



TO: Planning and Zoning Commission  
FROM: Edie Sims, City Secretary  
DATE: March 22, 2011  
SUBJECT: Discussion and recommendation to regarding a Special Use Permit for Triple Crazy Game Room located at 865 West Audie Murphy Parkway, Farmersville, TX

**ACTION: Discuss, approve or disapprove Special Use Permit and recommend Ordinance # O-2011-0426-001.**

(III - B)



Farmersville  
DISCOVER A TEXAS TREASURE

**CITY OF FARMERSVILLE  
SPECIFIC USE PERMIT APPLICATION**

APPLICANT'S NAME: Triple Crazy  
APPLICANT'S ADDRESS: 865 W. Audie Murphy Pkwy  
APPLICANT'S CONTACT NUMBERS: Linda Story 972-389-2023  
NAME OF OWNER: Dale + Linda Story  
ADDRESS OF OWNER: 504 Hwy 78 Blue Ridge Tx 75424  
LOCATION OF PROPERTY: 865 W. Audie Murphy Pkwy.

**LEGAL DESCRIPTION OF PROPERTY:**

LOT NO. N/A TRACT 96-0057238 BLOCK NO. N/A  
PLAT According to County Records <sup>See Plat on Back</sup> ADDITION: N/A  
SURVEY: See Attached NUMBER OF ACRES: 1/2

For properties not in a recorded subdivision, submit a copy of a current survey or plat showing the properties proposed to be changed, and a complete legal field note description.

PROPOSED USE: Name Change to Triple Crazy from Game Palace  
See Exhibit B

ATTACH A LETTER describing all processes and activities involved with the proposed uses.

ATTACH A SITE PLAN drawn to scale with the information listed on the back of this sheet.

See Attached back Page  
THE EIGHT CONDITIONS listed on the back of this sheet **MUST** be met before City Council can grant a Specific Use Permit.

**ATTACH THE APPROPRIATE FEE:**

LESS THAN 1/2 ACRE .....\$100.00  
1/2 ACRE OR MORE AND LESS THAN 5 ACRES .....\$250.00  
5 ACRES OR MORE .....\$500.00  
PUBLIC HEARING FEE (PER HEARING).....\$ 12.50

I, being the undersigned applicant, understand that all of the conditions, dimensions, building sizes, landscaping and parking areas depicted on the site plan shall be adhered to as amended and approved by the City Council.

SIGNATURE OF APPLICANT: Linda Stouf Date: 1-3-11  
SIGNATURE OF OWNER: Linda Stouf Date: 1-3-11  
(If not applicant)

INCLUDE THE FOLLOWING INFORMATION ON A SITE PLAN. THE PLAN MUST BE DRAWN TO SCALE.

See Exhibit C

- Boundaries of the area covered by the site plan. on plot
- The location of each existing and proposed building and structure in the area covered by the site plan and the number of stories, height, roof line, gross floor area and location of building entrances and exits.
- The location of existing drainage ways and significant natural features.
- Proposed landscaping and screening buffers. N/A
- The location and dimensions of all curb cuts, public and private streets, parking and loading areas, pedestrian walks, lighting facilities, and outside trash storage facilities. N/A
- The location, height and type of each wall, fence, and all other types of screening. N/A
- The location, height and size of all proposed signs.

In accordance w/ Sign Ordinance

THE ZONING ORDINANCE REQUIRES THAT THESE EIGHT CONDITIONS MUST BE MET BEFORE A SPECIFIC USE PERMIT CAN BE ISSUED:

See Exhibit D

- That the specific use will be compatible with and not injurious to the use and enjoyment of other property, nor significantly diminish or impair property values within the immediate vicinity; and -explain
- That the establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property. - explain
- That adequate utility, access roads, drainage and other necessary supporting facilities have been or will be provided. - Address
- The design, location and arrangement of all driveways and parking spaces provide for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent development. - please address
- That adequate nuisance prevention measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration. - Address
- That directional lighting will be provided so as not to disturb or adversely affect neighboring properties. Address
- That there are sufficient landscaping and screening to insure harmony and compatibility with adjacent property Address
- That the proposed use is in accordance with the Comprehensive Plan. - Address

# Exhibit A

I agree that:

The game room located at 865 W. Audre Murphy, Farmersville, Tx 75442, will not impede the normal and orderly development and improvement of my property

The game room's directional lighting will not disturb or adversely affect my property

The game room's specific use will be compatible with and not injurious to the use and enjoyment of my property and not significantly diminish or impair property values within the immediate vicinity.

Home at 855 Audre Murphy Pkwy, Larry Howard, owner

Larry Howard

Vacant Building, Larry Howard, owner

Larry Howard

Sonic - Drive IN -

Edward Rogore

## Exhibit B

### Proposed Use:

40 gaming machines - are set up on a point scale.

Customers may purchase with points gifts that are provided by Game Room. No payouts on any credit or debit cards. All prizes + gifts are ~~are~~ redeemed at game room only.

Additional entertainment at no charge, Karaoke

Pre packaged snacks and sodas are provided at no charge

- 1) Boundaries of the area covered by the site plan: ON ATTACHED PLAT
- 2) Location of each existing and proposed building and structure in the area covered by the site plan, number of stories , height, roof line, gross floor area and location of building, entrances and exits: ON ATTACHED PLAT
- 3) Location of existing drainage ways and significant natural features: ON ATTACHED PLAT
- 4) Proposed landscaping and screening buffers: ON ATTACHED PLAT, DONE BY PREVIOUS TENANT
- 5) Location and dimensions of all curbs: N/A
- 6) Public and private streets: N/A
- 7) Parking and loading areas: N/A
- 8) Pedestrian walks, lighting fixtures and outside trash storage facilities: SEE ATTACHED PLAT
- 9) Location, height and type of each wall, fence and all other types of screening. N/A
- 10) Location, height and size of all proposed signs. IN ACCORDANCE WITH SIGN ORDINANCE – PLEASE SEE ATTACHED PLAT

# EXHIBIT D

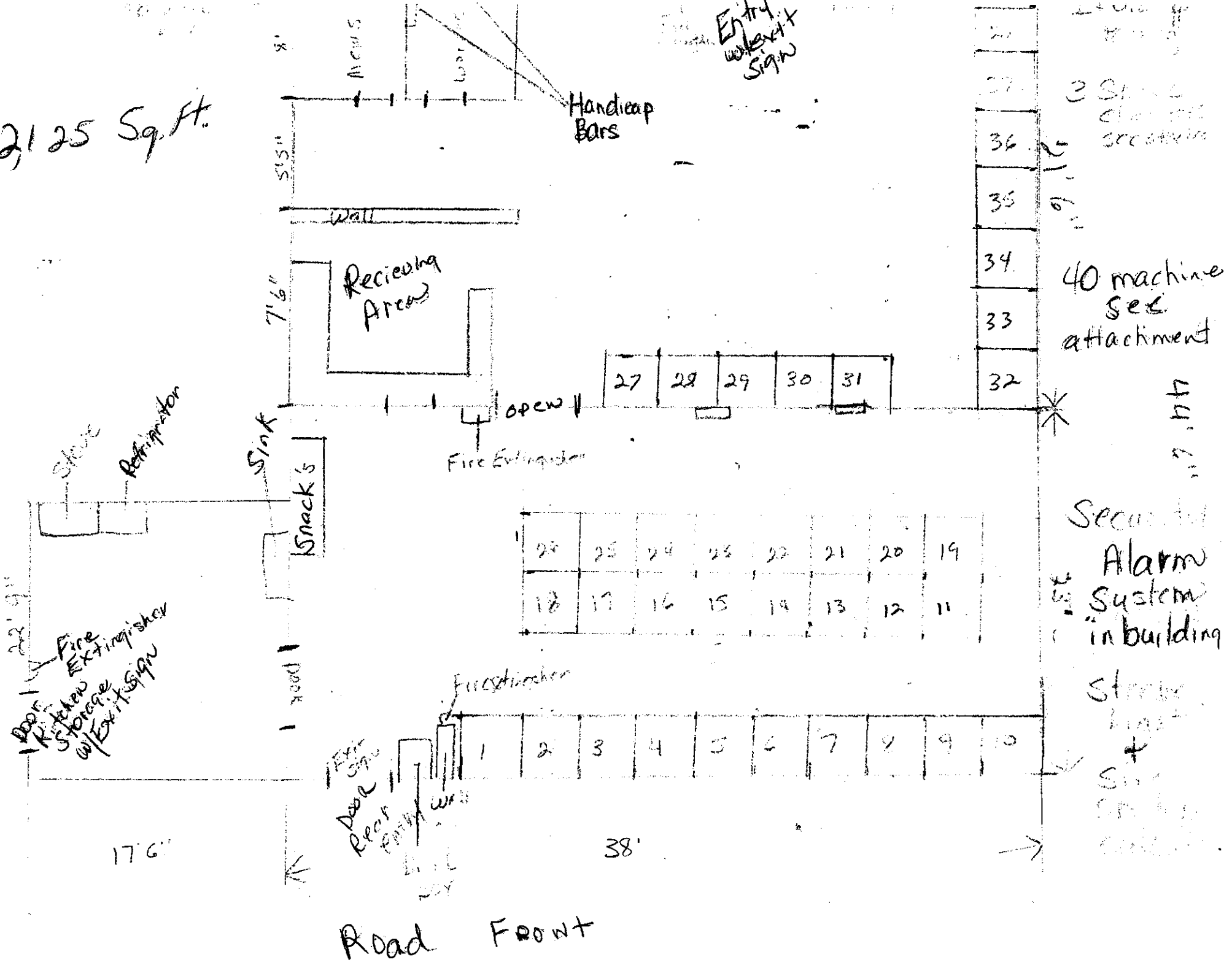
- 1) That the specific use will be compatible with and not injurious to the use and enjoyment of other property nor significantly diminish or impair property values within the immediate vicinity and explain: YES, PLEASE SEE ATTACHED EXHIBIT A.
- 2) That the establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property: YES, PLEASE SEE ATTACHED EXHIBIT A.
- X 3) The adequate utility access roads, drainage, and other necessary supporting facilities have been provided. *There are no utility access Rd or Drains around Building.*
- 4) The design, location and arrangement of all driveways and parking spaces provide for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adequate development: ALL PARKING IN BACK OF BUILDING AND DOES NOT AFFECT ADJACENT DEVELOPMENT.
- 5) The adequate nuisance prevention measures have been or will be taken to prevent control of offensive odor, fumes, dust, noise and vibration: N/A
- 6) The directional lighting will be provided so as not to disturb or adversely affect neighboring properties: NO DIRECT LIGHTING OTHER THAN AT THE BACK OF THE PROPERTY AND WILL NOT AFFECT NEIGHBORING PROPERTIES, EXHIBIT A.
- 7) That there are sufficient landscaping and screening to insure harmony and compatibility with adjacent property: DONE BY PREVIOUS TENANT.
- X 8) That the proposed use is in accordance with the comprehensive plan: *on line* YES, meet these  
REQUIREMENTS

GAME PALACE:

By:

  
LINDA STORY

2,125 Sq. Ft.



3 Small chairs

40 machine sec attachment

Security Alarm System in building

Strobe light

Road Front

## COLLIN CAD Property Information

**COLLIN Short Account Number: 2071249 Long Account Number: R-6471-001-1050-1**

Owner's Name and Mailing Address	HOWARD JODY M 1131 BUSINESS 78 FARMERSVILLE, TX 75442		
Location	877 AUDIE MURPHY PKWY W FARMERSVILLE, TX 75442		
Legal Description	ABS A0471 D J JAYNES SURVEY, BLK 1, TRACT 105, 1.72 ACRES		
Taxing Entities	Code	Name	2009 Tax Rate
	GCN	COLLIN COUNTY	0.242500000
	JCN	COLLIN CO COMMUNITY COLLEGE	0.086300000
	SFC	FARMERSVILLE ISD	1.310000000

### EXEMPTION INFORMATION

Exemption Code	Exemption Description
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**Data up to date as of 2010-09-26.**

PROPERTY		VALUE INFORMATION 2010 Certified	
Exemptions	(See Below)	Improvement Value Subject To Homestead	\$0
Land Acres	1.72	Other Improvement Value	\$22,264
Last Deed Date		Total Improvement Value	\$22,264
Last Deed Volume			\$102,726
Last Deed Page	CONS	Land Market Value	\$71
Last Deed Inst. Num.	0	Land Ag. Productivity Value	\$124,990
Agent Code	0	Total Market Value	
* 'New' means that this property was added after the values were prepared.			

### MAPS and FORMS

- [Plat Map Image \(TIFF format\)](#)    [New! Plat Map \(PDF format\)](#)    [GIS Digital Map](#)
- [Homestead, Over 65, or Disabled Person Exemption Application](#)    [Agricultural \(1D1\) Application](#)
- [Notice of Appraised Value](#)

### IMPROVEMENT INFORMATION

AFTER RECORDING RETURN TO:

Jody Howard  
P# 3, Box 135  
Farmersville, TX  
75442

96-0057238

WARRANTY DEED

(DRAFTED WITHOUT BENEFIT OF TITLE EXAMINATION OR TITLE INSURANCE)

THE STATE OF TEXAS

)

) KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF COLLIN

)

THAT We, A.M. SNYDER and wife, IRENE SNYDER, of the County of Collin, and State of Texas, for and in consideration of the sum of ONE AND NO/100 DOLLAR (\$1.00) to the undersigned paid by the grantee herein named, the receipt of which is hereby acknowledged, and in consideration of the love and affection which I bear toward grantee, have GRANTED, GIVEN AND CONVEYED, and by these presents do GRANT, GIVE AND CONVEY unto our daughter, JODY HOWARD, (herein called "grantee") of the County of Collin, and State of Texas, as grantee's sole and separate property, the following described real property in Collin County, Texas, to-wit:

(See EXHIBIT A attached hereto and made a part hereof for all purposes.)

Except, however, that the Grantors herein reserve, and it is expressly agreed that they should have, for themselves and their assigns, the full possession, benefit and use of the above described property, as well as the rents, revenues and profits thereof, for and during their natural lives. In other words, this reservation of life estate shall terminate on the date of death of the last to die of the two Grantors.

THIS CONVEYANCE IS MADE SUBJECT TO THE FOLLOWING:

1. Rights of the public to any portion of the above described property lying within the boundaries of dedicated or existing roadways or which may be used for road or street purposes.
2. Visible and apparent easements over or across subject property.
3. Rights of parties in possession.
4. Any and all easements, restrictions, covenants, conditions and reservations of record, if any, applicable to the herein conveyed property or any part thereof.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said grantee, grantee's heirs and assigns forever; and we do hereby bind ourselves, our heirs, executors and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said grantee, grantee's heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

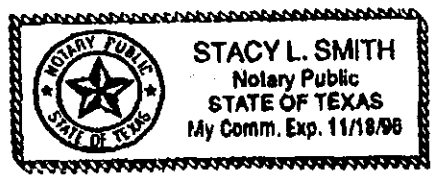
EXECUTED this 3rd day of July, 1996.

A.M. Snyder  
A.M. SNYDER

Irene Snyder  
IRENE SNYDER

THE STATE OF TEXAS )  
COUNTY OF COLLIN )

This instrument was acknowledged before me on July 3, 1996 by A.M. SNYDER and wife, IRENE SNYDER.



Stacy L. Smith  
Notary Public, State of Texas  
Notary's Printed Name:  
Stacy L. Smith  
My commission expires: 11-18-96

## EXHIBIT A

SITUATED in Collin County, Texas, and in the D.J. Jaynes Survey, Abstract No. 471, and being a part of a tract of 24.26 acres described in a deed from T.M. Lovell and wife, to Doyle Skinner dated November 26, 1945, and recorded in Volume 360, Page 6, Collin County Deed Records; and the beginning corner of this tract was located as follows:

BEGINNING at the most Easterly southeast corner of said 24.26 acres;

THENCE SOUTH 88° West 6.15 chains to the beginning corner of this tract; said beginning corner is also located at the southwest corner of a lot 125 feet wide, east and west, that was conveyed to M.S. Sellers on April 2, 1956, by Doyle Skinner and wife;

THENCE SOUTH 88 degrees West 2.48 chains to a stake;

THENCE SOUTH 79 degrees West 6.00 chains;

THENCE SOUTH 1/2 degree West 1.76 chains;

THENCE SOUTH 83-1/2 degrees West 5.67 chains;

THENCE SOUTH 71 degrees West 2.00 chains to a stake in the west line of the City Limits of Farmersville;

THENCE NORTH 71 degrees West 1.20 chains to a stake;

THENCE NORTH 66-3/4 degrees West 3.09 chains to a stake;

THENCE NORTHERLY 7.70 chains, more or less, to the southeast corner of a tract of land conveyed by T.M. Lovell and wife to Alton Roberts, as per deed recorded in Volume 323, Page 318, Collin County Deed Records.

THENCE NORTH 5-3/4 degrees East 2.30 chains to Roberts' northeast corner;

THENCE SOUTH 83 degrees 40' East 148 feet to the north west corner of a one acre tract described in a deed from Doyle Skinner et ux, to A.M. Snyder, dated Dec. 29, 1950 and recorded in Volume 422, Page 320, Collin County Deed Records.

THENCE SOUTH 210 feet to the southwest corner of said one acre tract;

THENCE EASTERLY 210 feet, parallel with the south line of U.S. Highway No. 24, to the southeast corner of said one acre tract;

THENCE NORTH 210 feet to the N.E. corner of said one acre tract;

THENCE with the south line of said Highway South 83 deg. 40' East 13.34 chains, more or less, to the northwest corner of said lot 125 feet wide east and west that was conveyed to M.S. Sellers on April 2, 1956;

THENCE SOUTH 5.12 chains more or less, with the west line of said 125 foot lot to the place of beginning, containing 15.00 acres of land, more or less.

Being the same property conveyed from Doyle Skinner and wife, Roberta Skinner to A.M. Snyder in a deed dated April 2, 1956 and recorded in Volume 514, page 415, Deed Records of Collin County, Texas.

### LESS AND EXCEPT:

The following property which was conveyed from A.M. SNYDER and wife, IRENE SNYDER to THOMAS GLENN CARAWAY POST NO. 7426 VFW in deed dated April 24, 1990 and recorded in the Land Records of Collin County, Texas, to-wit:

SITUATED in the D.J. Jaynes Survey, Abst. No. 471 in Collin County, Texas, and being part of a 15 acre tract of land that was conveyed to A.M. Snyder in Deed recorded in Volume 514, Page 415 of the Deed Records of Collin County, Texas, being more particularly described by metes and bounds to-wit:

BEGINNING at a pipe found being the Southeast corner of said tract;

THENCE SOUTH 88 degrees 06 minutes West with the North line of a 15.909 acre tract described in Deed recorded in Volume 2161, Page 979 of the Land Records of Collin County, Texas, 261.5 feet to an iron pin found;

THENCE SOUTH 76 degrees 48 minutes West with said north line of 337.25 feet to an iron pin, then continuing a total of 358.74 feet to a point in the centerline of a creek;  
THENCE with the centerline meanders of said creek as follows:

North 6 degrees 56 minutes West 108.6 feet;  
North 83 degrees 16 minutes East 163.1 feet;  
North 4 degrees 49 minutes West 65.4 feet;  
North 85 degrees 44 minutes 52 seconds East 192.93 feet;  
North 79 degrees 02 minutes East 143.5 feet;  
South 52 degrees 11 minutes East 65 feet;  
North 61 degrees 19 minutes East 93 feet to a point in the East line of said 15 acre tract.

THENCE SOUTH 0 degrees 24 minutes East with said East line 147.9 feet to the place of beginning,  
CONTAINING 1.806 acres.

ANY PROVISION IN ANY INSTRUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE  
PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND  
UNENFORCEABLE UNDER FEDERAL LAW  
(COUNTY OF COLLIN)  
This instrument was FILED in the Tax Assessor's Office  
on the 9th day of July 1996 and was duly RECORDED,  
on the Official Public Records of Real Property of Collin County, Texas on

JUL 09 1996

*Helen Starnes*



COUNTY CLERK, COLLIN COUNTY, TEXAS

Filed for Record in:  
COLLIN COUNTY, TX  
HONORABLE HELEN STARNES

On 1996/07/09

At 11:25A

Number: 96- 005723B  
Type : D1 15.00

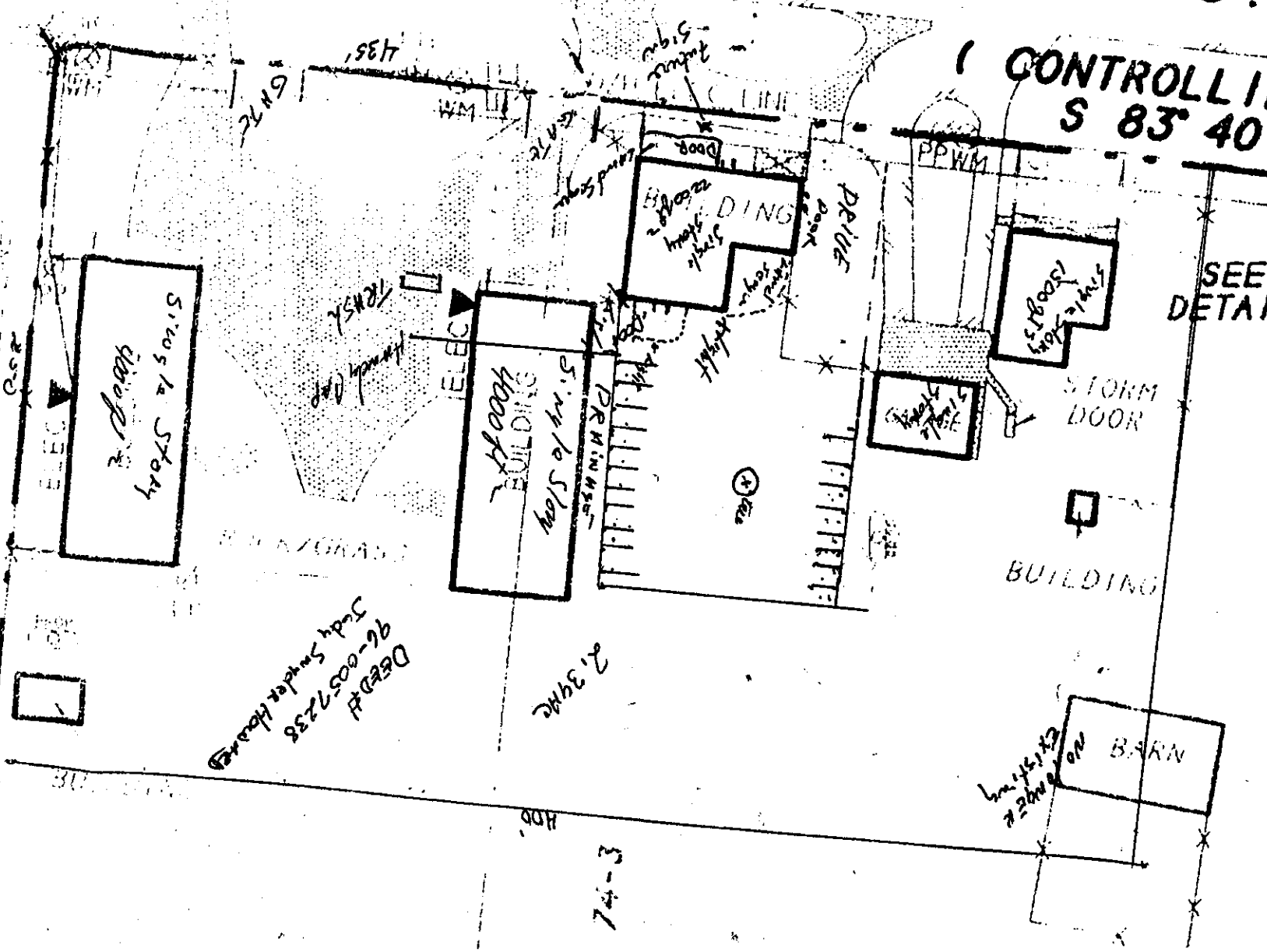
K:\cases-jul\NYDER.DM

BEGINNING

U.

CONTROLLING  
S 83° 40'

SEE  
DETAIL



DEAD #  
96-0057238  
Judy Snyder Howard

39.23'E 602.71'

S ORD # 74-3

11.31 AC  
PART OF 15.0 ACRE

ON BAXTER  
ODWIN  
HOOPER  
L  
CE  
ON  
ON  
DFORD  
743

Scale 1"=50'

**CITY OF FARMERSVILLE  
ORDINANCE #2011-0426-001**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, AMENDING COMPREHENSIVE ZONING ORDINANCE AND ESTABLISHING A SPECIAL USE PERMIT; PROVIDING FOR THE OPERATION OF A GAME ROOM ON PROPERTY DESCRIBED HEREIN; PROVIDING FOR RESTRICTIONS; AMENDING THE OFFICIAL ZONING MAP; AND PROVIDING FOR PENALTY, SEVERABILITY AND AN EFFECTIVE DATE.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS.**

**SECTION I: PERMIT**

A Special Use Permit is hereby established for Triple Crazy Game Room, located at 865 West Audie Murphy Parkway, Farmersville, TX 75442 providing for the following use:

Game Room

**SECTION II: RESTRICTIONS**

The development shall be in accordance with the following special restrictions, conditions, and regulations:

1. No one under the age of 18 years allowed in building at any time
2. Sign stating under 18 not allowed, clearly posted on the entrance of said business.
3. A maximum of 40 Machines
4. Hours set for the Game Room are as follows:
  - Monday-Thursday, Open 8:30 a.m.; Close at 11:00 p.m.
  - Friday and Saturday, Open 8:30 a.m.; Close at 12:00 a.m.
  - Sunday, Open 12:00 p.m.; Close at 11:00 p.m.
5. Permit re-evaluation in **1 year** from the date the Ordinance is approved by Council, at no cost to applicant
6. **The Special Use Permit granted herein is specific to Triple Crazy Game Room (Dale & Linda Story), 865 West Audie Murphy Parkway and shall not be transferred to any other person or entity or any other location without the approval of the City of Farmersville**

**SECTION III: PENALTY**

Any person, firm or corporation violating a provision of this Ordinance, upon conviction, is guilty of an offense punishable by a fine not to exceed two thousand dollars (\$2000); and each day or portion thereof during which the violation is committed, continued or permitted shall be a separate offense.

**SECTION IV: SEVERABILITY**

If any section, paragraph, clause, phrase, or provision of this Ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this Ordinance as a whole or any part or provision hereof, other than the part so decided to be invalid or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

**SECTION V: EFFECTIVE DATE**

This Ordinance shall take effect immediately, from and after its passage and publication of the caption, as the law in such cases provides.

**DULY PASSED** by the City Council of the City of Farmersville, Texas on the 26th day of April, 2011.

APPROVED:

\_\_\_\_\_  
Joseph E. Helmberger, P.E., Mayor

ATTEST:

\_\_\_\_\_  
Edie Sims, City Secretary