

THE B.H. MOORE HEIRS ADDITION.

The property is located at 1205 S. Sam Rayburn Freeway and 1202 S. Austin Street between Middleton and Dulin Streets; Sherman Power Sports is the tenant. The owner would like to replat the property into one lot for commercial development. They had seen the Staff Review Letter and would abide by the Recommendations.

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

SITE PLAN – CONSENT AGENDA ITEM

THE REQUEST OF NORTH PARK BAPTIST CHURCH (OWNERS) AND DAVID PLYLER (REPRESENTATIVE), CONCERNING THE PROPERTY LOCATED AT 2605 REX CRUSE DRIVE, BEING LOTS 1-6, JOE E. PRICE SUBDIVISION, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR A CLASSROOM ADDITION FOR NORTH PARK BAPTIST CHURCH.

**SITE PLAN –
CLASSROOMS
2605 REX CRUSE
(NORTH PARK
BAPTIST CHURCH)**

The property is located at 2605 Rex Cruse Drive, the northeast corner of Lamberth Road and Rex Cruse Drive; North Park Baptist Church is the owner/tenant. North Park Baptist Church was granted a Specific Use Permit to allow a church building in an R-1 (One Family Residential) District, September 17, 1973. The Specific Use Permit was amended in 2011 to allow the addition of three (3) portable classroom buildings in an R-1 (One Family Residential) District while they raised funds to add the classrooms. The Planning and Zoning Commission placed a time limit of five (5) years, providing an 8' privacy fence, 80' along the north property line where the portable building would be placed and providing shrubs in front of the portable buildings on the west side of the property as a condition of the approval, however the portable classrooms were not placed on the lot.

North Park Baptist Church would like to construct a 3,420 square foot classroom in the north front corner of the building; the exterior will be brick and hardy board siding to match the existing building. They had seen the Staff Review Letter and would abide by the Recommendations.

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

ZONE CHANGE

THE REQUEST OF MWWF LLC (OWNERS) AND BARRY FONTAINE (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 817 N. TRAVIS STREET, BEING .17 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

ZONE CHANGE UNDER ORDINANCE NO. 2280, SECTION

**ZONE CHANGE – C-1
TO R-1
817 N. TRAVIS
(MWWF, LLC)**

12, FROM A C-1 (RETAIL BUSINESS) DISTRICT TO AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

Barry Fontaine, 7171 Dripping Springs Road, Denison, TX

Mr. Fontaine appeared to represent the request and answer any questions. The property is located at 817 N. Travis Street between College and Brockett Streets.

Mr. Fontaine explained he would like to change the zoning to an R-1 (One Family Residential) District to be used as rental property. The house has three (3) bedrooms and parking is available in the rear of the lot. The home had been used as an office for many years but has been vacant for quite a while.

Commission Member Morgan asked if there were any issues with the City's Master Plan because this predominately becoming a business area.

Scott Shadden, Director of Developmental Services explained the property is master planned Urban/Downtown, however it is not included in the Central Business District which stops at the railroad tracks by the Library. In the future at some point, downtown would come that way.

Commission Member Morgan asked if this would be an issue with rental property.

Mr. Shadden explained "if they did not think it was appropriate for the neighborhood today the board could go with a Specific Use Permit for residential in a commercial district on Travis Street. Then if they cease using it as residential for more than sixty days the use goes away and it remains commercial zoning."

Commission Member Thorpe asked if this was Mr. Fontaine's recommendation to go for the zone change.

Mr. Shadden explained "if he leaves it zoned commercial and leaves the kitchen in there, there is a lot heavier requirement for a commercial grade kitchen and I believe that is why he is going for residential."

Mr. Fontaine explained yes, these have been vacant for about four years, the vacant lot next to it has been vacant for about thirty years and there hasn't been a big rush to develop.

No other citizens appeared before the Planning and Zoning Commission to discuss the zone change.

A letter was received from:

Craig Watson & Mori Family LTD, 805 N. Travis, Ste. 400, Sherman, TX

They were in favor of the request.

ACTION TAKEN.

Motion by Commission Member Olmstead to approve the zone change. Second by Commission Member Thorpe.

VOTING AYE: HICKS, BARTON, MORGAN, THORPE, OLMSTEAD AND DUTTON.

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

ZONE CHANGE

THE REQUEST OF MWWF LLC (OWNERS) AND BARRY FONTAINE (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 812 AND 814 N. WALNUT STREET, BEING A TOTAL OF .34 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

ZONE CHANGE UNDER ORDINANCE NO. 2280, SECTION 12, FROM A C-1 (RETAIL BUSINESS) DISTRICT TO AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

ZONE CHANGE - C-1
TO R-1
812 & 814 N. WALNUT
(MWWF, LLC)

Barry Fontaine, 7171 Dripping Springs Road, Denison, TX

Mr. Fontaine appeared to represent the request and answer any questions. The properties are located at 812 and 814 N. Walnut Street between College and Brockett Streets. The property at 812 N. Walnut was granted a zone change to a C-1 (Retail Business) District in 1983 and the property at 814 N. Walnut was granted a zone change to a C-1 (Retail Business) District in 1986.

Mr. Fontaine would like to change the zoning on the two properties to an R-1 (One Family Residential) District to be used as rental property. The house at 812 N. Walnut has four (4) bedrooms and parking is available in the rear on a concrete pad. The house at 814 N. Walnut has three (3) bedrooms with covered parking available in the rear.

No other citizens appeared before the Planning and Zoning Commission to discuss the zone change.

A letter was received from:

Craig Watson & Mori Family LTD, 805 N. Travis, Ste. 400, Sherman, TX

They were in favor of the request.

ACTION TAKEN.

Motion by Commission Member Morgan to approve the zone change. Second by Commission Member Barton.

VOTING AYE: HICKS, BARTON, MORGAN, THORPE, OLMSTEAD AND DUTTON.

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

AMEND TEMPORARY USE PERMIT WITH EXCEPTIONS & VARIANCES

THE REQUEST OF LAER TRAMS CO. LLC (OWNER) AND BRUCE FRENCH, HISTORYMAKER HOMES (APPLICANT) CONCERNING THE PROPERTY LOCATED AT 917 SWAN RIDGE DRIVE, BEING LOT 2, BLOCK 11, THE PRESERVE, PHASE I, AS FOLLOWS;

AMEND TUP
EXCEPTIONS &
VARIANCES – SIGNS &
FLAG POLES
917 SWAN RIDGE
(LAER TRAMS CO. LLC)

- **BOARD OF ADJUSTMENTS**
TO AMEND THE TEMPORARY USE PERMIT WITH AN EXCEPTION AND VARIANCE ENDING ON MARCH 19, 2014 UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTIONS (1) & (4) AND SECTION 7, SUBSECTION (13)(G) TO ALLOW A 14 SQUARE FOOT FREESTANDING SIGN FOR A MODEL HOME IN LIEU OF THE 1 ½ SQUARE FOOT SIGN PERMITTED, AND A 20' FRONT SETBACK IN LIEU OF THE REQUIRED 25' IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.
- **BOARD OF ADJUSTMENTS**
TO AMEND THE TEMPORARY USE PERMIT WITH AN EXCEPTION AND VARIANCE ENDING ON MARCH 19, 2014 UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTIONS (1) AND (4) TO ALLOW TWO FLAG POLES FOR A MODEL HOME, 20' FROM THE FRONT PROPERTY LINE IN LIEU OF THE REQUIRED 25' IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.
- **BOARD OF ADJUSTMENTS**
TO AMEND THE TEMPORARY USE PERMIT WITH AN EXCEPTION AND VARIANCE ENDING ON MARCH 19, 2014 UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTIONS (1) AND (4) TO ALLOW TWO FLAG POLES FOR A MODEL HOME, 5' FROM THE REAR PROPERTY LINE IN LIEU OF THE REQUIRED 25' AND 2' FROM THE SIDE PROPERTY LINE IN LIEU OF 5' REQUIRED IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

Bruce French, Vice-President Land Acquisitions, HistoryMaker Homes, 9001 Airport Freeway #400, N. Richland Hills, Sherman, TX

Mr. French appeared to represent the request and answer any questions. The property is located at 917 Swan Ridge Drive in the Country Ridge Estates Subdivision off F.M. 1417 South (Heritage Parkway) and is zoned an R-1 (One Family Residential) District. At the March 19, 2013 meeting, the Planning and Zoning Commission approved a Temporary Use Permit to allow a model home sales center for a period of one year.

Mr. French explained they have sixty-seven lots under contract in the Preserve Community and their model home is soon to be complete and open June 24th. "Part of our signage for the model home to advertise the community and homes for sale is to more clearly identify the model

home as the “Welcome Center” and that is the request for this sign which is (54" x 36"), 20' from the front property line; it will clearly identify the model home as opposed to assuming it is another home in the community, it clearly identifies and allows realtors and potential home owners to come to the model home and allows better visibility.”

Commission Member Barton asked if there were any height requirements for the sign.

Mr. French explained the sign would be 4' tall.

Mr. Shadden explained “the standard sign in a residential district is like a real estate sign; 1 ½ square feet, but the board can limit the height of the sign.”

They are also requesting an exception and variance to allow two flag poles bordering the sign in the front yard and two flag poles in the rear yard. The flag poles will be 30' tall. Mr. French explained “if approved the sign and flag poles would only run as long as the Temporary Use Permit for the model home. The purpose of the flags is to draw attention, we are set back pretty far off FM 1417 and there are heavy restrictions along the corridor, we would like to have any additional marketing effort to at least draw people’s attention to the information center for people interested in buying a house. We have sixty-seven lots right now and there are another two hundred lots to be developed, so we could potentially be here a couple more years. The flags poles in the front will be next to the sign and the flag poles in the back of the lot will be for more visibility driving down Quail Run Road.”

Mr. Shadden explained the flag poles are really more of a sign than a patriotic statement.

Mr. French explained yes, it is. It will be an American Flag and Texas Flag flown and they will be lit.

Mr. Shadden explained “the lights will not be able to cross the property line, you have to shield them in order for the lights to stay on your lot.”

Mr. French explained “it will be up lighting for the flags, we will position them so that they are shining on the flags.”

Commission Member Olmstead asked if the sign on the first lot would stay; it roughly looks like a 3'x8', 10' tall.

Mr. French stated they would take it down.

Chairman Hicks asked why they are requesting the flag poles to be placed 2' off the side yard property line and if they had any objections to moving them 5' off the property line.

Mr. French explained they could make it 5', "we were just trying to place them in the corner of the lot, the rear yard is 25', so that is basically the whole back yard."

No other citizens appeared before the Planning and Zoning Commission to discuss the amendment to the Temporary Use Permit for the exceptions or variances.

BOARD OF ADJUSTMENTS

TO AMEND THE TEMPORARY USE PERMIT WITH AN EXCEPTION AND VARIANCE ENDING ON MARCH 19, 2014 UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTIONS (1) & (4) AND SECTION 7, SUBSECTION (13)(G) TO ALLOW A 14 SQUARE FOOT FREESTANDING SIGN FOR A MODEL HOME IN LIEU OF THE 1 ½ SQUARE FOOT SIGN PERMITTED, AND A 20' FRONT SETBACK IN LIEU OF THE REQUIRED 25' IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

ACTION TAKEN.

Motion by Commission Member Barton to approve the amendment to the Temporary Use Permit to allow a 14 square foot freestanding sign for a model home in lieu of the 1 ½ square foot sign permitted, and a 20' front setback in lieu of the required 25' in an R-1 (One Family Residential) District. Second by Commission Member Dutton.

VOTING AYE: HICKS, BARTON, MORGAN, OLMSTEAD AND DUTTON.

VOTING NAY: NONE

MOTION CARRIED

BOARD OF ADJUSTMENTS

TO AMEND THE TEMPORARY USE PERMIT WITH AN EXCEPTION AND VARIANCE ENDING ON MARCH 19, 2014 UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTIONS (1) AND (4) TO ALLOW TWO FLAG POLES FOR A MODEL HOME, 20' FROM THE FRONT PROPERTY LINE IN LIEU OF THE REQUIRED 25' IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

ACTION TAKEN.

Motion by Commission Member Morgan to approve the amendment to the Temporary Use Permit to allow two flag poles for a model home, 20' from the front property line in lieu of the required 25' in an R-1 (One Family Residential) District. Second by Commission Member Olmstead.

VOTING AYE: HICKS, BARTON, MORGAN, OLMSTEAD AND DUTTON.

VOTING NAY: NONE

MOTION CARRIED

BOARD OF ADJUSTMENTS

TO AMEND THE TEMPORARY USE PERMIT WITH AN

EXCEPTION AND VARIANCE ENDING ON MARCH 19, 2014 UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTIONS (1) AND (4) TO ALLOW TWO FLAG POLES FOR A MODEL HOME, 5' FROM THE REAR PROPERTY LINE IN LIEU OF THE REQUIRED 25' AND 2' FROM THE SIDE PROPERTY LINE IN LIEU OF 5' REQUIRED IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

ACTION TAKEN.

Motion by Commission Member Morgan to approve the amendment to the Temporary Use Permit to allow two flag poles for a model home, 5' from the rear property line in lieu of the required 25' and 5' from the side property line in an R-1 (One Family Residential) District.. Second by Commission Member Dutton.

VOTING AYE: HICKS, MORGAN, OLMSTEAD AND DUTTON.

VOTING NAY: BARTON

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

VARIANCE

THE REQUEST OF ALVARO & MARIAM PAULIN (OWNERS) CONCERNING THE PROPERTY LOCATED AT 722 E. MARTIN LANE, BEING LOT 9, BLOCK 3, LIVE OAK ADDITION, SECTION 2, AS FOLLOWS;

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW AN 18' FRONT SETBACK FOR A COVERED FRONT ENTRY PORCH IN LIEU OF THE REQUIRED 25' IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

VARIANCE – FRONT SETBACK
722 E MARTIN
(ALVARO & MARIAM PAULIN)

Alvaro Paulin, 818 E. Martin Lane, Sherman, TX

Mr. Paulin appeared to represent the request and answer any questions. The property is located at 722 E. Martin Street between First and Willow Streets. Mr. Paulin started construction on a front entry porch, 18' from the front property line. He explained he purchased the house and was remodeling the house because of a fire in the living room and laundry room. There was not a covered area for the front door so he was extending the roof over the porch and adding brick post, but the porch is located too close to the front property line.

Commission Member Barton asked Mr. Shadden if there were any long term planning to widen Martin Lane.

Mr. Shadden explained “not that I know of.”

No other citizens appeared before the Planning and Zoning Commission to discuss the variance.

ACTION TAKEN.

Motion by Commission Member Morgan to approve the variance to allow an 18' front setback for a covered front entry porch in lieu of the required 25' in an R-1 (One Family Residential) District. Second by Commission Member Olmstead.

VOTING AYE: HICKS, BARTON, MORGAN, OLMSTEAD AND DUTTON.

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

EXCEPTION & SITE PLAN

THE REQUEST OF S&W AL, LLC (OWNERS), TEXAS ROADHOUSE (TENANT) AND BRIAN GROSSMAN, GROSSMAN DESIGN BUILD (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 2773 U.S. HIGHWAY 75 NORTH, BEING LOT 5A, BLOCK 1, TEXOMA CROSSING ADDITION, REPLAT LOT 5 & 5A, AS FOLLOWS;

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.8, SUBSECTION (4)(B) TO ALLOW BUILDING FINISHES OF BRICK WAINSCOT WITH CEDAR LAP SIDING TO MATCH THE EXISTING BUILDING FACADE IN LIEU OF THE REQUIRED MASONRY IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR AN ADDITION TO TEXAS ROADHOUSE

**EXCEPTION –
EXTERIOR FAÇADE**

**SITE PLAN – TEXAS
ROADHOUSE ADDN**

**2773 U.S. HWY. 75 N.
(S&W AL, LLC.)**

Eric Grossman, Grossman Design Build, 4036 Lyndon Avenue, Ft. Worth, TX.

Mr. Grossman appeared to represent the request and answer any questions. The property is located at 2773 U.S. Highway 75 North between Lamberth Road and U.S. Highway 82; Texas Roadhouse is the tenant.

Texas Roadhouse Restaurant would like to extend their dining area by adding 470 square feet where the existing patio is located now. They would like to match the existing exterior facade which is cedar with a brick wainscot.

No other citizens appeared before the Planning and Zoning Commission to discuss the exception or the site plan.

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.8, SUBSECTION (4)(B) TO ALLOW BUILDING FINISHES OF BRICK WAINSCOT WITH CEDAR LAP SIDING TO MATCH THE EXISTING BUILDING FACADE IN LIEU OF THE REQUIRED MASONRY IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.

ACTION TAKEN.

Motion by Commission Member Olmstead to approve the exception to building finishes of brick wainscot with cedar lap siding to match the existing building façade for an addition to Texas Roadhouse Restaurant. Second by Commission Member Barton.

VOTING AYE: HICKS, BARTON, MORGAN, OLMSTEAD AND DUTTON.

VOTING NAY: NONE

MOTION CARRIED

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR AN ADDITION TO TEXAS ROADHOUSE

ACTION TAKEN.

Motion by Commission Member Thorpe to approve the site plan subject to the Staff Review Letter. Second by Commission Member Morgan.

VOTING AYE: HICKS, BARTON, MORGAN, THORPE, OLMSTEAD AND DUTTON.

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

EXCEPTION & SITE PLAN

THE REQUEST OF RJ SPENCER INVESTMENTS LLC (OWNERS), UNIFIRST UNIFORMS & SERVICES (TENANT) AND CASEY HOGENSON (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 1100 FM 1417 NE, BEING LOT 1, BLOCK 1, RJ SPENCER INVESTMENTS ADDITION, AS FOLLOWS;

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.8.1, SUBSECTION (4)(B) TO ALLOW A METAL EXTERIOR FACADE TO MATCH THE EXISTING BUILDING FINISHES FOR A 20X60 ADDITION IN LIEU OF THE REQUIRED MASONRY IN AN M-1 (LIGHT MANUFACTURING) DISTRICT/O-1.1 (FM 1417) OVERLAY DISTRICT.

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR A 20X60 ADDITION FOR UNIFIRST UNIFORMS & SERVICES

Mr. Shadden explained he received a text from Mr. Hogenson stating they called him this morning and changed their mind, so they are withdrawing the request.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:47 p.m.

EXCEPTION – EXTERIOR FAÇADE

**SITE PLAN – 20X60 ADDITION
1100 FM 1417 NE
(RJ SPENCER INVESTMENTS LLC)**

(WITHDRAWN)

ADJOURNMENT

PLANNING & ZONING COMMISSION MINUTES – JUNE 18, 2013

CHAIRMAN

SECRETARY