wright Road, south of Sabine Diversion Canal. David Hensgens, representing The Cedars, stated that they need to satisfy the comments from Administration and have a walk-through next week. Mr. Abrahams stated that a 2nd ingress/egress will be needed. It only needs to hold the weight limit of 75,000 lbs. Danny DiPetta, Bonin Drive, stated that he opposes this subdivision with all the variances that were granted. These 6 variances were granted 6 years ago, and it lowers the standards that were written in the code. Mr. Hensgens stated that these variances were already approved, and this is only approving the final plat. Mr.

Brazzell and Mrs. Carroll stated that the variances have already been adopted years ago but they aren't for them. After discussion motion was made by Mr. LeBlanc seconded by Mrs. Carroll that the following resolution be adopted to-wit:

RESOLUTION ACCEPTING FINAL PLAT FROM THE CEDARS SUBDIVISION, LLC,
FOR THE CEDARS SUBDIVISION PHASE I FOR PROPERTY LOCATED ON THE
WEST SIDE OF WRIGHT ROAD, SOUTH OF SABINE DIVERSION CANAL.

WHEREAS, The Cedars Subdivision, LLC has submitted a final plat for The Cedars Subdivision Phase I; and

WHEREAS, improvements on the property will include the following variances approved by the Board of Zoning Adjustment dated July 16, 2018:

1. Increase allowed building coverage from required 40% of parcel to 50%.
2. Reduce total allowed lot area to 5,500 sq. ft. rather than the required 6,000 sq. ft.
3. Reduce cul-de-sac lots from required 10,000 sq. ft. to 6,000 sq. ft.
4. Reduce front setbacks from required 30 ft. to 12 ft. for residence and 20 ft. for the garage.
5. Measurements to be taken from building face rather than required eaves.
6. Reduce the side corner setback from required 15 ft. to 12.5 ft.

WHEREAS, said examination reflects that the final plat submitted by The Cedars Subdivision , LLC, 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 The Cedars Subdivision, LLC, for The Cedars Subdivision Phase I for the following described property:

THAT CERTAIN TRACT OF LAND SITUATED IN SECTION 15, TOWNSHIP 10 SOUTH, RANGE 10 WEST, CITY OF SULPHUR, CALCASIEU PARISH, LOUISIANA, CONTAINING 21.935 ACRES AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF CENTERINES OF WRIGHT ROAD AND RAVIA ROAD (P.O.C.);

THENCE, SOUTH 86°24'02" WEST A DISTANCE OF 125.29 FEET TO A SET ½" IRON ROD, SAID IRON ROD BEING THE POINT OF BEGINNING (P.O.B.).

THENCE, N 89°18'26" W FOR A DISTANCE OF 1225.78 FEET TO A POINT;
THENCE, N 01°09'01" E FOR A DISTANCE OF 734.12 FEET TO A POINT;
THENCE, N 00°57'55" E FOR A DISTANCE OF 731.14 FEET TO A POINT;
THENCE, N 89°47'56" E FOR A DISTANCE OF 1334.89 FEET TO A POINT;
THENCE, S 01°02'26" W FOR A DISTANCE OF 389.61 FEET TO A POINT;

THENCE, N 89°27'26" W FOR A DISTANCE OF 238.79 FEET TO A POINT;
THENCE, N 00°32'34" E FOR A DISTANCE OF 2.44 FEET TO A POINT;
THENCE, N 89°27'26" W FOR A DISTANCE OF 280.00 FEET TO A POINT;
THENCE, S 00°32'34" W FOR A DISTANCE OF 20.00 FEET TO A POINT;
THENCE, N 89°27'26" W FOR A DISTANCE OF 165.00 FEET TO A POINT;
THENCE, N 00°32'34" E FOR A DISTANCE OF 78.00 FEET TO A POINT;
THENCE, N 89°27'26" W FOR A DISTANCE OF 23.50 FEET TO A POINT;
THENCE, S 00°32'34" W FOR A DISTANCE OF 115.00 FEET TO A POINT;
THENCE, N 89°27'26" W FOR A DISTANCE OF 50.00 FEET TO A POINT;
THENCE, N 00°32'34" E FOR A DISTANCE OF 37.00 FEET TO A POINT;
THENCE, N 89°27'26" W FOR A DISTANCE OF 165.00 FEET TO A POINT;
THENCE, N 00°32'34" E FOR A DISTANCE OF 20.00 FEET TO A POINT;
THENCE, N 89°27'26" W FOR A DISTANCE OF 115.00 FEET TO A POINT;
THENCE, S 00°32'34" W FOR A DISTANCE OF 808.00 FEET TO A POINT;
THENCE, S 00°32'34" W FOR A DISTANCE OF 50.00 FEET TO A POINT;
THENCE, N 89°27'26" W FOR A DISTANCE OF 26.50 FEET TO A POINT;
THENCE, S 00°32'34" W FOR A DISTANCE OF 115.00 FEET TO A POINT;
THENCE, S 89°27'26" E FOR A DISTANCE OF 945.00 FEET TO A POINT;
THENCE, S 00°32'34" W FOR A DISTANCE OF 125.58 FEET TO A POINT;
SAID POINT BEING THE POINT BEGINNING (P.O.B.).

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 final plat; 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 The Cedars Subdivision, LLC, for The Cedars Subdivision Phase I and revise the Land Use Map for property located west of Wright Road, south of the Sabine Diversion Canal.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mr. Brazzell

NAYS: Mrs. Allison, Mr. LeBlanc

ABSENT: Mr. Darby

And the said resolution failed on this 18th day of November, 2024.

ATTEST:

ARLENE BLANCHARD, Secretary

JONATHAN BRAZZELL, Vice-Chairman

The next item on the agenda is a resolution amending Resolution adopted August 19, 2024, that granted a rezone to Joshua Baden, 2209 Carr Lane from Residential to Business to allow for Freedom Plumbing, LLC (to remove stipulation of 8-foot fence). John VanNorman, attorney for Mr. Baden, stated that they had a site plan and he presented it to the Commissioners. Mr. Baden stated that the city has asked for a site plan, but he doesn't have a building and he doesn't have any intentions of putting one so he's not sure why he's required to give a site plan. He also discussed why his neighbor wasn't required to put a fence up when there was a mobile home next to his business. After discussion motion was made by Mrs. Carroll seconded by Mrs. Allison that the following resolution be adopted to-wit:

RESOLUTION

Resolution amending previously adopted Resolution on August 19, 2024, that granted a rezone to Joshua Baden, 2209 Carr Lane from Residential to Business to allow for Freedom Plumbing, LLC to remove stipulation for an 8-foot fence on the west side of the property instead of the required 6-foot.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby amend the previously adopted Resolution on August 19, 2024, and remove the stipulation for an 8-foot fence on the west side of the property instead of the required 6-foot.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Darby

And the said resolution was declared duly adopted on this 18th day of November, 2024.

ATTEST:

ARLENE BLANCHARD, Secretary

JONATHAN BRAZZELL, Vice-Chairman

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

ATTEST:

ARLENE BLANCHARD, Secretary

JONATHAN BRAZZELL, Vice-Chairman

11/18/24
6:15 P.M.