



the other was a display. The display was somewhat attached to the office building in the sense that it did not have its own plumbing, the plumbing was routed to one septic system; so it is attached in that sense. They decided they wanted to terminate the lease early and Mr. Hopper agreed that they could do that. When Mr. Hopper started to take the display building and prepare it for Mrs. Hopper's scrapbooking business, he wanted to put a separate electrical meter on the building, he went to the City to get a permit, the permit was declined on the basis that the electrical installation was in Romex and not in conduit. That is why they were there to ask the board to continue to the exception that was apparently granted, although he did not have any knowledge that it was granted but maybe the predecessors had granted an exception/variance and allowed them to construct and put electricity and get a green card on the electrical and receive a Certificate of Occupancy on the display; they were asking that they continue that, if it was formerly granted, it was certainly granted in fact when the City of Sherman granted them a Certificate of Occupancy. It is not dangerous, many cities do not require that you put electric in conduit in houses or commercial buildings. But the fact that it was allowed in this commercial building and has existed for a number of years would seem to be in favor of granting a variation in this instance. The house is appraised at \$192,000 and the land \$0.87 a foot. Mr. Hopper at his own expense (\$80,000) has extended a water line to the property and in doing so created fire hydrants and meters; he has been a benefit to the City. This is a pre-existing commercial building and it seems it would not be unreasonable to say this is a variance, the City has allowed the variance, you get into questions, have they waived that, have they tagged it, if they have allowed the Certificate of Occupancy, haven't they waived that. This is really a question of fairness. He asked Mr. Hopper to tell the board what it would take to rewire the electrical in conduit in the display.

Jack Hopper, 364 Parker Road, Van Alstyne, Texas

Mr. Hopper explained he could not get a straight answer, he has talked to two electricians and they say the only way they would accept the job is cost plus, if they had to give a bid it would be so high that he would think they were crazy, there is no end. First of all they would have to move furniture out, the display was fully furnished, all the furniture would have to be stored, pull up the carpet and get it out, bust up the sheetrock, it all has to come out, the building would have to be gutted and start over. He was sure just gutting sheetrock and texturing and tape and bedding would cost \$15,000-\$20,000, he did not know. He could not get anyone to do the electric, they will only do it at cost plus and there is no end to what it could be, so it is at a point if it is worth doing or worth putting a bulldozer to it. When they started building they were going to put the display up without plumbing in the building and Mr. Hopper made them stop, if he had known the electrical needed to be

done in conduit it would never have went down, he would have went through the ceiling.

Scott Shadden, Director of Developmental Services explained the two story building was originally built as a model home, they wired it in Romex because that is the way they built them in homes as a residential type. There was not an Occupancy Permit issued on the two story building and on the building permit it says residential type. An Occupancy Permit was issued for the office. He understood Romex has to be a safe wiring because it is in all of our houses.

Chairman Jackson asked if the buildings were metered separately.

Mr. Hopper explained they were metered together, that is when he found out there was a problem.

Chairman Jackson asked Danny Dutton, an Electrical Contractor what he thought.

Board Member Dutton asked in the beginning what the permit was pulled for, just the office or the office and the display.

Mr. Shadden explained there was actually a permit for a third home, two model homes and an office. Dream Homes pulled the permits first and then Sherman Town Center developed and Jim Walter Homes moved their location to 8111 Highway 75 South. "When Jim Walters Homes left, I was not authorized to put the meter on the display homes because the ordinance says they will have the electric in conduit for all commercial buildings, so that is why they are here today to ask for the exception."

Board Member Dutton asked if they would be selling items from the display.

Mrs. Hopper explained they will not be selling any items, it will be a scrapbooking retreat, the ladies come on Friday and stay through Sunday sit and scrapbook all day and night if they want to, but there will be no sales.

Board Member Hunter asked if it would affect anything in the future if this is approved.

Mr. Shadden explained any additions would not be affected by this, if another building was built it would have to follow codes for the electric in conduit. The property is zoned commercial.

No other citizens appeared before the Construction Board of Adjustments and Appeals to discuss the variance.

**ACTION TAKEN.**

Motion by Board Member Hunter to approve the request to leave the building display at 8111 U.S. Highway 75 South as is which allows N/M (Non-Metallic) Cable Electrical Wiring in a commercial building at 8111 U.S. Highway 75 South. Second by Board Member Morgan.

VOTING AYE: JACKSON, SCHMIDGALL, MORGAN, HUNTER, AND DUTTON

VOTING NAY: NONE.

MOTION CARRIED.

THE BOARD FELT 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 3:15 p.m.

ADJOURNMENT

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CHAIRMAN

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SECRETARY