

AGENDA ITEM 16-09

SUBJECT: Conduct 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

MEETING DATE: May 25, 2016

DEPARTMENT: Development Services-Building Inspections

CONTACT: Rick Herzberger, Chief Building Official

ZONING: RG18

EXISTING CONDITIONS: Undersized lot. Double frontage lot requires a 25' setback for the side yard at the corner.

VARIANCES REQUESTED:

ORDINANCE REQUIREMENTS	REQUESTED DIMENSIONS	VARIANCE FROM ORDINANCE
25' Front Yard Setback	23'	2'
25' Rear Yard Setback	23'	2'
25' Side Yard at Corner	15'	10'

APPLICANT'S BASIS FOR VARIANCE:

Applicant wishes to build a single family residence. The lot is undersized and has a double frontage required a 25' side yard setback. Front and rear yard setbacks requested due to architectural features.

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



16-09

CITY OF MCKINNEY
BOARD OF ADJUSTMENT APPLICATION

Type of Request:

Variance Special Exception Appeal

FILLING FEE \$50.00

RECEIPT DATE 5/3

Property Location:

Address: 506 S. Bengt St. City: McKinney TX State: TX Zip: 75069

Lot Number: 413C Block: Subdivision Name: McKinney Outlots

Owner's Information:

Owner's Name: Sunflower Homes LLC Phone Number: 214-498-4558

Address: PO Box 3723 City: McKinney TX State: TX Zip: 75070

Owner is giving Michael Ripberger Applicant's Name authority to represent him/her at the meeting.

Owner's Printed Name: Michael Ripberger Owner's Signature: [Signature]

Applicant's Information:

Name: Sunflower Homes LLC Company Name: Sunflower Homes LLC Phone Number: 214 498 4553

Address: PO Box 3723 City: McKinney TX State: TX Zip: 75070

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	.157 Acres		
Lot Width	72.13		
Lot Depth	95.80		
Side Yard	5 FT		
Side Yard	N/A		
Side @ Corner	25.00 FT	15 FT	10 FT
Front Yard	25.00 FT	23 FT	2 FT
Rear Yard	25.00 FT	23 FT	2 FT
Driveway			2 FT
Other			

*Not applicable in ETJ



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:

On the side corner yard we are asking for less of a variance than the previous house. The original house was 13.3' off and we are asking for 215'. That is 1:9" further back than the original house.

Additionally the rear set backs are requested because of window seats, fireplaces and bumpouts to make more visually pleasing.

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:

Because this is a small corner lot it really limits the usage of the property. The house that was there for many years would not have met the current city set backs. We want to build a home that would compliment the Historic District

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:

Lot already existed with a house that had bigger set backs. That house didn't have a garage and we are required to put in a garage. Additionally the buyer is requesting a bedroom downstairs. the variance is required to meet the customer desire and city set backs.

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:

It was impossible to design a house with a Master bedroom downstairs and meet additional city codes. If forced to put master upstairs it would make the property very unmarketable. Our goal is to build a nice home in this transitional area.

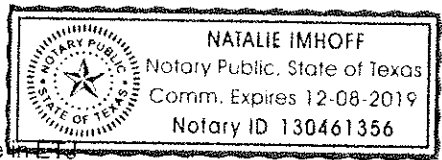
Items Submitted: Completed application and fee Plot/Site Plan or Survey drawn to scale

I hereby certify that the above statements are true and correct to the best of my knowledge.

[Signature]
Applicant's Signature

STATE OF TEXAS
COUNTY OF Collin

Subscribed and sworn to before me this 3 day of May, 2011



[Signature]
Notary Public

My Commission expires: 12/08/19

(seal)

*Not applicable in E.P.



March 22, 2016

Bill Bush
6951 Virginia Pky
Suite 100
McKinney, Texas 75071

RE: 2016-021H Request by Bill Bush, for Approval to Construct a House Located at 506 South Benge Street.

Dear Mr. Bush:

This letter shall serve as approval of a Certificate of Appropriateness for the property located at 506 South Benge Street to construct a house. This approval letter is one of the requirements used to obtain a permit from the Building Permits/Inspections Department. The approval is conditioned as follows:

1. The applicant shall build in strict compliance with the drawings and written documentation that were received by the Historic Preservation Officer on March 22, 2016 and approved on March 22, 2016.
2. The applicant will be responsible for meeting all applicable City ordinances and obtaining all necessary building permits. Please be aware that you may need to submit further documentation to Building Inspections/Permits for your proposed new construction. Contact either John Clark or Marlene Johnson to see what other documentation you may need in order to obtain your building permit.
jclark@mckinneytexas.org or mjohnson@mckinneytexas.org

A copy of the approved plan(s), including type of materials and dimensions is included with this document.

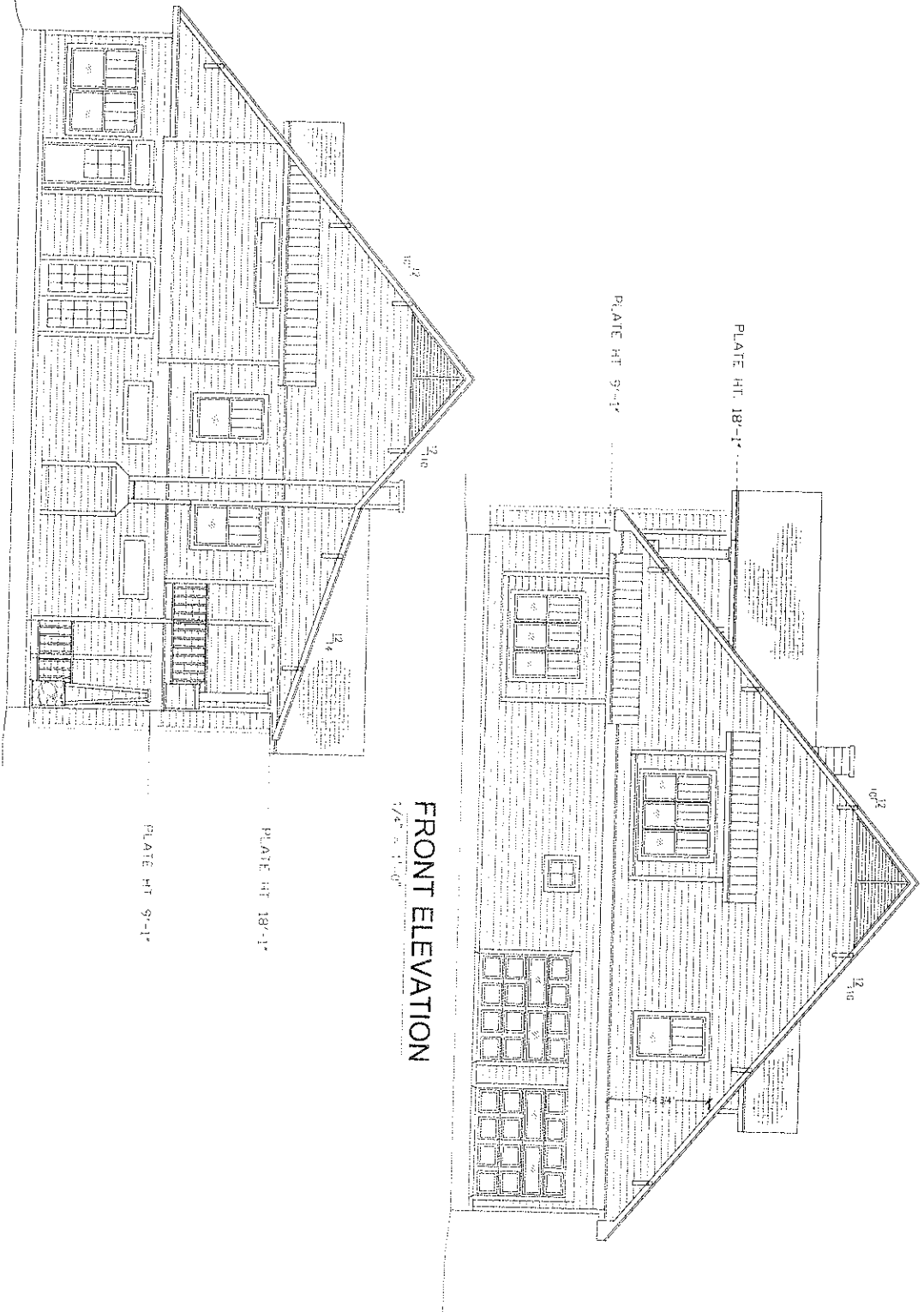
If you have any questions about the approval of this item, please contact me at 972-547-7416.

Sincerely,

Guy R. Giersch, Historic Preservation Officer

Guy R. Giersch
Historic Preservation Officer

"The Planning Department consistently strives to provide quality, professional customer service to our applicants. In an effort to evaluate and improve the service we provide, we ask that you complete this brief customer service survey. We sincerely appreciate your responses and opinions!"



REAR ELEVATION

1/4" = 1'-0"

FRONT ELEVATION

1/4" = 1'-0"

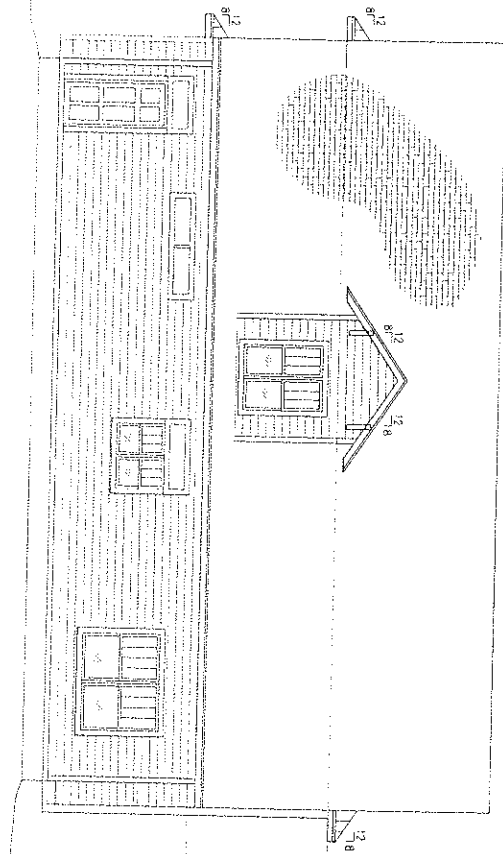
ALL WORK SHALL CONFORM TO THE 2012 INTERNATIONAL RESIDENTIAL CODE, THE 2011 EDITION OF NATIONAL ELECTRICAL CODE AND ALL APPLICABLE LOCAL ORDINANCES AND ORDINANCES.

CCD
A3

Chapman's CAD Designs
1601 Waddill St., Suite 103-E
McKinney, TX, 75069
(972) 542-1187 OFC
(972) 886-8799 FAX

SUNFLOWER
HOME S, LLC
506 S. BENGE ST.
MCKINNEY, TX. 75069

DATE	REV	REVISION RECORD	
		ORIGINATOR	REVISOR



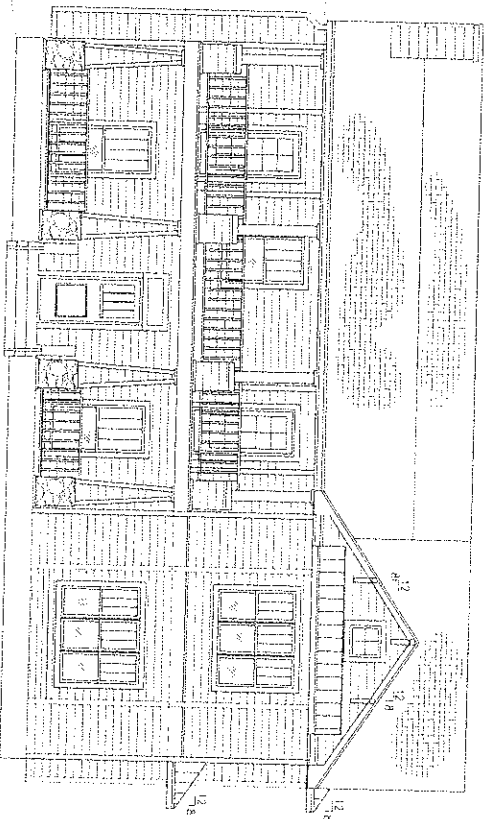
RIGHT ELEVATION

1/4" = 1'-0"

PLATE HT: 18'-1"

PLATE HT: 9'-1"

ALL WORK SHALL CONFORM TO THE 2012 INTERNATIONAL RESIDENTIAL CODE, 2011 EDITION NATIONAL ELECTRICAL CODE, AND ALL APPLICABLE LOCAL CODES AND ORDINANCES



LEFT ELEVATION

1/4" = 1'-0"

PLATE HT: 9'-1"

PLATE HT: 18'-1"

CCD

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SUNFLOWER
HOMES, LLC

506 S. BENGE ST.
MCKINNEY, TX. 75069

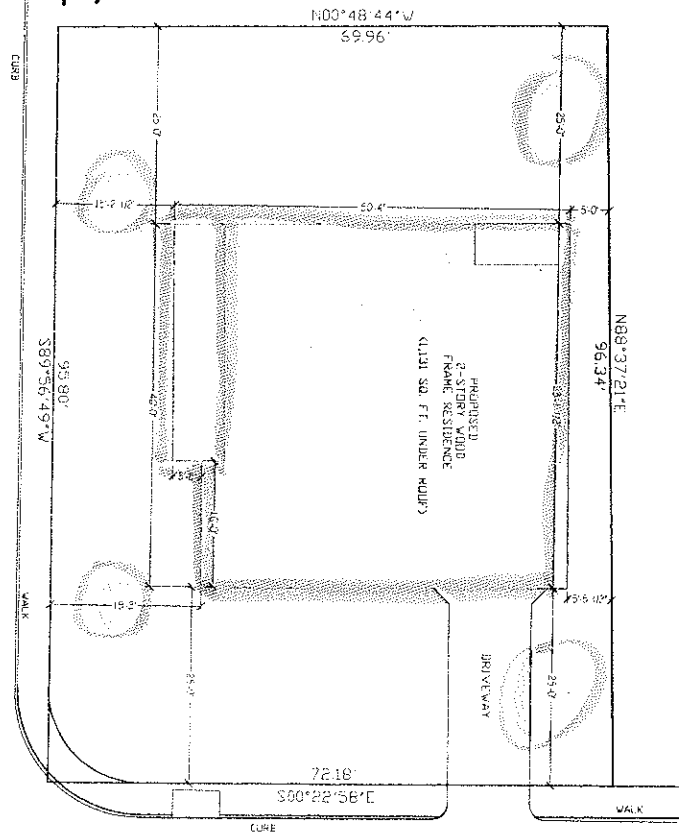
DATE	KEY	REVISION	ALIGNED	REVISION

A4



OUTLOT 413C
 ED BRANTLEY SURVEY
 ABSTRACT NO. 85
 6.822 AC. ± F. LOT
 0.037 ACRES

402 Standifer
 ↑
 19' from
 roof line



STANDIFER STREET

BENGE STREET

SITE PLAN
 SCALE: APPROX 1/8" = 1'-0"



CCD
 SP1

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SUNFLOWER
 HOME'S, LLC
 PROJECT ADDRESS
 506 S. BENGE ST.
 MCKINNEY, TX. 75069

REVISION RECORD	
DATE	REVISION