

BOARD OF ADJUSTMENT REGULAR MEETING

MAY 26, 2021

The Board of Adjustment met in regular session in the McKinney City Hall Council Chambers, 222 N. Tennessee Street, McKinney, Texas, on Wednesday, May 26, 2021 at 6:00 p.m.

CALL TO ORDER

Board members Present: Chair, David Riche, Vice Chair, Eric Roberts, Members, Larry Jagours, Larry Macy and Alternate, Patrick Geddes.

Board members Absent: Member, Neal Provost, and Alternate, Tonya Dangerfield.

City Staff members Present: Chief Plans Examiner, Jeff Harris, Combination Building Inspector, Erika Roberts, City Secretary, Empress Drane and Accreditation and Reporting Specialist, Jennifer Sustarich.

Chair, David Riche called the meeting to order at 6:02 p.m. after determining a quorum was present.

CONSENT ITEMS

21-0452 Minutes of the Board of Adjustment Meeting of April 28, 2021. Board members unanimously approved the motion by Board member Larry Jagours, seconded by Board member Eric Roberts, to Approved and Referred 21-0452 Minutes of the Board of Adjustment Meeting of April 28, 2021.

REGULAR AGENDA

21-0453 Update on 2021 McKinney Board & Commission Member Appointments. City Secretary, Empress Drane presented an update on 2021 McKinney Board & Commission Member Appointments.

BOA21-03 Request to Conduct a Public Hearing to Consider/Discuss/Act on a Variance request to allow a 15' rear yard setback to the zoning ordinance requirement of 20' rear setback for the property located at 109 S. Graves Street, Lots 3A and 4B Block 6 of the Benge Addition, an addition to the

City of McKinney, Texas. Board members unanimously approved the motion by Vice Chair Eric Roberts, seconded by Board Member Larry Macy, to Approve Opening the Public Hearing for BOA 21-03.

Chief Plans Examiner, Jeff Harris read his Item Summary statement: The owner/applicant desires to construct an addition on the rear of the single-family house that is existing on the lot. The lot does have some non-conformity issues. Also, the lot has two significant trees in the rear yard that the owner/applicant is interested in saving. They are requesting relief of the rear yard setback from 20' to 15'.

Kaitlin McCoy, property owner, 109 S Graves St, is requesting an additional 5 feet in order to construct a bathroom that meets ADA requirements. Ms. McCoy stated how important the trees were and had an arborist make an assessment. One of them is 175 years old approximately and the other is approximately 85 years old.

An aerial map was viewed noting measurements of the rear yard and the proposed addition.

One letter of approval was received at time of meeting.

Amy Kennedy, 110 Greer St.

Board members unanimously approved the motion by Board member Larry Jagours, seconded by Board member, Larry Macy to Approve Closing Public Hearing BOA 21-03. Board member Larry Macy stated that since this is a nonconforming lot, a hardship is demonstrated. Board member Larry Jagours agreed.

Board members unanimously approved the motion by Board member Larry Macy, seconded by Board member Larry Jagours, to Approve BOA 21-03 a Variance request to allow a 15' rear yard setback to the zoning ordinance requirement of 20' rear setback for the property located at 109 S Graves Street, Lots 3A and 4B Block 6 of the Benge Addition, an addition to the City of McKinney, Texas.

BOA21-04 Request Conduct a Public Hearing to Consider/Discuss/Act on a request

by Robert and Michelle Idzi for consideration of a special exception to allow a fence up to a maximum height of 8'6" from the allowed fence height of 6'8" for the property located at 3000 Hartford Court, Lot 14, Block B Eldorado Crossing Addition, McKinney, Texas.

Board members unanimously approved the motion by Vice Chair Eric Roberts, seconded by Alternate Board Member Patrick Geddes, to Approve Opening the Public Hearing for BOA 21-04.

Chief Plans Examiner, Jeff Harris read his Item Summary statement: Property owner/applicant is requesting additional fence height to increase privacy, security and to combat excessive noise along Hardin Blvd. There is the subdivision screen wall just outside of this particular property. The property owners have a clear view from their yard to Hardin Blvd, which indicates a significant noise and privacy issue. The City of McKinney fence ordinance allows for this type of special exception to be heard by the Board of Adjustment.

Robert Idzi, property owner, 3000 Hartford Ct. stated he and his family purchased the home last year. As the pandemic loosened up, activity in the area has picked up and the family has notice more noise coming from behind the fence. Mr. Idzi also stated he used devices to measure the noise at various times of day. He requests the Boards consideration in building a fence that will restrict sound coming through and add privacy to his backyard.

One letter of approval was received at time of meeting.

Jeff Broadhurst, 3003 Hartford Ct.

Two letters of approval were received prior to the meeting.

Jennifer Tang and Jonathan Nguyen, 3001 Downhill Ln.

Michelle Jefferies, 3002 Downhill Ln.

Board members unanimously approved the motion by Alternate Board member Patrick Geddes, seconded by Vice Chair, Eric Roberts to Approve Closing Public Hearing BOA 21-04. Chair, David Riche stated that the fence and backyard height was known upon moving in and fence height difference will take away from the look of the drive along Hardin Blvd and is not in favor of supporting this exception due to the lack of hardship. Alternate member Patrick Geddes and Board member Larry Jagours disagreed due to the increasing level of activity and noise in the area over the year. It was established that the fence and retaining wall is city maintained.

Board members approved the motion by Board member Patrick Geddes, seconded by Board member Larry Jagours, to Approved BOA21-04 Conduct a Public Hearing to Consider/Discuss/Act on the Request by Robert and Michelle Idzi for consideration of a special exception to allow a fence up to a maximum height of 8'6" from the allowed fence height of 6'8" for the property located at 3000 Hartford Court, Lot 14, Block B Eldorado Crossing Addition, McKinney, Texas. with a vote of 4 - 1 - 0, David Riche voting no.

ADJOURN

Board members unanimously approved the motion by Board member Larry Jagours, seconded by Board member Eric Roberts, to Adjourn the meeting at 6:43 p.m.

DAVID RICHE
CHAIR