

## **BOARD OF ADJUSTMENT REGULAR MEETING**

**SEPTEMBER 27, 2017**

The Board of Adjustment met in regular session in the 2<sup>nd</sup> Floor Conference Room, 222 N. Tennessee Street, McKinney, Texas, on Wednesday, September 27, 2017 at 5:25 p.m.

Board members Present: Chairman Scott Jacoby; Board members: Kimberly Davison, Randall Wilder, Brad Taylor and Betty Petkovsek and Alternate Brian White was in attendance. Absent: Board member Patrick Cloutier.

Staff present: Chief Plans Examiner Jeff Harris and Administrative Assistant Dee Boardman.

**17-942** Minutes of the Board of Adjustment Meeting of July 26, 2017

Board members unanimously approved the motion by Board member Brad Taylor, seconded by Board member Randall Wilder, to approve the Minutes of the Board of Adjustment Meeting of July 26, 2017.

**17-12BOA** Chairman Jacoby called for a Public Hearing to Consider/Discuss/Act on the Request by Travis Hill for an 11' Variance from the Minimum Rear Setback of 15' to Build an Attached Open Patio for the Property Located at 2651 Orchid Drive, McKinney, Texas. Applicant, Mr. Travis. Hill, 2651 Orchard Drive, McKinney, stated the address is Orchid and not Orchard Drive as stated in the documents. The request is for an Open Patio Cover in the rear. No privacy in front and back yard. There is an existing patio with the understanding that it could be covered not realizing there is a 15' build line. The cover is bigger than the allowed setback. The house is bordered by a street and surrounded by woods. Chairman Jacoby read the Board's authorization. Chief Plans Examiner Jeff Harris said the City did issue the permit for the flatwork/foundation. Mr. Hill says the cover will be attached to the roofline with an open cover and will not be enclosed. Mr. Harris stated that anytime you build an overhead structure, the setback requirements come into play. Board member Taylor stated that Mr. Hill has minimal neighbors and that they had an

opportunity to voice concerns, none of them did. He doesn't have the capability to enjoy going outside his house without any kind of privacy which he views as a hardship. Chairman Jacoby asked if the structure was not attached to the house, does it still fall under the same guidelines. Mr. Harris stated that it does fall under the residential requirements of the building code. The setback requirements are reduced. Chairman Jacoby called for public comments and there were none. Board members unanimously approved the motion by Board member Davison, seconded by Board member Petkovsek, to close the public hearing. Board members unanimously approved the motion by Board member Davison, seconded by Board member Taylor, to approve the request by Travis Hill for an 11' variance from the minimum rear setback of 15' to build an attached open patio for the property located at 2651 Orchid Drive, McKinney, Texas.

**17-13BOA** Chairman Jacoby called for a Public Hearing to Consider/Discuss/Act on the Request by Ed Boughtin for a 5' Variance from the Ordinance from the Minimum Front Yard Setback of 25' and a 7' Variance from the Ordinance from the Minimum Rear Yard Setback of 25' for the Construction of a Single Family Home on Property Located at 601 W Armstrong Street, McKinney, Texas. Applicant, Mr. Ed Boughtin stated that he is building a new home for a retiring Judge. The lot is not deep enough to do anything with a detached garage. Because of the new setbacks ruling of a detached garage, it has to be 10' away from the house, behind the house, or fall into the same setback as the house if it's not all behind the house. The lot depth is only 87'5" and by the time you take the 50' this leaves only 37' to build a long narrow house. Chairman Jacoby inquired how this situation falls in line with the other homes in the area. Mr. Boughtin stated that the existing house will be demolished. The new house will meet the side setbacks of the house and the garage will be attached. The house behind is 15' from the fence. Chairman

Jacoby read the two letters received. Both approve the request. Chief Plans Examiner Jeff Harris stated that the existing house on this lot was built prior to the establishment of setbacks. So, you have an existing condition along the entire street. Chairman Jacoby called for public comment and there were none. Board members unanimously approved the motion by Board member Petkovsek, seconded by Board member Wilder, to close the public hearing. Board members unanimously approved the motion by Board member Taylor, seconded by Board member Petkovsek, to approve the request by Ed Boughtin for a 5' variance from the Ordinance from the minimum front yard setback of 25' and a 7' variance from the Ordinance from the minimum rear yard setback of 25' for the construction of a single family home on property located at 601 W Armstrong Street, McKinney, Texas.

Chairman Jacoby thanked Board member Kimberly Davison for her service on the Board.

Board members unanimously approved the motion by Board member Wilder, seconded by Board member Taylor, to adjourn. Chairman Scott Jacoby adjourned the meeting at 5:41 p.m.

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SCOTT JACOBY  
Chairman