

REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF KILLIAN LAND DEVELOPMENT, LP (OWNERS) AND HELVEY-WAGNER SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1606, 1610 AND 1614 SOUTH RUSK STREET, BEING 0.705 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, ALSO BEING LOTS 2, 3 & 4, BLOCK 4 OF THE MAYHEW ADDITION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF LOTS 2, 3 AND 4, BLOCK 4, MAYHEW ADDITION

REPLAT LOTS 2, 3 & 4, BLOCK 4, MAYHEW ADDITION 1606, 1610 & 1614 S. RUSK ST. (KILLIAN LAND DEVELOPMENT, LP)

The property is located at 1606, 1610 and 1614 South Rusk Street between Staples and Lake Streets. 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.

SITE PLAN – CONSENT AGENDA ITEM

THE REQUEST OF CHANDA BAUGUS AND GREG REIFEL (OWNERS), BACK ALLEY CYCLES (TENANT) AND DONNIE COFFMAN (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 704 SOUTH SAM RAYBURN FREEWAY, BEING 1.14 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR A CANOPY/AWNING FOR BACK ALLEY CYCLES.

SITE PLAN – CANOPY/AWNING 704 SOUTH SAM RAYBURN FREEWAY (CHANDA BAUGUS & GREG REIFEL)

The property is located at 704 South Sam Rayburn Freeway, between Lamar and Center Streets; Back Alley Cycles is the tenant. The property is zoned a C-2 (General Commercial) District and located in the O-1.2 (Sam Rayburn Overlay) District. The owner of Back Alley Cycles would like to construct an attached 25' x 70' metal awning with stone wrapped metal post. They had seen the Staff Review Letter and would abide by the Recommendations.

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

VARIANCES, SPECIFIC USE PERMITS, ZONE CHANGE & PRELIMINARY PLAT

THE REQUEST OF SKYTRUST, LLC (OWNERS), STRAND SYSTEMS ENGINEERING, INC. (SURVEYOR) AND STRAND A&E, ERIC CANTRELL (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED IN THE 1600-1700 BLOCKS OF SOUTH GRIBBLE STREET AND THE 1300-1500 BLOCKS OF EAST LAKE STREET, BEING 32.740 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963, AS FOLLOWS:

BOARD OF ADJUSTMENTS – RESIDENTIAL

VARIANCE – FRONT & REAR SETBACKS FOR HANGAR HOMES

VARIANCE – SIDE SETBACKS FOR HANGAR HOMES

- VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW LOTS 1-9, BLOCK A, LOTS 1-13, BLOCK B AND LOTS 1-21, BLOCK C OF THE PROPOSED SILVER FALCON AVIATION COMMUNITY 20' FRONT AND REAR SETBACKS IN LIEU OF THE REQUIRED 25' FOR HANGER HOMES IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.
- VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW LOTS 1-21, BLOCK C OF THE PROPOSED SILVER FALCON AVIATION COMMUNITY 5' SIDE SETBACKS IN LIEU OF THE REQUIRED 8'5" FOR HANGER HOMES IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

PLANNING AND ZONING COMMISSION – RESIDENTIAL

- SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW A GATED AIRPORT COMMUNITY IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.
- SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A), BEING 2.343 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963, ALSO BEING LOTS 1-24, BLOCK D OF THE PROPOSED SILVER FALCON AVIATION COMMUNITY TO ALLOW PATIO HOMES IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.
- SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A), BEING LOTS 1-9, BLOCK A, LOTS 1-13, BLOCK B AND LOTS 1-21, BLOCK C OF THE PROPOSED SILVER FALCON AVIATION COMMUNITY TO ALLOW HANGAR HOMES IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

BOARD OF ADJUSTMENTS – COMMERCIAL

- VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.4, SUBSECTION (1) TO ALLOW LOTS 1-9, BLOCK F OF THE PROPOSED SILVER FALCON AVIATION COMMUNITY TO HAVE 3,060 SQUARE FOOT LOT AREA AND LOTS 1-8, BLOCK E OF THE PROPOSED SILVER FALCON AVIATION COMMUNITY TO HAVE 4,270 SQUARE FOOT LOT AREA IN LIEU OF THE REQUIRED 5,000 FOOT IN A C-1 (RETAIL BUSINESS) DISTRICT.
- VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.4, SUBSECTION (1) TO ALLOW LOTS 1-8, BLOCK E AND LOTS 1-9, BLOCK F OF THE PROPOSED SILVER FALCON AVIATION COMMUNITY 5' FRONT SETBACKS IN LIEU OF THE REQUIRED 25' AND 5' REAR SETBACKS IN LIEU OF THE REQUIRED 10' FOR AIRCRAFT HANGARS IN A C-1 (RETAIL BUSINESS) DISTRICT.

PLANNING AND ZONING COMMISSION - COMMERCIAL

- ZONE CHANGE AND CONCEPTUAL SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION

SUP – GATED
AIRPORT
COMMUNITY

SUP – PATIO HOMES

SUP – HANGAR
HOMES

VARIANCE – LOT
AREA

VARIANCE – FRONT
& REAR SETBACKS
FOR AIRCRAFT
HANGARS

ZONE CHANGE – R-1
TO C-1

PRELIMINARY PLAT
– SILVER FALCON
AVIATION
COMMUNITY
1600-1700 BLKS. S.
GRIBBLE ST. & 1300-
1500 BLKS. E. LAKE
STREET
(SKYTRUST, LLC)

12 FROM AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT TO A C-1 (RETAIL BUSINESS) DISTRICT, BEING 6.704 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963

- PRELIMINARY PLAT APPROVAL OF SILVER FALCON AVIATION COMMUNITY

Eric Cantrell, Strand A&E, 10003 Technology Blvd., West, Dallas, TX

Mr. Cantrell appeared to represent the request and answer any questions. The property is located in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street, east of the Sherman Municipal Airport. It is currently zoned an R-1 (One Family Residential) District.

Mr. Cantrell explained “the Silver Falcon Aviation Community project is a vision of the SkyTrust Corporation; it is envisioned as a premier fly-in residential community adding to the shared values of the people of Sherman, pilots from around the region and the aviation community. It is one of the first in the country to allow a through the fence agreement to facilitate pilots coming and going to contribute to the community. The same level of security that is present around the airport will be maintained; we will meet or exceed that and then we can have those openings for the planes to come and go.”

“The Silver Falcon Aviation Community is a gated community, the streets will be private. The residential area is planned for sixty-seven residences in three floor plan sizes and have attached hangars or access to hangars for their airplanes. Each resident will enjoy amenities such as the community center with pool, private streets, gated access to Gribble Street, restaurant, green spaces, wide taxiway access to the adjacent Sherman Airport and the City of Sherman itself. The owner would like to plat the property into eighty-one (81) lots for residential and commercial development. The owner is requesting a zone change from an R-1 (One Family Residential) District to a C-1 (Retail Business) District, Specific Use Permits to allow patio hangar homes and hangar homes with variances for the setbacks and lot areas on several of the lots.”

“The commercial area is seen as an attractive place for pilots to fly in, use the provided tie downs, visit the planned restaurant, wash their plane if needed and buy fuel from the City of Sherman fuel pumps. There will be approximately ten hangars for lease and rental cars available.” They had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone asked, “will there will be a gate between the gated community and the runway or are they included behind the same fencing.”

Mr. Cantrell explained, “the gates will be on Gribble Street with controlled access.”

Commission Member Manley asked if cars and planes would share the same roads.

Mr. Cantrell responded, “yes they will.”

Commission Member Davis stated, if he understood correctly, there is going to be planes going up and down Roads B and C; “you can literally drive your plane, park it and go into your house.”

Mr. Cantrell explained, “each of those houses with the exception of some of the patio homes, any of the homes that have a hangar; yes.”

Mr. Downtain asked about the single hangars.

Mr. Cantrell explained, “no one would be able to live in the private hangars per our (CC&R) Covenants, Conditions and Restrictions.”

Chairman Mahone asked about the variance for the front and rear setbacks.

Mr. Cantrell explained, “we need to have 50’ of controlled space, the lots in front all the way across the street, because single engine planes can be as wide as 43’ and we need to control that area to keep it no higher than grass and very low shrubs for safety issues; keeping that common space and everyone following the rules for safety.”

Commission Member Downtain asked, “what the road width was.”

Mr. Cantrell responded, “50’ right-of-way to right-of-way; the physical road is 30’ wide.”

Commission Member Davis asked if that was normal.

Scott Shadden, Director of Developmental Services explained, “they want to control the areas in front of the homes so that people do not park cars or put big planters and that type of thing in front of their homes; it would appear there is more area than what there is”.

Clint Philpott, Director of Engineering explained, “the standard right-of-way for a subdivision is 50’ wide with a 31’ street to the back of the curb.”

Mr. Cantrell explained, “the street is the same width. With the hangar homes, you still have not only the same space in the hangar to park, there is also the equivalent of a j-swing garage to turn in to. It is not an issue for a use of space or lack of space; there is plenty of space to park and get

everything off the street. There will not be any parking on the street; it will be kept clear for driving and taxiing.”

Commission Member Manley stated, “even so, if the road is not any wider and you are requesting a narrower, shallower setback; you have less room for planes.”

Vice-Chairman Elliott explained, “the setback is not so that he can build a bigger building; it is so the Homeowners Association can maintain that property space, not the homeowner, the property owner will not own that property between the road and their house; it is about maintenance.”

Mr. Cantrell explained, “concerns about planes being parked in the street or driveway; they are going to be in the hangar.”

Commission Member Davis asked, “where the cars would be parked.”

Mr. Cantrell responded, “in the garages; they will have separate garages.”

Chairman Mahone stated, “you are not going to allow street parking.”

Mr. Cantrell responded “correct.”

Chairman Mahone asked, “what defines a hangar home; is a certain square footage of garage.”

Mr. Shadden explained, “it is an attached hangar designed for an airplane.”

Chairman Mahone asked about the variances for the commercial area.

Mr. Cantrell explained, “the variances for the lot area are for the hangars along Gribble Street. One set is for smaller hangars, 50’ x 50’ on smaller lots. We have the 5’ in the front and rear and we left a foot on each side so that we could build them right next to each other; that is to allow for that size of hangar and still meet all the requirements around it. The larger hangars are 60’ x 60’ and do not need the square footage variance.”

Appearing from the audience:

Sherry Brisco, 2504 N. Hickory, Sherman, TX

“I am concerned with the possibility of planes delivering drugs to our City; how are they going to control that with drug traffic, it is going to make a lot more work on our police force. I live here and I care about Sherman.”

Sylvia Dixon, 1702 S. Gribble, Sherman, TX

Mrs. Dixon explained, “we are not necessarily opposing, we want information. We live directly across the street; we would like to know where the gates would be located. There

has been a lot of construction at the Armory and our street is badly rutted. We are wondering how the construction traffic on Gribble Street will affect us. Our water meter is almost a half mile from our house, so right as Gribble Street goes into Rosedale Park, where the creek is; that's where our water meter is, the water line travels through the airport. The reason I know that is, years ago while we were on vacation, the City leased out the property to a farmer and he ran over our water line, we were not home and there was a \$400 water bill when we got back and they cut the water off. Our water line runs through the City property. We do not have sewer; we are on septic. We are wondering how all this will affect our home and getting to and from work. When it rains the drainage from the road comes to our house."

Peter Tracy, 705 Valentine, Sherman, TX

"I posed this question some time ago to the Fire Department, I talked to the Captain and having been in the Air Force, I know there is special requirements when you have aircraft coming and going and if there is an accident and a fuel fire. I asked him whether he had foam required to control a fuel fire if there was an accident at the airport. He told me he was relying on Fire Station #4 for that type of equipment, which at the time it was across the street from a truck stop. However, since that has been relocated on the other side of Highway 75, I asked the Fire Chief whether or not that equipment was going to be relocated and according to him, he wasn't aware there was a requirement for a different type of equipment. My question would be, is the Fire Station there at the north end of the airport going to have the appropriate equipment in the event that there is an accident."

Alysia Garcia, 1412 E. Lake, Sherman, TX

"I heard him mention about the restaurant and the entrance would be on Lake Street. I am concerned where the entrance will be exactly and how that will affect us. I just built my home ten years ago hoping I was not too in the country but not too far from town. I have little ones and they ride their dirt bikes around there."

Robin Barnum, 1338 E. Lake, Sherman, TX

"When I moved here, there was an airport there already, but it was not loud, it was not a problem. As the traffic has increased over the past couple of years, the noise is constant, even during the night with planes revving their engines when they leave at 3:00 or 4:00 in the morning. What is going to happen regarding a noise ordinance with the increased traffic? I lived above the Indianapolis Airport for three years, they had a noise ordinance that from 11p.m. to 7a.m. there was no in or out traffic so people could sleep, but it doesn't do any good if there is increased traffic and there is noise all the time twenty-four hours a day."

Marius Meintjes, 1076 Lonestar Rd., Celina, TX

Mr. Meintjes explained, he is the developer and a pilot. "The safety issue is a very legit concern. The type of people that

are going to do this is the type that is concerned about safety, their own safety. Anytime you have an airplane, safety is a big deal, which is why it is a gated community; it will have a six foot or more fence around it. Drugs or alcohol cannot come close to the planes. We will be hand picking who we allow to come in. As far as a drug problem, there is zero concern; the airport is going to operate with a safer level”.

“As far as the utilities, the development is going to help and support the homes around the airport. One woman mentioned we have septic systems there, part of the development will be to bring city sewer and water to the area; all of the surrounding homes will be able to benefit from that, so we are not going to take anything away, we will extend the utilities at our cost. The City had a masterplan to upgrade the roads, as part of this development the roads will be upgraded to the benefit of all the residents in the area instead of a detriment, it will be improved. My observation, on the back side of the airport, there is a lot of dumping going on, things that are sort of shady going on some of the open properties, if anything it will clean it up and bring it to a higher level. We expect a positive, not a negative.”

Mr. Cantrell explained, “regarding the drainage issue, we have completed an environmental study on the property. The property accepts a lot of water that comes from the airport itself, which comes from two different directions, essentially from the northeast, from the runway itself and all along with the lower area running along the westerly side and the north there is a deep ravine that is pretty much a forest. Our design is going to take it down through the development. The final engineering has not been completed yet, but we will not increase the flow or the volume of flow.”

Mr. Meintjes explained, “part of the agreement for this development and the City of Sherman and the goal is not to take anything away from the City, we want to add to the City and that is officially sanctioned FAA agreement; to follow all FAA rules for airports currently and in the future.”

Chairman Mahone asked if there would be certain flying hours.

Mr. Meintjes explained, “that is a common problem, I am so delighted that the City has reinstated the Airport Committee, when something like that arises, they will bring their complaints to the Airport Committee because they will govern the operations at the airport. It is true at the City of Sherman Airport, the traffic is growing whether this development it there or not and as a City you are going to face that issue, if you have an airport you will have noise, you will have the risk of planes going down on homes, that’s why it will affect homes by the runway, that has already been there with those restrictions, but typically this type of thing comes to the Airport Board, they will consult with each other and the City to enforce rules that have been set in place.

Sherman currently allows 24/7 airport operations and they allow instrument approaches for airplanes coming in at night.”

Commission Member Davis stated, “on one of the drawings it shows proposed helicopter pads.”

Mr. Cantrell explained, “that was an idea, it has pretty much gone by the wayside. It is not a part of our submittal.”

Chairman Mahone asked Mr. Philpott if there are any plans for Gribble Street.

Mr. Philpott stated, “there are not any specific plans to expand Gribble’s capacity, we are looking at extending Lake Street to make it more manageable. Now there are two ninety-degree turns that go between First Street and Ida Road, to tie those together we are looking at how to do that and working with the Developer so that whatever they do does not interfere with that future expansion. The drainage issue will be a part of the standard subdivision ordinance; they will submit their plan to the Engineering Department to make sure it is in compliance.”

No other citizens appeared before the Planning and Zoning Commission to discuss the variances, zone change, Specific Use Permits or Preliminary Plat.

Board of Adjustments – Residential

ACTION TAKEN.

Motion by Commission Member Downtain to approve the variance to allow Lots 1-9, Block A, Lots 1-13, Block B and Lots 1-21, Block C of the Proposed Silver Falcon Aviation Community 20’ front and rear setbacks in lieu of the required 25’ for hanger homes and to allow Lots 1-21, Block C of the Proposed Silver Falcon Aviation Community 5’ side setbacks in lieu of the required 8’5” for hanger homes in an R-1 (One Family Residential) District located in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks East Lake Street subject to the Staff Review Letter. Second by Vice-Chairman Elliott.

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

VOTING NAY: NONE

MOTION CARRIED

Board of Adjustments – Commercial

ACTION TAKEN.

Motion by Commission Member Downtain to approve the variance to allow Lots 1-9, Block F of the proposed Silver Falcon Aviation Community to have 3,060 square foot lot area and Lots 1-8, Block E of the proposed Silver Falcon Aviation Community to have 4,270 square foot lot area in lieu of the required 5,000

foot and to allow Lots 1-8, Block E and Lots 1-9, Block F of the Proposed Silver Falcon Aviation Community 5' front setbacks in lieu of the required 25' and 5' rear setbacks in lieu of the required 10' for aircraft hangars in a C-1 (Retail Business) District located in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks East Lake Street subject to the Staff Review Letter. Second by Commission Member Wood.

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

VOTING NAY: NONE

MOTION CARRIED

Planning & Zoning Commission – Residential
ACTION TAKEN.

Motion by Commission Member Davis to approve Specific Use Permits to allow a gated airport community, to allow patio homes on 2.343 acres in the G.B. Pilant Survey, Abstract No. 963, also being Lots 1-24, Block D of the Proposed Silver Falcon Aviation Community and to allow hangar homes on 11.412 acres in the G.B. Pilant Survey, Abstract No. 963, also being Lots 1-9, Block A, Lots 1-13, Block B and Lots 1-21, Block C of the Proposed Silver Falcon Aviation Community in an R-1 (One Family Residential) District located in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks East Lake Street subject to the Staff Review Letter. Second by Commission Member Downtain.

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

VOTING NAY: NONE

MOTION CARRIED

Planning & Zoning Commission – Commercial
ACTION TAKEN.

Motion by Commission Member Wood to approve the zone change from an R-1 (One Family Residential) District to a C-1 (Retail Business) District on 6.704 acres in the G.B. Pilant Survey, Abstract No. 963 and Preliminary Plat approval of Silver Falcon Aviation Community located in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks East Lake Street subject to the Staff Review Letter. Second by Commission Member Downtain.

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

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE

THE REQUEST OF KRITT CONCRETE, LLC (OWNER), BRIDGESTONE DEVELOPMENT (DEVELOPERS) AND UNDERWOOD DRAFTING & SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY IN THE 600-800 BLOCKS BAKER PARK DRIVE, BEING 19.568 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 623, ALSO KNOWN AS PARKHAVEN ESTATES, PHASE 1, AS FOLLOWS;

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (13)(B) TO ALLOW A 6' PRIVACY FENCE WITH BRICK COLUMNS ON THE SIDE STREET PROPERTY LINE IN LIEU OF THE PERMITTED 4' IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

Brandon Gillespie, 2830 S. FM 131, Denison, TX and Jim Hidalgo, PO Box 3317, Sherman, TX

Mr. Gillespie and Mr. Hidalgo appeared to represent the request and answer any questions. The property is located in the 600-800 blocks of Baker Park Drive between Calgary Drive and Center Street. The property is zoned an R-1 (One Family Residential) District.

Mr. Gillespie explained they would like to erect a 6' cedar fence with brick columns along Baker Park Drive for the Parkhaven Estates Subdivision. "The fence will help keep the noise down and make the owners feel a little safer. It will be similar to Austin Landing west of Home Depot."

Mr. Hidalgo explained, "the fence would be on six lots total. It will be the same concept like Washington Place at the corner of Washington and FM 1417 (Heritage Parkway). To keep the headlights from going into people's houses, it will look aesthetically better. The fence will be a board on board, cedar fence, brick columns, three per lot." They had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Davis stated, "this would be six-foot fences on the side yard."

Mr. Hidalgo responded, "yes."

Martha Dorman, 2600 W. Biscayne, Sherman, TX

Mrs. Dorman was concerned with the height of the fence. "I think it is a lovely fence, I think it will add to the development but I am concerned with the height and the placement of the fence. Safety is the biggest issue. Unlike Washington Street, Baker Park Drive is wider and it is becoming more and more traffic, there is a lot of foot traffic, people out walking, jogging and riding bicycles to Baker Park, the church is very active, not just on Sunday and Wednesday evenings, it is during the day and night, they have a very active preschool, cars back up to Calgary in the morning and afternoon to drop off and pick up the children. So you build a six foot

VARIANCE – FENCE
ON SIDE STREET
PROPERTY LINE
600-800 BLKS.
BAKER PARK DR.
(KRITT CONCRETE,
LLC)

(DENIED)

fence and the visibility and the site line when you pull up off of Brossard, which is the first street of that development, you look to the right or the left to be able to see the traffic coming from the south going north, you pull way up to the edge of the street, not back where a normal stop sign would be. The problem of safety is, there is a house at the corner of Calgary and Baker Park Drive, it faces Calgary that backs up to the first house on Brossard, the driveway does not enter on Calgary, it backs in to Baker Park Drive. There are already concrete footings for the pillars for this fence and if you stand at Brossard and look down the way, you cannot see the car that is parked in that driveway at the garage door. When it backs up, it has to back up completely into the street for a line of site of who is coming behind them, if it is a six-foot fence.”

“The house on Center Street and Baker Park Drive, that house when they pull up to the garage door is in the ten foot easement, it is not on private property, it has to pull into the garage to be off the ten foot easement. If someone is walking or driving down the street, the line of site is a problem; they cannot be seen. Baker Park Drive has become the new cut through for FM 1417 (Heritage Parkway) because the light at West Houston and FM 1417 (Heritage Parkway) backs up. We really do not treat Baker Park Drive as a side street; we feel it is more a part of the development for Baker Park. With the renovation of Baker Park, there is going to be a lot more activity, with the new high school, we see it as a cut through going north on FM 1417 (Heritage Parkway) to Center Street to Baker Park to Houston Street because the traffic light at Houston and FM 1417 (Heritage Parkway) backs up now, it will really back up when the traffic increases. That intersection is not going to be in the phase to widen FM 1417 (Heritage Parkway).”

“Who will maintain the maintenance of that ten-foot right-of-way? Now you have a fence, it’s no one’s side yard, it’s on the other side of the property, is that going to be the City’s responsibility because I think everybody in our subdivision has Code Enforcement on speed dial for the grass issues that are currently there, they have improved now as they are asking for variances and other items.”

Sandra White, 2612 W. Biscayne, Sherman, TX

Mrs. White had photos of the traffic view along Baker Park Drive and Brossard Drive showing the line of site. “My driveway backs onto Baker Park Drive. I have a fence in the back yard but not along Baker Park Drive.”

Commission Member Downtain asked if there was an option to move the fence back, closer to the home another few feet.

Mr. Gillespie stated, “it is on the property line as it is.”

Commission Member Downtain explained, “it is potentially obstructing views and by moving it closer to the homes, off the property line, is that something to consider.”

Mr. Hidalgo explained, “the house is already closer to the property line because the lots are a certain size. The houses are set back ten foot from the property line.”

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

A letter was received from:

Richard & Diana Waldrep, 2600 Calgary, Sherman, TX

“We are against this for reasons of safety of walkers, joggers, children, etc. No! No! No!”

ACTION TAKEN.

Motion by Commission Member Davis to deny the request for the variance to allow a 6’ privacy fence with brick columns on the side street property line in lieu of the permitted 4’ in an R-1 (One Family Residential) District in the 600-800 blocks of Baker Park Drive subject to the Staff Review Letter. Second by Commission Member Wood.

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

VOTING NAY: NONE

MOTION CARRIED

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

SPECIFIC USE PERMIT

THE REQUEST OF ALWAHBAN REAL ESTATE, LLC (OWNERS) AND OMAR ALWAHBAN (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 1521 TEXOMA PARKWAY, BEING 0.87 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 TIRE SALES AND AUTOMOBILE REPAIR WITH OUTDOOR DISPLAYS IN A C-2 (GENERAL COMMERCIAL) DISTRICT.

SUP – TIRE SALES,
AUTOMOBILE
REPAIR AND
DISPLAYS
1521 TEXOMA
PARKWAY
(ALWAHBAN REAL
ESTATE, LLC)

Dan Fritz, Texas Tire, 1225 E. Seminary, Ft. Worth, TX

Mr. Fritz appeared to represent the request and answer any questions. The property is located at 1521 Texoma Parkway between U.S. Highway 75 and Broughton Street. The property is zoned a C-2 (General Commercial) District. A Specific Use Permit to allow automobile sales and a muffler shop were approved in 2003.

Mr. Fritz explained, “Texas Tire is a family run business out of Fort Worth for about twenty years, going on twenty-five.

We recently purchased the old Muffler Masters building on Texoma Parkway and we want to turn it into an automotive after-market accessory store, primarily bolt-on accessories, wheels, tires, step bars, bumpers and such, we might do some automotive electronics as well, but mainly bolt-on accessories.”

Chairman Mahone asked if the entire automotive repair would be done inside the building.

Mr. Fritz responded, “yes sir.”

Chairman Mahone asked about the outdoor displays.

Mr. Fritz explained, “one of the things that we do that is a trademark of our company is we build wheel racks and we slide two or three wheel racks in front of our store. We included four-wheel racks for this store, two on each side of the building. It has our selection of wheels that we offer at that location. We also do some stacks of tires between the bays where we do the work on the vehicles. We are proposing four tires, stacked neatly at each bay in front of the wall where it separates the two bays, three tires on the ground and one standing up on top. It accentuates a part of the wheel/tire business that we do.”

Commission Member Downtain stated, “that is what we see now when we drive by, right”.

Mr. Fritz explained, “right now, we only have two racks on the left side of the building next to the door and the glass window where the sales and waiting area is located. What we are proposing is to have two more wheel racks that are on the other side of the building up against the wall on the other side where it looks symmetrical.”

Commission Member Wood asked if the racks are stationary or are they on castors.

Mr. Fritz responded, “they are on castors; we roll them in at night and roll them out in the morning, as well as the tire stacks.”

Chairman Mahone stated, “the wheel racks are 2’ wide, 10’ long by 6’ high.”

Mr. Fritz responded “yes sir. We pretty well pack everything in at night. It is our goal to have a clean location. We do not sell used tires. He had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone stated, “you currently have two racks of tires and you want to add two more.”

Mr. Fritz responded “yes and those are wheels.”

Commission Member Davis asked, “where the worked on cars will be stored.”

Mr. Fritz explained, “overnight cars would be stored inside in the bay. Ninety percent of our work is in and out in the same day, very seldom do we have vehicles overnight. Used tires are stored outside in the back usually one to two weeks and then they are picked up and recycled. We have processes for storing the tires temporarily until they are picked up; we do not have many tires outside, looking bad and causing a mosquito problem.”

Chairman Mahone asked if all the wheel racks are the same size.

Mr. Fritz responded, “yes sir.”

Commission Member Downtain asked their intentions with the two signs on the property.

Mr. Fritz responded “I believe our intention is to completely reuse the signs, we want to restore the signs, paint them to match the building and rehab them to look new.”

Mr. Shadden explained, “the sign on the north side of the property has lost its conformity; it is already fifty-percent demolished. The north sign will have to come down because it is deteriorated beyond repair.”

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

ACTION TAKEN.

Motion by Commission Member Downtain to approve the request for the Specific Use Permit to allow tire sales and automobile repair with outdoor displays for two wheel racks (2’x10’x6’), three tire stacks up against the wall of the building in a C-2 (General Commercial) District at 1521 Texoma Parkway subject to the Staff Review Letter and removing the north sign that is out of compliance. Second by Vice-Chairman Elliott.

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

VOTING NAY: DAVIS AND SIMS

MOTION CARRIED

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

Mr. Fritz explained, “we have stores in many other locations, one of them that is in a similar situation of this is Weatherford, Texas and we have a Gibson’s that has been there for a long time. I’m just wondering when Walmart or Gibson’s or Best Buy or a lot of these other national tenants,

Lowe's, Home Depot, Target, when they want to put something out in their parking lot, do they have to be restricted like this because we are only talking about four small tire racks and you look at it compared to the space and the setback because our building is setback probably a hundred feet from the road. "

Chairman Mahone explained, "that specific question could be directed to the City Attorney, but that motion has already carried, we cannot change it now based on your comments."

VARIANCE

THE REQUEST OF V-PROP, LLC (OWNERS), LYNN & KIM VESSELS (REPRESENTATIVES) AND HARLAN LAND SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2801 AND 2804 FAWNWOOD COURT, BEING LOTS 1 & 8, BLOCK 1, WEST CANYON CREEK ESTATES, SECTION 2, AS FOLLOWS;

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW A 10' SIDE YARD SETBACK IN LIEU OF THE REQUIRED 10% OF THE LOT WIDTH AND THE PLATTED 25' BUILDING LINE IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

VARIANCE – SIDE
SETBACK
2801 & 2804
FAWNWOOD CT.
(V-PROP, LLC)

Lynn Vessels, 4103 W. Lamberth, Sherman, TX

Mr. Vessels appeared to represent the request and answer any questions. The properties are located at 2801 and 2804 Fawnwood Court; the northeast and northwest corners of Canyon Creek Drive and Fawnwood Court. The properties are zoned an R-1 (One Family Residential) District.

Mr. Vessels explained, "the two lots were platted with the 25' building line in the front and on the side of the corner lots, we are requesting a variance to allow a 10' side setback on the two corner lots based on the deed restrictions for the size of homes. The driveways have to enter from the north away from Canyon Creek Drive, so we have to place the house towards Canyon Creek and with the narrow front and wide back on that particular lot just to get the house the people want to build there, it will not fit." He had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone asked if the driveway would be on Canyon Creek or Fawnwood.

Mr. Vessels explained, "the driveway would be on Fawnwood because the City did not want any driveways on Canyon Creek Drive since it is a major thoroughfare."

Mr. Shadden explained, "the City setback would be ten foot from the side street on a corner lot, because these were platted and the setback line was put on the plat, which is why he is asking the variance."

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

ACTION TAKEN.

Motion by Commission Member Davis to approve the variance to allow a 10' setback for a residential dwelling in lieu of the required 10% of the lot width and the platted 25' building line in an R-1 (One Family Residential) District at 2801 and 2804 Fawnwood Court subject to the Staff Review Letter. Second by Vice-Chairman Elliott.

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

VOTING NAY: NONE

ABSTAIN: DOWNTOWN

MOTION CARRIED

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

SPECIFIC USE PERMIT

THE REQUEST OF LAUREL ACRES, LTD (OWNERS) AND HAL HINTON (APPLICANT) CONCERNING THE PROPERTY LOCATED AT 222 WEST HOUSTON STREET, BEING PART OF LOT 10, BLOCK 4, OTP SHERMAN, 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 CIGAR LOUNGE IN A C-1 (RETAIL BUSINESS) DISTRICT/CENTRAL BUSINESS DISTRICT.

**SUP – CIGAR
LOUNGE
222 WEST HOUSTON
ST.
(LAUREL ACRES,
LTD)**

Jeff Wilson and Hal Hinton 222 W. Houston, Sherman, TX

Mr. Hinton and Mr. Wilson appeared to represent the request and answer any questions. The property is located at 222 West Houston Street between Crockett and Rusk Streets. The property is zoned a C-1 (Retail Business) District and located in the Central Business District.

Mr. Wilson explained, “Mr. Hinton has been a tenant at this location for the past four years; he has a barbershop at 222 West Houston Street and he asked me if I had a problem with a cigar lounge in the rear of the building.”

Mr. Hinton explained, “I would like to open a small cigar lounge in the rear of the building. The barbershop will be in the front of the building and the cigar lounge will be in the back portion. The back portion will have a separate entrance. There would only be one hour that the hours overlap and that is the 5:00 hour. The people that do smoke are working, so they are not there in the daytime; they usually start showing up at 4 or 5 o'clock. There is a door into the cigar lounge from the barbershop that can be sealed; you cannot seal anything one-hundred percent but we can seal it very good between the two space.”

“We have addressed the ventilation and the heat and air we are going to use. We are going to use large air filters to filter the air that is rated for 1,500 square feet that is for a building that is 625 square feet. The area for the cigar lounge is 12’ x 25’. We will be recycling the air four times through the air filters and the air exchange. I have letters from my neighbors, 500 feet in each direction; they know what is going on and they do not have a problem or issues with it. Regular hours are closing at 8 p.m. but we do stay open for big games or anything like that; downtown Sherman is pretty closed down by 12:00 a.m. There will be TV’s to watch sporting events, etc. I have all the licenses to sell tobacco products; it is a tax stamp. In addition, it will be BYOB, bring your own bottle for alcohol. He had seen the Staff Review Letter and would abide by the Recommendations.

Mr. Shadden explained, “you could tie the request as long as the same owner/tenant has both businesses.”

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

ACTION TAKEN.

Motion by Vice-Chairman Elliott to approve the Specific Use Permit to allow a cigar lounge in a C-1 (Retail Business) District/Central Business District at 222 West Houston Street subject to the Staff Review Letter. Second by Commission Member Manley.

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

VOTING NAY: NONE

MOTION CARRIED

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

SPECIFIC USE PERMIT

THE REQUEST OF JOSE MENJIVAR (OWNER) AND JAMES GREEN (GENERAL CONTRACTOR) CONCERNING THE PROPERTY LOCATED AT 2413 NORTH HICKORY STREET, BEING LOT 2, BLOCK 1, MENJIVAR’S 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.

James Green, PO Box 12, Denison, TX

Mr. Green appeared to represent the request and answer any questions. The property is located at 2413 North Hickory Street between Lamberth Road and Pelton Street. The property is zoned an R-1 (One Family Residential) District.

SUP - DUPLEX
2413 NORTH
HICKORY ST.
(JOSE MENJIVAR)

Mr. Green explained, “the owner purchased the property and platted it into two lots. He would like to construct a 2,197 square foot, four bedroom (two per unit) duplex on the two 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 Specific Use Permit.

Janet Kamras, 2309 N. Shannon, Sherman, TX

Mrs. Kamras explained, “I am opposed to the duplexes. The back of my house faces Hickory Street, which is an alleyway. There is no drainage, no curbs, two cars passing now is precarious, so there would not be parking, and the streets are inadequate. I would rather it remain one-family residential. I do not want the added people out there because it would make the neighborhood unsafe. I have lived in my house for twenty-five years. I do not want renters across the street from me in a duplex environment. The City changed the zoning on the property across from me to a daycare only situation, which I opposed because of the problem with Hickory Street being an alleyway. When people would go to the day care they would park their cars in my backyard because there is no place to park your car. I am opposed to the duplexes, I think they would be unsafe and a bad environment.”

Mr. Philpott explained, “Hickory is a dedicated City street; we do not have any plans to expand it to a curb and gutter street, so it will be maintained as a county street.”

Sherry Brisco, 2504 N. Hickory, Sherman, TX

Mrs. Brisco explained, “all this land goes together; it is right in front of my house. I received this letter on the 4th of October but I did not open it until two or three days ago. I went door to door yesterday to get signatures and you said you sent out fifteen letters but none of these people received them. I agree with her, you have to get over in the ditch for two cars to pass. When I sit on my front porch, it is like looking at a park, if they put those apartments in there they will have to cut down all the beautiful trees and put stupid looking houses in there and we do not want that. We go over there in that pasture and the kids ride bicycles, fly kites and the people that live in the apartments do the same thing. We do not want no houses there; we want it left just as it is; just pretty land.”

Mr. Green explained, “we have no control over the street; it is a dedicated City Street.”

Letters were received and signed by the following:

Sherry Brisco, 2504 N. Hickory, Sherman, TX

Tracy Brisco, 2504 N. Hickory, Sherman, TX

Beth Gutierrez, 2502 N. Hickory, Sherman, TX

Teena Byington, 1700 W. Brockett, Sherman, TX

Marco Murillo, 2414 N. Shannon, Sherman, TX

William Perkins, 303 W. Swanner, Sherman, TX
Paul Soulls, 2419 N. Shannon, Sherman, TX
Janet Kamres, 2309 N. Shannon, Sherman, TX
Linda Green, 223 W. Pelton, Sherman, TX
Balbina Quiroz Chavez, 219 W. Pelton, Sherman, TX
Marilyn Henderson, 220 W. Pelton, Sherman, TX
Nicole Gilmore, 230 W. Pelton, Sherman, TX
Sarah Hudson, 2312 N. Shannon, Sherman, TX

“We have lived at 2504 N Hickory Street for almost thirty years. My kids played on this land across the street from our house. Then my grandkids then my great grand kids and now my great great. We kicked soccer balls; rode our bikes, flew kites and played football and baseball there. We would like this land to stay as it is for all the kids and future kids in this neighborhood. Our kids and families ride their bikes down this street. Can they still do this with all the traffic from the apartments that will generate? Our street is little more than a path not made for a lot of traffic.”

“There are a lot of pretty trees on this land and birds. We love looking at them. You ought to see the view on a nice summer day or when snow is all over them or when there is a full moon shining down them. Rich people get to look at a pretty view of manicured lawns and pretty houses. Why can't we have a pretty view also? We do not want the noise, we do not want the traffic, and we do not want the crime. A few blocks over on Travis Street at those apartments, the police are frequently called there for stabbing, shooting, fights, drug deals, etc. A few blocks over on Taylor Street at the apartments across from the park and on down on both sides of the streets the same thing. We do not want this on our street or in our neighborhood.”

“We know businessmen want to make money, but do they have to make money at our expense of peace, quiet and beauty or our quality of life? Some of us have back yards where our kids play directly across the street from this land. If there is a shooting at these apartments, they are in danger of killing our kids while they play in their own backyard. There are apartments that have been there for years and the tenants move in and out probably more than a hundred in the last 30 years. We do not need more of this. There are many pieces of land all over this town and on the outskirts of town; go build your apartments there. Please leave our neighborhood quiet, peaceful and beautiful! Aren't we law-abiding citizens entitled to this?”

“Please drive down our street, park your car, get out, walk down our street, and see for yourselves how pretty and peaceful our neighborhood is. All of you ask yourselves how would you like to have apartments across the street from your home?”

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 2413 North Hickory Street subject to the Staff Review Letter. Second by Commission Member Wood.

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

VOTING NAY: NONE

MOTION CARRIED

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

SPECIFIC USE PERMIT

THE REQUEST OF JOSE MENJIVAR (OWNER) AND JAMES GREEN (GENERAL CONTRACTOR) CONCERNING THE PROPERTY LOCATED AT 2417 NORTH HICKORY STREET, BEING LOT 1, BLOCK 1, MENJIVAR'S 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
2417 NORTH
HICKORY ST. (JOSE
MENJIVAR)

James Green, PO Box 12, Denison, TX

Mr. Green appeared to represent the request and answer any questions. The property is located at 2417 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 construct a 2,197 square foot, four bedroom (two per unit) duplex at this location. They had seen the Staff Review Letter and would abide by the Recommendations.

Janet Kamras, 2309 N. Shannon, Sherman, TX

Mrs. Kamras explained, "there is no plan for drainage, police cars are out there all the time, there are no lights, it is unsafe for our neighborhood for everyone out there."

Sherry Brisco, 2504 N. Hickory, Sherman, TX

Mrs. Brisco explained, "all this land goes together; it is right in front of my house. When I sit on my front porch, it is like looking at a park, it is going to make the neighborhood unsafe; we do not want any apartments in there. We would love to keep that land safe for our kids to go over there and play. It is going to increase crime, noise and traffic. People do not stay; they will be in and out all the time. Right across the street are Rowland Apartments that use to be a church. There is a duplex right next door to me; it was built a long time ago and it is pretty and their yard faces mine. My son mows the whole block and keeps the yards pretty."

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

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Davis to approve the Specific Use Permit to allow a duplex in an R-1 (One Family Residential) District at 2417 North Hickory Street subject to the Staff Review Letter. Second by Commission Member Sims.

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

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE

THE REQUEST OF GO PROPERTIES 7, LLC (OWNERS), RODNEY OWENS (REPRESENTATIVE), CEDAR HOLLOW REHABILITATION CENTER (TENANT) AND DFD ARCHITECTS, INC. (ARCHITECT) CONCERNING THE PROPERTY LOCATED AT 5011 NORTH U.S. HIGHWAY 75, BEING 5.161 ACRES IN THE BROWN & RICKETTS SURVEY, ABSTRACT NO. 1553, AS FOLLOWS;

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.8, SUBSECTION (5)(1) TO ALLOW A 11' FRONT SETBACK FOR A 64 SQUARE FOOT MONUMENT SIGN IN LIEU OF THE REQUIRED 40' IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1 (75 & 82 OVERLAY) DISTRICT.

VARIANCE – FRONT SETBACK FOR MONUMENT SIGN 5011 NORHT U.S. HIGHWAY 75 (GO PROPERTIES 7, LLC)

Rodney Owens, 5305 Miramar Ln., Colleyville, TX

Mr. Owens appeared to represent the request and answer any questions. The property is located at 5011 North U.S. Highway 75, the northeast corner of U.S. Highway 75 and Fallon Drive. It is currently zoned a C-1 (Retail Business) District and located in the O-1 (75 & 82) Overlay District. A zone change from an R-1 (One Family Residential) District to a C-1 (Retail Business) District and a Specific Use Permit to allow a skilled nursing facility was approved in 2016.

Mr. Owens explained, “the Cedar Hollow Rehabilitation Center is a skilled nursing facility that is currently under construction at the corner of Fallon Drive and U.S. Highway 75. We have a ten-foot landscape buffer along the Highway 75 access road and a forty-foot building setback. Our original plans had a monument sign turned perpendicularly to the service road and the front of that sign was at twenty-five feet. If you drive by the site, it was a real site heavy project and we have a lot of cut from that service road as you are coming down Fallon Drive to the service road. To get our foundation where we wanted it, we have about thirty-one feet of cut, so where that sign is proposed unless we build it thirty feet tall you would never see it; it drops off. We would like to erect a sixty-four square foot monument sign, 11'

from the front property line facing Highway 75. Being a nursing home, we need to make sure the sign is visible for first responders.” He had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Davis asked if the sign was internally lit or will there be lights shining toward the sign.

Mr. Owens explained, “we have electricity out there and usually we have lower lighting landscape lights that softly shine up on the sign. The monument sign will have the same brick as the building.”

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

ACTION TAKEN.

Motion by Commission Member Downtain to approve the variance to allow an 11’ front setback for a 64 square foot monument sign in lieu of the required 40’ in a C-1 (Retail Business) District/O-1 (75 & 82 Overlay) District at 5011 North U.S. Highway 75 subject to the Staff Review Letter. Second by Vice-Chairman Elliott.

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

VOTING NAY: NONE

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE

THE REQUEST OF SCOTT & FAITH WEAVER (OWNERS), MATT RITCHEY, TEXOMA ROOFING & CONSTRUCTION (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 225 WEST KING STREET, BEING 0.23 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, AS FOLLOWS;

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (1)(C)(2) TO ALLOW A 1’ SIDE SETBACK FOR A 680 SQUARE FOOT DETACHED GARAGE/CARPORT IN LIEU OF THE REQUIRED 5’ IN AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT.

VARIANCE – SIDE SETBACK FOR DETACHED GARAGE/CARPORT 225 WEST KING ST. (SCOTT & FAITH WEAVER)

Matt Ritchey and Clint Buttrell, Texoma Roofing & Construction, 2408 N. Travis, Sherman, TX

Mr. Ritchey and Mr. Buttrell appeared to represent the request and answer any questions. The property is located at 225 West King Street; the northeast corner of King and Elm Streets. The property is zoned an R-2 (Multi-Family Residential) District.

Mr. Ritchey explained, “there used to be storage building on the property, 1’ from the property line. The owner would like to construct a 20’ x 34’ garage/carport in the same location, as the old building was located. If we build the building 5’ from the property line, the post will be right in line with the back door, so we would like to move it back so when they walk out they are not facing it; the post lies 6’ from the back 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 variance.

ACTION TAKEN.

Motion by Commission Member Wood to approve the variance to allow a 1’ side setback for a 680 square foot detached garage/carport in lieu of the required 5’ in an R-2 (Multi-family Residential) District at 225 West King Street subject to the Staff Review Letter. Second by Commission Member Davis.

VOTING AYE: MAHONE, ELLIOTT, DAVIS, DOWNTAIN 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 SSCGC HOLDINGS, LLC (OWNERS) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 1200-2600 BLOCKS OF SOUTH U.S. HIGHWAY 75, BEING 235.088 ACRES IN A PART OF THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56 AND THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, ALSO BEING A PART OF THE SHERMAN HILLS COUNTRY CLUB ADDITION GOLF COURSE TRACTS ADDITION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SECOND REPLAT APPROVAL OF SHERMAN HILLS COUNTRY CLUB ADDITION

**SECOND REPLAT
SHERMAN HILLS
COUNTRY CLUB
ADDITION
1200-2600 BLKS.
SOUTH U.S.
HIGHWAY 75
(SSCGC HOLDINGS,
LLC)**

Bill Magers, 4 Timber Creek, Sherman, TX

Mr. Magers appeared to represent the request and answer any questions. The property is located in the 1200-2600 blocks South U.S. Highway 75, between Center Street and FM 1417; Stone Creek Golf Club is the tenant. The property is zoned an R-1 (One Family Residential) District and C-1 (Retail Business) District.

Mr. Magers explained they would like to Replat the property into three lots. They had seen the Staff Review Letter and would abide by the Recommendations.

ACTION TAKEN.

Motion by Commission Member Davis to approve the Second Replat of Sherman Hills Country Club Addition located in the 1200-2600 blocks of South U.S. Highway 75 subject to the Staff Review Letter. Second by Commission Member Downtain.

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

VOTING NAY: NONE

MOTION CARRIED

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

REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF SSCGC HOLDINGS, LLC (OWNERS), JOSHUA HOLLEY (DEVELOPER) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 2100-2200 BLOCKS OF SOUTH U.S. HIGHWAY 75, BEING ALL OF THE SUNRISE TRACT AT SHERMAN HILLS, PHASE 1 AND A PART OF LOT 1 OF THE REPLAT OF SHERMAN HILLS COUNTRY CLUB ADDITION GOLF COURSE TRACTS, (CONTAINING 22.822 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF HOLLEY HEIGHTS ADDITION, A REPLAT OF THE SUNRISE TRACT AT SHERMAN HILLS, PHASE 1 AND A PART OF LOT 1 OF THE REPLAT OF SHERMAN HILLS COUNTRY CLUB ADDITION

REPLAT HOLLEY HEIGHTS ADDITION, A REPLAT OF THE SUNRISE TRACT AT SHERMAN HILLS, PHASE 1 AND A PART OF LOT 1 OF THE REPLAT OF SHERMAN HILLS COUNTRY CLUB ADDITION 2100-2200 BLKS. SOUTH U.S. HIGHWAY 75 (SSCGC HOLDINGS, LLC)

Bill Magers, 4 Timber Creek, Sherman, TX

Mr. Magers appeared to represent the request and answer any questions. The property is located in the 2100-2200 blocks South U.S. Highway 75, between Center Street and FM 1417; Stone Creek Golf Club is the tenant. The property is zoned an R-1 (One Family Residential) District.

Mr. Magers explained he would like to Replat the property into seventy-four lots for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

ACTION TAKEN.

Motion by Commission Member Davis to approve the Replat of Holley Heights Addition, a Replat of the Sunrise Tract at Sherman Hills, Phase 1 and a part of Lot 1 of the Replat of Sherman Hills Country Club Addition located in the 2100-2200 blocks of South U.S. Highway 75 subject to the Staff Review Letter. Second by Commission Member Downtain.

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

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 6:50 p.m.

ADJOURNMENT

CHAIRMAN

SECRETARY