



18-684

**TITLE:** Conduct a Public Hearing to Consider/Discuss/Act on the Request by Michael Sean Smith to Consider a 275 Square Foot Variance from the Zoning Ordinance Requirement of a Maximum 200 Square Foot for a Proposed 475 Square Foot Accessory Building for the Property Located at **904 Doral Circle, Pinehurst Addition Phase 1A (CMC), Block F, Lot 9, McKinney, Texas**

**Board of Adjustment Case Number:** 18-15

**MEETING DATE:** September 19, 2018

**DEPARTMENT:** Development Services-Building Inspections

**CONTACT:** Rick Herzberger, Chief Building Official

**RECOMMENDED BOARD ACTION:** Consider request based on the oversized lot for a variance to the accessory building maximum size allowed in Zoning Ordinance.

**ITEM SUMMARY:** The applicant would like to build a workshop on this oversized lot that exceeds the maximum allowed size of an accessory building in the zoning ordinance.

**ZONING:** PD-Ordinance 1996-11-53 Base Zoning RS 55.

**EXISTING CONDITIONS:** The lot is conforming on lot size, width and depth per the PD ordinance stated above. There is no maximum coverage regulation in this PD.

**VARIANCES REQUESTED:**

ORDINANCE REQUIREMENTS	REQUESTED DIMENSIONS	VARIANCE FROM ORDINANCE
200 square foot maximum	475 square foot	275 square foot

**APPLICANT'S BASIS FOR VARIANCE:** The applicant has provided a statement

regarding the request for seeking the accessory building size from 200 square feet maximum to 475 square feet.

**PUBLIC SUPPORT/OPPOSITION FOR REQUEST:** To date, no letters of support and no letters of opposition have been submitted.

**BOARD AUTHORITY:**

***Variances.*** The board shall have the power to authorize upon appeal in specific cases such variance from the terms of this chapter as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary hardship, and so that the spirit of this chapter shall be observed and substantial justice done, including the following:

1. 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, provided such variance will not seriously affect any adjoining property or the general welfare; and
2. Authorize upon appeal, whenever a property owner can show that a strict application of the terms of this chapter relating to the construction or alterations of buildings or structures will impose upon him unusual and practical difficulties or particular hardship, such variances from the strict application of this chapter as are in harmony with its general purpose and intent, but only when the board is satisfied that a granting of such variation will not merely serve as a convenience to the applicant, but will alleviate some demonstrable and unusual hardship or difficulty so great as to warrant a variance from the zoning ordinance as established by this chapter, and at the same time, the surrounding property will be properly protected.

**BUILDING OFFICIAL STATEMENT** - The request has been validated and the Board has the authority to consider this variance request. Due to the condition of this being a conforming lot, the Board will need to consider the applicants request in light of the second condition of variances, as described above - 'authorize upon appeal'.

**SUPPORTING MATERIALS:**

[Application 904 Doral Cir](#)