

STATE OF TEXAS §
October 20, 2009
COUNTY OF GRAYSON §

BE IT REMEMBERED THAT A Regular Meeting of the Planning and Zoning Commission of the City of Sherman, was begun and held on October 20, 2009.

MEMBERS PRESENT: CHAIRMAN JASON SOFEY;
COMMISSION MEMBERS: PLYLER, DAVIS, MORGAN,
HICKS AND BARTON

MEMBERS ABSENT: ATHERTON, JACOBS AND TANKERSLEY

CALL TO ORDER

Chairman Sofey 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 22, 2009 Meeting. Motion by Commission Member Davis to approve the Minutes as written. Second by Commission Member Hicks. All present voted AYE.

MOTION CARRIED.

APPROVE MINUTES

BOARD OF ADJUSTMENT

The members of the Board of Adjustment: DAVIS, PLYLER, SOFEY, HICKS AND MORGAN.

BOARD OF
ADJUSTMENTS

EXCEPTIONS & VARIANCE

THE REQUEST OF COVENANT CHURCH (OWNER), JAMES DEMELO (REPRESENTATIVE) AND SARTIN & ASSOCIATES, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 4100 NORTH TRAVIS STREET, BEING 9.71 ACRES IN THE JOHN JENNINGS SURVEY, ABSTRACT NO. 647, AS FOLLOWS;

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (14)(I)(1) TO ALLOW THREE FREESTANDING SIGNS IN LIEU OF ONE FREESTANDING SIGN PER DEVELOPMENT LOT IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AND THE O-1 (75 & 82) OVERLAY DISTRICT.

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (14)(G) TO ALLOW A 112 SQUARE FOOT SIGN, 8' IN HEIGHT IN LIEU OF THE PERMITTED 20 SQUARE FEET AND 6' IN HEIGHT IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AND THE O-1 (75 & 82) OVERLAY DISTRICT.

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 7 SUBSECTION (5) TO ALLOW A 15' FRONT YARD SETBACK IN LIEU OF THE REQUIRED 25' FOR THREE FREESTANDING SIGNS IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AND THE O-1 (75 & 82) OVERLAY

EXCEPTION – 3 SIGNS
EXCEPTION – SIGN
AREA
VARIANCE – FRONT
SETBACK
4100 N. TRAVIS
(COVENANT CHURCH)

(TABLED)

DISTRICT.

Pastor James deMelo and Chet Teal, 4100 N. Travis, Sherman, Texas

Pastor deMelo and Mr. Teal appeared to represent the request and answer any questions. The property is located at 4100 North Travis Street, just north of U.S. Highway 82; Covenant Church is the tenant. They would like to erect three (3) stone monument signs, 15' from the front property line along Travis Street. The main sign would be 112 square foot; the other two directional signs would be 12 square foot. Pastor deMelo explained a 4x8 wooden sign for the church was blown down by a storm a few months ago. The two smaller signs are directional signs for the office and parking area in the rear of the church.

Chairman Sofey was concerned with granting exceptions for three signs for one development lot.

Commission Member Davis was also concerned with granting exceptions for three freestanding signs; "it would set a precedent and others will want more than one sign per development lot."

Scott Shadden, Developmental Services Director explained directional signs were permitted up to 5 square feet to direct people on the property to go to parking areas.

Chairman Sofey felt fine with the setback and if it complied with the Overlay District requirements being 65 square foot, but he was not in favor of three freestanding signs.

Commission Member Davis explained he did a brief survey of signs in the area; the Presbyterian Church has a sign about 6'x6' and the Methodist Church has two signs, one a 3'x6' and one 6'x6', the Baptist Church has one 3' tall, 12 or 15 foot long, they have a few directional signs also.

Commission Member Morgan explained the proposed sign looks better than what was there.

Pastor deMelo explained the signs would be stone with granite top; it is lower to the ground than the existing sign and more appealing with the church.

Marshall Sartin, 109 S. Travis, Sherman, Texas

Mr. Sartin explained the reasoning for the sign on the north side of the property is because parking for the church is located in the back of the lot, the parking in front is for office parking, when you look at the church you think no one is there, no one can tell where the real parking lot is, the north sign is necessary to show where the parking lot is.

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

variance.

Chairman Sofey suggested they table the request to meet with staff to come up with something that was pleasing to all; he did not feel the request would be approved the way it was requested.

ACTION TAKEN.

Motion by Commission Member Davis to table the requests to allow the applicant time to meet with staff. Second by Commission Member Morgan.

VOTING AYE: DAVIS, PLYLER, SOFEY, HICKS AND MORGAN.

VOTING NAY: NONE

MOTION CARRIED
THE REQUEST WAS TABLED.

VARIANCE

THE REQUEST OF BRADLEY REED PROPERTIES, LTD (OWNERS), CHAPIN TITLE (TENANT) AND TODD BASS, NORTH TEXAS SERVICES (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 620 NORTH TRAVIS STREET, BEING LOT 3, BLOCK 1, CHAPIN ADDITION, REPLAT PART OF BLOCK 6, GEORGE BOND SUPPLEMENT, AS FOLLOWS;

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (5) TO ALLOW A 5' FRONT YARD SETBACK IN LIEU OF THE REQUIRED 25' FOR A SIGN IN A C-1 (RETAIL BUSINESS) DISTRICT.

VARIANCE – FRONT SETBACK
620 N. TRAVIS
(BRADLEY REED PROPERTIES, LTD)

Todd Bass, North Texas Services, 4408 Texoma Parkway, Sherman, Texas

Mr. Bass appeared to represent the request and answer any questions. The property is located at 620 North Travis Street, the southwest corner of Travis and Brockett Streets; Chapin Title is the tenant. They would like to erect a 12 square foot sign, 5' from the front property line along Travis Street. The 25' setback requirement would put the sign in the middle of their parking lot. "If you look up and down Travis Street, every sign has the same setback as the proposed sign."

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

Board of Adjustments

ACTION TAKEN.

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

VOTING AYE: DAVIS, PLYLER, SOFEY, HICKS AND MORGAN.

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE

THE REQUEST OF TONY AND PATRICIA HELD (OWNERS) CONCERNING THE PROPERTY LOCATED AT 2539 SHERWOOD DRIVE, BEING LOT 5, BLOCK 2, TURTLE CREEK NORTH ADDITION, SECTION 2, AS FOLLOWS;

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW A 17' REAR YARD SETBACK IN LIEU OF THE REQUIRED 25' FOR AN ATTACHED CARPORT/PAVILION IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

VARIANCE – REAR SETBACK
2539 SHERWOOD
(TONY & PATRICIA HELD)

Tony & Patricia Held, 2539 Sherwood Dr., Sherman, Texas

Mr. & Mrs. Held appeared to represent the request and answer any questions. The property is located at 2539 Sherwood Drive. They would like to construct an attached 25'X26' carport/pavilion, 17 foot from the rear property line. They provided a petition with fifteen signatures with no objections to the request.

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

Letters were received from:

Gisela Leard, 2531 Sherwood Dr., Sherman, Texas

She had no objection to the building the Held's were planning.

Board of Adjustments

ACTION TAKEN.

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

VOTING AYE: DAVIS, PLYLER, SOFEY, HICKS AND MORGAN.

VOTING NAY: NONE

MOTION CARRIED

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

EXCEPTION

THE REQUEST OF KYLE BOOTHE, BLUESTONE PARTNERS, LLC (OWNERS) CONCERNING THE PROPERTY LOCATED AT 505 F.M. 1417 NORTH (HERITAGE PARKWAY), BEING 2.8 ACRES IN THE G.W. MCGLOTHLIN SURVEY, ABSTRACT NO. 828, AS FOLLOWS;

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (13) TO ALLOW A 4' WROUGHT IRON FENCE ADJACENT TO A RESIDENTIALLY ZONED PROPERTY IN LIEU OF THE REQUIRED WOOD, STONE, BRICK, CONCRETE BLOCK OR OTHER PERMANENT

EXCEPTION – SCREENING
505 FM 1417 NORTH
(KYLE BOOTHE, BLUESTONE PARTNERS, LLC)

MATERIAL IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AND THE O-1.1 (FM 1417) OVERLAY DISTRICT.

Kyle Boothe, 2414 Westhaven Ct. Sherman, TX

Mr. Boothe appeared to represent the request and answer any questions. This item was tabled at the September 22, 2009 meeting to give the applicant time to meet with the church next door to the north. The property is located at 505 F.M. 1417 North (Heritage Parkway North). The owners would like to erect a 4 foot wrought iron fence adjacent to the church on the north side of the property. Mr. Boothe explained he and the Church of the Nazarene agreed to the 4' wrought iron fence.

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

A letter was received from:

Robert Trost, Trustee for Trost Living Trust, 7110 Alexander Dr., Dallas, TX

Mr. Trost owns Heritage Hills Apartments at 301 N. F.M. 1417. He encouraged approval of the request. "Getting the old Heritage Manor at 505 N. FM 1417 back in service will be a big plus for all Sherman."

ACTION TAKEN.

Motion by Commission Member Davis to approve the exception for a 4' wrought iron fence. Second by Commission Member Hicks.

VOTING AYE: DAVIS, PLYLER, SOFEY, HICKS AND MORGAN.

VOTING NAY: NONE

MOTION CARRIED

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

ZONE CHANGE, SPECIFIC USE PERMIT & SITE PLAN

THE REQUEST OF DONALD R. GILLIAM (OWNER) AND ALFREDO PORTILLO (PROSPECTIVE BUYER) CONCERNING THE PROPERTY LOCATED AT 530 SOUTH TRAVIS STREET, BEING 0.239 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

ZONE CHANGE UNDER ORDINANCE NO. 2280, SECTION 12, FROM A C-1 (RETAIL BUSINESS) DISTRICT TO A C-2 (GENERAL COMMERCIAL) DISTRICT AND SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER SECTION 8, SUBSECTION (5)(A) TO ALLOW AUTOMOTIVE REPAIR AND BODY WORK IN A C-2 (GENERAL COMMERCIAL) DISTRICT.

**ZONE CHANGE –
C-1 TO C-2
SUP – AUTOMOTIVE
REPAIR & BODY
WORK
530 S. TRAVIS
(DONALD R. GILLIAM)**

(TABLED)

Roger Herrera, 217 Arizona, Sherman, Texas, Alfredo Portillo, 309 W. Rainey, Sherman, Texas and Donald Gilliam, 2429 N. Ricketts, Sherman, Texas

Mr. Gilliam, Mr. Portillo and Mr. Herrera appeared to

represent the request and answer any questions. The property is located at 530 South Travis Street, the northwest corner of Travis and King Streets. Mr. Portillo would like to open an automotive repair and body shop at this location.

Chairman Sofey asked Mr. Portillo if he had seen the Staff Review Letter and would comply.

Mr. Portillo explained he had not seen the Staff Review Letter.

Chairman Sofey suggested they table the request to give them time to work out the details of the Staff Review Letter.

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

A call was received from Bruce Barnett, Sherman ISD, 120 W. King St., Sherman, TX

They had no problem with the proposed automotive repair shop.

ACTION TAKEN.

Motion by Commission Member Hicks to table the request.
Second by Commission Member Barton.

VOTING AYE: DAVIS, SOFEY, PLYLER, BARTON JACOBS AND MORGAN.

VOTING NAY: NONE

MOTION CARRIED

THE REQUEST WAS TABLED

REPLAT

THE REQUEST OF HORACE A. ROBERSON (OWNER) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYORS) CONCERNING THE PROPERTY LOCATED AT 316 AND 320 NORTH WOODS STREET, BEING 0.48 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT LOTS 1, 2, & 3, BLOCK 5, EXSTEIN'S MAPLE ADDITION.

REPLAT – LOTS 1-3,
BLK 5, EXSTEIN'S
MAPLE ADDN.
316 & 320 N. WOODS
(HORACE A.
ROBERSON)

Jason Armstrong, Underwood Drafting and Surveying,
3404 Interurban Rd., Denison, Texas

Mr. Armstrong appeared to represent the request and answer any questions. The property is located at 316 and 320 North Woods Street; Sisemore Roberson Plumbing was the previous tenant. The owner would like to replat the property into two lots for development possibilities. 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 Davis to approve the Replat subject to the Staff Review Letter. Second by Commission Member Morgan.

VOTING AYE: DAVIS, SOFEY, BARTON, HICKS, PLYLER, AND MORGAN.

VOTING NAY: NONE

MOTION CARRIED

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

REPLAT

THE REQUEST OF SDB PARTNERS, DBA CARRUS SPECIALTY HOSPITAL (OWNERS), STERLING ENGINEERING & DESIGN GROUP, LTD (DEVELOPER), TEAGUE, NALL AND PERKINS, INC. (ENGINEER) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYORS) CONCERNING THE PROPERTY LOCATED AT 1810 U.S. HIGHWAY 82 WEST, BEING PART OF THE URIAH BURNS SURVEY, ABSTRACT NO. 121 AND ALL OF LOT 2 OF POST OAK CROSSING EAST ADDITION FOR A TOTAL OF 19.748 ACRES, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT CARRUS MEDICAL PLAZA, A REPLAT OF LOT 2 OF POST OAK CROSSING EAST ADDITION.

**REPLAT – CARRUS
MEDICAL PLAZA
1810 HWY 82 W.
(SDB PARTNERS, DBA
CARRUS SPECIALTY
HOSPITAL)**

Chris Schmitt, Teague, Nall and Perkins, 200 N. Travis, Ste. 500, Sherman, Texas

Mr. Schmitt appeared to represent the request and answer any questions. The property is located at 1810 U.S. Highway 82 West; Carrus Specialty Hospital is under construction at this time. This is a replat reconfiguring four adjacent lots into five lots realigning the tracts with the creek to maximize the 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 Davis to approve the Replat subject to the Staff Review Letter. Second by Commission Member Morgan.

VOTING AYE: DAVIS, SOFEY, BARTON, HICKS, PLYLER, AND MORGAN.

VOTING NAY: NONE

MOTION CARRIED

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

FINAL PLAT

THE REQUEST OF EUFRACIO ALEMAN, JR. (OWNER) AND

**FINAL PLAT –
ALEMAN FRIENDSHIP**

UNDERWOOD DRAFTING & SURVEYING (SURVEYORS)
CONCERNING THE PROPERTY LOCATED IN THE 700
BLOCK OF NORTH FRIENDSHIP ROAD, BEING 16.3
ACRES IN THE FIELDING BACON SURVEY, ABSTRACT
NO. 119 AND THE JASON STAMPS SURVEY, ABSTRACT
NO. 1115, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

FINAL PLAT APPROVAL OF ALEMAN FRIENDSHIP
ADDITION IN THE CITY OF SHERMAN'S EXTRA
TERRITORIAL JURISDICTION.

ADDN. (ETJ)
700 BLK. N.
FRIENDSHIP RD.
(EUFRACIO ALEMAN,
JR.)

(WITHDRAWN)

A letter was received from Underwood Drafting and
Surveying to remove this item from the agenda.

OTHER BUSINESS

No other business came before the board.

OTHER BUSINESS

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned
at 5:45 p.m.

ADJOURNMENT

CHAIRMAN _____

SECRETARY