

STATE OF TEXAS

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December 17, 2013

COUNTY OF GRAYSON

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BE IT REMEMBERED THAT A Regular Meeting of the Planning and Zoning Commission and Board of Adjustments of the City of Sherman, was begun and held on December 17, 2013.

MEMBERS PRESENT: CHAIRMAN DON HICKS
COMMISSION MEMBERS: BARTON, THORPE, DUTTON,
SCHEIBMEIR AND OLMSTEAD

MEMBERS ABSENT: GILBERT, MORGAN AND KRECK

CALL TO ORDER

Chairman Hicks called the meeting to order at 5:00 p.m.

CALL TO ORDER

APPROVE MINUTES

The Planning and Zoning Commission reviewed the minutes of the November 19, 2013 Meeting. Motion by Commission Member Thorpe to approve the Minutes as written. Second by Commission Member Olmstead. All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

APPOINT BOARD OF ADJUSTMENTS

Chairman Hicks appointed the members of the Board of Adjustments: HICKS, BARTON, THORPE, AND DUTTON AND OLMSTEAD.

BOARD OF
ADJUSTMENTS

CONSENT AGENDA (ITEMS 6, 7 & 9)

Consent Agenda items are considered to be routine and non-controversial items. The Commission reviewed the Consent Agenda. Commission Member Olmstead moved to approve the Consent Agenda, as presented subject to the Staff Review Letters. Second by Commission Member Barton. All present voted AYE.

CONSENT AGENDA

THE COMMISSION FOUND THE REQUESTS CONFORM TO THE INTENT OF THE ORDINANCE.

SITE PLAN – CONSENT AGENDA ITEM

THE REQUEST OF T SHERMAN LLC (OWNERS) AND STARBUCKS COFFEE COMPANY (TENANT) CONCERNING THE PROPERTY LOCATED AT 2918 U.S. HIGHWAY 75 NORTH, BEING LOT 4, SHAFER PLAZA, AS FOLLOWS;
PLANNING AND ZONING COMMISSION
SITE PLAN APPROVAL FOR A DRIVE THRU FOR STARBUCKS COFFEE.

SITE PLAN – DRIVE-
THRU STARBUCK'S
COFFEE
2918 U.S. HWY. 75 N. (T
SHERMAN LLC)

The property is located at 2918 U.S. Highway 75 North, the southwest corner of U.S. Highways 75 and 82; Starbucks Coffee is the tenant. Starbucks Coffee would like to remodel the existing building, move from the north side of the building to the south and construct a drive-thru on the

south side of the building to accommodate their business. 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 DARYL ELLISON (OWNER), NATIONAL AUTO REPAIR COLLISION CENTER (PROPOSED TENANT), NBS DRAFTING AND DESIGN (DRAFTSMAN) AND SARTIN AND ASSOCIATES SURVEYING, INC. (SURVEYORS) CONCERNING THE PROPERTY LOCATED AT 300 EAST SYCAMORE STREET, BEING 2.09 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR A SHOP/OFFICE FOR AUTO COLLISION REPAIR/BODY SHOP FOR NATIONAL AUTO REPAIR COLLISION CENTER.

SITE PLAN – AUTO COLLISION REPAIR/BODY SHOP
300 E. SYCAMORE
(NATIONAL AUTO REPAIR COLLISION REPAIR – DARYL ELLISON)

The property is located at 300 East Sycamore Street, the southwest corner of Sycamore and North Branch Streets. The property is zoned an M-1 (Light Manufacturing) District. The owner is proposing to build a shop and office for National Auto Collision Repair. The structure will be a 60' x 170' prefabricated metal building. It will contain two paint booths, a paint mixing room, two frame machines and a wash bay with sand pit. He 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 Z&P POCZA PROPERTIES, LTD (OWNERS), TEXAS DEPARTMENT OF CRIMINAL JUSTICE PAROLE OFFICE (PROPOSED TENANT), TERRY SKIPWORTH (REPRESENTATIVE) AND BWG ARCHITECTURE (ARCHITECT) CONCERNING THE PROPERTY LOCATED AT 211 WEST LAMAR STREET, BEING PART OF LOT 4, 5, 6 & 7, BLOCK 4, ORIGINAL TOWN PLAT, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR AN ADDITION TO THE EXISTING BUILDING FOR TEXAS DEPARTMENT OF CRIMINAL JUSTICE PATROL OFFICE.

SITE PLAN – TX DEPT CRIMINAL JUSTICE PATROL OFFICE
211 W. LAMAR
(Z&P POCZA PROPERTIES, LTD)

The property is located at 211 West Lamar Street between Elm and Crockett Streets; formerly Child's Carpet. The property is zoned a C-1 Retail Business District and is located in the Central Business District. The Texas Department of Criminal Justice Patrol Office would like to occupy the building and construct a 20'x28' addition to the existing building; the exterior will be brick veneer. 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.

VARIANCE

THE REQUEST OF DON & CECILIA WYNN (OWNERS) AND BRAD NASS (GENERAL CONTRACTOR) CONCERNING THE PROPERTY LOCATED AT 1809 VERDI LANE, BEING LOT 12, BLOCK A, VISTA NORTE, PHASE I, AS FOLLOWS:

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW A 7' SIDE YARD SETBACK FOR AN ATTACHED GARAGE ADDITION IN LIEU OF THE REQUIRED 10' IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

VARIANCE – SIDE
SETBACK
1809 VERDI LANE
(DON & CECILIA WYNN)

Brad Nass, 1728 Alpine Drive, Sherman, TX

Mr. Nass appeared to represent the request and answer any questions. The property is located at 1809 Verdi Lane in the Vista Norte subdivision off Fallon Drive. The owner would like to construct an attached two-car tandem park garage with game room addition, 7' from the side property line. Mr. Nass explained “they currently sit 10'1” from the side property line to give the door a 1 1/2' return on both sides of the exterior wall. The adjacent lot next door is vacant and owned by Bill Santee.” They had seen the Staff Review Letter and would abide by the Recommendations.

(DENIED)

Chairman Hicks asked if there were any other place on the lot to add the garage.

Mr. Nass explained “no; I have drawn the plan four different times around the yard trying to scoot it back in the yard, but they have a swimming pool, so it prohibits getting it over far enough to get enough of a door to get into the garage; I would like to get a nine foot door. I could take it down to 8', if I did a 1 1/2' return on both sides of the door going in, so you can get a door open, that already gives me to 11' with a 2'x4' wall and 5 1/2” of brick.”

Chairman Hicks explained so either way it would require a setback variance.

Mr. Nass explained “a game room will be added on top of the garage with a balcony and a patio on the bottom overlooking the pool.”

Chairman Hicks asked “how many square foot of living space is it adding and will it be air-conditioned and heated?”

Mr. Nass explained “they want to park one car downstairs and use the back part of it as a shop until their kids start driving so they will park the additional cars in there at some point. The upstairs will be built into the roof of the existing house; I have not completed the drawings without knowing this would be approved, but I'm guessing the

whole structure would be in the range of 1,300-1,500 square feet, with 600-700 square feet air conditioned and heated upstairs.”

Chairman Hicks asked if the new addition would tie in to the existing house.

Mr. Nass explained “it would tie into the roof but you will not be able to walk into the new addition from the inside of the house.”

Commission Member Barton stated “this lot is 100’ wide; is the lot on either side to this lot the same size.”

Mr. Nass explained “the lot west of this lot is; the vacant lot next door is 91’ and goes into a cul-de-sac on the front edge. They were laid out to be 100’ lots.”

Bill Santee, 1802 Turtle Creek Lane, Gunter, TX

Mr. Santee explained he owns the lot next to this lot, “the setbacks are created because there is quite an encroachment; it is sizable, if this was a slight encroachment I probably would have a different attitude, it is sizable, it is over 40’ long, it’s two-story, it would adversely affect the back yard of my lot. It’s basically building an apartment building in the setback. So, I contest it.”

Commission Member Barton asked Mr. Santee if his lot is empty right now.

Mr. Santee explained “it is empty right now, but we do have a pad ready to build; we are in the process of doing the dirt- work to build.”

Chairman Hicks stated “the survey shows a stone wall, I guess the lots are on different elevations, the stone wall is going uphill going west, so this lot is taller than the vacant lot.”

Mr. Santee explained “this lot is taller than his. The stone wall is 2 ½ to 3 feet tall, it varies a little bit, but then it slopes up pretty good on the driveway to the structure, by the time you get to the structure it is over 3’.”

Chairman Hicks explained so you will have 9’ plates.

Mr. Nass explained “the downstairs would be 9’ and the upstairs would be another 4’ with a 12:12 pitch roof; we are looking at 25-30 feet to the peak of the roof on top of the 4’ riser to the house.”

Commission Member Barton asked the current distance between the improvements and the property line.

Mr. Nass explained 20’ 1”.

Commission Member Barton explained so you are looking to making it 13’.

Mr. Nass explained they originally looked at tearing out the east wall of the garage and doubling the width of that and building off of that; “all our power comes up right there at the electrical meter base on the outside, all the electrical panels are on the inside; it would be a major undertaking to get that thing out of there.”

Mr. Santee explained “the house was originally built with a three car garage and it looks like the two-car garage has already been built out as living space; my point is that, if we are looking at this as being a need for their family, I think they made that decision a long time ago by building out the two-car spot and I would like them to use that as living space verses having plenty of garage already there.”

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

ACTION TAKEN.

Motion by Commission Member Barton to deny the request. Second by Commission Member Thorpe.

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

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST DID NOT CONFORM TO THE INTENT OF THE ORDINANCE.

ZONE CHANGE

THE REQUEST OF MWWF, LLC (OWNERS) AND BARRY FONTAINE (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 815 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 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 815 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 converted to a single-family residence. 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.

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

Commission Member Barton explained three other properties near this lot were approved earlier in the year for a zone change to an R-1 (One Family Residential) District.

Scott Shadden, Director of Developmental Services explained “these lots were zoned a C-1 (Retail Business) District in the ‘70’s to be used as offices.”

Commission Member Barton asked if there were any businesses occupying the building at this time.

Mr. Fontaine explained “no. This property is bordered by a residential property that was rezoned earlier in the year and the other side is a vacant lot.”

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

ACTION TAKEN.

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

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

VOTING NAY: NONE

MOTION CARRIED

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

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:18 p.m.

ADJOURNMENT

CHAIRMAN

SECRETARY