

## AGENDA ITEM 16-06

**SUBJECT:** Conduct a Public Hearing to Consider/Discuss/Act on the Request by North Collin County Habitat for Humanity for variances to the front and rear yard setbacks for the Property Located at 1001 Canal Street.

**MEETING DATE:** April 27, 2016

**DEPARTMENT:** Development Services-Building Inspections

**CONTACT:** Rick Herzberger, Chief Building Official

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**ZONING:** RS60

**EXISTING CONDITIONS:** Undersized lot

**VARIANCES REQUESTED:**

ORDINANCE REQUIREMENTS	REQUESTED DIMENSIONS	VARIANCE FROM ORDINANCE
25' Front Yard Setback	20'	5'
25' Rear Yard Setback	15'	10'

**APPLICANT'S BASIS FOR VARIANCE:**

Applicant wishes to build a single family residence. Variances needed to front and rear as lot depth was minimized with the improvement of Canal Street.

**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**

16-06

CITY OF MCKINNEY  
BOARD OF ADJUSTMENT APPLICATION

Type of Request:

Variance  Special Exception  Appeal

FILLING FEE \$50.00

RECEIPT DATE \_\_\_\_\_

**Property Location:**

1001 CANAL STREET      MCKINNEY TX 75069  
Address      City      State      Zip

L      3      HIGH + HORN ADDITION  
Lot Number      Block      Subdivision Name

**Owner's Information:**

NORTH COLLIN COUNTY HABITAT FOR HUMANITY      972-547-5300  
Owner's Name      Phone Number

2060 COUCH DRIVE      MCKINNEY TX 75069  
Address      City      State      Zip

Owner is giving BLANE L. POWERS authority to represent him/her at the meeting.  
Applicant's Name

\_\_\_\_\_  
Owner's Printed Name      Owner's Signature

**Applicant's Information:**

NORTH COLLIN COUNTY HABITAT FOR HUMANITY      972-547-5300  
Name      Company Name      Phone Number

2060 COUCH DRIVE      MCKINNEY TX 75069  
Address      City      State      Zip

Seeking an appeal from Chapter 41, McKinney Zoning Ordinance, Section No. \_\_\_\_\_

Please list the type of variance(s) requested:

	Ordinance Requirements	Requested Dimensions	Variance From Ordinance
Lot Size			
Lot Width			
Lot Depth			
Side Yard			
Side Yard			
Side @ Corner			
Front Yard	25'	30'	5'
Rear Yard	25'	15'	10'
Driveway			
Other			

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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:

To CONSTRUCT A NEW 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 WITH 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:

REDUCE FRONT + REAR SET BACKS AS LOT DEPTH WAS MINIMIZED WITH THE IMPROVEMENT OF CANAL STREET

- 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 RESIDENTIAL HOUSING

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.

Blaine Woodard NCCIPFH
Applicant's Signature

STATE OF TEXAS
COUNTY OF Collin

Subscribed and sworn to before me this 17th day of March, 2016

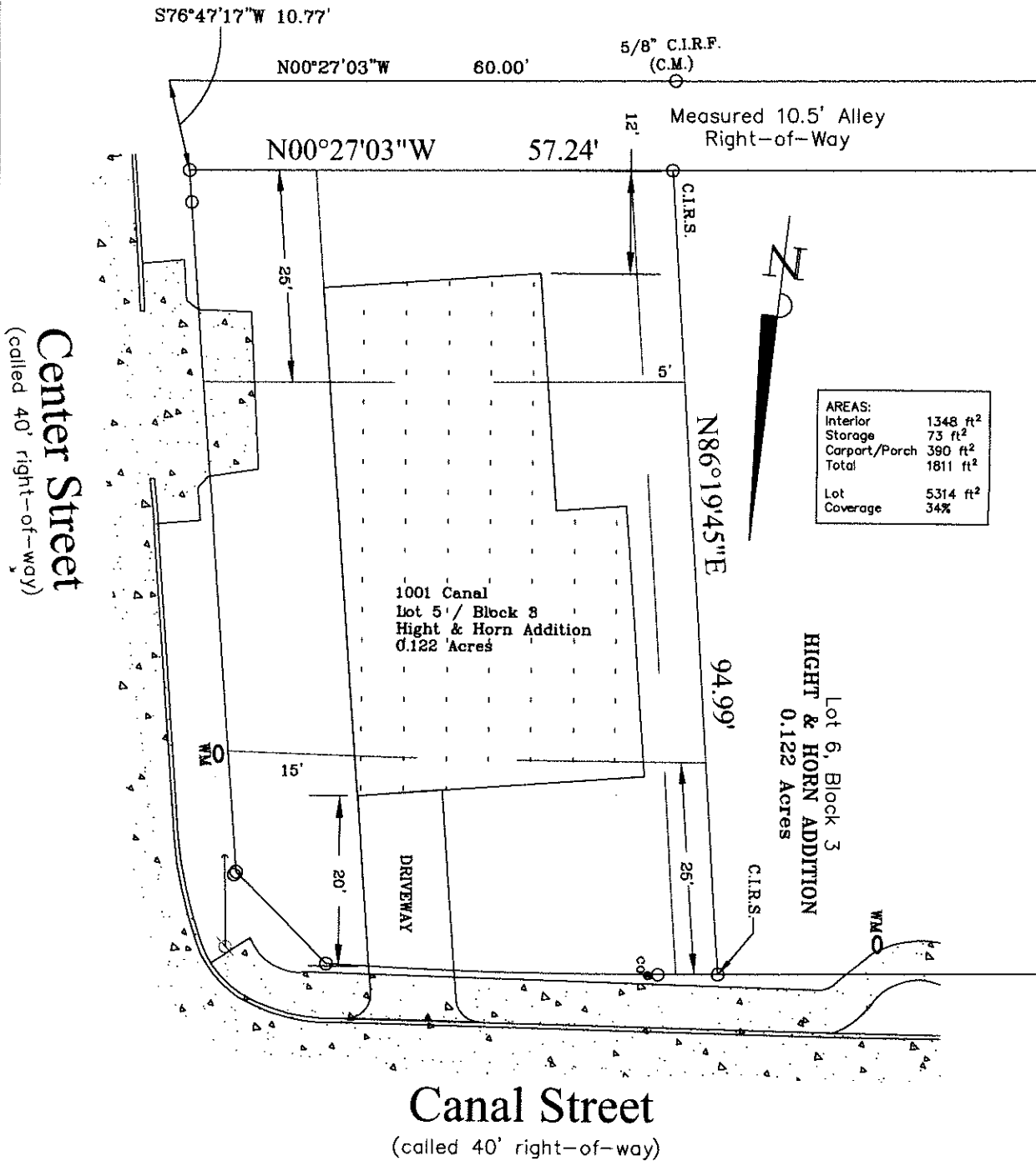
L.C. Hamilton
Notary Public

My Commission expires: 9/14/2019



# SITE PLAN

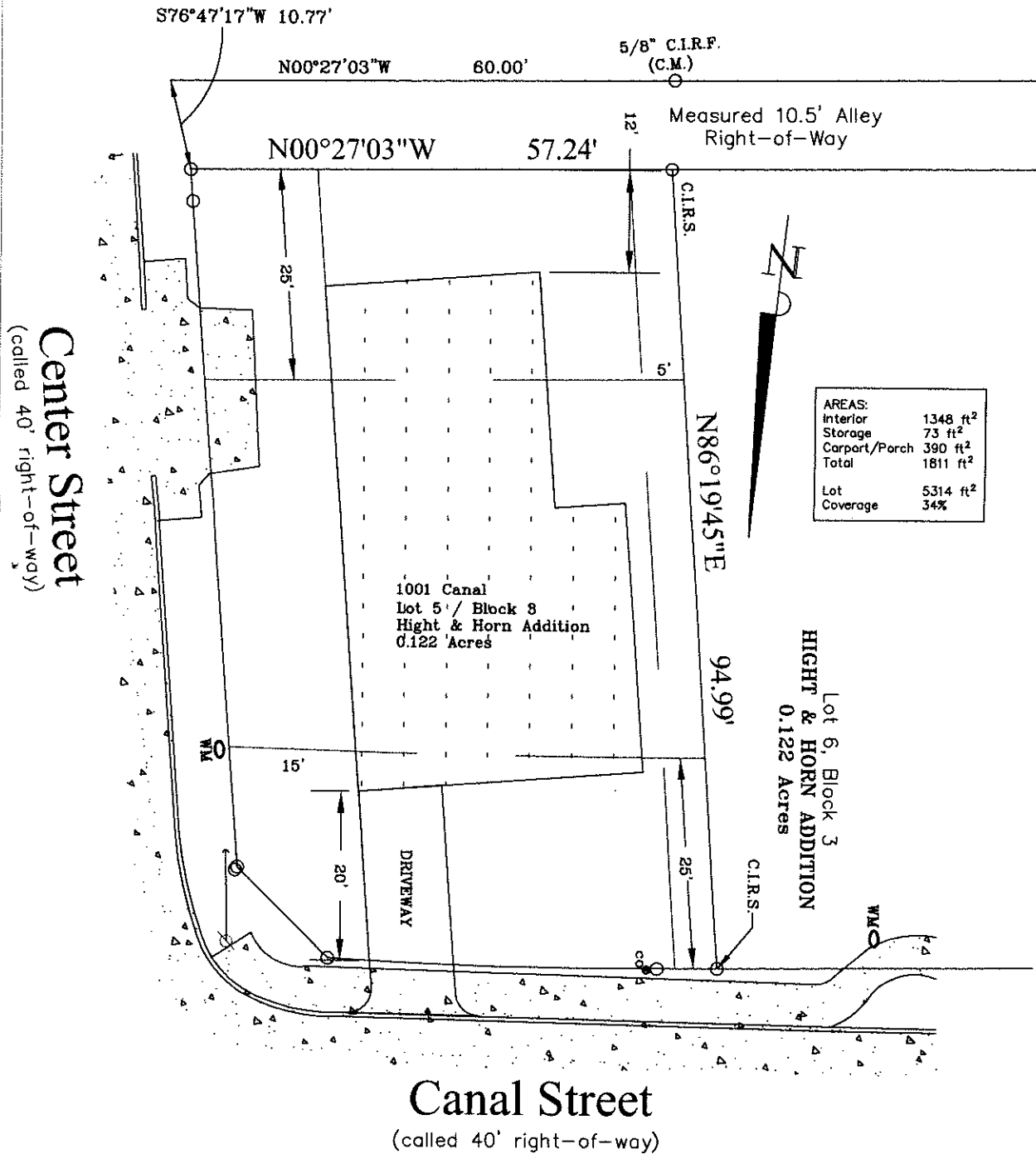
1001 Canal



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

# SITE PLAN

1001 Canal



I.R.F. = Iron Rod Found  
 (C.M.) = Controlling Monument  
 C.I.R.S. = 1/2" iron rod with yellow plastic cap stamped RPLS 5685 set  
 M.R.C.C.T. = Map Records, Collin County, Texas  
 O.P.R.C.C.T. = Official Public Records, Collin County, Texas

LEGEND

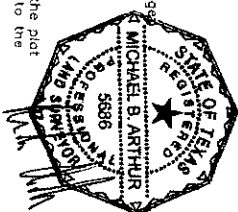
—	Concrete	—	Overhead Wires
—	Sun. Sew. Cleanout	—	Guy/Wire Anchor
○	Utility Pole	○	Water Meter

**Notes:**

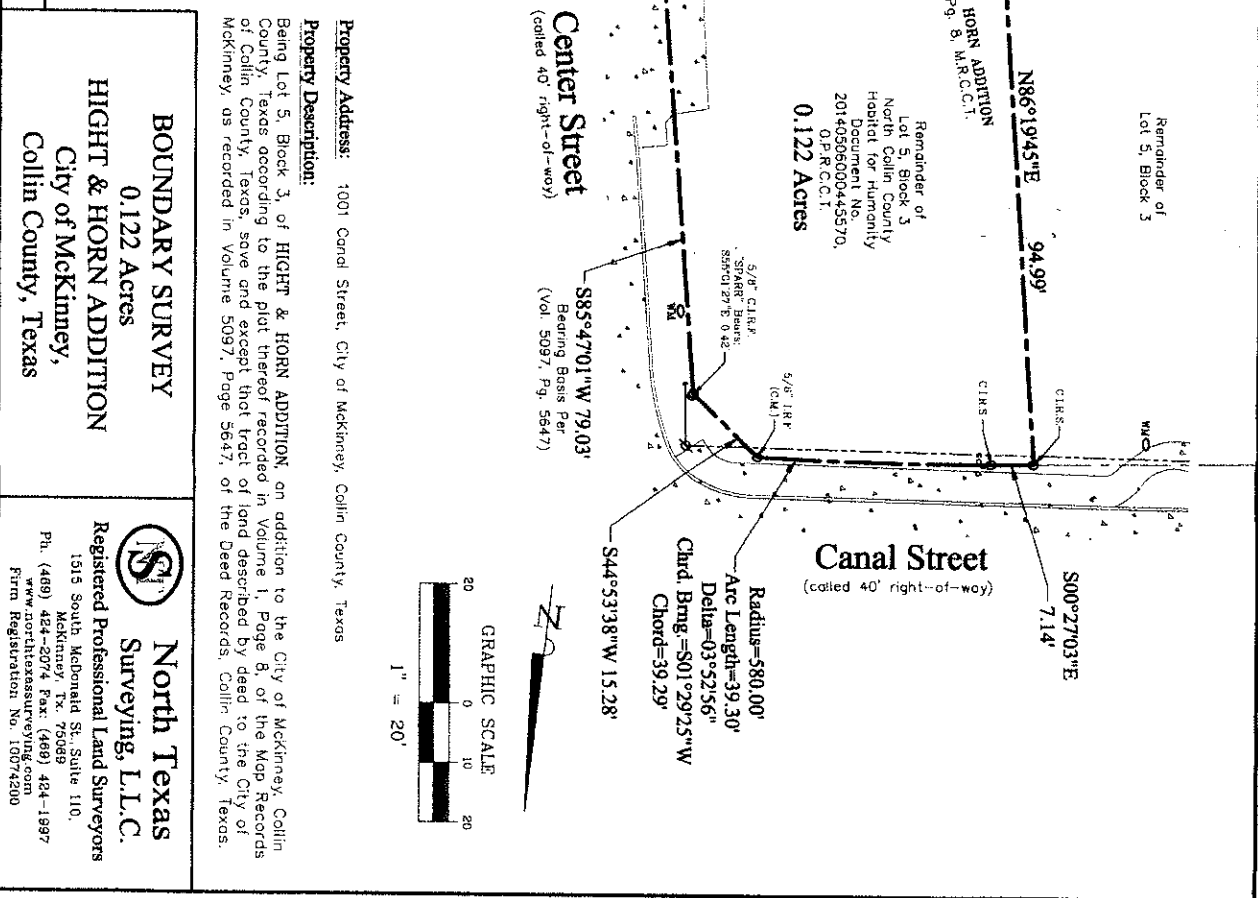
1. According to the Flood Insurance Rate Map of Collin County, Texas, Map No. 48085C0280U, Map Revised June 02, 2009, the herein described property is located in Zone "X", described by said map to be, "areas determined to be outside the 0.2% annual chance floodplain".
2. The surveyor has relied on the subject deed shown herein with regard to any easements, restrictions, or rights-of-way affecting the above described Property. No additional research regarding said easements, restrictions or rights-of-way has been performed by the surveyor.
3. Bearings are based on the new easterly right-of-way line, as shown in deed recorded in Volume 5097, Page 5647, Deed Records, Collin County, Texas. Said bearing being: S85°47'01"W.

**Surveyor's Certification**

This survey was completed without the benefit of a current title commitment.  
 I, Michael B. Arthur, Registered Professional Land Surveyor in and for the State of Texas, hereby certify that the plat herein represents an actual survey made on the ground and that all lines and dimensions shown are correct to the best of my knowledge. There were no visible conflicts found during the time of this survey, except as shown.



DATE: 05/19/2015    SCALE: 1" = 20'    DRAWN BY: C.S.H.    CHK'D. BY: M.B.A.    JOB NO.: 2014-0081



**Property Address:** 1001 Canal Street, City of McKinney, Collin County, Texas  
**Property Description:** Being Lot 5, Block 3, of HIGHT & HORN ADDITION, an addition to the City of McKinney, Collin County, Texas according to the plat thereof recorded in Volume 1, Page 8, of the Map Records of Collin County, Texas, save and except that tract of land described by deed to the City of McKinney, as recorded in Volume 5097, Page 5647, of the Deed Records, Collin County, Texas.

**BOUNDARY SURVEY**  
 0.122 Acres  
**HIGHT & HORN ADDITION**  
 City of McKinney,  
 Collin County, Texas

**North Texas**  
**Surveying, L.L.C.**  
 Registered Professional Land Surveyors  
 1515 South Woodland St., Suite 110,  
 McKinney, Tx. 75069  
 Ph. (469) 454-2074 Fax: (469) 424-1997  
 www.northtexasurveying.com  
 Firm Registration No. 10674200

1001 CANAL

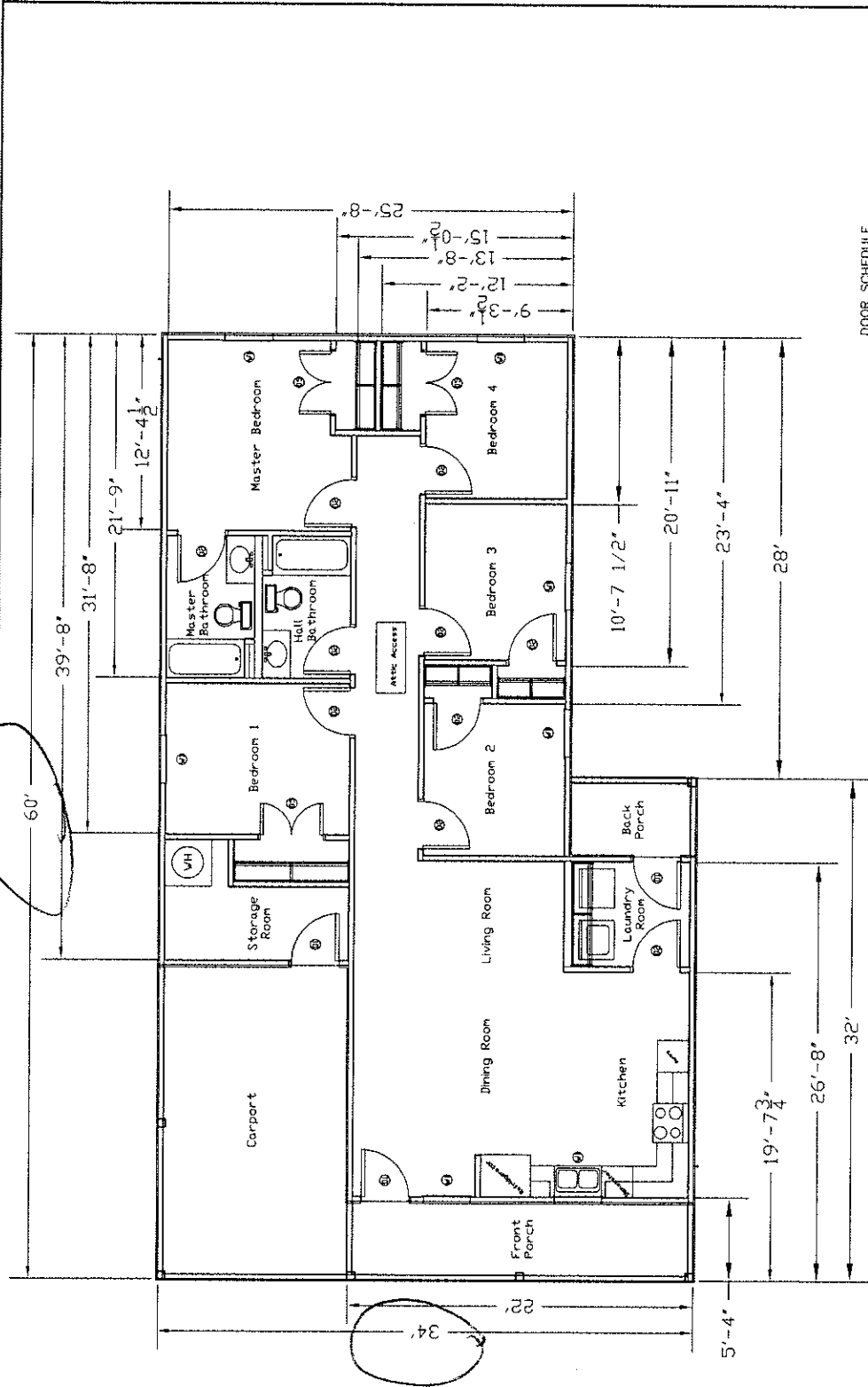
REVISIONS  
6/9/11

PLAN: 6 BEDROOM  
FAMILY: Hall FAMILY  
ADDRESS: 326 S. Morrow St.  
Blue Ridge, TX

MANUFACTURED BY: THE FLOORING CENTER, INC. 1001 CANAL

SQ. FT. 1348  
INTERIOR: 73  
STORAGE: 390  
CARPORT/PORCH: 1811  
TOTAL: 1811

SHEET NO. A2



- DOOR SCHEDULE
- 01 = 3'-0" x 6'-0" A.I.V. EXTERIOR STEEL DOOR
  - 02 = 3'-0" x 6'-0" A.I.V. INTERIOR SINGLE DOOR
  - 03 = 2'-0" x 6'-0" A.I.V. INTERIOR SINGLE DOOR
  - 04 = 2'-0" x 6'-0" A.I.V. INTERIOR SINGLE DOOR
  - 05 = 2'-0" x 6'-0" A.I.V. INTERIOR SINGLE DOOR
  - 06 = 2'-0" x 6'-0" A.I.V. INTERIOR SINGLE DOOR
  - 07 = 2'-0" x 6'-0" A.I.V. INTERIOR SINGLE DOOR
  - 08 = 8'-0" x 7'-0" A.I.V. OVERHEAD GARAGE DOOR
  - 09 = 16'-0" x 7'-0" A.I.V. OVERHEAD GARAGE DOOR
- WINDOW SCHEDULE
- W1 = 3'-0" x 1'-0" SINGLE HUNG DOUBLE PANE WINDOW
  - W2 = 3'-0" x 1'-0" SINGLE HUNG DOUBLE PANE WINDOW
  - W3 = 3'-0" x 1'-0" SINGLE HUNG DOUBLE PANE WINDOW

**FLOOR PLAN**  
SCALE: NOT TO SCALE  
NOTE: DIMENSIONS SHOWN ARE FROM FINISHED WALL EXCEPT EXTERIOR WALL DIMENSIONS ARE TO OUTSIDE OF STUD WALL.