

## McKINNEY BOARD OF ADJUSTMENT

APRIL 27, 2016

The McKinney Board of Adjustment met in regular session in the Council Chambers, 222 N. Tennessee Street, McKinney, Texas on April 27, 2016 at 5:30 p.m.

Board members Present: Chairman Kimberly Davison, Scott Jacoby, Brad Taylor, Patrick Cloutier, and Brian White, Alternate

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 Taylor, seconded by Board member Cloutier, to approve the following consent item:

**16-389** Minutes of the Board of Adjustment Regular Meeting of March 23, 2016

**BOA 16-03** Chairman Davison called for a Public Hearing to Consider/Discuss/Act on the Request by Robert H. Roeder, Attorney at Law, for the Property Located at 4201 S. Hardin Blvd., MISD Stadium, for a Special Exception to Reduce Required Parking from 3,000 to 2,400 Parking Spaces, 42 of Which are Bus Parking.

Bob Roeder, Attorney at Law representing MISD, addressed the Board. He stated that the wording was incorrect and that the actual request was for 2400 parking spaces plus 42 bus parking spaces. He also advised the Board that since this was a request for a special exception, he would not be providing evidence of a hardship. Mr. Roeder provided Board members with what he thought to be a more legible copy of the parking plan. He stated that comparable stadiums in the area have similar seating ratios, and are experiencing no problems. Board Member Cloutier asked about mitigating any overflow parking that might occur, to avoid parking in the neighborhood streets. Mr. Roeder stated that there were only 12,000 seats and the proposed parking plan could handle that. However, the district could use remote parking if the need arose.

Leon Bennett, Attorney at Law, representing the Ochenbein Family Trust, which owns property on McKinney Ranch Parkway, stressed that key for the Board to consider is the character of use, which was a stadium. He stated he had spoken with the transportation director for Plano ISD who said they use approximately 12 buses and one tractor trailer for away games. He added that Allen's stadium seating is 3.6:1 and that Allen states they may use 20 buses. He questions why MISD needs 42 bus parking spaces.

John Haggerty, Eldorado Parkway, stated that the stadium is about 150 yards from his residence. Denver Drive extends from his subdivision to the Stadium, with traffic exiting on Hardin. He states that many in his subdivision are concerned about the parking and other issues. He believes that MISD should hold to the established parking requirements.

Board members agreed to act on the wording of the application to take action on a request for 2400 parking spaces plus 42 bus parking spaces. Board member Cloutier advised that most of the school stadiums use shared parking, but that he found Denton's stadium was a fair comparison as it did not. He added that he could find no complaints by the neighboring citizens nor the community. After a short discussion, Board members approved the motion by Board member Cloutier, seconded by Board member Taylor, to approve BOA 16-03, a request by Robert H. Roeder, Attorney at Law, for the property located at 4201 S. Hardin Blvd., MISD Stadium, for a Special Exception to reduce required parking from 3,000 to 2,400 parking spaces plus 42 bus parking with a vote of 4 – 1, Board member Taylor voting no.

**BOA 16-04** Chairman Davison called for a public hearing to Consider/Discuss/Act on the Request by Roberto Patino, Jr. for Variances to the Front and Rear Yard Setback for the Property Located at 801 Jefferson Street.

Amal Jarvou, designer, Allen, Texas, addressed the Board. She advised that the variances were needed to accommodate two vehicles as required

by the current ordinance. Chairman Davison advised the Board that one letter of support had been received.

Board members unanimously approved the motion by Board member Cloutier, seconded by Board member Taylor, to approve BOA 16-04, a request by Roberto Patino, Jr. for a 5' Variance to the front and rear yard setback for the property located at 801 Jefferson Street.

**BOA 16-05** Chairman Davison called for a public hearing to Consider/Discuss/Act on the Request by Barry Barnes for Variances to the Front and Rear Yard setback and to Both Side Yard Setbacks for the Property Located at 409 Lively Street.

No one was present to address the request. Board members unanimously approved the motion by Board member Cloutier, seconded by Board member Taylor, to approve BOA 16-05, a request by Barry Barnes for a 5' Variance to the front and rear yard setbacks and a 1' Variance to both side yard setbacks for the property located at 409 Lively Street.

**BOA 16-06** Chairman Davison called for a public hearing to Consider/Discuss/Act on the Request by North Collin County Habitat for Humanity for Variances to the Front and Rear Yard Setbacks for the Property Located at 1001 Canal Street.

Blane Pounds, North Collin County Habitat for Humanity, addressed the Board. He advised that this would be a five bedroom home. The length of the home is 60'. Due to the inadequate depth of the lot, the variances are needed.

Board members unanimously approved the motion by Board member Jacoby, seconded by Board member White, to approve BOA 16-06, a request by North Collin County Habitat for Humanity for a 5' Variance to the front yard setback and a 10' Variance to the rear yard setback for the property located at 1001 Canal Street.

**BOA 16-07** Chairman Davison called for a public hearing to Consider/Discuss/Act on the Request by William Manson for a Variance to the Rear Yard Setback for the Property Located at 502 N. Bradley Street.

Bill Manson, 502 N. Bradley, addressed the Board. He stated that there is a large Texas native tree at the garage approach. He wishes to save the tree, however it impedes a reasonable approach into the garage. The variance is needed to widen the garage and improve the entering and maneuvering into the garage. He stated that his contractor advised him that when requesting the variance, he did not allow for the width of the wall, and he would like to amend his request to a 3 ½' variance rather than 3'.

Board members unanimously approved the motion by Board member Cloutier, seconded by Board member Taylor, to approve BOA 16-07, a request by William Manson for a 3 ½' Variance to the rear yard setback for the property located at 502 N. Bradley Street.

Board members unanimously approved the motion by Board member Cloutier, seconded by Board member Taylor, to adjourn. The meeting adjourned at 6:28 p.m.

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KIMBERLY DAVISON  
Chair