

AGENDA ITEM 17-10

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on the Request by Bryant Knepp, North Collin County Habitat for Humanity for a proposed new residential single family model home, a 3' variance from the ordinance from the minimum side at corner setback of 15' for the property located at **1001 Canal Street, McKinney Texas.**

MEETING DATE: June 28, 2017

DEPARTMENT: Development Services-Building Inspections

CONTACT: Rick Herzberger, Chief Building Official

ZONING: RS 60

EXISTING CONDITIONS: The lot is nonconforming on lot width for corner lot and lot depth.

VARIANCES REQUESTED:

ORDINANCE REQUIREMENTS	REQUESTED DIMENSIONS	VARIANCE FROM ORDINANCE
15' Side at Corner Setback	12'	3'

APPLICANT'S BASIS FOR VARIANCE: The applicant has provided a letter addressed to the Board, dated June 7, 2017 (attached to application), that explains the applicant's basis for variance and provides history of the previous variances approved by the Board.

PUBLIC SUPPORT/OPPOSITION FOR REQUEST:

To date, no letters of support and no letters of opposition have been submitted.

BOARD AUTHORITY:

The Board has authority to authorize a variance from the terms of the Zoning Ordinance as will not be contrary to the public interest if the literal enforcement of the Zoning Ordinance would result in unnecessary hardship due to special conditions unique to the property so that the spirit of the Zoning Ordinance is observed and substantial justice done. The Zoning Ordinance provides additional requirement for "yard variances" and "building or structure variances" that must also be met by an applicant seeking a variance in addition to the requirements set out hereinabove.

In addition to the general requirements set forth above the following requirements must also be met for a variance of the type identified below:

Yard Requirements - The Board has the authority to permit a variance in the yard requirements of any district where there are unusual and practical difficulties or unnecessary hardships in the carrying out of these provisions due to an irregular shape of the lot, topographical or other conditions.

BUILDING OFFICIAL STATEMENT - The request has been validated and the Board has the authority to consider this variance request. As stated in the application and the June 7, 2017 letter to the BOA, this is the 3rd variance request. The previous two yard variances granted by the Board stand on their own approval process. The same consideration applies to this third variance consideration. I have noted the previous area setback variances dates on the site plan attached to the application.

SUPPORTING MATERIALS:

Variance Application
Property Locator Map

Action: APPROVED DENIED TABLED



BOARD OF ADJUSTMENT APPLICATION

VARIANCE SPECIAL EXCEPTION APPEAL TODAY'S DATE: 6/6/17

****CONTACT INFORMATION****

PROPERTY LOCATION*: 1001 Canal St
(Street address)

Subdivision: Hight + Horn Addition Lot: 5 Block: 3
*Application not applicable in the ETJ (Extra Territorial Jurisdiction)

Property Owner: NCC - HFH 2060 Couch Dr McKinney TX 75069
(Name) (Address) (City, State, & Zip Code)
build@ncc-habitat.com 972 542 5300
(Email) (Phone)

Property Owner is giving Bryant Knepp authority to represent him/her at meeting.
(Applicant Name)

Property Owner Printed Name: _____ Property Owner Signature: _____

Applicant: Bryant Knepp 2060 Couch Dr McKinney TX 75069
(Name) (Address) (City, State, & Zip Code)
build@ncc-habitat.com 214 616 0176
(Email) (Phone)

****REQUEST****

Please list types requested:

Description	Ordinance Requirements	Requested Dimensions	Variance from Ordinance
Lot Size			
Lot Width			
Lot Depth			
Side Yard			
Side Yard			
Side at Corner	<u>15'</u>	<u>12'</u>	<u>3'</u>
Front Yard			
Rear Yard			
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.

- 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:

to construct a new single family home

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:

Construction of home will conform w/
existing neighborhood

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:

the 15' setback of side at corner
only allows for 37' of buildable space

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:

Construction of single family home

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.

Deborah J. Cox

Property Owner Signature (If different from Applicant)

[Signature]

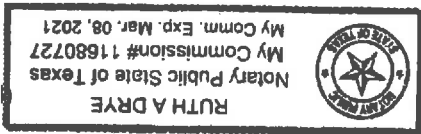
Applicant's Signature

STATE OF TEXAS

COUNTY OF Collin

Subscribed and sworn to before me this 7th day of June, 2017

Ruth A. Drye
Notary Public



My Commission expires: Mar. 8, 2021

OFFICE USE ONLY

Seeking an appeal from Chapter 41, McKinney Zoning Ordinance, Section No: pd

BOA Number: TOTAL FEE DUE: \$50.00 (non-refundable)

Received by: Signature: Date:

BOA

June 7, 2017

We are seeking this variance to offer our partner family an additional 3 BDR home model to choose from. Currently we have only one 3 BDR home model that will fit within the setbacks of this narrow corner lot. Our low income partner families work in partnership with us, on average, for 18 months before they are eligible to purchase a home from NCC –HFH by way of a 25 year mortgage. We prefer to be able to offer our families at least two options and when a corner lot is involved, it becomes very difficult.

The back story on this property is that the 1st variance request was to allow for a 5 BDR model due to the nonconforming depth of the lot. The homeowner who had chosen this lot, as a result of changes within the family structure, had their qualified BDR number downsized to 4 BDR's. Our current portfolio of 4 BDR models would not fit the lot.

Our second variance request was to allow us to build a 3 BDR model on the property (3BDR models are our most popular size needed), but shortly after receiving approval, we realized only one 3 BDR model would fit due to lacking less than 12" as a result of the 15' setback of side yard @ corner.

Thank you for the consideration,

Bryant Knepp

Project Manager of Construction

North Collin County Habitat for Humanity & ReStore

2060 Couch Dr. | McKinney, Texas 75069 | 214-616-0176 | 972-542-5300 x130 | ReStore 972-548-9112

ReStore Hours, Tues-Sat 9-6 OPEN TO THE PUBLIC

www.ncc-habitat.com

www.mckinneyrestore.com

SITE PLAN

1001 Canal

S76°47'17"W 10.77'

N00°27'03"W 60.00'

5/8" C.I.R.F.
(C.M.)

Measured 10.5' Alley
Right-of-Way

N00°27'03"W 57.24'

C.I.R.S.



10/26/16
12' (13' var)

5'

AREAS:	
Interior	1348 ft ²
Storage	73 ft ²
Carport/Porch	390 ft ²
Total	1811 ft ²
Lot	5314 ft ²
Coverage	34%

N86°19'45"E

94.99'

Lot 6, Block 3
HIGHT & HORN ADDITION
0.122 Acres

3-1R

C.I.R.S.

25'

15'
Require
12' (3' var)

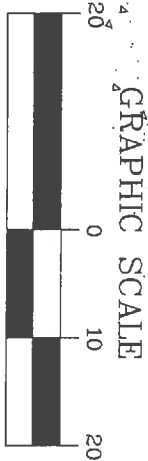
DRIVEWAY

4/27/16
20' (5' var)

WM
12.00000'

WM

Center Street
(called 40' right-of-way)



Canal Street

(called 40' right-of-way)

1001 CANAL STREET

HIGHT & HORN (CMC), BLK 3, LOT 5, .0 ACRES

Sec. 146-78. - RG 18 - General Residence district. (NOTE THIS WILL FOLLOW THE RS-60 ZONING DISTRICT REGULATIONS FOR SINGLE FAMILY HOME)

(a) *Purpose.* The "RG 18" - General Residence zone was originally designed to provide for moderately high density apartment development and other uses, which have characteristics similar to those found in the operation of apartment houses. Densities in this district are higher than presently considered acceptable in the city. Rezoning to this classification will not generally be considered after January 1, 2000.

(b) *Permitted uses.* Those uses indicated as being permitted in the "RG 18" - General Residence zone in the schedule of uses shall be allowed.

(c) *Space limits.* The following space limits shall apply to the "RG 18" - General Residence zone:

Single-family residential uses:

- a. Single family residential construction in this district shall comply with the space limitations of the "RS 60" - Single Family Residence District.

ZONING REGULATIONS

App. F, § F-1

APPENDIX F. SCHEDULES

Section F-1. Schedule of space limits.

Zoning District	Space Limits										
	Minimum lot area	Minimum lot width	Minimum lot depth	Minimum front yard setback	Minimum rear yard setback	Minimum side yard setback of interior lots	Minimum side yard setback of corner lots	Maximum height of structure	Maximum lot coverage	Maximum Floor Area Ratio	Maximum density (dwelling units per gross acre)
AG	10 acre	150'	n/a	35'	35'	20'	25'	35'	n/a	n/a	n/a
RED-1	1 acre	150'	150'	35'	35'	20'	35'	35'	n/a	n/a	1.0
RED-2	2 acre	200'	200'	50'	50'	30'	50'	35'	n/a	n/a	0.5
RS 120	12,000 sq. ft.	80'	120'	30'	25'	10'	15'	35'	n/a	n/a	3.5
RS 84	8,400 sq. ft.	70'	110'	25'	25'	10'	15'	35'	n/a	n/a	5.0
RS 72	7,200 sq. ft.	60'	100'	25'	25'	6'	15'	35'	n/a	n/a	6.0
RS 60	6,000 sq. ft.	50'	100'	25'	25'	5'	15'	35'	n/a	n/a	7.0

