



**CITY OF FARMERSVILLE  
PLANNING AND ZONING COMMISSION AGENDA  
REGULAR CALLED MEETING  
April 17, 2017, 6:30 P.M.  
COUNCIL CHAMBERS, CITY HALL  
205 S. Main Street**

**I. PRELIMINARY MATTERS**

- Call to Order, Roll Call, Prayer and Pledge of Allegiance

**II. PUBLIC HEARING**

- A. Public hearing to consider, discuss and act upon a recommendation to City Council regarding a request for a Special Use Permit for commercial, amusement (indoor) uses to allow Winners Sweepstakes to be located at 604 State Highway 78 North, #109.

**III. ITEMS FOR DISCUSSION AND POSSIBLE ACTION**

- A. Consider, discuss and act upon minutes from February 27, 2017.

**IV. ADJOURNMENT**

*The Planning and Zoning Commission reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any matters listed on the agenda, as authorized by the Texas Government Code, including, but not limited to, Sections 551.071 (Consultation with Attorney).*

*Persons with disabilities who plan to attend this meeting and who may need assistance should contact the City Secretary at 972-782-6151 or Fax 972-782-6604 at least two (2) working days prior to the meeting so that appropriate arrangements can be made. Handicap Parking is available in the front and rear parking lot of the building.*

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted in the regular posting place of the City Hall building for Farmersville, Texas, in a place and manner convenient and readily accessible to the general public at all times, and said

Notice was posted on April 13, 2017, by 5:00 P.M. and remained so posted continuously at least 72 hours proceeding the scheduled time of said meeting.

Dated this the 13th day of April, 2017.

  
Sandra Green, City Secretary



## I. Preliminary Matters

## II. Public Hearing



2017 FEB -3 PM 4: 29

**CITY OF FARMERSVILLE  
SPECIFIC USE PERMIT APPLICATION**

APPLICANT'S NAME: Chuck Hill  
APPLICANT'S ADDRESS: 1805 Lakeshore CT McKinney TX 75070  
APPLICANT'S CONTACT NUMBERS: 469 288 3995  
NAME OF OWNER: Perry Marker  
ADDRESS OF OWNER: 2800 E. Grawwyler Rd Irving TX 75061  
LOCATION OF PROPERTY: 604 State Highway 78 North Farmersville, TX 75442 #109

**LEGAL DESCRIPTION OF PROPERTY:**

LOT NO. 1 TRACT \_\_\_\_\_ BLOCK NO. \_\_\_\_\_  
PLAT \_\_\_\_\_ ADDITION: Gaddy Towne Center  
SURVEY: \_\_\_\_\_ NUMBER OF ACRES: \_\_\_\_\_

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: \_\_\_\_\_

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.

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 x 2

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: Chudeth W Date: 2/03/2017

SIGNATURE OF OWNER: Kurt J. Carter Date: 2-3-17  
(If not applicant)

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

- Boundaries of the area covered by the site plan.
- 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.
- 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.
- The location, height and type of each wall, fence, and all other types of screening.
- The location, height and size of all proposed signs.

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

- 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
- That the establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property.
- That adequate utility, access roads, drainage and other necessary supporting facilities have been or will be provided.
- 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.
- That adequate nuisance prevention measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration.
- That directional lighting will be provided so as not to disturb or adversely affect neighboring properties.
- That there are sufficient landscaping and screening to insure harmony and compatibility with adjacent property
- That the proposed use is in accordance with the Comprehensive Plan.

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## MISSION

**Strategic Fundraising Solutions, LLC dba Winners Sweepstakes** raises funds for 501C3 and benevolence organizations through innovative, technology based sweepstakes programs. These programs provide a fun and entertaining way for individuals to donate to charity, while having an opportunity to win cash prizes.

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STRATEGIC FUNDRAISING SOLUTIONS, LLC

EXCLUSIVE CHARITY (501(c)3) SWEEPSTAKES FUNDRAISING AGREEMENT

**This Agreement** is entered into the \_\_\_ day of \_\_\_\_\_ 2017 between \_\_\_\_\_ (hereinafter referred to as "\_\_\_\_") whose address is: \_\_\_\_\_ and STRATEGIC FUNDRAISING SOLUTIONS, LLC (hereinafter referred to as "SFS" or "Producer/Operator") corporate office located at 902 S McDonald, Suite 200, McKinney, Texas 75069 referred to as the "Parties" for the exclusive operation of sweepstakes fund raising program using the emblems and marks of \_\_\_\_\_ in the promotion of the sweepstakes.

**Whereas**, MPABF mission is to bring the community together to change the world one home, one family at a time.

**Whereas**, SFS is engaged in the business of leasing space to produce and operate charity sweepstakes for \_\_\_\_\_, exclusively.

**Whereas**, \_\_\_\_\_ desires to engage SFS to use its expertise and its facilities to produce and operate a sweepstakes for \_\_\_\_\_ as their exclusive producer.

**The Parties Hereto**, further agree as follows:

1. \_\_\_\_\_ will receive 10% of Net Donations received from the \_\_\_\_\_ sweepstakes fund raising program operated by SFS.
2. SFS will not operate or provide any additional services at this facility that only \_\_\_\_\_ can provide.
3. SFS is responsible for payment of all operating expenses of the MPABF sweepstakes advertising and promotional campaign.
4. All monies due and payable to MPABF, are to be paid by SFS on a weekly basis thru an independent paymaster service, Connect 13.
5. The laws of the State of Texas will govern this Agreement.
6. The initial term of the agreement is twelve (12) months. After expiration of the initial term the agreement shall continue in full force and effect until such time as is cancelled by either party. Either party may cancel the agreement after the initial term, with or without cause by giving thirty (30) days written notice to the other Party to do so.
7. The Parties agree that unless agreed to in writing, neither of the Parties may assign this Agreement without express consent of the other.
8. Neither Party will be held responsible for any delay or failure in performance of any part of this Agreement to the extent that such delay is caused by events or circumstances beyond the delayed Party's reasonable control.



9. This Agreement, together with any attachments referred to herein, constitutes the entire agreement between the Parties with respects to its subject matter and supersedes all prior agreements, proposal, negotiations, representations or communications relating to the subject matter. Both Parties acknowledge that they have not been induced to enter into this Agreement by any representations or promises not specifically stated herein.

**In Witness Whereof**, the Parties represent to each other that they have the authority to sign this Agreement and have executed this Agreement, in duplicate originals on the day and year stated above.

\_\_\_\_\_ Association  
Benevolence Foundation

Strategic Fundraising Solutions, LLC

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

ROCKWOOD DEVELOPMENT LLC  
ATTN: Perry Marker  
Po Box 36348  
Dallas, TX 75235-1348

Farmersville ISD  
501A State Highway 78 N  
Farmersville, TX 75442-1013

Mr. Anthony Nelson  
426 State Hwy 78 N  
Farmersville, TX 75442-1418

Darrell & Becky Mccauley  
422 State Hwy 78 N  
Farmersville, TX 75442-1418

Ms. Brittany Keel  
425 Sherry Ln  
Farmersville, TX 75442-1537

Ms. Brenda Schlafke  
427 Sherry Ln  
Farmersville, TX 75442-1537

Gary & Lisa Mullins  
501 Clairmont St  
Farmersville, TX 75442-1026

Richard & Angela Gowens  
503 Clairmont St  
Farmersville, TX 75442-1026

Mr. Joshua Crowell  
507 Clairmont St  
Farmersville, TX 75442-1026

Timothy & Kimberly Sandoval  
509 Clairmont St  
Farmersville, TX 75442-1026

John Pollard  
511 Clairmont St  
Farmersville, TX 75442-1026

Tommy & Jeri Tidwell  
615 Clairmont St  
Farmersville, TX 75442-1028

Lane Living Trust  
Houston & Donna Lane  
309 Hill St  
Farmersville, TX 75442-2327

Betty and John Dixon  
613 Clairmont St  
Farmersville, TX 75442-1028

Mr. Harlan Ashley  
510 Clairmont St  
Farmersville, TX 75442-1027

Mr. Tony Gray  
13951 County Road 565  
Farmersville, TX 75442-5105

Mr. Cody Gray  
502 Clairmont St  
Farmersville, TX 75442-1027

Ms. Mary House  
915 Westmount Ave  
Dallas, TX 75211-2585

Todd & Dalinda Rolan  
603 Waterford St  
Farmersville, TX 75442-1024

Ms. Pamelal Galysh  
9904 Concord Dr  
Providence Village, TX 76227-8556

For: Winners SUP

**LEGEND FOR INTERPRETING SCHEDULE OF USE** [Number ( ) occurring after type of use refers to Section 5-B, 1-161 Definitions and Explanatory Notes (General Definitions are in SECTION 5-C, 1-79)]

\* as amended by Ordinance #2004-06

Designates use permitted in district indicated.

Designates use prohibited in district indicated.

Designates use may be approved as Specific Use Permit, SECTION 8.

**4-G. RECREATIONAL AND ENTERTAINMENT USES**

Type of Use	A	SF-1	SF-2	SF-3	2F	MF-1	MF-2	P	O	NS	GR	C	HC	CA	I-1	I-2	PD
Amusement, Commercial (Outdoor) (7)	S											S	S	S	S	S	
Amusement, Commercial (Indoor) (6)	S										S	S	S	S	S	S	●
Country Club (Private) with Golf Course (39)	●	S	S	S	S	S	S	●	●	●	●	●	●	S	●	●	●
*Dance Hall or Night Club (42)											S	S		S	S	S	S
Day Camp for Children (43)	●	S									●	●	●		●	●	●
Drag Strip or Commercial Racing	S														S	S	
Go Cart Track	S														S	S	S
Gun Range (63)	S										S	S			●	●	●
Park or Playground (Public) (97)	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●
Play Field or Stadium (Public) (102)	●										●	●	●	●	●	●	●
Rodeo Grounds	S											S		S	S	S	●
Swim or Tennis Club (137)		S	S	S	S	S	S	S	S					S	S		

1. Accessory Building – A building for a subordinate use incidental to the principal building(s) and use(s) located on the same lot. Accessory buildings shall include, but not be limited to, parking garages, farm structures, garages for automobile storage, carports, tool houses, greenhouses, home workshops, children’s playhouses, storage houses or garden shelters.
2. Adult Day Care Center – A facility that provides services under an Adult Day Care Program on a daily or regular basis, but not overnight, to four or more elderly or handicapped persons who are not related by blood, marriage, or adoption to the owner of the facility. Adult day care centers must be licensed by the Texas Department of Human Services.
3. Airport, Landing Field – A place where an aircraft can land and take off, usually equipped with hangars, facilities for refueling and repair and various accommodations for passengers.
  - a. Heliport – An area of land or water or a structural surface which is used, or intended for use, for the landing and taking off of helicopters, and any appurtenant areas which are used, or intended for use, for heliport buildings and other heliport facilities.
  - b. Helistop – The same as a heliport, except that no refueling, maintenance, repairs or storage of helicopters is permitted.
4. Antique Shop – An establishment offering for sale, within a building, articles such as glass, china, furniture or similar furniture and decorations which have value and significance as a result of age, design, or sentiment.
5. Antique Shop, Sales in Building – A retail establishment engaged in the selling of works of art, furniture or other artifacts of an earlier period, with all sales and storage occurring inside a building.
6. Amusement, Commercial (Indoors) – An amusement enterprise wholly enclosed in a building which is treated acoustically so that noise generated by the enterprise is not perceptible at the bounding property line and including, but not limited to a bowling alley, billiard parlor, or skating rink.
7. Amusement, Commercial (Outdoors) – Any amusement enterprise offering entertainment or games of skill to the general public for a fee or charge wherein any portion of the activity takes place in the open including, but not limited to, a golf driving range, archery range, and miniature golf course.
8. Apartment House – Any building or portion thereof, which is designed, built, rented, leased, or let to be occupied as three or more dwelling units or apartments, or which is occupied as a home or place of residence by three or more families living in independent dwelling units.
9. Art Gallery or Museum – An institution for the collection, display and distribution of objects of art or science, and which is sponsored by a public or quasi-public agency and which facility is open to the general public.

received

Paul Matthes

3-30-17

THIS IS A PETITION TO REQUEST PLANNING AND ZONING TO  
REJECT THE PROPOSAL TO ISSUE A SPECIAL PERMIT FOR COMMERCIAL,  
AMUSEMENT (INDOOR) FOR THE WINNERS SWEEPSTAKES  
LOCATED AT 604 STATE HIGHWAY 78 NORTH, #109, FARMERSVILLE, TEXAS.

SIGNATURE

ADDRESS

Lorajo Gibson	18087 CR 661 Farmersville 9
Becky McCauley	422 State Hwy 78N. Farmersville, TX
Danell M <sup>c</sup> Cauley	422 State Hwy 78N Farmersville, TX
Patsy Hodges	420 State Hwy 78N. " "
Charles Chandler	710 Pendleton St; " "
Mary Smith	706 Pendleton St " "
Jane Harrison	403 Sherry Lane Farmersville
Heather McClung	407 Sherry Ln. Farmersville
Harla Balf	413 Sherry Ln. Farmersville
Autum Barton	417 Sherry Farmersville TX
Leah Willis	421 Sherry Ln. Farmersville, TX.
Christy	421 Sherry Ln. Farmersville TX
Michelle Honeycutt	958 Business TR Farmersville, TX
Frankie Richie	209 W Santa Fe St Farmersville, TX
Opal Hartzell	425 N Hamilton St Farmersville, TX
Linda Smith	712 Pecan Creek Ct. Farmersville, TX.
Alicia <del>Ward</del>	508 Claiement St. Farmersville TX
Chris M Bellan	424 Sherry Ln Farmersville TX 75402

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 LOCATED AT 604 STATE HIGHWAY 78 NORTH, #109, FARMERSVILLE, TEXAS.

SIGNATURE	ADDRESS
Darwin Pearcy	420 Sherry Ln. Farmersville 75442
Susan Schuy	416 Sherry Ln. FARMERSVILLE 75442
Daryl Lohy	416 Sherry Ln. Farmersville 75442
Don Johnson	413 Sherry Ln 75442
John Sada	408 Sherry Lane Farmersville, TX 75442
John Smith	404 Sherry Lane Farmersville 75442
Joshua Brown	312 Sherry Lane Farmersville, TX 75442
Thomas M. Schmitt	308 SHERRY LN FARMERSVILLE, TX
Delicia McJee	301 Sherry Farmersville, TX.
Mary Taylor	313 " "
Jack Ryan	415 N Hamilton Farmersville TX
Sara Speth	421 N Hamilton St Farmersville TX
Amber Johnson	110 McKinney St Farmersville
Rachael Retzler	110 McKinney St Farmersville
Clara Hill	112 McKinney F.ville
James Cherman	900 Westgate Dr. Farmersville
Tracy Wright	310 Sherry Lane F.ville
Bob Barber	418 Joubert St. Farmersville

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 LOCATED AT 604 STATE HIGHWAY 78 NORTH, #109, FARMERSVILLE, TEXAS.

SIGNATURE	ADDRESS
Linda Short	605 FM 2194 Farmersville, TX.
Christine Crowder	1155 Starline Rd
Fry O'Connell	1314 Willow Ln, Farmersville, TX
Shirley Baker	418 Jonete Farmersville
Laura Odneal	1314 Willow Ln. Farmersville -
Janalee Odneal	1205 Red Oak Cir. Farmersville TX 77834
Peggy Janna	301 Wilcoxon, Fville
Archie Higdon	801 Westgate Farmersville
Ernie Jordan	801 Westgate Farmersville
Mertie Fitzgerald	805 Westgate Farmersville TX
L.G. Fitzgerald	805 "11"
Glenn Lewis	804 Westgate Dr Farmersville TX
Lucy King	809 West Gate Fullerton
Donna Perkins	905 Westgate Dr Farmersville, TX
Bobby Powell	977 Westgate Farmersville TX
Flora Pelland	911 Westgate Farmersville TX
Charlene Smith	1005 Westgate Dr Farmersville TX
Annem Polard	1004 Westgate Dr Farmersville TX



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SIGNATURE	ADDRESS
Virginia Diferro	609 Jovette
Mitch Witt	601 Meadowview
Boyd Bellini	1202 Red oak
Karen Bellard	404 Haughton
Betty Pennington	413 Shammy Ln.
Chris Johnson	318 College St
[Signature]	318 College St
Jasmine Langley	509 Park St
Walter W	305 N. HAMILTON
Lori Carr	808 Westgate Dr.
Mike [Signature]	808 Westgate Dr.
Cott Stone	904 WESTGATE DR
Ernestine	904 Westgate Dr.
Clay [Signature]	108 Austin





### III. Items for Discussion and Possible Action



**CITY OF FARMERSVILLE  
PLANNING AND ZONING COMMISSION MINUTES  
for  
February 27, 2017**

**I. PRELIMINARY MATTERS**

- Chairman Craig Overstreet presided over the meeting which was called to order at 6:30 p.m. Commissioners Sarah Jackson-Butler, Russell Chandler, Bobby Bishop and Paul Kelly were in attendance. Commissioner Chad Dillard was absent. Also in attendance were City Manager, Ben White; City Attorney, Alan Lathrom; City Engineer, Eddy Daniel; Council Liaison, John Klostermann; and Staff Liaison, Sandra Green.
- Paul Kelly led the prayer and Craig Overstreet followed with the pledges to the United States and Texas flags.
- Craig Overstreet explained the citizen questionnaire that could be filled out. He did explain to the citizens that the questionnaires would become public record.

**II. ITEMS FOR DISCUSSION AND POSSIBLE ACTION**

- A. Consider, discuss and act upon minutes from January 23, 2017.
- Motion to approve the minutes made by Paul Kelly.
  - 2<sup>nd</sup> to approve made by Sarah Jackson-Butler.
  - All members voted in favor
- B. Consider, discuss and act upon approval and recommendation to the City Council on the Final Plat for the All Texas Addition.
- Craig Overstreet wanted to clarify that the plat was in the ETJ of the City.
  - Ben White explained that half of the property was in the City's ETJ and the other half was not.

- Craig Overstreet asked how the water and sewer would be serviced to the property.
- Ben White stated there was no sewer on site provided by the City, so water would be provided by Caddo Basin. The owners would have to provide an on-site septic sewer system. The plat has been reviewed by the City Engineer and it has meet all the City's requirements.
  - Motion to approve made by Paul Kelly
  - 2<sup>nd</sup> to approve made by Bobby Bishop
  - All members voted in favor

C. Consider, discuss and act upon approval of a concept plan for the Islamic Association of Collin County.

- Craig Overstreet asked Ben White if the concept plan had been reviewed by City Engineer.
- Ben White indicated the concept plan had been through all the necessary processes, was reviewed by the City Engineer, and it did meet all of the City's Ordinances. Therefore, the concept plan was ready for presentation to the Planning & Zoning Commission. He also included the property was outside of the City limits, but it was in the City's ETJ.
- Craig Overstreet pointed out that when the concept plan came to the City before it had commercial frontage and it was supposedly going to be used for assistance to maintain the cemetery. He explained that according to the revised concept plan that has changed.
- Eddy Daniel explained that was correct. He indicated the owners were now proposing to leave it undeveloped. He explained the property owner's Engineer was in the audience if anyone had specific question regarding the concept plan.
- Craig Overstreet asked if there was going to be an entrance off U.S. Highway 380.
- Eddy Daniel stated all the entrances were located off County Road 557.
- Paul Kelly asked if the concept plan could change in the future.
- Eddy stated the Islamic Association of Collin County would have to resubmit a new plan if they wanted to add something later.
- Ben White explained the new plan would not be required to be submitted as a concept plan, but could be submitted as a plat or replat.
- Craig Overstreet asked about platting and buildings and inquired as to whether they were asking for variances.

- Eddy Daniel stated there had been no variances submitted and the concept plan met all the City's Subdivision Ordinances.
- Paul Kelly spoke of the letter from the Collin County Fire Marshall's Office and their recommendations for moving forward.
- Eddy Daniel explained the only item regarding the County's stand point right now is from the Fire Marshall's Office. The letter showed what the County Fire Marshall's Office would require from the property in the ETJ. That would include: permitting the structures through Collin County, fire lanes and turn radius, second outlet and emergency vehicle access, and Knox Box requirements for the gates.
- Bobby Bishop clarified the plat would be reviewed by the City of Farmersville, but Collin County would issue the building permits. Eddy Daniel stated that was correct. He also asked if details about the burial plots would be on the plat.
- Alan Lathrom explained the Health and Safety Code allows each burial site to be designed by the cemetery and filed with the County so they are not approved in the platting process. The plat would lay out the roadways, external roads, and general layout. It does not address where each burial plot would be.
- Craig Overstreet indicated there would be several technical questions that would be addressed when the plat was received for approval. He emphasized citizens needed to fill out the green questionnaire so their concerns could be addressed.
  - Motion to approve the concept plan as presented was made by Bobby Bishop
  - 2<sup>nd</sup> to approve made by Paul Kelly
  - All members voted in favor

### **III. ADJOURNMENT**

- The meeting was adjourned at 6:49 p.m.
  - Motion to adjourn made by Paul Kelly
  - 2<sup>nd</sup> to approve made by Sarah Jackson-Butler
  - All members voted in favor

ATTEST:

APPROVE:

\_\_\_\_\_  
Sandra Green, City Secretary

\_\_\_\_\_  
Craig Overstreet, Chairman

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## IV. Adjournment