

STATE OF TEXAS §

December 18, 2018

COUNTY OF GRAYSON §

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 18, 2018.

MEMBERS PRESENT: CHAIRMAN MAHONE, VICE-CHAIRMAN ELLIOTT  
COMMISSION MEMBERS: DAVIS, DOWNTAIN, WOOD AND  
SIMS

MEMBERS ABSENT: NONE

**CALL TO ORDER**

Chairman Mahone called the meeting to order at 5:02 p.m.

**CALL TO ORDER**

**APPROVE MINUTES**

The Planning and Zoning Commission reviewed the minutes of the November 20, 2018 regular meeting. Motion by Commission Member Wood to approve the Minutes as written. Second by Commission Member Sims. All present voted AYE.

MOTION CARRIED.

**APPROVE MINUTES**

**APPOINT BOARD OF ADJUSTMENTS**

Chairman Mahone appointed the members of the Board of Adjustments: MAHONE, ELLIOTT, DOWNTAIN, DAVIS AND WOOD.

**BOARD OF  
ADJUSTMENTS**

**CONSENT AGENDA (ITEMS 11, 12 & 13)**

Consent Agenda items are considered to be routine and non-controversial items.

**CONSENT AGENDA**

A member of the audience, Florencia Valdez, 920 N. Harrison requested Item #12 "Replat approval of The Presco Addition, Being a Replat of parts of The College Park First Addition, Chaffin's Addition, Texas and Pacific Railway Company's Addition and Chaffin's First Addition" located at 1201 East Pecan Street be removed from the consent agenda.

The Commission reviewed the Consent Agenda. Commission Member Davis moved to approve the Consent Agenda Items 11 and 13 subject to the Staff Review Letters. Second by Commission Member Downtain. All present voted AYE. All present voted AYE.

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

**REPLAT – CONSENT AGENDA ITEM**

THE REQUEST OF NICOLAS & CYNTHIA DIAZ (OWNERS) AND VILBIG & ASSOCIATES, PLLC (CIVIL ENGINEER/SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 2700-2800 BLOCKS OF SOUTH FRIENDSHIP ROAD, BEING 20.102 ACRES IN THE JASON STAMPS SURVEY, ABSTRACT NO. 1115, ALSO BEING LOT 1, RMT ADDITION, AS FOLLOWS:

***PLANNING AND ZONING COMMISSION***

REPLAT APPROVAL OF LOT 1, RMT VISIONS ADDITION.

REPLAT- LOT 1,  
RMT VISIONS  
ADDITION  
2700-2800 BLOCKS  
SOUTH FRIENDSHIP  
ROAD  
(NICOLAS &  
CYNTHIA DIAZ)

The property is located in the 2700-2800 Blocks of South Friendship Road between Meadowridge Road and West O.B. Groner Road. The property is zoned an R-1 (One Family Residential) District. The owners would like to replat the property into eight (8) 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.

**REPLAT – CONSENT AGENDA ITEM**

THE REQUEST OF FIRST UNITED BANK AND TRUST COMPANY (OWNERS) AND UNDERWOOD DRAFTING & SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 401 EAST TAYLOR STREET, BEING 5.348 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763 AND PART OF BLOCK 1, INDEPENDENCE SQUARE SECTION 1, AS FOLLOWS:

***PLANNING AND ZONING COMMISSION***

REPLAT APPROVAL OF FIRST UNITED BANK – SHERMAN, BEING A REPLAT OF PART OF BLOCK 1, INDEPENDENCE SQUARE, SECTION 1.

REPLAT – FIRST  
UNITED BANK –  
SHERMAN, A  
REPLAT OF PART OF  
BLOCK 1,  
INDEPENDENCE  
SQUARE, SECTION 1  
401 EAST TAYLOR  
ST.  
(FIRST UNITED  
BANK AND TRUST  
COMPANY)

The property is located at 401 East Taylor Street; the northeast corner of Taylor Street and U.S. Highway 75. The property is zoned a C-1 (Retail Business) District and also located in the O-1 (75&82) Overlay District. The owners 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.

**EXCEPTIONS & SITE PLAN**

THE REQUEST OF EAST SHERMAN BAPTIST CHURCH (OWNERS), BLUESTONE PARTNERS (REPRESENTATIVE) AND PREMIER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2122 SOUTH FM 1417 (HERITAGE PARKWAY), BEING LOT 1, HALIBURTON ADDITION, AS FOLLOWS:

***BOARD OF ADJUSTMENTS***

- EXCEPTION AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 6.8.1 SUBSECTION

EXCEPTION –  
LANDSCAPE  
BUFFER

EXCEPTION –  
SCREENING

SITE PLAN –  
CHURCH

(6) TO NOT REQUIRE A LANDSCAPE BUFFER ALONG FM 1417 (HERITAGE PARKWAY) IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.1 (FM 1417 OVERLAY) DISTRICT.

- EXCEPTION AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 6.8.1, SUBSECTION (7) AND SECTION 7, SUBSECTION (13)(A) TO NOT REQUIRE THE DEVELOPER TO PROVIDE SCREENING BETWEEN A CHURCH AND RESIDENTIALLY ZONED PROPERTY IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.1 (FM 1417 OVERLAY) DISTRICT.

2122 SOUTH FM 1417  
(HERITAGE  
PARKWAY)  
(EAST SHERMAN  
BAPTIST CHURCH)

***PLANNING AND ZONING COMMISSION***

**SITE PLAN APPROVAL FOR EAST SHERMAN BAPTIST CHURCH.**

**Kyle Boothe, Bluestone Partners, 2414 Westhaven Ct., Sherman, TX**

Mr. Boothe appeared to represent the request and answer any questions. The property is located at 2122 South FM 1417 (Heritage Parkway); the property in front of the Water Tower across from the Pebblebrook Subdivision. The property is zoned a C-1 (Retail Business) District and also located in the O-1.1 (FM 1417) Overlay District.

Mr. Boothe explained “East Sherman Baptist Church has been in Sherman for a long time and they would like to relocate to a new campus off of FM 1417 (Heritage Parkway). They would like to construct an approximately 6,000 square foot church with a covered drive at this location. The exterior will be stucco with stone trim. Thirty-seven (37) parking spaces will be provided. We are working with some of the other neighbors in that area to try to bring back a uniquely subdivided tract that had been subdivided many years ago and is very narrow to subdivide to masterplan the tract; there are multiple vacant tracts.”

“We are requesting exceptions to not require the ten foot buffer strip along FM 1417 and screening between the church and residentially zoned properties. The building will be setback approximately 600 feet from FM 1417 (Heritage Parkway), currently there is an existing City of Sherman access drive that goes up to the water tower, it is more of a small gravel drive. We will be setback considerably on this nine acre tract; the future idea is to possibly replat the front two acres for commercial development. We are setback so far that some of the landscape requirements along the highway would be more difficult to meet, but they would definitely be in place as we develop the two acre tract. It will definitely be maintained better than it is now as we build on the property; it will be mowed and maintained, we will provide landscaping around the building.”

“As far as the screening, there are a lot of vacant tracts on both sides of this tract, we feel like the requirements were set up for a smaller site for the overlay district. The church

will be set back so far that and this is such a large tract that screening around the tract would be cost prohibitive.” 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 exceptions or site plan.

Commission Member Davis was concerned when development occurred along FM 1417 (Heritage Parkway), will they fall under the rule of landscaping.

Scott Shadden, Director of Developmental Services explained “there could be a condition that the landscaping not be required until the front three hundred feet are developed or you could leave it wide open that they not have to do it at all.”

Mr. Boothe explained “we would be open to that, if the church did that or if the future owner/developer if the property was split off; we would definitely follow the guidelines.”

“We are working with the neighbors for a private drive that would align with Park Avenue. We feel like that is going to be a key masterplan element that will help all the other tracts in the area; so if that happens it will be more of a City street.”

***Board of Adjustments***

**ACTION TAKEN.**

Motion by Commission Member Davis to approve the exception to not require a landscape buffer along FM 1417 (Heritage Parkway) and to not require screening between a church and residentially zoned property at 2122 South FM 1417 (Heritage Parkway) subject to the Staff Review Letter and limiting it to the church or if the property is developed along FM 1417 (Heritage Parkway). Second by Commission Member Downtain.

VOTING AYE: MAHONE, ELLIOTT, DOWNTAIN, DAVIS, AND WOOD.

VOTING NAY: NONE

MOTION CARRIED

***Planning and Zoning Commission***

**ACTION TAKEN.**

Motion by Commission Member Davis to approve the site plan for East Sherman Baptist Church subject to the Staff Review Letter for the property at 2122 South FM 1417 (Heritage Parkway). Second by Commission Vice-Chairman Elliott.

VOTING AYE: MAHONE, ELLIOTT, SIMS, DOWNTAIN, DAVIS, AND WOOD.

VOTING NAY: NONE

MOTION CARRIED

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

**SPECIFIC USE PERMIT**

THE REQUEST OF ABERFELDY PROPERTIES, INC. (OWNERS) AND XIAOXIANG LIU (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 2001 LOY LAKE ROAD, SUITE P, BEING 2.977 ACRES IN THE J.B. MCANAI 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 A CHILDREN'S COMMERCIAL AMUSEMENT CENTER IN A C-2 (GENERAL COMMERCIAL) DISTRICT.

SUP – CHILDREN'S  
COMMERCIAL  
AMUSEMENT  
CENTER  
2001 LOY LAKE RD.,  
STE. P  
(ABERFELDY  
PROPERTIES, INC.)

**Xiaoxiang Liu, 400 East Northcreek Drive, Sherman, TX**

Mr. Liu appeared to represent the request and answer any questions. The property is located at 2001 Loy Lake Road, Suite P between Taylor Street and Peyton Street in the Loy Lake Plaza Shopping Center. The property is zoned a C-2 (General Commercial) District.

Mr. Liu explained he would like to open "Suite P Indoor Playground" (commercial amusement center) to provide indoor entertainment for pre-kindergarten children; ages 2-6. "We will have climbing structures, slides, trampolines and riding toys. We will be open Monday through Friday for open play. When parents come in they will sign a waiver and will be responsible for watching their kids. We will also provide space for parties on weekends." They had seen the Staff Review Letter and would abide by the Recommendations.

**Stacy Coulter, 14643 Dallas Parkway #950, Dallas, TX**

Ms. Coulter explained she is Senior Property Manager with Younger Partners, we represent the owner, Aberfeldy Properties. "Mr. Liu has a lease in place pending approval of this concept. He presents well and seems to have thought out his plan. The owners are very excited about the things going on recently and are here to help him comply with whatever he needs."

Chairman Mahone asked if there were any State Agencies that regulate this type of use.

Mr. Liu responded "I don't think so."

Commission Member Sims asked how they would be staffed.

Mr. Liu explained they would have two employees, "each person will work for five days, on weekends and Friday there will be two people, Monday through Thursday there will only be one. If that is not enough, I will hire more people."

Commission Member Wood asked about the trampolines.

Mr. Liu explained “it will be a small area; one or two children will be able to jump on the trampoline at the same time. We will also have climbing structures, slides and play structures.”

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

A letter was received from:

Hokmeanheng Inc., 213 Fairway Dr., Gatesville, TX

They wrote: “I would like to have views presented by the board.”

**ACTION TAKEN.**

Motion by Commission Member Davis to approve the Specific Use Permit to allow a children’s commercial amusement center in a C-2 (General Commercial) District subject to the Staff Review Letter for the property at 2001 Loy Lake Road, Suite P. Second by Commission Member Sims.

VOTING AYE: MAHONE, ELLIOTT, SIMS, DOWNTAIN, DAVIS, AND WOOD.

VOTING NAY: NONE

MOTION CARRIED

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

EXCEPTION & SPECIFIC USE PERMIT

THE REQUEST OF WORMINGTON ESTATES LLC (OWNER), JEREMY FRIESEN (REPRESENTATIVE) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 402 SOUTH CROCKETT STREET, BEING PART OF LOT 1, BLOCK 1, DICKERMAN’S 1<sup>ST</sup> ADDITION, AS FOLLOWS:

*BOARD OF ADJUSTMENTS*

EXCEPTION AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) AND (5) AND SECTION 6.2, SUBSECTION (4) TO ALLOW OFF PREMISE PARKING IN LIEU OF THE REQUIRED 1 SPACE PER 200 SQUARE FOOT FOR AN EVENT CENTER IN A C-O (OFFICE) DISTRICT/HERITAGE ROW HISTORICAL DISTRICT.

*PLANNING AND ZONING COMMISSION*

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW A WEDDING AND PARTY EVENT VENUE WITH LIVING QUARTERS IN A C-O (OFFICE) DISTRICT/HERITAGE ROW HISTORICAL DISTRICT.

EXCEPTION – PARKING

SUP – WEDDING & PARTY EVEN VENUE WITH LIVING QUARTERS 402 SOUTH CROCKETT ST. (WORMINGTON ESTATES, LLC)

Larry Wormington, 212 E. Virginia St., McKinney, TX

Mr. Wormington appeared to represent the request and answer any questions. The property is located at 402 South Crockett Street; the southwest corner of Cherry and

Crockett Streets. The property is zoned a C-O (Office) District and also located in the Heritage Row Historical District. The property was rezoned to a C-O (Office) District, July 8, 2002 and was used as a law office for the past several years. They are requesting a Specific Use Permit to allow an event center for weddings and parties; the second floor will be used for weekend overnight rental, typically for the bride/groom's family.

Mr. Wormington explained he is the owner of Wormington Estates in McKinney and Lazy L RV Park in Sherman. “We are a small company that has renovated spaces in McKinney on the square and also an event venue space in Anna “River Ranch Chateau”. We feel we have a unique experience for marrying those two things with a historical location, coupling that with an event center venue just off the square in Sherman. Our events mostly happen Friday through Sunday, we are mirroring the River Ranch Chateau where we have large weddings there, but this will be a much smaller event space; twenty-five to fifty person weddings. We will have an area for receptions after onsite services, then the wedding party stays in the house after the events end. On that property there is a plantation style house or manor, we get contacted very often to rent the house out for small weddings; that is the reason we started searching for a property for small weddings. For us, this historic property which was built in 1905 has the components for the exterior view that will attract young couples and other events to come to Sherman to have their event. So we feel it is advantageous for us to maintain the historic roots of this property and develop it as such, so that we can both benefit, adding a high quality jewel off the square for an event space. It would bring 150-200 people to downtown Sherman that will spend money on accommodations and restaurants.”

They are also requesting an exception to allow off premise parking; First Baptist Church of Sherman is allowing use of its parking lot across the street at 425 South Crockett Street. Mr. Wormington explained “this is their back parking lot, so it really doesn’t get a lot of traffic even on weekends, plus most of our ceremonies are in the afternoon, three o’clock or later. Based on my conversation with them, they do not feel there will be a conflict with timing; most of guests will be coming in later in the afternoon or later. They had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone stated “my only concern would be if you lost that lease for some reason; then where would you be for parking.”

Mr. Wormington explained “in conjunction with that, we are working with the Episcopal Church, which has a parking lot right across the street on Cherry Street; they are willing to give us a parking agreement as well. The property next

door is vacant and we have a plan to purchase that to develop a walk in garden, gazebo and possibly add parking.”

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

Chairman Mahone asked Brandon Shelby, City Attorney if the Specific Use Permit could be contingent on the Board of Adjustments and could that be contingent on the continuation of a lease agreement.

Mr. Shadden explained “it could be contingent on the required parking be provided period. It will be up to them to provide that, whether it be through one of these avenues or something else. They will also have to go before the Historical Board to obtain a Certificate of Appropriateness.

***Board of Adjustments***

**ACTION TAKEN.**

Motion by Commission Member Davis to approve the exception to allow off premise parking in lieu of the required 1 space per 200 square foot for an event center in a C-O (Office) District/Heritage ROW Historical District located at 402 South Crockett Street subject to the Staff Review Letter and having an off-street parking lease agreement in place.  
Second by Commission Member Wood.

**VOTING AYE: MAHONE, ELLIOTT, DOWNTAIN, DAVIS, AND WOOD.**

**VOTING NAY: NONE**

**MOTION CARRIED**

***Planning and Zoning Commission***

**ACTION TAKEN.**

Motion by Commission Member Davis to approve the Specific Use Permit to allow a wedding and party event venue with living quarters in a C-O (Office) District/Heritage ROW Historical District located at 402 South Crockett Street subject to the Staff Review Letter and providing off-street parking.  
Second by Commission Member Sims.

**VOTING AYE: MAHONE, ELLIOTT, SIMS, DOWNTAIN, DAVIS, AND WOOD.**

**VOTING NAY: NONE**

**MOTION CARRIED**

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

**SPECIFIC USE PERMIT**

**THE REQUEST OF JUSTBLW3 LLC AND JUST CLOUDS, LLC (OWNERS), SHU YANG (APPLICANT) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1305 NORTH**

**SUP – AUTOMOBILE REPAIR  
1305 NORTH SAM RAYBURN FREEWAY  
(JUSTBLW3, LLC &**



**SAM RAYBURN FREEWAY, BEING 0.40 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, AS FOLLOWS:**

**JUST CLOUDS, LLC)**

***PLANNING AND ZONING COMMISSION***

**SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW AUTOMOBILE REPAIR INCLUDING MECHANICAL REPAIRS, ENGINE REPAIR, BRAKES, STEERING/SUSPENSION, ALIGNMENTS, TRANSMISSIONS, ETC. IN A C-2 (GENERAL COMMERCIAL) DISTRICT/ O-1.2 (SAM RAYBURN OVERLAY) DISTRICT.**

**Elias Yao , 1004 Park Meadow Lane, McKinney, TX**

Mr. Yao appeared to represent the request and answer any questions. The property is located at 1305 North Sam Rayburn Freeway between Evergreen and Sycamore Streets. The property is zoned a C-2 (General Commercial) District

Mr. Yao explained “I am purchasing this property and site and looking to do auto repair at this location. I will have someone else manage the business. The Specific Use Permit is to allow automotive repair and maintenance services such as engine repair, A/C repair, brakes, steering/suspension, alignments, transmissions, etc. We do not sell tires or perform body work. The last business at this location was “Just Brakes”; it has always been an automotive repair business, but it has been vacant for several years.” They had seen the Staff Review Letter and would abide by the Recommendations.

Mr. Yao asked about the permit required from the Engineering Department.

Clint Philpott, Director of Engineering explained “if you are putting in a new driveway, then you will need to get a permit, but if you are using the existing driveway, then you will not need a permit.”

Mr. Shadden explained “on the Staff Review Letter it states no outside storage, dismantled vehicles or parts are allowed; that shall be strictly adhered to.”

Mr. Yao responded “yes, any vehicles overnight will stay inside.”

Mr. Shadden explained “no fenders, tires or transmissions.”

Mr. Yao explained “we do not do tires, everything will be stored inside.”

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

**ACTION TAKEN.**

Motion by Commission Member Wood to approve the Specific Use Permit to allow automobile repair including mechanical repairs, engine repair, brakes, steering/suspension, alignments, transmissions, etc. in a C-2 (General Commercial) District/ O-1.2 (Sam Rayburn Overlay) District subject to the Staff Review Letter. Second by Vice-Chairman Elliott.

VOTING AYE: MAHONE, ELLIOTT, SIMS, DOWNTAIN, DAVIS, AND WOOD.

VOTING NAY: NONE

MOTION CARRIED

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

**ZONE CHANGE & CONCEPTUAL SITE PLAN**

THE REQUEST OF YOUNG ENTERPRISES, LP (OWNERS), DANIEL WORRELL (REPRESENTATIVE) AND DAVID BACA STUDIO (ARCHITECT) CONCERNING THE PROPERTY LOCATED AT 5005 NORTH TRAVIS STREET, BEING 3.804 ACRES IN THE ALEXANDER & RICHARDS SURVEY, ABSTRACT NO. 42, AS FOLLOWS:

***PLANNING AND ZONING COMMISSION***

ZONE CHANGE AND CONCEPTUAL SITE PLAN APPROVAL FOR YE URBAN LOFTS UNDER ORDINANCE NO. 2280, SECTION 12, FROM AN SF-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT.

ZONE CHANGE – SF-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT  
5005 NORTH TRAVIS ST.  
(YOUNG ENTERPRISES)

**David Baca, 100 North Travis, Sherman, TX**

Mr. Baca appeared to represent the request and answer any questions. The property is located at 5005 North Travis Street between Northcreek Drive and Liberty Hill Trail. The property is zoned an SF-1 (Single Family Residential) District.

Mr. Baca explained “the owners are requesting a zone change to an R-2 (Multi-Family Residential) District to construct a three story, sixty-three plus unit, apartment building on the lot. They are pursuing a boutique apartment complex; it has a smaller number of units so that the complex itself has a very personal feel. The target market of this complex is for young professionals; primarily one bedroom units, sprinkled in with a few two bedroom units. The interior is going to have a very modern feel as far as finish out; they are looking at putting in a resort style pool with other amenities, such as a walking trail and a dog park. One of the things as you look at the site plan is, we haven’t taken up every square inch with parking and building, so there is green space especially towards the front of Travis Street, even the fire lane upon approval from Engineering and the Fire Department, we are looking at using grasscrete so that it maintains the green appearance up front. The property is sandwiched between two streets and is very close to Sherman Town Center,

across the street is single family housing, one lot north is an existing apartment complex. 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 zone change or conceptual site plan.

Chairman Mahone asked about grasscrete; “what exactly is grasscrete?”

Mr. Baca explained “it is concrete squares that are hollow in the center, you put down a gravel bed; you put the concrete squares down, fill it with dirt and plant grass.”

*Planning & Zoning Commission*

**ACTION TAKEN.**

Motion by Commission Member Downtain to approve the zone change from an SF-1 (Single Family Residential) District to an R-2 (Multi-family Residential) District at 5005 North Travis Street subject to the Staff Review Letter. Second by Vice-Chairman Elliott.

VOTING AYE: MAHONE, DOWNTAIN, ELLIOTT, SIMS, DAVIS, AND WOOD.

VOTING NAY: NONE

MOTION CARRIED

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

**VARIANCE & REPLAT**

THE REQUEST OF CUPID PROPERTIES, LLC (OWNERS) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1203 SOUTH FIRST STREET, BEING LOTS 1 & 2, BLOCK 4, W.D. FITCH ADDITION, CONTAINING 0.482 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963, AS FOLLOWS:

***BOARD OF ADJUSTMENTS***

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW THREE LOTS WITH WIDTHS OF FIFTY (50) FEET IN LIEU OF THE REQUIRED SIXTY (60) FEET IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

***PLANNING AND ZONING COMMISSION***

REPLAT APPROVAL OF LOTS 1 AND 2, BLOCK 4, W.D. FITCH ADDITION.

VARIANCE – LOT  
WIDTH  
REPLAT – LOTS 1 &  
2, BLOCK 4, W.D.  
FITCH ADDN.  
1203 SOUTH FIRST  
ST.  
(CUPID  
PROPERTIES, LLC)

**Ron Barton, Cupid Properties, 715 South Sam Rayburn Freeway, Sherman, TX**

Mr. Barton appeared to represent the request and answer any questions. The property is located at 1203 South First Street; the southeast corner of Kentucky and First Streets. The property is zoned an R-1 (One Family Residential) District.

Mr. Barton explained “there is an old house on the property now and it needs to be demolished. We are

requesting to replat the property into three, 50 foot lots for residential construction; the homes will be the standard Cupid Cottage with regular setbacks.” They had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone asked if these lots would be consistent with other lots in the neighborhood.

Mr. Barton responded “yes.”

Mr. Shadden explained “there are several lots in the neighborhood this size.”

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

*Board of Adjustments*

**ACTION TAKEN.**

Motion by Commission Member Davis to approve the variance to allow three lots with widths of fifty (50) feet in lieu of the required sixty (60) feet in an R-1 (One Family Residential) District located at 1203 South First Street. Second by Commission Member Downtain.

VOTING AYE: MAHONE, ELLIOTT, DOWNTAIN, DAVIS, AND WOOD.

VOTING NAY: NONE

MOTION CARRIED

*Planning and Zoning Commission*

**ACTION TAKEN.**

Motion by Commission Member Downtain to approve the Replat of Lots 1 and 2, Block 4, W.D. Fitch Addition at 1203 South First Street subject to the Staff Review Letter. Second by Vice- Chairman Elliott.

VOTING AYE: MAHONE, ELLIOTT, SIMS, DOWNTAIN, DAVIS, AND WOOD.

VOTING NAY: NONE

MOTION CARRIED

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

**REPLAT – CONSENT AGENDA ITEM**

THE REQUEST OF PRESCO, INC. (OWNERS) AND UNDERWOOD DRAFTING & SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1201 EAST PECAN STREET, BEING 24.447 ACRES IN THE C. CARTER SURVEY, ABSTRACT NO. 229, G.B. PILANT SURVEY, ABSTRACT NO. 963, AND THE J.B. MCANAI SURVEY, ABSTRACT NO. 763 AND A PART OF THE COLLEGE PARK FIRST ADDITION, CHAFFIN’S ADDITION, PACIFIC RAILWAY COMPANY’S ADDITION AND

REPLAT – THE PRESCO ADDITION, A REPLAT OF PARTS OF THE COLLEGE PARK FIRST ADDITION, CHAFFIN’S ADDITION, TEXAS AND PACIFIC RAILWAY

**CHAFFIN'S FIRST ADDITION, AS FOLLOWS:**

***PLANNING AND ZONING COMMISSION***

**REPLAT APPROVAL OF THE PRESCO ADDITION, BEING A REPLAT OF PARTS OF THE COLLEGE PARK FIRST ADDITION, CHAFFIN'S ADDITION, TEXAS AND PACIFIC RAILWAY COMPANY'S ADDITION AND CHAFFIN'S FIRST ADDITION.**

**COMPANY'S  
ADDITION &  
CHAFFIN'S FIRST  
ADDITION  
1201 EAST PECAN  
ST.  
(PRESCO, INC.)**

**Paul Manley, 1201 East Pecan Street, Sherman, TX**

**Mr. Manley appeared to represent the request and answer any questions. The property is located at 1201 East Pecan Street bounded by Willow Street, Pecan Street, Lee Avenue and the Texas and Pacific Railroad. The property is zoned a C-2 (General Commercial) District, M-2 (Heavy Manufacturing) District and R-1 (One Family Residential) District.**

**Mr. Manley explained they would like to replat the properties into two (2) lots; "the south lot is where the manufacturing plant is located and the north end is formerly the Anderson Clayton support buildings which have been demolished; it's vacant land now and gives us flexibility for future use of the property." He had seen the Staff Review Letter and would abide by the Recommendations.**

**Florencia Valdez, 920 North Harrison, Sherman, TX**

**Mrs. Valdez wanted to know how it affects her property.**

**Chairman Mahone explained "they already have a piece of property and they are breaking it up into two lots; it will not affect your property."**

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

**ACTION TAKEN.**

**Motion by Commission Member Davis to approve the Replat of the Presco Addition located at 1201 East Pecan Street subject to the Staff Review Letter. Second by Commission Member Downtain.**

**VOTING AYE: MAHONE, ELLIOTT, DOWNTAIN, DAVIS, SIMS AND WOOD.**

**VOTING NAY: NONE**

**MOTION CARRIED**

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

**VARIANCE**

**THE REQUEST OF LYNN AND LYNNETTE FLOWERS (OWNERS) AND NBS DRAFTING & DESIGN (DRAFTSMAN) CONCERNING THE PROPERTY AT 1302 EAST LAMAR STREET, BEING LOT 1, BLOCK 1, EAST SIDE ADDITION, AS FOLLOWS;**

**VARIANCE – SIDE  
STREET SETBACK  
1302 EAST LAMAR  
ST.  
(LYNN & LYNNETTE  
FLOWERS)**

**BOARD OF ADJUSTMENTS**

**VARIANCE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (1)(3) TO ALLOW A 20' SIDE STREET SETBACK FOR A DETACHED GARAGE IN LIEU OF THE REQUIRED 25' IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.**

**Lynnette Flowers, 1302 East Lamar, Sherman, TX**

Mrs. Flowers appeared to represent the request and answer any questions. The property is located at 1302 East Lamar Street; the southeast corner of Lamar and Gribble Streets. The property is zoned an R-1 (One Family Residential) District.

Mrs. Flowers explained “we purchased a house that was built in 1986 and we are requesting a variance to construct a 957 square foot detached garage, 20' from the Gribble Street property line. The exterior of the garage will be siding to match the existing house. There is an existing flower bed and building the garage twenty-five feet from the property line would be on top of the flower bed. We have a driveway that will be in front of the one-car garage and the patio and we will provide off-street parking.” They had seen the Staff Review Letter and would abide by the Recommendations.

**Sarah Meyers, 1310 East Lamar, Sherman, TX**

Ms. Meyers explained she lives next door and “Lynnette is very meticulous and everything she has planned is perfect; she has already thought everything out and everything is fine as far as having to stare at it from our house.”

**Peter Tracy, 705 Valentine, Sherman, TX**

Mr. Tracy asked about the length of the driveway and what type of garage door is going to be on it. “If you are building it architecturally to the existing house, late 1800's to early 1900's; are they going to be swing doors or a raised door, because there may not be enough room if it has swing doors.”

Mrs. Flowers explained “it would be a raised garage door.”

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

A letter was received from:

**R.C. & Ida Hudgins, 1210 E. Lamar, Sherman, TX**

They wrote: “Good neighbors. We have no objections to the setback.”

**ACTION TAKEN.**

Motion by Commission Member Downtain to approve the variance to allow a 20' side street setback for a detached garage in lieu of the required 25' in an R-1 (One Family Residential) District located at 1302 East Lamar Street subject to the

Staff Review Letter. Second by Commission Member Davis.

VOTING AYE: MAHONE, ELLIOTT, DOWNTAIN, DAVIS, AND WOOD.

VOTING NAY: NONE

MOTION CARRIED

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

**VARIANCE & EXCEPTION**

THE REQUEST OF VIJAY ASSOCIATES, LTD (OWNERS), BOBBY WARREN, DOUGLASS DISTRIBUTING (REPRESENTATIVE) BRISTER DESIGN GROUP (ARCHITECT) AND SARTIN & ASSOCIATES, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 525 SOUTH WALNUT STREET, BEING 0.325 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, AS FOLLOWS;

**BOARD OF ADJUSTMENTS**

- VARIANCE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 6.4, SUBSECTION (1) TO ALLOW A 10' FRONT SETBACK FOR A FUELING CANOPY IN LIEU OF THE REQUIRED 25' IN A C-1 (RETAIL BUSINESS) DISTRICT.
- EXCEPTION AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (1B) TO ALLOW METAL POLES ON A FUELING CANOPY IN LIEU OF THE REQUIRED MASONRY IN A C-1 (RETAIL BUSINESS) DISTRICT.

VARIANCE – FRONT SETBACK

EXCEPTION – METAL FAÇADE  
525 SOUTH WALNUT ST.  
(VIJAY ASSOCIATES, LTD)

**Bobby Warren, Douglass Distributing, 325 E. Forest Avenue, Sherman, TX**

Mr. Warren appeared to represent the request and answer any questions. The property is located at 525 South Walnut Street; the northeast corner of Walnut and King Streets. The property is zoned a C-1 (Retail Business) District.

Mr. Warren explained the convenience store at this location was destroyed by fire in 2018 and is currently under construction, the fueling station remains. “The owners would like to repair and renovate the existing canopy to improve the structure and properly cover the existing pumps, reuse existing posts, maintain existing width and repair top frame of canopy, extending the canopy to the north and south for two pumps; the canopy will be 21' x 37'. The fueling station has been there a very long time, located ten foot from the Walnut Street property line. They plan to use Valero shrouds on the fueling canopy poles in lieu of the masonry.” 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 variance or exception.

**ACTION TAKEN.**

Motion by Commission Member Wood to approve the variance to allow a 10' front setback for a fueling canopy in lieu of the required 25' and the exception to allow metal poles on a fueling canopy in lieu of the required masonry in a C-1 (Retail Business) District located at 525 South Walnut Street. Second by Vice-Chairman Elliott.

VOTING AYE: MAHONE, ELLIOTT, DOWNTAIN, DAVIS, AND WOOD.

VOTING NAY: NONE

MOTION CARRIED

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

**ZONE CHANGE**

THE REQUEST OF ROBERTO MERAZ (OWNER), JESSICA PANIAGUA (REPRESENTATIVE) AND FINCHER LAND SURVEYING, PLLC (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 800 BLOCK OF SOUTH MONTGOMERY STREET, BEING LOTS 1 & 2, BLOCK 1, YOUNG'S ADDITION, AS FOLLOWS:

***PLANNING AND ZONING COMMISSION***

ZONE CHANGE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 12, FROM AN M-1 (LIGHT MANUFACTURING) DISTRICT TO AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

**ZONE CHANGE –  
M-1 (LIGHT  
MANUFACTURING)  
DISTRICT TO  
R-1 (ONE FAMILY  
RESIDENTIAL)  
DISTRICT  
800 BLOCK SOUTH  
MONTGOMERY  
STREET  
(ROBERTO MERAZ)**

**Jessica Paniagua, 3264 Dripping Springs Road, Sherman, TX**

Mrs. Paniagua appeared to represent the request and answer any questions. The property is located at 801 and 805 South Montgomery Street; the southeast corner of East Odneal Street and South Montgomery Street. Mrs. Paniagua explained the property is zoned an M-1 (Light Manufacturing) District and the owner would like to change the zoning on the property to an R-1 (One Family Residential) District for residential development. 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 zone change.

**ACTION TAKEN.**

Motion by Commission Member Davis to approve the zone change from an M-1 (Light Manufacturing) District to an R-1 (One Family Residential) District in the 800 Block of South Montgomery Street subject to the Staff Review Letter. Second by Commission Member Downtain.

VOTING AYE: MAHONE, ELLIOTT, DOWNTAIN, DAVIS, AND WOOD.



VOTING NAY: NONE  
MOTION CARRIED

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

VARIANCE & SPECIFIC USE PERMIT

THE REQUEST OF HENRY BLUME LOE, JR. (OWNER), KENT HUGHLETT, ARCHITECT PLLC (ARCHITECT/REPRESENTATIVE), SARTIN & ASSOCIATES, INC. (SURVEYOR) HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 817 NORTH SAM RAYBURN FREEWAY, BEING 0.45 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, AS FOLLOWS:

*BOARD OF ADJUSTMENTS*

VARIANCE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 6.4, SUBSECTION (1) TO ALLOW A 25’ SETBACK FROM THE SAM RAYBURN FREEWAY PROPERTY LINE (FRONT SETBACK) IN LIEU OF THE REQUIRED 45’ AND A 20’ SETBACK FROM THE ELM STREET PROPERTY LINE (SIDE SETBACK) IN LIEU OF THE REQUIRED 35’ FOR A DIGITAL BILLBOARD IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.2 (SAM RAYBURN OVERLAY) DISTRICT.

*PLANNING AND ZONING COMMISSION*

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW A DIGITAL BILLBOARD IN A C-1 (RETAIL BUSINESS) DISTRICT/ O-1.2 (SAM RAYBURN OVERLAY) DISTRICT.

Kent Hughlett, 529 S. Crockett Street, Sherman, TX

Mr. Hughlett appeared to represent the request and answer any questions. The property is located at 817 North Sam Rayburn Freeway; the southeast corner of Elm Street and North Sam Rayburn Freeway. The property is zoned a C-1 (Retail Business) District and also located in the O-1.2 (Sam Rayburn Overlay) District.

Mr. Hughlett explained “the owner is requesting a Specific Use Permit to allow a digital billboard, he has been thinking about this for a while and would like to push the billboard as far to the north of the property as possible so that he could put another building on the property. If we followed the billboard setback requirements, it would put the billboard in the center of the property and it would not be usable for another purpose. He is in the process of looking at a regular billboard or a digital billboard, he really hasn’t made up his mind; we are asking for the most extreme condition, if it is cost feasible he would go ahead and put that in. The nearest billboard is 2,083.56 feet located at the southeast corner of East Sycamore Street and North Highway 75; a surveyor did go out to verify the distance.” They had seen the Staff Review Letter and would abide by the Recommendations.

VARIANCE - SETBACKS

SUP & SITE PLAN - BILLBOARD

817 NORTH SAM RAYBURN FREEWAY (HENRY BLUME LOE, JR.)

(DENIED)

Chairman Mahone asked if any of the other billboards in the area are digital.

Mr. Shadden did not think they were digital. “There is one on Highway 82 and two on Highway 75 north.”

Commission Member Davis explained he had heard there would not be any more billboards within the City Limits of Sherman.

Mr. Shadden explained “it is very restrictive of where you put them. I am not aware of any variances for the setbacks that have been granted by the board. The billboards that are there now were conforming to the ordinance. The ordinance has changed since some of the billboards were put in.”

Peter Tracy, 705 Valentine, Sherman, TX

“When we are talking about billboards in today’s world, my concern is the distance from the street, are we talking about a pedestal billboard or a ground level billboard. I have encountered a number of billboards that are on the ground that are digital like this and when you are coming out to the street, it literally blocks your view at this distance, that is going to be obstructing traffic view. If it is on a pedestal that means you are going to have a mast and at 25’ there is going to be a lot more visibility.”

Chairman Mahone explained “it is on a pedestal; it looks like it is roughly 30’ above grade, the top of the billboard is 40’.”

Joey Fritts, 108 N. Travis, Sherman, TX

Mr. Fritts provided pictures and a petition with fifteen names against the billboard. “As you can see from the pictures that I provided you, the billboard that is being discussed tonight sits on a small nodular of land, comes out from Elm and the service road of Highway 75. If you look at the picture of the where the billboard is imposed of about where it would be located, you might be able to see Mrs. Corley’s car that is parked right up the hill, her home sits right behind there, she has lived there for fourteen years. If that billboard is put in there so that it lit, I think most of you have seen the billboards that are out on the Highways 82 and 75 are quite bright even though your limit is less than one foot-candle at two hundred feet. Even at that limit, as bright as they are, this billboard is going to be extremely bright for Mrs. Corley living directly behind the billboard.”

“It turned out that there were quite a few people in the area that were concerned about the same things I am going to comment on today. We understand Mr. Loe’s interest, he wants to utilize his property, but to do it with a billboard in this particular area, affects a lot of people in a negative way to make that one particular property more valuable.

The lights from the billboard are going to be quite bright both night and day. A lighted billboard is going to shine into Mrs. Corley's home in almost every window she has, constantly, 365 days a year. We would ask that you deny this request. We feel the small increase on this particular property will drop the value of properties in the area, this is an older area with older homes that have been taken well care of, there are people that have just moved in there, so we have people that have just taken over those homes in the last month and people that have lived there for many years; it is a varied neighborhood. We are concerned about the fact that when those places were bought, the setbacks that are in place were relied on and there is a good reason for that. The reliance on those ordinances and investments in their properties after years of being there, if this variance for a billboard is granted, puts that in jeopardy."

"Mr. Loe wants to better his property and make a profit, but he has a duty to at least research that property prior to buying it to be sure there wasn't something keeping them from using it from whatever he chooses to use it for and since those people that were living there had the same duty they would ask you to continue the same requirements; in fact they would ask you not to grant a permit for the billboard there at all. I heard the representative say they wanted to place the billboard there along with another business, I don't know what else he has in mind, but I don't think he would be faced with quite as much opposition if there were a one-story building there or some other kind of use for the property, simply because it would not cause the same hardships on the rest of the neighborhood. A one-story building with offices or whatever are not going to cause the same problems because of the elevations of the properties. In this case, Mrs. Corley's property and the rest of the properties behind it are elevated up from where this billboard would actually be placed. To give these variances would put the sign even lower, dropping the lit portion of the laser lights farther down making it even more insistent into these neighborhoods."

"There has been some crashes at that area recently and that billboard is designed to catch your attention, which distracts the people driving down the road. If the Commission approves this variance it is highly likely other people will want the same variances and we will wind up with more requests for billboards, which could become eyesores for people that want to come to the area. We hope that you do not grant this request for the billboard."

**Hillary Lindsey, 222 W. Brockett, Sherman, TX**

Ms. Lindsey explained she owns a birth center that was started years ago and "when I am looking down my street that board is going to be flashing right into our birth rooms. I bought the place because it is an old home even though it is considered a commercial building, in my birth

center we try to create a nice homey atmosphere for our mothers to give birth and I think it would be horrible distraction. I also spoke to Mac Broiles this morning who owns a lot of the commercial buildings in that area and he told me to speak for him that he does not want it there either.”

**Rhonda Corley, 810 N. Elm, Sherman, TX**

Mrs. Corley explained “from the north side of my house, I have five French windows that have no covering on them and we have been able to enjoy an unobstructed view out of those windows, so the snapshot that you have is actually looking out of my living room. Right across the street, if you could stand on the lot and walk straight across the highway going west, there is that on-ramp going onto the highway and I’m sure it would be for me to come up with how many accidents that have happened there in the past year, but I have witnessed about ten, in the past week, I have witnessed two, one this morning; I have actually witnessed two in the same night. The fact that there would be another distraction there is disturbing to me. We are on a hill and some of these people that are here, their elevation is actually ten or fifteen feet higher than mine on the other side of Elm Street and they would actually be facing the billboard head on out of their windows.”

**Ruth Williamson, 227 S. Travis, Sherman, TX**

Mrs. Williamson explained she owns a business at 227 South Travis Street in downtown Sherman. “My concern is a lot of people have addressed the brightness of the digital billboard which is a concern, but the other thing I wanted to mention is what I call the gateway effect to the downtown. I’m on a southern entrance gateway and this is on a northern entrance gateway and what I would like to see downtown is those places that we come in over time that we continually work to improve that view as we enter downtown, whether it is Houston or Lamar, north or south Travis off the highway. I am not asking for anyone to change the way they are using their property but as property uses come up that we think about what does our town look like as we come into it and that is my concern about putting any billboard at all, because they could choose not to build a building or putting a billboard right in the middle of a lot and not have to ask for anything; is that correct. So they could put a billboard there and not have to ask anyone and be able to impact this neighborhood. It is really beyond the homeowners, it is all of us and the impression our town makes and particularly as we develop downtown as a destination for people, what is it that they are going to see as they come in.”

Mr. Shadden explained “they would have to ask for a Specific Use Permit for the billboard.”

Karrie J. Lynn, 811 N. Elm, Sherman, TX

Ms. Lynn explained she is a very new resident to Sherman, “I purchased my house in September and it is directly across the street from this billboard. The reason I purchased the home is because it is in a beautiful neighborhood, it is up on the hill, and I have a picture that was taken from my porch that points right down. I have seven or eight windows that look onto Elm Street and it would directly impact twenty-four hours a day my view. I don’t know that had a large billboard been there that I would have bought this house.”

Mr. Hughlett explained “I don’t think that Mr. Loe wants to be a bad neighbor, I don’t think that is what his intention was, but the development all along the commercial emphasis have this type of advertisement, these type of facilities; it would still be fitting of what is going on, even though there is some adjacency to the residential. With the issues that have been brought up, we are not looking to make any enemies. I don’t know if it is the brightness of the light or the billboard would be the issue; Mr. Loe might look at not doing a lit billboard.”

Dr. Thomas W. Nuckols, 2341 Canyon Creek, Sherman, TX

Dr. Nichols explained “I am the Professor Emeritus of Ethics at Austin College and I’m Social Ethicist and ethics has to do value of dimension of decision making and the social ethicist has to do with value dimension in decision making in decisions that we make socially not as individually and this is an example of a social ethics decision, that I’m raising explicitly following up the comments of so many made that have to do with value dimension. For example, we talk about Classic Town, Broad Horizon, both of those have to do with esthetics, they have to do with appearance, they have to do with beauty and if you walk outside and you walk around what you would see pictures of; you see pictures of our City and some of those pictures are not very aesthetically pleasing. For example, in downtown, you have electric lines, you have telephone poles and so on, a terrible clutter and what’s happened to that, we don’t allow that anymore, you have to have underground utilities, it is more expensive to put them underground, it’s much more difficult to repair them, but we are willing to pay those cost for esthetic reasons that is for something that is pleasing, that is something that is beautiful, that is something that makes you a classic town and broad horizon means being able to see far.”

“I live on Canyon Creek Drive, one of the most desirable, one of the most expensive streets in Sherman, why is it desirable, why is it expensive, our back yards are on the creek, it’s beautiful, it’s trees and we have big lots, all of those are for aesthetic social purposes, many other people have spoken to this about the alliance and I’m empathizing and adding even when there isn’t the problem of light, even

when there isn't the problem of blocking your vision, it's clutter and I frankly would like to support those who say we don't want large signage in downtown and especially where you can see from the distance."

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

A letter was received from:

Rhonda Corley, 800 N. Elm, Sherman, TX

Mrs. Corley was concerned with it not being compatible with the current neighborhood, lighting, safety and being an eyesore.

Petitions were received with 37 signatures.

Commission Member Wood felt safety was a huge issue, "the speed limit through there, there are wrecks, not fender benders, fatality accidents, lots of them; I think it would be irresponsible to put a billboard there."

Commission Member Sims agreed.

*Board of Adjustments*

**ACTION TAKEN.**

Motion by Commission Member Downtain to deny the request for variance for a digital billboard in a C-1 (Retail Business) District/O-1.2 (Sam Rayburn Overlay) District located at 817 North Sam Rayburn Freeway based on what was heard and what was presented tonight. Second by Commission Member Davis.

VOTING AYE: MAHONE, ELLIOTT, SIMS, DOWNTAIN, DAVIS, AND WOOD.

VOTING NAY: NONE

MOTION CARRIED

*Planning and Zoning Commission*

**ACTION TAKEN.**

Motion by Commission Member Davis to deny the request for a digital billboard in a C-1 (Retail Business) District/O-1.2 (Sam Rayburn Overlay) District located at 817 North Sam Rayburn Freeway based on what was heard and what was presented tonight. Second by Commission Member Sims.

VOTING AYE: MAHONE, ELLIOTT, SIMS, DOWNTAIN, DAVIS, AND WOOD.

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

ADJOURNMENT

**PLANNING & ZONING COMMISSION MINUTES – DECEMBER 18, 2018**

**at 6:42 p.m.**

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**CHAIRMAN**

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**SECRETARY**