

AGENDA ITEM 15-04

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on the Request by Francisco Frias for a Variance to the Minimum Side Yard at Corner Setbacks for the Property Located at 302 Pearson Street.

MEETING DATE: July 22, 2015

DEPARTMENT: Development Services-Building Inspections

CONTACT: Rick Herzberger, Chief Building Official

ZONING: RS-60

EXISTING CONDITIONS: Double frontage required a side yard setback of 25'.

VARIANCES REQUESTED:

ORDINANCE REQUIREMENTS	REQUESTED DIMENSIONS	VARIANCE FROM ORDINANCE
25' Side Yard Setback at Corner	15'	10'

APPLICANT'S BASIS FOR VARIANCE:

Applicant wishes to build a single family residence. This lot has a double frontage which requires a 25' side yard setback at the corner. If not for the double frontage, the regular side yard at the corner would be 15'.

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



CITY OF MCKINNEY BOARD OF ADJUSTMENT APPLICATION

Type of Request:

Variance Special Exception Appeal

FILING FEE **\$50.00**

RECEIPT DATE _____

Property Location:

302 Pearson Av McKinney TX 75069
Address City State Zip

6B B Urban
Lot Number Block Subdivision Name

Owner's Information:

Francisco Frias 214 578 6778
Owner's Name Phone Number

1617 N Bradley McKinney TX 75069
Address City State Zip

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

Francisco Frias
Owner's Printed Name Owner's Signature

Applicant's Information:

Francisco Frias NA 214 578 6778
Name Company Name Phone Number

1617 N Bradley 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			
Side Yard			
Side @ Corner	25'	15'	10'
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:

Double frontage - No neg. impact

- 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:

double frontage Req - 25' - even tho it's actually 7 sided yard - normally 15'

- 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:

- 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:

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.

Applicant's Signature

STATE OF TEXAS
COUNTY OF

Subscribed and sworn to before me this day of , 20

Notary Public

(seal)

My Commission expires:

LOT 5A, BLOCK B - JEFFERY DEAN CASEROTTI
DOCUMENT NO. 201203370000373600
O.P.R.C.C.T

LOT 5B AND 6A, BLOCK B
3B RANCHO, LTD.
VOL. 5265 PG. 4952
D.R.C.C.T

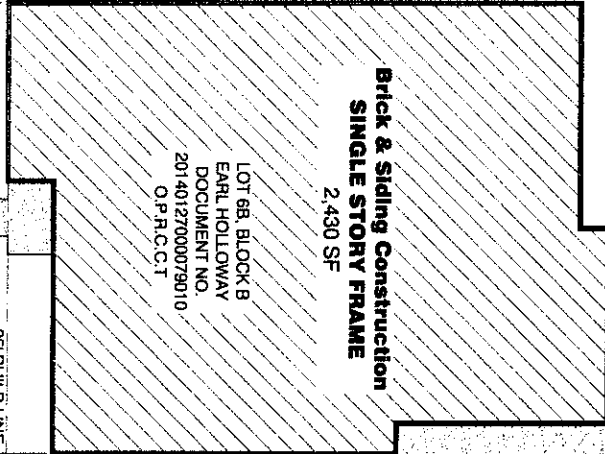
PEARSON AVENUE (50' R.O.W.)

N00°00'00"W 123.54"

N89°39'06"E 70.00"

S00°00'00"W 121.27"

S87°47'29"W 70.05'



LOT 6B, BLOCK B
EARL HOLLOWAY
DOCUMENT NO.
20140127000079010
O.P.R.C.C.T

**Brick & Siding Construction
SINGLE STORY FRAME
2,430 SF**

CONCRETE
DRIVEWAY

CHURCH STREET (60' R.O.W.)

Double frontage



RS-00
MUST COMPLY WITH
2012 IRC 2011 NEC
Front as
Side S
Rear as
Site @ Corner as
DLH.
06/17/2015

*Double
Frontage*

SITE PLAN

SCALE 1/8" = 1'-0"



SURVEY PLAT DESCRIPTION:

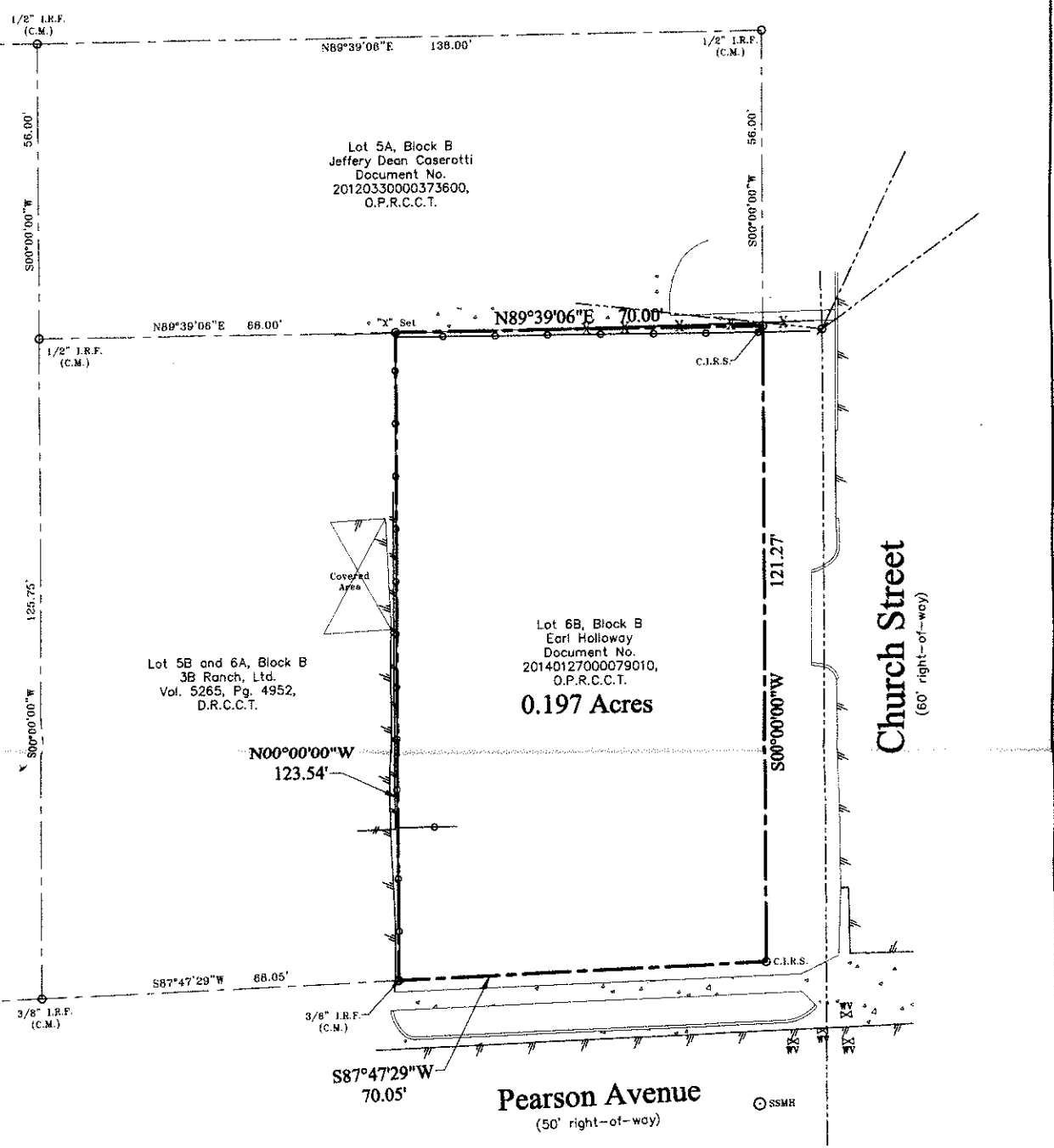
Property located at No. 302 PEARSON AVENUE, in the City of MCKINNEY, COLLIN COUNTY, Texas, Lot No. 6B, Block No. B of URBANTON ADDITION, according to the plat thereof recorded in VOLUME 1, PAGE 25, of the Maps Records of Collin County, Texas.

Ownership: Mr. Frank Frias

Single Family Residence
302 Pearson Avenue
McKinney, TX 75069


Drafting Solutions
Allen, TX (972) 697-6258

DRAWN BY: JMR
DATE: 4-15-2016
PLAN NUMBER:
SHEET 1
OF 7



302 Pearson Avenue

BOUNDARY SURVEY
Lot 6B, Block B
URBANTON ADDITION
City of McKinney,
Collin County, Texas

 **North Texas**
Surveying, L.L.C.
Registered Professional Land Surveyors
1515 South McDonald St., Suite 110,
McKinney, Tx. 75069
PH: (469) 424-2074 FAX: (469) 424-1997

