

STATE OF TEXAS

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October 19, 2010

BE IT REMEMBERED THAT A Regular Meeting of the Planning and Zoning Commission of the City of Sherman, was begun and held on October 19, 2010.

MEMBERS PRESENT: CHAIRMAN LAWRENCE DAVIS
COMMISSION MEMBERS: JACOBS, PLYLER, BARTON,
HICKS, TANKERSLEY, ATHERTON AND BARBER

MEMBERS ABSENT: MORGAN

CALL TO ORDER

Chairman Davis called the meeting to order at 5:00 p.m.

CALL TO ORDER

APPROVE MINUTES

The Planning and Zoning Commission reviewed the minutes of the September 21, 2010 Meeting. Motion by Commission Member Jacobs to approve the Minutes as written. Second by Commission Member Tankersley. All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

BOARD OF ADJUSTMENT

The members of the Board of Adjustment: DAVIS, PLYLER, JACOBS, ATHERTON AND TANKERSLEY.

BOARD OF
ADJUSTMENTS

EXCEPTION

THE REQUEST OF TIMOTHY AND MELODY HARRIS (OWNERS) CONCERNING THE PROPERTY LOCATED AT 1108 NORTH HOPSON STREET, BEING PART OF LOTS 25 & 27 AND ALL OF LOT 26, BLOCK 1, BIRGE ADDITION, AS FOLLOWS:

EXCEPTION – REAR
YARD COVERAGE

VARIANCE – SIDE
SETBACK

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (1)(D) TO ALLOW THE PERCENTAGE OF THE REQUIRED REAR YARD COVERAGE TO BE THIRTY-TWO (32) PERCENT IN LIEU OF THIRTY (30) PERCENT PERMITTED IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

1108 N. HOPSON
(TIMOTHY & MELODY
HARRIS)

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (1)(C)(2) TO ALLOW A 2.68' SIDE YARD SETBACK IN LIEU OF 5' REQUIRED FOR A DETACHED ACCESSORY BUILDING IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

Tim Harris, 1108 N. Hopson, Sherman, TX

Mr. Harris appeared to represent the request and answer any questions. The property is located at 1108 North Hopson Street between Easy and Belden Streets. He explained he has an existing two-car garage and game room/shop detached from the house; he would like to construct a 21'x22' carport in the rear yard attaching the two existing accessory buildings on the lot; which would

cover 32 percent of the rear yard and have a 2.68' side yard setback. Entry to the garage/carport will be from the alley.

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

ACTION TAKEN.

Motion by Commission Member Atherton to approve the exception and variance. Second by Commission Member Tankersley.

VOTING AYE: DAVIS, PLYLER, JACOBS, ATHERTON AND TANKERSLEY.

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE

THE REQUEST OF ROBERT RHODES (OWNER) CONCERNING THE PROPERTY LOCATED AT 718 NORTH SAM RAYBURN FREEWAY, BEING 0.27 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AS FOLLOWS:

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW A 13'8" REAR YARD SETBACK IN LIEU OF 25' REQUIRED FOR AN ATTACHED CARPORT IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AND O-1.2 (SAM RAYBURN) OVERLAY DISTRICT.

VARIANCE – REAR SETBACK
718 N. SAM RAYBURN FRWY.
(ROBERT RHODES)

Robert Rhodes, 718 North Sam Rayburn Freeway, Sherman, TX

Mr. Rhodes appeared to represent the request and answer any questions. The property is located at 718 North Sam Rayburn Freeway; the southwest corner of Brockett Street and Sam Rayburn Freeway. The owner has constructed a 13'x27' attached carport 13'8" from the rear property line.

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

Letters were received from:

Martha Stephens, PO Box 518, Sherman, TX

Dennis Motes, 623 W. Brockett, Sherman, TX

Steve & Susan Horn, 614 W. Brockett, Sherman, TX

Cynthia Manely, 618 W. Brockett, Sherman, TX

They were in favor of the request.

ACTION TAKEN.

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

VOTING AYE: DAVIS, PLYLER, JACOBS, ATHERTON AND TANKERSLEY.

VOTING NAY: NONE

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

EXCEPTION

**THE REQUEST OF GRAYSON COUNTY (OWNERS),
TEXOMA REGIONAL BLOOD CENTER (TENANT) AND
CAROL BAKER (REPRESENTATIVE) CONCERNING THE
PROPERTY LOCATED AT 3911 TEXOMA PARKWAY,
BEING 1.17 ACRES IN THE SAMUEL MCGLOTHLIN
SURVEY, ABSTRACT NO. 811, AS FOLLOWS:**

BOARD OF ADJUSTMENTS

**EXCEPTION UNDER ORDINANCE NO. 2280, SECTION (4)
TO ADD A 4'X8' LED DISPLAY TO AN EXISTING
NONCONFORMING SIGN AND TO INCREASE THE FACE
AREA FROM 42 SQUARE FOOT TO 75 SQUARE FOOT IN A
C-2 (GENERAL COMMERCIAL) DISTRICT.**

**EXCEPTION - SIGN
3911 TEXOMA PKWY.
(TEXOMA REGIONAL
BLOOD CENTER)**

**Carol Baker, Executive Director, Texoma Regional Blood
Center, 3911 Texoma Parkway, Sherman, TX**

**Ms. Baker appeared to represent the request and answer
any questions. The property is located at 3911 Texoma
Parkway; Texoma Regional Blood Center is the tenant. The
owners would like to add a 4'x8' LED Display to an existing
freestanding sign increasing the square footage from 42
square foot to 75 square foot; the sign is located 5' from
the Texoma Parkway property line which is a
nonconforming sign because of the setback. The display
will communicate to the public when they need blood and
the type needed. 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 exception.**

Letters were received from:

**William Hemphkins & Thomas Tate, 4001 Texoma Parkway,
Sherman, TX**

BGM Enterprises, Inc., 3908 Texoma Parkway, Sherman, TX

Both were in favor of the request.

ACTION TAKEN.

**Motion by Commission Member Jacobs to approve the
exception subject to the Staff Review Letter. Second by
Commission Member Tankersley.**

**VOTING AYE: DAVIS, PLYLER, JACOBS, ATHERTON AND
TANKERSLEY.**

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)**

**SUP & SITE PLAN –
BILLBOARD
902 S. SAM RAYBURN**

CONCERNING THE PROPERTY AT 902 SOUTH SAM RAYBURN FREEWAY, BEING LOTS 18-20, L.C. CHAPMAN'S SECOND ADDITION, AS FOLLOWS:

FRWY.
(SPAVINAW
PROPERTIES, LLC)

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

Jason Sofey, 1218 Preston Dr., Sherman, TX

Mr. Sofey appeared to represent the request and answer any questions. The property is located at 902 South Sam Rayburn Freeway; south of Center Street. The owner would like to erect a 300 square foot, double sided billboard on the property. He had seen the Staff Review Letter and would abide by the Recommendations.

Justin Isom, 831 Lyons, Sherman, TX

Mr. Isom explained he lives north of the property. He has been working with Grayson County Equipment, which is located south of the property; they measured where the proposed billboard would be placed and to the nearest billboard; they did not think the distance between the two billboards would be 1,000' apart; which is required. Another one of his concerns was: he had a sign in his back yard a few years ago, the sign blew down from high winds, it crushed his house; there was no liability on the sign, so they had to pay for the damage. He wanted to know the liability on the billboard, if it does blow down; "who will foot the bill if it falls on our house again."

Jason Sofey explained he originally was going to ask to put the billboard on the south end of the lot but it was 950 feet from the existing billboard to the south; his lot is 75' wide, so he has moved the location of the sign to the north side of the property. As far as the liability, the sign must withstand a 90 mph wind load which will be signed off by a licensed engineer. Mr. Sofey explained he will have liability insurance on the property and billboard. Mr. Sofey spoke with Mr. Baca, who owns the Kubota dealership to the south about the distances between the billboards; they worked through the issues he was concerned about and "he is ok with the billboard."

Mr. Isom asked Mr. Sofey if he would be placing the billboard on the existing concrete on the property. He explained the property line is like a small driveway; the slab does not go all the way over to the property line. He was also concerned about lighting of the billboard onto his property.

Mr. Sofey explained "the billboard would have to be on my property." The lights will be directed upward to the billboard and be shielded. "I want to be a good neighbor and do whatever I can to maintain a good relationship."

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 Hicks to approve the Specific Use Permit and site plan subject to the Staff Review Letter. Second by Commission Member Barton.

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

VOTING NAY: NONE

MOTION CARRIED

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

PRELIMINARY PLAT

THE REQUEST OF WALT DERONDE (OWNER/DEVELOPER) AND GREG EDWARDS ENGINEERING SERVICES, INC. (ENGINEER/LAND PLANNER) CONCERNING THE PROPERTY LOCATED IN THE 2300-3000 BLOCKS OF F.M. 1417 SOUTH, BEING 201.058 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

PRELIMINARY PLAT OF THE ESTATES OF PEBBLEBROOK

PRELIMINARY PLAT – THE ESTATES OF PEBBLEBROOK 2300-3000 FM 1417 S. (WALT DERONDE)

Greg Edwards, GEES, 1621 Amanda Court, Ponder, TX

Mr. Edwards appeared to represent the request and answer any questions. The property is located in the 2300-3000 Blocks of FM 1417 South. The development will have 599 lots which will include Single Family Residential, Multi-Family Residential and Commercial uses. The development will be done in phases over several years. They had seen the Staff Review Letter and would abide by the Recommendations.

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

ACTION TAKEN.

Motion by Commission Member Jacobs to approve the Preliminary Plat subject to the Staff Review Letter. Second by Commission Member Barton.

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

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 ONE GANESHA LTD (OWNERS) AND

SUP & SITE PLAN-SKILLED NURSING

MICHAEL CLARK (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED IN THE 6000-6100 BLOCKS OF U.S. HIGHWAY 75 NORTH AND THE 1500-1600 BLOCKS OF F.M. 691 EAST, BEING 5.974 ACRES IN THE WILLIAM MILLIGAN SURVEY, ABSTRACT NO. 875, AS FOLLOWS;
PLANNING AND ZONING COMMISSION
SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8 (5)(A) TO ALLOW A SKILLED NURSING FACILITY IN A C-2 (GENERAL COMMERCIAL) DISTRICT, SF-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT AND O-1 (75 & 82) OVERLAY DISTRICT.

FACILITY
6000-6100 BLKS. HWY
75 N. & 1500-1600
BLKS. FM 691 E.
(ONE GANESHA, LTD)

Michael Clark, Winkelmann & Associates, 6750 Hillcrest Plaza #325, Dallas, TX

Mr. Clark appeared to represent the request and answer any questions. He explained he is representing Dr. Swamy, the owner of the property and Smithers Merchant Builders, the users for the skilled nursing facility. The property is located in the 6000-6100 Blocks of U.S. Highway 75 North and the 1500-1600 Blocks of F.M. 691 East; the southeast corner of U.S. Highway 75 and FM 691. The owners would like to construct a skilled nursing facility with 83 parking spaces on the tract. They plan to come back to the board for rezoning and platting of the property at a later date. 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 User Permit and site plan.

ACTION TAKEN.

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

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

VOTING NAY: NONE

MOTION CARRIED

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

OTHER BUSINESS

No other business came before the board.

OTHER BUSINESS

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:34 p.m.

ADJOURNMENT

CHAIRMAN _____

SECRETARY

PLANNING & ZONING COMMISSION MINUTES – OCTOBER 19, 2010