

AGENDA ITEM 15-07

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on the Request by Lisa Day for a Variance to the Minimum Side Yard at Corner Setback for the Property Located at 909 N. Waddill Street.

MEETING DATE: September 23, 2015

DEPARTMENT: Development Services-Building Inspections

CONTACT: Rick Herzberger, Chief Building Official

ZONING: RS-60

EXISTING CONDITIONS: The existing home is 5'2" from the side property line at the corner

VARIANCES REQUESTED:

ORDINANCE REQUIREMENTS	REQUESTED DIMENSIONS	VARIANCE FROM ORDINANCE
15' Side Yard Setback at Corner	7'	8'

APPLICANT'S BASIS FOR VARIANCE:

Applicant wishes to build an addition to the residence behind the garage in line with the rest of the house, which is 5'2" from the side property line.

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



BOA 15-07

CITY OF MCKINNEY BOARD OF ADJUSTMENT APPLICATION

Type of Request:

Variance Special Exception Appeal

FILLING FEE **\$50.00**

RECEIPT DATE 9-1-15

Property Location:

909 N. Waddill St McKinney TX 75069

Address City State Zip

2 20 Waddill Addition

Lot Number Block Subdivision Name

Owner's Information:

Lisa Day 214 929 0304

Owner's Name Phone Number

909 N. Waddill St. McKinney TX 75069

Address City State Zip

Owner is giving _____ authority to represent him/her at the meeting.

Applicant's Name

Owner's Printed Name Owner's Signature

Applicant's Information:

Lisa Day 214 929 0304

Name Company Name Phone Number

909 N. Waddill St McKinney TX 75069

Address City State Zip

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			
Lot Width			
Lot Depth			
Side Yard	15'	5' 0"	12' 10'
Side Yard			
Side @ Corner	15'	5' 7'	15' 8'
Front Yard			
Rear Yard			
Driveway			
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:

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:

THE EXIST HOME IS 5'-2" FROM THE SIDE PROPERTY LINE.
THE EXIST GARAGE, BEHIND THE HOUSE IS 3'-8" FROM THE EXISTING PROPERTY LINE. THIS NEW ADDITION, BEHIND THE GARAGE WILL ALIGN WITH THE EXISTING BLDGS AT 5' FROM PROPERTY LINE.

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:

THE EXISTING HOME & GARAGE WAS BUILT DECADES AGO BEFORE PURCHASE BY THIS OWNER.

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:

MANY HOMES IN MCKINNEY HISTORIC DISTRICT WERE BUILT BEFORE SET BACKS WERE ENFORCED & THIS SMALLER SET BACK IS CONSISTENT WITH MANY OTHER HOMES IN THIS 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 Dallas

Subscribed and sworn to before me this 29th day of August, 2015

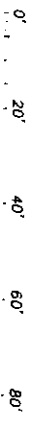
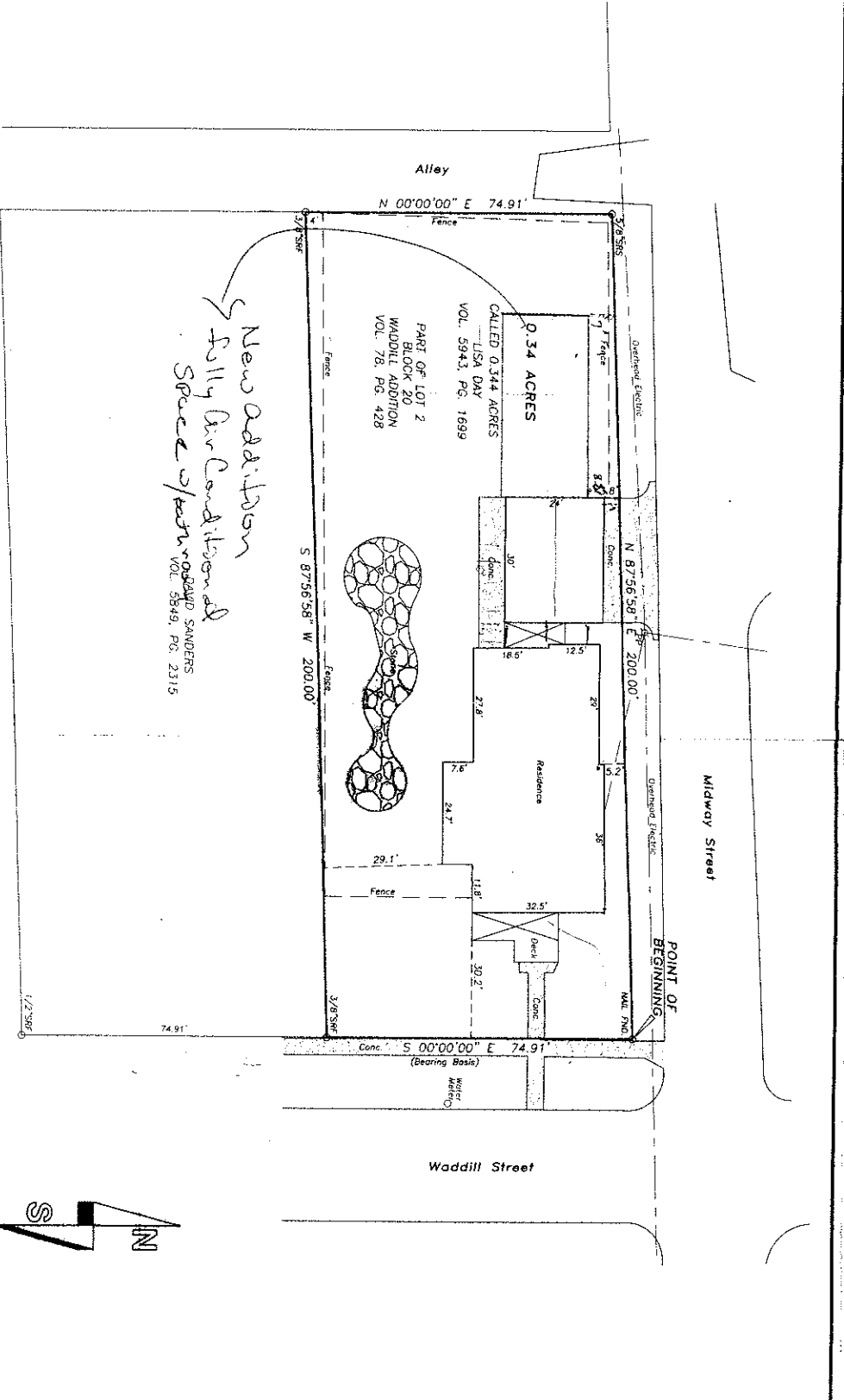
[Signature]
Notary Public

My Commission expires: 11-18-15



(seal)

DESCRIPTION



Teresa Noble

From: Karen McCutcheon
Sent: Wednesday, September 02, 2015 1:31 PM
To: Teresa Noble

