



**Review Recommendations.**

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

**ACTION TAKEN.**

Motion by Commission Member Jacobs to approve the exception subject to the revised Staff Review Letter. Second by Commission Member Morgan.

**VOTING AYE: MORGAN, DAVIS, ATHERTON, HICKS AND JACOBS.**

**VOTING NAY: NONE**

**MOTION CARRIED**

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

**EXCEPTION**

THE REQUEST OF HUBERT MCINTOSH AND AUSTIN COLLEGE (OWNERS), HEIDI ELLIS (AUSTIN COLLEGE REPRESENTATIVE), TODD WILLIAMS, KANGAROO HOUSING INVESTORS, LLC (DEVELOPER/ APPLICANT), MATTHEW CAIN, CAIN CONSULTING AND ENGINEERING SERVICES (ENGINEERS), ARCHITECTURE DEMAREST (ARCHITECT) AND SARTIN & ASSOCIATES, INC. (SURVEYORS) CONCERNING THE PROPERTY IN THE 900 BLOCKS OF EAST BROCKETT AND EAST PACIFIC STREETS AND THE 600 BLOCK OF NORTH WILLOW AND NORTH PORTER STREETS, BEING 1.69 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AS FOLLOWS:

***BOARD OF ADJUSTMENTS***

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.3, SUBSECTION (5) TO ALLOW A BUILDING HEIGHT OF 57' IN LIEU OF THE PERMITTED 45' IN AN R-2 (MULTI-FAMILY RESIDENTIAL)/COLLEGE PARK OVERLAY DISTRICT.

**Matthew Cain, Cain Consulting and Engineering Services, 6136 Frisco Square Blvd., Ste. 400, Frisco, TX**

Mr. Cain appeared to represent the request and answer any questions. The property is located in the 900 Blocks of East Brockett and East Pacific Streets and the 600 Block of North Willow and North Porter Streets. The owners would like to construct a 94 bed, three-story (57') student apartment building. The owners were approved for platting, a zone change and an exception for screening at the June 22, 2010 Planning & Zoning Commission Meeting.

**EXCEPTION – BLDG HEIGHT  
900 BLKS E. BROCKETT & E. PACIFIC STREETS & 600 BLK. N. WILLOW & N. PORTER STREETS  
(HUBERT MCINTOSH AND AUSTIN COLLEGE)**

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

**ACTION TAKEN.**

Motion by Commission Member Jacobs to approve the exception for building height. Second by Commission Member Atherton.

VOTING AYE: MORGAN, DAVIS, ATHERTON, HICKS AND JACOBS.

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE

THE REQUEST OF PRESTON PARRISH (OWNER) AND JASON SOFEY (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 3108 RIVERCREST DRIVE, BEING LOT 2R, BLOCK B, NORTH HAVEN ADDITION, REPLAT OF LOTS 1, 2, AND 3, AS FOLLOWS;

*BOARD OF ADJUSTMENTS*

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.1.1, SUBSECTION (1) TO ALLOW A 22' FRONT YARD SETBACK IN LIEU OF THE REQUIRED 25' FOR A SINGLE FAMILY DWELLING IN A SF-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT.

VARIANCE – FRONT SETBACK  
3108 RIVERCREST DR.  
(PRESTON PARRISH)

Jason Sofey, 1218 Preston, Sherman, TX

Mr. Sofey appeared to represent the request and answer any questions. The property is located at 3108 Rivercrest Drive in the North Haven Subdivision. The owner is requesting a variance for a 22' front yard setback. Mr. Sofey explained the house has already been built; they did not catch the discrepancy until the survey was done.

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

**ACTION TAKEN.**

Motion by Commission Member Morgan to approve the variance. Second by Commission Member Hicks.

VOTING AYE: MORGAN, DAVIS, ATHERTON, HICKS AND JACOBS.

VOTING NAY: NONE

MOTION CARRIED

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

PRELIMINARY & FINAL PLAT, ZONE CHANGE & VARIANCE

THE REQUEST OF BLUESTONE PARTNERS, LLC (OWNERS), KYLE BOOTHE (REPRESENTATIVE) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYORS) CONCERNING THE PROPERTY IN THE 2300 BLOCK OF WEST LAMBERTH ROAD AND THE 2100 BLOCK OF LITTLE LANE, BEING 0.812 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, AS FOLLOWS:

*PLANNING AND ZONING COMMISSION*

PRELIMINARY AND FINAL PLAT APPROVAL OF NEWHAVEN ADDITION

*PLANNING AND ZONING COMMISSION*

ZONE CHANGE UNDER ORDINANCE NO. 2280, SECTION

PRELIMINARY & FINAL PLAT – NEWHAVEN ADDN.

ZONE CHANGE – C-1 TO R-1

VARIANCE – LOT WIDTH  
2300 BLK. W. LAMBERTH RD. & 2100 BLK. LITTLE LN.  
(BLUESTONE PARTNERS LLC)

12 FROM A C-1 (RETAIL BUSINESS) DISTRICT TO AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

**BOARD OF ADJUSTMENTS**

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.2 SUBSECTION (1) TO ALLOW THE PROPOSED LOT 1 TO HAVE A 31.41', PROPOSED LOT 2 TO HAVE A 48.44' AND PROPOSED LOT 3 TO HAVE A 57.17' WIDTH IN LIEU OF THE REQUIRED 60 FOOT IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

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

Mr. Boothe appeared to represent the request and answer any questions. The property is located in the 2300 Block of West Lamberth Road and the 2100 Block of Little Lane; the southeast corner of West Lamberth and Little Lane. Mr. Boothe explained he would like to change the zoning on the property from a C-1 (Retail Business) District to an R-1 (One Family Residential) District and plat the property into three lots for construction of single family dwellings. The dwellings will be 1,700-1,800 square feet, with front entry garages entering from Little Lane. He had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

**Jean Dixon, 2338 W. Lamberth, Sherman, TX**

Mr. Dixon explained he lives next door to this property and he felt the legal description was misleading when it says it is 0.812 acres; after the right-of-way dedication for the widening of West Lamberth Road and Little Lane, it is actually only a ½ acre. He was opposed to the rezoning of the property from commercial to residential; the project does not fit the neighborhood; it is suppose to be large lots with commercial buildings. He did not feel the project was right for the area.

**Brooks Highfill, 2334 W. Lamberth, Sherman, TX**

He felt the property should stay commercial.

No other citizens appeared before the Planning and Zoning Commission to discuss the Preliminary & Final Plat, zone change or variance.

**One letter was received from Raynard & Sandra Croteau, 2330 W. Lamberth, Sherman, TX**

Mr. & Mrs. Croteau were against the zone change.

Chairman Davis explained the Master Plan for the property is suburban residential. He felt it was a step up to rezone the property from commercial to residential for the home owners in the area.

Commission Member Morgan felt everything was a step up except the three houses because of the Westhaven Addition Mr. Boothe developed across the street; which is great and then you totally change the lots right across the street; the flow of it does not fit.

Mr. Boothe explained “the first few houses in the Westhaven Addition are from 1,800-2,000 square feet; so they are very similar, except for the front entry garages.”

***BOARD OF ADJUSTMENTS***

**VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.2 SUBSECTION (1) TO ALLOW THE PROPOSED LOT 1 TO HAVE A 31.41', PROPOSED LOT 2 TO HAVE A 48.44' AND PROPOSED LOT 3 TO HAVE A 57.17' WIDTH IN LIEU OF THE REQUIRED 60 FOOT IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.**

**ACTION TAKEN.**

**Motion by Commission Member Jacobs to approve the variance. Second by Commission Member Atherton.**

**VOTING AYE: MORGAN, DAVIS, ATHERTON, HICKS AND JACOBS.**

**VOTING NAY: NONE**

**MOTION CARRIED**

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

***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.**

**ACTION TAKEN.**

**Motion by Commission Member Jacobs to approve the zone change. Second by Commission Member Barton.**

**VOTING AYE: MORGAN, DAVIS, ATHERTON, HICKS, BARTON, TANKERSLEY, AND JACOBS.**

**VOTING NAY: NONE**

**MOTION CARRIED**

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

***PLANNING AND ZONING COMMISSION***

**PRELIMINARY AND FINAL PLAT APPROVAL OF NEWHAVEN ADDITION**

**ACTION TAKEN.**

**Motion by Commission Member Hicks to approve the Preliminary and Final Plat subject to the Staff Review Letter. Second by Commission Member Jacobs.**

**VOTING AYE: DAVIS, ATHERTON, HICKS, BARTON, TANKERSLEY, AND JACOBS.**

**VOTING NAY: MORGAN**

**MOTION CARRIED**

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

**FINAL PLAT**

THE REQUEST OF FAIRVIEW BAPTIST CHURCH (OWNERS), DAVID KIGHT (REPRESENTATIVE) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYORS) CONCERNING THE PROPERTY IN THE 200 AND 300 BLOCKS OF WEST TAYLOR STREET AND 222 WEST FAIRVIEW STREET. BEING:

- a. BLOCK 1 – ALL OF BLOCK 18 OF THE REPLAT OF SHANNON HEIGHTS ADDITION, CONTAINING 3.916 ACRES,
- b. BLOCK 2 - ALL OF BLOCK 1 AND LOTS 1, 2, 14,15 AND 16, BLOCK 2, NORTHWOOD HEIGHTS ADDITION, CONTAINING 1.081 ACRES,
- c. BLOCK 3 - ALL OF LOTS 6-8 AND THE WEST 12’ OF LOT 5, BLOCK 2 OF W.M. SHANNON SUPPLEMENT, CONTAINING 1.289 ACRES, AS FOLLOWS:

***PLANNING AND ZONING COMMISSION***

FINAL PLAT APPROVAL OF FAIRVIEW BAPTIST CHURCH ADDITION, A REPLAT OF NORTHWOOD HEIGHTS ADDITION, SHANNON HEIGHTS ADDITION AND W.M. SHANNON SUPPLEMENT

**David Kight, 860 Brown Rd., Sherman, TX**

Mr. Kight appeared to represent the request and answer any questions. The property is located in the 200-300 Blocks of West Taylor and 222 West Fairview Street; Fairview Baptist Church is the owner. They would like to plat the property into three lots for expansion of the church. They had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

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

**ACTION TAKEN.**

Motion by Commission Member Morgan to approve the Final Plat subject to the Staff Review Letter. Second by Commission Member Tankersley.

VOTING AYE: MORGAN, DAVIS, ATHERTON, HICKS, BARTON, TANKERSLEY, AND JACOBS.

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 SPAVINAW PROPERTIES, LLC (OWNERS) AND JASON SOFEY (REPRESENTATIVE) CONCERNING THE PROPERTY AT 902 SOUTH SAM RAYBURN FREEWAY, BEING LOTS 18-20, L.C. CHAPMAN’S SECOND 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 10X30 DOUBLE-SIDED BILLBOARD

FINAL PLAT – FAIRVIEW BAPTIST CHURCH ADDN, A REPLT OF NORTHWOOD HEIGHTS ADDN., SHANNON HEIGHTS ADDN. AND W.M. SHANNON SUPPLEMENT

200-300 BLKS. W. TAYLOR & 222 W. FAIRVIEW (FAIRVIEW BAPTIST CHURCH)

SUP – BILLBOARD 902 S. SAM RAYBURN FREEWAY (SPAVINAW PROPERTIES, LLC)

(WITHDREW)

IN A C-2 (GENERAL COMMERCIAL) DISTRICT AND O-1.2 (SAM RAYBURN) OVERLAY DISTRICT.

The owner of the property sent in a written request to withdraw the request.

**REPLAT**

THE REQUEST OF SAM NECHAMKIN (OWNER), JASON SOFEY (REPRESENTATIVE) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYORS) CONCERNING THE PROPERTY AT 1001 SARA SWAMY DRIVE, BEING LOT 1 BLOCK 1, HERITAGE PARK ADDITION, PHASE 1, AS FOLLOWS:

**PLANNING AND ZONING COMMISSION**  
REPLAT OF LOT 1, BLOCK 1, HERITAGE PARK ADDITION

REPLAT LOT 1, BLK. 1,  
HERITAGE PARK  
ADDN.  
1001 SARA SWAMY  
DR.  
(SAM NECHAMKIN)

Jason Sofey, 1218 Preston, Sherman, TX

Mr. Sofey appeared to represent the request and answer any questions. The property is located at 1001 Sara Swamy Drive; the northeast corner of Sara Swamy and Mathis Drive. The owner would like to replat the property into two lots for commercial development. They had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

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

**ACTION TAKEN.**

Motion by Commission Member Tankersley to approve the Replat subject to the Staff Review Letter. Second by Commission Member Atherton.

VOTING AYE: MORGAN, DAVIS, ATHERTON, HICKS, BARTON, TANKERSLEY, AND JACOBS.

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 SPAVINAW PROPERTIES, LLC (OWNERS) AND JASON SOFEY (REPRESENTATIVE) CONCERNING THE PROPERTY AT 1815 WEST HOUSTON STREET, BEING LOT 5, BLOCK 1, SPAVINAW 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 12X24 DOUBLE-SIDED BILLBOARD IN A C-2 (GENERAL COMMERCIAL) DISTRICT.

SUP – BILLBOARD  
1815 W. HOUSTON  
(SPAVINAW  
PROPERTIES, LLC)

Jason Sofey, 1218 Preston, Sherman, TX

Mr. Sofey appeared to represent the request and answer any questions. The property is located at 1815 West Houston Street; across the street from Binkley Park. The

owner would like to erect a 288 square foot, double sided billboard on the property. They had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

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

**ACTION TAKEN.**

Motion by Commission Member Morgan to approve the Specific Use Permit and site plan subject to the Staff Review Letter. Second by Commission Member Tankersley.

**VOTING AYE: MORGAN, DAVIS, ATHERTON, HICKS, BARTON, TANKERSLEY, AND JACOBS.**

**VOTING NAY: NONE**

**MOTION CARRIED**

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

**SITE PLAN**

THE REQUEST OF FAIRVIEW BAPTIST CHURCH (OWNERS) AND RAD RICHARDSON (REPRESENTATIVE) CONCERNING THE PROPERTY AT 300 W. TAYLOR STREET BEING LOT 14, BLOCK 2, NORTHWOOD HEIGHTS ADDITION, AS FOLLOWS:

***PLANNING AND ZONING COMMISSION***

**SITE PLAN APPROVAL FOR A 16X29 CHURCH BUS COVER.**

**SITE PLAN – CHURCH  
BUS COVER  
300 W. TAYLOR  
(FAIRVIEW BAPTIST  
CHURCH)**

**Rad Richardson, 222 W. Taylor, Sherman, TX**

Mr. Richardson appeared to represent the request and answer any questions. The property is located at 300 West Taylor Street; Fairview Baptist Church Parking Lot. The owners would like to erect a 464 square foot, metal carport for their church bus. They had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

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

**ACTION TAKEN.**

Motion by Commission Member Jacobs to approve the site plan subject to the Staff Review Letter. Second by Commission Member Tankersley.

**VOTING AYE: MORGAN, DAVIS, ATHERTON, HICKS, BARTON, TANKERSLEY, AND JACOBS.**

**VOTING NAY: NONE**

**MOTION CARRIED**

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

**OTHER BUSINESS**

**OTHER BUSINESS**



**PLANNING & ZONING COMMISSION MINUTES – JULY 20, 2010**

**No other business came before the board.**

**ADJOURNMENT**

**On Motion duly made and carried, the meeting adjourned at 5:35 p.m.**

**ADJOURNMENT**

**CHAIRMAN** \_\_\_\_\_

\_\_\_\_\_  
**SECRETARY**