

BOARD OF ADJUSTMENT REGULAR MEETING

JANUARY 8, 2025

The Board of Adjustment met in regular session at the McKinney City Hall Council Chambers, 222 N. Tennessee Street, McKinney, Texas, on Wednesday, January 08, 2025, at 6:00 P.M.

Board Members Present: Chairman Larry Jagours, Vice Chairman Tonya Dangerfield and Board Members Randall Wilder, Deanna Kuykendall and Eric Roberts.

City Staff members present: Chief Building Official Suzanne Arnold, Administrative Coordinator Brittany Long, and Administrative Coordinator Hannah Golden.

Chairman Larry Jagours called the meeting to order at 6:00 P.M. after determining a quorum was present.

24-2315 Minutes of the Board of Adjustments Regular Meeting of October 09, 2024.

The motion was made by Board member Eric Roberts to approve the minutes, seconded by Vice Chairman Tonya Dangerfield. The Minutes of the Board of Adjustment Regular Meeting of October 09, 2024, were unanimously approved and referred to the City Council for approval.

24-2316 Minutes of the Board of Adjustments Work Session of October 09, 2024.

The motion was made by Board member Deanna Kuykendall to approve the minutes, seconded by Board member Randal Wilder. The Minutes of the Board of Adjustment work Session of October 09, 2024, were unanimously approved and referred to the City Council for approval.

REGULAR AGENDA ITEM

BOA24-23

Conduct a Public hearing to Consider/Discuss/Act on the request by Owner Tim Allen, to Consider/Discuss/Act on the Appeal of the Building Official's decision regarding a violation of UDC Article 2, Section 206 A, requiring two canopy trees, including a canopy tree in the front yard, on all single-family properties in this zoning district. The applicant is requesting not to be required to plant one required tree that is presently absent from the front yard. This request is on the property located at 708 Setting Sun Trail, Lot 12 of Block F of the Greens of McKinney Phase 2 Addition to the City of McKinney, Texas.

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A motion was made by Board member Eric Roberts to open the public hearing, seconded by Vice Chairman Tonya Dangerfield.

The floor was open to the public for comment. Owner, Tim Allen and Chief Building Official Suzanne Arnold were sworn in by Chairman Larry Jagours.

Chief Building Official Suzanne Arnold provided her statement. Mrs. Arnold began by stating that the applicant is requesting not to be required to plant one required tree that is presently absent from the front yard. The canopy tree was removed at an unknown time. McKinney Code Compliance investigated a complaint about the missing tree on June 28th, 2024, and subsequently issued a notice of violation requiring the homeowner to comply with the UDC Landscape Ordinance by planting the missing tree. The city received this application for a variance on November 25, 2024.

In reference to spatial constraints, all properties in this subdivision are shown to have the same 7.5 Ft. Utility Easement per the plat as well as a front zoning setback of 20 feet. The requirement of a front yard canopy tree applies throughout McKinney. The condition is not unique to the property. An approval on general dimensional arguments could have widespread impact on BOA and development throughout McKinney.

Owner, Tim Allen, 708 Setting Sun Trail spoke on his behalf. He stated that when he purchased the property in 2015 there was no tree there. He believes that planting a tree will cause lawn discoloration and damage due to future root development. He feels that the other trees in his yard should be counted under the cities tree ordinance, and he should not be forced to replant.

A total of 46 notices were sent out with no responses received.

Specifics on location, setbacks, property conditions, the original code violation, and letters related to the agenda were requested by Chairman Larry Jagours, Vice Chairman Tonya Dangerfield and Board members Randall Wilder, Eric Roberts and Deanna Kuykendall.

The motion by Board member Eric Roberts, seconded by board member Randall Wilder, to Approved 24-2317 Conduct a Public hearing to Consider/Discuss/Act on the request by Owner Tim Allen, to Consider/Discuss/Act on the Appeal of the Building Official's decision regarding a violation of UDC Article 2, Section 206 A, requiring two canopy trees, including a

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canopy tree in the front yard, on all single-family properties in this zoning district. The applicant is requesting not to be required to plant one required tree that is presently absent from the front yard. This request is on the property located at 708 Setting Sun Trail, Lot 12 of Block F of the Greens of McKinney Phase 2 Addition to the City of McKinney, Texas. failed.

Board members voted on this agenda item. The agenda item received 2 votes for approval and 3 votes for disapproval. Agenda item failed.

ADJOURN

Board members unanimously approved the motion to adjourn by Board member Eric Roberts seconded by Deanna Kuykendall, to ADJOURN at 6:53 PM.

SIGNED:

LARRY JAGOURS, Board Chair

TONYA DANGERFIELD, Board Vice Chair