

## **BOARD OF ADJUSTMENT REGULAR MEETING**

**NOVEMBER 14, 2018**

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, November 14, 2018 at 5:31 p.m.

Board members Present: Betty Petkovsek, Chairman, Louise Holubar, Vice Chairman, Brian White, David Riche, Larry Macy, Eric Roberts and Randall Wilder.

City Staff members Present: Rick Herzberger, Building Official and Dee Boardman, Administrative Assistant.

**18-984** Minutes of the Board of Adjustment Meeting of October 24, 2018. Board members unanimously approved the motion by Board member Brian White, seconded by Board member David Riche, to Approve 18-984 Minutes of the Board of Adjustment Meeting of October 24, 2018.

**18-985** Conduct a Public Hearing to Consider/Discuss/Act on the Request by Eric Havemann for the Consideration of a 20 foot variance to allow a 5 foot, side at corner setback, to the Zoning Ordinance requirement of a 25 foot, side at corner setback, for Property Located at 513 W Louisiana Street, Lot 1, Block A of the Victorian Place Addition, McKinney, Texas. Rick Herzberger, Building Official read his statement. Lucas Henry, 1107 N Church Street, McKinney, Texas spoke on behalf of Dr. Havemann. Mr. Henry stated the carport was existing when the home was purchased. Carport material is torn with holes on top, narrow and not well placed. Dr. Havemann would like to tear down the existing carport and build a larger one that extends out to 5' from his side property line using the existing concrete. Betty Petkovsek, Chairman, read 6 of the 8 notification letters for approval. The last two letters of approval were by property owners, James Folkerts, 507 W Louisiana Street, McKinney, Texas and Robert O'Donnell, 512 W Davis Street, McKinney, Texas who spoke in person to the Board.

Board members unanimously approved the motion by Board member Brian White, seconded by Board member Larry Macy, to Approve closing Public Hearing 18-985 to Consider/Discuss/Act on the Request by Eric Havemann for the Consideration of a 20 foot variance to allow a 5 foot, side at corner setback, to the Zoning Ordinance requirement of a 25 foot, side at corner setback, for Property Located at 513 W Louisiana Street, Lot 1, Block A of the Victorian Place Addition, McKinney, Texas.

There was a discussion after the public hearing closed between the members and the applicant. Member White asked if the garage is associated with the house. Mr. Henry stated the property was divided into six lots from one lot called Victorian Place. The Havemanns own three of the six lots. Inside the detachable garage is a large non-movable car lift. Mr. Henry stated the owners are not able to park two vehicles let alone one because of the car lift. Member Macy stated the existing structure doesn't even look like a carport and more like a covered entry to the house. Mr. Herzberger stated the proposed new carport under the zoning ordinance is considered an accessory building that has setbacks which is the reason for the variance. Mr. Henry clarified the Havemanns have two front yards. They will maintain a front yard off of Louisiana Street and is only requesting the variance on the side of the house facing College Street, no landscaping will be disturbed and they will be using the existing concrete. Member Riche asked what is preventing the owners from coming in from the side entry and exiting from the front of the house. Mr. Henry mentioned the existing carport is impeding the owners from exiting from the front because of the post location and the tree. With the proposed carport, the new posts will extend to the other side of the driveway and close to the bushes allowing them the ability to exit the front. Member Riche asked what would prevent the proposed new carport from blowing over if approved. Mr. Henry stated the structured will be engineered. Member White asked if the Havemann's

thought of renovating the existing garage with the lift. Mr. Henry stated because the property is in the historic district, changing the exterior is not permitted without approval. In order to make the garage wide enough to fit both cars, the lift would have to be removed and you would have to alter the structure. The proposed carport would be a big improvement to the property rather than modifying the full structure. Member Macy asked about the driveway that is next to garage with the lift. Mr. O'Donnell stated the property used to be a Bed and Breakfast and the previous owners poured a very small concrete pad about eight x ten feet to allow for additional parking. Mr. Havemann mentioned that City Staff, Jeff Harris, Chief Plans Examiner had met him at his home to talk about the options available under the Zoning ordinance. Board members unanimously approved the motion by Board member Larry Macy, seconded by Board member Louise Holubar, to Approve 18-985 the Request by Eric Havemann for the Consideration of a 20 foot variance to allow a 5 foot, side at corner setback, to the Zoning Ordinance requirement of a 25 foot, side at corner setback, for Property Located at 513 W Louisiana Street, Lot 1, Block A of the Victorian Place Addition, McKinney, Texas.

Board members unanimously approved the motion by Board member David Riche, seconded by Board member Larry Macy, to Adjourn the meeting at 6:25 p.m.

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Betty Petkovsek  
Chairman