

BOARD OF ADJUSTMENT

NOVEMBER 24, 2010

MEMBERS PRESENT:

LES CLOW
DON MUELER
BRIAN WING
CAMERON MCCALL
CARRAH ROY
ANASTASIA TUTSON (alt)

ABSENT:

KATHLENE GALARZA

STAFF PRESENT:

BENNIE REED,
BUILDING OFFICIAL
TERESA NOBLE,
ADMINISTRATIVE ASST.

Les Clow called the meeting to order at 5:30 p.m., and introduced the Board members and explained the purpose and authority of the Board.

The first item on the agenda was the election of officers. Don Mueller nominated Les Clow for Chairman. Second was made by Brian Wing. There were no other nominations and Les Clow was elected Chairman unanimously.

Brian Wing nominated Don Mueller for Vide-chairman. Les Clow made the second. There were no other nominations. Don Mueller was elected Vice-Chairman unanimously.

The next item was the approval of the minutes from the March 24, 2010 meeting. A motion was made by Don Mueller to approve the minutes as written. A second was made by Cameron McCall. The minutes were approved unanimously.

Item #10-02, a request by McKinney Habitat for Humanity for a 200 sq. ft. variance to the lot size, and a 10' variance to the lot width for a residence on the property located at **313 Carver Street**.

Wilson Fryar of Habitat for Humanity addressed the Board. He stated that all the lots on Carver Street are 40' wide and require a variance. The house they plan to build is similar to the ones at 400 and 404 Carver Street. Brian Wing asked Mr. Fryar about sidewalks. Mr. Fryar stated that sidewalks already exist on the west side.

There was no one else to address this item. Cameron McCall moved to grant the variances as requested. Second was made by Don Mueller. The motion carried unanimously.

Item #10-03, a request by McKinney Habitat for Humanity for a 312.5 sq. ft. variance to the lot size, and a 10' variance to the lot width, a 5' variance to the front yard setback, and a 6' variance to the side yard at the corner, and for a residence on the property located at **317 Carver Street**.

Wilson Fryar of Habitat for Humanity addressed the Board. He stated that this house is next door to the previously granted variance request. The house they plan to build will be similar to that house.

There was no one else to address this item. Brian Wing moved to grant the variances as requested. Second was made by Cameron McCall. The motion carried unanimously.

Item #10-04, a request by Sunflower Homes for a 163 sq. ft. variance to the lot size, and a 3.42' variance to the lot depth, a 10' variance to the front yard setback, a 20' variance to the rear yard setback, and a 5' variance to the driveway length for a residence on the property located at **413 S. Kentucky Street**.

Michael Ripperger of Sunflower Homes addressed the Board. He stated that this is a vacant lot where once was a house that was torn down. He advised the Board that they plan to build a bungalow style house keeping in line with the other properties on the street. There was a short discussion about the slope of the property and Mr. Ripperger stated that they would probably have to put in a retaining wall.

Les Clow moved to grant the variances as requested. Second was made by Don Mueller. The motion carried unanimously.

Item #10-05, a request by Sunflower Homes for a 1512 sq. ft. variance to the lot size, and a 2' variance to the lot width, a 6.5' variance to the lot depth, a 10' variance to the front yard setback, a 19.5' variance to the rear yard setback, and a 5' variance to the driveway length for a residence on the property located at **510 S. Tennessee Street**.

Michael Ripperger of Sunflower Homes addressed the Board. He stated that he acquired this property three days before it was to go before the Building Standards Commission.

Mr. Ripperger stated that the property is zoned BN and he would like to build a single family residence keeping in line with the other properties on the street.

There was discussion regarding the 19.5' rear yard variance request. Mr. Ripperger stated that is approximately the amount of rear yard existing before the old structure and detached garage were torn down. Bennie Reed, Chief Building Official explained that since the garage would be attached on the new residence, there should be room for a larger rear yard setback. Mr. Ripperger agreed and asked that the Board consider a 15' variance for the rear yard, leaving a 10' rear yard setback. It was agreed by the Board members to change the request.

There was no one else to address this item. Brian Wing moved to grant the variances as requested, changing the rear yard variance request from 19.5 to a 15' variance, leaving a 10' rear yard setback. Second was made by Cameron McCall. The motion passed unanimously.

Item #10-06, a request by Sunflower Homes for a 1731.12 sq. ft. variance to the lot size, a 20' variance to the lot depth, a 10' variance to the side yard at corner setback, a 15' variance to the front yard setback, a 15' variance to the rear yard setback, and a 5' variance to the driveway length for a residence on the property located at **617 Fenet Street**.

Mike Ripperger, Sunflower Homes addressed the Board. He advised that there once was a triplex on this lot. The Atmos gas explosion demolished that along with other structures. The lot had an address of Throckmorton Street, which has since been changed to a Fenet Street address due to the length and width of the lot and the large City easement on the Throckmorton side. He also told the Board that they would have to build a long narrow house, but it would not truly be considered a shotgun house. He stated it would be about 1300 sq. ft. When asked about the trees, Mr. Ripperger advised the Board that the trees were on an adjacent lot and they would stay.

Les Clow, Chairman, asked if there was anyone to speak in opposition to the variances, Mr. Lawrence Greer addressed the Board. He was under the impression that the variances had been requested for his own property. Bennie Reed, Chief Building Official, explained to Mr. Greer and his wife, which lot was the subject property and Mr. and Mrs. Greer then had no objections.

Samuel Bailey, a long time residence of that neighborhood, addressed the Board. He said he opposed the lot being changed to have a Fenet Street address, as it had always faced Throckmorton. He said the lot was historical and there had been about three different businesses there before McKinney was integrated. Since the lot was considered historic and people had lost their lives there in the explosion, he stated that he thought the City should put a City park at that location. He was adamant about the fact that he did not want a house on that corner lot. Bennie Reed advised Mr. Bailey that the address had already been changed and is now 617 Fenet Street regardless of what is done with the lot. He also advised Mr. Bailey that the City's requirement for a park is a minimum of eight acres, therefore there would never be a City park on that lot.

A short discussion among Board members followed. Cameron McCall mentioned that the property could be a drain on the property owner and the City in these economic times, and that a house there would be a big benefit. Brian Wing

moved to grant the variances as requested. Second was made by Don Mueller. The motion passed unanimously.

It was announced that thus far, there are no applicants for the month of December. The Board unanimously decided that the December meeting should be cancelled due to the Christmas holidays, and the difficulty in getting a quorum at that time.

Don Mueller moved to adjourn the meeting. Second was made by Cameron McCall. The meeting adjourned at 6:30 p.m.

Les Clow, Chairman