

corner of Travis and Piner Evans. An exception was granted in 1969 to allow the canopy closer than 25' to the front property line. The property has never been platted and the owner would like to plat 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 A-S 71 SHERMAN-PHASE III, LP (OWNERS), DAVID BRYANT, OSBORN & VANE ARCHITECTS, INC. (REPRESENTATIVE/ARCHITECT) AND CMB LANDSCAPE ARCHITECTURE (LANDSCAPE ARCHITECT), CONCERNING THE PROPERTY AT 4226 NORTH U.S. HIGHWAY 75, BEING LOT 9, BLOCK 1, SHERMAN TOWN CENTER, SECTION TWO, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR A RETAIL SHELL FOR A FUTURE MEDICAL URGENT CARE TENANT.

SITE PLAN –
RETAIL SHELL
4226 N. U.S.
HWY 75
(A-S 71
SHERMAN-
PHASE III, LP)

The property is located at 4226 North U.S. Highway 75; the southwest corner of Loy Lake Road and Graham Drive in the Sherman Town Center Addition. The property is zoned a C-1 (Retail Business) District and is located in the O-1 (75 & 82) Overlay District. The project consists of a single-story, metal framed 8,400 square foot shell building for a future urgent care tenant. The exterior finish on the building will be EIFS (Exterior Insulated Finish System) and stone. 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.

FINAL PLAT – CONSENT AGENDA ITEM

THE REQUEST OF ANGEL JARAMILLO AND MARTHA LOPEZ (OWNERS) AND COX LAND SURVEYING COMPANY (SURVEYOR) CONCERNING THE PROPERTY AT 1021 EAST LAKE STREET, BEING 2.787 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

FINAL PLAT APPROVAL OF JARAMILLO ADDITION

FINAL PLAT –
JARAMILLO
ADDN.
1021 E. LAKE
(ANGEL
JARAMILLO &
MARTHA
LOPEZ)

The property is located at 1021 East Lake Street between First and Gribble Streets. The owner would like to plat the property into two lots for residential 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.

EXCEPTION, VARIANCE & SITE PLAN

THE REQUEST OF DEN PARTNERS LTD, BARRY L. & JESSIE BURTON, RUSSELL SPEARS AND POST OAK LIQUIDATING TRUST (OWNERS), STREET LEVEL INVESTMENTS (DEVELOPER),

EXCEPTION –
WALL SIGN

EXCEPTION – 2

MICHAEL CLARK, WINKELMANN & ASSOCIATES, INC. (SURVEYORS/CIVIL ENGINEERS), CR ARCHITECTURE + DESIGN (ARCHITECT) AND STARLITE SIGN, LP (CONTRACTOR) CONCERNING THE PROPERTY AT 2220 NORTH U.S. HIGHWAY 75, CONTAINING 16.760 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, ALL OF LOT 1, BLOCK 2, INDEPENDENCE SQUARE, PHASE 2, SECTION 3, AND ALL OF LOT 1, BLOCK 1, JAMES PLAZA ADDITION AS FOLLOWS;

BOARD OF ADJUSTMENTS

- EXCEPTION AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (14)(N)(1) TO ALLOW A 466 SQUARE FOOT FRONT ELEVATION (SOUTH ELEVATION) WALL SIGN FOR THE PROPOSED KROGER MARKETPLACE IN LIEU OF THE PERMITTED 300 SQUARE FOOT SIGN NOT TO EXCEED 20% OF ANY SINGLE WALL IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.
- EXCEPTION, VARIANCE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 6.8, SUBSECTION (5)(A) AND SECTION 7, SUBSECTION (14)(I)(3) TO ALLOW A 326.4 SQUARE FOOT FREESTANDING MULTI-TENANT OFF-PREMISE SIGN WITH A 28’ SETBACK ALONG U.S. HIGHWAY 75 IN LIEU THE REQUIRED 75’ ON THE PROPOSED LOT 1 OF KROGER SHERMAN ADDITION IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.
- EXCEPTION, VARIANCE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTIONS (14)(I) AND (5)(A & D) TO ALLOW AN ADDITIONAL 456 SQUARE FOOT FREESTANDING MULTI-TENANT OFF-PREMISE SIGN WITH A 22’ SETBACK FROM THE TRAVIS STREET PROPERTY LINE IN LIEU OF THE REQUIRED 25’ ON THE PROPOSED LOT 1 OF KROGER SHERMAN ADDITION IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.

MULTI-TENANT SIGNS

VARIANCE – SETBACKS

2220 N. U.S. HWY. 75 (DEN PARTNERS LTD, BARRY L. & JESSIE BURTON, RUSSELL SPEARS AND POST OAK LIQUIDATING TRUST (OWNERS))

Christina Konrad, Project Planner, Kroger Texas, LP, 751 Freeport Parkway, Coppell, TX

Ms. Konrad appeared to represent the request and answer any questions. The property is located at 2220 North U.S. Highway 75 between Taylor Street and Lamberth Road; south of Hoyte Dodge. The Planning and Zoning Commission granted site plan approval for a Kroger Marketplace with outdoor dining & Fueling Station and conceptual site plan approval for a retail shopping center at the February 16, 2016 Meeting. The Preliminary Plat of the Sherman Kroger Addition was approved at the March 22, 2016, Planning and Zoning Commission Meeting platting the property into five lots for commercial development.

Ms. Konrad explained “Kroger Marketplace and Pharmacy is requesting a variance for a 466 square foot wall sign on the south elevation of the building. They are also requesting two freestanding multi-tenant off-premise signs on the proposed Lot 1 of the Kroger Sherman Addition. The sign along North U.S. Highway 75 will be 28’ from the property line; it will be a 50’ tall, 326.4 square foot multi-tenant sign. The sign along Travis Street

will be located 22' from the Travis Street property line; it will be 30' overall height, 456 square foot double faced multi-tenant sign.” They had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Gilbert asked Ms. Konrad if there was anything unusual about this tract of land or with the City’s ordinance to give purpose for asking for such a large exception on the setback for the signage. “On the first sign, it is fifty percent larger than what the ordinance allows; I didn’t know if there was something specific regarding this tract of land why we should grant an exception or if there is something that is blocking the visibility of the sign. I’m just curious if there is something specific with regards to the tract of land as far as the visibility is concerned that the normal setback would not allow for the pylon sign along U.S. Highway 75.”

Ms. Konrad explained “the reason I ask for this exception, it is not our basic signage, it is to be a well balanced and the visibility coming out on U.S. Highway 75 and the way the building sits back, that will help. The standard signage you see on other Kroger buildings, this is not an oversized sign package that we are proposing for this building size, the way we are looking from a Kroger point of view. Due to the setback on the side, this is the only way we could lay out the building in order to have some visibility due to the size of the lot. Due to the site layout for the pylon sign, in order to accommodate the parking requirements and meet the sign setback requirements, the sign would be in the middle of the parking lot; so this was the best location. The exception for the setback for the sign on Travis Street is for visibility; it would be 22’ instead of 25’; if the setback was met on Travis Street, the sign would be in the middle of the parking lot.”

Commission Member Vanderveer asked if there were any plans to widen Travis Street.

Clint Philpott, City Engineer responded “yes”.

Commission Member Thorpe felt “there are Overlay requirements for a reason and everybody is going to know where this store is; it’s not going to be a hardship for them.”

Ms. Konrad explained “if the sign is setback 25’, it will reduce parking and that means we cannot meet the size, that means we cannot build; the sign will end up in the driveway.”

Commission Member Vellotti wanted clarification; “does that mean you will not build the Kroger store if you cannot get the variance for 3’.”

Ms. Konrad explained they will not be able to meet the parking requirements; “we are within two spaces.”

Commission Member Vellotti asked if they would lose parking spaces when they widen Travis Street.

Scott Shadden, Director of Developmental Services explained they

should not lose any parking spaces.

Ms. Konrad explained they took that into consideration when they started the development.

Chairman Gilbert explained “looking at this tract, the sign on Travis and Highway 75, it looks like on Highway 75 there is a lot of green space and room to make a concession, the 3’ on Travis Street, I would think you could figure something out with the number of architects and engineers involved to be able to make that work.”

Commission Member Vanderveer felt the opposite; “the 3’ doesn’t bother me as much as the sign on Highway 75, because you are talking about three signs in a row and like someone has already said, you are not going to miss Kroger.”

Ms. Konrad stated “we really looked at options to make it work.”

Chairman Gilbert explained he noticed there was a new Kroger developed in Prosper on Highway 289; “did you have to get any exceptions or variances for the signage there; are there any signs as large as you are requesting and that close to the setback as the one here on this location.”

Ms. Konrad explained “the signs there, the setback requirement is not as great as it is here, so we didn’t have a setback requirement, we had a variance for the building sign.”

Chairman Gilbert explained ‘it seems to me as you presented it, you are not open to any compromise and you stated that if these exceptions and variances are not allowed, then you are not going to build; is that how you are presenting it.’

Ms. Konrad stated “No, I apologize if it came across that way. We are trying to present it and work with the staff in order to incorporate the parking requirement to change the spacing.”

Chairman Gilbert understood that in regards to Travis, but on Highway 75, it looks to me it could be pushed back at least 50 to 75 feet before it gets close to the parking. “You have a 25’ building setback that it’s near and based on the scale, there seems to be another 50 feet maybe.”

Ms. Konrad explained “the one on Highway 75, we can move it out of the utilities; we can work around them. The sign on Travis Street is a larger sign, but we eliminated the sign on Lot 2, we are combining them to minimize signage. We can add another sign on Lot 2.”

Mr. Shadden asked Ms. Konrad “how far they could move the sign back on Highway 75.”

Ms. Konrad stated “it probably could be another 28 feet, approximately, we would have to look at how we could work around the utilities.”

Mr. Shadden stated “55 foot or so total.”

Ms. Konrad stated “correct.”

Commission Member Vanderveer stated “there are six tenant panels on the sign, but I’m only seeing three other business developments besides what is going on this property; why is there six versus three.”

Ms. Konrad explained “Lot 2 will be a retail center with multi-tenants.”

Commission Member Thorpe asked when the 75 & 82 Overlay District ordinance was designed, “what cities did you look at when it was designed?”

Mr. Shadden explained “they looked at Frisco, McKinney and various cities throughout North Texas. In the FM 1417 Overlay District, we just amended the sign ordinance portion of it, the big boxes over 50,000 square foot, they can go up to 6,000 square foot for a wall sign; so it did allow the big boxes a larger sign.”

Chairman Gilbert explained “there are so many items on the agenda for the signs, it is hard to get a handle, and obviously we want to work with you. We are excited that you have picked Sherman for a new location; it is a tremendous property for our City, but at the same time there are just so many things on here, it is hard to get a grasp on everything that is being requested on the first item of four.”

Commission Member Vellotti asked “if the sign along Highway 75 could it not be moved back to its required setback, in lieu of a few parking spaces it might take up.”

Mr. Shadden explained “they could come back and ask for a variance on the required parking if they are in excess; I know there are some extra parking spaces on the lot and they had some tent sites for seasonal sales on the original site plan, so they do have some excess parking for most of the year except when those tents are up.”

After discussion Ms. Konrad asked the board to “approve Item 5 on the agenda to be approved for the building sign variance, the variance for 3’ for the sign along Travis Street and the sign on Highway 75 to looking at giving the setback at 55’. We are still asking for the variance for the size of the signs. If that is something the board cannot support, we will have to put a sign on Lot 2.”

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

Boards of Adjustments

EXCEPTION AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (14)(N)(1) TO ALLOW A 466 SQUARE FOOT FRONT ELEVATION (SOUTH ELEVATION) WALL

SIGN FOR THE PROPOSED KROGER MARKETPLACE IN LIEU OF THE PERMITTED 300 SQUARE FOOT SIGN NOT TO EXCEED 20% OF ANY SINGLE WALL IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.

ACTION TAKEN.

Motion by Commission Member Vanderveer to approve the exception to allow a 466 square foot front elevation (south elevation) wall sign for the proposed Kroger Marketplace in a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District subject to the Staff Review Letter. Second by Commission Member Patterson.

VOTING AYE: GILBERT, THORPE, PATTERSON, VANDERVEER AND VELLOTTI

VOTING NAY: NONE

MOTION CARRIED

Boards of Adjustments

EXCEPTION, VARIANCE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 6.8, SUBSECTION (5)(A) AND SECTION 7, SUBSECTION (14)(I)(3) TO ALLOW A 326.4 SQUARE FOOT FREESTANDING MULTI-TENANT OFF-PREMISE SIGN WITH A 28' SETBACK ALONG U.S. HIGHWAY 75 IN LIEU THE REQUIRED 75' ON THE PROPOSED LOT 1 OF KROGER SHERMAN ADDITION IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.

ACTION TAKEN.

Motion by Commission Member Vanderveer to approve the exception to allow a 326.4 square foot freestanding multi-tenant off-premise sign with a 55 - 65 foot setback depending on utility locations and working with staff along U.S. Highway 75 in lieu of the required 75' on the proposed Lot 1 of Kroger Sherman Addition in a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District subject to the Staff Review Letter. Second by Commission Member Patterson.

VOTING AYE: GILBERT, PATTERSON, VANDERVEER AND VELLOTTI

VOTING NAY: THORPE

MOTION CARRIED

Boards of Adjustments

EXCEPTION, VARIANCE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTIONS (14)(I) AND (5)(A & D) TO ALLOW AN ADDITIONAL 456 SQUARE FOOT FREESTANDING MULTI-TENANT OFF-PREMISE SIGN WITH A 22' SETBACK FROM THE TRAVIS STREET PROPERTY LINE IN LIEU OF THE REQUIRED 25' ON THE PROPOSED LOT 1 OF KROGER SHERMAN ADDITION IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.

ACTION TAKEN.

Motion by Commission Member Vanderveer to approve the exception to allow an additional sign on Travis Street meeting the

setback and square footage requirement on the proposed Lot 1 of Kroger Sherman Addition in a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District subject to the Staff Review Letter. Second by Commission Member Thorpe.

VOTING AYE: GILBERT, THORPE, PATTERSON, VANDERVEER AND VELLOTTI
VOTING NAY: NONE
MOTION CARRIED

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

VARIANCE

THE REQUEST OF DEN PARTNERS LTD, BARRY L. & JESSIE BURTON, RUSSELL SPEARS AND POST OAK LIQUIDATING TRUST (OWNERS), STREET LEVEL INVESTMENTS (DEVELOPER), MICHAEL CLARK, WINKELMANN & ASSOCIATES, INC. (SURVEYORS/CIVIL ENGINEERS), CR ARCHITECTURE + DESIGN (ARCHITECT) AND STARLITE SIGN, LP (CONTRACTOR) CONCERNING THE PROPERTY AT 2010 NORTH U.S. HIGHWAY 75, CONTAINING 16.760 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, ALL OF LOT 1, BLOCK 2, INDEPENDENCE SQUARE, PHASE 2, SECTION 3, AND ALL OF LOT 1, BLOCK 1, JAMES PLAZA ADDITION AS FOLLOWS;

BOARD OF ADJUSTMENTS

VARIANCE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 6.8, SUBSECTION (5)(A) TO ALLOW AN 11' SETBACK FOR A FREESTANDING SIGN ON THE PROPOSED LOT 3 OF KROGER SHERMAN ADDITION IN LIEU OF 65' REQUIRED IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.

VARIANCE –
FRONT
SETBACK FOR
SIGN
2010 N. U.S.
HWY. 75
(DEN
PARTNERS
LTD, BARRY L.
& JESSIE
BURTON,
RUSSELL
SPEARS AND
POST OAK
LIQUIDATING
TRUST,
OWNERS)

(TABLED)

Christina Konrad, Kroger Texas, LP, 751 Freepoint Parkway, Coppel, TX

Ms. Konrad appeared to represent the request and answer any questions. She requested this item be tabled.

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

A letter was received from:

Marze Brawley DDS, PO Box 910250, Sherman, TX

“I do not want the widening of Travis Street to confiscate any of my real property. The placement of my business sign is already close to the existing traffic lane.”

ACTION TAKEN.

Motion by Commission Member Vanderveer to table the request. Second by Commission Member Thorpe.

VOTING AYE: GILBERT, THORPE, PATTERSON, VANDERVEER AND VELLOTTI
VOTING NAY: NONE
MOTION CARRIED
THE REQUEST WAS TABLED.

VARIANCE

THE REQUEST OF DEN PARTNERS LTD, BARRY L. & JESSIE BURTON, RUSSELL SPEARS AND POST OAK LIQUIDATING TRUST (OWNERS), STREET LEVEL INVESTMENTS (DEVELOPER), MICHAEL CLARK, WINKELMANN & ASSOCIATES, INC. (SURVEYORS/CIVIL ENGINEERS), CR ARCHITECTURE + DESIGN (ARCHITECT) AND STARLITE SIGN, LP (CONTRACTOR) CONCERNING THE PROPERTY AT 1918 NORTH U.S. HIGHWAY 75, CONTAINING 16.760 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, ALL OF LOT 1, BLOCK 2, INDEPENDENCE SQUARE, PHASE 2, SECTION 3, AND ALL OF LOT 1, BLOCK 1, JAMES PLAZA ADDITION AS FOLLOWS;

BOARD OF ADJUSTMENTS

VARIANCE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 6.8, SUBSECTION (5)(A) TO ALLOW AN 11' SETBACK FOR A FREESTANDING SIGN ON THE PROPOSED LOT 4 OF KROGER SHERMAN ADDITION IN LIEU OF 65' REQUIRED IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.

Christina Konrad, Kroger Texas, LP, 751 Freeport Parkway, Coppel, TX

Ms. Konrad appeared to represent the request and answer any questions. She requested this item be tabled.

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

A letter was received from:

Marze Brawley DDS, PO Box 910250, Sherman, TX

"I do not want the widening of Travis Street to reduce any street front real property that I own. My business sign would be in danger."

ACTION TAKEN.

Motion by Commission Member Vanderveer to table the request. Second by Commission Member Patterson.

VOTING AYE: GILBERT, THORPE, PATTERSON, VANDERVEER AND VELLOTTI

VOTING NAY: NONE

MOTION CARRIED

THE REQUEST WAS TABLED.

VARIANCE

THE REQUEST OF DEN PARTNERS LTD, BARRY L. & JESSIE BURTON, RUSSELL SPEARS AND POST OAK LIQUIDATING TRUST (OWNERS), STREET LEVEL INVESTMENTS (DEVELOPER), MICHAEL CLARK, WINKELMANN & ASSOCIATES, INC. (SURVEYORS/CIVIL ENGINEERS), CR ARCHITECTURE + DESIGN (ARCHITECT) AND STARLITE SIGN, LP (CONTRACTOR) CONCERNING THE PROPERTY AT 1912 NORTH U.S. HIGHWAY 75, CONTAINING 16.760 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, ALL OF LOT 1, BLOCK 2, INDEPENDENCE

VARIANCE – FRONT SETBACK FOR A SIGN 1918 N. HWY. 75 (DEN PARTNERS LTD, BARRY L. & JESSIE BURTON, RUSSELL SPEARS AND POST OAK LIQUIDATING TRUST (OWNERS)

(TABLED)

VARIANCE – SETBACK FOR SIGN 1912 N. U.S. HWY. 75 (DEN PARTNERS LTD, BARRY L. & JESSIE BURTON,

SQUARE, PHASE 2, SECTION 3, AND ALL OF LOT 1, BLOCK 1, JAMES PLAZA ADDITION AS FOLLOWS;

BOARD OF ADJUSTMENTS

VARIANCE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (5)(A & D) AND SUBSECTION (14)(I)(3) TO ALLOW A 5' SETBACK ALONG TAYLOR STREET FOR A 456 SQUARE FOOT FREESTANDING, MULTI-TENANT OFF-PREMISE SIGN ON THE PROPOSED LOT 5 OF KROGER SHERMAN ADDITION IN LIEU OF 25' REQUIRED IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.

RUSSELL
SPEARS AND
POST OAK
LIQUIDATING
TRUST,
OWNERS)

(DENIED)

Christina Konrad, Kroger Texas, LP, 751 Freeport Parkway, Coppell, TX

Ms. Konrad appeared to represent the request and answer any questions. The property is located at 1912 North U.S. Highway 75; the northwest corner of U.S. Highway 75 and Taylor Street. The Planning and Zoning Commission granted site plan approval for a Kroger Marketplace with outdoor dining & Fueling Station and conceptual site plan approval for a retail shopping center at the February 16, 2016 Meeting.

Ms. Konrad explained they are requesting a variance for a 30' tall, 456 square foot double-faced freestanding multi-tenant off-premise sign, 5' from the Taylor Street property line on the proposed Lot 5 of the Kroger Sherman Addition. She explained they provided a site of view identifying the sign locations in that area. She had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Gilbert explained “out of all signs requested, this one seems like it might be the most difficult. Taylor and Highway 75 is one of the busiest intersections in town and from my point of view, it seems like it might be a safety issue. I noticed where the other gas station has a pole sign, but this is a brick structure that is fifteen feet wide; it’s a pretty large sign versus a pole sign, that’s our concern.”

Ms. Konrad presented another option, “this sign is a 9’ 8” wide brick monument sign. This sign reduces the cabinet size, if your concern is the design of the sign being a brick structure, we tried to incorporate the architecture of the building; we can reduce that and do it like a pole sign and remove all the architectural elements on it.”

Chairman Gilbert stated “we appreciate that, the brick, the stone, it looks very attractive; our only concern was just the visibility with an exception being so close to Taylor Street.”

Mr. Shadden explained “masonry signs look better as a sign, but as far as the safety of the site, a pole sign is a permitted sign there. As far as the size of the sign it meets the ordinance, the setback would be questionable. Are you still asking for the same setback?”

Ms. Konrad explained “the sign setback could only be six feet if we remove the structure, it would be an additional three feet.

Compared with the other signs on Taylor, this sign would not be blocking traffic or sitting any closer than the other existing signs.”

Appearing from the audience:

Robert Minshew, 206 W. Belden, Sherman, TX

Mr. Minshew appeared representing Douglass Distributing. Mr. Minshew had some options that he presented to the board. “If you look at what I just gave you, Douglass Distributing has a service station on the corner of Taylor and Travis, they have a car wash just east of there. The car wash has an exit which comes out within just a few feet of this sign. If you can imagine, you just had your car washed, you are pulling up there ready to go out onto Taylor Street and you look to the left and what do you see; you see a huge sign. You look to the right and you can see what is coming, but when you look to the left you can’t see anything but the sign.”

“Those cars come across that bridge at 40 mph everyday and with the sign not there, you can’t see them until you get over the hill; they are going fast and they have no reason to stop if they make that traffic light on the east side of the ramp, then they don’t stop until they get to Travis Street. There is nothing to slow them down; they are going 40 mph when they go across there. If you have to pull out into the street to see if something is coming, you may get wiped out and that is the biggest problem I can see; we are going to get somebody killed if you allow that sign to completely block the visibility to the east coming out of that carwash. There is a little lesser problem coming out of the service station out there, but it is the same problem when you look to the east, you see that big ole sign before you see anything else coming across that bridge.”

“There is another problem that doesn’t show up anywhere that they have submitted, if you go right to the east of the Kroger site, there’s a little triangle in the middle of the access road, you got a right turn lane you have there with a yield sign, and if you go straight to cross Taylor or go left on Taylor, you have to stop, that stop sign is out about the same southerly distance as this sign.”

“So there are three problem areas, the biggest one coming out of the carwash, you can’t get out of that area without getting killed, another is the little stop sign down at the intersection of the access road and Taylor is dangerous also, people will have to come to a complete stop and they can’t see back to the west because of that sign. Then you have the service station people coming out, you can’t see from the east and anytime you pull onto Taylor you have to look both ways, if you can’t see both ways you could get wiped out.”

“One of your jobs is to protect the citizens and we have a very easy solution. If you look at the back of their plat, you have a 25’ setback line, if you move this sign back twenty feet and get behind that setback line all of our problems are gone. It’s the same sign, it’s still visible where all the world can see it, it’s thirty feet in the air, it’s not going to disappear because it goes back twenty feet, but it is going to save some lives.”

“There is another solution; you could put the sign up on poles, where you could see under it. Either way, just have them move it back twenty feet to get behind the setback so that we don’t get anybody killed or let them put it up on poles about ten feet in the air and then there would be no problem with visibility.”

Ms. Konrad respected what Mr. Minshew said, “we don’t want to kill anybody; that’s the last thing we want to do. If the staff proposes we put the sign on poles, we will be glad to comply with that. If you look at the site map and the layout of the signs, the five foot setback is from the right-of-way, the curb is much further out, another three feet or better where the car is going to stop for visibility. We looked at it, we reviewed it, I don’t know what he presented to you, I would be glad to look at it for another option. One option to minimize the size is to put it on poles; we could look at that issue to put it behind the right-of-way line, so that the sign is not blocking the other signs.”

Commission Member Vanderveer still had an issue with the pole at that distance, “you are going to have a cumulative effect if you are on Travis looking to the east, there are several poles that might line up and it begins to block your view coming that way or both ways; I think it is too close, either kind of sign.”

Ms. Konrad explained “we would be glad to move it towards the corner of the intersection, but usually we put the sign on the other side of the drive, but we don’t own that. The sign would be located in the drive if we move it back behind the setback line.”

Commission Member Vanderveer asked if they could do a flag sign, “a single pole and the sign is hanging toward the street, that way you are not blocking visibility.”

Ms. Konrad explained “I would be glad to, but if I put a pole twenty-five feet that will be in the parking lot; we measured it and part of it will overhang in the parking lot.”

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

Chairman Gilbert stated “my estimation, it appears that area is already somewhat congested and giving an exception to the ordinance would worsen the situation and be a safety hazard for that intersection.” He asked for a motion.

Letters were received from:

Marze Brawley DDS, PO Box 910250, Sherman, TX

“I do not want the widening of Travis Street to remove any of my real property. My sign is too close to the street right now.”

W. Douglass Distributing LTD, 325 E. Forest Ave., Sherman, TX

“As the adjacent property owner, we object to this variance request for safety and visibility reasons. Please deny this setback request and limit them to the required 25’.”

ACTION TAKEN.

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

VOTING AYE: GILBERT, THORPE, PATTERSON, VANDERVEER
AND VELLOTTI
VOTING NAY: NONE
MOTION CARRIED

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

SPECIFIC USE PERMIT

THE REQUEST OF STEVEN JORDAN (OWNER), DEBBIE
HUDNALL (REPRESENTATIVE) AND SARTIN AND ASSOCIATES
(SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 917
NORTH TRAVIS STREET, BEING 0.58 ACRES IN THE J.B.
MCANAIR SURVEY, ABSTRACT NO. 763, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER
ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO
ALLOW AUTOMOBILE SALES IN A C-1 (RETAIL BUSINESS)
DISTRICT.

SUP –
AUTOMOBILE
SALES
917 N. TRAVIS
(STEVEN
JORDAN)

**Marshall Sartin, 109 S. Travis, Sherman, TX and Debbie Hudnall,
100 W. Belden, Sherman, TX**

Mr. Sartin and Ms. Hudnall appeared to represent the request and
answer any questions. The property is located at 917 North Travis
Street; the northeast corner of Travis and Piner Evans. The
property was zoned a C-1 (Retail Business) District in 1959. An
exception was granted in 1969 to allow the canopy to be closer
than 25' to the front property line. Ms. Hudnall explained they
would like to open a small car lot on the property that has been
sitting vacant for over a year. "It will be upscale vehicles, no more
than ten to fifteen at a time. The buyer has three car lots and has
been in business twenty-one years. It would make the area look
better than just grown up grass and dead parking lot. The
business will be open 9 a.m. – 6 p.m. There will not be any repairs
or maintenance done at this location." They had seen the Staff
Review Letter and would abide by the Recommendations.

No other citizens appeared before the Planning and Zoning
Commission to discuss the Specific Use Permit.

Commission Member Thorpe asked if they could require them to
have marked parking spaces so that it is organized.

Mr. Shadden explained "as part of a condition on the Specific Use
Permit you could."

ACTION TAKEN.

Motion by Commission Member Thorpe to approve the request for
a Specific Use Permit to allow automobile sales in a C-1 (Retail
Business) District subject to having the parking spaces striped for
the cars and the Staff Review Letter. Second by Commission
Member Davis.

VOTING AYE: GILBERT, THORPE, PATTERSON, VANDERVEER,
VELLOTTI, DAVIS AND ADAMS
VOTING NAY: NONE
MOTION CARRIED

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

(RENEW) TEMPORARY USE PERMIT

THE REQUEST OF CHARLES E. ANDERSON (OWNER) AND
TRAVIS BACA (APPLICANT) CONCERNING THE PROPERTY
LOCATED AT 1330 WEST TAYLOR STREET, BEING 3.43 ACRES IN
THE J. B. MCANAIR SURVEY, ABSTRACT NO. 763, AS FOLLOWS;
BOARD OF ADJUSTMENTS

(RENEW) TEMPORARY USE PERMIT UNDER ORDINANCE NO.
2280, SECTION 8, SUBSECTION (4) (A), TO ALLOW THE
OPERATION OF A SNOW CONE STAND MAY THROUGH
SEPTEMBER IN A C-1 (RETAIL BUSINESS) DISTRICT.

(RENEW) TUP
– SNOW CONE
STAND
1330 W.
TAYLOR
(TRAVIS BACA)

Travis Baca, 802 W. Bells Blvd., Bells, TX

Mr. Baca appeared to represent the request and answer any
questions. The property is located 1330 West Taylor Street across
from Fairview Park. In December 2010, the property was rezoned
to a C-1 (Retail Business) District, but is still being used as
residential, which requires approval for a Temporary Use Permit.

Mr. Baca explained this will be the third year they will operate the
snow cone stand, but the stand has been at this location since
1999. He had seen the Staff Review Letter and would abide by the
Recommendations.

Chairman Gilbert asked if there had been any complaints against
the snow cone stand.

Scott Shadden, Director of Developmental Services responded no,
there have not been any complaints.

No other citizens appeared before the Planning and Zoning
Commission to discuss the Temporary Use Permit.

ACTION TAKEN.

Motion by Commission Member Vanderveer to approve the
Temporary Use Permit to allow a snow cone stand May through
September in a C-1 (Retail Business) District subject to the Staff
Review Letter. Second by Commission Member Thorpe.

VOTING AYE: GILBERT, THORPE, PATTERSON, VANDERVEER
AND VELLOTTI
VOTING NAY: NONE
MOTION CARRIED

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

EXCEPTION

THE REQUEST OF STEPHEN & CARNELIA BLAZO AND CHARLES AND MOLLY TROWBRIDGE (OWNERS) AND DAVID FITE SURVEYING (SURVEYOR) CONCERNING THE PROPERTY AT 4617 FARMINGTON ROAD, BEING 10.136 ACRES IN THE WILLIAM MARTIN SURVEY, ABSTRACT NO. 765, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

EXCEPTION UNDER ORDINANCE NO. 2684, SECTION 10, SUBSECTION 10.02.005 (F)(2) AND ORDINANCE NO. 2280, SECTION 7, SUBSECTION (10)(H) TO ALLOW A JOINT ACCESS GRAVEL DRIVEWAY IN LIEU OF THE REQUIRED APPROVED HARD SURFACE PRIVATE ACCESS DRIVE IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

EXCEPTION –
JOINT ACCESS
GRAVEL
DRIVEWAY
4617
FARMINGTON
RD
(STEPHEN &
CARNELIA
BLAZO AND
CHARLES AND
MOLLY
TROWBRIDGE)

Charles Trowbridge, 1413 S. Raven, Sherman, TX

Mr. Trowbridge appeared to represent the request and answer any questions. The property is located at 4617 Farmington Road between South FM 1417 (Heritage Parkway) and West Shepherd Drive. Mr. and Mrs. Blazo purchased the 10.136 acre tract earlier this year and sold five (5) acres to their daughter and son-in-law (Charles and Molly Trowbridge).

Mr. Trowbridge explained he plans to build a home on the five acre tract, setting it back 550-575 foot from the front property line. A 40 foot access easement crossing the Blazo's property was granted when Mr. and Mrs. Trowbridge purchased the property and they plan on sharing a driveway. Mr. Trowbridge requested an exception to allow a crushed granite driveway as a dustless rock surface; a concrete drive approach will be installed at Farmington Road. He had seen the Staff Review Letter and would abide by the Recommendations.

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

Commission Member Thorpe asked if there was a requirement for the base of the driveway.

Mr. Shadden responded “no, you can require that it be maintained.”

Mr. Trowbridge explained “my contract is for a base rock of 4-6 inches and finishing with granite after the trucks have all left and finals are done.”

Vice-Chairman Patterson asked “how far down Farmington Road is paved.”

Mr. Trowbridge explained “the road is asphalt in front of this lot and all the way to the railroad tracks.”

ACTION TAKEN.

Motion by Commission Member Thorpe to approve the exception to allow a joint access gravel driveway in lieu of the required approved hard surface private access drive in an R-1 (One Family Residential) District subject to having a 4”-6” base rock with

crushed granite on top for the driveway and a 30' concrete drive approach and the Staff Review Letter. Second by Commission Member Patterson.

VOTING AYE: GILBERT, THORPE, PATTERSON, VANDERVEER, VELLOTTI, DAVIS, AND ADAMS

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE

THE REQUEST OF BROCK THOMASON (OWNER), HENRY MARROQUIN (REPRESENTATIVE) AND HELVEY AND ASSOCIATES SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 1203 EAST WELLS AVENUE, BEING A PART OF LOTS 1 AND 2, BLOCK 5 OF C.L. STOWE'S ADDITION, AS FOLLOWS;

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW A 4' SIDE STREET SETBACK FOR AN ADDITION TO A RESIDENTIAL DWELLING IN LIEU OF THE REQUIRED 10' IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

Henry Marroquin, 1206 E. Wells, Sherman, TX and Brock Thomason, 1203 E. Wells, Sherman, TX

Mr. Marroquin and Mr. Thomason appeared to represent the request and answer any questions. The property is located at 1203 East Wells Avenue; the northeast corner of Wells Avenue and Charles Street.

Mr. Marroquin explained the owner would like to construct a 465 square foot addition to the existing house, 4' 9" from the side street property line; the exterior finish will be hardy board siding. "The addition will come out ten feet towards the side street." They had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Gilbert explained "typically when someone asks for a variance outside the permitted setback, there is some reason or hardship."

Mr. Marroquin explained "if they only add what the setback that is required, there is only going to be a seven foot addition and it is not going to be big enough; he is trying to add a bedroom and bathroom to the house."

Commission Member Thorpe asked if he had off-street parking for that.

Mr. Marroquin responded "no. The house is situated on a corner, when it was built, it had the same owner as the house to the left and it did not allow room for anything else. The house to the east of it has a large yard, his doesn't."

VARIANCE –
SIDE STREET
SETBACK
1203 E. WELLS
(BROCK
THOMASON)

(DENIED)

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Mr. Shadden asked if they had a driveway on the side of the house.

Mr. Marroquin explained “they do, but it is a shared driveway with the house next door; the property line goes down the middle of the driveway.”

Mr. Shadden asked if he parked in that driveway.

Mr. Marroquin explained “he does, but the other house does not; he has another driveway on the other side of his house that he uses.”

Commission Member Vanderveer asked how many bedrooms this would make the house have.

Mr. Marroquin responded “three.”

Commission Member Vanderveer explained “he would need to have three parking spaces.”

Chairman Gilbert explained “having to share a driveway, I don’t know that he can identify that as strictly his parking spaces; especially if he sells off if the neighbor decides he wants to park there. We also have to make sure it conforms to the neighborhood and that it doesn’t stick out too close to the street. I do have some concerns that this may not be the best idea.”

Chairman Gilbert asked Mr. Shadden what the City’s take was on having a shared driveway.

Mr. Shadden explained “there are State Laws when using someone else’s property, it’s all a civil matter between neighbors; sometimes one owner ends up with the title to the property. How long have you been sharing the driveway?”

Mr. Marroquin explained “he has lived there for 17 years and there has never been an issue.”

Mr. Shadden explained “the City does require one parking space per bedroom. He does have those that he is using, but they are not all on his property. The only place he could put any, would be the very back yard off the side street.”

Brock Thomason explained the house next to him is looking to sell and he plans to approach him to acquire the driveway.

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

ACTION TAKEN.

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

VOTING AYE: GILBERT, THORPE, PATTERSON, VANDERVEER AND VELLOTTI

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**VOTING NAY: NONE
MOTION CARRIED**

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

ADJOURNMENT

**On Motion duly made and carried, the meeting adjourned at 6:20
p.m.**

ADJOURNMENT

CHAIRMAN

SECRETARY