

## **BOARD OF ADJUSTMENT REGULAR MEETING**

**SEPTEMBER 11, 2024**

The Board of Adjustment met in regular session in the McKinney City Hall second floor conference room, 222 N. Tennessee Street, McKinney, Texas, on Wednesday, September 11, 2024, at 6:00 P.M.

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

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

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

24-1897 Minutes of the Board of Adjustments Regular Meeting of August 28, 2024. The motion was made by Board Member Randall Wilder to approve the minutes, seconded by Tonya Dangerfield. The Minutes of the Board of Adjustment Meeting on August 28, 2024, were unanimously approved and referred to the City Council for approval.

### **REGULAR AGENDA ITEM**

BOA24-06 Conduct a Public hearing to Consider/Discuss/Act on the request by Owners Gary and Debi Williams, to Consider/Discuss/Act on the Appeal of the Building Official's decision for the consideration of multiple variances to the zoning ordinance as follows: A reduction of the side yard (north) setback from 10 feet to 7 feet 8 inches to construct a room addition to the main residence; setback reductions to construct a detached two-car garage with a second floor room above it, requesting a rear (west) setback reduction from 16 feet to 5 feet 1 inch, and a reduction of the side (south) setback from 10 feet to 5 feet. The applicants are also seeking a variance to the driveway length, which is required to be 20 feet, being that the proposed driveway is at an angle with the shortest dimension of approximately 5 feet. These requests are on the property located at 801 N. Morris St., Lot 2 of Block 16 of the Waddill Addition to the City of McKinney, Texas.

A motion was made by Board Member Tonya Dangerfield to open the public hearing, seconded by Neal Prevost.

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The floor was open to the public for comment. Owners, Debi & Gary Williams, Project Designer, Mark McReynolds, McKinney Resident, Wendy Davis and Chief Building Official Suzanne Arnold, were sworn in by Vice Chairman Larry Jagours.

Chief Building Official Suzanne Arnold provided her statement. Mrs. Arnold stated that the applicant is seeking multiple variances to the zoning ordinance as follows: A reduction of the side yard (north) setback from 10 feet to 7 feet 8 inches to construct a room addition to the main residence; setback reductions to construct a detached two-car garage with a second floor room above it, requesting a rear (west) setback reduction from 16 feet to 5 feet 1 inch, and a reduction of the side (south) setback from 10 feet to 5 feet. The applicants are also seeking a variance to the driveway length, which is required to be 20 feet, being that the proposed driveway is at an angle with the shortest dimension of approximately 5 feet. The scope of work includes the following: room addition (need variance), enclosing carport (no variance required), detached garage (need variance) and removing existing driveway (no variance required but affects parking requirements UDC).

In reference to tree preservation, the applicant's property contains a large Oak tree believed to have a 30inch diameter. The Oak tree is a protected tree, and the removal of this tree would carry its own set of penalties. The applicant does cite in their application they are trying to work around the tree to protect it and to not damage the root system.

Owners, Debi and Gray Williams, 801 N Morris Street spoke on their behalf. They stated that the design elements are strongly focused on the preservation of the trees on their property and surrounding properties. They have been working with a design team for multiple years to complete the design and project details. The location of the detached garage and room addition are suited for maximum space utilization and landscaping needs. Their wish is to create additional space inside and outside of their home for their family and friends to come and visit.

Project Designer, Mark McReynolds, 218 University Ave, spoke on his behalf. He stated the location of the structures were positioned for space utilization and the avoidance of all trees. The structures are to be built to code and drainage designs were created within the plans to decrease possible flooding.

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Resident, Wendy Davis, 804 N Grave Street, spoke on her behalf. She shared her concerns over possible drainage issues, tree damage along the property line and creating precedent.

Specifics on location, setbacks, tree protection, drainage flow, and letters related to the agenda were requested by Vice Chairman Larry Jagours and Board Members Randall Wilder, Tonya Dangerfield, Neal Prevost, and Deanna Kuykendall.

A total of 24 letters were sent out and 5 letters were received for the case at the time of the meeting. There were 4 letters in approval and 1 letter protesting.

A motion was made by Board Member Tonya Dangerfield, to close the Public Hearing, seconded by Deanna Kuykendall, and unanimously approved.

Board Members unanimously approved the motion by Board Member Neal Prevost, seconded by Deanna Kuykendall, to Approved 24-1931 Conduct a Public hearing to Consider/Discuss/Act on the request by Owners Gary and Debi Williams, to Consider/Discuss/Act on the Appeal of the Building Official's decision for the consideration of multiple variances to the zoning ordinance as follows: A reduction of the side yard (north) setback from 10 feet to 7 feet 8 inches to construct a room addition to the main residence; setback reductions to construct a detached two-car garage with a second floor room above it, requesting a rear (west) setback reduction from 16 feet to 5 feet 1 inch, and a reduction of the side (south) setback from 10 feet to 5 feet. The applicants are also seeking a variance to the driveway length, which is required to be 20 feet, being that the proposed driveway is at an angle with the shortest dimension of approximately 5 feet. These requests are on the property located at 801 N. Morris St., Lot 2 of Block 16 of the Waddill Addition to the City of McKinney, Texas.

Approved the request for a reduction of the side yard (north) setback from 10 feet to 7 feet 8 inches to construct a room addition to the main residence.

Board Members approved the motion by Board Member Neal Prevost, seconded by Randall Wilder, to Denied 24-1931 Conduct a Public hearing to Consider/Discuss/Act on the request by Owners Gary and Debi Williams, to Consider/Discuss/Act on the Appeal of the Building Official's decision for the consideration of multiple variances to the zoning ordinance as follows: A reduction of the side yard (north) setback from 10 feet to 7 feet 8 inches to construct a

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room addition to the main residence; setback reductions to construct a detached two-car garage with a second floor room above it, requesting a rear (west) setback reduction from 16 feet to 5 feet 1 inch, and a reduction of the side (south) setback from 10 feet to 5 feet. The applicants are also seeking a variance to the driveway length, which is required to be 20 feet, being that the proposed driveway is at an angle with the shortest dimension of approximately 5 feet. These requests are on the property located at 801 N. Morris St., Lot 2 of Block 16 of the Waddill Addition to the City of McKinney, Texas. with a vote of 4-1-0, Deanna Kuykendall voting no.

Denied the request for setback reductions to construct a detached two-car garage with a second-floor room above it, requesting a rear (west) setback reduction from 16 feet to 5 feet 1 inch, and a reduction of the side (south) setback from 10 feet to 5 feet. The applicants are also seeking a variance to the driveway length, which is required to be 20 feet, being that the proposed driveway is at an angle with the shortest dimension of approximately 5 feet.

ADJOURN

Board Members unanimously approved the motion by Board Member Randall Wilder, seconded by Tonya Dangerfield, to ADJOURN at 7:03 PM.

SIGNED:

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ERIC ROBERTS, Board Chair  
LARRY JAGOURS, Board Vice Chair