

**NOTICE OF REGULAR MEETING ZONING BOARD OF ADJUSTMENTS MEETING AND
AGENDA
THE CITY OF PRINCETON, TEXAS
May 28, 2019**

The Zoning Board of Adjustments of the City of Princeton will meet in Regular Meeting Session on **Tuesday May 28, 2019 at 6:00 PM** at the regular meeting place, the Council Chamber in City Hall, located at 123 W. Princeton Drive in Princeton to discuss the following

Honorable John-Mark Caldwell,
Mayor

Honorable Rich Hooper,
Mayor Pro Tempore, Place 2

David Kleiber,
Councilmember, Place 1

Nikki Krum,
Councilmember, Place 3

Richard Sheehan,
Councilmember, Place 4

Steven Deffibaugh,
Deputy Mayor Pro Tempore, Place 5

CALL TO ORDER

ROLL CALL

John-Mark Caldwell
Rich Hooper
David Kleiber
Nikki Krum
Richard Sheehan
Steve Deffibaugh

CONSENT AGENDA

Minutes

Discussion and possible action regarding the Zoning Board of Adjustments minutes from the July 09, 2018 meeting.

[ZBA Minutes 07-09-18.doc](#)

Minutes

Discussion and possible action regarding the Zoning Board of Adjustments minutes from the May 13, 2019 meeting.

[ZBA Minutes 5-13-19.doc](#)

REGULAR AGENDA

Public Hearing

Public hearing regard a request from Big Spray Brewing, LLC, 816 E. Princeton Drive, Princeton, TX 75407 for a

variance to the zoning ordinance No. 2018-12-10-01 amending ordinance No. 2016-01-25-01 Sec. 82-29, Special uses and conditions for approval, subsection (k)(5)(a), that would allow the sale of alcohol within a distance of 300 feet from a school property.

Variance - Zoning

Discussion and possible action regarding a request from Big Spray Brewing, LLC, 816 E. Princeton Drive, Princeton, Texas 75407 for a variance to the Zoning Ordinance No. 2018-12-10-01, amending ordinance No. 2016-01-25-01 Sec. 82-29, Special uses and conditions for approval, subsection (k)(5)(a), that would allow the sale of alcohol within a distance of 300 feet from a school property.

[Application and Backup.pdf](#)

ADJOURNMENT

CERTIFICATE

I hereby certify the above Notice of Meeting was posted at the Princeton City Hall @ _____ and copies thereof were delivered to the Mayor, Mayor Pro-Tempore and Councilmembers.

Tabatha Monk, City Secretary

STATEMENT FOR ADA COMPLIANCE

The City of Princeton acknowledges its responsibility to comply with the Americans with Disabilities Act of 1990. Thus, in order to assist individuals with disabilities who require special services (i.e., sign interpretation services, alternative audio/visual devices, and amanuenses) for participation in or access to the City of Princeton sponsored public programs, services and/or meetings, the City requests the individuals make requests for these services forty-eight (48) hours ahead of the scheduled program, service and/or meeting. To make arrangements, contact Tabatha Monk, City Secretary, or other designated official at 972-734-2416. The City council reserves the right to consult in executive session with its attorney and to receive legal advice regarding any item listed on this agenda pursuant to Section 551.071(b).

Minutes

The City of Princeton

Regular Zoning Board of Adjustments Meeting of July 09, 2018

The Zoning Board of Adjustments for the City of Princeton, Texas, met in regular session in the Council Chamber of City Hall on July 09, 2018 at 6:00 p.m.

The following Board Members were present: Mayor John – Mark Caldwell, Councilmember David Kleiber, Mayor Pro – Tempore Rich Hooper, Councilmember Mike Guillen and Councilmember Steve Deffibaugh. The following Staff Members were present: City Manager Derek Borg, Assistant City Manager Lesia Gronemeier, City Secretary Tabatha Monk, Director of Development Services Shawn Fort, Police Chief James Waters and Police Officer Jeremy Watts.

Mayor **Caldwell presided over the meeting and called the Zoning Board of Adjustments meeting to order at 6:00 P.M.**

Mayor **Caldwell** then announced the Consent Agenda. “Discussion and possible action regarding the Zoning Board of Adjustments minutes from the July 24, 2017 meeting.” Councilmember **Deffibaugh made a motion to approve.** Councilmember **Guillen seconded the motion.** The **motion carried unanimously.**

Mayor **Caldwell** then announced the first item under the Regular Agenda: “Discussion and possible action regarding an appeal to a request received from Tonnie Scott Abbott, 401 E. Willow Ln., Princeton, Texas 75407 for an appeal to a permit request that was denied in accordance to the City of Princeton Code of Ordinances, Section 82-32 Accessory Building or Structure Regulations; (2) Side yard: There shall be a side yard not less than eight feet from any side lot line, alley line or easement line, except that adjacent to a side street, the side yard shall never be less than 20 feet.”

Councilmember **Deffibaugh** made a motion to deny the appeal request.

Councilmember **Guillen** seconded the motion. The motion carried unanimously.

Councilmember **Deffibaugh** made a motion to adjourn. Councilmember **Kleiber** seconded the motion. The motion carried unanimously.

Mayor **Caldwell** adjourned the meeting at 6:24 p.m.

ATTEST:

John – Mark Caldwell, Mayor Date

Tabatha Monk, City Secretary Date

Minutes

The City of Princeton

Regular Zoning Board of Adjustments Meeting of May 13, 2019

The Zoning Board of Adjustments for the City of Princeton, Texas, met in regular session in the Council Chamber of City Hall on May 13, 2019 at 6:00 p.m.

The following Board Members were present: Mayor John – Mark Caldwell, Councilmember David Kleiber, Mayor Pro – Tempore Rich Hooper, Councilmember Nikki Krum, Councilmember Richard Sheehan and Councilmember Steve Deffibaugh. The following Staff Members were present: City Manager Derek Borg, Assistant City Manager Lesia Gronemeier, City Secretary Tabatha Monk, Director of Development Services Shawn Fort, Police Captain James Waters and Police Sergeant Cabrera.

Councilmember **Deffibaugh presided over the meeting and called the Zoning Board of Adjustments meeting to order at 6:07 P.M.**

Councilmember **Deffibaugh** then announced the Consent Agenda. There were no items on Consent Agenda.

Councilmember **Deffibaugh** then announced the first item under the Regular Agenda:

(1) “Discussion and possible action regarding an appeal to a request received from Timoteo Juarez, for a variance to the Zoning Ordinance (Ordinance #2016-01-25-01 Sec. 82-13(d), that would allow for a variance for a 1 car garage at 110 Wood St. Princeton, Texas, Lots 1, 2 and 3 Block 1.”

Councilmember **Krum made a motion to approve.** Councilmember **Kleiber seconded the motion.** The motion carried unanimously.

Mayor **Caldwell made a motion to adjourn.** Councilmember **Sheehan seconded the motion.** The motion carried unanimously.

Councilmember **Deffibaugh** adjourned the meeting at 6:12 p.m.

John – Mark Caldwell, Mayor Date

ATTEST:

Tabatha Monk, City Secretary Date



VARIANCE/APPEAL APPLICATION

City of Princeton, Texas
development-info@princetontx.us

Office Use Only
Date Received: _____
ZC #: _____

DATE OF PRE-APPLICATION CONFERENCE (required): REQUIRED

Name of Subdivision or Project: Big Spray Brewing, LLC

2019 0392

Application Type	Application Fee*
<input checked="" type="checkbox"/> Variance	\$250.00
<input type="checkbox"/> Appeal	N/C

Physical Location of Property: 816 E. Princeton Drive, Princeton, TX 75407 (NEC of Princeton Drive & Tallant Lane)
[Address and General Location – approximate distance to nearest existing street corner]

Brief Legal Description of Property (must also attach accurate metes and bounds description):
Abs A0957 Hardin Wright Survey, Sheet 6, Tract 279, 2.947 Acres
[Survey/Abstract No. and Tracts, or platted Subdivision Name with Lots/Block]

Acreage: 2.947 Zoning: Commercial - C1

OWNER'S NAME: Douglas M. Abbott Phone Number: 919-612-9967
 Applicant/Contact Person: Douglas M. Abbott Title: Big Spray Brewing, LLC Owner
 Company Name: Big Spray Brewing, LLC
 Street/Mailing Address: 506 Calm Water CV City: Princeton State: TX Zip: 75407
 Phone: (919) 612-9967 Fax: () Email Address: Bigspraybrewing@outlook.com

DESCRIPTION OF VARIANCE REQUESTED:
(attach sheet if preferred)

Permission to sell alcohol within a distance of 300 feet from school property as defined in Princeton City Ordinance No. 2018-12-10-01, amending Ordinance No. 2016-01-25-01, Section 82-29, Special uses and conditions for approval, subsection (k)(5)(a). Please see attached.

****READ BEFORE SIGNING BELOW:**

By signing this application, staff is granted access to your property to perform work related to your case.

I waive the statutory time limits in accordance
With Section 212 of the Texas Local Government Code.

SIGNATURE: *Douglas M. Abbott*
(Letter of authorization required if signature is other than property owner)

Print or Type Name: Douglas M. Abbott
Known to me to be the person whose name is subscribed to the above and foregoing instrument, and
Acknowledged to me that they executed the same for the purposes and consideration expressed and in the
Capacity therein stated. Given under my hand and seal of office on this 18 day of April 2019



SUBSCRIBED AND SWORN TO before me, this the 18 day of April, 2019.

Notary Public in and for the State of Texas: *Lisa Wasson*

****READ BEFORE SIGNING BELOW****

If there should be more than one property owner complete a separate sheet with the same wording as below. The City requires all Original Signatures. If applicant is other than the property owner a "Power of Attorney" with original, notarized signatures are required. (Notaries are available upon submittal)

STATE OF TEXAS)

COUNTY OF COLLIN)

BEFORE ME, a Notary Public, on this day personally appeared _____ the undersigned applicant, who, under oath, stated the following: "I hereby certify that I am the owner, or duly authorized agent of the owner, (proof attached) for the purposes of this application; that all information submitted herein is true and correct. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial."

****Owner / Agent (circle one)**

SUBSCRIBED AND SWORN TO before me, this the _____ day of _____.

Notary Public in and for the State of Texas: _____

Applicant Initial Below	Submittal Check List	City Use Initial Below
	Application: Signed & Notarized Application with Original Signatures of all property owners and applicant	
	Written Verification such as: Notarized statement or "Power of Attorney" from real property owner authorizing an agent to act on his/her behalf.	
	Proof of Ownership (e.g. General warranty deed; Special warranty deed; Title police; or document approved by the City Planner)	
	Required Exhibits	
	Metes and Bounds Description	

April 18, 2019

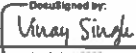
City of Princeton
123 W. Princeton Drive
Princeton, TX 75407

RE: Variance/Appeal Application
816 E. Princeton Drive, Princeton, TX 75407

To whom it may concern,

As owner of the property located at 816 E. Princeton Drive, Princeton, TX, I hereby authorize Douglas Abbott with Big Spray Brewing, LLC to submit a Variance/Appeal Application for the property.

Vinjay Holding, LLC

Signature:  DocuSigned by:
318E5ED828854C4

Name: Vinay Singh

Title: Owner

Date: 4/22/2019

Doug and Evelyn Abbott have created Big Spray Brewing, LLC with the intent of opening a restaurant and microbrewery in Princeton, Texas. Big Spray Brewing will be a casual sit down dining establishment that also sells craft-beer and wine, no liquor. Our preferred location is 816 E. Princeton Drive, Princeton, TX 75407 (NEC of Princeton Drive & Tallant Lane, (Fig. 1)), within the soon-to-be constructed Princeton Plaza (Figs. 2 & 3).

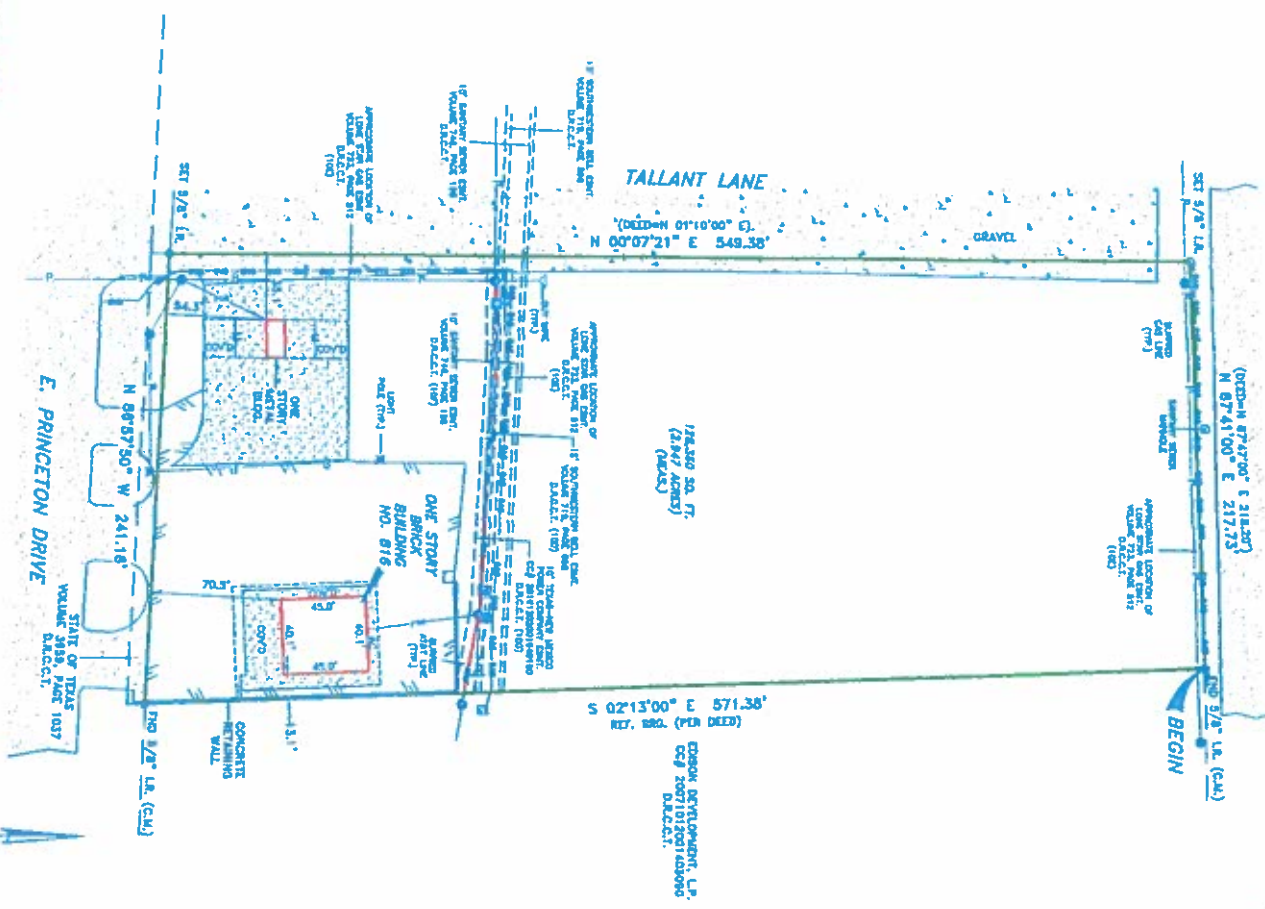
The property line currently ends right across the street from the property line of Clark Junior High School. The property owner has or soon will be dividing this property and the 1.5 acre section along Bois D'Arc Avenue is listed for sale (Fig. 4). This division will add approximately 400 feet to the distance of the Princeton Plaza property line from school property, far exceeding the 300 feet requirement per requirements (Fig. 5). We would like to proceed with the project and have no time frame for the division of the property.

This Variance Application is requesting permission from the city of Princeton, Texas, to sell alcohol within a distance of 300 feet from school property as defined in Princeton City Ordinance No. 2018-12-10-01, amending Ordinance No. 2016-01-25-01, Section 82-29, Special uses and conditions for approval, subsection (k)(5)(a):

(5) Unless permitted on a case-by-case basis under an alcohol variance for distance as provided for under this subsection (k), It shall be unlawful for any person who is engaged in the business of selling alcoholic beverages to sell alcoholic beverages within 300 feet of any public or private school. The measurement of the distance between the place of business selling alcoholic beverages and the public or private school shall be:

a. in a direct line from the property line of the public or private school to the property line of the place of business, and in a direct line across intersections; or

CATEGORY 1A, CONDITION B¹
LAND TITLE SURVEY



ADDRESS: 816 E. PRINCETON DRIVE

NOTES:

- 1) ALL CORNER LINDERS WERE AS SET OUT BY YELLOW CORNER STAKES TO A 100'x100' BLOCK RECORD. COLLAR CORNER STAKES WERE SET FOR THE CORNER LOCATIONS IN VOLUME 117, PAGE 675.
 - 2) ALL CORNER LINDERS WERE AS SET OUT BY YELLOW CORNER STAKES TO A 100'x100' BLOCK RECORD. COLLAR CORNER STAKES WERE SET FOR THE CORNER LOCATIONS IN VOLUME 117, PAGE 675.
 - 3) ALL CORNER LINDERS WERE AS SET OUT BY YELLOW CORNER STAKES TO A 100'x100' BLOCK RECORD. COLLAR CORNER STAKES WERE SET FOR THE CORNER LOCATIONS IN VOLUME 117, PAGE 675.
- FLOOD STATISTICS:**
- The National Flood Insurance Program (NFIP) Flood Zone for this property is Zone AE. The NFIP Flood Zone AE is a Special Flood Hazard Area (SFHA) and is subject to flooding. The NFIP Flood Zone AE is a Special Flood Hazard Area (SFHA) and is subject to flooding. The NFIP Flood Zone AE is a Special Flood Hazard Area (SFHA) and is subject to flooding.



PROPERTY DESCRIPTION:

CONTRIBUTED TO NORTH AMERICAN TITLE BY: [Name]

STANDARD LEGEND:

1	Survey	1/4" = 100' HORIZONTAL	1/8" = 100' VERTICAL
2	Survey	1/4" = 100' HORIZONTAL	1/8" = 100' VERTICAL
3	Survey	1/4" = 100' HORIZONTAL	1/8" = 100' VERTICAL
4	Survey	1/4" = 100' HORIZONTAL	1/8" = 100' VERTICAL
5	Survey	1/4" = 100' HORIZONTAL	1/8" = 100' VERTICAL
6	Survey	1/4" = 100' HORIZONTAL	1/8" = 100' VERTICAL
7	Survey	1/4" = 100' HORIZONTAL	1/8" = 100' VERTICAL
8	Survey	1/4" = 100' HORIZONTAL	1/8" = 100' VERTICAL
9	Survey	1/4" = 100' HORIZONTAL	1/8" = 100' VERTICAL
10	Survey	1/4" = 100' HORIZONTAL	1/8" = 100' VERTICAL

Global Land Surveying, Inc.
SERVING THE GREATER DALLAS-FORT WORTH METROPLEX SINCE 2002

Global Land Surveying, Inc.
2025 W. AVENUE, SUITE 1100
DALLAS, TEXAS 75241
PHONE (214) 891-1100
WWW.GLOBALSURVEYING.COM

PROPERTY DESCRIPTION:

BEING SITUATED IN THE TOWN OF BOIS D'ARC, COUNTY OF COLLIN, TEXAS, THE PART OF A CERTAIN TRACT OF LAND DESCRIBED AS TRACT C IN A DEED TO JERRY BROWN, ET AL, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEINGING AT A 5/8" FROM ROAD FOUND FOR CORNER IN THE SOUTH RIGHT-OF-WAY LINE OF BOIS D'ARC AVENUE, AT THE NORTHWEST CORNER OF SAID 3.0 ACRE TRACT, SAID BEING THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED BY A DEED TO EMMON DEVELOPMENT, L.P., OF RECORD UNDER COUNTY CLERK'S FILE NUMBER 2007102011403090, DEED RECORDS, COLLIN COUNTY, TEXAS.

THENCE SOUTH 02°13'07" EAST ALONG THE COMMON LINE OF SAID 3.0 ACRE TRACT AND SAID EMMON DEVELOPMENT, L.P. TRACT, A DISTANCE OF 671.28 FEET TO A 5/8" FROM ROAD FOUND FOR CORNER IN THE PRESENT NORTH RIGHT-OF-WAY LINE OF PRINCETON DRIVE, AS DESCRIBED IN A DEED TO THE STATE OF TEXAS, OF RECORD IN VOLUME 389, PAGE 1037, DEED RECORDS, COLLIN COUNTY, TEXAS.

THENCE NORTH 89°37'50" WEST ALONG THE PRESENT NORTH RIGHT-OF-WAY LINE OF SAID E. PRINCETON DRIVE, A DISTANCE OF 241.16 FEET TO A 5/8" FROM ROAD SET FOR CORNER IN THE WEST LINE OF SAID 3.0 ACRE TRACT;

THENCE NORTH 00°07'21" EAST ALONG WEST LINE OF SAID 3.0 ACRE TRACT, A DISTANCE OF 348.36 FEET TO A 5/8" FROM ROAD SET FOR CORNER, IN THE SOUTH RIGHT-OF-WAY LINE OF SAID BOIS D'ARC AVENUE, AT THE NORTHWEST CORNER OF SAID 3.0 ACRE TRACT;

THENCE NORTH 02°13'07" EAST ALONG THE NORTH LINE OF SAID 3.0 ACRE TRACT, A DISTANCE OF 217.73 FEET TO THE PLACE OF BEGINNING AND CONTAINING 128.340 SQUARE FEET OR 2.947 ACRES OF LAND.

TITLE COMMITMENT NOTES:

1. I HAVE REVIEWED THIS COMMITMENT PROVIDED BY NORTH AMERICAN TITLE INSURANCE COMPANY WITH MY PREVIOUS CLIENT OF RECORD AND HAVE DETERMINED THAT THE INFORMATION CONTAINED HEREIN IS ACCURATE AND COMPLETE TO THE BEST OF MY KNOWLEDGE AND BELIEF AS OF THE DATE OF THIS SURVEY.
2. EMMON DEVELOPMENT, L.P. IS THE OWNER OF THE PROPERTY DESCRIBED IN THIS SURVEY.
3. EMMON DEVELOPMENT, L.P. IS THE OWNER OF THE PROPERTY DESCRIBED IN THIS SURVEY.
4. EMMON DEVELOPMENT, L.P. IS THE OWNER OF THE PROPERTY DESCRIBED IN THIS SURVEY.
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9. EMMON DEVELOPMENT, L.P. IS THE OWNER OF THE PROPERTY DESCRIBED IN THIS SURVEY.
10. EMMON DEVELOPMENT, L.P. IS THE OWNER OF THE PROPERTY DESCRIBED IN THIS SURVEY.

Figure 1

Princeton Plaza Site Plan

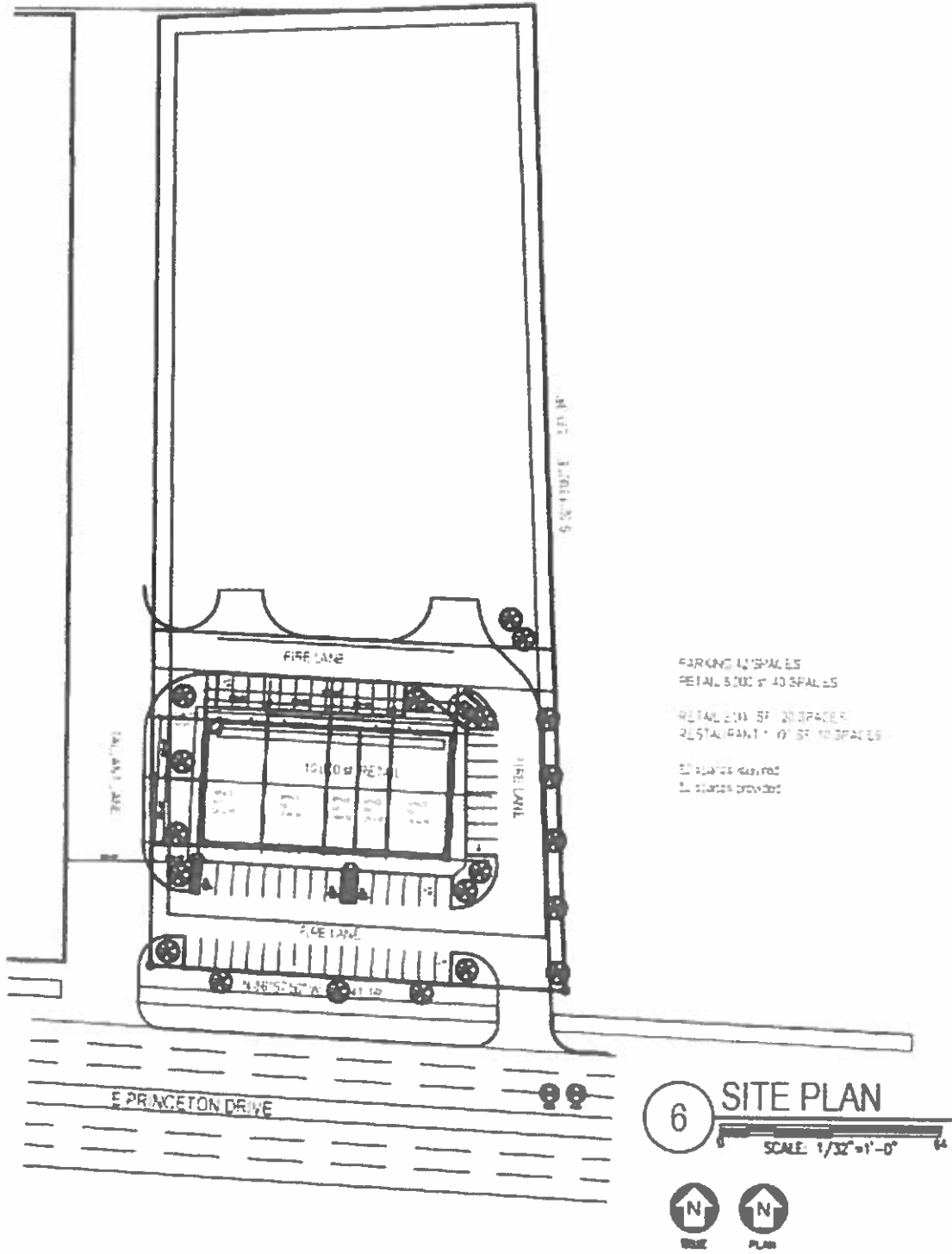


Figure 2

Princeton Plaza Visualization



Figure 3

Real Estate listing of acreage for sale



Figure 4

Additional footage added to the distance of Princeton Plaza property line to PSID property



Figure 5