

## **BOARD OF ADJUSTMENT REGULAR MEETING**

**February 9, 2022**

The Board of Adjustment met in regular session in the McKinney City Hall Council Chambers, 222 N. Tennessee Street, McKinney, Texas, on Wednesday, February 9, 2022, at 6:00 P.M.

Board members Present: Vice Chairman Eric Roberts, Larry Jagours, and Jon N. Prevost (Members), Patrick Geddes and Mikhail Tutson (Alternates)

Absent: Larry Macy and Tonya Dangerfield (Members)

City Staff members present: Chief Building Official Suzanne Arnold, Chief Plans Examiner Jeff Harris, Accreditation & Reporting Specialist Jennifer Sustarich, and Administrative Assistant Robin Tramell.

Vice Chairman Eric Roberts called the meeting to order at 6:00 P.M. after determining a quorum was present.

- 22-0116** Election of Board Chairman and Vice Chairman. The motion was made by Board member Larry Jagours to nominate Eric Roberts as Chairman, seconded by Jon N. Prevost, unanimously approved by all members. The motion for Vice Chairman was made by Board member Jon N. Prevost to nominate Board member Larry Jagours, seconded by Chairman Eric Roberts, unanimously approved by all members.
- 22-0117** Minutes of the Board of Adjustment Meeting of June 23, 2021. The motion was made by Board member Larry Jagours to approve the minutes, seconded by Alternate Patrick Geddes. The Minutes of the Board of Adjustment Meeting on May 26, 2021, were unanimously approved and referred to the City Council for approval.

**BOA22-01** Conduct a Public hearing to Consider/Discuss/Act on the request by Applicant Kobey Seale on behalf of Owner Jim and Jamie deYong, to Consider/Discuss/Act on the Appeal of the Building Officials decision for the consideration of a variance to the zoning ordinance rear setback requirement of 10' feet to allow a rear setback of 6.33', detached accessory garage maximum of 500 square feet to allow a structure of 730 square feet at 1204 Tucker Street, Lot 3C of Block 3 of the GW FOX Addition to the City of McKinney, Texas.

A motion was made by Alternate Patrick Geddes to open the public hearing, seconded by Board member Jon N. Prevost, unanimously approved.

Floor was open to the public for comment. Homeowner Jamie deYong and Applicant/Architect Kobey Seale were sworn in by Chairman Eric Roberts.

Chief Plans Examiner Jeff Harris provided his statement. Mr. Harris stated two variances are being requested; one to the rear setback which is identified as 10' asking to reduce to 6.33' and requesting for a detached garage for a variance of 730' as opposed to the 500 sq ft maximum allowed. The lot is compliant and does not have any unique shape, orientation, or egregious slope and there are no significant trees on the lot for preservation.

Jamie deYong, homeowner at 1204 Tucker Street, spoke on behalf of she and her husband. She stated they love living at their property within the historical district and their house; however, their property does not have an enclosed garage; only an open carport that is open to the West Street alley. They have had a lot of problems, as have their neighbors, in which they are starting to feel unsafe; both of their cars have been broken into, a hit and run driver sideswiped her husband's car while parked on the street, thieves stole a huge convex mirror which was attached to the wall inside the carport

and other items have wandered down the street in which neighbors have returned. They currently have an outside guest house on their property that does not match the historical aesthetic of their home. The project they have in mind will be presented by their Architect, Kobey Seale. The neighbors are in full support in which letters have been provided. The owners believe this is a win/win for them, their neighbors, and the City of McKinney.

Kobey Seale, the applicant and architect with Conduit Architecture and Design, spoke on behalf of the Homeowner's, Jim and Jamie deYong, located at 1204 Tucker Street. He is a neighbor who lives on Tucker Street as well. Mr. Seale presented the site plan along with pictures of the proposed project. He addressed projected changes to the pool house, garage, and carport and detailed the benefits of each. Originally approached the City a year prior to and was told, to make this situation better, some sacrifices would need to be made regarding the property. There would be some flexibility to allow a garage to add a story to it. The living space is used and do not want to lose that space. The cost of the foundation and existing walls would surpass what's being presented if the structure was torn down and rebuilt. The suggested changes will tie into the house and the addition of the second story to the garage will blend and make aesthetically pleasing while allowing them to keep living space. Mr. Seale opened the floor for questions and discussion.

Specifics on location, project details, historical requirements requested by Board members Jon N. Prevost. Chairman Eric Roberts, Larry Jagours, and Alternate Patrick Geddes. Details and clarification addressed by Kobe Seale and Plans Examiner Jeff Harris.

A total of 8 letters were received for this case at the time of the meeting.

A motion was made by Alternate Mikhail Tutson to close the Public Hearing, seconded by Board member Larry Jagours, unanimously approved.

Board member Larry Jagours made a motion, seconded by Mikhail Tutson to approve BOA22-01 – A Public hearing to Consider/Discuss/Act on the request by Applicant Kobey Seale, on behalf of Owner Jim and Jamie deYong, to Consider/Discuss/Act on the Appeal of the Building Officials decision for the consideration of a variance to the zoning ordinance rear setback requirement of 10' feet to allow a rear setback of 6.33', detached accessory garage maximum of 500 square feet to allow a structure of 730 square feet at 1204 Tucker Street, Lot 3C of Block 3 of the GW FOX Addition to the City of McKinney, Texas.

Board members approved the motion 4 to 1. Ayes from Board member's Chairman Eric Roberts, Larry Jagours, Jon N. Prevost, and Alternate Mikhail Tutson. Nays from Alternate Patrick Geddes.

Mayor George Fuller commending the department on the handling of the case and the work the department does.

Board member Jon N. Prevost made a motion to adjourn, seconded by Board member Larry Jagours at 6:32 P.M.

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ERIC ROBERTS  
Chairman, Board of Adjustment