

G. Flexibility and Relief Procedures

2. Special Exception

Through the Special Exception procedure, the Board of Adjustment may evaluate certain adjustments and modifications to the standards in this Code based on necessity or unusual circumstances.

a. Applicability

Special Exceptions may be used to:

- III. Permit the reconstruction of a legal nonconforming building that has been damaged by explosion, fire, the elements, the public enemy, or any other cause, to the extent of more than 50 percent of its fair market value, where the Board finds some compelling necessity requiring a continuance of the nonconforming use and the primary purpose of continuing the nonconforming use is not to continue a monopoly;
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7. Destruction of Building, Structure, or Site Feature by Fire, the Elements, or Other Cause

Nonconforming buildings, structures, or site features shall not be rebuilt, unless they adhere to all applicable provisions of this Code. Nonconforming buildings or structures shall lose their legal nonconforming status if they are restored or reconstructed in violation of this subsection, except as specifically provided otherwise below.

a. Partial Destruction

- II. The legal nonconforming building or structure may only be restored or reconstructed to have the same, but not greater, height, shape, floor area, and appearance as it had immediately prior to the damage or destruction. The Chief Building Official shall estimate the height, shape, floor area, and appearance of the structure immediately prior to the damage or destruction, and shall consult with the property owner, if necessary, to make a determination.
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N. C1 – Neighborhood Commercial

1. Purpose

The purpose of the C1 zoning district is to allow for small-scale, low-intensity commercial, retail, office, service-oriented, and professional uses, and accompanying accessory uses, that serve primarily the surrounding neighborhood, and are typically located where collector roads intersect with other collector roads or arterial roads. This district is generally appropriate within the following placetype(s) in the ONE McKinney 2040 Comprehensive Plan: Neighborhood Commercial and Historic Town Center – Mix.

2. Standards

Table 2-13: C1 Dimensional Standards

Lot Dimensions (minimum)		
A	Lot area (sq ft)	0
B	Lot width (ft)	0
C	Lot depth (ft)	0
Setbacks (minimum)		
D	Front (ft)	20
E	Rear (ft)	0
F	Side interior (ft)	0
Height (maximum)		
	Height (ft)	35

Other Key Standards

Special Setback Requirements & Encroachments for Residential Lots	§204DD
Height Measurements and Exceptions	§204EE
Table of Uses	§205B
Use Definitions and Use-Specific Standards	§205C
Landscaping	§206A
Screening	§206C
Vehicle Parking and Loading	§206E

Residential Adjacency

When a non-residential use shares a property line(s) with a single-family, duplex, triplex, or quadplex residential use or a single-family residential zone, the following building setbacks shall apply along the shared property line(s):

Building Stories	Setback (minimum)
1 story	30 feet
2 stories	50 feet
3 or more stories	2 feet of setback for each foot of building height

206 Development Standards

A. Landscaping

5. Site-Specific Landscape Standards

c. Non-Residential Uses

I. Site Standards

- a. A minimum of 10 percent of the site area shall be living landscaping, including grass, ground cover, plants, shrubs, or trees.
- b. To achieve species diversity on a site, no single species may account for more than 25 percent of the total required trees to be planted on a site.

II. Specific Requirements

The landscaping requirements shown in Table 2-32 and Figure 2-26 shall apply to all non-residential development.

Table 2-32: Non-Residential Landscaping Requirements

Landscape Buffer Requirements				
A	Street Buffer [1] [2]	Based on Adjacent Right-of-Way Width		
	<i>ROW width</i>	0-59 ft	60-199 ft	200+ ft
	<i>Required Buffer Width</i>	10 ft	20 ft	30 ft
		100 percent of the street buffer shall be living landscaping.		
B	Adjacency Buffer	10 feet in width parallel to side and rear property lines that are adjacent to a single-family district or a residential use, except multi-family and mobile home.		
C	Vehicular Use Buffer	Minimum 5 feet wide landscape area where parking or drive aisles abut a property line, except when a mutual access easement (shared drive aisle) is located on a property line.		
Tree Requirements [6]				
D	Street Buffer Trees [4]	1 canopy tree per 40 linear feet or portion thereof shall be planted within the associated Street Buffer; Trees may be clustered to facilitate site design.		
E	Adjacency Buffer Trees [3]	1 canopy tree per 40 linear feet or portion thereof shall be planted within the associated Adjacency Buffer. Trees may not be clustered.		
Parking Area Requirements				
	Landscaping Required	Canopy trees shall be required at a rate of 1 tree for every 7 parking spaces (based on the total number of parking spaces) Every parking space shall be located within 65 feet of a tree. [7]		
	Circulation	All parking, loading, maneuvering, and circulation areas shall be well-defined by a curb, unless a drainage condition exists where curb cuts would be approved by the Director of Engineering. Landscape areas are required at the end of every parking row. Landscaping, except required grass and low ground cover, shall not be located any closer than 3 feet to a parking space, drive aisle, or fire lane.		
	Landscape Area	Minimum width: 6 feet [5] Minimum width with tree: 9 feet Up to 50 percent of each landscape area located at the end of a parking row may be finished with non-living materials.		

E. Vehicle Parking and Loading

3. Parking Calculations

a. Generally

- I. All parking and requirements that are based on square footage shall be calculated based on gross floor area of the subject use, unless otherwise specified.
- II. Parking spaces intended for storage of business vehicles, such as fleet vehicles, delivery vehicles, or vehicles on display associated with sales or rental shall not be included in the calculation of vehicle parking requirements unless otherwise stated.

Table 2-38: Minimum Vehicle Parking and Stacking Requirements

Abbreviations: DU = dwelling unit

Sq. ft. = square feet

Note: All requirements refer to gross floor area, unless otherwise specified.

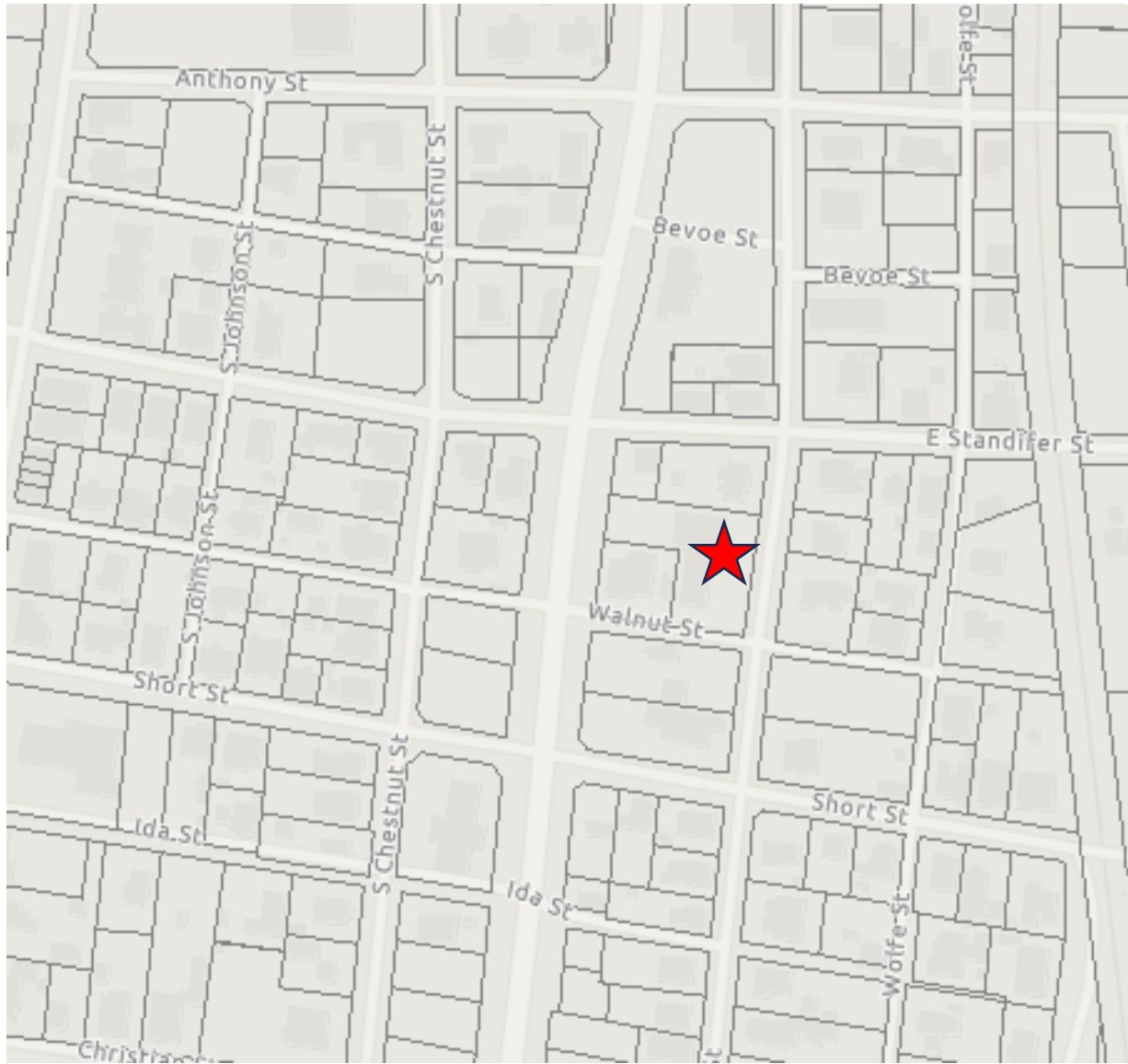
Use	Use Definition	Parking Requirement
Religious assembly	205F.67	1 space per 50 sq. ft. of gross floor area of the main sanctuary or auditorium

7. Driveway and Parking Surfacing Material

b. Non-Residential and Multi-Family Residential Uses

- I. All required on-site parking, maneuvering, and loading areas shall be paved with concrete, unless otherwise specified herein.









BOARD OF ADJUSTMENT APPLICATION

*Application not applicable in the ETJ (Extra Territorial Jurisdiction)

APPEAL

SPECIAL EXCEPTION

VARIANCE

TODAY'S DATE: 12/20/23

****CONTACT INFORMATION****

PROPERTY LOCATION (Street Address):

506 WILCOX ST MCKINNEY TX 75069

Subdivision: SHORT ADDITION Lot: 3E4B Block: 17

Property Owner: NEW OUTREACH CHURCH OF MCKINNEY (SAME ADDRESS AS ABOVE)
(Name) (Address) (City, State, & Zip Code)

EDDIESEALSS4 @ GMAIL.COM 214.392.1090
(Email) (Phone)

Property Owner is giving EDDIE SEALS authority to represent him/her at meeting.
(Applicant Name)

Property Owner Printed Name: NEW OUTREACH CHURCH OF MCKINNEY Property Owner Signature: Eddie Seal

Applicant: EDDIE SEALS 506 WILCOX ST MCKINNEY TX 75069
(Name) (Address) (City, State, & Zip Code)
EDDIESEALSS4 @ GMAIL.COM 214.392.1090
(Email) (Phone)

****REQUEST****

Please list types requested:

Description	Ordinance Requirements	Requested Dimensions	Variance from Ordinance
Lot Size			
Lot Width			
Lot Depth			
Side Yard			
Side Yard			
Side at Corner			
Front Yard			
Rear Yard			
Driveway			
Other			

PLEASE DESCRIBE THE REASON(S) YOU ARE REQUESTING TO BE HEARD BY THE BOARD OF ADJUSTMENT. YOU MAY ATTACH ADDITIONAL INFORMATION TO SUPPORT YOUR REQUEST.

APPEAL -

SPECIAL EXCEPTION -

VARIANCE -

Items Submitted: Completed application and fee Plot/Site Plan or Survey drawn to scale

I hereby certify that the above statements are true and correct to the best of my knowledge.

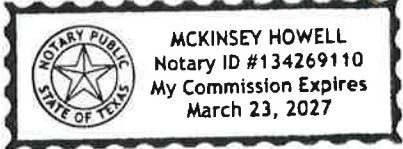
Eddie R South
Property Owner Signature (if different from Applicant)

Eddie R South
Applicant's Signature

STATE OF TEXAS

COUNTY OF Collin

Subscribed and sworn to before me this 20th day of December, 20 23



McKinsey Howell
Notary Public

(seal)

My Commission expires: 03/23/2027

NOTICE:

This publication can be made available upon request in alternative formats, such as, Braille, large print, audiotape or computer disk. Requests can be made by calling 972-547-2694 (Voice) or email contact-adacompliance@mckinneytexas.org Please allow at least 48 hours for your request to be processed.

OFFICE USE ONLY

Seeking an appeal from Chapter 41, McKinney Zoning Ordinance, Section No:

BOA Number:

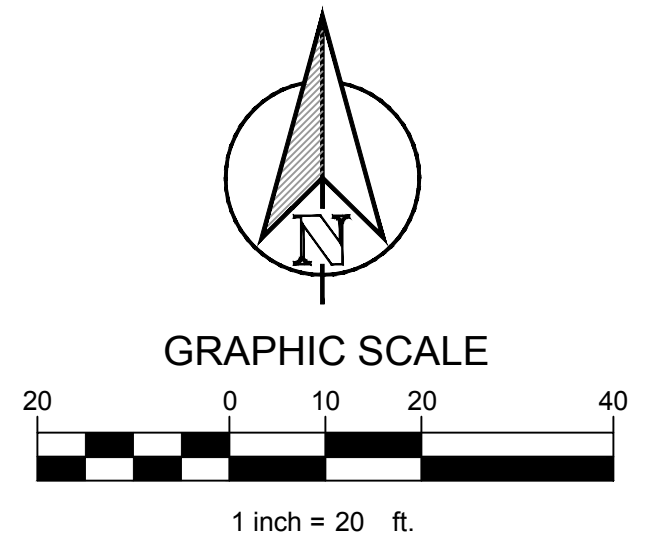
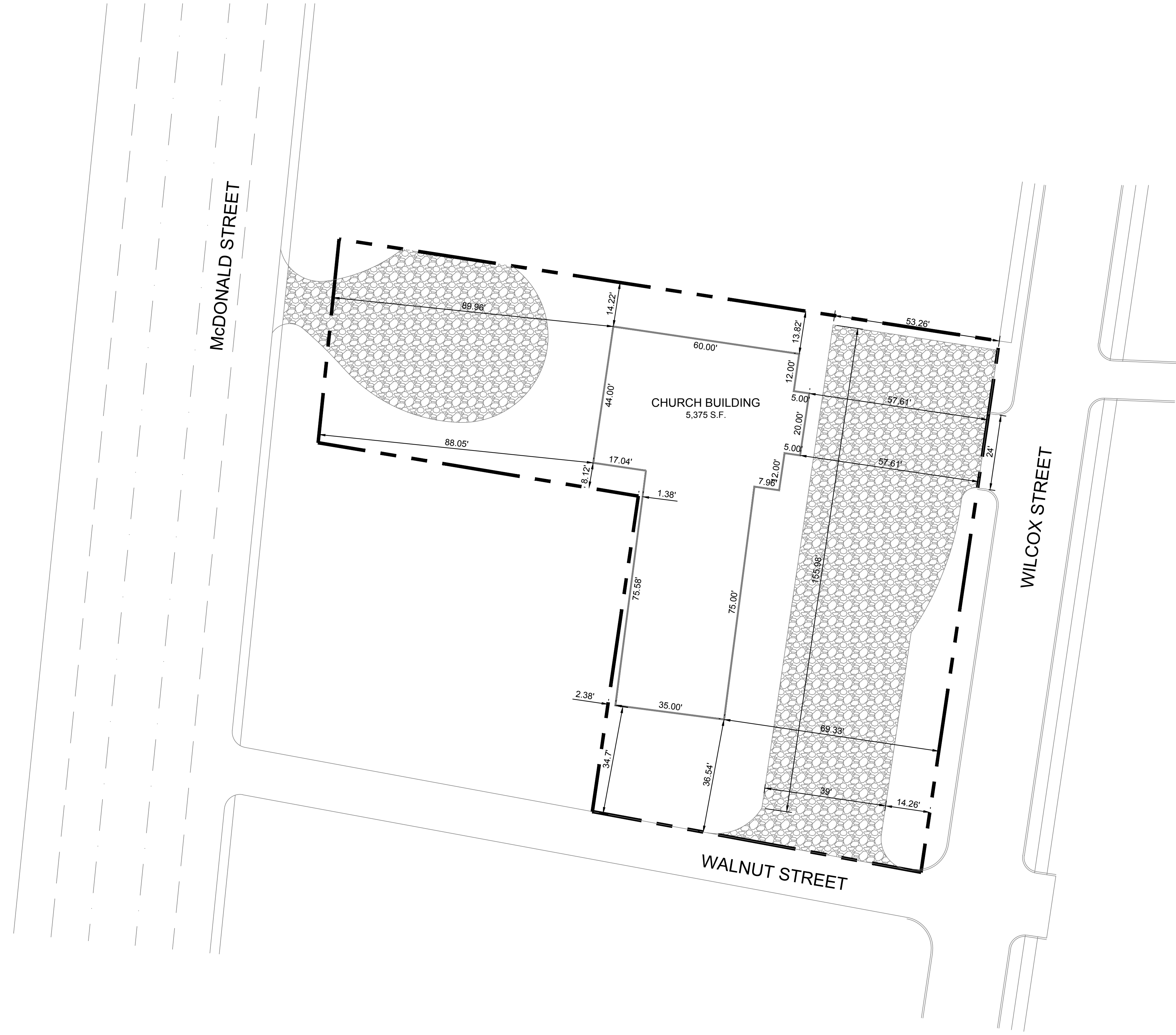
TOTAL FEE DUE: \$150.00 (non-refundable)

Received by:

Signature:

Date:

PLOTTED BY: DREW DONOSKY
 PLOT DATE: 11/21/2023 1:23 PM
 LOCATION: Z:\PROJECTS\MARKETING\0 ASD CONCEPTS\WIRE CHURCH\CADD\BASE\XSITE.DWG
 LAST SAVED: 8/30/2023 6:13 PM



**NEW OUTREACH CHURCH
 OF GOD IN CHRIST
 .MCKINNEY, TX**

No.	DATE	REVISION	BY

CONCEPTUAL SITE PLAN

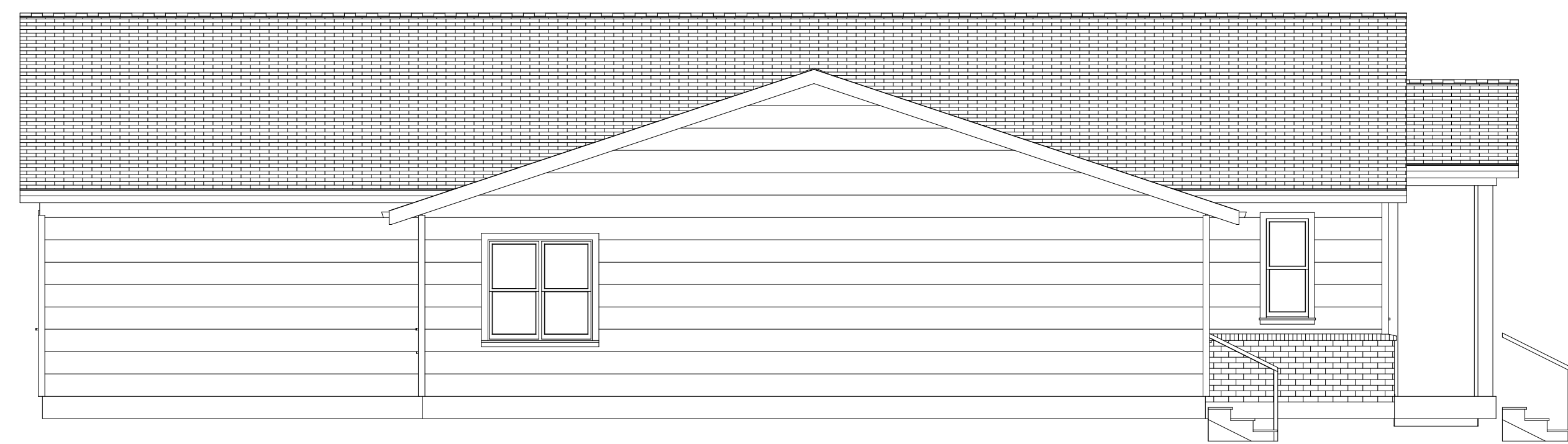
DESIGN:	ASD
DRAWN:	ASD
CHECKED:	MAM
DATE:	9/3/2019

SHEET
SP-1

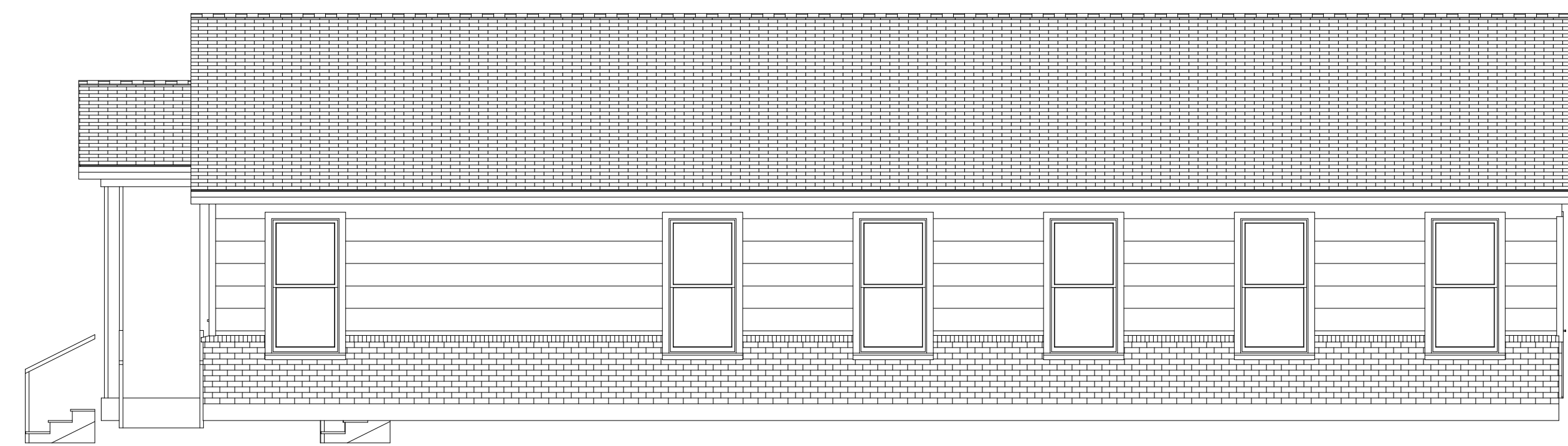
File No.



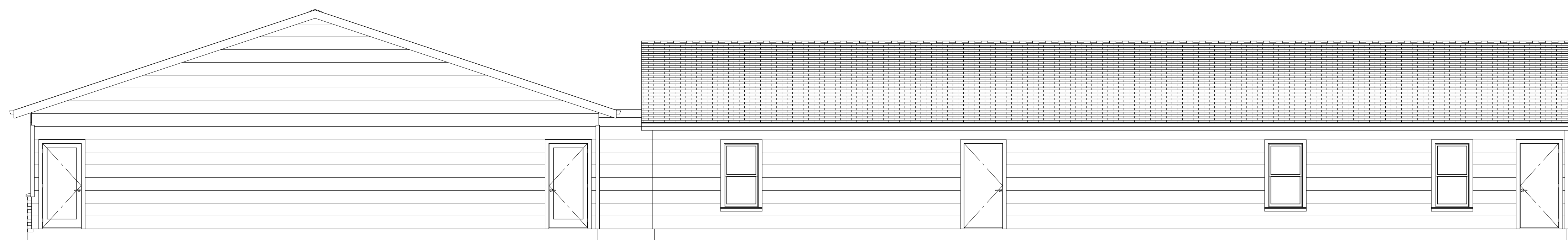
FRONT ELEVATION
SCALE - 3/16" = 1'-0"



LEFT ELEVATION
SCALE - 3/16" = 1'-0"



RIGHT ELEVATION
SCALE - 3/16" = 1'-0"



REAR ELEVATION
SCALE - 3/16" = 1'-0"

#	DATE	BY	REVISION TABLE DESCRIPTION

New Outreach Church

Exterior Elevations

DRAWINGS PROVIDED BY:
Chanda Steele Drafting
Royse City, TX 409-338-1194

DATE:

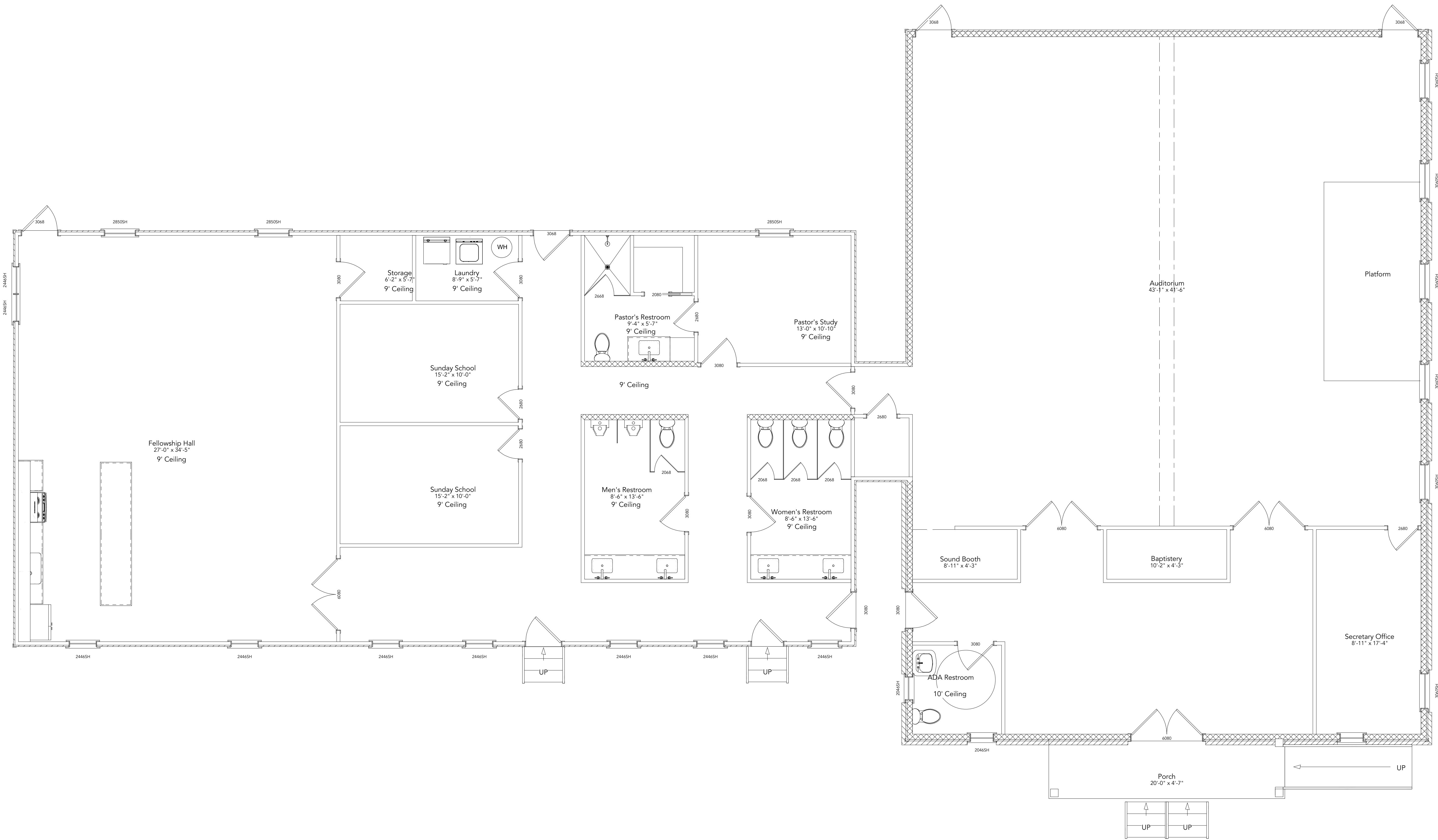
12/18/23

SCALE:

As Noted

SHEET:

A-3



FLOOR PLAN
SCALE - 3/16" = 1'-0"

REVISION TABLE	
#	DATE BY DESCRIPTION

New Outreach Church

Floor Plan

DRAWINGS PROVIDED BY:
Chanda Steele Drafting
Royse City, TX 409-338-1194

DATE:

12/18/23

SCALE:

As Noted

SHEET:

A-4









**Be Published in the
McKINNEY COURIER-GAZETTE
SUNDAY, January 7, 2024
ONE (1) TIME**

**NOTICE OF REQUEST FOR VARIANCE
THE BOARD OF ADJUSTMENT**

BOARD OF ADJUSTMENT CASE NO. 24-01

Request by Owner's Representative Eddie Seals, regarding the Appeal of the Building Official's decision for the consideration of a Special Exception to the zoning ordinance to reinstate nonconforming rights to allow for the reconstruction a church that was destroyed by fire, to the same site and building design as existed prior to the fire. The reconstruction would be in violation of multiple current provisions of the Unified Development Code, including building setbacks, residential adjacency buffer, landscaping, screening, and parking. This Special Exception would not exempt the construction from complying with all current, adopted building codes. This property is the **New Outreach Church of McKinney** located at **506 Wilcox St., Lots 3 and 4B of Block 17 of the Shorts Addition to the City of McKinney, Texas.**

NOTE:

A PUBLIC HEARING HAS BEEN SCHEDULED AND WILL BE HELD PURSUANT TO THIS REQUEST IN THE CITY COUNCIL CHAMBERS, 222 N. TENNESSEE STREET MCKINNEY TEXAS.

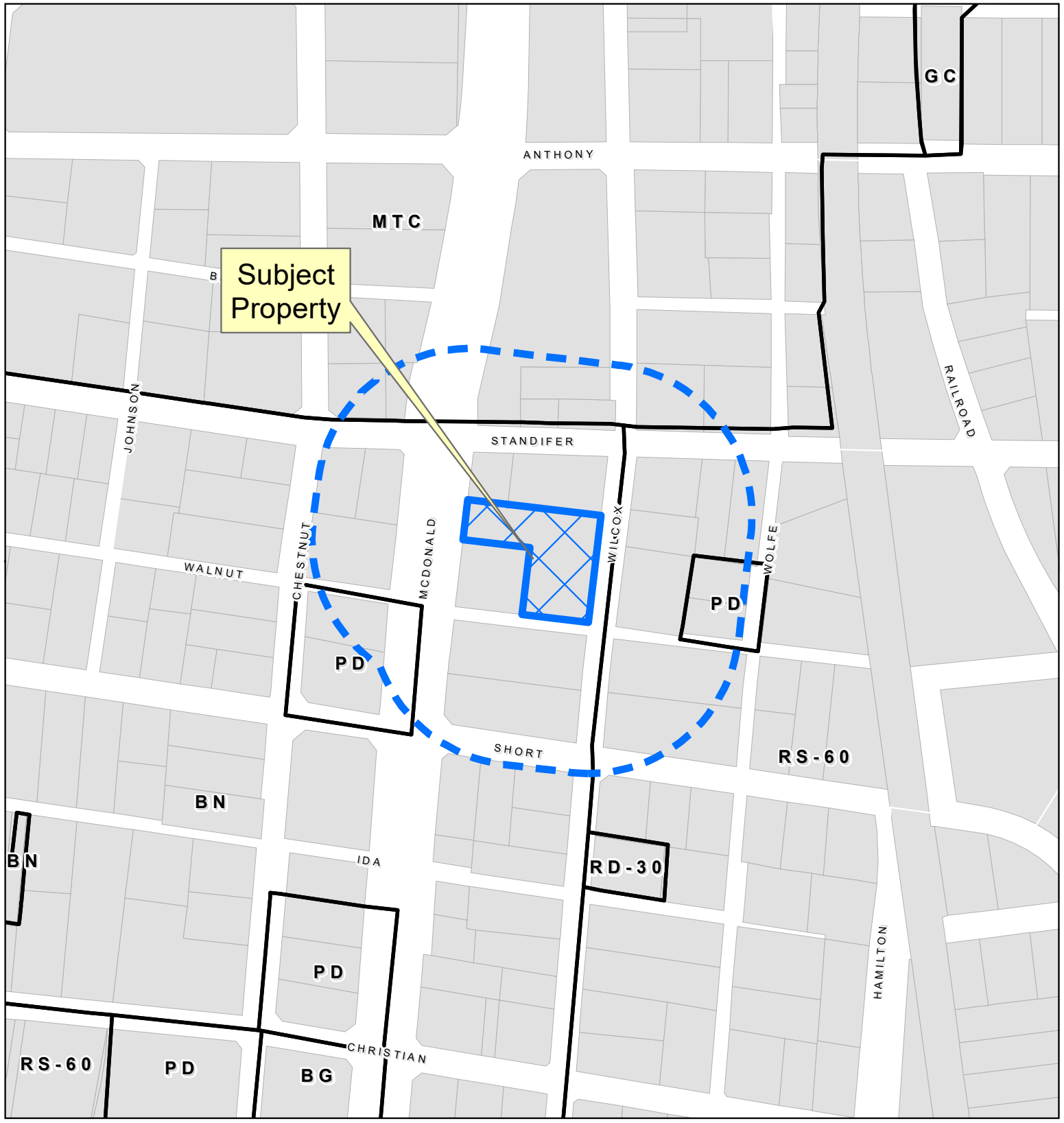
WEDNESDAY, JANUARY 24, 2024 - 6:00 P.M.

The Agenda and Meeting Details for the Board of Adjustment meeting will be posted for viewing on the City of McKinney website, at least 72 hours before the meeting. Website link - <http://mckinney.legistar.com/Calendar.aspx>. Select Calendar tab. List view tab, drop down box, Board of Adjustment.

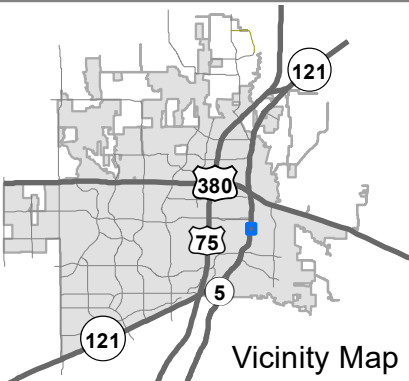
WITNESS MY HAND AND SEAL OF OFFICE ON THIS THE 5TH DAY OF JANUARY, 2024.

EMPRESS DRANE
City Secretary

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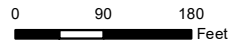
Subject Property



Vicinity Map

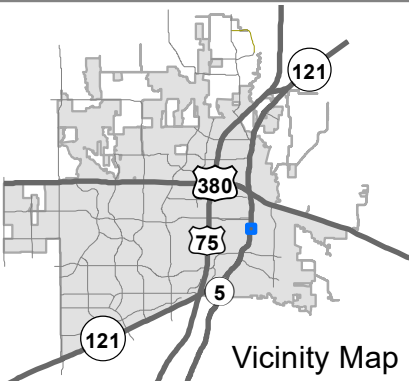
Board of Adjustment Map

506 Wilcox St
McKinney, Texas, 75069



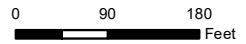
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Board of Adjustment Map

506 Wilcox St
McKinney, Texas, 75069



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