



18-089

TITLE: Conduct a Public Hearing to Consider/Discuss/Act on the Request by Timothy and Erika McWilliams for Consideration of a Special Exception to Allow a Fence to a Height of 8’6” from the Allowed Fence Height of 6’8” for the Property Located at 504 W. Virginia Street, Lot 1, Huggins Addition, McKinney, Texas

BOARD OF ADJUSTMENT CASE NUMBER: 18-01

MEETING DATE: January 31, 2018

DEPARTMENT: Development Services-Building Inspections

CONTACT: Rick Herzberger, Chief Building Official

RECOMMEND BOARD ACTION: Consider request

ITEM SUMMARY:

- **ZONING:** RS-60 - SF Residential and Historic Overlay District
- **EXISTING CONDITIONS:** Current fence height on this property is 6’8”.
- **SPECIAL EXCEPTION REQUESTED:**

FENCE ORDINANCE REQUIREMENTS	REQUESTED DIMENSIONS	CHANGE FROM ORDINANCE
Maximum Height of 6’8” in Historic District	8’6”	22” Increase

APPLICANT’S BASIS FOR VARIANCE:

- The applicant is replacing the existing fence due to poor condition. This additional height addresses the owners’ concern with continued privacy and

security, as described in the BOA application.

PUBLIC SUPPORT/OPPOSITION OREQUEST:

- To date, no letters of support and no letters of opposition have been submitted.

BOARD AUTHORITY:

Section 1. Section 122-178(d) of the Code of Ordinances, City of McKinney, Texas, is hereby established and shall read as follows:

(d) The board of adjustment may grant a special exception allowing side and/or rear yard fences in the historic overlay district up to a maximum height of eight feet six inches (8½ feet), provided that the board finds that:

1. The lot has unusual topographical conditions that distinguish it from other similarly sized and shaped lots, and where such conditions create a hardship that renders privacy and security inadequate without such relief; or
2. All of the following provisions have been met:
 - a. The lot shall have an existing residential structure on it or a building permit to construct a residential structure has been issued;
 - b. The proposed fence does not negatively impact the health, safety and welfare of the public;
 - c. The proposed fence's design is complimentary to other existing fences in the area; and
 - d. The proposed fence's design, location and height is appropriate for the context of the area.

BUILDING OFFICIAL STATEMENT:

- The request has been validated and the Board has the authority to consider this special exception as stated in the Fence Ordinance.

SUPPORTING MATERIALS:

[BOA 18-01 BO Application](#)