

STATE OF TEXAS §
COUNTY OF GRAYSON §

April 16, 2019

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 April 16, 2019.

MEMBERS PRESENT: CHAIRMAN MAHONE
COMMISSION MEMBERS: DAVIS, DOWNTAIN, SIMS AND
MANLEY.

MEMBERS ABSENT: ELLIOTT AND WOOD

CALL TO ORDER

Chairman Mahone 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 March 19, 2019 regular meeting and the March 28, 2019 Training Workshop special called meeting. Motion by Commission Member Downtain to approve the Minutes as written. Second by Commission Member Davis. All present voted AYE.

MOTION CARRIED.

APPROVE MINUTES

APPOINT BOARD OF ADJUSTMENTS

Chairman Mahone appointed the members of the Board of Adjustments: MAHONE, DOWNTAIN, DAVIS, MANLEY AND SIMS.

**BOARD OF
ADJUSTMENTS**

CONSENT AGENDA (ITEMS 7, 9, 15, 16 & 22)

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

CONSENT AGENDA

The Commission reviewed the Consent Agenda. Commission Member Davis moved to approve the Consent Agenda as presented 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.

FINAL PLAT – CONSENT AGENDA ITEM

THE REQUEST OF JOSE MENJIVAR (OWNER) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 2400 BLOCK OF NORTH HICKORY STREET, BEING 0.9956 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

**FINAL PLAT –
MENJIVAR’S FIRST
ADDITION
2400 BLK. N.
HICKORY
(JOSE MENJIVAR)**

FINAL PLAT APPROVAL OF MENJIVAR’S FIRST ADDITION.

The property is located in the 2400 block of North Hickory Street between Lamberth Road and Pelton Street. The property is zoned an R-1 (One Family Residential) District. 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.

REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF AUSTIN COLLEGE (OWNER) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 1900 BLOCK OF NORTH GRAND AVENUE AND THE 1100 BLOCK OF NORTH FRISCO ROAD, BEING PART OF THE J.B. MCANAI SURVEY, ABSTRACT NO. 763 AND ALL OF LOTS 1, 2, 3, AND 4, PLAT OF J.S. HEFNER’S DIVISION, CONTAINING 6.033 ACRES, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF AUSTIN HAWTHORN ADDITION, A REPLAT OF LOTS 1, 2, 3 & 4, PLAT OF J.S. HEFNER’S DIVISION OF 2.11 ACRES OF J.B. MCANAI SURVEY.

REPLAT AUSTIN HAWTHORN ADDITION, A REPLAT OF LOTS 1, 2, 3, & 4, PLAT OF J.S. HEFNER’S DIVISION OF 2.11 ACRES OF J.B. MCANAI SURVEY 1900 BLK. N. GRAND AVE. & 1100 BLK. N. FRISCO RD. (AUSTIN COLLEGE)

The property is located in the 1900 Block of North Grand Avenue and the 1100 Block of Frisco Road. The property is zoned an M-1 (Light Manufacturing) District. The owner would like to plat the property into two lots to sell the lots. 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 EQUITY TRUST CO. (OWNER), KALENA COOK (REPRESENTATIVE) AND OWENS LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1000 SOUTH GRIBBLE STREET, BEING 2.432 ACRES IN THE G. B. PILANT SURVEY, ABSTRACT NO. 963, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

FINAL PLAT APPROVAL OF OPEL ADDITION.

FINAL PLAT – OPEL ADDITION 1000 S. GRIBBLE ST. (EQUITY TRUST CO.)

The property is located at 1000 South Gribble Street between Thomas and Hub Streets. The property is zoned an R-1 (One Family Residential) District. The owner would like to plat the property into three 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 RAMIRO & LETICA ALVAREZ (OWNERS) AND PRESTON TRAIL LAND SURVEYING, (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 1200 BLOCK OF SOUTH AUSTIN STREET AND THE 400 BLOCK OF WEST DULIN STREET, BEING ALL OF LOTS 5 AND 6, BLOCK 16, B.H. MOORE HEIRS ADDITION, CONTAINING 0.764 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF LOTS 5 AND 6, BLOCK 16, B.H. MOORE HEIRS ADDITION.

REPLAT LOTS 5 & 6,
BLK. 16, B.H. MOORE
HEIRS ADDITION
1200 BLK. S. AUSTIN
ST. & 400 BLK. W.
DULIN ST.
(RAMIRO & LETICA
ALVAREZ)

The property is located in the 1200 block of South Austin Street and the 400 block of West Dulin Street, the northeast corner of Austin and Dulin Streets. The property is zoned an R-1 (One Family Residential) District. The owner would like to plat the property into three lots for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

Letter received from:

Mrs. Carmen Martin, 1228 S. Crockett St., Sherman, TX

“My concern is the number of cars already parked on Dulin Street and Austin. There are times when I have to wait to go east or west, as there is only room for one car at a time, as cars are parked on both sides of the street. Will this add additional cars to be parked in the street?”

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

SITE PLAN – CONSENT AGENDA ITEM

THE REQUEST OF SHERMAN STORAGE 1, LLC AND RCH SHERMAN TIC LLC (OWNERS), MIKE SEERY (APPLICANT) AND ROD TATCHIO, TATCHIO & ASSOCIATES (ARCHITECT) CONCERNING THE PROPERTY LOCATED AT 2105 SOUTH FM 1417 (HERITAGE PARKWAY), BEING LOT 3B, BLOCK 1, REPLAT OF LOT 3 OF COMMUNITY USA ADDITION, AS FOLLOWS:

PLANNING AND ZONING BOARD

SITE PLAN APPROVAL FOR THE ADDITION OF A SELF-STORAGE FACILITY.

SITE PLAN –
ADDITION TO SELF-
STORAGE FACILITY
2105 S. FM 1417
(HERITAGE
PARKWAY)
(SHERMAN
STORAGE 1, LLC &
RCH SHERMAN TIC
LLC)

The property is located at 2105 South FM 1417 (Heritage Parkway) between Park Avenue and OB Groner Road. The property is zoned a C-1 (Retail Business) District and located in the O-1.1 (FM 1417) Overlay District. A Specific Use Permit to allow the addition of a self-storage facility was approved July 17, 2017. An exception to allow the addition of the self-storage facility to have an exterior metal facade in lieu of required masonry was approved June 20, 2017 with the condition of bricking the west end of the two buildings which are visible through the fence on the west side of the property facing the highway.

The owner would like to construct an 11,975 square foot addition to the existing self-storage facility; the exterior finish on the addition will be metal. The storage facility is surrounded by a perimeter masonry wall on the exterior buildings. 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 & SITE PLAN

THE REQUEST OF PATTERSON INVESTMENT PROPERTIES LP (OWNERS) JIMMY YOUNG (APPLICANT) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 5820 AND 5922 TEXOMA PARKWAY, BEING 5.52 ACRES IN THE DANIEL C. SHELP SURVEY, ABSTRACT NO. 1097 AND THE J.B. SHANNON SURVEY, ABSTRACT NO. 1085 INCLUDING ALL OF BLOCK 1 OF SHERMAN MINI WAREHOUSE ADDITION, AS FOLLOWS:

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (1B) TO ALLOW A METAL EXTERIOR FAÇADE WITH BRICK WAINSCOT IN LIEU OF THE REQUIRED MASONRY FOR AN ICE VENDING MACHINE KIOSK IN A C-2 (GENERAL COMMERCIAL) DISTRICT.

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR AN ICE VENDING MACHINE KIOSK.

EXCEPTION -
FACADE

SITE PLAN – ICE
VENDING MACHINE
KIOSK
5820 & 5922 TEXOMA
PARKWAY
(PATTERSON
INVESTMENT
PROPERTIES, LP)

Jimmy Young, 1133 Preston Rd., Denison, TX

Mr. Young appeared to represent the request and answer any questions. The property is located at 5820 and 5922 Texoma Parkway between Woodlake Road and FM 691. The property is zoned a C-2 (General Commercial) District.

Mr. Young explained he would like to place an ice vending machine kiosk at this location. He did not think the rock or brick surrounding the building was feasible and would like to be approved for an exception. The building is 6.5' x 12' and I would like to have metal underpinning instead of masonry all the way around. He had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone explained the request states with a brick wainscot around the bottom of the building.

Mr. Young explained he would do that if needed to be.

Chairman Mahone explained that is the request to have a masonry wainscot on the kiosk. There is a picture in our packet showing the brick wainscot at the bottom of the building.

Mr. Young explained that is actually a machine in Anna that I used as an example. He provided examples of two ice

vending machines already located in Sherman, one on Texoma Parkway and another on East Lamar Street.

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

ACTION TAKEN.

Motion by Commission Member Davis to approve the exception to allow a metal exterior façade with brick wainscot and site plan approval for an ice vending machine kiosk for the property located at 5820 and 5922 Texoma Parkway. Second by Commission Member Downtain.

VOTING AYE: MAHONE, DOWNTAIN, DAVIS, MANLEY AND SIMS.

VOTING NAY: NONE

MOTION CARRIED

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

SPECIFIC USE PERMIT

THE REQUEST OF J TOLAND'S CONTINENTAL STYLISTS (OWNERS), BARBIE WRIGHT (REPRESENTATIVE) AND OLGA KLADOVA (APPLICANT) CONCERNING THE PROPERTY LOCATED AT 614 EAST LAMBERTH ROAD, BEING LOT 1, BLOCK 4, DR. J.H. CARRAWAY'S SUBDIVISION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW MICRO BLADING/PERMANENT MAKE UP IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1 (75 & 82 OVERLAY) DISTRICT.

SUP – MICRO-
BLADING/
PERMANENT
MAKEUP
614 E. LAMBERTH
(OLGA KLADOVA)

Barbara Wright, 614 E. Lamberth, Sherman, TX

Mrs. Wright appeared to represent the request and answer any questions. The property is located at 614 East Lamberth Road; the southwest corner of Lamberth Road and Masters Street. J Toland's Continental Stylists is the tenant. The property is zoned a C-1 (Retail Business) District and it is also located in the O-1 (75 & 82) Overlay District.

Mrs. Wright explained Olga Kladova would like to perform micro-blading and permanent makeup for their customers at J. Tolands's Continental Stylists. She will be using a fine blade to draw hair strokes on the eyebrow area for micro-blading and using a machine to fill in eyebrows, lips and apply eyeliner with a chosen color for permanent makeup. The treatment is semi-permanent and typically last 1-3 years. 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.

ACTION TAKEN.

Motion by Commission Member Manley to approve the Specific Use Permit to allow micro blading/permanent make up in a C-1 (Retail Business) District/O-1 (75 & 82 Overlay) District at 614 East Lamberth Road subject to the Staff Review Letter. Second by Commission Member Davis.

VOTING AYE: MAHONE, DOWNTAIN, DAVIS, MANLEY AND SIMS.

VOTING NAY: NONE

MOTION CARRIED

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

TEMPORARY USE PERMIT

THE REQUEST OF GLENDA HUNTER (OWNER) CONCERNING THE PROPERTY AT 1803 E. MAY STREET, BEING LOTS 1 & 3, BLOCK 3, MILAN HEIGHTS ADDITION, 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 AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

**TUP – SNOW CONE
STAND
1803 E. MAY
(GLENDA HUNTER)**

Glenda Hunter, 1814 E. May Street, Sherman, TX

Mrs. Hunter appeared to represent the request and answer any questions. The property is located at the northeast corner of May and Ross Streets. This is a renewal for the snow cone stand that has been in operation at this location since 1998.

Mrs. Hunter explained we have not opened the stand in a couple of years, but we would like to reopen this summer. She 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 Temporary Use Permit.

ACTION TAKEN.

Motion by Commission Member Sims to approve the Temporary Use Permit to allow a snow cone stand May through September in an R-1 (One Family Residential) District located at 1803 East May Street subject to the Staff Review Letter. Second by Commission Member Manley.

VOTING AYE: MAHONE, DOWNTAIN, DAVIS, MANLEY AND SIMS.

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE & SPECIFIC USE PERMIT

THE REQUEST OF DANNY FULLER (OWNER), JOSHUA FULLER (APPLICANT) AND JEREMY W. BULLARD DESIGN STUDIO, LLC (ARCHITECT) CONCERNING THE PROPERTY LOCATED AT 212 NORTH CLEVELAND AVENUE, BEING THE SOUTH 22' OF LOTS 6 & 7 AND THE NORTH 20' OF LOT 8, BLOCK 32, COLLEGE PARK ADDITION, AS FOLLOWS:

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW A 5' SIDE YARD SETBACK ON THE NORTH PROPERTY LINE IN LIEU OF THE REQUIRED 9'2" FOR A DUPLEX IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW A DUPLEX IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

Danny Fuller, 1610 Idlewood Dr., Sherman, TX

Mr. Fuller appeared to represent the request and answer any questions. The property is located at 212 North Cleveland Avenue between Chaffin and Pecan Streets. The property is zoned an R-1 (One Family Residential) District.

Mr. Fuller explained he would like to construct a duplex at this location. The exterior facade will be hardy board siding. "We are requesting a variance to allow a 5' side yard setback on the north property line because myself and the property owner to the south are trying to purchase property in between us. I will be coming back with a replat to establish a lot between us and the property owner to the south of this lot. I would like to get this building started if it is approved for a duplex to give us room to build a three-bedroom, one car garage duplex on the lots. The lot is presently ninety-two (92) feet wide. The variance is in preparation of obtaining additional property to the south and coming back with a replat for two, sixty-foot lots." 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 Specific Use Permit.

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Downtain to approve the variance to allow a 5-foot side setback along the north property line and the Specific Use Permit to allow a duplex located at 212 North Cleveland Avenue. Second by Commission Member Sims.

VOTING AYE: MAHONE, DOWNTAIN, DAVIS, MANLEY AND SIMS.

VARIANCE – SIDE SETBACK

SUP - DUPLEX
212 N. CLEVELAND
(DANNY FULLER)

VOTING NAY: NONE
MOTION CARRIED

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

SPECIFIC USE PERMIT

THE REQUEST OF W.C. NIX III (OWNER), G'S MIND AND BODY ALTERATIONS (PROPOSED TENANT) AND KENNON MORRIS (APPLICANT) CONCERNING THE PROPERTY LOCATED AT 125 NORTH TRAVIS STREET, BEING 0.1382 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 TATTOO STUDIO AND VAPE SHOP IN A C-1 (RETAIL BUSINESS) DISTRICT/CENTRAL BUSINESS DISTRICT.

SUP – TATTOO
STUDIO & VAPE
SHOP
125 N. TRAVIS
(W.C. NIX III)

(DENIED)

Kennon Morris, 1088 Preston Meadows Rd., Sherman, TX

Mr. Morris appeared to represent the request and answer any questions. The property is located at 125 North Travis Street, the southeast corner of Travis and Wall Streets. The property is zoned a C-1 (Retail Business) District and located in the Central Business District.

Mr. Morris explained, "G's Mind and Body Alterations is currently located at 2916 North Highway 75, Suite 570, we would like to move to this location. G's Mind and Body Alterations does custom tattooing and piercings. They also sells tobacco accessories (tobacco pipes, water pipes, papers, etc.) body detox, body jewelry, E-cigs., vape juices and accessories, novelties, gifts and CBD products. We have been compliant at our current location for over five years; before that, we were in Denison for over fifteen years. If approved, we hope to put in a humidior and expand our vape products." He had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone asked if he was going to occupy the entire building or one side or the other; it looks like it is partitioned down the middle.

Mr. Morris responded, "yes, the whole building, so that we can separate our tattoo side from our retail side."

Chairman Mahone asked if they would be operated as two separate businesses.

Mr. Morris explained, "we are currently one business, but it does have a hallway partitioned down the center that is connected by various doorways. Right now, the front half of our suite is tattoo/piercings and the back half is retail. This would allow us to put retail on one side and tattoo/piercings on the other."

Chairman Mahone explained, “it has some big display windows on the front also.”

Mr. Morris stated, “yes, we would like to place a mural on the wall facing Wall Street to go along with the murals that are already there on other buildings.”

Chairman Mahone explained, “we received five letters in opposition and a petition with eighty-three signatures in opposition.”

Commission Member Davis asked the hours of operation.

Mr. Morris explained, “they currently are open 10 a.m. – 8 p.m., throughout the week, 10 a.m. – 10 p.m. Friday and Saturday and 11 a.m. – 5 p.m. Sunday. I possibly may have a new artist coming on tomorrow, I would like to extend my weekly hours to 10 a.m. – 10 p.m., but if that is a problem in the downtown area, I do not mind keeping the 10 a.m. – 8 p.m.”

Chairman Mahone asked if the City dictates hours of operation.

Brandon Shelby, City Attorney responded, “not that I am aware of.”

W.C. Nix III, 125 N. Travis, Sherman, TX

Mr. Nix explained he has owned the property at 125 North Travis Street for approximately five years. “We have improved the building and love being in downtown Sherman; it used to be the Babcock Store. I went out to G’s Mind and Body tattoo shop, I have never been in a tattoo shop, it is almost like going into a hospital, it was neat, clean, and orderly. He has agreed with my terms for the lease. I would appreciate the board approving this request. This is a retirement property.”

Sean Vanderveer, 113 North Travis, Ste. 300, Sherman, TX

Mr. Vanderveer explained, “as you are aware, downtown has had a huge revitalization. There are many events that pass this particular building: Homecoming parades, Christmas parades, Trick or Treat on Travis that are very kid friendly. The downtown has been made a family friendly area. An investment group has spent a tremendous amount to create Old Iron Post, across the street, Los Hermanos has spent a lot of money to open that building back up, we have spent a lot of money for our building in the center of Travis Street; we are creating a family friendly environment. When I was first called about this, it was not the tattoo shop that concerned me, it is the tattoo plus, it is everything else. Our bedroom is 115 feet from this building, our children play on the empty lots, and we are working on an event center. We want more retail, restaurant and residential downtown. I hope that you will keep that in mind as to what this may do as an impact to the downtown area. We personally as an

investment group do not feel that this fits downtown; we do not feel that it fits the family environment that has been created.”

W.C. Nix III, 125 N. Travis, Sherman, TX

Mr. Nix explained, “when Mr. Morris approached me on this building, I called Sean Vanderveer and he said he did not have a problem with it; we would treat it as another downtown business.”

Mr. Vanderveer responded, “it was also addressed as a tattoo studio; that was all that was mentioned.”

Mr. Morris explained, “we are family oriented ourselves, we have three small children; thirteen, ten and ten. It is a family owned and operated business since 1995. We do not allow anyone in under the age of eighteen into the retail section of our current store; it is strictly eighteen and up. The tattoo side is eighteen as well, unless they are accompanied by a parent or guardian that is coming in to receive a tattoo or piercing.”

“In the new building, people that are passing down the sidewalk, there are the large display windows in the front; we would keep all tobacco products towards the center of the retail section. It will allow us to display art to go along with the Arts District Downtown. We have always been supporters of local benefits; cancer, breast cancer, the County Sheriff’s benefit that recently went on and the kid’s toy run every year. We have always been very community based. We keep our tobacco products centered towards adults. The CBD’s, ours are all completely third party lab tested and guaranteed zero THC in any of our products. Many customers purchase those for ailments for asthma, arthritis, chronic pains, post-traumatic stress disorder (PTSD) chronic pains; we are currently next to the recruiting office.”

Chairman Mahone explained, “it sounds like the community is concerned about maybe the body jewelry, gifts, novelties, water pipes, other pipes being displayed in those windows.”

Mr. Morris explained, “I would like to expand our clothing as well, we used to have custom T-shirts, hats and everything; that’s the kind of things I would like to display in our front, clothing as we are able to build back up.”

Michelle Cole, 121 E. Wall Street, Sherman, TX

Ms. Cole asked, “what the mind altercations mean; does that mean sex toys, from my understanding that is what I take from mind alteration. As a family business that I am running downtown, I am not ok with that. The tattooing is fine, but the mind alterations, I need a clarification what that means.”

Chairman Mahone asked Mr. Morris, “the name is G’s Mind and Body Alterations, could you talk about mind alteration and about sexually oriented devices.”

Mr. Morris responded, “we carry no sexually oriented products; all of ours are for novelty use, gifts that you would purchase for a bachelor party or gag gifts; everything is for novelty use only or tobacco use; there are no sexually oriented products. The mind alterations are a play on words, nicotine is a mind-altering substance and that sort of thing. Mind and body alterations fit with the tobacco products as well as altering the body with the tattoos and piercings.”

Chairman Mahone asked Scott Shadden, Director of Developmental Services “if there were any sexually oriented products, would they need a different Specific Use Permit for that; this one would not allow them to do that, even though they say novelties.”

Mr. Shadden explained, “they would be required to comply with the City Sexually Oriented Business Ordinance”.

Chairman Mahone explained, “the way my packet is worded it says tattoo and vape shop; it does not mention anything about gifts and novelties and such.”

Commission Member Downtain stated, “there is a letter from Mr. Morris dated March 18, 2019 explaining what his business involves.”

John Arriazola, 129 E. Wall Street, Sherman, TX

Mr. Arriazola explained, “this will be located at 125 North Travis Street, right across the street is a U.S. Federal Courthouse and the Chase Bank Building, one block from there is another Courthouse, there are people that come from all over the place for trials, and they walk in the downtown area all the time. If we allow this to go on, I do not have a problem with tattoos, but it is all the other stuff I have a problem with. Mr. Morris, I went on your website and you do sell sex toys, I don’t know if you call them something else, but you do.”

An unknown member of the audience stated, “there is nothing on our website, you can look it up right now, there is nothing on there.”

Mr. Arriazola explained, “there was something on there because we looked it up. We also had some people go over there and they saw the stuff. It is going to set a bad example, it’s his business, he can do what he wants, but it is the board who has to decide.”

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

Letters were received from:

Glenn Nix, 112 N. Travis #C, Sherman, TX

“I would prefer another type of business reside in this property.”

Los Hermanos Partnership, LLC, 402 W. Lamar, Sherman, TX and Thomas Shields, 402 W. Lamar, Sherman, TX

“No”

John & Sharen Arriazola, 127 E. Wall, Sherman, TX

“Owner of 8 commercial buildings in downtown Sherman and after asking our tenants for their opinions. We all feel this business would hurt the entire downtown. We would be promoting an element of business we do not need. Our vote is NO to this request.”

LWFT Inc., 129 E. Wall, Sherman, TX

“No problem with tattoo shop, but vape shop and I understand this business also sells and markets adult sex toys. We feel if this business comes to downtown, one block from the Federal Courthouse of Eastern District of Texas and one block from our historic County Courthouse. We the citizens of Sherman, Texas would be sending a very bad message to our surrounding cities and counties. I vote NO to this request.”

ACTION TAKEN.

Motion by Commission Member Davis to deny the Specific Use Permit to allow a tattoo studio and vape shop in a C-1 (Retail Business) District/Central Business District at 125 North Travis Street based on the public outpouring against the request. Second by Commission Member Sims.

VOTING AYE: MAHONE, DOWNTAIN, DAVIS, MANLEY AND SIMS.

VOTING NAY: NONE

MOTION CARRIED

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

TEMPORARY USE PERMIT & SITE PLAN

THE REQUEST OF MAE LOU WRIGHT (OWNER), RALPH & ROSALIND HOLT (REPRESENTATIVES) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 205 AND 215 EAST BROCKETT STREET, BEING ALL OF LOTS 3 AND PART OF LOTS 4, 5 AND 6, BLOCK 4, BOND’S SUPPLEMENT NUMBER TWO, CONTAINING 0.392 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, AS FOLLOWS:

BOARD OF ADJUSTMENTS

TEMPORARY USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (4) (A), TO ALLOW THE OPERATION OF A SNOW CONE STAND MAY THROUGH SEPTEMBER IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

**TUP – SNOW CONE
STAND
205 & 215 E.
BROCKETT
(MAE LOU WRIGHT)**

Ralph Holt, 502 E. Centennial, Sherman, TX & Chris Noah, Preston Trail Land Surveying, Pottsboro, TX

Mr. Holt and Mr. Noah appeared to represent the request and answer any questions. The property is located at 205 and 215 East Brockett Street, the northeast corner of Walnut and Brockett Streets. The property was formerly Wayside Florist before it was destroyed by fire in 2008. The property was approved for a zone change to an R-1 (One Family Residential) District at the April 15, 2019 City Council meeting.

Mr. Holt explained “we would like to move in a 10’ x 16’ building to be used for a snow cone stand May through September on the corner of Brockett and Walnut Streets. The property adjoins residential homes; my mother-in-law owns the house next door.” 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 Temporary Use Permit and site plan.

ACTION TAKEN.

Motion by Commission Member Davis to approve the Temporary Use Permit to allow a snow cone stand May through September in an R-1 (One Family Residential) District at 205 and 215 East Brockett Street subject to the Staff Review Letter. Second by Commission Member Manley.

VOTING AYE: MAHONE, DOWNTAIN, DAVIS, MANLEY AND SIMS.

VOTING NAY: NONE

MOTION CARRIED

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

SPECIFIC USE PERMIT & SITE PLAN

THE REQUEST OF SERAJ ALI (OWNER), UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) AND D2L DESIGNS, LLC (DESIGNER) CONCERNING THE PROPERTY LOCATED AT 719 EAST MCGEE STREET, BEING PART OF LOT 1, BLOCK 2, JONES & SUMMIT ADDITION, 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 DUPLEX IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

SUP – DUPLEX
719 E. MCGEE
(SERAJ ALI)

Seraj Ali, 1113 Lakota Place, Carrollton, TX

Mr. Ali appeared to represent the request and answer any questions. The property is located at 719 East McGee Street, the northwest corner of McGee and Maxey Streets. The property is zoned an R-1 (One Family Residential) District.

Mr. Ali explained, “I would like to construct a four-bedroom per unit duplex at this location. The exterior facade will be brick.” He had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone asked if there were duplexes near this property.

Mr. Shadden explained, “there are some duplexes scattered out in the neighborhood and on Broughton Street.”

Commission Member Manley stated, “the duplex faces Maxey Street, would a variance for a twenty-five foot setback not apply to Maxey Street as opposed to McGee Street.”

Mr. Shadden explained, “the setback comes off the narrow side of the lot, the front, no matter how they are oriented with the doors.”

LaVonda Jacobs, 327 N. Woods, Sherman, TX

Ms. Jacobs explained she is speaking on behalf of her mother, Weneva Jacobs, 803 E. McGee. “My parents have been at that location for forty-seven years. There are elderly and middle aged people in the neighborhood; it is quiet there, we want to keep it that way. We want to know the dimensions of this dwelling. It will be facing Maxey Street; we would like to know how far it would be from Maxey Street. We are concerned with the size of the duplex, that lot has been vacant for years, my mother owns the other lot that is east of her property and she is used to seeing down that street. We want to make sure that it is not so far out on McGee that she is not going to be able to see down that road. We want to make sure they take into consideration the type of neighborhood it has been for many years when the potential residents come in. We do not just want anybody in the neighborhood; it is not a high profile or ritzy neighborhood or anything like that. They do not have a lot of crime rate or anything like that either, it has been quiet, and we want to keep it that way. We know the neighbors there and we do not want people moving in and out.”

Mr. Ali explained, “I just want to build a nice duplex; we will not rent to bad people.”

Commission Member Downtain asked Clint Philpott, Director of Engineering about the double-stacked parking on Maxey Street.

Mr. Philpott explained, “the parking is within the property line, the back of the cars will be at the property line; it will be about nine-foot before it gets to the curb; it’s not ideal, but it complies.”

Chairman Mahone asked “how many parking spaces they are required to have for this building.”

Mr. Shadden responded “four for each side, four bedrooms on each side.”

Ms. Jacobs explained, “for years they have had issues with parking because of the former nursery across the street; they have parked in the street on Maxey Street and in her driveway. We just want to make sure you can get through the street and are not going to be parking in our driveway.”

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

Letters were received from:

Eisenhower Texoma LTD, PO Box 357, Denison, TX

“Approved.”

ACTION TAKEN.

Motion by Commission Member Downtain to deny the Specific Use Permit to allow a duplex in an R-1 (One Family Residential) District at 719 East McGee Street based on the overall information presented. Second by Commission Member Sims.

VOTING AYE: DOWNTAIN, AND SIMS.

VOTING NAY: MAHONE, DAVIS AND MANLEY

MOTION FAILED

ACTION TAKEN.

Motion by Commission Member Manley to approve the Specific Use Permit to allow a duplex in an R-1 (One Family Residential) District at 719 East McGee Street subject to the Staff Review Letter. Second by Chairman Mahone.

VOTING AYE: MAHONE, DAVIS AND MANLEY SIMS.

VOTING NAY: DOWNTAIN AND SIMS

MOTION CARRIED

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

SPECIFIC USE PERMIT & SITE PLAN

THE REQUEST OF RAMIRO & LETICA ALVAREZ (OWNERS), RICK GREEN (GENERAL CONTRACTOR) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 1200 BLOCK OF SOUTH AUSTIN STREET AND THE 400 BLOCK OF WEST DULIN STREET, BEING ALL OF LOTS 5 AND 6, BLOCK 16, B.H. MOORE HEIRS ADDITION, CONTAINING 0.764 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW THREE (3) DUPLEXES IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

SUP – 3 DUPLEXES
1200 BLK. S. AUSTIN
& 400 BLK. W. DULIN
(RAMIRO & LETICA
ALVAREZ)

Chris Noah, Preston Trail Land Surveying, 83493 N. S.H. 289, Ste. 5, Pottsboro, TX

Mr. Noah appeared to represent the request and answer any questions. The property is located in the 1200 block of South Austin Street and the 400 block of West Dulin Street, the northeast corner of Austin and Dulin Streets. The property is zoned an R-1 (One Family Residential) District.

Mr. Noah explained, “the owner is in the process of Replatting two existing lots into three lots for residential development of three duplexes. The duplexes will have two-bedrooms per unit for four bedrooms. The exterior facade will be brick. Four parking spaces will be provided per lot.” They had seen the Staff Review Letter and would abide by the Recommendations.

Mr. Philpott explained, “the driveways that they currently have on their site plan are too wide.”

Mr. Noah explained, “the driveways would be corrected before the duplexes are built; he had already spoken to Amber in the Engineering Department.”

Mr. Philpott explained, “they have had issues where the building is built and they come in for the drive approach permit and have to figure what to do to be in compliance. The driveway itself is 36’ wide and the maximum residential is 24’.”

Mr. Noah explained, “there should be enough room to turn the parking spaces sideways, you have a single driveway and they split off to the side.”

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

ACTION TAKEN.

Motion by Commission Member Davis to approve the Specific Use Permit to allow three duplexes in an R-1 (One Family Residential) District in the 1200 block of South Austin Street and the 400 block of West Dulin Street subject to the Staff Review Letter. Second by Commission Member Manley.

VOTING AYE: MAHONE, DOWNTAIN, DAVIS, MANLEY AND SIMS.

VOTING NAY: NONE

MOTION CARRIED

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

SPECIFIC USE PERMIT

THE REQUEST OF ALTONA, INC. (OWNER), SMOKE ON THE WATER (PROPOSED TENANT), SHANNON REED (APPLICANT), MANGRUM COMMERCIAL REAL ESTATE

**SUP – VAPE SHOP
2002 LOY LAKE RD.
(ALTONA, INC.)**

(REPRESENTATIVE) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2002 LOY LAKE ROAD, BEING LOT C, TAYLOR PLAZA, 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 VAPE SHOP IN A C-2 (GENERAL COMMERCIAL) DISTRICT AND M-1 (LIGHT MANUFACTURING) DISTRICT.

Barry & Tyler Reed, 1630 Texoma Parkway, Sherman, TX

Mr. Barry Reed and Mr. Tyler Reed appeared to represent the request and answer any questions. The property is located at 2002 Loy Lake Road, the northwest corner of Loy Lake Road and Taylor Street. The property is zoned a C-2 (General Commercial) District and M-1 (Light Manufacturing) District.

Mr. Barry Reed explained, “Smoke on the Water is currently located at 1630 Texoma Parkway and they would like to move to this location. Parking has been given them a problem and this location provides more parking. I am also the owner of Total Nutrition, which is next door to Smoke on the Water, and I also have a smoothie bar at Grayson College. We are strictly vape and accessories (tobacco pipes, water pipes, steamrollers, nectar collectors) E-cigs., vape juices and accessories; we do not sell cigarettes.” 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 Specific Use Permit.

ACTION TAKEN.

Motion by Commission Member Manley to approve the Specific Use Permit to allow a vape shop in a C-2 (General Commercial) District and M-1 (Light Manufacturing) District at 2002 Loy Lake Road subject to the Staff Review Letter. Second by Commission Member Davis.

VOTING AYE: MAHONE, DOWNTAIN, DAVIS, MANLEY AND SIMS.

VOTING NAY: NONE

MOTION CARRIED

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

SPECIFIC USE PERMIT & SITE PLAN

THE REQUEST OF TIM PIKE (OWNER) AND HELVEY-WAGNER SURVEYING, (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 722 NORTH ROSS AVENUE, BEING LOT 1, BLOCK 4, C.J.KELIEHOR’S FIRST ADDITION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SUP – DUPLEX
722 N. ROSS
(TIM PIKE)

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW A DUPLEX IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

Tim Pike, 735 Mulberry Ct., Celina, TX

Mr. Pike appeared to represent the request and answer any questions. The property is located at 722 North Ross Avenue, the southwest corner of Ross Avenue and East Carter Street. The property is zoned an R-1 (One Family Residential) District.

Mr. Pike explained, “I would like to construct a three-bedroom per unit duplex at this location with a one-car garage. The exterior facade will be hardy board siding.” They had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Davis stated, “the driveway would be from the alley.”

Mr. Pike explained, “the site plan was drawn backwards, the building should be flipped around; it faces Ross.”

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

ACTION TAKEN.

Motion by Commission Member Downtain to approve the Specific Use Permit to allow a duplex in an R-1 (One Family Residential) District at 722 North Ross Avenue subject to the Staff Review Letter. Second by Commission Member Manley.

VOTING AYE: MAHONE, DOWNTAIN, DAVIS, MANLEY AND SIMS.

VOTING NAY: NONE

MOTION CARRIED

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

EXCEPTIONS

THE REQUEST OF STIK PROPERTIES (OWNERS) JIM LEVERETT (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 130 MISSION DRIVE, BEING 4.00 ACES IN THE JAMES M. HAMBRIGHT SURVEY, ABSTRACT NO. 538, AS FOLLOWS:

BOARD OF ADJUSTMENTS

- **EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.5, SUBSECTION (5)(D) TO ALLOW (3) THREE METAL BUILDINGS IN LIEU OF THE REQUIRED MASONRY IN A C-2 (GENERAL COMMERCIAL) DISTRICT.**
- **EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (10)(H) TO ALLOW THE EXTENSION**

**EXCEPTIONS –
FAÇADE, DRIVEWAY
& PARKING LOT
130 MISSION DR.
(STIK PROPERTIES)**

OF A GRAVEL DRIVEWAY AND PARKING LOT IN LIEU OF THE REQUIRED DURABLE AND DUSTLESS SURFACE IN A C-2 (GENERAL COMMERCIAL) DISTRICT.

Jim Leverett, 199 Panorama Circle, Pottsboro, , TX

Mr. Leverett appeared to represent the request and answer any questions. The property is located at 130 Mission Drive off U.S. Highway 82 past FM 1417 (North Heritage Parkway) in west Sherman. The property was annexed into the City, October 24, 2011 as an R-A (Single Family Agricultural) District and was approved for a zone change to a C-2 (General Commercial) District, April 7, 2014. Exceptions were approved to allow existing metal building finishes in lieu of the required masonry and to allow the existing gravel driveway and parking lot.

Mr. Leverett explained, “I am asking for exceptions to construct three additional metal buildings on the lot for lease spaces and extend the gravel driveway and parking lot. There is a cabinet shop and an auger shop in the existing two buildings. The buildings will look similar to the existing buildings, metal buildings with overhead doors. The existing buildings and new buildings will not be visible from U.S. Highway 82; they are over four-hundred feet from the highway.” He had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Downtain asked if Mission Drive is paved.

Mr. Leverett explained, “it is paved up to the beginning of my property; then it is just gravel.”

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

ACTION TAKEN.

Motion by Commission Member Sims to approve the exceptions to allow three metal buildings and an extension of the gravel parking lot and driveway at 130 Mission Drive subject to the Staff Review Letter.

Second by Commission Member Manley.

VOTING AYE: MAHONE, DOWNTAIN, DAVIS, MANLEY AND SIMS.

VOTING NAY: NONE

MOTION CARRIED

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

EXCEPTIONS

THE REQUEST OF SAM LORIA (OWNER) AND STEVE HERLINGER, TILLMAN INFRASTRUCTURE (APPLICANT/REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 605 EAST PECAN STREET, BEING

VARIANCE – CELL TOWER HEIGHT

0.574 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, AS FOLLOWS:

BOARD OF ADJUSTMENTS

- VARIANCE UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (15)(C)(1)(C) TO ALLOW A 124' TALL WIRELESS MONOPOLE CELL TOWER IN LIEU OF THE ALLOWED 100' IN AN M-2 (HEAVY MANUFACTURING) DISTRICT.
- EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (15)(C)(1)(C)(IV) TO ALLOW A WIRELESS MONOPOLE CELL TOWER TO BE 40' FROM THE NORTH PROPERTY LINE, 10' FROM THE EAST PROPERTY LINE, AND 48' FROM THE WEST PROPERTY LINE IN LIEU OF THE REQUIRED 124' FROM ANY PROPERTY LINE IN AN M-2 (HEAVY MANUFACTURING) DISTRICT.

EXCEPTION –
DISTANCE FROM
PROPERTY LINES
605 E. PECAN
(SAM LORIA)

Steve Herlinger, Tillman Infrastructure, 3420 Country Square Dr., Dallas, TX

Mr. Herlinger appeared to represent the request and answer any questions. The property is located at 605 East Pecan Street between Broughton and Throckmorton Street; Commissary Express is next door. The property is zoned an M-2 (Heavy Manufacturing) District.

Mr. Herlinger explained, “the owners would like to erect a 120' tall wireless cell tower with a 4' lightning rod. We understand we do not meet the criteria, but we are trying to get the closest we can to cover the area for AT&T. There are many dead spots in this area and this location will also cover the residential. There are three towers in the area that will possibly be going offline in the next three to five years; one on Throckmorton, one on Travis Street and another on the grain elevator on East Street, those towers are Sprint. Phones are going to 4G and 5G, people that have 3G phones, those antennas are going to quit being as functional as they are.” He had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone asked, “how the towers work and what would happen if one should collapse.”

Mr. Herlinger explained, “there was one that collapsed last week in Franklin, Texas. It was a 208' tower; it twisted like a pretzel. In northwest Indiana, where I am from, we had a 300', not one, but four towers, were knocked down by a tornado, these were transmission towers that were rated for F-3 tornados. The pole we are planning is a monopole, very different; they are rated for F-5 tornados, even tougher. If you get a storm of that nature, the tower is made to collapse every 20'; it will collapse on itself in twenty-foot increments. We tried to pick a location away from residential.”

Since the site plan was submitted, the distance from the tower to the east property changed to 25'.

Chairman Mahone explained, “they need 25’ from the east property line, 48’ from the west property and 40’ from the north property line. If it is engineered to collapse in 20’ sections, theatrically the danger would be on the east side, which is 25’ away.”

Mr. Herlinger stated, “which would be on Mr. Loria’s property.”

Commission Member Davis asked, “what happens when you add antennas.”

Mr. Herlinger explained, “they would collapse with the pole.”

Sam Loria, 4303 Rosehill Rd., Whitewright, TX

Mr. Loria explained, “that was one of my biggest concerns when they approached me; the distance to the property lines. Moving forward, if I did not think that we had plenty of room between my 12,000 square foot building and the tower. I thought it was a good idea for the community to have a tower there.”

LaJuana Scruggs, 1412 N. Hoard, Sherman, TX

Ms. Scruggs explained her family property is 619 East Pecan Street. “Thank you for asking the questions about the tower collapsing, because I had a question about that.” She wanted to see where the tower would be located. Chairman Mahone gave a copy of the maps showing the location. She was concerned with the property values around the tower going down.

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

ACTION TAKEN.

Motion by Commission Member Davis to approve the exception and variance to allow a 124’ tall wireless monopole cell, 40’ from the north property line, 25’ from the east property line, and 48’ from the west property line in lieu of the required 124’ from any property line in an M-2 (Heavy Manufacturing) District at 605 East Pecan Street subject to the Staff Review Letter. Second by Commission Member Downtain.

VOTING AYE: MAHONE, DOWNTAIN, DAVIS, MANLEY AND SIMS.

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE

THE REQUEST OF MKT REAL ESTATE HOLDINGS (OWNERS), SCHULMAN MBG (TENANT) AND CRAIG WALDRUM, SSC SIGN & LIGHTING (APPLICANT), JUSTIN BARNABEE, CHANDLER SIGNS (SIGN CONTRACTOR)

**VARIANCE – TWO
MULTI-TENANT
SIGNS
110 E. FM 1417
(VIETNAM)**

CONCERNING THE PROPERTY LOCATED AT 110 EAST FM 1417 (VIETNAM VETERANS PARKWAY), BEING LOTS 3 AND 4, MBG SHERMAN ADDITION, AS FOLLOWS:

VETERANS
PARKWAY)
(MKT REAL ESTATE
HOLDINGS)

PLANNING AND ZONING COMMISSION

EXCEPTION AND VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.8.4, SUBSECTION (8) AND ORDINANCE NO. 2252, SECTION 410 (2)(N) TO ALLOW A 467 SQUARE FOOT, 60' TALL MULTI-TENANT FREESTANDING SIGN ALONG SOUTH HIGHWAY 75 AND A 130 SQUARE FOOT, 12' TALL MULTI-TENANT MONUMENT SIGN, 18' FROM THE FM 1417 (VIETNAM VETERANS PARKWAY) PROPERTY LINE IN THE BLALOCK INDUSTRIAL PARK/BLALOCK COMMERCIAL OVERLAY DISTRICT.

No one was present to represent the request.

Scott Shadden gave the board an overview of the request.

“The property is located at 110 East FM 1417 (Vietnam Veterans Parkway); the southeast corner of Highway 75 and FM 1417 (Vietnam Veterans Parkway); Schulman’s Movie Bowl Grill is the proposed tenant. There will be a lot of tenants at this location and the owner would like to erect a 467 square foot freestanding multi-tenant sign along Highway 75 and a 130 square foot monument sign along FM 1417 (Vietnam Veterans Parkway). The signs will be listing all the tenants there; they can still put the smaller signs on their individual lots.”

Commission Member Sims stated, “one of the signs shows a video board; is this going to be a moving sign.”

Mr. Shadden explained, “they would have to comply with the sign ordinance. We have visited the people supplying the sign; it would be the static with the right timing for the transitions. They will not be showing racecars; we have had that discussion with them. It does have the capability, but we explained that would not be allowed.”

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

A letter was received from:

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

“The sign is appropriate for this large development. I recommend approval of the sign variance.”

ACTION TAKEN.

Motion by Commission Member Downtain to approve the variance to allow a 467 square foot, 60' tall multi-tenant freestanding sign along South Highway 75 and a 130 square foot, 12' tall multi-tenant monument sign, 18' from the FM 1417 (Vietnam Veterans Parkway) property line in the Blalock Industrial Park/Blalock Commercial Overlay District for the property located at 110 East FM 1417 (Vietnam Veterans Parkway) subject to the Staff

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**Review Letter. Second by Commission Member
Manley.**

**VOTING AYE: MAHONE, DOWNTAIN, DAVIS, MANLEY AND
SIMS.**

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
6:41 p.m.**

ADJOURNMENT

CHAIRMAN

SECRETARY