

**CITY OF MCKINNEY
BOARD OF ADJUSTMENT APPLICATION**

Type of Request:

Variance Special Exception Appeal

FILLING FEE **\$50.00**

RECEIPT DATE 9-3-14

Property Location:

701 S Kentucky St McKinney Texas 75069
Address City State Zip
 319C 19C
Lot Number Block Subdivision Name

Owner's Information:

Eric Ortega (469) 396 7347
Owner's Name Phone Number
 806 S Tennessee St McKinney Texas 75069
Address City State Zip
 Owner is giving Yasmin Sanchez authority to represent him/her at the meeting.
Applicant's Name
 Eric Ortega Eric Ortega
Owner's Printed Name Owner's Signature

Applicant's Information:

Yasmin Sanchez 469 247 9014
Name Company Name Phone Number
 806 South Tennessee St McKinney Texas 75069
Address City State Zip

Seeking an appeal from Chapter 41, McKinney Zoning Ordinance, Section No. F-2, F-1

Please list the type of variance(s) requested:

	Ordinance Requirements	Requested Dimensions	Variance From Ordinance
Lot Size			
Lot Width			
Lot Depth			
Side Yard	5	∅	
Side Yard	5	∅	
Side @ Corner			
Front Yard	25'	∅	
Rear Yard	25'	15'	10'
Driveway			
Other			

*

In order to make a finding of hardship and to grant a variance, the Board of Adjustment 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 or self-created.

1. The request variance is in harmony with the general purposed and intent of the ordinance, as amended, and continues to protect surrounding properties from any negative impacts because:

it will be used to build a single family home for a newly wed couple.

2. The special or unique condition(s) of restricted area, shape, topography or physical features that exist on the subject parcel of land, which are not applicable to other parcels of land in the same zoning district, and which cause unusual and practical difficulty or unnecessary hardship in compliance with the provisions sought here to be varied are:

The area of the lot does not meet the dimensions required, our lot is 50 x 70 and the required dimensions are 50 x 100.

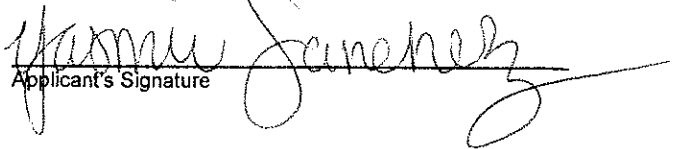
3. The hardship sought to be avoided is NOT the result of (a) the applicant's own actions (self-imposed or self-created) and (b) economic or financial hardship because:

4. The provisions of the ordinance, and its amendments, that are sought to be varied deprive the applicant of the following rights to use his property that are commonly enjoyed by other properties in the same zoning district which comply with these ordinance provisions:

We would like to reduce the front and rear set back. Front set back to be 20 feet and the rear set back to be 18 feet.

Items Submitted: Completed application and fee Plot/Site Plan or Survey drawn to scale

I hereby certify that the above statements are true and correct to the best of my knowledge.


Applicant's Signature

STATE OF TEXAS

COUNTY OF _____

Subscribed and sworn to before me this _____ day of _____, 20_____

Notary Public

(seal)

My Commission expires: _____

RG18

15ft

70ft

30ft
GARAGE

25ft

25ft
PORCH

16ft

6ft

25ft

25ft

50ft

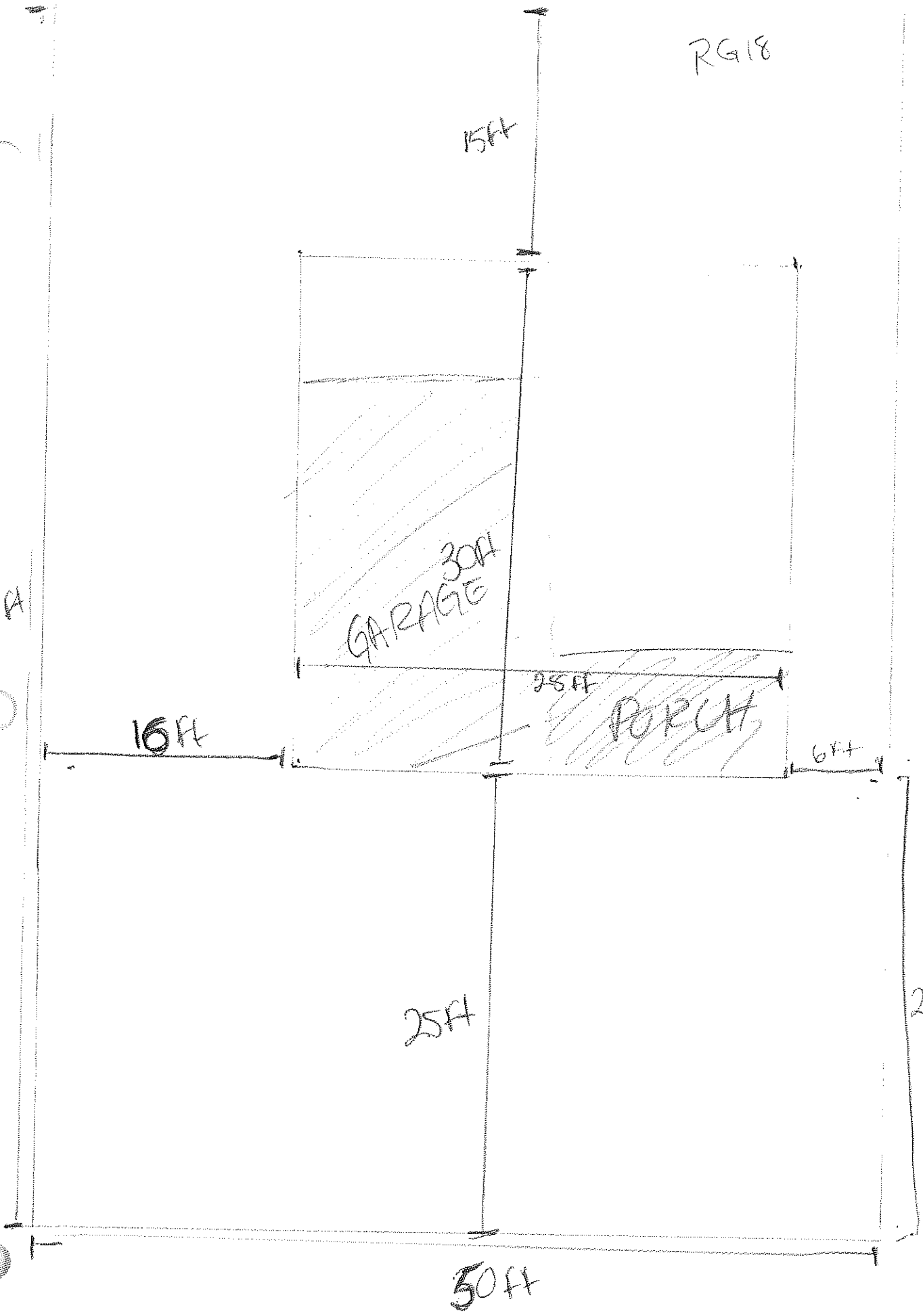


EXHIBIT "A"

Lot, Tract or Parcel of land described as follows: Situated in the City of McKinney, Collin County, Texas, and out of the Ed Bradley and Mary Standifer Surveys, and

BEGINNING at a stake at the Northwest corner of the First Tract described in a deed from Walter Mockford et Ux to Ed Michael dated June 29, 1925, and recorded in Volume 255, Page 290 of the Deed Records of Collin County, Texas;

THENCE East with North line of the 1st and 2nd Tracts described in said deed from Walter Mockford et Ux to Ed Michael dated June 29, 1925, and recorded in Volume 255, Page 290 of the Deed Records of Collin County, Texas, a distance of 70 feet to a stake;

THENCE South parallel with the West line of said 1st Tract described in said deed from Mockford to Michael, a distance of 50 feet to a stake;

THENCE West 70 feet to the West line of the land conveyed by Mockford to Michael aforesaid;

THENCE North 50feet to the Place of Beginning;

Being a lot 50 x 70 feet off the west end of a 50 x 204.5 feet lot described in a deed of trust executed by A. M. Scott et al to George V. Basham, Trustee, dated November 2, 1925, recorded in Volume 71, Page 331 of the Deed of Trust Records of Collin County, Texas; being the same land described in a deed from Dink Meador to W. H. Coffman, dated the 5th day of March 1946, and recorded in Volume 670, Page 24 of the Deed Records of Collin County, Texas.

Filed and Recorded
Official Public Records
Stacey Kemp, County Clerk
Collin County, TEXAS
08/15/2014 02:39:07 PM
\$30.00 MBORQUEZ
20140815000875920



Stacey Kemp



20140815000875920

08/15/2014 02:39:07 PM D1 1/3

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.

General Warranty Deed

Date: August 15, 2014

Grantor: Manuel De Jesus Ortega and wife, Adelina Ortega

Grantor's Mailing Address: 806 S. Tennessee McKinney JK75069

Grantee: Eric Ortega and wife, Yasmin Sanchez

Grantee's Mailing Address: 806 South Tennessee St., McKinney, TX 75069

Consideration: Love of, and affection for, Grantee.

Property (including any improvements):

See Exhibit "A" attached hereto and made a part hereof.

Reservations from Conveyance: None.

Exceptions to Conveyance and Warranty: Liens described as part of the Consideration and any other liens described in this deed as being either assumed or subject to which title is taken; validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing instruments, other than conveyances of the surface fee estate, that affect the Property; and taxes for 2014 and subsequent years, which Grantee assumes and agrees to pay.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

Manuel De Jesus Ortega
Manuel De Jesus Ortega

Adelina Ortega
Adelina Ortega

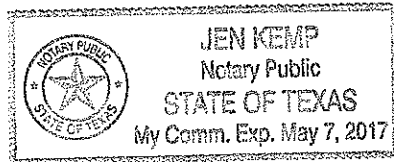
STATE OF TEXAS

COUNTY OF Collin

This instrument was acknowledged before me on August 15, 2014, by Manuel De Jesus Ortega and Adelina Ortega.

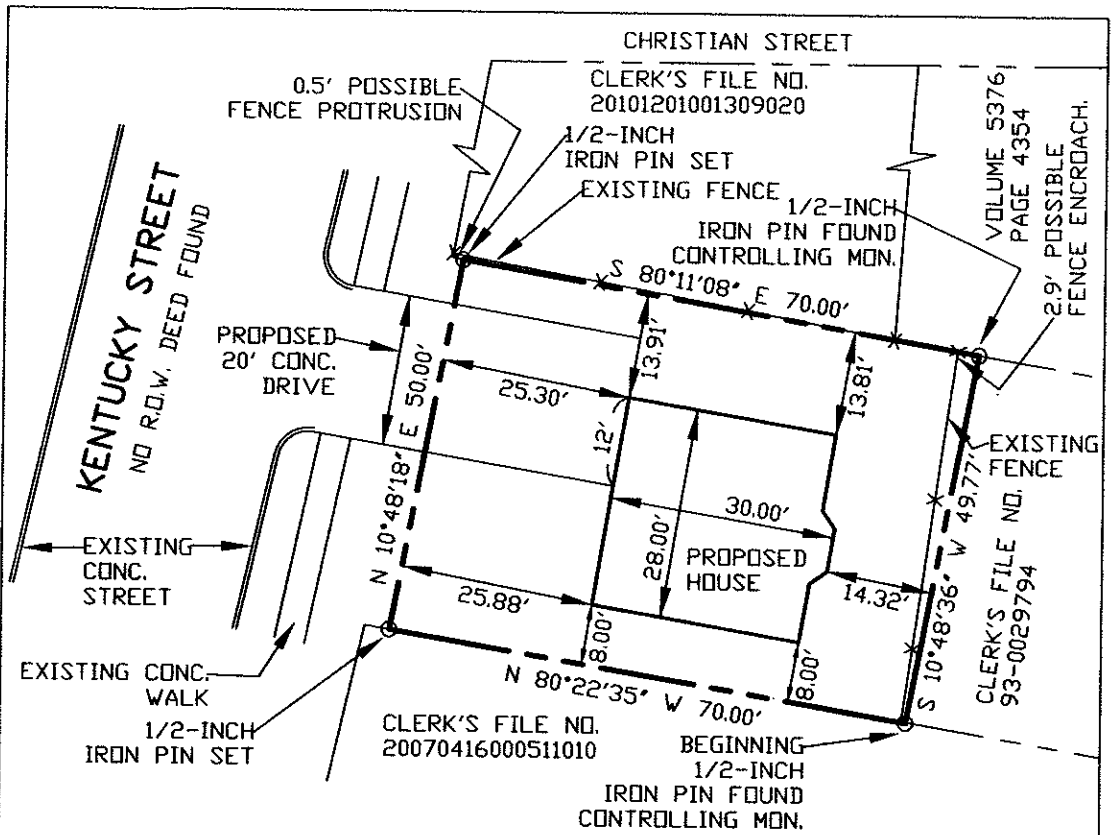
(Notary Seal)

Jen Kemp
Notary Public, State of Texas



Prepared by:
Dawn Enoch Moore, P.C.
8111 Preston Road, #300
Dallas, Texas 75225
214/365-3700

After recording return to:
Eric Ortega
806 South Tennessee St.
McKinney, TX 75069



SITUATED in the City of McKinney, Collin County, Texas, in the Mary Standifer survey, abstract no. 811, being a survey of the tract of land (hereafter referred to as "Tract 1") described in a deed from Manuel De Jesus Ortega and wife, Adelina Ortega to Eric Ortega and wife, Yasmin Sanchez, dated August 15, 2014 and recorded as clerk's file no. 20140815000875920 of the Collin County deed records, being described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron pin found at the southeast corner of said Tract 1 and the southwest corner of a 0.154 acre tract recorded as clerk's file no. 93-0029794;

THENCE North 80°22'35" West, with the south line of said Tract 1, 70.00 feet to a 1/2-inch iron pin set at the southwest corner of said Tract 1 and in the east right-of-way line of Kentucky Street;

THENCE North 10°48'18" East, with the west line of said Tract 1 and the east right-of-way line of said Kentucky Street, 50.00 feet to a 1/2-inch iron pin set at the northwest corner of said Tract 1;

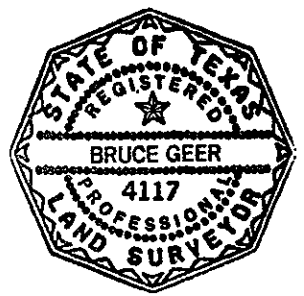
THENCE South 80°11'08" East, with the north line of said Tract 1, 70.00 feet to a 1/2-inch iron pin found at the northeast corner of said Tract 1; same being the northwest corner of said 0.154 acre tract;

THENCE South 10°48'36" West, with the east line of said Tract 1 and the west line of said 0.154 acre tract, 49.77 feet to the PLACE OF BEGINNING and containing 0.080 acre.

The above described tract of land was surveyed on the ground and under my supervision.

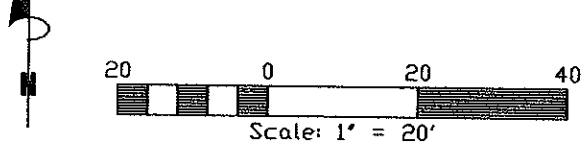
Office work completed September 18, 2014

Bruce Geer
 Registered Professional Land Surveyor, No. 4117
 1101 W. University Drive (U.S. Highway 380)
 McKinney, Texas 75069
 972-562-3959
 972-542-5751 fax



Bearing Base: Grid North using Western Data Systems GPS Network

According to FEMA map no. 48085C0280J, dated 6-2-2009, the above described property is not in the 100 year flood plain.



0.080 ACRE
 MARY STANDIFER SURVEY
 ABSTRACT NO. 811
 S. KENTUCKY STREET
 MCKINNEY, TEXAS 75069