

STATE OF TEXAS

§

June 20, 2023

COUNTY OF GRAYSON

§

BE IT REMEMBERED THAT A Regular Meeting of the Planning and Zoning Commission and Board of Adjustment of the City of Sherman, was begun and held on June 20, 2023.

MEMBERS PRESENT:

CHAIRMAN MAHONE

COMMISSION MEMBERS: DAVIS, MANLEY, DOWNTAIN,  
BLAGG, SIMS AND WHITAKER

ALTERNATE:

NONE

MEMBERS ABSENT:

NONE

STAFF PRESENT:

ROB RAE, DIRECTOR OF DEVELOPMENT SERVICES, KERRI  
TURNER, DEVELOPMENT SERVICES PLANNING  
TECHNICIAN, WAYNE LEE, DIRECTOR OF ENGINEERING  
AND LAUREN MARLOW, DEVELOPMENT SERVICES  
COORDINATOR

CITY ATTORNEY:

ALICESON COTTON

CALL TO ORDER

Chairman Mahone called the meeting to order at 5:08 p.m.

CALL TO ORDER

APPROVE MINUTES

The minutes from the May 16, 2023 will be approved at the July  
18, 2023 Planning and Zoning Commission and Board of  
Adjustment Meeting.

APPROVE MINUTES

MOTION CARRIED.

ANNOUNCEMENTS

There were no announcements.

ANNOUNCEMENTS

CITIZEN COMMENTS

There were no citizen comments.

CITIZEN COMMENTS

CONSENT AGENDA (ITEMS 6, 7, 8, 9, 10, 11, 12, 13 AND 14)

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

CONSENT AGENDA

The Commission reviewed the Consent Agenda. Commission  
Member Davis moved to approve Items 6, 7, 8, 9, 10, 11, 12, 13  
and 14 on the Consent Agenda as presented subject to the Staff  
Review Letter. Second by Commission Member Manley. All  
present voted AYE.

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

SITE PLAN– CONSENT AGENDA ITEM

THE REQUEST OF SHERMAN INDEPENDENT SCHOOL DISTRICT (OWNER) AND SCOTT CONRAD (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 2701 NORTH LOY LAKE ROAD, IN THE J.B. MCANAIR SURVEY AND IS CURRENTLY ZONED C-1 (RETAIL COMMERCIAL) DISTRICT/75 & 82 OVERLAY DISTRICT, AS FOLLOWS:  
PLANNING AND ZONING COMMISSION  
SITE PLAN FOR PORTABLE CLASSROOM UNITS

SITE PLAN –  
PORTABLE  
CLASSROOM UNITS  
2701 NORTH LOY  
LAKE ROAD  
(SHERMAN  
INDEPENDENT  
SCHOOL DISTRICT)

The property is located at 2701 North Loy Lake Road near the intersection of North Loy Lake Road and East Highway 82. The owner is requesting Site Plan approval for Portable Classroom Units. 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 RFJ AUTO PROPERTIES, LLC (OWNER), MARTIN WALSH, SONIC AUTOMOTIVE (DEVELOPER), JEREMY NELSON, PE, KIRKMAN ENGINEERING (ENGINEER/PREPARER), AND BARTON CHAPA SURVEYING, LLC (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2500 TEXOMA PARKWAY, CONSISTING OF 5.933 ACRES IN THE R. HENDRIX SURVEY, ABSTRACT NO. 504, AND IS CURRENTLY ZONED C-2 (GENERAL COMMERCIAL) DISTRICT, AS FOLLOWS:  
PLANNING AND ZONING COMMISSION  
FINAL PLAT OF LOT 1, BLOCK 1 TEXOMA HYUNDAI ADDITION

FINAL PLAT –  
LOT 1, BLOCK 1  
TEXOMA HYUNDAI  
ADDITION  
2500 TEXOMA  
PARKWAY  
(RFJ AUTO  
PROPERTIES, LLC)

The property is located at 2500 Texoma Parkway at the Southwest corner of Highway 82 and Texoma Parkway and is zoned C-2 (General Commercial) District. The owner would like to plat the property into one lot for commercial 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.

PUBLIC HEARING AND REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF ZACHARY SANFORD (OWNER) AND UNDERWOOD DRAFTING & SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2524 MOUNTAIN CLIMB ROAD, CONSISTING OF 1.400 ACRES IN THE ALFRED HUME SURVEY, ABSTRACT NO. 522, AND BEING A PART OF LOT 5, BLOCK 1 OF NORTHWEST ADDITION AND IS CURRENTLY ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT, AS FOLLOWS:  
PLANNING AND ZONING COMMISSION  
PUBLIC HEARING AND REPLAT OF NORTHWEST ADDITION, BLOCK 1, LOT 5R

PUBLIC HEARING  
AND REPLAT –  
NORTHWEST  
ADDITION, BLOCK 1,  
LOT 5R  
2524 MOUNTAIN  
CLIMB ROAD  
(ZACHARY SANFORD)

The property is located at 2524 Mountain Climb Road near the Southeast corner of Shadow Trail and Mountain Climb Road and is zoned R-6 (Single-Family Residential) District. The owner would like to plat the property into one lot 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.

PUBLIC HEARING AND REPLAT – CONSENT AGENDA ITEM  
THE REQUEST OF GABRIEL GARCIA PEREZ (OWNER) AND UNDERWOOD DRAFTING & SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 802 NORTH EAST STREET, CONSISTING OF 0.273 ACRES, BEING LOT 13 AND LOT 14, BLOCK 2 OF THE HALL & JONES ADDITION, AND IS CURRENTLY ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT, AS FOLLOWS:

PLANNING AND ZONING COMMISSION  
PUBLIC HEARING AND REPLAT OF PEREZ EAST ADDITION BEING A REPLAT OF LOTS 13 & 14, BLOCK 2, OF THE HALL & JONES ADDITION.

PUBLIC HEARING  
AND REPLAT –  
PEREZ EAST  
ADDITION BEING A  
REPLAT OF LOTS 13  
& 14, BLOCK 2, OF  
THE HALL & JONES  
ADDITION  
802 NORTH EAST  
STREET  
(GABRIEL GARCIA  
PEREZ)

The property is located at 802 North East Street at the Northwest corner of North East Street and Carter Street and is zoned R-6 (Single-Family Residential) District. The owner would like to plat the property into one lot 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.

PUBLIC HEARING AND REPLAT – CONSENT AGENDA ITEM  
THE REQUEST OF GRAYSON COUNTY (OWNER), BRUCE DAWSEY, GRAYSON COUNTY JUDGE (REPRESENTATIVE) AND UNDERWOOD DRAFTING & SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 200 SOUTH CROCKETT STREET, CONSISTING OF 4.050 ACRES, BEING A PART OF THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, AND IS CURRENTLY ZONED C-1 (RETAIL BUSINESS) DISTRICT, AS FOLLOWS:

PLANNING AND ZONING COMMISSION  
PUBLIC HEARING AND REPLAT OF GRAYSON COUNTY JUSTICE CENTER, LOT 1R

PUBLIC HEARING  
AND REPLAT –  
GRAYSON COUNTY  
JUSTICE CENTER,  
LOT 1R  
200 SOUTH  
CROCKETT STREET  
(GRAYSON COUNTY)

The property is located at 200 South Crockett Street between West Lamar Street and West Cherry Street and is in the Central Business District Overlay. The owner would like to plat the property into one lot for commercial 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.

PRELIMINARY PLAT – CONSENT AGENDA ITEM

THE REQUEST OF VEIN CENTER OF NORTH TEXAS PROPERTIES, LLC (OWNER) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1325 NORTH TRAVIS STREET, CONSISTING OF 0.626 ACRES, BEING A PART OF J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AND CURRENTLY ZONED C-O (OFFICE) DISTRICT/SAM RAYBURN OVERLAY, AS FOLLOWS:  
PLANNING AND ZONING COMMISSION  
PRELIMINARY PLAT OF VEIN CENTER OF NORTH TEXAS ADDITION

PRELIMINARY PLAT –  
VEIN CENTER OF  
NORTH TEXAS  
ADDITION  
1325 NORTH TRAVIS  
STREET  
(VEIN CENTER OF  
NORTH TEXAS  
PROPERTIES, LLC)

The property is located at 1325 North Travis Street at the intersection of West Belden Street and North Travis Street. The property owner would like to plat the property into one lot for commercial 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.

SITE PLAN – CONSENT AGENDA ITEM

THE REQUEST OF HONEY GOEL (OWNER) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 708 EAST LAMBERTH ROAD, CONSISTING OF 1.239 ACRES BEING LOT 3, AMERISTATE CENTRAL PLAZA, PHASE 2, IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AND BEING PART OF LOT 4, BLOCK 1 OF DR. J.H. CARRAWAY'S SUB-DIVISION, AND CURRENTLY ZONED C-1 (RETAIL BUSINESS) DISTRICT, AS FOLLOWS:  
PLANNING AND ZONING COMMISSION  
SITE PLAN FOR OFFICE CONDOMINIUMS

SITE PLAN – OFFICE  
CONDOMINIUMS  
708 EAST LAMBERTH  
ROAD  
(HONEY GOEL)

The property is located at 708 East Lamberth Road at the intersection of North Loy Lake Road and East Lamberth Road. The owner is requesting Site Plan approval for Office Condominiums. 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.

PRELIMINARY PLAT – CONSENT AGENDA ITEM

THE REQUEST OF CHOCTAW CREEK RANCH, LLC (OWNER), JORGE GARAY, PE (REPRESENTATIVE), SHERMAN 185 TX, LLC (DEVELOPER) AND ATWELL GROUP (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 701 LUELLA ROAD, CONSISTING OF 182.737 ACRES, IN THE SHARROD DUNMAN SURVEY, ABSTRACT NO. 329, AND IS CURRENTLY LOCATED IN THE ETJ (EXTRA TERRITORIAL JURISDICTION), AS FOLLOWS:  
PLANNING AND ZONING COMMISSION  
PRELIMINARY PLAT OF SHERMAN 185

PRELIMINARY PLAT –  
SHERMAN 185  
701 LUELLA ROAD  
(CHOCTAW CREEK  
RANCH, LLC)

The property is located at 701 Luella Road in the ETJ (Extra Territorial Jurisdiction) between Vietnam Veterans Parkway and

Akers Road. The property owner would like to plat the property into one lot 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.

SITE PLAN AND REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF SAPPHIRE STOCKHOME, LLC (OWNER), BLUESTONE PARTNERS, LLC (REPRESENTATIVE) AND PRESTON TRAIL LAND SURVEYING, LLC (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 304 PROGRESS DRIVE, CONSISTING OF 9.023 ACRES IN THE WILLIAM MARTIN SURVEY, ABSTRACT NO. 765 AND BEING ALL OF LOT 4, OF THE REPLAT OF SHERMAN INDUSTRIAL DEVELOPMENT ADDITION, AND CURRENTLY ZONED BLALOCK INDUSTRIAL PARK PD (PLANNED DEVELOPMENT), AS FOLLOWS:

PLANNING AND ZONING COMMISSION

- A. SITE PLAN FOR SHERMAN INDUSTRIAL DEVELOPMENT ADDITION
- B. REPLAT OF LOT 4, SHERMAN INDUSTRIAL DEVELOPMENT ADDITION (REPLAT)

SITE PLAN –  
SHERMAN  
INDUSTRIAL  
DEVELOPMENT  
ADDITION  
REPLAT – LOT 4,  
SHERMAN  
INDUSTRIAL  
DEVELOPMENT  
ADDITION (REPLAT)  
304 PROGRESS  
DRIVE  
(SAPPHIRE  
STOCKHOME, LLC)

The property is located at 304 Progress Drive at the corner of Progress Drive and Howe Drive. The owner is also requesting a Site Plan for Sherman Industrial Development Addition and would like to plat the property into two lots for commercial 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.

SITE PLAN

THE REQUEST OF RICK ARNOLD (OWNER) AND SARTIN & ASSOCIATES, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1831 WEST HOUSTON STREET, CONSISTING OF 1.55 ACRES BEING BLOCK 1, LOT 3 IN THE SPAVINAW ADDITION, AND CURRENTLY ZONED C-2 (GENERAL COMMERCIAL) DISTRICT, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SITE PLAN FOR OUTDOOR RESTAURANT

SITE PLAN –  
OUTDOOR  
RESTAURANT  
1831 WEST HOUSTON  
STREET  
(RICK ARNOLD)

The property is located at 1831 West Houston Street near the intersection of West Houston Street and Binkley Park Drive.

Rick Arnold, 1921 West Houston Street, Sherman, TX

Mr. Arnold explained, “We are requesting Site Plan approval for two food trucks. My daughter has a snow cone truck and I have a close friend that has the other food truck. We have a gazebo that is already built in the back that can be moved when needed and we have just asphalted the parking area.”

Chairman Mahone asked, “When do you plan to open them?”

Mr. Arnold replied, “They are ready now.”

Commission Member Davis asked, “Is there a commissary?”

Mr. Arnold replied, “Our school on the property is our commissary. We have a kitchen with a grease trap that has been approved.”

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Arnold replied, “Yes, 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 Site Plan.

**ACTION TAKEN.**

Planning and Zoning Commission

Motion by Vice Chairman Downtain to approve the Site Plan located at 1831 West Houston Street subject to the Staff Review letter. Second by Commission Member Davis.

VOTING AYE: MAHONE, DAVIS, DOWNTAIN, SIMS, BLAGG, WHITAKER AND MANLEY

VOTING NAY: NONE.

MOTION CARRIED.

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

**PRELIMINARY PLAT**

THE REQUEST OF AMERICAN BUILDERS AND CONTRACTORS SUPPLY CO., INC. (OWNER), VILBIG AND ASSOCIATES (REPRESENTATIVE/CONSULTING ENGINEERS & SURVEYORS) AND HELVEY-WAGNER SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2325 NORTH TRAVIS STREET, CONSISTING OF 8.066 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763 AND IS CURRENTLY ZONED C-2 (GENERAL COMMERCIAL) DISTRICT, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

- A. SITE PLAN FOR ABC SUPPLY CO., INC. (WITHDRAWN)
- B. PRELIMINARY PLAT OF ABC SUPPLY ADDITION, LOT 1, BLOCK A

PRELIMINARY PLAT –  
ABC SUPPLY  
ADDITION, LOT 1,  
BLOCK A  
2325 NORTH TRAVIS  
STREET  
(AMERICAN  
BUILDERS AND  
CONTRACTORS  
SUPPLY CO., INC.)

SITE PLAN  
(WITHDRAWN)

The property is located at 2325 North Travis Street between East Taylor Street and East Lamberth Road.

An email was received from David Vilbig on Monday, June 12, 2023, at 8:40 a.m., requesting to withdraw the Site Plan for Item #11, located at 2325 North Travis Street.

David Vilbig, 517 West Woods, Denison, TX

Mr. Vilbig explained, “The owner would like to plat the property into one lot for commercial development.

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Vilbig replied, "Yes, 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.**

Planning and Zoning Commission

Motion by Commission Member Davis to approve the Preliminary Plat located at 2325 North Travis Street subject to the Staff Review letter. Second by Vice Chairman Downtain.

VOTING AYE: MAHONE, DAVIS, DOWNTAIN, SIMS, BLAGG, WHITAKER AND MANLEY

VOTING NAY: NONE.

MOTION CARRIED.

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

**PUBLIC HEARING AND VARIANCE**

THE REQUEST OF KEITH AND JANET ARMSTRONG (OWNER) AND HELVEY-WAGNER SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2507 SHORELINE DRIVE, CONSISTING OF 0.4408 ACRES, BEING IN THE TURTLE CREEK NORTH ADDITION, SECTION 2, BLOCK 4, LOT 2, AND CURRENTLY ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT, AS FOLLOWS:

BOARD OF ADJUSTMENT

PUBLIC HEARING AND VARIANCE UNDER SECTION 14.02.006 TO ALLOW A 0' SIDE SETBACK IN LIEU OF THE REQUIRED 6' FOR AN ATTACHED GARAGE ADDITION.

PUBLIC HEARING  
AND VARIANCE –  
SIDE SETBACK  
2507 SHORELINE  
DRIVE  
(KEITH AND JANET  
ARMSTRONG)

The property is located at 2507 Shoreline Drive between West Lamberth Road and Rivercrest Drive.

**Keith Armstrong, 2507 Shoreline Drive, Sherman, TX 75090**

Mr. Armstrong explained, "The owner is requesting a Variance for the side setback for an attached garage addition. In 1985 the attached garage was enclosed into a master bedroom and since then it has made the access narrow on both sides of the house to the rear."

Chairman Mahone asked, "Was the garage a front entry?"

Mr. Armstrong replied, "No and there is a cement drive large enough to turn 180 degrees to enter from the rear of the house."

The following letter was received for 2507 Shoreline Drive Variance request:

BEALE CHRIS WILLIAM ESTATE  
2513 SHORELINE DR  
SHERMAN, TX 75092

June 1, 2023

The Planning and Zoning Commission and Board of Adjustment of the City of Sherman will hold a public hearing on the day of Tuesday, June 20, 2023, at 5:00 P.M. in the City Council Chambers, at 220 W. Mulberry, to hear the request of:

**Keith and Janet Armstrong (Owner) and Helvey-Wagner Surveying (Surveyor) concerning the property located at 2507 Shoreline Drive, consisting of 0.4408 acres, being in the Turtle Creek North Addition, Section 2, Block 4, Lot 2, and currently zoned R-6 (Single Family Residential) District**

**The request is as follows:**

***Board of Adjustment***

**Public Hearing and Variance under Section 14.02.006 to allow a 0' side setback in lieu of the required 20' for an attached garage addition.**

As a property owner within two hundred feet (200') of this property, you are invited to attend. You are not required to be present, but all interested parties wishing to speak should appear at the time and place stated above. If you cannot attend the public hearing but wish to have your comments presented to the Planning and Zoning Commission or Board of Adjustment, you may do so by emailing [planning@cityofsherman.com](mailto:planning@cityofsherman.com) or comment in the space provided below and mail to: Development Services, P.O. Box 1106, Sherman, TX 75091. If you wish to have your views published in the online agenda, they must be received in the Development Services office by 5:00 p.m. on Wednesday, the week prior to the Planning and Zoning Commission meeting, otherwise, your comments will be provided to each Commission member at the meeting.

Rob Rae

Acting Secretary, Planning & Zoning Commission

*There is not a problem for me. I have given permission to the Armstrongs to build (garage) on the property line.*

*Ms. Kathy Beale for Chris Beale Estate*

Unless this notice is delivered in an envelope that has the "City of Sherman" logo and is affixed with postage as required by the U.S. Postal Service, it is NOT an official notice sent to you by the City of Sherman.

Commission Member Davis asked, "Will there be a garage door on your driveway?"

Mr. Armstrong replied, "Yes and the other portion will be for storage or a workshop."

Chairman Mahone asked, "How wide is the single garage door?"

Mr. Armstrong replied, "10' wide and will be placed on the west side."

Chairman Mahone asked, "Do you plan to park one or two tandem?"

Mr. Armstrong replied, "No and the reason for putting the north wall near the property line is the free span inside. You could turn the car around inside the garage and multiple vehicles could be parked parallel."

Chairman Mahone asked, "What is the footprint on the garage?"

Mr. Armstrong replied, "A little over 1,200 square feet."

Commission Member Blagg asked, "Will the wall on the property line become the fence?"

Mr. Armstrong replied, "It will replace the fence and the new structural wall will be about 6 inches away from the property line."

Commission Member Davis asked, "How tall will the garage be?"

Mr. Armstrong replied, "It will be 16'."

Chairman Mahone asked, "Are there any other houses that have garages or structures on the property line?"

Mr. Armstrong replied, "No, the other garages were attached as part of the original structure or have been enclosed."

Commission Member Davis asked, "Could you move the garage further south?"

Mr. Armstrong replied, "No, it is a narrow entry. I would have issues making that turning radius. I would not be able to have any structural posts on the north side or I'll take them out as I'm turning the vehicle."

Commission Member Manley asked, "Are there any concerns with the Fire Marshal about the distance between the structures?"

Mr. Rae replied, "I didn't hear of a comment from a Fire Marshal on that."

Mr. Lee replied, "I have not heard a comment from a Fire Marshal."

Chairman Mahone stated, "It does state on the Staff Review Letter that fire access shall be coordinated with the Fire Marshal. Have you seen the Staff Review Letter?"

Mr. Armstrong replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

Chairman Mahone stated, "If this was approved you would still have to talk to the Fire Marshal."

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

**ACTION TAKEN.**

**Board of Adjustment**

Motion by Commission Member Manley to approve the Variance located at 2507 Shoreline Drive subject to the Staff Review letter. Second by Commission Member Sims.

VOTING AYE: MAHONE, DAVIS, DOWNTAIN, SIMS AND MANLEY

VOTING NAY: NONE.

MOTION CARRIED.

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

**PUBLIC HEARING, VARIANCE, FINAL PLAT AND SITE PLAN**

THE REQUEST OF DOUGLAS LAMB, SHERMAN MACHINE, INC. (OWNER) AND UNDERWOOD DRAFTING & SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1622 SOUTH FIRST STREET, CONSISTING OF 1.355 ACRES, BEING A PART OF PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, AND IS CURRENTLY ZONED M-1 (LIGHT MANUFACTURING) DISTRICT, AS FOLLOWS:

**BOARD OF ADJUSTMENT**

A. PUBLIC HEARING AND VARIANCE UNDER SECTION 14.02.018 TO ALLOW A 4.7' FRONT SETBACK IN LIEU OF THE REQUIRED 40' FOR AN EXISTING STRUCTURE.

**PLANNING AND ZONING COMMISSION**

B. FINAL PLAT OF SHERMAN MACHINE ADDITION

C. SITE PLAN FOR A METAL BUILDING ADDITION

PUBLIC HEARING,  
VARIANCE – FRONT  
SETBACK  
FINAL PLAT –  
SHERMAN MACHINE  
ADDITION  
SITE PLAN –  
METAL BUILDING  
1622 SOUTH FIRST  
STREET  
(DOUGLAS LAMB,  
SHERMAN MACHINE,  
INC.)

The property is located at 1622 South First Street between East Lake Street and East Centennial Street. The owner is requesting a Variance for a front setback for an existing structure and Site Plan approval for a Metal building addition. The owner would also like to plat the property into one lot for commercial development.

(WITHDRAWN)

An email was received from Chad Lamb on Monday, June 12, 2023, at 7:34 a.m., requesting to withdraw this item located at 1622 South First Street.

PUBLIC HEARING, VARIANCE, SITE PLAN AND ZONE CHANGE  
THE REQUEST OF OSCAR MEDINA (OWNER), MCLEMORE &  
ASSOCIATES (ARCHITECTS/BUILDERS/DEVELOPERS) AND  
UNDERWOOD DRAFTING & SURVEYING (SURVEYOR)  
CONCERNING THE PROPERTY LOCATED AT 416 SOUTH ELM  
STREET, CONSISTING OF 0.341 ACRES IN THE SAMUEL  
BLAGG SURVEY, ABSTRACT NO. 56, AS FOLLOWS:  
BOARD OF ADJUSTMENT

A. PUBLIC HEARING AND VARIANCE UNDER SECTION  
14.02.009 TO ALLOW A LOT WIDTH OF 56.09' IN LIEU OF  
THE REQUIRED 60' IN AN R-2F (DUPLEX RESIDENTIAL)  
DISTRICT.

PLANNING AND ZONING COMMISSION

B. PUBLIC HEARING, SITE PLAN AND ZONE CHANGE FROM  
AN MF-30 (MULTI-FAMILY RESIDENTIAL) DISTRICT TO AN  
R-2F (DUPLEX RESIDENTIAL) DISTRICT.

The property is located at 416 South Elm Street between West  
Cherry and West King Streets.

Steve McLemore, 11916 Paducah, Frisco, TX

Mr. McLemore read the following letter from Mr. Medina:

PUBLIC HEARING,  
VARIANCE – LOT  
WIDTH  
SITE PLAN AND ZONE  
CHANGE – MF-30 TO  
R-2F  
416 SOUTH ELM  
STREET  
(OSCAR MEDINA)

To the honorable members of ~~the~~ Planning and Zoning Commission, and Board of Adjustments:

My name is Oscar Medina, owner of the property located at 416 S. Elm street. This property previously had a single family home that was constructed in 1900, and was previously zoned in an R-2 district. Today, due to the most recent city zoning changes, and based on the 14.02.002 Equivalency Table, the property is now zoned in an MF-30 multi-family district.

SECTION

While the property is too small to comply with any of the MF-30 or MF-15 minimum development requirements, under section 14.02.009 R-2F duplex district zoning that I am requesting, the property can be developed meeting all of the minimum requirements with the exception of the 60 foot minimum yard/lot width requirement. As noted earlier, the property was previously zoned in an R-2 district, and there is an existing apartment complex directly across the street from my property, and a duplex ~~5 blocks south on South Elm~~ as well as others in the area. ~~AND I BACK AWAY ON W. CHERRY,~~ IN THE 600 & 800 BLOCKS SOUTH AS

In addition to the R-2F zoning change, I am also requesting a variance under 14.06.006 section 1-B for a reduction in the yard/lot width requirement for R-2F from 60 feet to 55.09 feet. This width request is illustrated on my submitted survey, site plan, landscape plan, and related elevations, and floor plan. In reviewing the related 14.06.006 section 2 - A thru G it does not appear to me that my request would be in conflict with any of the variance criteria listed.

In regards to another matter, I became concerned about my submission when I received the Staff Review Letter on June 13<sup>th</sup> for this meeting indicating a requested width variance to a 56.09 foot lot width instead of my requested 55.09 foot width. I was told to determine the width of a lot the city takes the front yard width and the rear yard width and averages them together, and this was why it indicated a lot width of 56.09 feet and not my requested 55.09 feet.

My concern was if approved for 56.09 feet, and not the 55.09 feet requested, would I be allowed to build the duplex in the 55.09 foot wide area. The property is 55.09 feet wide for a depth of 217 feet from the street, and then widens to 57.10 feet for the remaining 51 feet of depth. After a few e-mail exchanges back and forth, we were finally told that even though if approved and it stated to allow a lot width of 56.09 feet, I would be allowed to build the duplex in the 55.09 foot width area of the property.

In closing, I apologize for not being able to attend today's meeting due to a previously scheduled family matter, but want you to know I do sincerely appreciate your review and consideration for both my zoning change and variance request.

Respectfully,

Oscar Medina

Chairman Mahone asked Mr. Rae, "Is this correct that you average front and back?"

Mr. Rae replied, "That is correct."

Chairman Mahone asked, "Has the building been torn down?"

Mr. McLemore replied, "I was sent a photo but was unaware it had been torn down."

Chairman Mahone asked Mr. Rae, "Has the building been torn down recently?"

Mr. Rae replied, "Yes."

Chairman Mahone asked Mr. McLemore, "Do you have plans to do something with the back of the lot?"

Mr. McLemore replied, "Nothing you can do with it being a deep lot."

Commission Member Manley asked Mr. Rae, "Was this a single family home in a MF-30 (Multi Family Residential) District previously?"

Mr. Rae replied, "Yes and this part of the city has been zoned R-2 (Multi-Family Residential) District, which has been transitioned to MF-30 (Multi Family Residential) District."

Under the previous Ordinance that was replaced, if a duplex were to be built on this lot, it would have the entitlements to do so with the zoning for R-2 (Multi-Family Residential) District as it does now, but it still wouldn't meet the minimum requirements of that Ordinance either because, if you remember, the duplex minimum requirement was 60' as well."

Marcus Abedia, 102 E Forest Avenue, Sherman, TX

Mr. Abedia stated, "I personally do not want another duplex to be built on this lot. The house was originally a single residence home and multiple duplexes have been infiltrating the neighborhood. In the new 2022 Comprehensive Plan, one of the things the Core Neighborhood is doing is maintaining the original character, and I'd hate to see another duplex replace one of those 1900 homes. Most of the homes are wood and dilapidated but this was a solid brick home. I happen to live next to a lot that is filled with duplexes right next to 903 Brewers and all the cars are lined up on the street."

Mr. McLemore replied, "The house was built in 1900 and was in very poor shape structurally. The owner looked at renovating the property, but it was going to be cost prohibitive for the business."

Mr. Rae stated, "The letter that Mr. Medina had sent in with his application stated that he had gone through our Sub-Standard Department program to demo this building on December 5,

2022. There was a property notification sign from within the last 14 days that shows the house is still there.”

Mr. McLemore replied, “I drove by today and the house was not there.”

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. McLemore replied, “Yes, 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 Variance, Site Plan and Zone Change.

**ACTION TAKEN.**

**Board of Adjustment**

Motion by Vice Chairman Downtain to deny the Variance located at 416 South Elm Street. Second by Commission Member Davis.

VOTING AYE: MAHONE, DOWNTAIN, SIMS, DAVIS AND MANLEY

VOTING NAY: NONE.

MOTION CARRIED.

**Planning and Zoning Commission**

Motion by Commission Member Davis to deny the Site Plan and Zone Change located at 416 South Elm Street. Second by Commission Member Manley.

VOTING AYE: MAHONE, DAVIS, DOWNTAIN, SIMS, BLAGG, WHITAKER AND MANLEY

VOTING NAY: NONE

MOTION CARRIED.

**PUBLIC HEARING, SITE PLAN AND ZONE CHANGE**

THE REQUEST OF MARUTI INTERESTS (OWNER), PATRICK FILSON (REPRESENTATIVE) AND SARTIN & ASSOCIATES, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 6501 BLOCK NORTH HIGHWAY 75, CONSISTING OF 8.68 ACRES, BEING IN THE A.C. SMITH SURVEY, ABSTRACT NO. 1561, AND CURRENTLY ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT, AS FOLLOWS:  
PLANNING AND ZONING COMMISSION  
PUBLIC HEARING, SITE PLAN AND ZONE CHANGE FROM AN R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO AN MF-30 (MULTI FAMILY RESIDENTIAL) DISTRICT.

PUBLIC HEARING  
SITE PLAN AND ZONE  
CHANGE –  
R-6 TO MF-30  
6501 BLOCK NORTH  
HIGHWAY 75  
(MARUTI INTERESTS)

The property is located in the 6501 Block North Highway 75 between Blue Flame Road and FM 691.

**Patrick Filson, 5200 State Highway 121, Lewisville, TX**

Mr. Filson explained, “The owner is requesting a Zone Change for a proposed multi-family development. There is a future

development just to the north of this that is in some sort of review, and we were wanting to coordinate with them to make that second point of connection with our primary point of access that will come off the frontage road.”

Chairman Mahone asked, “Is this a combination of apartment buildings and townhomes?”

Mr. Filson replied, “Yes.”

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Filson replied, “Yes, 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 Site Plan and Zone Change.

**ACTION TAKEN.**

**Planning and Zoning Commission**

Motion by Commission Member Davis to approve the Site Plan and Zone Change located in the 6501 Block North Highway 75 subject to the Staff Review letter. Second by Commission Member Blagg.

**VOTING AYE: MAHONE, DOWNTAIN, SIMS, BLAGG, DAVIS, WHITAKER AND MANLEY**

**VOTING NAY: NONE.**

**MOTION CARRIED.**

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

**PUBLIC HEARING, SPECIFIC USE PERMIT AND SITE PLAN**  
THE REQUEST OF LCA PROPERTIES, LLC (OWNER), TODD KOFSKY, SHERMAN MOTORS (REPRESENTATIVE) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2303 TEXOMA PARKWAY, CONSISTING OF 0.770 ACRES, BEING IN THE SMITH MCGLOTHLIN SURVEY, ABSTRACT NO. 808, AND BEING A REMAINDER OF LOT 1 IN BLOCK 1 OF HIGHLAND PARK ADDITION, AND CURRENTLY ZONED C-2 (GENERAL COMMERCIAL) DISTRICT/75 & 82 OVERLAY DISTRICT, AS FOLLOWS:

**PLANNING AND ZONING COMMISSION**

- A. PUBLIC HEARING AND SPECIFIC USE PERMIT UNDER SECTION 14.06.009 TO ALLOW AUTOMOBILE MOTORCYCLE, BOAT OR TRAILER SALES, NEW OR USED.**
- B. PUBLIC HEARING AND SPECIFIC USE PERMIT UNDER SECTION 14.06.009 TO ALLOW AUTOMOBILE REPAIR, BODY WORK, OR PAINTING.**
- C. SITE PLAN FOR A GARAGE ADDITION.**

**PUBLIC HEARING,  
SPECIFIC USE  
PERMIT –  
AUTOMOBILE SALES  
AND REPAIR  
SITE PLAN– GARAGE  
ADDITION  
2303 TEXOMA  
PARKWAY  
(LCA PROPERTIES,  
LLC)**

The property is located at 2303 Texoma Parkway between East Nall Street and Baker Drive.

Todd Kofsky, 2303 Texoma Parkway, Sherman, TX

Mr. Kofsky explained, "We are requesting a Specific Use Permit to allow an Automotive Dealership and Site Plan for a garage. We plan to move our dealership, currently located at 3514 Texoma Parkway, to our new location. We purchased this property with the plans to add a garage and expand our operations."

Chairman Mahone asked, "Will the garage be metal sided?"

Mr. Kofsky replied, "Yes with roll up doors facing towards the building."

Chairman Mahone asked, "Can this be changed to something besides metal?"

Mr. Kofsky replied, "Yes but it is cost effective to have a metal building."

Chairman Mahone asked, "What is to the East of the building?"

Mr. Kofsky replied, "It is a residential property."

Chairman Mahone asked Mr. Rae, "Is the green paneling considered roofing material?"

Mr. Rae replied, "No."

Commission Member Sims asked Mr. Kofsky, "What type of repairs will you be doing to these vehicles?"

Mr. Kofsky replied, "It'll be for our own vehicles. We are not going to be doing public or repair work for facilities."

Commission Member Sims asked, "Will there be any vehicles sitting out that are not ready to sell or wrecked vehicles?"

Mr. Kofsky replied, "No. The wrecked vehicles will be picked up by salvage yards. There will be vehicles that will be put in the back of the property that are not front line ready."

Chairman Mahone asked, "Will there be any cars parked on unpaved surfaces?"

Mr. Kofsky replied, "It may be paved or gravel."

Chairman Mahone, "What are the requirements for parking?"

Mr. Rae replied, "Vehicle parking, drive aisles, anywhere a vehicle moves, needs to be on asphalt or concrete. There can be no gravel. Also, in 2020 you were issued a Specific Use Permit for automobile repair at 4114 Texoma Parkway. Is this still in operation?"

Mr. Kofsky replied, "Yes. We are the landlords and are renting the building to A&B Automotive. We are not running our operation out of there."

Chairman Mahone asked Mr. Rae, “Was the Specific Use Permit tied to any special condition?”

Mr. Rae replied, “There were no special conditions. Mr. Kofsky was the applicant and LCA Properties was the owner.”

Jonathan Earnhart, 110 South Houston Avenue, Denison, TX  
Mr. Earnhart explained, “I’m sure most of y’all are aware of the House Bill 2439 as we have had issues with that before. I talked to the author of that bill in the state. They say a lot of cities are putting in overlays, trying to add that material requirements, but it’s not allowed even in overlays unless it’s approved overlays like certain Historical Districts or Main Street Districts that are approved and they named these pretty clearly out which overlay districts those can even be implemented in, but otherwise, it really goes over how indirectly recommending or trading out they define that as violating the Bill.”

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Kofsky replied, “Yes, 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 and Site Plan.

**ACTION TAKEN.**

**Planning and Zoning Commission**

Motion by Commission Member Blagg to approve the Specific Use Permit and Site Plan located at 2303 Texoma Parkway subject to the Staff Review letter being tied to LCA Properties, owner and operator. Second by Commission Member Sims.

VOTING AYE: MAHONE, SIMS, BLAGG, WHITAKER AND MANLEY

VOTING NAY: DAVIS AND DOWNTAIN

MOTION CARRIED.

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

**PUBLIC HEARING AND ZONE CHANGE**

THE REQUEST OF STAR MIDWAY, LLC (OWNER) AND DAVID PETREE, BLUE SKY SURVEYING AND MAPPING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 4800 TEXOMA PARKWAY, CONSISTING OF 5.7869 ACRES BEING LOT 6 IN BLOCK 1 OF THE REPLAT OF MIDWAY MALL, AS FOLLOWS:  
PLANNING AND ZONING COMMISSION  
PUBLIC HEARING AND ZONE CHANGE FROM AN M-1 (LIGHT MANUFACTURING) DISTRICT AND C-2 (GENERAL COMMERCIAL) DISTRICT TO A C-2 (GENERAL COMMERCIAL) DISTRICT.

PUBLIC HEARING  
AND ZONE CHANGE –  
FRONT AND SIDE  
SETBACK  
4800 TEXOMA  
PARKWAY  
(STAR MIDWAY, LLC)

The property is located at 4800 Texoma Parkway between Fallon Drive and North Frisco Road.

Ryan DeLong, 4800 Texoma Parkway, Sherman, TX

Mr. DeLong explained, "We are requesting a Zone Change for this property as it was not included a couple months ago."

Mr. Rae stated, "This request was not included in the original request. This is a clean up from what they had originally intended to apply for."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. DeLong replied, "Yes, 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.

**ACTION TAKEN.**

Planning and Zoning Commission

Motion by Commission Member Sims to approve the Zone Change located at 4800 Texoma Parkway subject to the Staff Review letter. Second by Commission Member Davis.

VOTING AYE: MAHONE, DAVIS, DOWNTAIN, SIMS, DAVIS, MANLEY AND WHITAKER

VOTING NAY: NONE

MOTION CARRIED.

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

PUBLIC HEARING, VARIANCE, SITE PLAN AND SPECIFIC USE PERMIT

THE REQUEST OF REX HUDDLESTON (OWNER), KENT HUGHLETT (REPRESENTATIVE) AND BARRON STARK ENGINEERS (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 5820 TEXOMA PARKWAY, CONSISTING OF 3.66 ACRES, BEING BLOCK 1, LOT 1 IN THE SHERMAN MINI WAREHOUSE ADDITION, AND CURRENTLY ZONED C-2 (GENERAL COMMERCIAL) DISTRICT, AS FOLLOWS:

BOARD OF ADJUSTMENT

A. PUBLIC HEARING AND VARIANCE UNDER SECTION 14.02.017 TO ALLOW A 0' SIDE SETBACK IN LIEU OF THE REQUIRED 15' FOR EXISTING STRUCTURES IN A C-2 (GENERAL COMMERCIAL) DISTRICT.

PLANNING AND ZONING COMMISSION

B. PUBLIC HEARING, SITE PLAN AND SPECIFIC USE PERMIT UNDER SECTION 14.06.009 TO ALLOW A MINI-WAREHOUSE IN A C-2 (GENERAL COMMERCIAL) DISTRICT.

The property is located at 5820 Texoma Parkway between De Soto and FM 691.

Kent Hughlett, 177 Timberbrook Circle, Denison, TX

PUBLIC HEARING,  
VARIANCE – SIDE  
SETBACK  
SITE PLAN AND  
SPECIFIC USE  
PERMIT – MINI-  
WAREHOUSE  
5820 TEXOMA  
PARKWAY  
(REX HUDDLESTON)

Mr. Hughlett explained, “We are requesting a Specific Use Permit to allow a Mini-warehouse for future development and the Variance is for the 0’ side setback on the existing structure. With the new Ordinance we have to make our Specific Use Permit current.”

Mr. Rae stated, “They have existing, non-conforming rights for the existing buildings, but as soon as they add additional buildings to it, they have to come into conformance.”

Commission Member Blagg asked Mr. Hughlett, “Is there a fence behind the storage building with the 0’ side setback or just the building?”

Mr. Hughlett replied, “There is a fence.”

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Hughlett replied, “Yes, 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 Variance, Site Plan and Specific Use Permit.

#### ACTION TAKEN.

##### Board of Adjustment

Motion by Vice Chairman Downtain to approve the Variance located at 5820 Texoma Parkway subject to the Staff Review letter. Second by Commission Member Davis.

VOTING AYE: MAHONE, DAVIS, DOWNTAIN, SIMS AND MANLEY

VOTING NAY: NONE.

MOTION CARRIED.

##### Planning and Zoning Commission

Motion by Vice Chairman Downtain to approve the Site Plan and Specific Use Permit located at 5820 Texoma Parkway subject to the Staff Review letter. Second by Commission Member Davis.

VOTING AYE: MAHONE, DAVIS, DOWNTAIN, SIMS, BLAGG, WHITAKER AND MANLEY

VOTING NAY: NONE.

MOTION CARRIED.

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

PUBLIC HEARING, ZONE CHANGE AND PRELIMINARY PLAT  
THE REQUEST OF JASON EARNHART, EARNHARTBUILT, LLC  
(OWNER) AND COPLEY LAND SURVEYING (SURVEYOR)  
CONCERNING THE PROPERTY LOCATED AT 419 SOUTH  
MONTGOMERY STREET, CONSISTING OF 0.131 ACRES IN THE  
SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, AS FOLLOWS:

PUBLIC HEARING,  
ZONE CHANGE – R-6  
TO R-5  
PRELIMINARY PLAT  
– EARNHARTBUILT’S  
11<sup>TH</sup>

**PLANNING AND ZONING COMMISSION**

- A. PUBLIC HEARING AND ZONE CHANGE FROM AN R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO A R-5 (SINGLE FAMILY RESIDENTIAL) DISTRICT**
- B. PRELIMINARY PLAT OF EARNHARTBUILT'S 11<sup>TH</sup>**

**419 SOUTH  
MONTGOMERY  
STREET  
(JASON EARNHART,  
EARNHARTBUILT,  
LLC)**

The property is located at 419 South Montgomery Street between East Cherry Street and East Magnolia Street.

Jonathan Earnhart, 110 South Houston Avenue, Denison, TX

Mr. Earnhart explained, "The owner is requesting a Zone Change from an R-6 (Single Family Residential) District to a R-5 (Single Family Residential) District. The owner would like to plat the property into one lot for residential development."

Chairman Mahone asked, "Is there a building on the property?"

Mr. Earnhart replied, "No."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Earnhart replied, "Yes, 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 and Preliminary Plat.

**ACTION TAKEN.**

**Planning and Zoning Commission**

Motion by Commission Member Davis to approve the Zone Change and Preliminary Plat located at 419 South Montgomery Street subject to the Staff Review letter. Second by Vice Chairman Downtain.

**VOTING AYE: MAHONE, DOWNTAIN, DAVIS, BLAGG, MANLEY, SIMS AND WHITAKER**

**VOTING NAY: NONE.**

**MOTION CARRIED.**

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

**PUBLIC HEARING, VARIANCE AND SITE PLAN**

**THE REQUEST OF SHERMAN CROSSROADS, LTD (OWNER), HENRY QUIGG, RICHMOND GROUP (REPRESENTATIVE/ARCHITECT) AND A&W SURVEYORS, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 3551 SOUTH HIGHWAY 75, CONSISTING OF 1.001 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, AND BEING LOT 31, BLOCK 2 OF SHERMAN CROSSROADS, PHASE II, AS FOLLOWS:**

**BOARD OF ADJUSTMENT**

- A. PUBLIC HEARING AND VARIANCE UNDER SECTION 14.03.007(7) TO ALLOW A 33' SIDE SETBACK IN LIEU OF THE REQUIRED 55.7' IN THE BLALOCK**

**PUBLIC HEARING,  
VARIANCE – SIDE  
SETBACK**

**SITE PLAN –  
STARBUCKS  
COFFEE COMPANY**

**3551 SOUTH  
HIGHWAY 75  
(SHERMAN  
CROSSROADS, LTD)**

INDUSTRIAL PARK/BLALOCK COMMERCIAL  
OVERLAY DISTRICT.  
PLANNING AND ZONING COMMISSION  
B. SITE PLAN FOR STARBUCKS COFFEE COMPANY.

The property is located at 3551 South Highway 75 between West Travis Street and West FM 1417 (Heritage Parkway).

Chris LaRocco, 4560 Beltline Road, Addison, TX

Mr. LaRocco explained, "The owner is requesting a Variance for the setback and Site Plan for Starbuck Coffee Company."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. LaRocco replied, "Yes, 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 Variance and Site Plan.

**ACTION TAKEN.**

**Board of Adjustment**

Motion by Vice Chairman Downtain to approve the Variance located at 3551 South Highway 75 subject to the Staff Review letter. Second by Commission Member Davis.

VOTING AYE: MAHONE, DAVIS, DOWNTAIN, SIMS AND MANLEY

VOTING NAY: NONE

MOTION CARRIED.

**Planning and Zoning Commission**

Motion by Vice Chairman Downtain to approve the Site Plan located at 3551 South Highway 75 subject to the Staff Review letter. Second by Commission Member Davis

VOTING AYE: MAHONE, DOWNTAIN, DAVIS, MANLEY, BLAGG SIMS AND WHITAKER

VOTING NAY: NONE.

MOTION CARRIED.

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

**PUBLIC HEARING AND VARIANCE**

THE REQUEST OF DR HORTON, TEXAS, LTD (OWNER), DAVID BOOTH (REPRESENTATIVE), STRAND (DESIGN ENGINEER) AND CBG SURVEYING TEXAS, LLC (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2201 SIDNEY LANE, CONSISTING OF 0.1831 ACRES, BEING LOT 3, BLOCK 4 IN THE THREE OAKS ADDITION, AND CURRENTLY ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT, AS FOLLOWS:  
BOARD OF ADJUSTMENT

PUBLIC HEARING,  
VARIANCE – REAR  
SETBACK  
2201 SIDNEY LANE  
(DR HORTON,  
TEXAS, LTD)

**PUBLIC HEARING AND VARIANCE UNDER SECTION 14.02.006  
TO ALLOW AN 18'6" REAR SETBACK IN LIEU OF THE  
REQUIRED 20' FOR NEW RESIDENTIAL DEVELOPMENT.**

The property is located at 2201 Sidney Lane between Alamo Road and South East Street.

David Booth, 4306 Miller Road, Rowlett, TX

Mr. Booth explained, "The owner is requesting a Variance for the rear setback for a new residential development. We came across 5 lots that had atypical paths. We meant to submit a Variance for all 5 lots but there was a mistake and only 2 lots were granted. Once the City of Sherman issued the permit the house was framed. The house has been sold but we have stopped construction until after the Variance request."

Chairman Mahone asked, "Will you meet the setback requirements for the property?"

Mr. Booth replied, "Yes."

Kirk Allen, 1313 West Washington Street, Sherman, TX

Mr. Allen explained, "I don't speak for each homeowner but as the President of the Homeowner Association there is no negative effect to anyone in the neighborhood."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Booth replied, "Yes, 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 Variance.

**ACTION TAKEN.**

**Board of Adjustment**

Motion by Commission Member Manley to approve the Variance located at 2201 Sidney Lane subject to the Staff Review letter. Second by Commission Member Sims.

VOTING AYE: MAHONE, DAVIS, DOWNTAIN, SIMS AND MANLEY

VOTING NAY: NONE

MOTION CARRIED.

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

**PUBLIC HEARING AND VARIANCE**

THE REQUEST OF DR HORTON, TEXAS, LTD (OWNER), DAVID BOOTH (REPRESENTATIVE), STRAND (DESIGN ENGINEER) AND CBG SURVEYING TEXAS, LLC (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2209 SIDNEY LANE, CONSISTING OF 0.1382 ACRES, BEING LOT 5, BLOCK 4

PUBLIC HEARING,  
VARIANCE – REAR  
SETBACK  
2209 SIDNEY LANE  
(DR HORTON,  
TEXAS, LTD)

IN THE THREE OAKS ADDITION, AND CURRENTLY ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT, AS FOLLOWS:  
BOARD OF ADJUSTMENT  
PUBLIC HEARING AND VARIANCE UNDER SECTION 14.02.006  
TO ALLOW A 10.01' REAR SETBACK IN LIEU OF THE  
REQUIRED 20' FOR NEW RESIDENTIAL DEVELOPMENT.

The property is located at 2209 Sidney Lane between Alamo Road and South East Street.

David Booth, 4306 Miller Road, Rowlett, TX

Mr. Booth explained, "The owner is requesting a Variance for the rear setback for a new residential development. This item is similar to the previous item. Fortunately, this house backs up to the street with trees on the property line. Once the fence is installed it should not be noticeable from the street."

Mr. Rae stated, "From the City's standpoint we should have caught this, but these are the same setbacks as the Patio Home Ordinance. Three Oaks Phase II received a Specific Use Permit for patio homes which caused a bit of confusion on our end."

Chairman Mahone asked Mr. Booth, "Are there houses built around this property?"

Mr. Booth replied, "There is a vacant lot on Lot 4 and a house under construction on Lot 6."

Chairman Mahone asked, "What is the setback on Lot 6?"

Mr. Booth replied, "Lot 6 honored the 20' rear setback."

Mr. Rae asked, "How will you address the backyard having limited room, full shade and a powerline?"

Mr. Booth replied, "The backyard is small, but it has been sold. We will have to get creative to ensure we save the trees along the fence."

Kirk Allen, 1313 West Washington Street, Sherman, TX

Mr. Allen explained, "The concerns that are noted are negligible. If you go to the site, you will notice no one drives down East Street. The powerline is a Verizon phone line which doesn't service anything anymore."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Booth replied, "Yes, 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 Variance.

ACTION TAKEN.

**Board of Adjustment**

Motion by Commission Member Davis to approve the Variance located at 2209 Sidney Lane subject to the Staff Review letter. Second by Commission Member Manley.

VOTING AYE: MAHONE, DAVIS, DOWNTAIN, SIMS AND MANLEY

VOTING NAY: NONE

MOTION CARRIED.

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

**PRELIMINARY PLAT, PUBLIC HEARING, ZONE CHANGE AND SITE PLAN**

THE REQUEST OF DAVID WITTLER (OWNER) CONCERNING THE PROPERTY LOCATED AT 2317 NORTH WOODS STREET, CONSISTING OF 0.452 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, AND CURRENTLY ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT, AS FOLLOWS:  
BOARD OF ADJUSTMENT  
PUBLIC HEARING AND VARIANCE UNDER SECTION 14.04.002(3) TO ALLOW A 3' SIDE SETBACK AND 3.5' REAR SETBACK IN LIEU OF THE REQUIRED 5' FOR AN ACCESSORY BUILDING.

PUBLIC HEARING,  
VARIANCE – SIDE  
AND REAR  
SETBACK  
2317 NORTH WOODS  
STREET  
(DAVID WITTLER)

The property is located at 2317 North Woods Street between West Alta Vista Street and West Pelton Street.

**David Wittler, 2317 North Woods Street, Sherman, TX**

Mr. Wittler explained, "I am requesting a Variance on the rear setback for an accessory building. The storage shed must have built in the 1970s when the house was built. One of the City inspectors came by and left a red tag due to working without a permit. I was unaware of needing one, but he walked me through the process and looked at the footprint. That is when I was informed that I would need to request a Variance for the setback."

Chairman Mahone asked, "What is the structure behind the shed?"

Mr. Wittler replied, "That used to be a pump house from the pool that was there. I ended up building a freestanding tree house for my young kids at the time."

Chairman Mahone asked, "What are the dimensions of the shed?"

Mr. Wittler replied, "It will be 20' x 13'."

Chairman Mahone asked, "Will the new shed be taller than the old shed?"

Mr. Wittler replied, "I will be 2' taller in the front but shorter in the back."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Wittler replied, "Yes, 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 Variance.

**ACTION TAKEN.**

**Board of Adjustment**

Motion by Vice Chairman Downtain to approve the Variance located at 2317 North Woods Street subject to the Staff Review letter. Second by Commission Member Manley.

VOTING AYE: MAHONE, DAVIS, DOWNTAIN, SIMS AND MANLEY

VOTING NAY: NONE

MOTION CARRIED.

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

**PUBLIC HEARING, VARIANCE SITE PLAN, ZONE CHANGE AND REPLAT**

THE REQUEST OF LUKE SCHEIBMEIR (OWNER) CHRIS NOAH (REPRESENTATIVE) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 708 AND 722 SOUTH RUSK STREET, CONSISTING OF 0.517 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, AND BEING ALL OF LOTS 1, 2 & 3, BLOCK 1 OF POST OAK ADDITION, AS FOLLOWS:

**BOARD OF ADJUSTMENT**

- A. PUBLIC HEARING AND VARIANCE UNDER SECTION 14.02.016 TO ALLOW A 2.2' SIDE SETBACK IN LIEU OF THE REQUIRED 25'; 6' FRONT SETBACK IN LIEU OF THE REQUIRED 25'; AND 16.4' REAR SETBACK IN LIEU OF THE REQUIRED 25' FOR THE EXISTING STRUCTURES.

**PLANNING AND ZONING COMMISSION**

- B. PUBLIC HEARING, SITE PLAN AND ZONE CHANGE FROM AN R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT AND A C-1 (RETAIL BUSINESS) DISTRICT TO A C-N (NEIGHBORHOOD COMMERCIAL) DISTRICT.
- C. REPLAT OF LITTLE STORE ADDITION

The property is located at 708 and 722 South Rusk Street at the intersection of West Center Street and South Rusk Street.

**Chris Noah, 787 West FM 996, Pottsboro, TX**

Mr. Noah explained, "The owner is requesting a Variance to accommodate the existing building. The problem they face is not having off site parking. We are combining 3 lots into a single lot and will provide off street parking."

Chairman Mahone asked, "Are you adding screening for a dumpster?"

PUBLIC HEARING,  
VARIANCE – SIDE,  
FRONT AND REAR  
SETBACK

SITEPLAN AND  
ZONE CHANGE – R-6  
TO C-N

REPLAT – LITTLE  
STORE ADDITION

708 AND 722 SOUTH  
RUSK STREET  
(LUKE SCHEIBMEIR)

Mr. Noah replied, "Yes."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Noah replied, "Yes, 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 Variance, Site Plan, Zone Change and Replat.

**ACTION TAKEN.**

**Board of Adjustment**

Motion by Vice Chairman Downtain to approve the Variance located at 708 and 722 South Rusk Street subject to the Staff Review letter. Second by Commission Member Davis.

VOTING AYE: MAHONE, DAVIS, DOWNTAIN, SIMS AND MANLEY

VOTING NAY: NONE.

MOTION CARRIED.

**Planning and Zoning Commission**

Motion by Vice Chairman Downtain to approve the Site Plan, Zone Change and Replat located at 708 and 722 South Rusk Street subject to the Staff Review letter. Second by Commission Member Davis.

VOTING AYE: MAHONE, DAVIS, DOWNTAIN, SIMS, BLAGG, WHITAKER AND MANLEY

VOTING NAY: NONE.

MOTION CARRIED.

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

**PUBLIC HEARING AND ZONE CHANGE**

THE REQUEST OF CITY OF SHERMAN (OWNER), ROB RAE (REPRESENTATIVE) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 2400-2500 BLOCKS SOUTH EAST STREET, CONSISTING OF 26.598 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, AS FOLLOWS:

**PLANNING AND ZONING COMMISSION**

PUBLIC HEARING AND ZONE CHANGE FROM AN R-A (RESIDENTIAL AGRICULTURAL) DISTRICT TO AN R-5 (SINGLE FAMILY RESIDENTIAL) DISTRICT.

PUBLIC HEARING  
AND ZONE CHANGE  
– R-A TO R-5  
2400-2500 BLOCKS  
SOUTH EAST  
STREET  
(CITY OF SHERMAN)

The property is located in the 2400-2500 Blocks South East Street between South Travis Street and South First Street.

**Rob Rae, 220 West Mulberry Street, Sherman, TX**

Mr. Rae explained, "The owner is requesting a Zone Change from an R-A (Residential Agricultural) District to an R-5 (Single Family Residential) District. This property was annexed into the

City of Sherman on May 15, 2023. When a property is annexed into the City that property is zoned R-A once annexation is approved. City staff has been pursuing an opportunity to sell a portion of this piece of land for development purposes and to reserve a portion of it in the flood plain for a future park.”

Marcus Abedia, 102 E Forest Avenue, Sherman, TX

Mr. Abedia replied, “What are the future plans for East Street? I understand there is an old bridge that was discontinued because of the shooting range. Can we reconnect the bridge that is there?”

Chairman Mahone stated, “There will be some neighborhoods and it will help clean up that area.”

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Rae replied, “Yes, 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.

#### ACTION TAKEN.

Planning and Zoning Commission

Motion by Commission Member Manley to approve the Zone Change located in the 2400-2500 Blocks South East Street subject to the Staff Review letter. Second by Commission Member Davis.

VOTING AYE: MAHONE, DAVIS, DOWNTAIN, SIMS, BLAGG, WHITAKER AND MANLEY

VOTING NAY: NONE.

MOTION CARRIED.

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

#### PUBLIC HEARING AND ZONE CHANGE

THE REQUEST OF KIRK ALLEN (OWNER) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 300-400 BLOCKS EAST SHERMAN STREET, CONSISTING OF 25.08 ACRES IN THE PRESTON KITCHENS SURVEY, ABSTRACT NO. 667, AS FOLLOWS: PLANNING AND ZONING COMMISSION PUBLIC HEARING AND ZONE CHANGE FROM R-A (RESIDENTIAL AGRICULTURAL) DISTRICT TO R-5 (SINGLE-FAMILY RESIDENTIAL) DISTRICT.

PUBLIC HEARING  
AND ZONE CHANGE  
– R-A TO R-5  
300-400 BLOCKS  
EAST SHERMAN  
STREET  
(KIRK ALLEN)

The property is located in the 300-400 Blocks East Sherman Street between South Travis Street and South First Street.

Kirk Allen, 1313 West Washington Street, Sherman, TX

Mr. Allen explained, “The owner is requesting a Zone Change from an R-A (Residential Agricultural) District to an R-5 (Single Family Residential) District. This property was annexed into the

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City of Sherman on May 15, 2023. This will be a portion of our Phase 2,3 and later areas. There was an error on the acreage during the submittal, but it will be on the next agenda for Planning and Zoning.”

Mr. Rae stated, “Just to clarify, Mr. Allen wanted to rezone a portion of the other phases to R-5 (Single Family Residential) District, but we did not get that in the legal posting.”

Mr. Allen replied, “Correct, this will go all the way to East Sherman Street to the north.”

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Allen replied, “Yes, 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.

**ACTION TAKEN.**

Planning and Zoning Commission

Motion by Vice Chairman Downtain to approve the Zone Change located in the 300-400 Blocks East Sherman Street subject to the Staff Review letter. Second by Commission Member Davis.

VOTING AYE: MAHONE, DAVIS, DOWNTAIN, SIMS, BLAGG, WHITAKER AND MANLEY

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 6:45 p.m.

  
\_\_\_\_\_  
CHAIRMAN  
\_\_\_\_\_  
ACTING SECRETARY