

STATE OF TEXAS

§

May 18, 2021

COUNTY OF GRAYSON

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BE IT REMEMBERED THAT A Regular Meeting of the Planning and Zoning Commission and Board of Adjustments of the City of Sherman, was begun and held on May 18, 2021.

MEMBERS PRESENT: CHAIRMAN MAHONE AND VICE-CHAIRMAN DOWNTAIN  
COMMISSION MEMBERS: MANLEY, WHITAKER AND  
BLAGG

ALTERNATE: NONE

MEMBERS ABSENT: SIMS AND DAVIS

STAFF PRESENT: ROB RAE, DIRECTOR OF DEVELOPMENT SERVICES, PATSY  
REEVES, DEVELOPMENT SERVICES COORDINATOR AND  
WAYNE LEE, DIRECTOR OF ENGINEERING

CITY ATTORNEY: RYAN PITTMAN

CALL TO ORDER

Chairman Mahone called the meeting to order at 5:06 p.m.

CALL TO ORDER

APPROVE MINUTES

The Planning and Zoning Commission reviewed the minutes of the April 15, 2021 Training Workshop and the April 20, 2021 regular meeting. Motion by Vice-Chairman Downtain to approve the Minutes as written. Second by Commission Member Whitaker. All present voted AYE. MOTION CARRIED.

APPROVE MINUTES

APPOINT ACTING SECRETARY

Scott Shadden was the former Secretary of the Planning and Zoning Commission; he retired in January. Chapter 14, Article 14.03 Planning and Zoning Board, Section 14.03.002 requires the Planning and Zoning Board elect a Secretary, Acting Secretary and such other officers as it may deem expedient. It shall be the duty of the Secretary to keep a record of all meetings and the business transacted at such meetings.

APPOINT ACTING  
SECRETARY

ACTION TAKEN.

Motion by Vice-Chairman Downtain to appoint Rob Rae as Acting Secretary of the Planning and Zoning Commission and Board of Adjustments. Second by Commission Member Whitaker.

VOTING AYE: MAHONE, DOWNTAIN, WHITAKER, BLAGG  
AND MANLEY.

VOTING NAY: NONE

MOTION CARRIED

**ANNOUNCEMENTS**

Rob Rae, Director of Development Services informed the board the City Council approved the updates to the zoning ordinance. All the recommendations the Planning and Zoning Commission sent forward to the City Council last month were approved with one exception: on the patio home open space, they changed it from five homes for 5% open space to 25 homes. So the open space requirement will be 25-49 homes requires 5% and 50 homes requires 10%. Everything else was approved that was recommended.

**ZONING CHANGE  
UPDATES**

**APPOINT BOARD OF ADJUSTMENTS**

Chairman Mahone appointed the members of the Board of Adjustments: MAHONE, DOWNTAIN, MANLEY, WHITAKER AND BLAGG.

**BOARD OF  
ADJUSTMENTS**

**CONSENT AGENDA (ITEMS 11, 15, 17, 20, 22 & 23)**

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

**CONSENT AGENDA**

Mr. Rae informed the audience “for those that have Replats or Final Plats for anticipation of impact fees. There are some in this list that are attempting to do that. Those plats need to be filed and signed by the Engineering Department by June 3, 2021 to be able to get the waiver on impact fees.”

The Commission reviewed the Consent Agenda. Commission Member Manley moved to approve the Items on the Consent Agenda as presented subject to the Staff Review Letters. Second by Commission Member Blagg. All present voted AYE.

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

**REPLAT – CONSENT AGENDA ITEM**

**THE REQUEST OF SHERMAN CROSSROADS, LTD (OWNER) AND A&W SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 3400-3500 BLOCKS OF SOUTH U.S. HIGHWAY 75, BEING 5.727 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667 AND BEING ALL OF LOT 6, BLOCK 2, SHERMAN CROSSROADS, PHASE II, LOTS 1R-1 AND 6, AS FOLLOWS;  
*PLANNING AND ZONING COMMISSION*  
REPLAT SHERMAN CROSSROADS, PHASE II, LOTS 30 AND 6R-2, BLOCK 2**

**REPLAT SHERMAN  
CROSSROADS,  
PHASE II, LOTS 30 &  
6R-2, BLOCK 2  
3400-3500 BLKS.  
SOUTH U.S.  
HIGHWAY 75  
(SHERMAN  
CROSSROADS, LTD)**

The property is located in the 3400-3500 blocks of South U.S. Highway 75 between West Travis Street and FM 1417. The property is zoned Blalock Industrial Park and located in the Blalock Commercial Overlay District. The owner would like to Replat the property into two lots for commercial development and dedicate right-of-way for Aston Drive. 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 SSCGC HOLDINGS, LLC (OWNER), BLUESTONE PARTNERS, LLC (DEVELOPER) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 900-1000 BLOCKS OF SOUTH FM 1417 (HERITAGE PARKWAY), BEING 8.538 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, AS FOLLOWS:  
*PLANNING AND ZONING COMMISSION*  
FINAL PLAT APPROVAL OF HERITAGE COURT ADDITION

FINAL PLAT –  
HERITAGE COURT  
ADDITION  
900-1000 BLKS.  
SOUTH FM 1417  
(HERITAGE  
PARKWAY)  
(SSCGC HOLDINGS,  
LLC)

The property is located in the 900-1000 blocks of South FM 1417 (Heritage Parkway) between Brookstone Drive and Quail Run Road. The property is zoned an R-2 (Multi-Family Residential) District and located in the O-1.1 (FM 1417) Overlay District.

The owner would like to plat the property into one lot for residential development of an apartment complex. 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 EARNHARTBUILT, LLC (OWNER), MORAN DEVELOPMENT (DEVELOPER) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 515 AND 519 SOUTH FIRST STREET, BEING 0.402 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56 AND BEING PART OF BLOCK 2 OF G.Y. GRAY’S SUPPLEMENT ADDITION AND BEING ALL OF LOTS 14, 15 AND THE NORTH 5.333 FEET OF LOT 16, BLOCK 2 EXCEPT THE NORTH 8 FEET OF LOT 14 AND ALL OF THE SOUTH 27.666 FEET OF LOT 16, BLOCK 2, AS FOLLOWS:  
*PLANNING AND ZONING COMMISSION*  
REPLAT APPROVAL OF CUNNINGHAM PLACE ADDITION.

REPLAT –  
CUNNINGHAM  
PLACE ADDITION  
515 & 519 S. FIRST  
ST.  
(EARNHARTBUILT,  
LLC)

The property is located at 515 and 519 South First Street between King and Cherry Streets. The property is zoned a C-2 (General Commercial) District and an R-1 (One Family Residential) District The owner would like to Replat the property into one lot for Multi-Family 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 JAIME ANTONIO SANCHEZ (OWNER) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1438 SOUTH WALNUT STREET, BEING 0.326 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56 AND BEING A PART OF LOT 14, M.B. MOORE’S ADDITION, AS FOLLOWS:

***PLANNING AND ZONING COMMISSION***

REPLAT APPROVAL OF PART OF LOT 14, M.B. MOORE’S ADDITION AND ADJOINING TRACT OF LAND EAST OF SAID LOT 14.

REPLAT – PART OF LOT 14, M.B. MOORE’S ADDITION AND ADJOINING TRACT EAST OF LOT 14  
1438 S. WALNUT ST.  
(JAIME ANTONIO SANCHEZ)

The property is located at 1438 South Walnut Street; the northwest corner of Walnut and Olive Streets. The property is zoned an R-1 (One Family Residential) District. The owner would like to Replat 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.

**FINAL PLAT – CONSENT AGENDA ITEM**

THE REQUEST OF TERRA PERPETUA LLC (OWNERS), KIMLEY-HORN & ASSOCIATES (SURVEYOR/CIVIL ENGINEER) AND AMERICAN COMMUNITIES (DEVELOPER) CONCERNING THE PROPERTY LOCATED IN THE 300-1000 BLOCKS EAST FM 1417 (VIETNAM VETERANS PARKWAY), BEING 62.329 ACRES IN THE SHERROD DUNMAN SURVEY ABSTRACT NO. 329, AS FOLLOWS:

***PLANNING AND ZONING COMMISSION***

FINAL PLAT APPROVAL OF BEL-AIR VILLAGE, PHASE 1

FINAL PLAT – BEL-AIR VILLAGE, PHASE I  
300-1000 BLKS. E. FM 1417 (VETERANS PARKWAY)  
(TERRA PERPETUAL, LLC)

The property is located in the 300-1000 blocks East FM 1417 (Vietnam Veterans Parkway) between U.S. Highway 75 and State Highway 11 (Dewey Avenue). A portion of the property (245.83 acres) was approved for a Planned Development for Terra Perpetua Village by Ordinance 6232, August 5, 2019. The owner purchased an additional 32.545 acres east of the development and amended the planned development to include this acreage for a total of 278.313 acres and renamed it to Bel Air Village (Ord. 6319).

This request is for Final Plat approval for Phase I, containing 62.329 acres, 327 residential lots and 7 Home Owner's Association (HOA) lots for a mixed-use 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.

**FINAL PLAT – CONSENT AGENDA ITEM**

THE REQUEST OF ERIC AND KELLY POPP (OWNERS), UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1406 WEST

FINAL PLAT – POPP’S ADDITION  
1406 W. CENTER ST.

**CENTER STREET, BEING 0.463 ACRES IN THE ELIZABETH JONES SURVEY ABSTRACT NO. 625, AS FOLLOWS:  
PLANNING AND ZONING COMMISSION  
FINAL PLAT APPROVAL OF POPP’S ADDITION**

**(ERIC & KELLY  
POPP)**

The property is located at 1406 West Center Street between Holly and Binkley Park Drive. The property is zoned an R-1 (One Family Residential) District. The owner would like to plat the property into two lots to sell one of 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.**

**AMEND EXCEPTION**

**THE REQUEST OF HABITAT FOR HUMANITY (OWNER), GREG BENTON (REPRESENTATIVE) AND DAVID BACA STUDIO (ARCHITECT) CONCERNING THE PROPERTY AT 515 EAST CARTER STREET, BEING ALL OF LOT 11 AND THE WEST 3’ OF LOT 12, BLOCK 1, HALL & JONES ADDITION, CONTAINING 0.195 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, AS FOLLOWS:**

**AMEND EXCEPTION  
– LIVING AREA  
515 E. CARTER ST.  
(HABITAT FOR  
HUMANITY)**

***BOARD OF ADJUSTMENTS***

**AMEND A PREVIOUSLY APPROVED EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.8.3, SUBSECTION (4)(C) TO ALLOW A RESIDENTIAL DWELLING WITH 1,008 SQUARE FOOT LIVING AREA IN LIEU OF THE REQUIRED 1,200 SQUARE FOOT IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT/COLLEGE PARK OVERLAY DISTRICT.**

**Mike Kauffman, Habitat for Humanity, PO Box 910293, Sherman, TX**

Mr. Kauffman appeared to represent the request and answer any questions. The property is located at 515 East Carter Street between East and Broughton Streets. The property is zoned an R-1 (One Family Residential) District and located in the College Park Overlay District. An exception to allow a residential dwelling to have 1,097 square foot living area in lieu of the required 1,200 square foot in the College Park Overlay District was approved June 16, 2020.

Mr. Kauffman explained “the property was sold to Habitat for Humanity and they would like to construct a house with 1,008 square foot living area for a single-member family. The house will be two-bedrooms, two-baths. The exterior will be concrete lap siding. The house will be moved 3’ to the left for the driveway to be located on the lot.” He had seen the Staff Review Letter and would abide by the Recommendations.

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

**ACTION TAKEN.**

Motion by Vice-Chairman Downtain to approve the amendment to the exception to allow a residential dwelling with 1,008 square foot living area in lieu of the required 1,200 in an R-1 (One-Family Residential) District at 515 East Carter Street. Second by Commission Member Manley.

**VOTING AYE: MAHONE, DOWNTAIN, MANLEY, WHITAKER AND BLAGG.**

**VOTING NAY: NONE**

**MOTION CARRIED**

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

**VARIANCE & SITE PLAN**

**THE REQUEST OF BUTTERFLY PROPERTIES V LLC (OWNERS), TOM RHODES (REPRESENTATIVE) AND COPLEY LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY AT 222 SOUTH ELM STREET, BEING LOTS 2 & 4, BLOCK 1, A.R. LOVING ADDITION, AS FOLLOWS;**

***BOARD OF ADJUSTMENTS***

**VARIANCE UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (1)(3) TO ALLOW 5' SIDE STREET SETBACK FOR AN ACCESSORY BUILDING IN LIEU OF THE REQUIRED 25' IN AN C-2 (GENERAL COMMERCIAL) DISTRICT/CENTRAL BUSINESS DISTRICT.**

***PLANNING AND ZONING COMMISSION***

**SITE PLAN APPROVAL FOR AN ACCESSORY BUILDING.**

**VARIANCE – SIDE STREET SETBACK**

**SITE PLAN – ACCESSORY BUILDING  
222 S. ELM ST.  
(BUTTERFLY PROPERTIES V LLC)**

**(TABLED)**

**Tom Rhodes, 222 S. Elm St., Sherman, TX**

**Mr. Rhodes appeared to represent the request and answer any questions. The property is located at 222 South Elm Street; the northwest corner of Elm and Jones Streets. The property is zoned a C-2 (General Commercial) District and located in the Central Business District. A Specific Use Permit to allow an Intellectual and Developmental Disabilities Facility in a C-2 (General Commercial) District/Central Business District was approved December 7, 2020 (Ord 6336). Site plan approval for an accessory building for Ambience Community Services, LLC was approved November 17, 2020.**

**Mr. Rhodes explained, “I would like to construct a 14' x 32' accessory building on the south side of their existing building, 5' from the Jones Street property line. The building will be hardy board siding with a brick panel on the end of the building to match the existing building. The building will be located 6' from the office building and 5' from the Jones Street property line. When you look at it, it looks like it is balanced the accessory building on the right side because there is a parking lot there. You still have 23' from the right side of the building to the curb, so the building does not look like it is crammed in there; it is almost balanced with the property itself with the accessory**

building on the north side and the new one on the south side.” He had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone asked about the brick panel, “it looks like a solid color in the pictures. Is the brick like the brick on the main office building?”

Mr. Rhodes explained, “the original building is real brick, this is a brick looking panel.”

Chairman Mahone asked what it is made out of; “is it like plywood?”

Mr. Rhodes responded, “it is a little bit better than that. The building will be hardy board siding and then we put this panel up over it. I bought it at Lowe’s; it comes in 4’x8’ sheets.”

Chairman Mahone wanted to discuss the variance for the setback. “The building faces Elm Street and the side street is Jones Street. There are houses behind you that face Jones Street and I assume they are setback 25’ from the front property line. If you are looking down Jones Street, the proposed building will be quite a bit in front of all those houses that are lined up on Jones Street.”

Mr. Rae stated, “the houses on Jones should be setback 25’ from the property line.”

Chairman Mahone stated, “that is a lot of accessory buildings on one lot: to have two accessory buildings.”

Commission Member Whitaker asked what the second building would be used for.

Mr. Rhodes responded, “storage.”

Chairman Mahone asked, “what is in the existing accessory building.”

Mr. Rhodes responded, “there is storage and they have moved one office in there.”

Vice-Chairman Downtain asked if a Certificate of Occupancy Permit is required for an accessory building.

Mr. Rae responded, “they would be required for a building permit for the accessory buildings.”

Vice-Chairman Downtain stated, “when we approved the other storage building, it was an accessory building.”

Chairman Mahone asked if the other accessory building was supposed to be an office.

Mr. Rae responded, “I will check to see if they had a Certificate of Occupancy Permit for the office and to see what was approved.”

Mr. Rhodes explained, “the thought was to use the building as an office.”

Mr. Rae stated, “there was also talk of expanding the classroom. My recollection was there were multiple uses they were wanting to do.”

Mr. Rhodes stated, “she did not use it as a classroom.”

Commission Member Blagg asked the purpose of the side yard setback; “is it for public safety, view; we have that rule for a reason, I would like some insight for the 25’ side yard setback; what is it supposed to do.”

Mr. Rae explained on the Development side, “it is consistency with the block.”

Wayne Lee, Director of Engineering explained, “we are concerned with site distance safety along the street. The street could be widened one day to occupy more of the right-of-way.”

Commission Member Manley stated, “it looks like your parking lot is rather large. If you were not able to put this building in the side yard, have you looked at an option of moving it to behind the primary building or by the other accessory building in the west parking lot.”

Mr. Rhodes responded, “we could possibly do that. If we moved it to the west side as suggested, how far from the property line would it have to be located?”

Mr. Rae explained, “since it is abutting residential, it would have to be 15’ from the property line. I have not seen cars parked in the west parking lot.”

Mr. Rhodes responded, “there are usually two cars parked in the west parking lot and three or four in the north parking lot.”

Chairman Mahone explained “my issues are I think it is an awful lot of storage and space in addition to the existing building. The site line setback on the front street is at least for other people on that block, that is their front facing street; that is a concern to me. If it was moved to a different location it would make it easier. If you would like to request we table the request, you could work with it to see if you could come up with a different location; that is an option or we could move forward and make a decision on what is presented right now.”



Mr. Rae explained, “you could come back with a different location, but if you came back in a month with the exact same site plan that would not be different enough if the variance and site plan were denied tonight.”

Mr. Rhodes requested to table the request.

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

**ACTION TAKEN.**

Motion by Vice-Chairman Downtain to table the request for a variance to allow a 5’ side street setback and site plan approval for an accessory building in a C-2 (General Commercial) District/Central Business District subject to the Staff Review Letter at 222 South Elm Street. Second by Commission Member Whitaker.

**VOTING AYE: MAHONE, DOWNTAIN, MANLEY, WHITAKER AND BLAGG.**

**VOTING NAY: NONE**

**MOTION CARRIED.**

**THE REQUEST WAS TABLED.**

**ZONE CHANGE**

THE REQUEST OF HYPERSTAR INC. (OWNER), DANISH SAMAD (REPRESENTATIVE) AND COPLEY LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1125 SOUTH MONTGOMERY STREET, BEING LOT 7, BLOCK 7, JONES & WAINRIGHT’S ADDITION, AS FOLLOWS:

***PLANNING AND ZONING COMMISSION***

**ZONE CHANGE UNDER ORDINANCE NO. 2280, SECTION 12, FROM A C-1 (RETAIL BUSINESS) DISTRICT TO AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT.**

**ZONE CHANGE – C-1  
TO R-1  
1125 S.  
MONTGOMERY ST.  
(HYPERSTAR INC.)**

**Danish Samad, 115 S. Travis, Ste. 310, Sherman, TX**

Mr. Samad appeared to represent the request and answer any questions. The property is located at 1125 South Montgomery Street between Kentucky and Rosedale Streets. The property is zoned a C-1 (Retail Business) District.

Mr. Samad explained, “I would like to change the zoning on the property to an R-1 (One Family Residential) District to construct a residential dwelling on the lot.” 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 zone change.

**ACTION TAKEN.**

Motion by Commission Member Manley to approve the request for a zone change from a C-1 (Retail Business) District to an R-1 (One-Family Residential) District at 1125 South Montgomery Street. Second by Commission Member Blagg.

**VOTING AYE: MAHONE, DOWNTAIN, MANLEY, WHITAKER AND BLAGG.**

**VOTING NAY: NONE**

**MOTION CARRIED**

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

**EXCEPTION & REPLAT**

**THE REQUEST OF ROSEWELL PROPERTIES, LLC (OWNER) AND COPLEY LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 809 EAST JONES STREET, BEING ALL OF LOTS 15, 16, 17 AND 18 OF MRS. H.M. SUMMER'S FIRST ADDITION, AS FOLLOWS;**

***BOARD OF ADJUSTMENTS***

**EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW TWO 50' WIDE LOTS IN LIEU OF THE REQUIRED 60' LOT WIDTHS IN THE PROPOSED REPLAT OF LOT 15R AND 17R OF THE REPLAT OF LOTS 15, 16, 17 & 18 OF MRS. H.M. SUMMER'S FIRST ADDITION IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT.**

***PLANNING AND ZONING COMMISSION***

**REPLAT LOTS 15, 16, 17 & 18 OF MRS. H.M. SUMMER'S FIRST ADDITION**

**EXCEPTION – LOT WIDTH**

**REPLAT LOTS 15, 16, 17 & 18 OF MRS. H.M. SUMMER'S FIRST ADDITION  
809 E. JONES ST.  
(ROSEWELL PROPERTIES, LLC)**

**Nataraj Anne, 7613 Oakcrest Dr., Frisco, TX**

Mr. Anne appeared to represent the request and answer any questions. The property is located at 809 East Jones Street between Maxey and Willow Streets. The property is zoned an R-1 (One Family Residential) District

Mr. Anne explained, "I would like to Replat the property into two 50' wide lots for residential development. He had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone stated, "there is one lot now and there is an existing home on the lot; is the existing home going to remain."

Mr. Anne responded, "yes."

Chairman Mahone asked if they plan to do any work to the existing home. "What is going to happen to the driveway, will it be in the middle of two lots or will it be on one lot or the other."

Mr. Anne responded, “we may remodel the house a little but not very much. I’m not sure of the driveway. I will get with the Surveyor to see what is possible. There will probably be two driveways or a shared driveway.”

Mr. Lee stated, “we prefer the apron of the driveway not to encroach onto the other lot.”

Commission Member Blagg asked about the setbacks for the existing house.

Mr. Rae explained, “we do not know if the existing house is meeting the setback requirements or not.”

Chairman Mahone explained, “we know where the line will split the two lots, but will it cause a setback issue for the existing house.”

Commission Member Blagg stated, “it would need to be 6’.”

Vice-Chairman Downtain explained, “it is tighter on the other side than it is on the side next to the house. There is a driveway between the property lines.”

Mr. Rae stated, “it doesn’t seem the existing house will have a setback issue since the driveway separates the new lot line.”

Chairman Mahone stated, “it looks like there are several lots in the same neighborhood that are as narrow as these since it is in an older part of town.”

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

*Board of Adjustments*

**ACTION TAKEN.**

Motion by Vice-Chairman Downtain to approve the exception to allow two 50’ wide lots in lieu of the required 60’ lot widths in the proposed Replat of Lot 15R and 17R of the Replat of Lots 15, 16, 17 & 18 of Mrs. H.M. Summer’s First Addition in an R-1 (One-Family Residential) District at 809 East Jones Street. Second by Commission Member Manley.

**VOTING AYE: MAHONE, DOWNTAIN, MANLEY, WHITAKER AND BLAGG.**

**VOTING NAY: NONE**

**MOTION CARRIED**

*Planning and Zoning Commission*

**ACTION TAKEN.**

Motion by Commission Member Manley to approve the Replat of Lots 15, 16, 17 & 18 of Mrs. H.M. Summer’s First Addition at 809 East Jones Street. Second by Commission Member Blagg.

VOTING AYE: MAHONE, DOWNTAIN, MANLEY, WHITAKER AND BLAGG.  
VOTING NAY: NONE  
MOTION CARRIED

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

**VARIANCE**

THE REQUEST OF CARRUS HEALTH HOLDINGS (OWNER), PETER JUUL (REPRESENTATIVE) AND NEON SIGNS AND DESIGNS (SIGN CONTRACTOR), CONCERNING THE PROPERTY LOCATED AT 1724 WEST U.S. HIGHWAY 82, BEING LOT 1, CARRUS MEDICAL PLAZA REPLAT LOT 5, AS FOLLOWS:

***BOARD OF ADJUSTMENTS***

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.8, SUBSECTION (5)(A)(1) TO ALLOW A 5' FRONT SETBACK FOR A 10' X 20' 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 SIGN 1724 WEST U.S. HIGHWAY 82 (CARRUS HEALTH HOLDINGS)

**Ricky Bates, Neon Signs and Designs, 103 E. Crawford, Denison, TX and Peter Juul, Carrus Hospital, 1724 W. Highway 82, Sherman, TX**

Mr. Bates and Mr. Juul appeared to represent the request and answer any questions. The property is located at 1724 West U.S. Highway 82 between Post Oak Crossing and Rex Cruse Drive; Carrus Specialty Hospital and Davita are the tenants. The property is zoned a C-1 (Retail Business) District and located in the O-1 (75 & 82) Overlay District. An exception to allow an aluminum composite panel system as accent features in lieu of the required masonry requirements for a medical office building was approved October 18, 2016. A Specific Use Permit to allow Carrus Behavioral Hospital for inpatient/outpatient care was approved February 18, 2019 (Ord 6179).

Mr. Bates explained, “the owners are requesting a variance to allow a 5' front setback for a 10' x 20' multi-tenant monument sign. The City requires a 40' setback and I have done several renderings for visibility from the highway. There is so much berm built up from the existing highway and where we would have to put the sign; it is almost invisible.”

Mr. Juul explained, “our other hospital, the ambulances bring the patients in but this is behavioral health and families bring their children directly, they do not have to go to a doctor. Very often it happens at night and we do not have a good sign and they need to be able to tell what they are looking for.” They had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone asked if the existing sign had lights on it.

Mr. Juul stated, “that sign will go away.”

Mr. Bates explained, “the new sign will be on the east side of the driveway.”

Chairman Mahone explained, “there is a 10’ utility easement along the front of the property; will your sign be in that easement.”

Mr. Juul responded, “I don’t believe we are in the easement.”

Mr. Rae stated, “the site plan shows a 10’ easement in the front of the property.”

Mr. Lee explained, “we stated in the Staff Review Letter that the sign could not be inside any utility easements and there is a 10’ easement along the frontage.”

Mr. Bates stated, “we would have to be back 10’ out of the easement.”

Mr. Juul stated, “we would have to push it back another 5’.”

Mr. Rae explained, “you would still need a variance for the setback if you wanted a 10’ setback.”

Chairman Mahone stated, “what was advertised and the Staff Review Letter are in conflict.”

Mr. Rae explained, “in a situation like this for the Board of Adjustments, the applicant has to ask for the change for the request for 10’ that is not something the board can do.”

Chairman Mahone asked if they could make it work if it was out of the easement.

Mr. Juul responded, “we can move it 5’. The important part is that we get the top part lit up for the Carrus Behavioral Hospital because that is the one that is the most important sign.

Mr. Bates stated, “looking at where it is at the emergency direction will be visible also.”

Mr. Juul explained, “we actually have three hospitals on the campus. The emergency room is in one of the other hospitals. When they come into 1724 W. Highway 82, there is a sign that tells them you go down the hill toward the hospital, turn right, go toward the other building, but we don’t have one at the other freeway. Every hospital has to have a lighted emergency room sign directing people where to go.”

Chairman Mahone explained it was advertised to the public that you were requesting a 5’ setback, so in this meeting we

cannot grant a smaller setback, but if you request it during our discussion a larger setback then we can consider that.

Mr. Juul stated, “I am here representing Carrus Health Services, my name is Peter Juul and I am requesting we change it to a 10’ setback.”

Appearing from the audience:

Brad Sidlo, 1129 S. Crockett, Sherman, TX

“I am the Hospital Administrator. A lot of these parents drop their kids off and a lot of times it is an emergency situation and many times they pass the hospital and have to go all the way down the highway and turn back around. It is a long way around. Our sole purpose is to direct them to the right location.”

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

Mr. Rae explained Ryan Pittman, City Attorney can clarify the change in the request.

Mr. Pittman explained, “if the request is coming from the applicant and they are on record as having made that request to the board.”

**ACTION TAKEN.**

Motion by Vice-Chairman Downtain to approve the request for a variance to allow a 10’ front setback for a 10’ x 20’ monument sign in lieu of the required 40’ in a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District subject to the Staff Review Letter at 1724 West U.S. Highway 82. Second by Commission Member Whitaker.

**VOTING AYE: MAHONE, DOWNTAIN, MANLEY, WHITAKER AND BLAGG.**

**VOTING NAY: NONE**

**ABSTAIN: NONE**

**MOTION CARRIED**

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

**SPECIFIC USE PERMIT & REPLAT**

**THE REQUEST OF HOMES BY JLS OF TEXOMA LLC (OWNER) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) FOR THE PROPERTY LOCATED AT 502 AND 506 SONOMA COURT, BEING 0.325 ACRES IN THE JAMES H. CLARK SURVEY, ABSTRACT NO. 273 AND BEING A REPLAT OF LOT 12, BLOCK C, AMENDED PLAT OF MAGNOLIA VILLAGE, AS FOLLOWS:**

***PLANNING AND ZONING COMMISSION***

- A. REPEAL A PREVIOUSLY APPROVED SPECIFIC USE PERMIT AND SITE PLAN APPROVAL (ORD. (6132) UNDER ORDINANCE NO. 2280, SECTION 8,**

**SUP – PATIO HOMES AMENDMENT**

**REPLAT LOTS 12R-1 & 12R-2, REPLAT OF LOT 12, BLOCK C OF AMENDED PLAT OF MAGNOLIA VILLAGE**

**502 & 506 SONOMA CT.**

**SUBSECTION (5)(A) TO ALLOW PATIO HOMES ON LOTS 12R-1 AND 12R-2 OF THE PROPOSED REPLAT OF LOT 12, BLOCK C, OF THE AMENDED PLAT OF MAGNOLIA VILLAGE FOR A TOTAL OF 46 PATIO HOMES IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT.**

**(HOMES BY JLS OF TEXOMA LLC)**

- B. REPLAT APPROVAL OF LOTS 12R-1 & 12R-2, REPLAT OF LOT 12, BLOCK C OF AMENDED PLAT OF MAGNOLIA VILLAGE.**

**Jason Basserman, 3401 North FM 1417 (Heritage Parkway), Sherman, TX**

**Mr. Basserman appeared to represent the request and answer any questions. The property is located at 502 and 506 Sonoma Court; the southwest corner of Dry Creek Road and Sonoma Court. The property is zoned an R-1 (One-Family Residential) District.**

**Mr. Basserman explained, “we are getting down to finishing the last of the Magnolia Village subdivision. I would like to Replat one large lot into two lots for residential development. The lot is more than two times the size of the other lots in the subdivision.” Mr. Basserman provided copies of elevations of the houses he plans to build on the lots. “No one wants a large lot anymore or to mow that large of lot.” A Specific Use Permit was approved to allow 45 patio homes in the Magnolia Village Addition July 16, 2018 (Ord. 6132). We would like to ask for a Specific Use Permit to allow an additional patio home for a total of 46 patio homes. He had seen the Staff Review Letter and would abide by the Recommendations.**

**Chairman Mahone asked Mr. Rae why they are repealing the Specific Use Permit for the patio homes instead of just making it an amendment or change.**

**Mr. Rae explained, “this development was approved for a patio home Ordinance 6132 including Lot 12. Our best option was to make it where everything is codified nicely, to have it all combined into one ordinance as opposed to having two separate ordinances.”**

**Mr. Pittman explained, “it is a repeal of the whole ordinance and adoption of a new ordinance.”**

**Mr. Rae explained, “the new ordinance will include both Lots 12R-1 and 12R-2. If the Specific Use Permit for the patio homes is not approved then you won’t have patio home setbacks for Lot 12R-1 and 12R-2.”**

**Mr. Basserman stated, “I have the patio home lot designation on Lot 12 now, but when I Replat the lot into two lots, I was told I would have to reapply for the patio home designation.”**

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

**ACTION TAKEN.**

Motion by Vice-Chairman Downtain to Repeal Ordinance 6132 and approve the Specific Use Permit to allow patio homes on Lots 12R-1 and 12R-2 for the Proposed Replat of Lot 12, Block C, of the Amended Plat of Magnolia Village subject to the Staff Review Letter at 502 and 506 Sonoma Court. Second by Commission Member Manley.

**VOTING AYE: MAHONE, DOWNTAIN, MANLEY, WHITAKER AND BLAGG.**

**VOTING NAY: NONE**

**MOTION CARRIED**

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

**EXCEPTION, VARIANCE, FINAL PLAT & SPECIFIC USE PERMIT**

THE REQUEST OF YOUNG ENTERPRISES, LP (OWNER) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 500 BLOCK OF EAST NORTHCREEK DRIVE, BEING 6.166 ACRES IN THE JAMES H. CLARK SURVEY, ABSTRACT NO. 273, AS FOLLOWS:

***BOARD OF ADJUSTMENTS***

- A. EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (9) TO ALLOW THE FOLLOWING LOT WIDTHS AND AREA IN LIEU OF THE REQUIRED 40' LOT WIDTH AND 4,000 SQUARE FOOT LOT AREA FOR PATIO HOMES IN THE PROPOSED COTTAGES AT MAGNOLIA VILLAGE IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT.  
LOT 3, BLOCK 2 – 3,996 SQUARE FOOT LOT AREA  
LOT 18, BLOCK 1 – 33.66' LOT WIDTH  
LOT 19, BLOCK 1 - 33.66' LOT WIDTH  
LOT 26, BLOCK 1 – 30.19' LOT WIDTH
- B. VARIANCE UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (9) TO ALLOW THE FOLLOWING LOTS WITH FRONT YARD SETBACKS IN LIEU OF THE MAXIMUM 25' FRONT YARD SETBACK FOR PATIO HOMES IN THE PROPOSED COTTAGES AT MAGNOLIA VILLAGE IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT.  
LOT 1, BLOCK 1 – 29' FRONT SETBACK  
LOT 26, BLOCK 1 – 30' FRONT SETBACK  
LOT 29, BLOCK 1 – 26' FRONT SETBACK  
LOT 30, BLOCK 1 – 31' FRONT SETBACK

***PLANNING AND ZONING COMMISSION***

- C. FINAL PLAT APPROVAL OF COTTAGES AT MAGNOLIA VILLAGE
- D. REPEAL (ORD. 6323) AND GRANTING A NEW SPECIFIC USE PERMIT AND SITE PLAN APPROVAL

**EXCEPTION- LOT WIDTH & AREA**

**VARIANCE – FRONT SETBACKS**

**FINAL PLAT – COTTAGES AT MAGNOLIA VILLAGE**

**SUP – PATIO HOMES**

**500 BLK. EAST NORTHCREEK DR. (YOUNG ENTERPRISES, LP)**



UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW PATIO HOMES ON LOTS 1-12, 14-26 AND 28-30, BLOCK 1 AND LOTS 1-10, BLOCK 2 OF THE PROPOSED COTTAGES AT MAGNOLIA VILLAGE FOR A TOTAL OF 38 PATIO HOMES IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT.

**Mike DeLong, 1623 Yarborough, Sherman, TX**

Mr. DeLong appeared to represent the request and answer any questions. The property is located in the 500 block of East Northcreek Drive between Hilre Drive and Town Center Street. The property is zoned an R-1 (One Family Residential) District. The property was rezoned from a C-1 (Retail Business) District to an R-1 (One-Family Residential) District and a Specific Use Permit to allow 39 patio homes was approved September 8, 2020 (Ord. 6323).

Mr. DeLong explained, “the owner would like to plat the property into forty lots for residential development, one lot being for detention and another for an access area to be owned and maintained by the Homeowner's Association. They are requesting to amend a previously approved Specific Use Permit to allow 39 patio homes reducing it to 38. Exceptions are requested on four lots for lot width and area and variances to allow larger front setbacks than allowed in the patio home ordinance.” 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 exception, variance, Final Plat or Specific Use Permit.

***Board of Adjustments***

**ACTION TAKEN.**

Motion by Commission Member Manley to approve the Exceptions to allow the following lot widths and area in lieu of the required 40' lot width and 4,000 square foot lot area for patio homes in the proposed Cottages at Magnolia Village in an R-1 (One-Family Residential) District.

Lot 3, Block 2 – 3,996 square foot lot area

Lot 18, Block 1 – 33.66' lot width

Lot 19, Block 1 - 33.66' lot width

Lot 26, Block 1 – 30.19' lot width

and Variance to allow the following lots with front yard setbacks in lieu of the maximum 25' front yard setback for patio homes in the proposed Cottages at Magnolia Village in an R-1 (One-Family Residential) District.

Lot 1, Block 1 – 29' front setback

Lot 26, Block 1 – 30' front setback

Lot 29, Block 1 – 26' front setback

Lot 30, Block 1 – 31' front setback

50 the 500 block of East Northcreek Drive. Second by Vice-Chairman Downtain.

VOTING AYE: MAHONE, DOWNTAIN, MANLEY, WHITAKER AND BLAGG.

VOTING NAY: NONE

MOTION CARRIED

*Planning and Zoning Commission*

**ACTION TAKEN.**

Motion by Commission Member Manley to approve the Final Plat of Cottages at Magnolia Village and Repeal (Ord. 6323) and grant a new Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow patio homes on Lots 1-12, 14-26 and 28-30, Block 1 and Lots 1-10, Block 2 of the proposed Cottages at Magnolia Village for a total of 38 patio homes in an R-1 (One-Family Residential) District subject to the Staff Review Letter in the 500 block of East Northcreek Drive. Second by Vice-Chairman Downtain.

VOTING AYE: MAHONE, DOWNTAIN, MANLEY, WHITAKER AND BLAGG.

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 EVEREST LLC (OWNER), MONT TAYLOR (APPLICANT), TEXAS GIFT WINERY, LLC DBA RIO TO RED WINERY (TENANT) AND COPLEY LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY AT 212 NORTH WALNUT STREET, BEING 0.304 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763 AND BEING PART OF LOTS 7, 8 & 9, BLOCK D, T.J. SHANNON SUPPLEMENT, AS FOLLOWS;

***PLANNING AND ZONING COMMISSION***

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW WINE TASTING AND BOTTLING OF ALCOHOLIC BEVERAGES IN A C-2 (GENERAL COMMERCIAL) DISTRICT/CENTRAL BUSINESS DISTRICT.

**Mont Taylor, 289 Westridge Dr., Denison, TX and Ron Westervelt, 1716 Davey Lane, Denison, TX**

Mr. Taylor and Mr. Westervelt appeared to represent the request and answer any questions. The property is located at 212 North Walnut Street between Pecan and Wall Streets. The property is zoned a C-2 (General Commercial) District and located in the Central Business District.

Mr. Taylor explained, “we plan to locate Texas Gift Winery, LLC, dba Rio to Red Winery at 212 North Walnut Street. We

SUP – WINE  
TASTING &  
BOTTLING OF  
ALCOHOLIC  
BEVERAGES  
212 N. WALNUT ST.  
(EVEREST LLC)

are requesting a Specific Use Permit to allow wine tasting and bottling of alcoholic beverages at this location. We are working with several different wine makers across the State to do our bottling for us. We would like to have barrels on the premise for additional aging and to do our own blending for special small runs. Everything will be done by hand, we will not have a big bottling machine. The property is part of a single-story building with brick walls and concrete floor. The winery will be one large open area room, 346 square feet, separated with partitions and lockable gate. The production area will be 809 square feet for bottling, labeling, packaging and storing wine. We will have a tasting room at the very front of the building. The hours will be weekends 1-8 p.m. and evenings.” 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 or Site Plan.

**ACTION TAKEN.**

Motion by Vice-Chairman Downtain to approve the Specific Use Permit and site plan to allow Wine Tasting and Bottling of Alcoholic Beverages in a C-2 (General Commercial) District/Central Business District at 212 North Walnut Street Second by Commission Member Whitaker.

VOTING AYE: MAHONE, DOWNTAIN, MANLEY, WHITAKER AND BLAGG.

VOTING NAY: NONE

MOTION CARRIED

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

**ZONE CHANGE & SITE PLAN**

THE REQUEST OF EARNHARTBUILT LLC (OWNER), MORAN DEVELOPMENT (DEVELOPER) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 515 AND 519 SOUTH FIRST STREET, BEING 0.402 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56 AND BEING PART OF BLOCK 2 OF G.Y. GRAY’S SUPPLEMENT ADDITION AND BEING ALL OF LOTS 14, 15 AND THE NORTH 5.333 FEET OF LOT 16, BLOCK 2 EXCEPT THE NORTH 8 FEET OF LOT 14 AND ALL OF THE SOUTH 27.666 FEET OF LOT 16, BLOCK 2, AS FOLLOWS:

***PLANNING AND ZONING COMMISSION***

ZONE CHANGE AND SITE PLAN APPROVAL FOR AN 8-UNIT MULTI-FAMILY COMPLEX UNDER ORDINANCE NO. 2280, SECTION 12, FROM A C-2 (GENERAL COMMERCIAL) DISTRICT TO AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT.

**ZONE CHANGE – C-2 TO R-2**

**SITE PLAN – 8-UNIT MULTI-FAMILY COMPLEX  
515 & 519 S. FIRST ST.  
(EARNHARTBUILT, LLC)**

**Brandin Alston, 326 Turkey Farm Rd., Whitesboro, TX**

Mr. Alston appeared to represent the request and answer any questions. The property is located at 515 and 519 South First Street between King and Cherry Streets. The property is zoned a C-2 (General Commercial) District and an R-1 (One Family Residential) District

Mr. Alston explained, “the owner would like to Replat the property into one lot, rezone the property from a C-2 (General Commercial) District to an R-2 (Multi-Family Residential) District for development of an eight unit, one bedroom apartment complex. The two-story building will be approximately 2,400 square feet. Sixteen parking spaces will be provided.” They had seen the Staff Review Letter and would abide by the Recommendations.

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

**ACTION TAKEN.**

Motion by Commission Member Manley to approve the request for a zone change from a C-2 (General Commercial) District to an R-2 (Multi-Family Residential) District and site plan approval for an 8-unit Multi-Family Complex at 515 and 519 South First Street subject to the Staff Review Letter. **SECOND** by Commission Member Blagg.

**VOTING AYE: MAHONE, DOWNTAIN, MANLEY, WHITAKER AND BLAGG.**

**VOTING NAY: NONE**

**MOTION CARRIED.**

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

**EXCEPTION & FINAL PLAT**

**THE REQUEST OF ROBERTO MERAZ (OWNER) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 213 EAST HILL STREET, BEING 0.172 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, AS FOLLOWS;**

***BOARD OF ADJUSTMENTS***

**EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW A 50’ LOT WIDTH IN LIEU OF THE REQUIRED 60’ LOT WIDTH IN THE PROPOSED LOT 1, MERAZ-HILL ADDITION, IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT.**

***PLANNING AND ZONING COMMISSION***

**FINAL PLAT APPROVAL OF MERAZ-HILL ADDITION**

**EXCEPTION – LOT WIDTH**

**FINAL PLAT – MERAZ-HILL ADDITION  
213 E. HILL ST.  
(ROBERTO MERAZ)**

**Liseth Lara, 213 Hill, Sherman, TX**

Ms. Lara appeared to represent the request and answer any questions. The property is located at 213 East Hill Street between Walnut and Montgomery Streets. The property is zoned an R-1 (One-Family Residential) District.

Ms. Lara explained, my father is the owner of the property and he would like to plat the property into one 50' lot to build a single-family residential home.” 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 Exception or Final Plat.

*Board of Adjustments*

**ACTION TAKEN.**

Motion by Commission Member Manley to approve the request for an exception to allow a 50' lot width in lieu of the required 60' lot width in the proposed Lot 1, Meraz-Hill Addition, in an R-1 (One-Family Residential) District subject to the Staff Review Letter at 213 East Hill Street. Second by Commission Member Whitaker.

VOTING AYE: MAHONE, DOWNTAIN, MANLEY, WHITAKER AND BLAGG.

VOTING NAY: NONE

MOTION CARRIED.

*Planning and Zoning Commission*

**ACTION TAKEN.**

Motion by Commission Member Manley to approve the request for the Final Plat of Meraz-Hill Addition subject to the Staff Review Letter at 213 East Hill Street. Second by Commission Member Blagg.

VOTING AYE: MAHONE, DOWNTAIN, MANLEY, WHITAKER AND BLAGG.

VOTING NAY: NONE

MOTION CARRIED.

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

**ZONE CHANGE**

THE REQUEST OF ARC STX HOLDINGS, LLC (OWNERS), TESCH DEVELOPMENT & MANAGEMENT CO., LLC, (PROSPECTIVE BUYER), ROBERT TESCH (REPRESENTATIVE), PAPE-DAWSON ENGINEERS (CIVIL ENGINEER) AND PIERCE-MURRAY LAND SOLUTIONS (SURVEYOR) CONCERNING THE PROPERTIES IN THE 2400-2700 BLOCKS OF SOUTH FM 1417 (HERITAGE PARKWAY), BEING 43.727 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, AS FOLLOWS;

***PLANNING AND ZONING COMMISSION***

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

ZONE CHANGE – R-A & M-1 TO R-1  
2400-2700 BLKS.  
SOUTH FM 1417  
(HERITAGE PARKWAY)  
(ARC STX HOLDINGS, LLC)

Matt Gilbertson, Pape-Dawson Engineers, 5810 Tennyson Parkway, Plano, TX

Mr. Gilbertson appeared to represent the request and answer any questions. The property is located in the 2400-2700 blocks of South FM 1417 (Heritage Parkway), the northwest corner of FM 1417 (Heritage Parkway) and O.B. Groner Road; across the highway from the new Sherman High School. A portion of the property (46.339 acres) was annexed into the City Limits of Sherman December 7, 2020, City Council Meeting and is zoned R-A (Single Family Residential) District. Another portion of property (21.799 acres) is zoned an M-1 (Light Manufacturing) District and located in the O-1.1 (FM 1417) Overlay District.

Mr. Gilbertson explained, “the owners are requesting to rezone 43.727 acres to an R-1 (One Family Residential) District for residential development.” They had seen the Staff Review Letter and would abide by the Recommendations.

Vice-Chairman Downtain asked if this was a request they reviewed a few months ago.

Mr. Rae informed the board, “the City Council denied the previous zone change request for a C-1 (Retail Business) District with Specific Use Permits for multi-family and single-family for rent.

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

**ACTION TAKEN.**

Motion by Vice-Chairman Downtain to approve the request for a zone change from an R-A (Single-Family Agricultural) District and M-1 (Light Manufacturing) District to an R-1 (One-Family Residential) District subject to the Staff Review Letter in the 2400-2700 blocks of South FM 1417 (Heritage Parkway). Second by Commission Member Blagg.

**VOTING AYE: MAHONE, DOWNTAIN, MANLEY, WHITAKER AND BLAGG.**

**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 6:26 p.m.

**ADJOURNMENT**

**PLANNING & ZONING COMMISSION MINUTES – MAY 18, 2021**

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**CHAIRMAN**

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**ACTING SECRETARY**