

AGENDA ITEM 17-09

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on the Request by Eric & Heather Hollister for a 2' variance from the ordinance from the minimum side yard setback of 7' and for a 1'-6" variance from the minimum front yard setback of 25' for the property located at **702 W Louisiana Street, McKinney Texas**. The owners are proposing to remove a bathroom addition and replace with an attached 2 car garage and 2nd story master suite above the garage.

MEETING DATE: May 31, 2017

DEPARTMENT: Development Services-Building Inspections

CONTACT: Rick Herzberger, Chief Building Official

ZONING : RD 30

EXISTING CONDITIONS: Conforming lot width and depth yet non-conforming with the zoning ordinance parking requirements for 2 parking spaces for each unit including 2 covered or enclosed spaces (Section 146-130 Vehicle Parking).

VARIANCES REQUESTED:

ORDINANCE REQUIREMENTS	REQUESTED DIMENSIONS	VARIANCE FROM ORDINANCE
25' Front Yard Setback	23'-6"	1'-6"
7' Side Yard Setback	5'	2'

APPLICANT'S BASIS FOR VARIANCE: The current zoning ordinance requirement was adopted after the home was built and does not have any covered or enclosed parking. The addition of the 2 car garage will match the character and style of the historic home and bring into compliance the vehicle parking requirements

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.

BUILDING OFFICIAL STATEMENT: The request has been validated and the Board has the authority to consider this variance request. The applicant has stated that the addition of an attached garage could only be done on this side of the house by way of demolishing the existing addition and incorporating the 2 car garage into the matching Victorian style rooflines. Other locations would require a greater variance to either side, rear or front setbacks.

SUPPORTING MATERIALS:

Variance
Application
Property Locator
Map

Action: APPROVED DENIED TABLED



BOARD OF ADJUSTMENT APPLICATION

VARIANCE SPECIAL EXCEPTION APPEAL TODAY'S DATE: 5/3/2017

****CONTACT INFORMATION****

PROPERTY LOCATION*: 702 W Louisiana St, McKinney TX 75069

Subdivision: McKinney Outlots (CMC) Lot: 539B Block: _____

*Application not applicable in the ETJ (Extra Territorial Jurisdiction)

Property Owner: Eric & Heather Hollister 702 W Louisiana St, McKinney TX 75069
 (Name) (Address) (City, State, & Zip Code)
ehollister@gmail.com / hskhollister@gmail.com 513-884-3683 / 248-808-5662
 (Email) (Phone)

Property Owner is giving _____ authority to represent him/her at meeting.
 (Applicant Name)

Property Owner Printed Name: Eric Hollister & Heather Hollister Property Owner Signature: *Eric Hollister*
Heather S. Hollister

Applicant: Eric & Heather Hollister 702 W Louisiana St, McKinney TX 75069
 (Name) (Address) (City, State, & Zip Code)
ehollister@gmail.com / hskhollister@gmail.com 513-884-3683 / 248-808-5662
 (Email) (Phone)

****REQUEST****

Please list types requested:

Description	Ordinance Requirements	Requested Dimensions	Variance from Ordinance
Lot Size			
Lot Width			
Lot Depth			
Side Yard	7'	5'	2'
Side Yard			
Side at Corner			
Front Yard	25'	23'-6"	1'-6"
Rear Yard			
Driveway			
Other			

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.

- 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:

The existing addition to the home, which we plan on replacing, does not match the character of the historic home. We have worked closely with our architects to ensure addition/renovation matches the scale, proportions and additional architectural features of the house (i.e. Windows, roof line, trim, etc) and that it will be an added value to the historic neighborhood.

_____ RH

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:

Our historic home originally sat on a larger parcel, which was divided into multiple plats over time. The current zoning ordinances were adopted after the home was built and the lot divided. We looked into the possibility of placing a garage elsewhere on our property, but are unable to do so without asking for larger, more obstructive variances.

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:

Historic home originally sat on a larger parcel, which was divided over time. The home was not originally placed on the existing lot with regards to modern zoning provisions, as such does not account for modern need for a garage.

We did attempt to purchase land to our north in order to place the garage there, but were unsuccessful.

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:

The current south driveway (off W Louisiana) is dangerous for residents and visitors to access. Reworking the driveway will eliminate the need to back out into heavy traffic. Vehicles, lawn care and other equipment cannot be properly stored or protected and is on view to the public, creating a theft risk for us and neighbors. Numerous other homes in the historic neighborhood have similar or larger variances; ours will not exceed the street facing setback of the neighbors' house.

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.

Property Owner Signature (If different from Applicant)

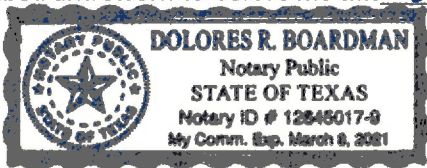
Effanthe *Heather S. Abelister*
Applicant's Signature

STATE OF TEXAS

COUNTY OF Collin

Subscribed and sworn to before me this 3rd day of May, 2017

Dolores R Boardman
Notary Public



(seal)

My Commission expires: 3/08/2021

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:

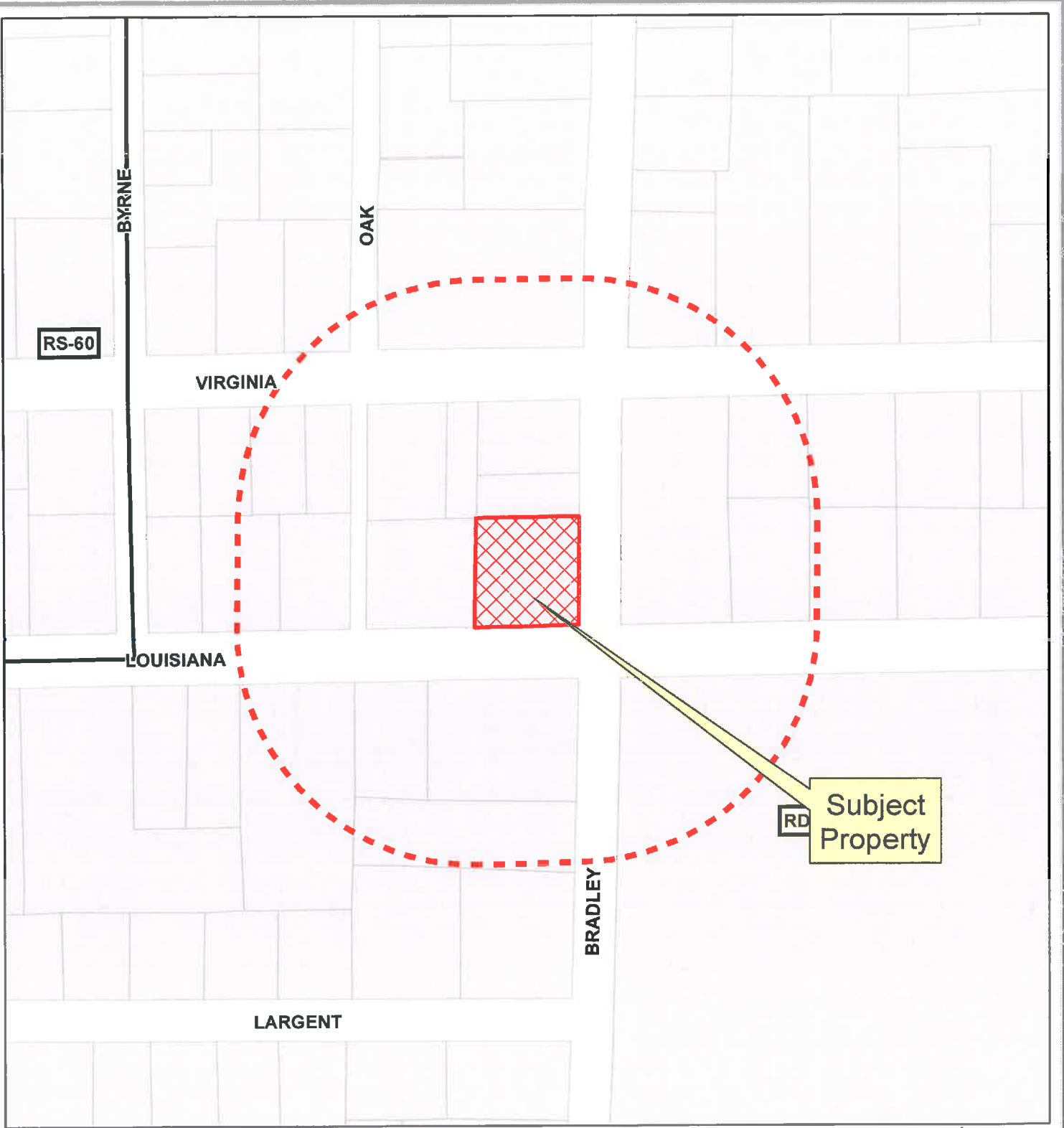
Hollister – 702 W Louisiana St – BOA application

Scope of Work:

We are proposing to remove a non-original bathroom addition, which does not match the character or style of our historic home, and replace it with an attached 2 car garage with the master suite relocated above. The new addition will be in keeping with the 2 story Victorian style of the home complete with matching rooflines, siding, trim etc.

A new circle drive facing W. Louisiana Street will allow for safe access on and off the busy street.

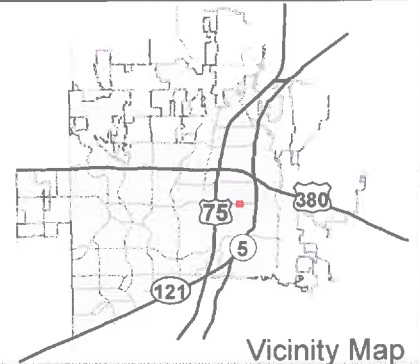
Please see the sketches on the next page to show how the footprint of our home will change with this renovation. More detailed plans have been provided by Conduit A&D.



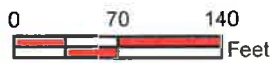
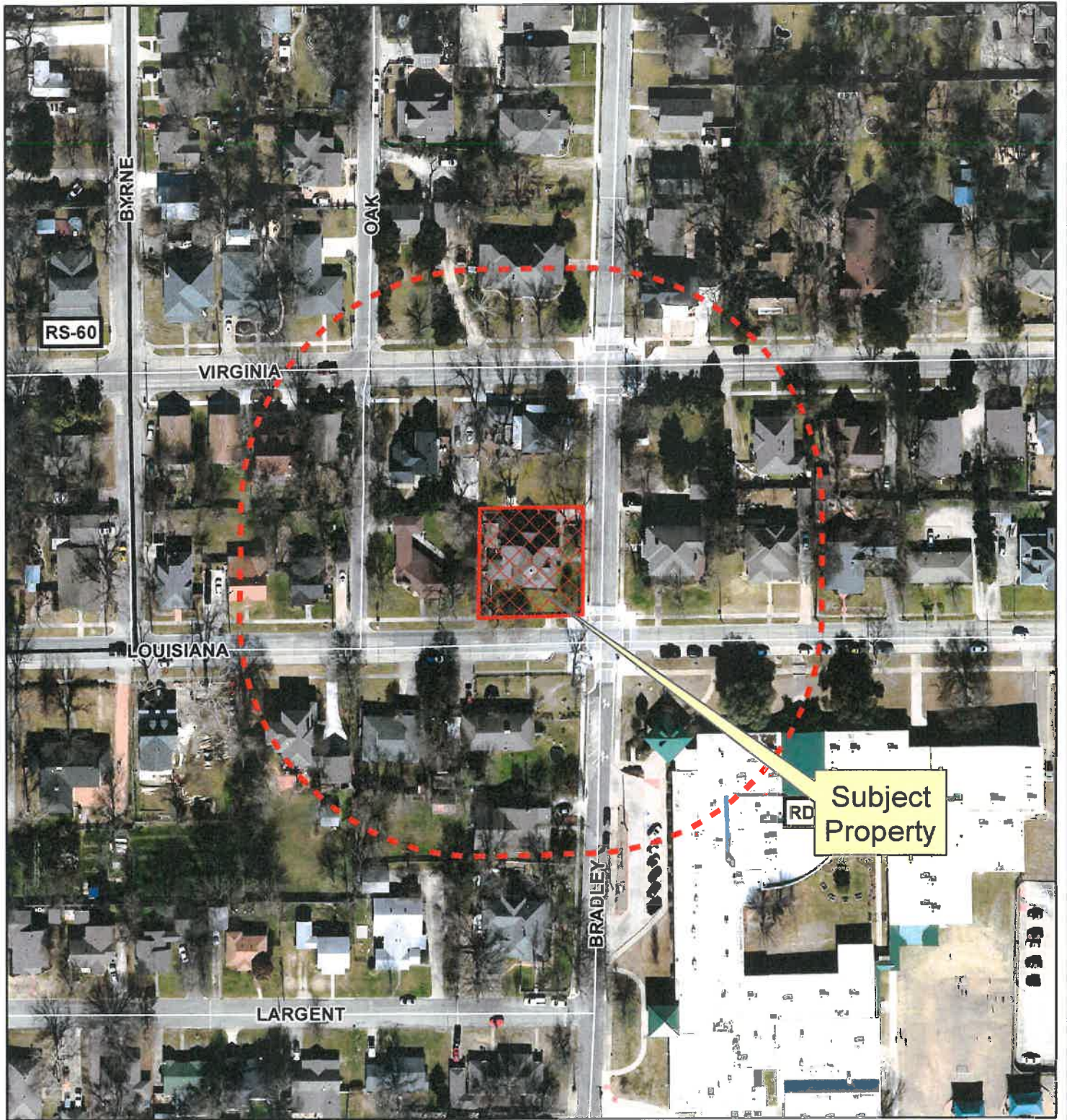
Notification Map

Case: 702 W Louisiana

--- 200' Buffer



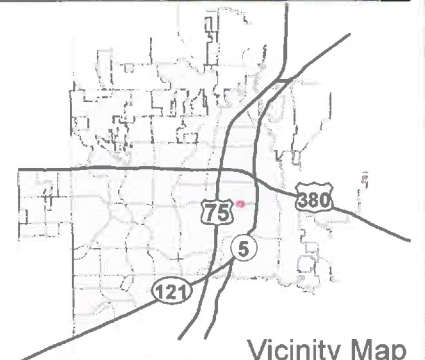
Vicinity Map



Notification Map

Case: 702 W Louisiana

--- 200' Buffer



702 W Louisiana Legal Description

(we do recognize this as a platted lot: MCKINNEY OUTLOTS (CMC), LOT 539B

Sec. 146-75. - RD 30 - Duplex Residence district.



- (a) *Purpose.* The "RD 30" - Duplex Residence zone is designed to provide suitable family life for one- and two-family dwelling areas on lots of moderate size. Zoning or rezoning to this classification will not generally be permitted after July 1, 2014.
- (b) *Permitted uses.* The following uses are permitted in the "RD 30" - Duplex Residence zone:
- (1) Crop and tree farming but not including the raising of animals or fowl for commercial purposes, or the sale of any products at retail on the premises, except as provided for as a permitted home occupation; and
 - (2) Other uses indicated as being permitted in the "RD 30" - Duplex Residence zone in the Schedule of Uses shall be allowed.
- (c) *Permitted accessory uses.* The following accessory uses are permitted in the "RD 30" - Duplex Residence zone:
- (1) Signs not to exceed two square feet in area identifying the premises and occupant, but not including advertising matter;
 - (2) The keeping of dogs, cats and other household pets, but limited to two animals over six months old;
 - (3) Rental of sleeping rooms to two individuals not members of the family of the occupant of the dwelling. No signs advertising the availability of such rooms shall be displayed;
 - (4) The parking of one unoccupied trailer designed for recreational use and not to exceed 24 feet in length shall be permitted in the rear yard;
 - (5) The storage of one pleasure boat shall be permitted within a building, or in the open within the rear yard; and
 - (6) Real estate lease or sale signs relating to the property on which the sign is located.
- (d) *Space limits.*
- (1) Minimum lot area: 5,000 square feet for one unit; 6,000 square feet for a duplex; and
 - (2) The space limits identified in Appendix F of the Zoning Ordinance as being applicable to the "RD 30" - Duplex Residence zone shall apply.
- (e) *Miscellaneous provisions.* Only one building for living purposes shall be permitted on one zoning lot except as otherwise provided herein.
- (Code 1982, § 41-70; Ord. No. 1270, § 3.08, 12-15-1981; Ord. No. 1612, § 1, 12-17-1985; Ord. No. 94-08-26, § 3(C), 8-16-1994; Ord. No. 2002-08-084, § 1.24, 8-20-2002; Ord. No. 2004-12-124, § 1, 12-15-2004; Ord. No. 2008-07-066, § 1, 7-14-2008; Ord. No. 2011-04-026, § 4, 4-19-2011; Ord. No. 2012-11-056, § 28, 11-5-2012; Ord. No. 2013-04-033, § 3, 4-2-2013; Ord. No. 2014-03-018, § 7, 3-4-2014)

SETBACK REQUIREMENTS

APPENDIX F. SCHEDULES

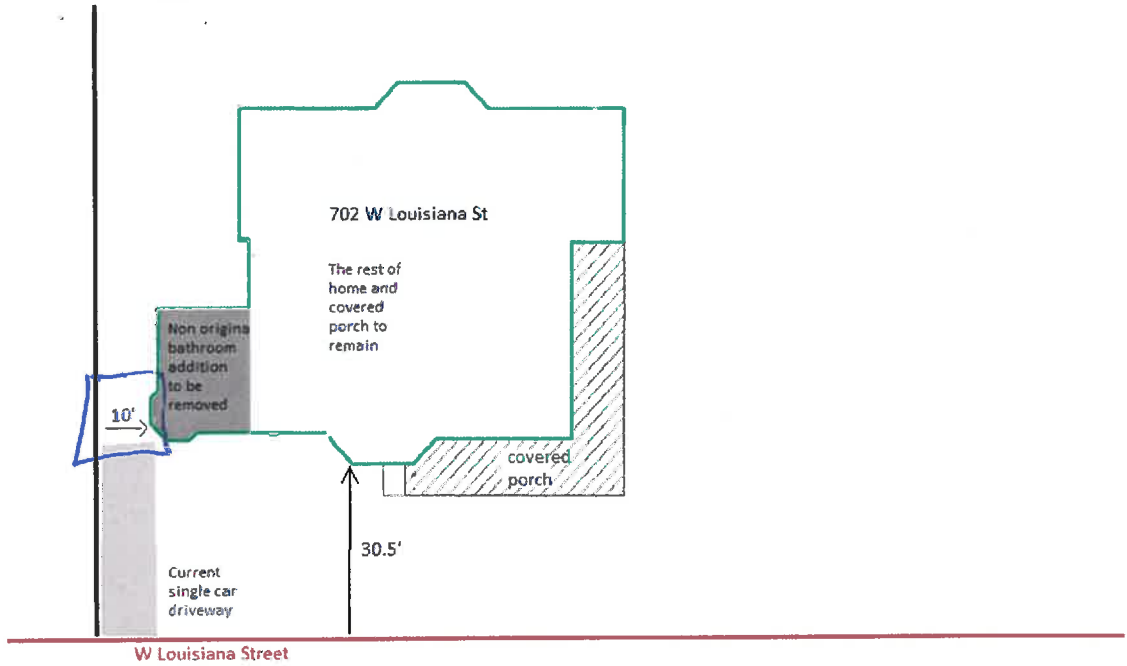
Section F-1. Schedule of space limits.

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

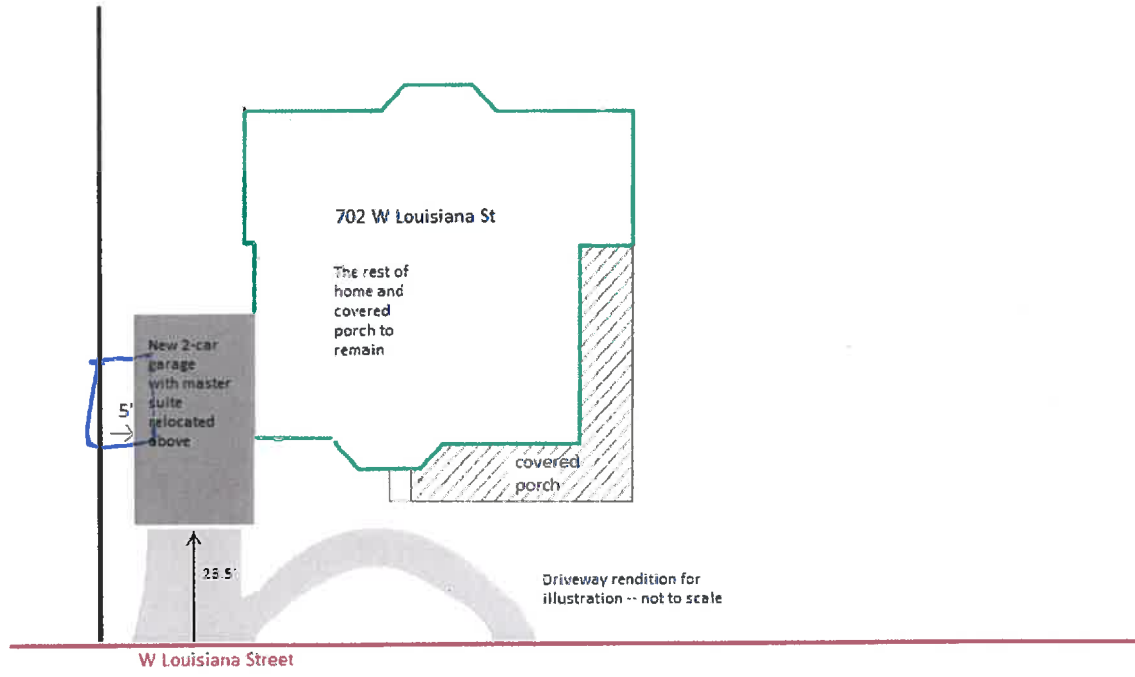


Hollister – 702 W Louisiana St – BOA application

Current footprint of home:



Proposed footprint:



C.B.G. Surveying, Inc.



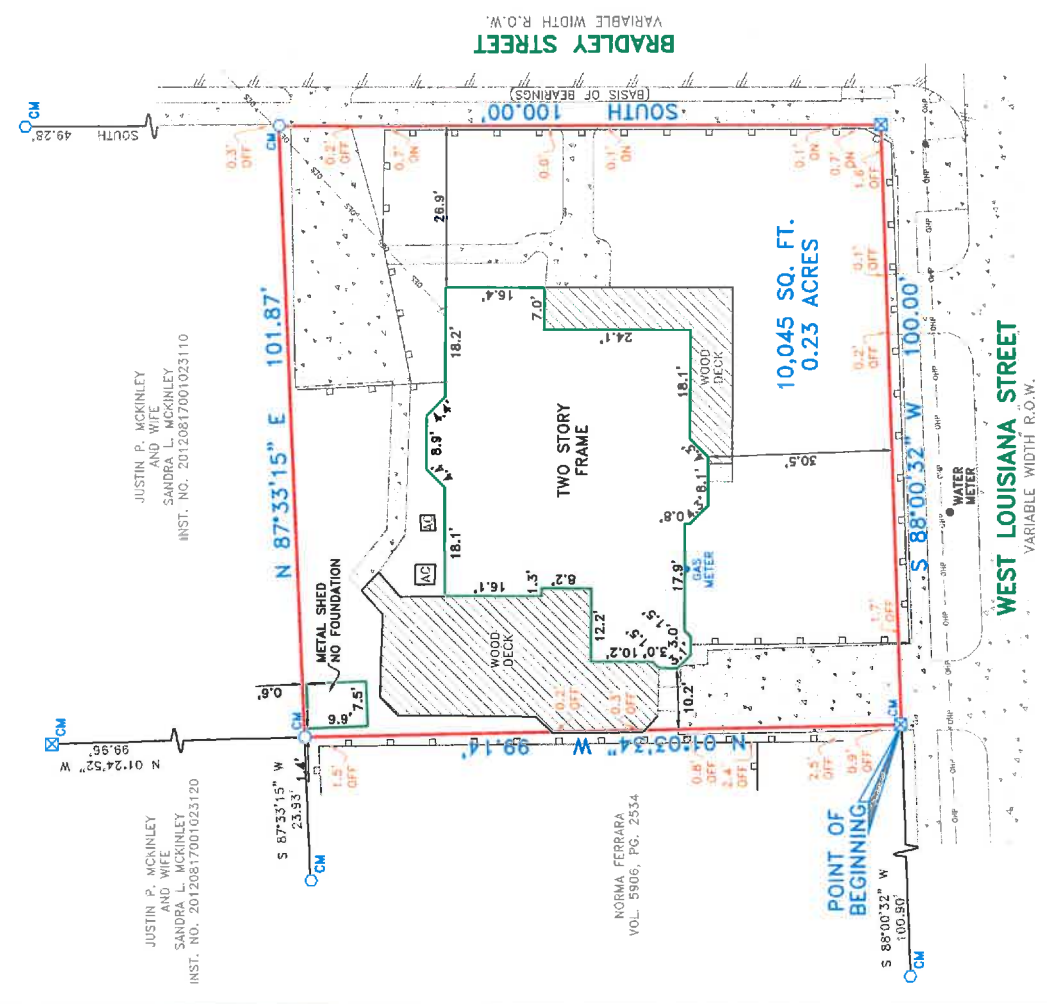
Capital Title

LEGEND

○ 3/8" ROD FOUND	□ FENCE POST FOR CORNER
○ 1/2" ROD SET	CM CONTROLLING METER
○ 5/8" ROD FOUND	AC UNIT/SET
○ 7" FOUND/SET	AC COMPRESSOR
○ 600 MAIL FOUND	PE EQUIPMENT
T PAD	TRANSFORMER
■ COLUMN	UNDERGROUND ELECTRIC
▲ ELECTRIC	UNDERGROUND ELECTRIC
—OP—	OVERHEAD ELECTRIC POWER
—OS—	OVERHEAD ELECTRIC SERVICE
—	IRON FENCE
—X—	BARBED WIRE
—	EDGE OF ASPHALT
—	EDGE OF GRAVEL
—	CONCRETE COVERED AREA
—	WOOD FENCE 0.5" WIRE TYPICAL

EXCEPTIONS:

Current



702 West Louisiana Street

Being a tract of land situated in the Thomas Bradley Survey, Abstract No. 88, in the City of McKinney, Collin County, Texas, same being that tract of land conveyed to Stephen M. Rice and wife, Carol W. Rice, by deed recorded in Instrument No. 94-0009751, Official Public Records, Collin County, Texas, and being more particularly described as follows:

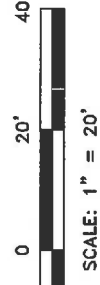
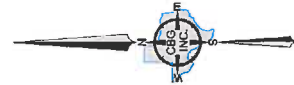
BEGINNING at an "X" found for corner, said corner being the Southeast corner of that tract of land conveyed to Norma Ferrara, by deed recorded in Volume 5906, Page 2534, Official Public Records, Collin County, Texas, and being in the North right-of-way line of West Louisiana Street (variable width right-of-way);

THENCE North 01 degrees 05 minutes 34 seconds West, along the East line of said Ferrara tract, a distance of 99.14 feet to a 3/8 inch iron rod found for corner, said corner being the Northeast corner of said Ferrara tract, being the Southeast corner of that tract of land conveyed to Justin P. McKinley and wife Sandra L. McKinley, by deed recorded in Instrument No. 20120817001023120, Official Public Records, Collin County, Texas, and being the Southwest corner of that tract of land conveyed to Justin P. McKinley, by deed recorded in Instrument No. 20120817001023110, Official Public Records, Collin County, Texas;

THENCE North 87 degrees 33 minutes 15 seconds East, along the South line of said McKinley (20120817001023110) tract, a distance of 101.87 feet to a 5/8 inch iron rod found for corner, said corner being the Southeast corner of said McKinley (20120817001023110) tract, and being in the West right-of-way line of Bradley Street (variable width right-of-way);

THENCE South, along the West right-of-way line of said Bradley Street, a distance of 100.00 feet to an "X" set for corner, said corner being the intersection of the West right-of-way line of said Bradley Street and the North right-of-way line of said West Louisiana Street;

THENCE South 86 degrees 00 minutes 32 seconds West, along the North right-of-way line of said West Louisiana Street, a distance of 100.00 feet to the POINT OF BEGINNING and containing 10,045 square feet or 0.23 acres of land.



This survey is made in conjunction with the information provided by Capital Title of Texas. Use of this survey by any other parties and/or for other purposes shall be at user's own risk and any loss resulting from other use shall not be the responsibility of the undersigned. This is to certify that I have on this date made a careful and accurate survey on the ground of the subject property. The plat hereon is a correct and accurate representation of the property lines EXCEPT AS SHOWN thereon and is subject to all easements, encroachments or projections on the ground.

Accepted by: _____
Purchaser

Date: _____

NOTES:
Bearings based on the East line of that tract of land conveyed to Stephen M. Rice and wife, Carol W. Rice, by deed recorded in Instrument No. 94-0009751, Official Public Records, Collin County, Texas.

FLOOD NOTE: According to the F.I.R.M. No. 48085C0280J, this property does lie in Zone X and does not lie within the 100 year flood zone.

Drawn By: JAN
Scale: 1" = 20'
Date: 12/07/15
GF NO.: 15-236525-WB
Job No.: 1519300

C.B.G. Surveying, Inc.
12025 Shiloh Road, Ste. 230
Dallas, TX 75228
P 214.349.9485
F 214.349.2216
Firm No. 10168800
www.cbgsfw.com

Eric and Heather Hollister – 702 W Louisiana St. – BOA variance Application



Current addition – view 1 - Roofline, windows, & trim do not match the character of the original (2 story) home.



Current addition – view 2 - Roofline, windows, & trim do not match the character of the original (2 story) home.

Eric and Heather Hollister – 702 W Louisiana St. – BOA variance Application



Current addition – view 3 - Roofline, windows, & trim do not match the character of the original (2 story) home.

Hollister Residence Addition

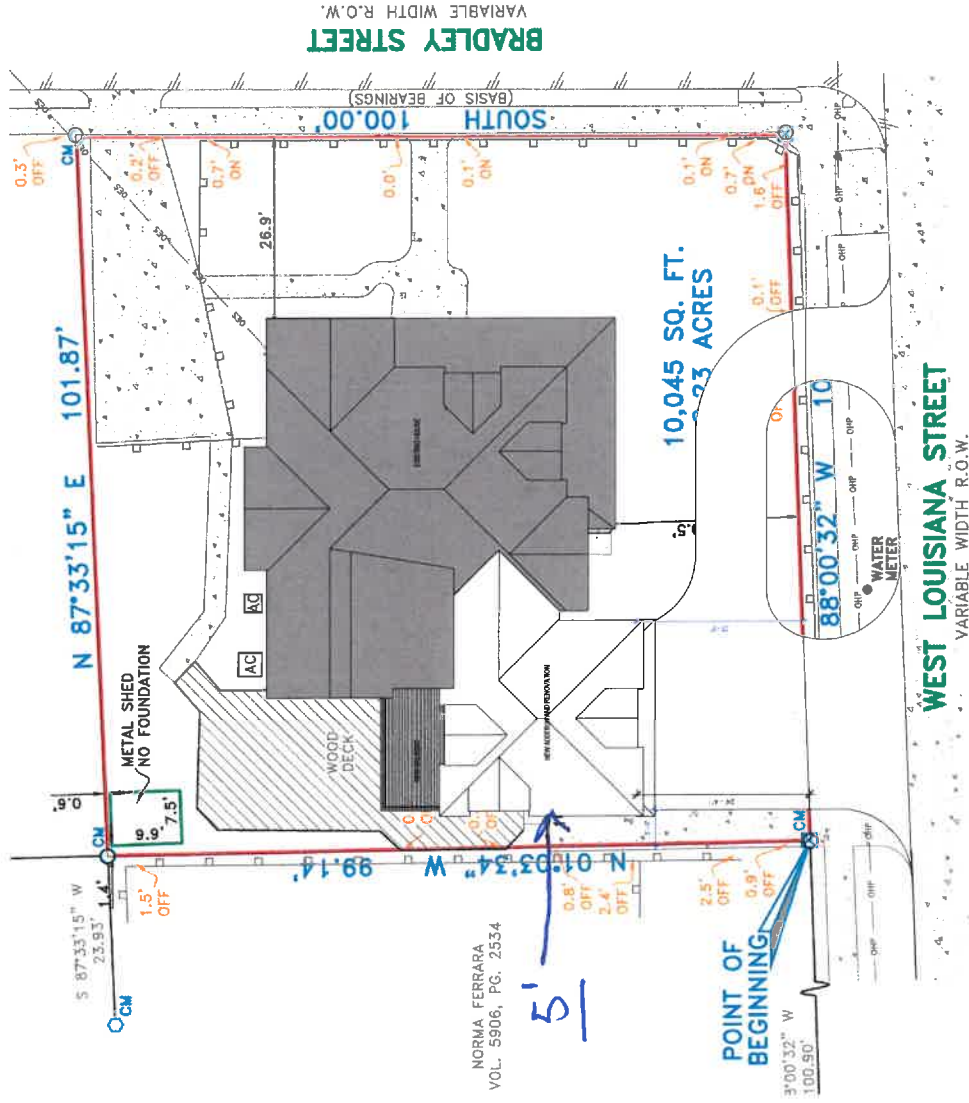
03.17.17

702 W. Louisiana Street,
McKinney, Texas 75069

SCHEMATIC DESIGN

1/8" = 1'-0"

Proposed



NORMA FERRARA
VOL. 5906, PG. 2534

1 Site Plan
1/8" = 1'-0"
NORTH

conduita.com

t 972.302.3747

conduit architecture • design inc



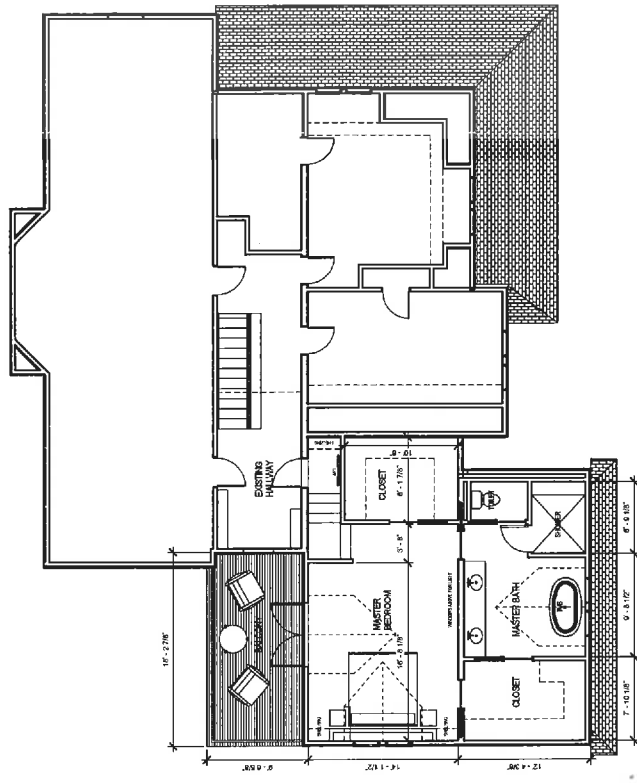
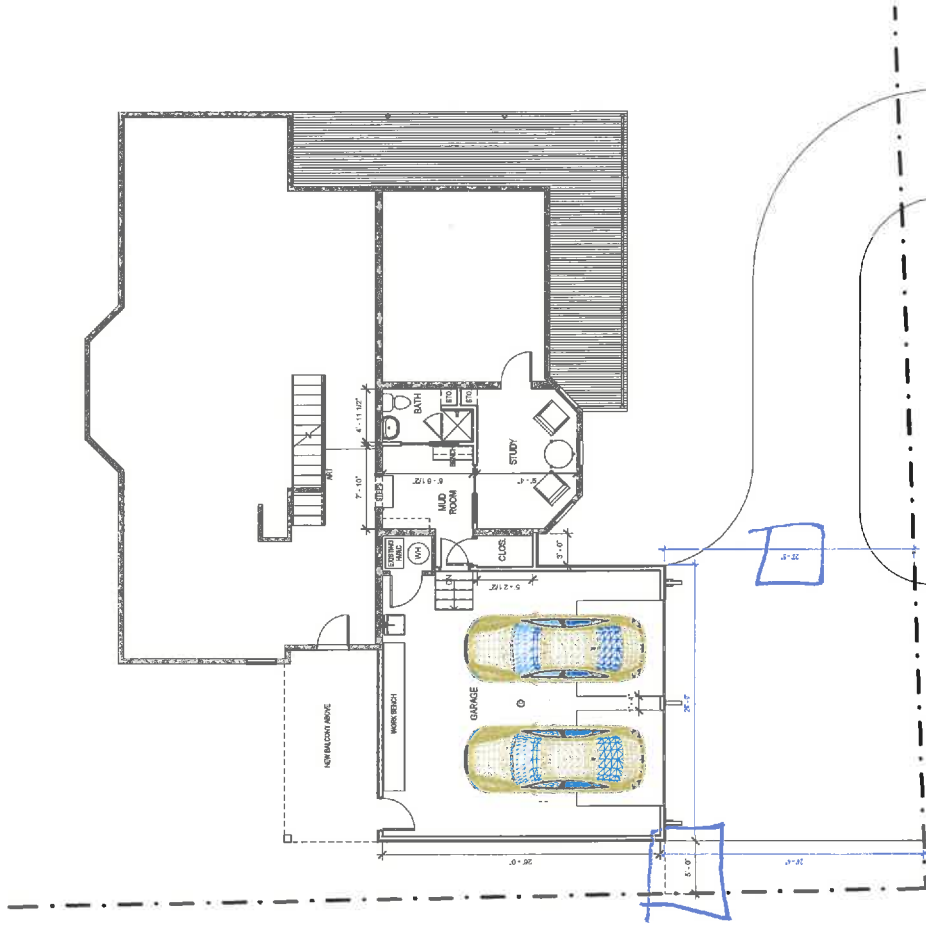
NOT FOR REGULATORY
APPROVAL, PERMITS, OR
BIDDING. CONSULT 855.10

Hollister Residence Addition

03.17.17

702 W. Louisiana Street,
McKinney, Texas 75069

SCHEMATIC DESIGN
3/16" = 1'-0"



Proposed



NOT FOR CONSTRUCTION
APPROVAL, PERMITTING, OR
OTHER REGULATORY AGENCIES
DATE: 03/17/2017

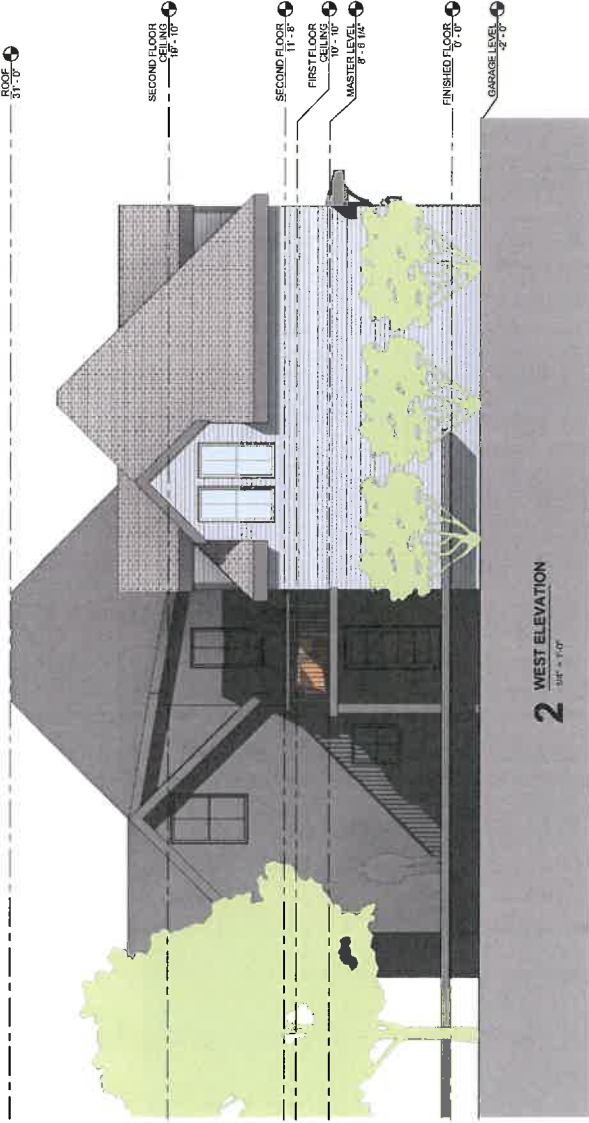
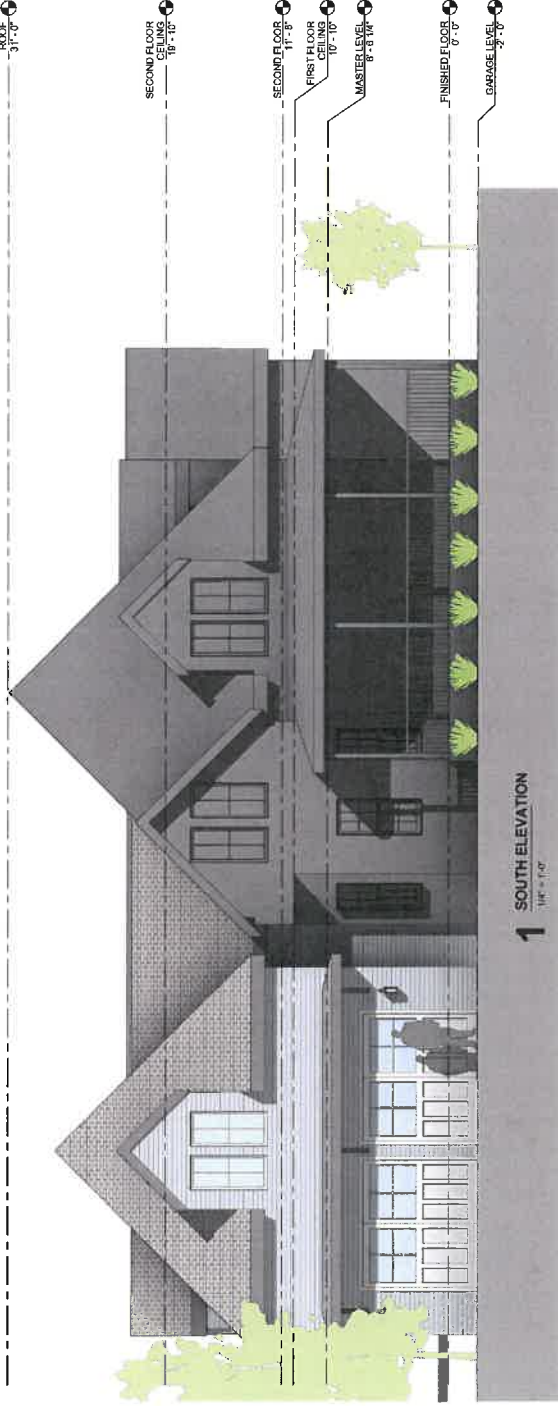
Hollister Residence Addition

03.17.17

702 W. Louisiana Street,
McKinney, Texas 75069

SCHEMATIC DESIGN

1/4" = 1'-0"



Proposed



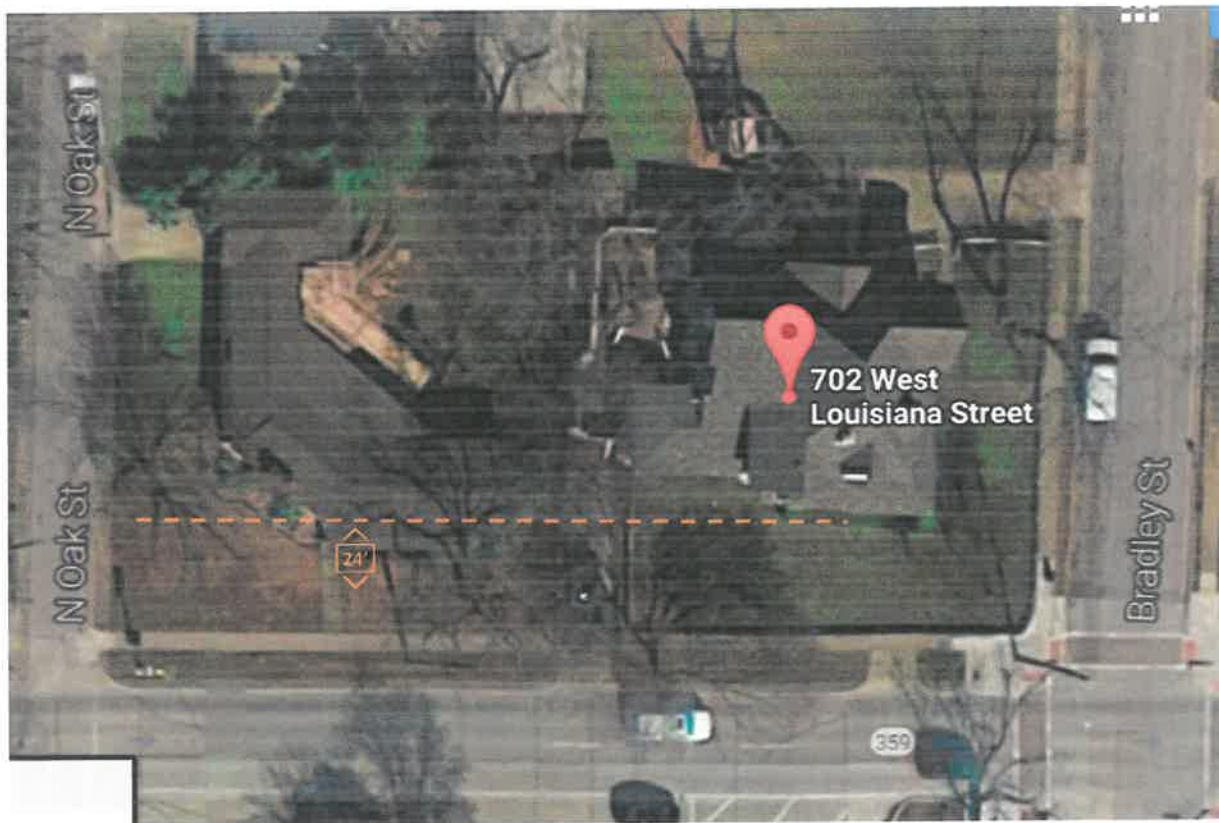
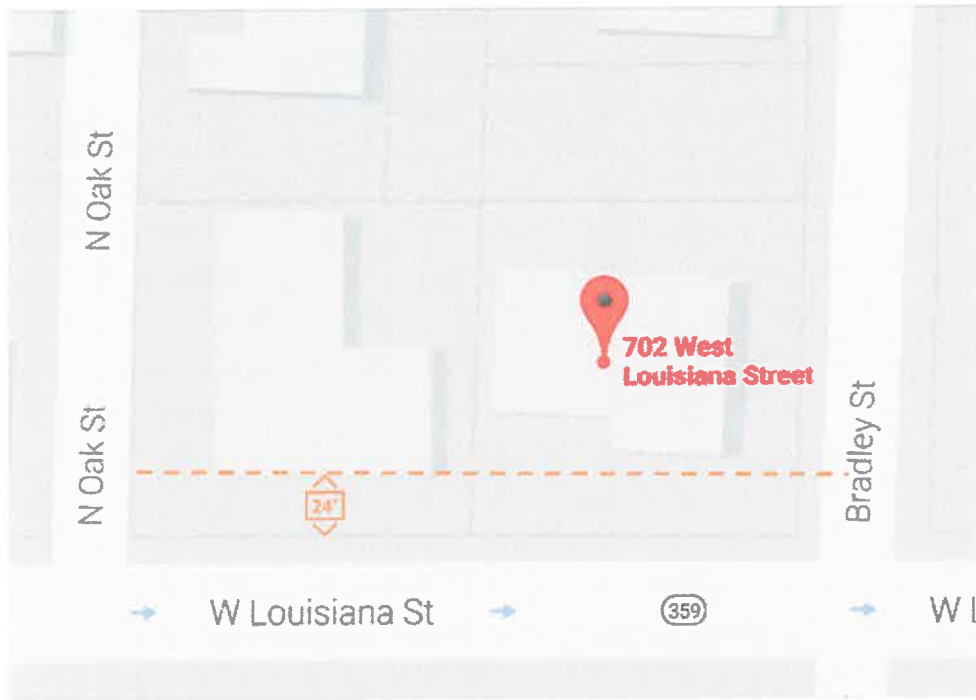
SEE OUR WEBSITE FOR
APPROVAL, PERMITS, OR
CONSTRUCTION
BY J. GIBSON PETER

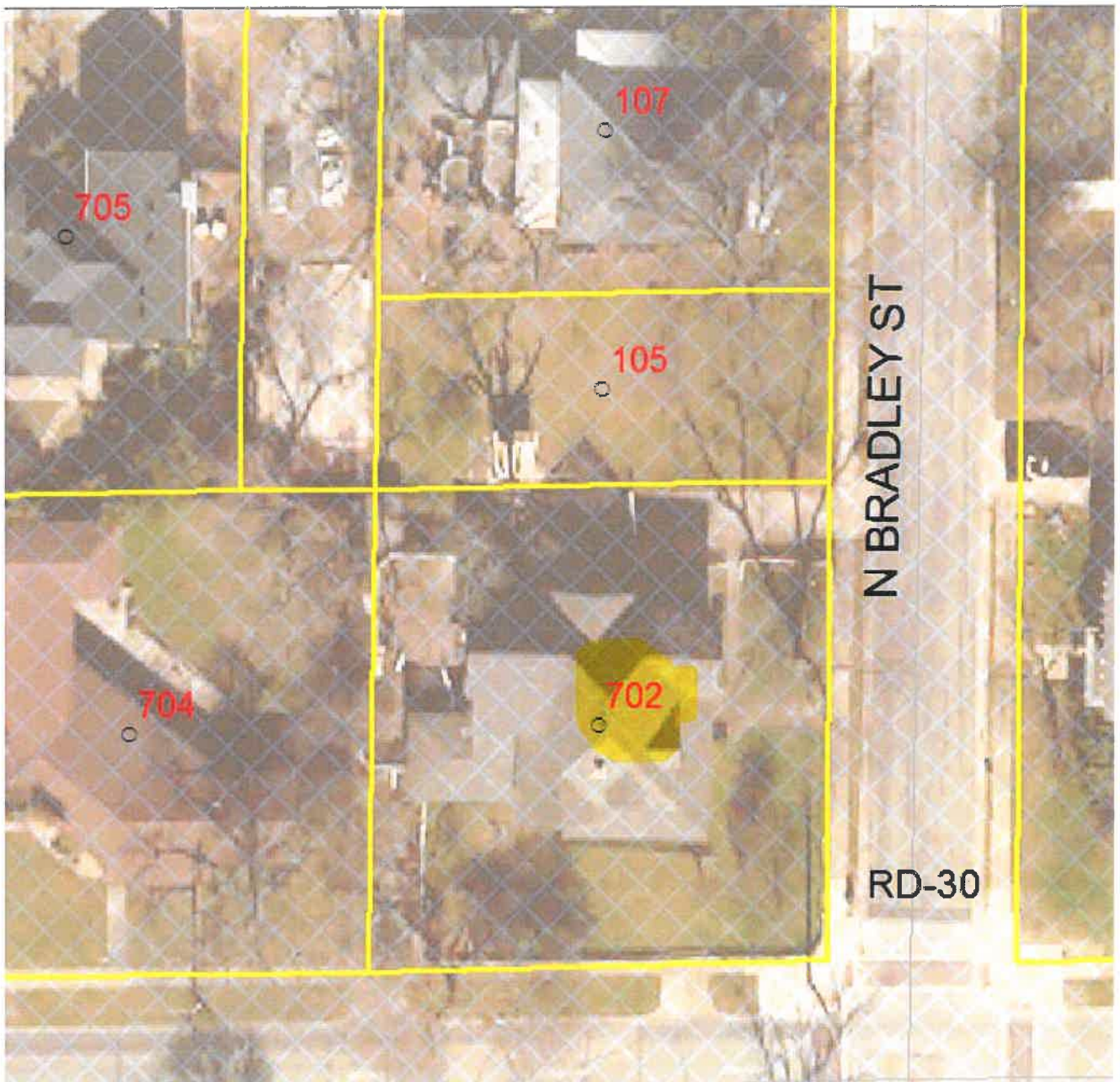
conduitau.com

t 972.302.9747

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Hollister – 702 W Louisiana St – Board of Adjustments Application





Karen McCutcheon
Senior Planning Tech
City of McKinney
972-547-7411