



*Revised
5/23/19
C11:00AM*

BOARD OF ADJUSTMENT APPLICATION

APPEAL SPECIAL EXCEPTION VARIANCE TODAY'S DATE: 5-22-19

****CONTACT INFORMATION****

PROPERTY LOCATION*: 914 GERRISH ST
(Street address)
 Subdivision: WSJ RUSSELL Lot: 43R Block: 11
*Application not applicable in the ETJ (Extra Territorial Jurisdiction)
 Property Owner: Osiel Salinas 900 Hart Rd McKinney Tx 75069
(Name) (Address) (City, State, & Zip Code)
osiel.salinas@salinas-concrete.com
(Email) (Phone)
 Property Owner is giving Israel Cardona authority to represent him/her at meeting.
(Applicant Name)
 Property Owner Printed Name: Osiel Salinas Property Owner Signature: Osiel Salinas
 Applicant: Osiel Salinas 900 Hart Rd McKinney Tx 75069
(Name) (Address) (City, State, & Zip Code)
osiel.salinas@salinas-concrete.com 214-543-2441
(Email) (Phone)

****REQUEST****

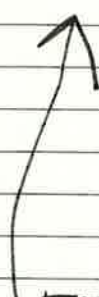
Please list types requested:

Description	Ordinance Requirements	Requested Dimensions	Variance from Ordinance
Lot Size			
Lot Width			
Lot Depth			
Side Yard			
Side Yard			
Side at Corner			
Front Yard			
Rear Yard			
Driveway			
Front Other <u>Fence</u>	<u>max. 4' high front</u>	<u>6' high in front</u>	<u>2'</u>

PLEASE DESCRIBE THE REASON(S) YOU ARE REQUESTING TO BE HEARD BY THE BOARD OF ADJUSTMENT. YOU MAY ATTACH ADDITIONAL INFORMATION TO SUPPORT YOUR REQUEST.

APPEAL -

SPECIAL EXCEPTION -



FRONT

VARIANCE - FENCE HEIGHT CHANGE

I am Asking the Board to grant a change from 4' to 6' Just as the drawing this is going to have a gated entry, This neighborhood doesn't have an HOA established This lot is at the end of the street no house to the East or West of it This house is for my daughter she has a tyroid and expecting one more by Sept. she's alone all day and I'd like for her to be safe. house should be Finished by the end of July 2019 - Thanks

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.

Quil Salim

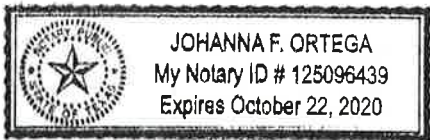
Property Owner Signature (if different from Applicant)

Applicant's Signature

STATE OF TEXAS

COUNTY OF Collin

Subscribed and sworn to before me this 21st day of May, 2019



[Signature]
Notary Public

My Commission expires: 10/22/20

(seal)

NOTICE:

This publication can be made available upon request in alternative formats, such as, Braille, large print, audiotape or computer disk. Requests can be made by calling 972-547-2694 (Voice) or email contact-ada@compliance@mckinneytexas.org Please allow at least 48 hours for your request to be processed.

OFFICE USE ONLY

Seeking an appeal from Chapter 41, McKinney Zoning Ordinance, Section No:

BOA Number:

TOTAL FEE DUE: \$50.00 (non-refundable)

Received by:

Signature:

Date:

To the City of McKinney, Board of Adjustment

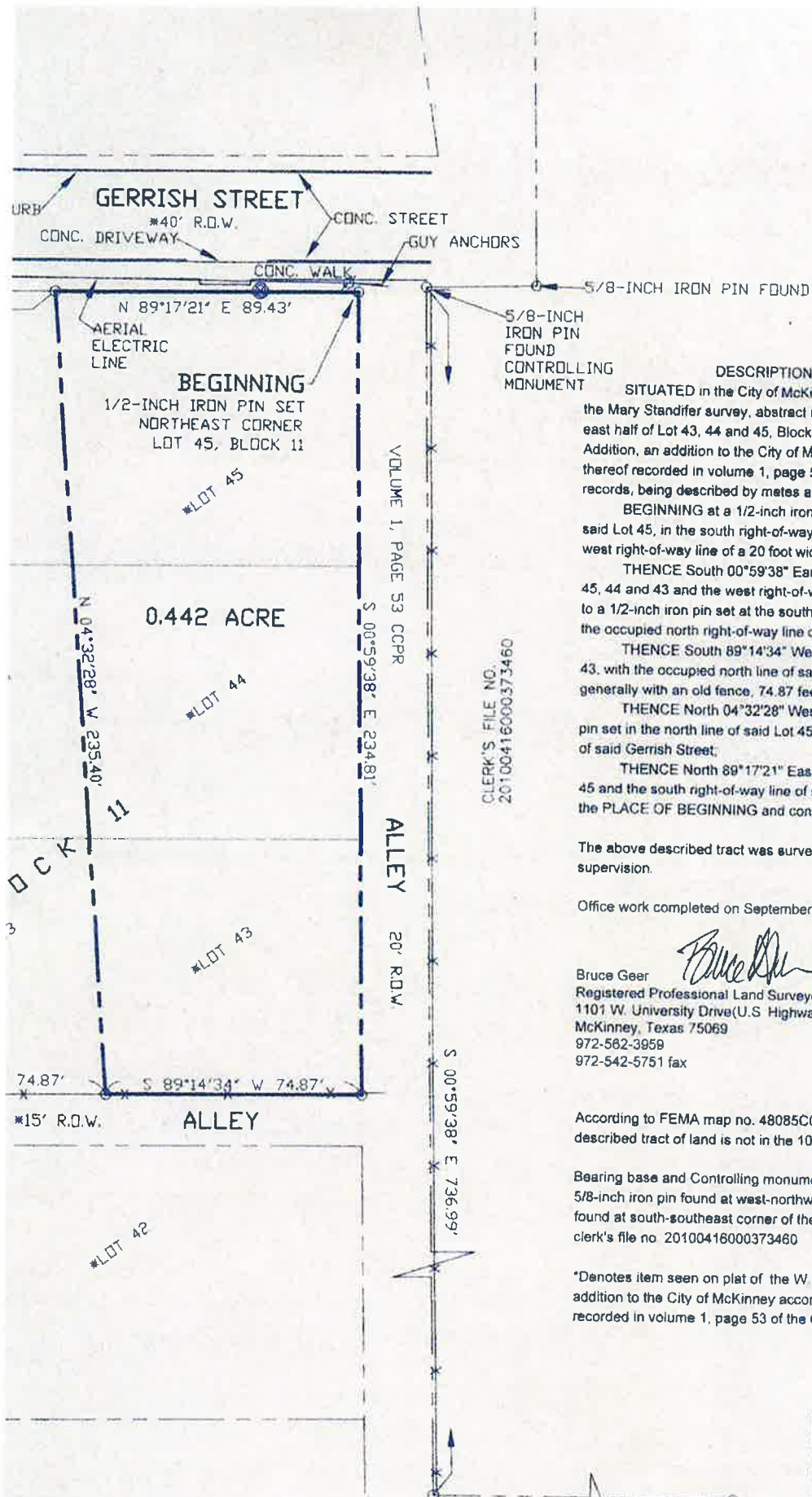
To whom it may concern:

My name is Osiel Salinas. I am currently building a home at 914 Gerrish Street in McKinney, TX 75069. I am requesting a change for the allowed fence height at the residence. Currently the allowed fence height is four feet but I would like to raise it to six feet due to safety and privacy concerns. My pregnant daughter, her husband and my 1 year old granddaughter will be living there and their safety is my main concern. As you may know, a 55 year old man was shot and killed on March 8th, 2019 approximately 0.2 miles away from the proposed residence. The shooter has still not been identified. This house also sits at the dead end of the street and is very close to a heavily wooded area. There is very limited visibility near the back and west side of the property and a large empty parcel to the east. This area is known for having a high crime rate and I hope the board can see the necessity for this change being approved in regards to the safety and security of my family.

Thank you,

Osiel Salinas

Front
Yard



CLERK'S FILE NO.
20100416000373460

DESCRIPTION 0.442 ACRE
SITUATED in the City of McKinney, Collin County, Texas, in the Mary Standifer survey, abstract no. 811, being a survey of the east half of Lot 43, 44 and 45, Block 11 of the W. J. S. Russell 4th Addition, an addition to the City of McKinney according to the map thereof recorded in volume 1, page 53 of the Collin County plat records, being described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron pin set at the northeast corner of said Lot 45, in the south right-of-way line of Gerrish Street and the west right-of-way line of a 20 foot wide alley;

THENCE South 00°59'38" East, with the east line of said Lots 45, 44 and 43 and the west right-of-way line of said alley, 234.81 feet to a 1/2-inch iron pin set at the southeast corner of said Lot 43 and in the occupied north right-of-way line of a 15 foot wide alley;

THENCE South 89°14'34" West, with the south line of said Lot 43, with the occupied north line of said 15 foot wide alley and generally with an old fence, 74.87 feet to a 1/2-inch iron pin set;

THENCE North 04°32'28" West, 235.40 feet to a 1/2-inch iron pin set in the north line of said Lot 45 and in the south right-of-way line of said Gerrish Street;

THENCE North 89°17'21" East, with the north line of said Lot 45 and the south right-of-way line of said Gerrish Street, 89.43 feet to the PLACE OF BEGINNING and containing 0.442 acre

The above described tract was surveyed on the ground and under my supervision.

Office work completed on September 29, 2018

Bruce Geer
Bruce Geer
Registered Professional Land Surveyor, No. 4117
1101 W. University Drive (U.S. Highway 380)
McKinney, Texas 75069
972-562-3959
972-542-5751 fax



According to FEMA map no. 48085C0290J, dated 6-2-2009 the above described tract of land is not in the 100 year flood plain.

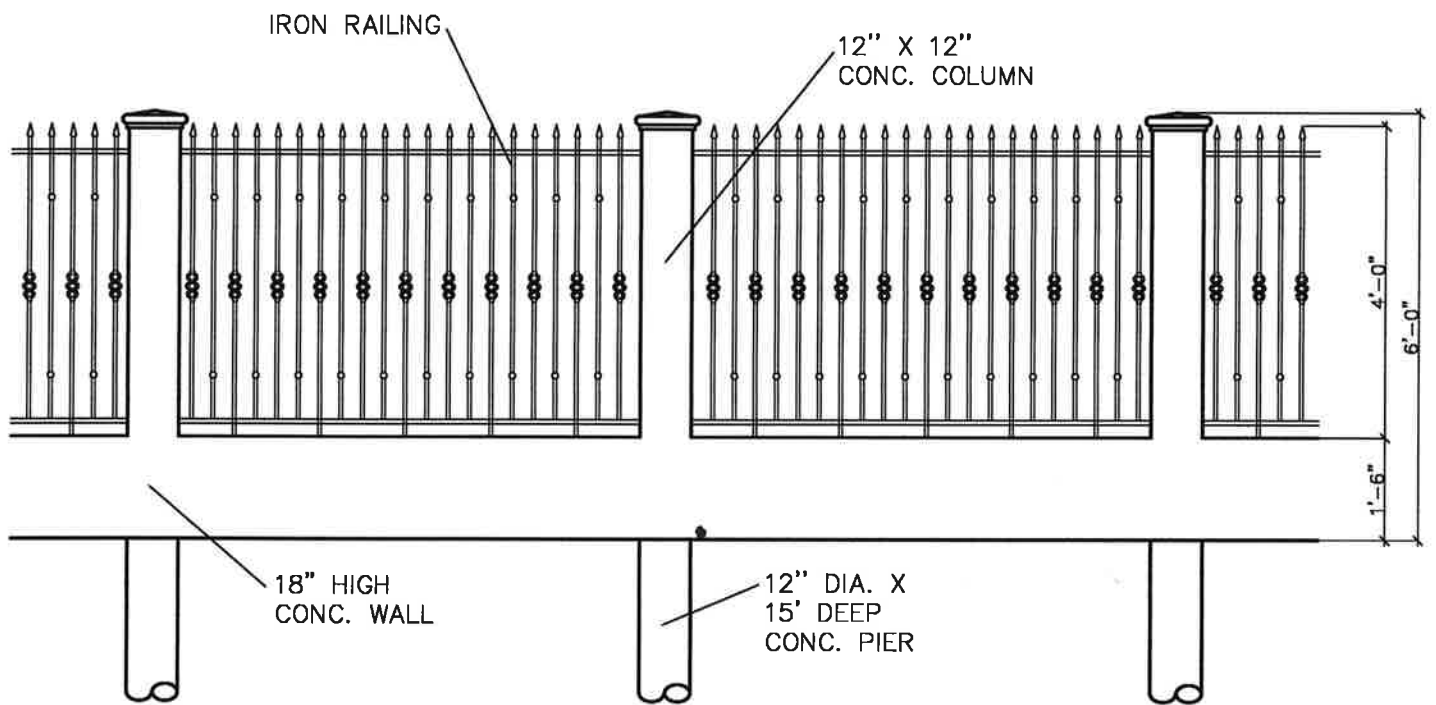
Bearing base and Controlling monuments: Calculated line between 5/8-inch iron pin found at west-northwest corner and 5/8-inch iron pin found at south-southeast corner of the 15.186 acre tract recorded as clerk's file no. 20100416000373460

*Denotes item seen on plat of the W. J. S. Russell 4th Addition, an addition to the City of McKinney according to the map thereof recorded in volume 1, page 53 of the Collin County plat records.

0.442 ACRE
914 GERRISH STREET
MCKINNEY, TEXAS
PART OF
LOTS 43, 44, & 45,
BLOCK 11
W.J.S. RUSSELL 4TH
ADDITION
CITY OF MCKINNEY,
COLLIN COUNTY,

END
COLLIN COUNTY PLAT RECORDS
WATER METER
POWER POLE
1/2" IRON PIN SET UNLESS OTHERWISE NOTED
FENCE

3-INCH PIPE FOUND
5/8-INCH IRON PIN FOUND
SOUTH-SOUTHEAST CORNER 15.186 ACRE TRACT CONTROLLING MONUMENT



914 GERRISH ST.
 LOT: 43 R BLK: 11
 WSJ RUSSELL 4TH ADDITION
 MCKINNEY, TEXAS

	DATE	NAME	FILE: WSJR4311GE.DWG	PLAN: SAL-2361
Drawn	1/24/19	BVR		SCALE: 1" = 20'-0"

Sec. 122-176. - General standards.

(b) *Fence heights.*

- (1) Within industrial districts, fences may be constructed to a maximum height of ten feet.
- (2) Front yard setback area fence requirements shall be as follows:
 - a. No fence over four feet in height shall be permitted from the front building line to the street right-of-way line;
 - b. All fences shall have a minimum of 50 percent through vision in any front yard;
 - c. All wire fences are prohibited in front yards in uses other than industrial; and
 - d. The lot shall have an existing structure on it or a building permit to construct a structure has been issued.

Sec. 122-178. - Special exceptions.

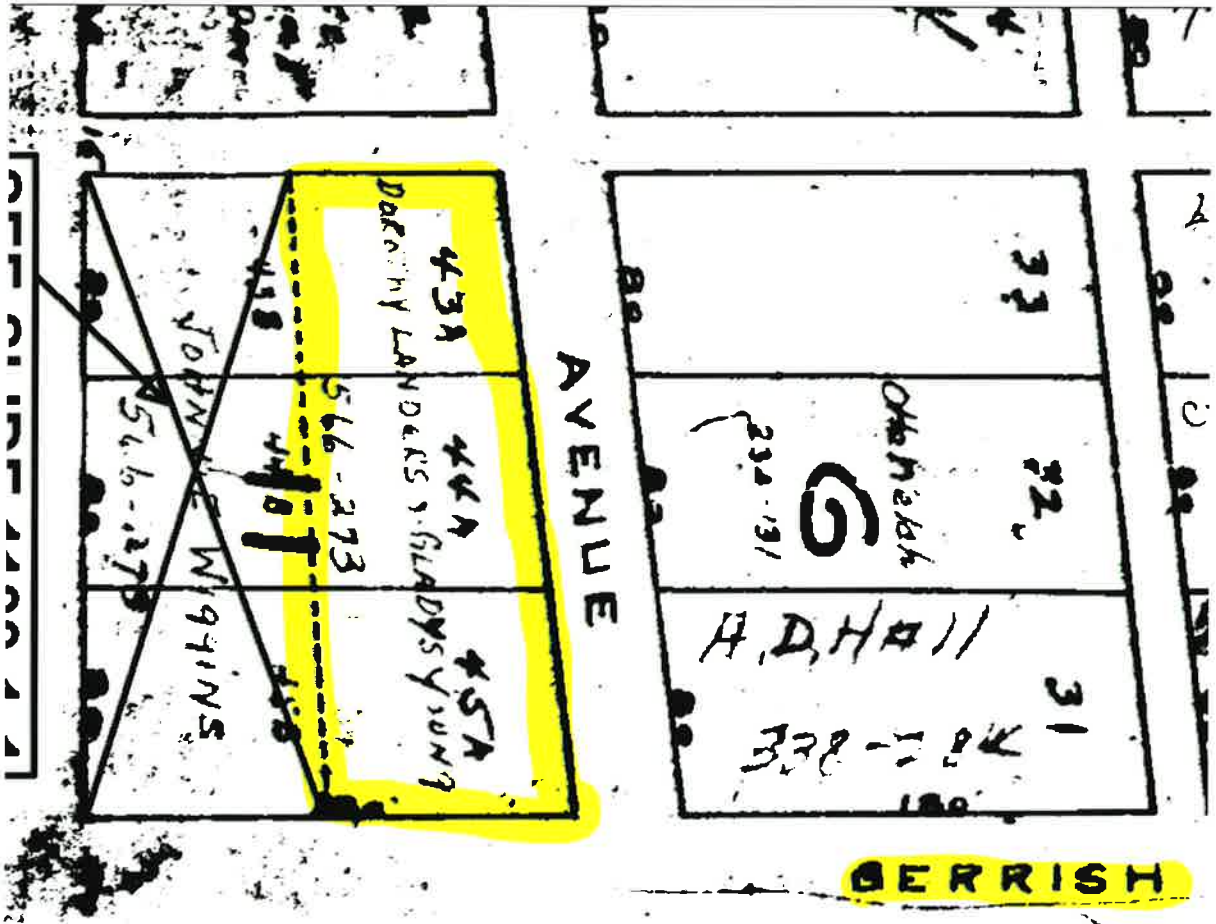
- (c)The board of adjustment may grant a special exception that will allow a fence up to a maximum height of six feet for a fence that is situated between the front building line and the street right-of-way line of a lot (a "front yard fence") provided that the board finds that:
- (1) The subject property shall not be located within the historic overlay district; **COMPLIED**
 - (2) A front yard fence shall not be a corner lot fence as provided for in section 122-176(b) (5); **COMPLIED**
 - (3) The lot shall have an existing structure on it or a building permit to construct a structure has been issued; **COMPLIED**
 - (4) All fences shall have a minimum of 50 percent through vision in any front yard; **COMPLIED**
 - (5) The six-foot front yard fences must be consistent and appropriate to the area they are proposed. **IN QUESTION**

(Code 1982, § 34-154; Ord. No. 2005-10-105, §§ 2, 3, 10-18-2005; Ord. No. 2016-03-019, § 5, 3-15-2016; Ord. No. 2017-07-082, § 1, 7-18-2017)

914 Gerrish St.
W J S RUSSELL 4th ADDITION (CMC),
BLK 11, LOT 043B 044B 045B

Zoning
RS60 - Single Family Residence District

Please note this address is 3 lots.



ZONING REGULATIONS

App. F, § F-1

APPENDIX F. SCHEDULES

Section F-1. Schedule of space limits.

Zoning District	Space Limits										
	Minimum lot area	Minimum lot width	Minimum lot depth	Minimum front yard setback	Minimum rear yard setback	Minimum side yard setback of interior lots	Minimum side yard setback of corner lots	Maximum height of structure	Maximum lot coverage	Maximum Floor Area Ratio	Maximum density (dwelling units per gross acre)
AG	10 acre	150'	n/a	35'	35'	20'	25'	35'	n/a	n/a	n/a
RED-1	1 acre	150'	150'	35'	35'	20'	35'	35'	n/a	n/a	1.0
RED-2	2 acre	200'	200'	50'	50'	30'	50'	35'	n/a	n/a	0.5
RS 120	12,000 sq. ft.	80'	120'	30'	25'	10'	15'	35'	n/a	n/a	3.5
RS 84	8,400 sq. ft.	70'	110'	25'	25'	10'	15'	35'	n/a	n/a	5.0
RS 72	7,200 sq. ft.	60'	100'	25'	25'	6'	15'	35'	n/a	n/a	6.0
RS 60	6,000 sq. ft.	50'	100'	25'	25'	5'	15'	35'	n/a	n/a	7.0
RS 45	4,500 sq. ft.	40'	100'	20'	20'	(1)	15'	35'	n/a	n/a	8.0
RD 30	(1)	50'	100'	25'	25'	7'	15'	35'	n/a	n/a	14.5
RG 27	2,700 sq. ft.	25'	100'	20'	20'	(1)	15'	35'	n/a	n/a	14.5
RG 25	(1)	50'	100'	25'	25'	7'	25'	35'	n/a	n/a	17.0
RG 15 [18]	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	50%	(1)	(1)
MF-1	3,600 sq. ft. per unit	60'	100'	35'	(1)	(1)	35'	35' (2 stories)	50%	n/a	12.0
MF-2	2,700 sq. ft. per unit	60'	100'	35'	(1)	(1)	35'	35' (2 stories)	50%	n/a	16.0
MF-3	2,100 sq. ft. per unit	60'	100'	35'	(1)	(1)	35'	35' (2 stories)	50%	n/a	20.0
MP	(1)	(1)	(1)	(1)	(1)	(1)	(1)	35'	n/a	n/a	8.0
NC	7,000 sq. ft.	60'	100'	25'	(1)	(1)	25'	35'	40%	0.4 : 1.0	n/a
BN	7,500 sq. ft.	50'	(1)	25'	20'	(1)	(1)	35'	70%	0.6 : 1.0	n/a
BG	(1)	(1)	(1)	(1)	10'	(1)	15'	45'	95%	2.0 : 1.0	n/a
C	0'	0'	0'	25'	(1)	(1)	15'	55'	50%	1.0 : 1.25	n/a
O-1	7,000 sq. ft.	60'	100'	25'	(1)	(1)	25'	35'	50%	0.5 : 1.0	n/a
O	0'	0'	0'	50'	(1)	(1)	(1)	(1)	50%	1.0 : 1.0	n/a
BC	10,000 sq. ft.	80'	100'	25'	(1)	(1)	25'	45'	70%	1.0 : 1.0	n/a
ML	(1)	50'	0'	25'	0'	0'	20'	(1)	75%	1.0 : 1.0	n/a
MH	(1)	50'	0'	20'	0'	0'	10'	(1)	50%	1.0 : 1.0	n/a
AP	0'	0'	0'	25'	(1)	(1)	15'	45'	n/a	n/a	n/a
GC	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	12.0 : 1.0	(1)
PD	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)
MTC	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
SF12	12,000 sq. ft.	80'	120'	25' (3)	20'	10'	20'	35'	n/a	n/a	3.2 (5)
SF10	10,000 sq. ft.	70'	110'	25' (3)	20'	10'	20'	35'	n/a	n/a	3.2 (5)
SF8	8,000 sq. ft.	60'	100'	20' (3)	15' (7)	7'	15' (7)	35'	n/a	n/a	3.2 (5)
SF7.2	7,200 sq. ft.	50'	90'	20' (3)	15' (7)	5'	15' (7)	35'	n/a	n/a	3.2 (5)
SF5	5,000 sq. ft. (4)	40' (6)	80'	20' (3)	15' (7)	0' (10)	15' (7)	35'	n/a	n/a	3.2 (5)
DR (9)	6,000 sq. ft.	40' (6)	80'	20'	15' (7)	5'	15' (7)	35'	n/a	n/a	6.4
TH (9)	2,700 sq. ft.	25' (6)	80'	20'	15' (7)	10' between buildings	15' (7)	35'	n/a	n/a	8.0 (1)
SO	10,000 sq. ft.	50'	50'	20'	0'	0'	n/a	35'	70%	n/a	n/a

Zoning District	Space Limits										
	Minimum lot area	Minimum lot width	Minimum lot depth	Minimum front yard setback	Minimum rear yard setback	Minimum side yard setback of interior lots	Minimum side yard setback of corner lots	Maximum height of structure	Maximum lot coverage	Maximum Floor Area Ratio	Maximum density (dwelling units per gross acre)
RO	10,000 sq. ft.	50'	50'	20'	0'	0'	n/a	55' (8)	90%	n/a	n/a
C1	7,500 sq. ft.	50'	50'	20'	0'	0'	n/a	35'	50%	n/a	n/a
C2	10,000 sq. ft.	50'	50'	20'	0'	0'	n/a	45'	70%	n/a	n/a
C3	10,000 sq. ft.	50'	50'	20'	0'	0'	n/a	55' (8)	90%	n/a	n/a
LI	10,000 sq. ft.	50'	50'	20'	0'	0'	n/a	45' (8)	70%	n/a	n/a
HI	10,000 sq. ft.	50'	50'	20'	0'	0'	n/a	55' (8)	90%	n/a	n/a

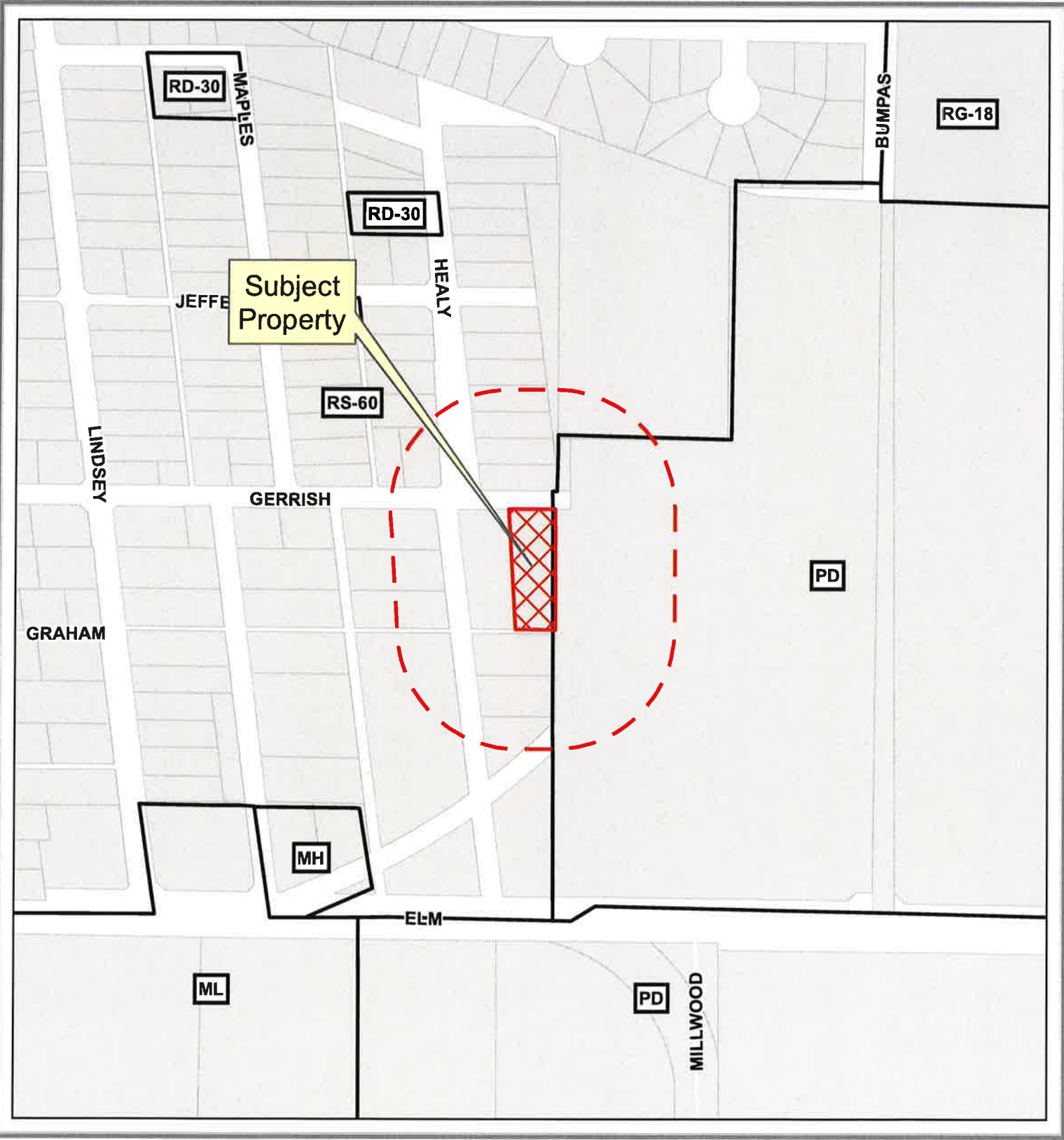
Notes:

- (1) See district regulations.
 - (2) Established by ordinance.
 - (3) A ten-foot encroachment zone shall be permitted between the building setback and the property line within which porches, patios, and similar structures may be constructed. For the purposes of this section, porches and patios shall mean covered, open air recreation spaces which may or may not feature railings and/or low walls (approximately 30 to 40 in height as measured from the finished floor level of the space) to create a sense of enclosure. Covered, open air spaces that feature floor to ceiling walls with or without windows or other openings (example: sun rooms, sun porch, solarium, greenhouse) shall not constitute a porch or patio. The placement of sidewalks and/or steps leading to a porch, patio or similar structure shall not be regulated by this section.
 - (4) The mean and median lot size for the neighborhood shall be a minimum of 7,200 square feet.
 - (5) The density may be increased to 3.4 dwelling units per acre if the design for density criteria outlined in the city's comprehensive plan are satisfied.
 - (6) Garages that are accessed from the front of a lot with a width of less than 50 feet shall not be permitted. Garages for these lots (< 50' wide) shall be accessed via alleys adjacent to the rear of the lot. A driveway with a minimum depth of 20 feet shall be provided in front of the rear-entry garage door.
 - (7) Rear or corner side-entry garages shall adhere to a 20' building setback in order to accommodate a 20' driveway between the garage door and the alley or street right-of-way.
 - (8) The maximum building height may be increased to a maximum height of 75 feet if each building setback is increased by two feet for every foot of increased building height. The maximum building height may be increased to a maximum height of 180 feet if each building setback is increased by two feet for every foot of increased building height and a property zoned or used for residential purposes is not located within 1,000 feet of the subject property.
 - (9) If detached single family residential uses are constructed within this zoning district, said uses shall adhere to the space limits governing the SF5 - Single Family Residential district.
 - (10) A minimum building separation of ten feet shall be maintained between dwelling units. If a zero-lot line product is to be constructed, the desired zero lot line side of each lot indented to accommodate such a residential product shall be indicated on an approved record plat, minor plat, minor replat, or amending plat which shall be filed for record with the Collin county clerk's office.
- The following is a legend for interpreting the applicability of the various zoning districts:

These zoning districts were created on March 4, 2014. Properties zoned/rezoned after March 4, 2014 may be zoned to these districts.
These zoning districts were established prior to March 4, 2014. Properties zoned/rezoned after March 4, 2014 may be zoned to these districts.
These zoning districts were established prior to March 4, 2014. No properties may be zoned/rezoned to these districts after July 1, 2014.

- For a listing of a specific PD - Planned Development District's applicable space limits, please contact the City of McKinney's Planning Department.

(Ord. No. 1270, app. A, 12-15-1981; Ord. No. 1810, pt. III, § 1, 9-20-1988; Ord. No. 93-11-39, § 1, 11-2-1993; Ord. No. 94-08-26, § 3(D), 8-16-1994; Ord. No. 97-11-61, § 1, 11-18-1997; Ord. No. 2000-01-03, § 1V, 1-4-2000; Ord. No. 2000-05-028, § 1E, 5-2-2000; Ord. No. 2000-08-59, § 1B, 8-15-2000; Ord. No. 2002-08-084, § 1.75, 8-20-2002; Ord. No. 2004-12-124, § I, 12-15-2004; Ord. No. 2006-10-121, § IX, 10-17-2006; Ord. No. 2010-12-053, § 32, 12-7-2010; Ord. No. 2012-11-056, § 45, 11-5-2012; Ord. No. 2013-04-033, § 4, 4-2-2013; Ord. No. 2013-04-044, § 21, 4-22-2013; Ord. No. 2014-03-018, § 21, 3-4-2014)



Subject Property

RD-30

RS-60

RD-30

RG-18

PD

MH

ML

PD

GRAHAM

LINDSEY

JEFFE

GERRISH

HEALY

BUMPAS

ELM

MILLWOOD

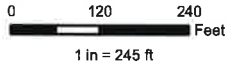


Vicinity Map

Board of Adjustments Map

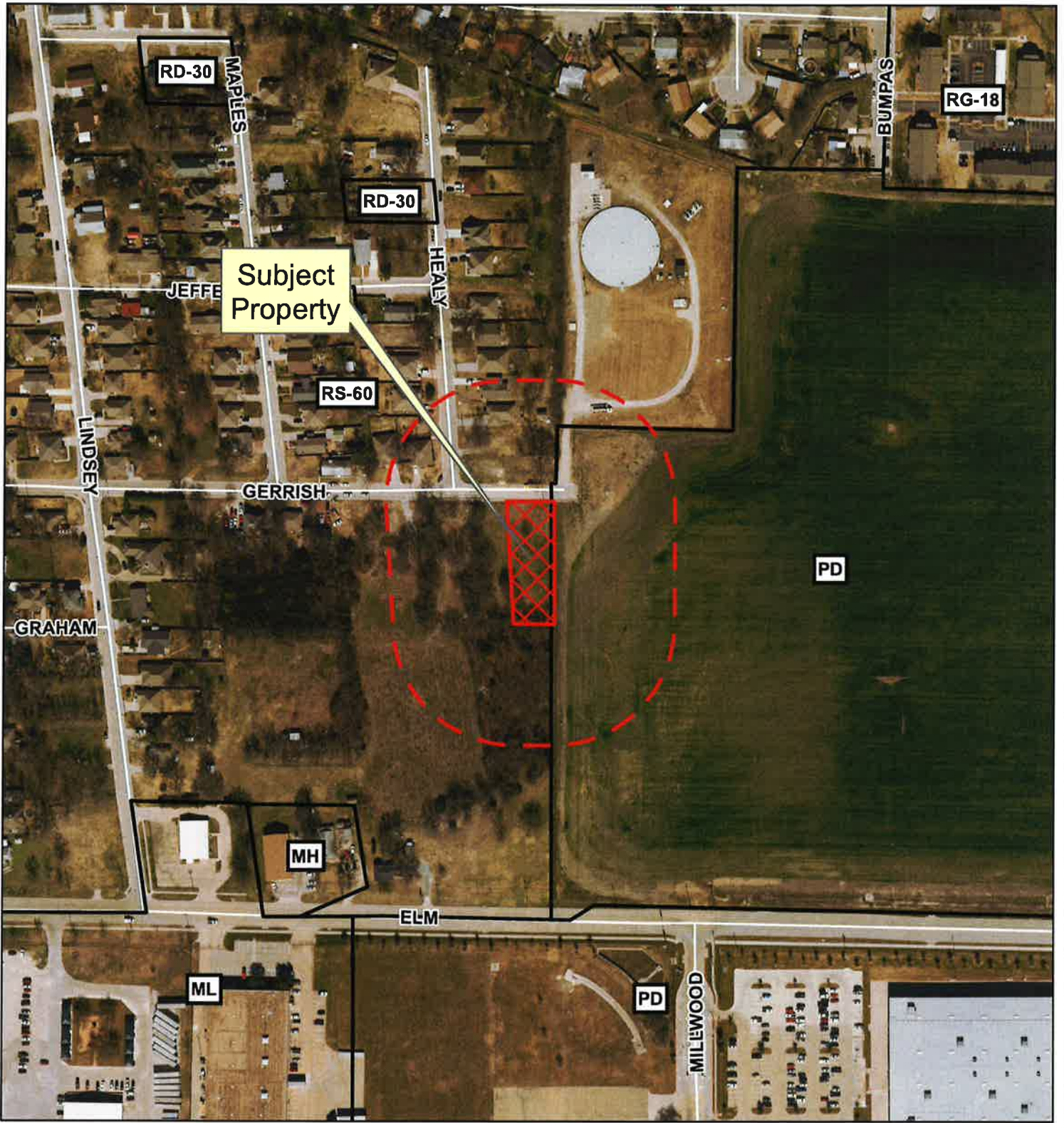
914 GERRISH ST

--- 200' Buffer



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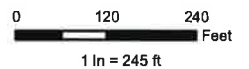




Board of Adjustments Map

914 GERRISH ST

--- 200' Buffer



Source: City of McKinney GIS
Date: 5/28/2019

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