

## AGENDA ITEM 13-03

**SUBJECT:** Conduct a Public Hearing to Consider/Discuss/Act on the Request by North Collin Habitat for Humanity for a Variance to the Minimum Front and Rear Yard Setbacks for the Property Located at 1107 Fitzhugh Street.

**MEETING DATE:** August 28, 2013

**DEPARTMENT:** Development Services-Building Inspections

**CONTACT:** Garry Adams, Asst. Building Official

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**ZONING:** RS60

**EXISTING CONDITIONS:** Undersized lot causing need for front and rear yard setback variances.

**VARIANCES REQUESTED:**

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

**APPLICANT'S BASIS FOR VARIANCE:**

Applicant wishes to build a single family residence. Front and rear yard setback variances are needed to fit the house on an undersized lot.

**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.

**STAFF RECOMMENDATION:**

This is an undersized lot and without variances for the front and rear setbacks, the lot will be unbuildable. Staff recommends approval of the variances as requested.

**SUPPORTING MATERIALS:**

Variance Application  
Property Locator Map

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**Action:            APPROVED                    DENIED                    TABLED**