



# CITY OF MCKINNEY, TEXAS

## Legislation Details (With Text)

**File #:** 18-090 **Name:** BOA 18-02 BO Statement and Application  
**Type:** Agenda Item **Status:** Approved  
**In control:** Board of Adjustment  
**On agenda:** 1/31/2018 **Final action:** 1/31/2018  
**Title:** Conduct a Public Hearing to Consider/Discuss/Act on the Request by Kelsey Larson for Consideration of a Special Exception to Allow a Fence to a Height of 8'0" from the Allowed Fence Height of 6'8" for the Property Located at 1104 W. Hunt Street, Lot 4C, Block 7 of the Waddill Addition, McKinney, Texas  
**Indexes:**  
**Attachments:** 1. BOA 18-02 BO Application

Date	Ver.	Action By	Action	Result
1/31/2018	1	Board of Adjustment	Approved	Pass

Conduct a Public Hearing to Consider/Discuss/Act on the Request by Kelsey Larson for Consideration of a Special Exception to Allow a Fence to a Height of 8'0" from the Allowed Fence Height of 6'8" for the Property Located at 1104 W. Hunt Street, Lot 4C, Block 7 of the Waddill Addition, McKinney, Texas

**BOARD OF ADJUSTMENT CASE NUMBER:** 18-02

**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 varied from 6'8" to 8'
- **SPECIAL EXCEPTION REQUESTED:**

FENCE ORDINANCE REQUIREMENTS	REQUESTED DIMENSIONS	CHANGE FROM ORDINANCE

Maximum Height of 6'8" in Historic District	8'0"	16" Increase
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**APPLICANT'S BASIS FOR VARIANCE:**

- The applicant is replacing the existing fence due to poor condition. This additional height reflects the removed fence and addresses the owner's concern with continued privacy and security. Applicant representative has prepared a letter describing these concerns.

**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.