



Rec'd 4/4/18  
10:29 AM

# BOARD OF ADJUSTMENT APPLICATION

APPEAL  SPECIAL EXCEPTION  VARIANCE  TODAY'S DATE: 4-4-18

**\*\*CONTACT INFORMATION\*\***

PROPERTY LOCATION\*: 208 S Bengel St  
(Street address)  
 Subdivision: Old Donation Lot: 218B Block: 55  
\*Application not applicable in the ETJ (Extra Territorial Jurisdiction)  
 Property Owner: Terri Lustig 733 Creek Valley Ct. Allen, Tx 75002  
(Name) (Address) (City, State, & Zip Code)  
hlustig@msn.com (214) 914 4261  
(Email) (Phone)  
 Property Owner is giving Jason Rose, Architect authority to represent him/her at meeting.  
(Applicant Name)  
 Property Owner Printed Name: Terri Lustig Property Owner Signature: \_\_\_\_\_  
 Applicant: Jason Rose 2120 Cosmos Way Argyle, Tx 76226  
(Name) (Address) (City, State, & Zip Code)  
jason@jrosearchitect.com (214) 454 7895  
(Email) (Phone)

**\*\*REQUEST\*\***

Please list types requested:

Description	Ordinance Requirements	Requested Dimensions	Variance from Ordinance
Side Yard	7'	5'	2'
Side Yard			
Side at Corner	12'	5'	7'
Front Yard	20'	15'	5'
Rear Yard	20'	NA	NA
Side entry garage	20'	15'	5'
Detached garage rear	10'	3'	7'

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.

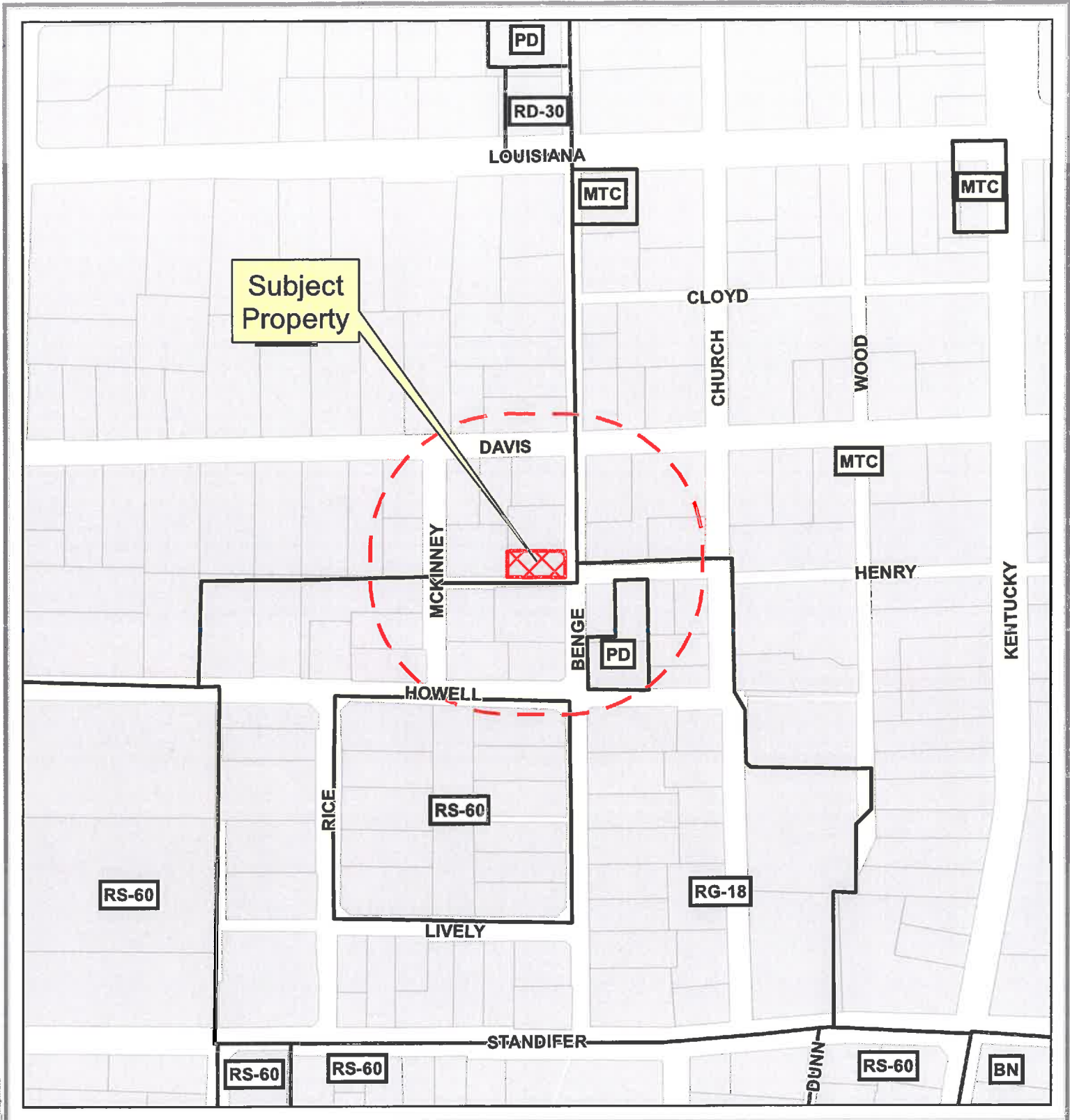
APPEAL -

SPECIAL EXCEPTION

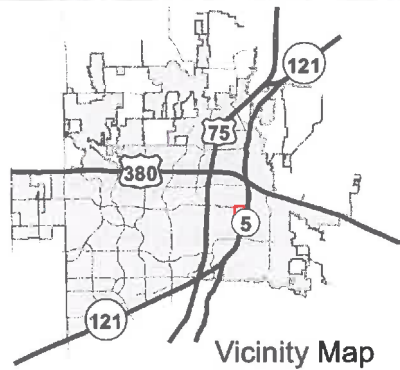
VARIANCE - SEE ATTACHED



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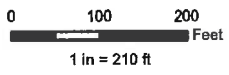
Subject Property



# Board of Adjustments Map

## 208 S BERGE ST

--- 200' Buffer



Source: City of McKinney GIS  
Date: 4/9/2018

DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of McKinney. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of McKinney, its officials or employees for any discrepancies, errors, or variances which may exist.





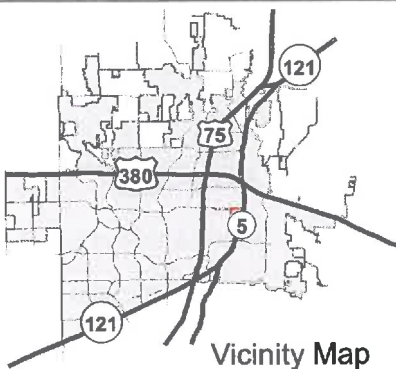
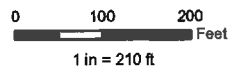


Subject Property

# Board of Adjustments Map

208 S BENG E ST

--- 200' Buffer



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208 S BERGE

PLAT: MCKINNEY ORIGINAL DONATION (CMC), BLK 55, LOT 218B

ZONING CLASSIFICATION - RD-30 DUPLEX

NON-CONFORMING LOT WIDTH / DEPTH





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' 45'	100' 90'	25' 20'	25' 20'	7'	15' 12'	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.	60'	100'	35'	(1)	(1)	35'	35' (2)	50%	n/a	12.0

TMU overlay →

← TMU overlay

	sq. ft.										
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



Sec. 146-100. - TMN traditional McKinney neighborhood overlay district (suffix).

- (a) *General purpose and description.* The TMN traditional McKinney neighborhood overlay district allows for a modified set of standards of the underlying zoning district for those lots substandard because they may have been in place before zoning was established, or were encroached upon as a result of past or future easement or right-of-way dedication.
- (b) *Applicability.* The provisions of the traditional McKinney neighborhood overlay district (TMN) apply only to single family detached residential uses and structures.
- (c) *Boundaries.* The TMN overlay district establishes the boundaries of an area within which properties shall be subject to the regulations for this district, in addition to the regulations of the applicable zoning district. (The properties that are to be located within this overlay district are generally located on the south side of U.S. Highway 380, on the east side of Graves Street, and generally extending southward to Industrial Boulevard and eastward to the airport area.)
- (d) *Space limits.* The following space limits shall apply to the TMN traditional McKinney neighborhood overlay district:
  - (1) Minimum lot width: 90 percent of width of underlying district.
  - (2) Minimum lot depth: 90 percent of depth of underlying district.
  - (3) Minimum lot area: 80 percent of lot area of underlying district.
  - (4) Minimum front yard: 80 percent of front yard setback of underlying district.
  - (5) Minimum rear yard: 80 percent of rear yard setback of underlying district.
  - (6) Minimum side yard: as defined in underlying district.
  - (7) Minimum side at corner: 80 percent of side at corner setback of underlying district.
  - (8) Maximum lot coverage: 50 percent.

(Code 1982, § 41-95; Ord. No. 2002-08-084, § I.45, 8-20-2002; Ord. No. 2002-11-109, § 2, 11-19-2002; Ord. No. 2008-07-066, § 1, 7-14-2008)



JR ROSE  
ARCHITECTS,  
ENGINEERS,  
DEVELOPERS  
*Imagine, Believe, Build.*

April 3, 2018

Board of Adjustments  
City of McKinney  
McKinney, Texas 75069  
(972) 547-7400 T.  
(972) 547-2605 F.  
c.c.

Subject: *"Variance Requests for 208 S Benge Street, McKinney, Texas"*

Dear Variance Board:

On rare occasion, projects present themselves to an Architect which allow for creative expression with generous budget, creative freedom, and divine Architectural inspiration. The opportunity to design a home for Ron & Terry Lustig to be located at 208 S Benge is one of these opportunities.

Having been inspired by the magical historical ambiance of the square and the homes that surround it, Ron and I have developed and built many homes over the last decade including the tudor revival homes situated on North Tennessee among others. It has been with great satisfaction that Ron and I have undertaken projects with historical character which reflect upon days past.

When Ron mentioned that he was considering building a personal home in downtown McKinney I offered to design his home for free so long as I could have Architectural liberty to do something amazing.

The lot located at 208 S Benge, while somewhat undersized, is an opportunity to do such. With minor reductions in building setbacks, I can create an appropriately scaled house complimentary of the historical homes around it. The current building pad would require a master up plan which would result in a two-story boxy design in order to economically justify the expense of the lot. Minor reductions in building setbacks would allow me to bring the master bedroom down which of course includes the master bath and master closet as well, resulting in a more appropriately scaled home in relationship to those around it. I feel that historical streetscape scale as it exists is relevant in allowing the requested reductions as Architectural scale certainly comes into play with regard to existing conditions and the undersized pre-existing lot dimensions and the careful study I have made of how best to utilize this lot provide justification for the variances.

As an added benefit to the City of McKinney, with the ability to do a master down plan, the home then works for Ron & Terry's desire to build a home suitable to their needs which means I get an opportunity to create something extraordinary.

The requested variances are shown on the application form. These reductions will allow us to construct an appropriately scales house in an existing historic neighborhood with reduced front elevation plate heights and massing.

Henry Street to the South side of the house running east and west is strictly being utilized as an alley with no homes fronting upon it. The new home being constructed on the South side possesses a 7' setback. Henry Street as originally platted entailed 10' of right of way. Currently, due to multiple survey errors and omissions, is approximately 15' of right of way with ample grass area outside paving allotted to the North side of the right of way. (Reference survey).



JR ROSE  
ARCHITECTS,  
ENGINEERS,  
DEVELOPERS  
*Imagine, Believe, Build.*

The setbacks currently spelled out in the ordinance are more appropriately applied to lots as defined by such ordinance. This lot predates current zoning and is similar to many other small lots in the downtown core. The requested variances will create an appropriate streetscape to the existing adjacent houses. Particularly, the house to the North is a state registered historic house with an 18' front yard setback.

I hope you will consider this request, made by someone with no financial investment in the property, with a desire to create a unique, high caliber historical home. It is after careful study of the lot that I have performed that has led me to asking for these requests.

Thank you for your consideration.

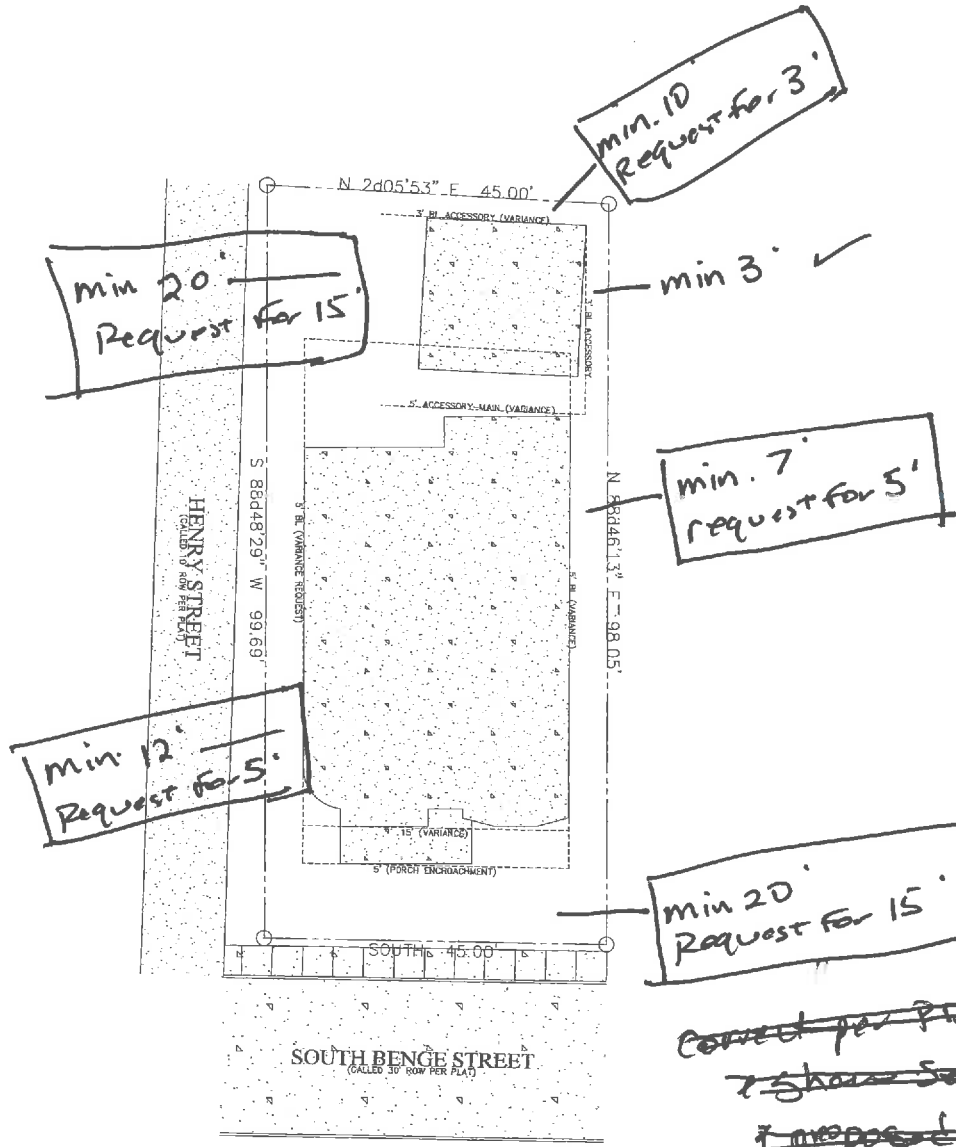
Respectfully,

Jason Rose  
*Architect TX #18341/Developer*



This is for a proposed variance for new home construction. Structure on property has been demolished

LEGEND	
○	PROPERTY PIN
⊕	WATER METER
⊙	SEWER SINKER TAP
⊗	GAS RISER
⊠	TELEPHONE RISER
⊡	ELECTRIC RISER
⊢	POWER POLE
⊣	FIRE RISK
⊤	LIGHT POST
○	TREE (TO BE REMOVED)
○	TREE
⊞	CONDENSING UNIT
—	WOOD FENCE
—	TREE LINE
—	OVERHEAD ELECTRIC
—	NEW OR REQUIRED POINT ELEVATION
—	EXISTING POINT ELEVATION (9.9M)
—	EXISTING POINT ELEVATION (9.9M)
—	NEW CONDUIT ELEVATION NOTED ON HIGH SIDE
—	EXISTING CONDUIT ELEVATION NOTED ON HIGH SIDE



Proposed - 5 variance Requests

~~Correct per PD 30~~  
~~show setbacks~~  
~~proposed setbacks~~



01 FRONT ELEVATION

SCALE 1/2" = 1'-0"



*Lustig Residence*  
March 19, 2018



SHEET  
A1



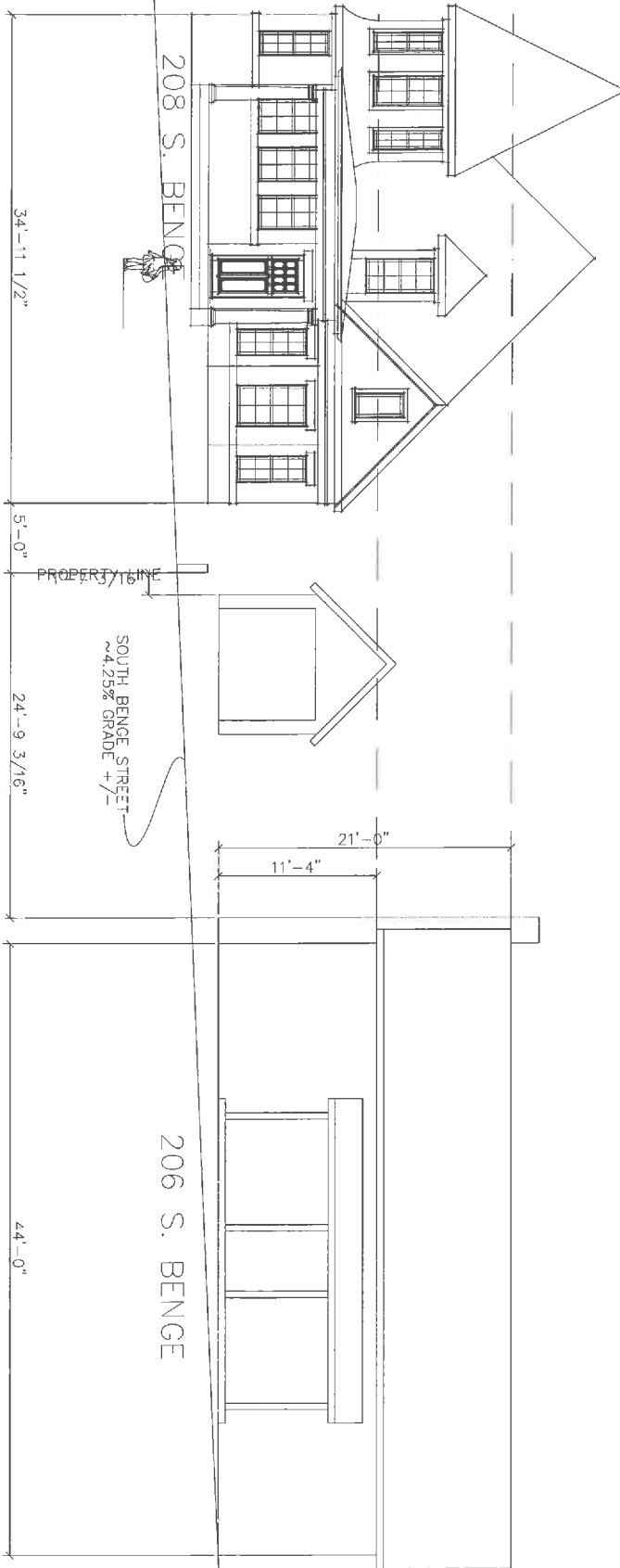
JR ROSE  
ARCHITECTURE  
(214) 454-7895 Tel. (972) 420-0324 Fax

3-17-2018



LUSTIG RESIDENCE  
MCKINNEY TEXAS

Drawn By: \_\_\_\_\_  
 Inspected By: \_\_\_\_\_  
 Revision: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Notes: \_\_\_\_\_



01 STREETSCAPE SCALE TRANSITION  
SCALE 1/4"=1'-0"

*Lustig Residence*  
March 19, 2018

SHEET  
A4

 **JR ROSE**  
ARCHITECTURE  
(214) 454-7885 Tel. (972) 420-0324 Fax

3-17-2018  


LUSTIG RESIDENCE  
MCKINNEY TEXAS

Drawn By: Anna Rose  
Preparation Date: March 17, 2018  
Revisions:  
Notes: