



**CITY OF DENISON
ZONING BOARD OF ADJUSTMENTS AND APPEALS MEETING
AGENDA
Friday, May 2, 2025**

After determining that a quorum is present, the Zoning Board of Adjustments and Appeals of the City of Denison, Texas will convene in a Regular Meeting on **Friday, May 2, 2025, at 9:30 a.m.** in the Council Chambers at City Hall, 300 W. Main Street, Denison, Texas, the following items will be considered:

1. CALL TO ORDER

2. PUBLIC COMMENTS

Citizens may speak on action items listed on the Agenda. A "Request to Speak Card" should be completed and returned to the City Clerk upon arrival, prior to the Board reaching the Public Comment section of the agenda. Citizen comments are limited to three (3) minutes, unless otherwise required by law. Comments related to the Public Hearings listed below will be heard when the specific hearing starts.

3. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. Receive a report, hold a discussion, and take action on approving the Minutes from the Zoning Board of Adjustments and Appeals Meeting of February 24, 2025.

4. PUBLIC HEARINGS

- A. Receive a report, hold a discussion, conduct a public hearing, and take action on a variance to allow for the construction of barbed wire fencing for security purposed for property that is legally described as Lot 1-R, Block B, Denison Industrial Park East Addition, Section Four, to the City of Denison, Grayson County, Texas, Plat record Doc. No. 2023-72. Zoning Light Industrial (LI), commonly known as 1200 Wayne Cabaniss, Drive. (Case No. 2025-58V).

5. ADJOURNMENT

CERTIFICATION

I do hereby certify that a copy of this Notice of Meeting was posted on the front window of City Hall readily accessible to the general public at all times and posted on the City of Denison website on the 28th day of April 2025.

Karen L Avery, Deputy City Clerk

In compliance with the Americans with Disabilities Act, the City of Denison will provide for reasonable accommodations for persons attending City Council meeting. To better serve you, requests should be received 48 hours prior to the meetings. Please contact the City Clerk's Office at 903-465-2720, Ext: 2437.

**Planning and Zoning Commission
Staff Report
May 2, 2025**



Agenda Item: Receive a report, hold a discussion, and take action on approving the Minutes from the Zoning Board of Adjustments and Appeals Meeting of February 24, 2025.

Staff Contact:

Summary

Staff Recommendation

Recommended Motion

Background Information and Analysis

Financial Considerations

Prior Board or Council Action

Alternatives



**CITY OF DENISON
ZONING BOARD OF ADJUSTMENTS AND APPEALS MEETING
MINUTES**

Monday, February 24, 2025

1. CALL TO ORDER

Announce the presence of a quorum.

Board Member Jeff Thompson called the meeting to order at 10:08 a.m.

Board Members present were Jeff Thompson, Colby McClatchy, Jimmy Cravens, and Braeden Wright.

Staff present were Mary Tate, Director of Development; Dianne York, Planning Manager; Felecia Winfrey, Development Coordinator; and Karen L. Avery, Deputy City Clerk.

2. PUBLIC COMMENTS

Board Member Thompson called for any public comments at this time and reminded those wanting to comment of the guidelines limiting comments to three minutes. Comments related to public hearings listed on the agenda will be heard when the specific hearing is called. Board Member Thompson asked if any Request to Speak Cards were received. Deputy City Clerk Avery confirmed that no Request to Speak Cards were received at this point in the meeting. Therefore, no public comments were received.

3. PUBLIC HEARINGS

Before opening the public hearing, Board Member Thompson asked if there were any requests for postponement or jurisdictional issues that anyone would like to raise, to which there were none. Deputy City Clerk Avery then administered Oaths to those intending to speak or provide testimony, which included the Applicant.

- A. Receive a report, hold a discussion, conduct a public hearing, and take action on a variance to reduce the required lot width and lot area for the proposed Lot 1R, of the OTP of Denison, TX Addition currently legally described as O.T.P. of Denison, Block 26, Lot N. 43.50 Ft., 9 and 10, and commonly known as 410 N. Houston Avenue. (Case No. 2024-035V).

Board Action

Dianne York, Planner, presented this agenda item. Ms. York stated that the Applicant is seeking variances to the lot size and dimension requirements, as well as setback requirements for the existing structures. The subject property is zoned SF-5, Single-Family

Residential. The proposed Lot 1R does not meet the minimum lot width and lot area requirements listed within the SF-5, Single-Family Residential Zoning District. She stated that, in addition to this Variance Request Application, the Applicant has submitted a Replat Application for the subject property in order to create a legal lot of record. The proposed Replat was conditionally approved by the Planning and Zoning Commission at their meeting held on January 28, 2025, pending the variances are approved by the Zoning Board of Adjustments. Ms. York stated that the subject parcel is a part of an illegal subdivision in which two (2) legal lots of record originally fronting on East Sears Street were illegally subdivided creating three (3) parcels that front on North Houston Avenue. Each parcel is owned by separate entities with one parcel being developed in a single-family manner. Prior to the two (2) vacant parcels being developed, they must be platted into a legal lot of record. Ms. York stated that the manner in which the original lots have been illegally subdivided creates a non-self-induced hardship for the two (2) northern parcels when moving forward with platting into legal lots of record. She stated that approving the two requested variances will allow the Applicant to move forward with developing the vacant lot in a single-family manner.

Board Member Thompson asked if there was anyone present who wished to speak to this agenda item. Mr. Scott Moody came forward and provided the following information for the record:

Name: Mr. Scott Moody
Address: 215 Texas Street
Denison, TX 75020

Mr. Scott Moody stated that he wanted to give the Board a heads up on what their plans are for the subject property. He stated that they have a rendering for 1,271 square foot home, two bath, one car garage which meets all of the zoning requirements (28 ½' wide x 62'). Mr. Moody stated that he plans to put a goodlooking house on the ground.

Board Member Thompson asked if there was anyone else present who wished to speak to this agenda item, to which there was none. What that, Board Member Thompson closed the Public Hearing.

4. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 10:16 a.m.

JEFF THOMPSON, Board Member

ATTEST:

Karen Avery, Deputy City Clerk

Planning and Zoning Commission
Staff Report
May 2, 2025



Agenda Item: Receive a report, hold a discussion, conduct a public hearing, and take action on a variance to allow for the construction of barbed wire fencing for security purposed for property that is legally described as Lot 1-R, Block B, Denison Industrial Park East Addition, Section Four, to the City of Denison, Grayson County, Texas, Plat record Doc. No. 2023-72. Zoning Light Industrial (LI), commonly known as 1200 Wayne Cabaniss, Drive. (Case No. 2025-58V).

Staff Contact:

Dianne York, Planning Manager
dyork@denisontx.gov
903-465-2720

Summary

- Applicant is seeking approval to allow for the use of barbed wire fencing for property located at 1200 Wayne Cabaniss.
- A Frito Lay delivery route truck warehouse has been constructed on site.
- The property is zoned Light Industrial (LI).

Staff Recommendation

Staff recommends approval of the proposed variance.

Recommended Motion

“I move to approve the variance as presented.”

Background Information and Analysis

The applicant, Rogue Architects, is seeking approval of a variance to allow the use of barbed wire material atop fencing for property located at 1200 Wayne Cabaniss Drive. The property is zoned Light Industrial and has been developed in a warehouse manner. Per Section 28.53.5. E – Non-residential fences and walls, barbed wire is allowed only if approved by the Planning and Zoning Commission as a part of the Site Plan review process. Staff directed the applicant to the

Variance process as a Site Plan was approved by staff in 2023 and the structure has been constructed.

The applicant is seeking the use of this material for security purposes. The property is located along Wayne Cabaniss Drive and is adjacent to properties that has been developed in an industrial and warehousing manner. Staff is supportive of the use of barbed wire atop fencing for security purposes. All other development standards listed within Section 28.53.5., must be met.

If the Zoning Board of Adjustments approves the Variance Request, the applicant will be able to move forward with a fence permit.

Financial Considerations

N/A

Prior Board or Council Action

N/A

Alternatives

The Board may approve, deny, or table the request.

Zoning Variance Questionnaire

Please complete this questionnaire and return with a completed application.

State the request:

In order to make a finding of hardship and to grant a variance, the Zoning Board of Adjustments & Appeals must determine that all of the following conditions are met. State how your request meets these conditions. **Please note that the stated hardship shall not be financial nor self-induced.**

1. State the undue hardship that exists:

2. The requested variance is in harmony with the spirit and purpose of the Zoning Ordinance:

3. Special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of the land:

4. The hardship is not self-created or personal in nature:

5. The hardship is not financial or economic in nature:

6. The requested variance is necessary for the preservation and enjoyment of a substantial property right of the applicant:

7. Granting the request will not be detrimental to the public health, safety, or wellbeing, nor injurious to other property in the area:

8. The situation causing the hardship does not generally affect all or most properties in the same zoning district as the subject:

9. Will the denial of this request cause a substantial burden on religious activities of the property owner / user? ☐ Yes ☐ No



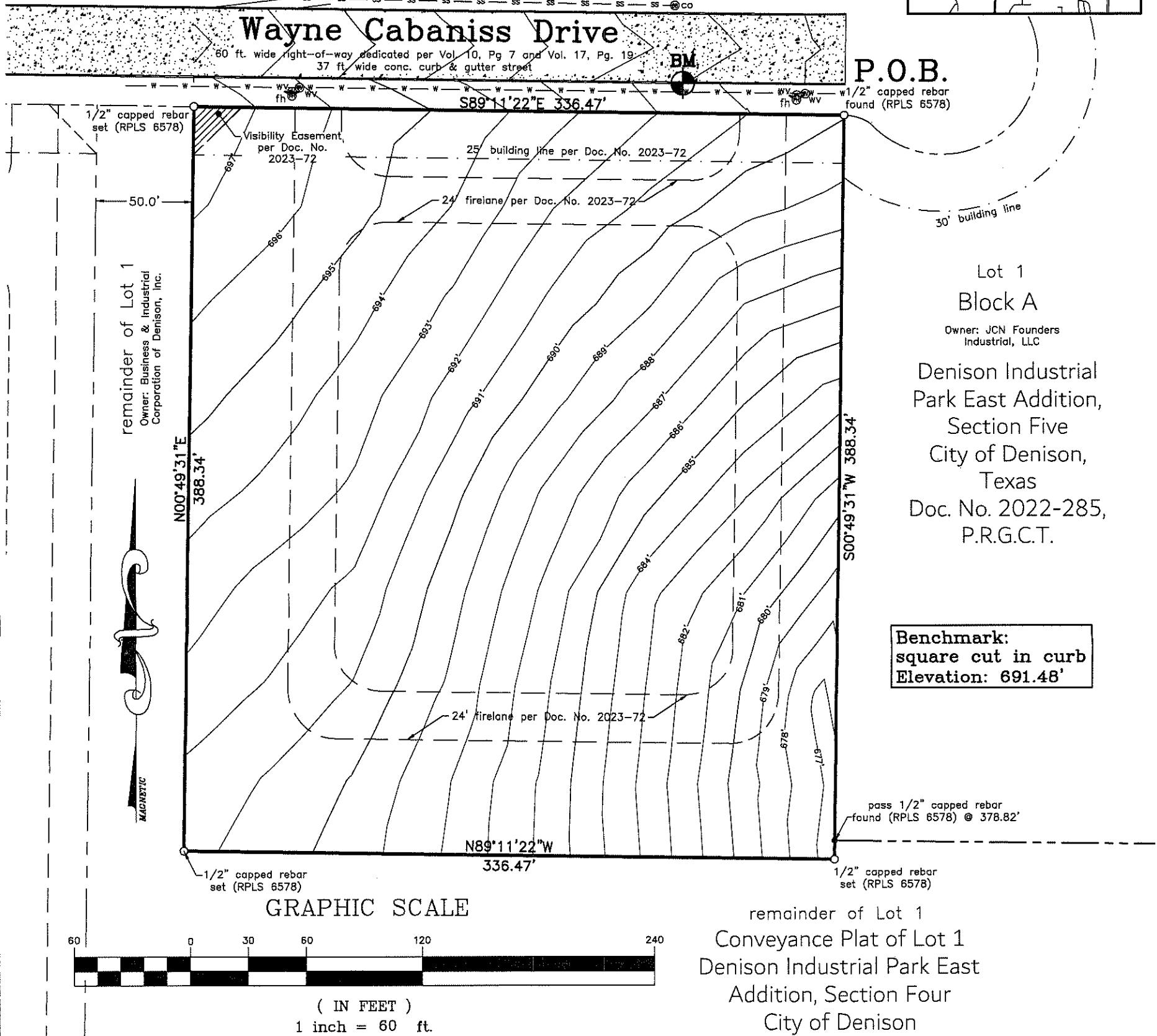
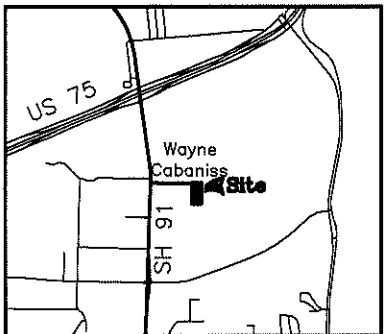
ALTA/NSPS Land Title Survey

Vicinity Map
Not to Scale

Legend:

wv = water valve
fh = fire hydrant
co = sewer cleanout
— w — w — = existing 8" PVC water line
— ss — ss — = existing 8" PVC sewer line

Bearing Base: Grid North, NAD83 Texas State
Plane Coordinate System, North Central Zone, as
derived by survey-grade Global Positioning System.



Subject Property Address: TBD Wayne Cabaniss Drive, Denison, Texas 75020
GROSS LAND AREA: 3.000 ACRES and/or 130,664 SQUARE FEET

LEGAL DESCRIPTION: LOT 1—R, BLOCK B, DENISON INDUSTRIAL PARK EAST ADDITION, SECTION FOUR REPLAT, BEING A REPLAT OF A PART OF LOT 1, CONVEYANCE PLAT OF DENISON INDUSTRIAL PARK EAST ADDITION, SECTION FOUR, TO THE CITY OF DENISON, GRAYSON COUNTY, TEXAS AS PER PLAT OF RECORD IN DOC. NO. 2023-72, PLAT RECORDS, GRAYSON COUNTY, TEXAS.

Surveyor's Comments:

Item 6(a) Current Zoning for subject property is Light Industrial. Setbacks requirements are as follows:
Front yard: 25', Rear yard: 0'; Side yard: 0'
Building Height Restriction: Six (6) Stories.
Floor space area requirements: Maximum floor area ratio: One to One (1:1)
Parking regulations: Various requirements — see City of Denison zoning ordinance Section 28.50, Off-Street Parking and Loading Requirements Source: City of Denison Zoning Ordinance dated February 16, 2023
Item 11: Utility lines shown hereon based upon visible and apparent markings provided by either the City of Denison and/or Texas811. Surveyor assumes no liability shall underground lines that were not marked are not shown hereon.
Item 14: Distance from the Northeast corner of the subject property to the intersection of Wayne Cabaniss Drive and State Hwy. 91 is approximately 1,895 ft.

This is to certify to: Business and Industrial Corporation of Denison (Owner), Dkota Investments, Inc. (Buyer) and to whom else it may concern that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 6(a), 8, 11(a), 11(b), 13, 14, and 20 of Table A thereof. The field work was completed on February 17, 2023.

The subject property shown hereon does not lie within the limits of any designated 100-year Flood Hazard Areas, as shown on the "FEMA" Flood Insurance Rate Map for Grayson County, Texas, Map No. 48181C0170 F, Revised Date: September 29, 2010.

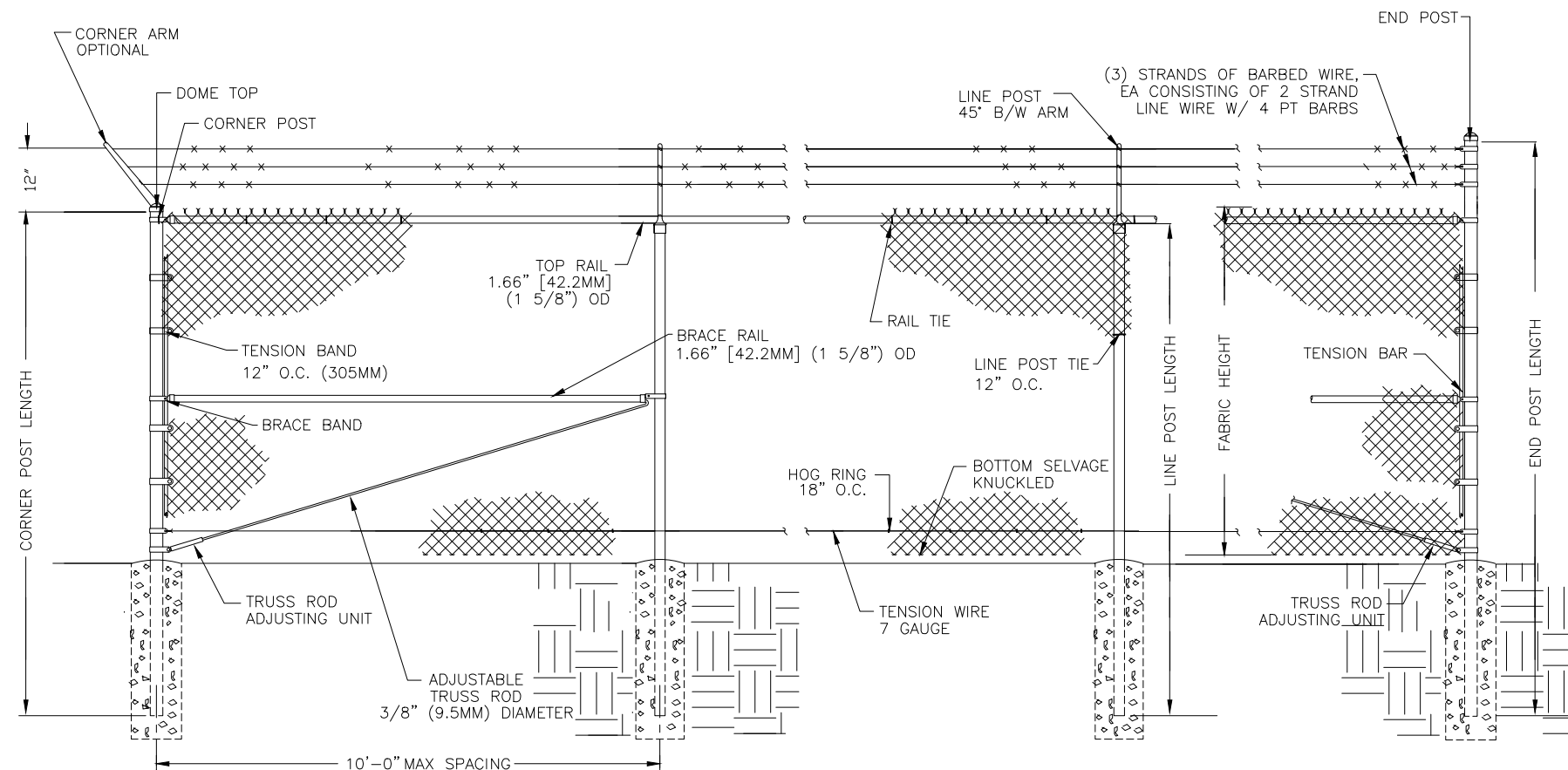


Kate A. Wagner
Kate A. Wagner, R. P. L. S. No. 6578
Registered Professional Land Surveyor No. 6578
Date of Plat or Map: April 12, 2023

Job No. AGD520223

Helvey-Wagner Surveying, Inc.

222 W. Main St., Denison, Texas 75020
Phone (903) 463-6191
Email: kate@helveywagnersurvey.net
TBPELS Firm Registration No. 10088100



TYPICAL FENCE ELEVATION
 TOP RAIL / TRUSSED BRACE RAIL
 3 STRANDS BARBED WIRE

PROJECT:
FRITO LAY - PEC
 1200 WAYNE CABANISS DR
 DENISON, TX 75020

TYPICAL FENCE DETAIL

REVISIONS:	No.	DESCRIPTION	DATE



513 MAIN STREET, SUITE 300
 FORT WORTH, TEXAS 76102
 817.820.0433o 682.224.8917f