



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

Friday, December 19, 2025

After determining that a quorum is present, the Zoning Board of Adjustments and Appeals Board of the City of Denison, Texas will convene in a Regular Meeting on **Friday, December 19, 2025, at 9:00 AM** in the Council Chambers at City Hall, 300 W. Main Street, Denison, Texas, at which 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 Deputy 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, if any, will be heard when the specific hearing starts.

3. PUBLIC HEARINGS

A. Receive a report, hold a discussion, conduct a public hearing, and take action on a variance allowing for the reduction in building setbacks, lot dimensions, lot area, and lot coverage to allow for a subdivision of property legally platted as Lot 1, Block 7, Miller’s First Addition, to the City of Denison, Grayson County, Texas, recorded in Volume Y, Page 330, Deed Records, zoned MF-1-Multi-Family Residential District, commonly known as 900 W. Sears Street, to create two legal lots of record to accommodate two existing residential structures. (Case No. 2025-01V).

4. STAFF UPDATES

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 15th day of December 2025 before 9 a.m.

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
December 19, 2025



Agenda Item: Receive a report, hold a discussion, conduct a public hearing, and take action on a variance allowing for the reduction in building setbacks, lot dimensions, lot area, and lot coverage to allow for a subdivision of property legally platted as Lot 1, Block 7, Miller’s First Addition, to the City of Denison, Grayson County, Texas, recorded in Volume Y, Page 330, Deed Records, zoned MF-1-Multi-Family Residential District, commonly known as 900 W. Sears Street, to create two legal lots of record to accommodate two existing residential structures. (Case No. 2025-01V).

Staff Contact:

Dianne York, Planning Manager

dyork@denisontx.gov

903-465-2720

Summary

- Property is zoned MF-1 – Multi-Family Residential.
- A single-family home and duplex were constructed on a single lot several years ago.
- The applicant is seeking several variances to allow for a Replat into two lots.

Staff Recommendation

Staff recommends approval of the proposed variances.

Recommended Motion

“I move to approve the variances as presented.”

Background Information and Analysis

Staff has received a Variance Application requesting relief from development standards within the MF-1 - Multi-Family Residential Zoning District for the property located at 900 W. Sears Street. The requested variances pertain to building setbacks, lot dimensions, lot area, and lot coverage requirements.

The subject property is currently developed with two residential structures on a single lot: a

duplex fronting W. Sears Street and a single-family residence fronting N. Scullin Avenue. The applicant proposes to subdivide the existing lot into two separate lots, allowing each structure to occupy its own parcel.

To facilitate this subdivision, variances from the development standards outlined in Section 28.30 of the Zoning Ordinance are required. The existing structures do not meet the minimum building setback or lot coverage requirements, and the proposed lot configuration does not comply with the minimum lot dimensions or area standards specified in Section 28.30.

Per Section 28.30:

- Single-family structures within the MF-1 district must conform to the standards of the SF-5 (Single-Family Residential) District.
- Duplex structures must comply with the standards of the 2F (Two-Family Residential) District.

Currently, the lot and both structures are designated as legal non-conforming. However, the proposed subdivision triggers the requirement for the new lots and existing structures to conform to current zoning standards.

If the requested variances are approved by the Zoning Board of Adjustments, the applicant may proceed with a Replat application to create two legal lots of record. The structures will retain their legal non-conforming status, allowing for remodeling but prohibiting any expansion.

Staff supports the requested variances based on the following considerations:

- The two structures have been developed and functioning independently for several years.
- Each structure has separate utility connections and individual metering.
- No known issues have been identified with the current configuration.

Given these existing conditions, staff finds the requested variances to be appropriate and justified.

Financial Considerations

- N/A

Prior Board or Council Action

- N/A

Alternatives

- The Board may approve, deny, or table the requested variances.

Zoning Variance Questionnaire

Please complete this questionnaire and return with a completed application.

State the request:

Four horizontal lines for writing 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:

Three horizontal lines for describing the undue hardship.

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

Three horizontal lines for describing harmony with 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:

Three horizontal lines for describing special circumstances.

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

Three horizontal lines for describing non-self-created hardship.

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

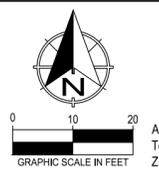
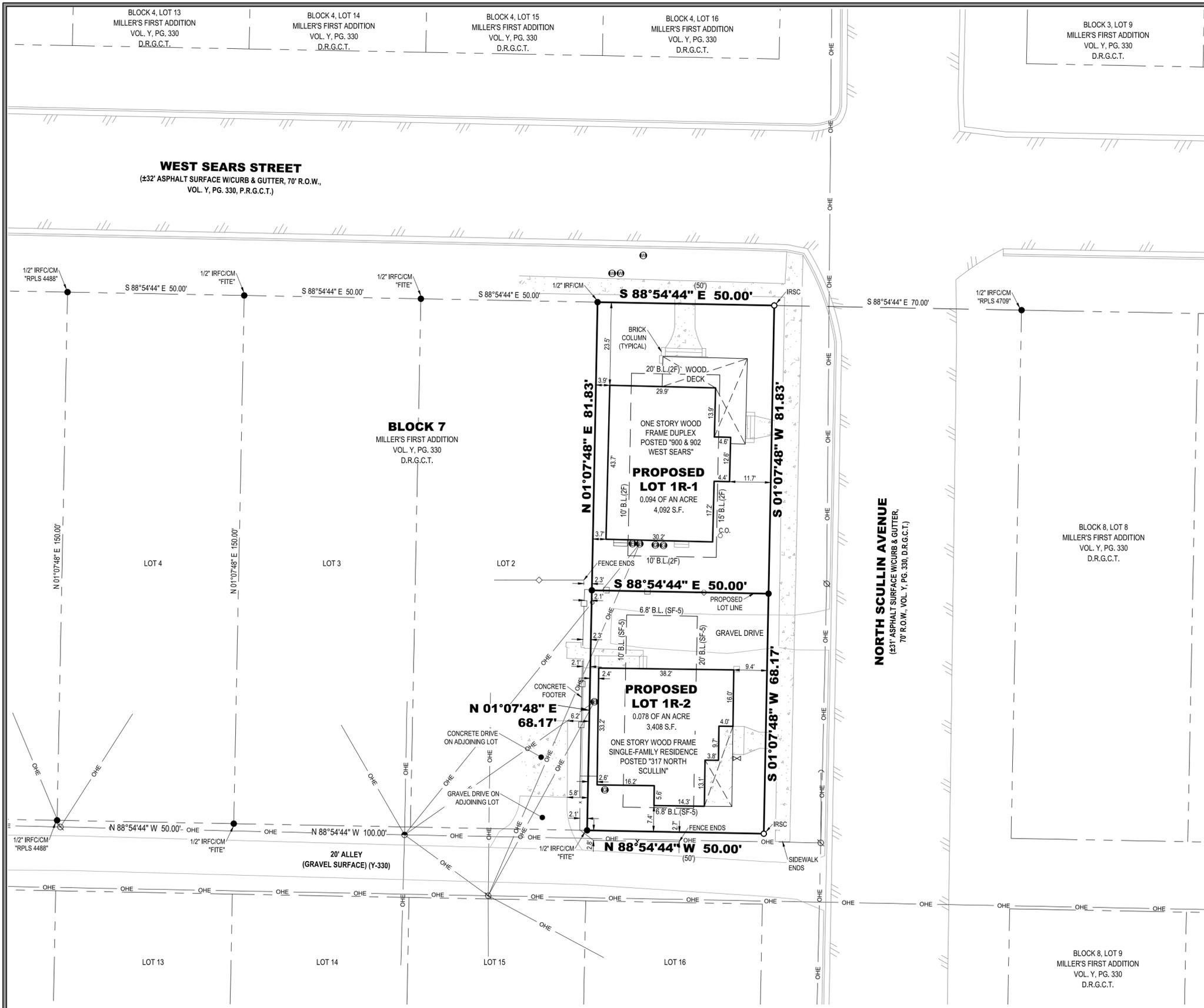
Three horizontal lines for describing non-financial hardship.

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



LAND DESCRIPTION:
 BEING Lot One (1) in Block Seven (7) of Miller's First Addition, an addition to the City of Denison, Grayson County, Texas, according to the plat thereof recorded in Volume Y, Page 330, Deed Records, Grayson County, Texas.

- GENERAL NOTES:**
1. This survey was completed without the benefit of a current title commitment. Easements and/or other matters of record may affect the surveyed property. The Surveyor did not perform an Abstract of Title.
 2. The surveyed property is subject to any matter, including but not limited to Easements, Roadways and/or Building Set Back Lines as shown on the recorded plat of Miller's First Addition, an addition to the City of Denison, Grayson County, Texas, according to the plat thereof recorded in Volume Y, Page 330, Deed Records, Grayson County, Texas.
 3. Current Zoning district is MF-1 per City of Denison GIS.

Per City of Denison Zoning Ordinance, Section 28.30.5.H:

"Single-family, duplex, patio home, or townhouse residential units constructed in this district shall conform to SF-5, SF-PH, SF-TH, and 2-F District standards, respectively. Duplex and townhouse residential units constructed and in lawful existence or with valid permits prior to December 1, 2022 which do not meet these standards are considered to be conforming structures."

Setbacks on Proposed Lot 1R-1 are shown per 2-F District standards.

Setbacks on Proposed Lot 1R-2 are shown per SF-5 District standards.

LEGEND

●	FOUND MONUMENT
○	SET MONUMENT
IRSC	1/2" IRON ROD W/ "PRESTON TRAIL LAND SURVEYING, RPLS 6588" CAP SET
IRF	IRON ROD FOUND
IRFC	IRON ROD FOUND W/PLASTIC CAP
CM	CONTROLLING MONUMENT
()	DEED OR PLAT CALL
R.O.W.	RIGHT-OF-WAY
D.R.G.C.T.	DEED RECORDS, GRAYSON COUNTY, TEXAS
VOL., PG.	VOLUME, PAGE
C.O.	CLEAN OUT
B.L.	BUILDING LINE
Ⓜ	ELECTRIC METER
Ⓜ	UTILITY/POWER POLE
—	GUY
Ⓜ	NATURAL GAS METER
Ⓜ	WATER METER
Ⓜ	WATER VALVE
—	BOUNDARY LINE
—	BUILDING LINE
—	ADJOINER LINE
x	WIRE FENCE
—	WOOD FENCE
—	CHAIN LINK FENCE
—	ASPHALT
—	OVERHEAD ELECTRIC/UTILITY

Certify to: Team Cassidy Rental Properties LLC;

I, Chris R. Noah, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this survey has been prepared from an actual on-the-ground survey of the premises depicted hereon and described in the land description attached hereto, conducted under my direction and supervision on 08/25/2025, and there are no discrepancies, conflicts, shortages in area or boundary line conflicts, or any intrusions of visible improvements from adjoining tracts, or protrusions of visible improvements onto adjoining tracts, to the best of my knowledge and belief, except as shown. I further certify that this survey meets or exceeds the minimum standards established by the Texas Board of Professional Engineers and Land Surveyors.

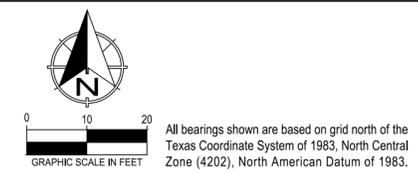
Chris R. Noah, R.P.L.S. No. 6585

PRELIMINARY
 THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

FLOOD STATEMENT:
 I have examined the F.E.M.A. Flood Insurance Rate Map for City of Denison, Grayson County, Texas, Community Number 480259, effective date 09/29/2010 and that map indicates that this property is within "Non-shaded Zone X" defined as "Areas determined to be outside the 0.2% annual chance flood" as shown on Panel 0170 F of said map. This flood statement does not imply that the property and/or structures thereon will be free from flooding or flood damage, on rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

**CONCEPT PLAN
 REPLAT OF BLOCK 7, LOT 1
 MILLER'S FIRST ADDITION
 900 West Sears Street, Denison
 Grayson County, Texas**

	787 W FM 996 Pottsboro, TX 75076 www.prestontrailandsurveying.com 903-786-6029		
	TBPELS Firm No. 10194175	Drawn by: LGT Checked by: CRN	Scale: 1"=20' Date: 08/25/2025

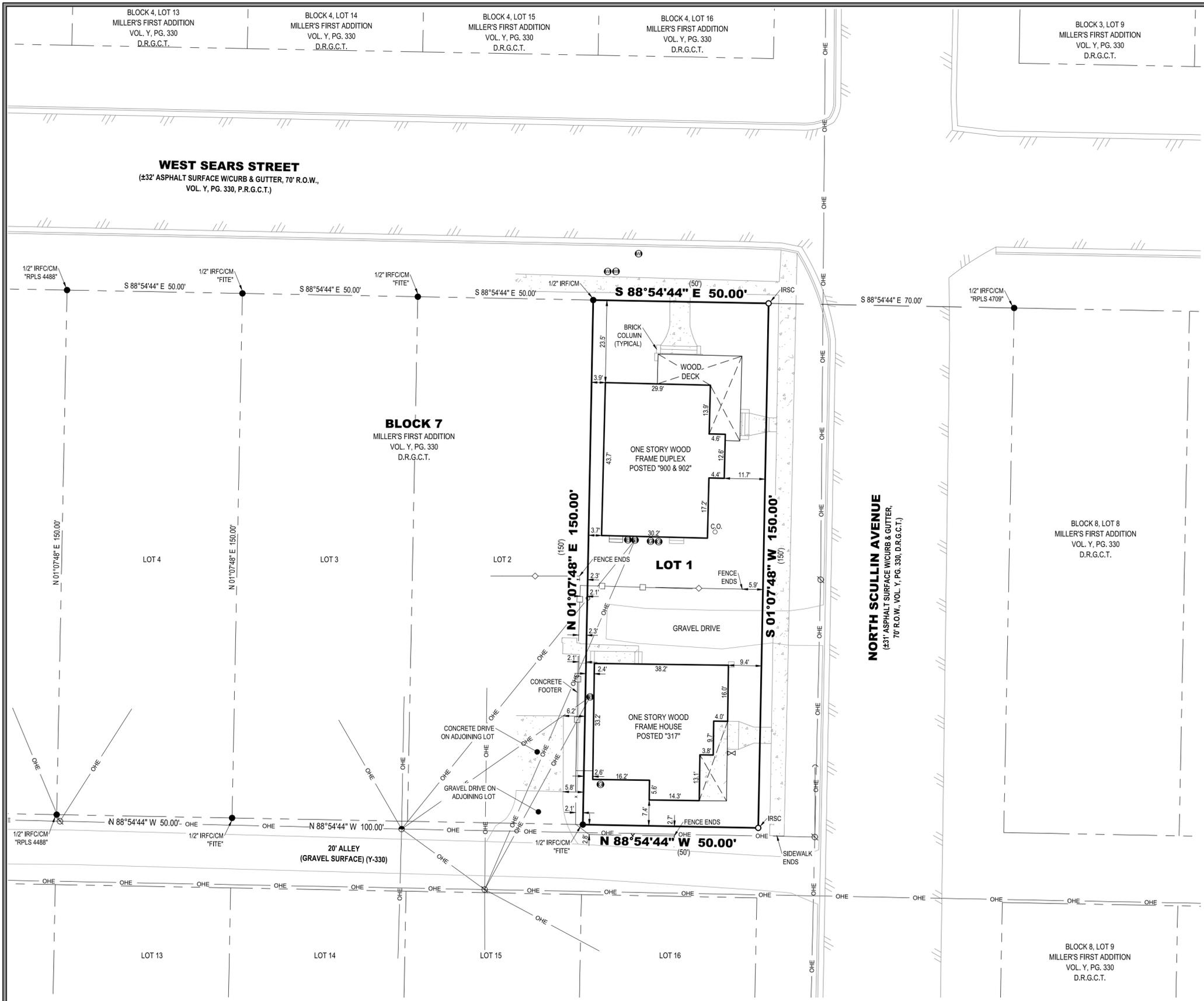


LAND DESCRIPTION:
 BEING Lot One (1) in Block Seven (7) of Miller's First Addition, an addition to the City of Denison, Grayson County, Texas, according to the plat thereof recorded in Volume Y, Page 330, Deed Records, Grayson County, Texas.

- GENERAL NOTES:**
1. This survey was completed without the benefit of a current title commitment. Easements and/or other matters of record may affect the surveyed property. The Surveyor did not perform an Abstract of Title.
 2. The surveyed property is subject to any matter, including but not limited to Easements, Roadways and/or Building Set Back Lines as shown on the recorded plat of Miller's First Addition, an addition to the City of Denison, Grayson County, Texas, according to the plat thereof recorded in Volume Y, Page 330, Deed Records, Grayson County, Texas.

LEGEND

●	FOUND MONUMENT
○	SET MONUMENT
IRSC	1/2" IRON ROD W/ "PRESTON TRAIL LAND SURVEYING, RPLS 6585" CAP SET
IRF	IRON ROD FOUND
IRFC	IRON ROD FOUND W/PLASTIC CAP
CM	CONTROLLING MONUMENT
()	DEED OR PLAT CALL
R.O.W.	RIGHT-OF-WAY
D.R.G.C.T.	DEED RECORDS, GRAYSON COUNTY, TEXAS
VOL., PG.	VOLUME, PAGE
C.O.	CLEAN OUT
⊕	ELECTRIC METER
⊙	UTILITY/POWER POLE
—	GUY
⊕	NATURAL GAS METER
⊕	WATER METER
⊕	WATER VALVE
—	BOUNDARY LINE
- - -	ADJOINER LINE
— x —	WIRE FENCE
— □ —	WOOD FENCE
— ◊ —	CHAIN LINK FENCE
///	ASPHALT
— OHE —	OVERHEAD ELECTRIC/UTILITY



Certify to: Team Cassidy Rental Properties LLC;

I, Chris R. Noah, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this survey has been prepared from an actual on-the-ground survey of the premises depicted hereon and described in the land description attached hereto, conducted under my direction and supervision on 08/25/2025, and there are no discrepancies, conflicts, shortages in area or boundary line conflicts, or any intrusions of visible improvements from adjoining tracts, or protrusions of visible improvements onto adjoining tracts, to the best of my knowledge and belief, except as shown. I further certify that this survey meets or exceeds the minimum standards established by the Texas Board of Professional Engineers and Land Surveyors.



FLOOD STATEMENT:
 I have examined the F.E.M.A. Flood Insurance Rate Map for City of Denison, Grayson County, Texas, Community Number 480259, effective date 09/29/2010 and that map indicates that this property is within "Non-shaded Zone X" defined as "Areas determined to be outside the 0.2% annual chance flood" as shown on Panel 0170 F of said map. This flood statement does not imply that the property and/or structures thereon will be free from flooding or flood damage, on rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

Chris R. Noah
 Chris R. Noah, R.P.L.S. No. 6585

TITLE SURVEY
BLOCK 7, LOT 1
MILLER'S FIRST ADDITION
900 West Sears Street, Denison
Grayson County, Texas

	787 W FM 996 Pottsboro, TX 75076 www.prestontrailandsurveying.com 903-786-6029		
	TBPELS Firm No. 10194175	Drawn by: LGT Checked by: CRN	Scale: 1"=20' Date: 08/25/2025