

AGENDA ITEM 16-07

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on the Request by William Manson for a variance to the rear yard setback for the Property Located at 502 N. Bradley Street.

MEETING DATE: April 27, 2016

DEPARTMENT: Development Services-Building Inspections

CONTACT: Rick Herzberger, Chief Building Official

ZONING: RS60

EXISTING CONDITIONS: No alley nor right of way for other garage entrance. Large 30 year old Texas native tree is at the garage approach.

VARIANCES REQUESTED:

ORDINANCE REQUIREMENTS	REQUESTED DIMENSIONS	VARIANCE FROM ORDINANCE
25' Front Yard Setback	22'	3'

APPLICANT'S BASIS FOR VARIANCE:

Applicant wishes to build a two car garage for off street parking. He states that for entering and maneuvering, a wider garage is needed due to 30 year old tree at the garage approach. Applicant does not wish to remove his tree.

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.

SUPPORTING MATERIALS:

Variance Application
Property Locator Map

Action: APPROVED DENIED TABLED



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:

Rear adjacent property is another private residence (no alley or any other city R.O.W.) Going just 3 feet into the 25 foot setback will not impact intent of ordinance

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:

A large (30+ year) Texas native tree is at the garage approach and I do not wish to remove it nor would I think the city would either. Tree impedes a reasonable approach into garage. A wider garage is necessary.

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:

Existing tree there for 30+ years

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:

Entering and maneuvering into covered parking.

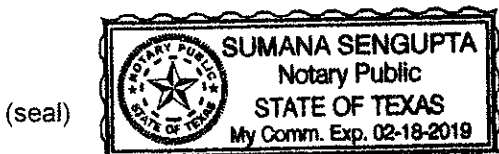
Items Submitted: Completed application and fee Plot/Site Plan or Survey drawn to scale
Drive entrance pictures

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

William Mancoske
Applicant's Signature

STATE OF TEXAS
COUNTY OF Collin

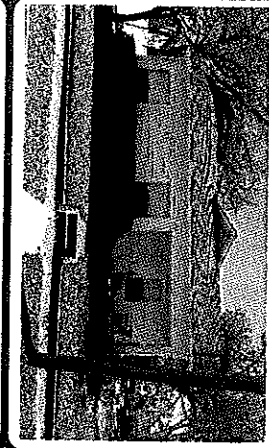
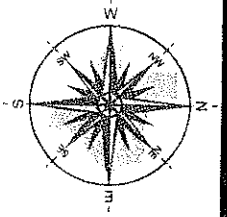
Subscribed and sworn to before me this 5th day of April, 20 16



Sumana Sengupta
Notary Public

My Commission expires: 2/18/19

C.B.G. Surveying, Inc.



LEGEND

- 1/2" ROD FOUND
- ⊗ 1/2" ROD SET
- ⊗ PIPE FOUND
- ⊗ "x" FOUND/SET
- ◆ 60d NAIL FOUND
- T TRANSFORMER
- FAD PAD
- COLUMN
- ▲ UNDERGROUND ELECTRIC
- OHR— OVERHEAD ELECTRIC POWER
- OES— OVERHEAD ELECTRIC SERVICE
- CHAIN LINK
- WOOD FENCE 0.5' WIDE TYPICAL
- FENCE POST FOR CORNER
- CM CONTROLLING MONUMENT
- AC AIR CONDITIONER
- PE POOL EQUIPMENT
- POWER POLE
- △ OVERHEAD ELECTRIC
- |— IRON FENCE
- X— BARBED WIRE
- /— EDGE OF ASPHALT
- A— EDGE OF GRAVEL
- CONCRETE
- /— COVERED AREA

EXCEPTIONS:

CYNTHIA D. SMITH
INST. # 2002-0062469

JUSTIN DOUGLAS
INST. # 2005-0048920

PATRICK L. WALTERS AND
JANA L. WALTERS,
HUSBAND AND WIFE
INST. # 96-0090051

