

McKINNEY BOARD OF ADJUSTMENT

MAY 25, 2016

The McKinney Board of Adjustment met in regular session in the Council Chambers, 222 N. Tennessee Street, McKinney, Texas on May 25, 2016 at 5:30 p.m.

Board members Present: Kimberly Davison, Scott Jacoby, Randall Wilder, Brad Taylor, Patrick Cloutier.

Staff Present: Chief Building Official Rick Herzberger and Administrative Assistant Teresa Noble.

Chairman Davison called the meeting to order at 5:30 p.m. after determining a quorum present.

Board members unanimously approved the motion by Board member Wilder, seconded by Board member Taylor, to approve the following consent item:

16-542 Minutes of the Board of Adjustment Meeting of April 27, 2016

BOA 16-08 Chairman Davison called for a Public Hearing to Consider/Discuss/Act on the Request by North Collin County Habitat for Humanity for a Variance to the Minimum Side Yard Setbacks, for the Property Located at 709 Maples Avenue.

Blane Pounds, of North Collin County Habitat for Humanity addressed the Board. He stated this would be a four bedroom house. Because of the angle of the property lines, the lot was only 48' wide at the build line and they were asking for only a 1' variance on each side to accommodate the home.

Chairman Davison asked if there was anyone else present to speak on the request. There were none.

Board members unanimously approved the motion by Board member Cloutier, seconded by Board member Jacoby, to approve the request by North Collin County Habitat for Humanity for a 1' variance to the minimum side yard setbacks, for the property located at 709 Maples Avenue.

BOA 16-09 Chairman Davison called for a public hearing to Consider/Discuss/Act on the Request by Sunflower Homes, LLC for a Variance to the Minimum

Front Yard, the Minimum Rear Yard, and the Minimum Side Yard at the Corner Setbacks for the Property Located at 506 S. Benge Street.

Mike Ripperger of Sunflower Homes addressed the Board. He stated that this property was once a drug house. The house that was demolished was 13' from the property line which is closer than his variance request. He explained that there were two architectural features that are "jump outs" on the second floor. They extend 2' beyond the required setback, they are not on the grade. The side yard at the corner required a 25' setback and would like to reduce that to 15', which he feels will leave an adequate side yard.

Chairman Davison asked if there was anyone else present to speak on the request. There were none.

Board members unanimously approved the motion by Board member Jacoby, seconded by Board member Taylor to approve the request by Sunflower Homes, LLC for a 2' variance to the minimum front yard and minimum rear yard setbacks, and a 10' variance to the side yard at the corner setback for the property located at 506 S. Benge Street.

BOA16-10 Chairman Davison called for a public hearing to Consider/Discuss/Act on the Request by Jered Custom Homes for a Variance to Both of the Minimum Side Yard Setbacks for the Property Located at 514 W. Davis Street.

Ed Boughton of Jered Homes addressed the Board. He stated that he needed the variance to build a new home on the property and to accommodate the two off street covered parking the Ordinance requires. He advised that he knew he would be required to provide fire protection through fire rated walls. And that the owner had already agreed to that.

Next, Hector Hernandez of Plano, Texas, addressed the Board. He stated that his mother lives at 516 Davis. He advised the Board that the bushes that are there now are growing onto his mother's property and are damaging her car.

Board member Jacoby advised Mr. Hernandez that the bushes were probably going to come down when construction began, but if the bushes were on her property he could cut them down.

Next, Rocky Beckham of 513 Davis addressed the Board. He stated that his yard is the same width as the subject lot. He says that they are building too many houses on one area. He is under the impression that there will be two houses on one lot. It was explained to Mr. Beckham by the Board and Mr. Boughton that this lot was a separately platted lot, and there would be one house on one lot.

Next, Norma Hernandez of Plano, Texas, addressed the Board. She stated that her mother lives at 516 Davis and she was concerned about the increased traffic, privacy of her mother, and danger posed to neighborhood children.

Next, Vianey Segovia, 515 Davis, addressed the Board. She stated that she shared the concerns of Norma Hernandez. She added that Davis Street was narrow and another house could create more traffic.

Board member Taylor advised Ms. Segovia that every lot on Davis was a different size and shape. He told her that the Board did not have the authority to address their concerns regarding the narrow streets and the traffic congestions.

Board member Cloutier stated that the Board's authority was to examine the variance request for the setbacks on the property only. The traffic will be there regardless. He stated that more attention needed to be given to the needs of our neighbors.

Board member Jacoby asked Mr. Boughton if he had a floor plan. Mr. Boughton stated that he did. He advised the Board that the property is zoned for a duplex, however, a single family residence was allowed in that zoning.

Chairman Davison asked if there was anyone else present to speak on the request. There were none.

Board members approved the motion by Board member Patrick Cloutier, seconded by Board member Scott Jacoby, to approve the request by Jered Custom Homes for a 4' variance to both of the minimum side yard setbacks for the property located at 514 W. Davis Street with a vote of 4 - 1, Board member Wilder voting no, stating that he did not see evidence of a hardship.

16-543 Legal Overview Presented by Alan Lathrom, City Attorney

Board members unanimously approved the motion by Board member Cloutier, seconded by Chairman Davison, to adjourn. The meeting adjourned at 7:35 p.m.

KIMBERLY DAVISON
Chair