

Article 7: Fences

703 Flexibility and Relief Procedures

A. Appeals

Any appeal from an interpretation of an Administrative Official of the provisions of this Article shall be made to the Board of Adjustment as provided for in §203F.1, *Administrative Appeals*.

B. Special Exceptions

1. The Board of Adjustment may grant a Special Exception, as described in §203G.2, *Special Exception*, that will allow a fence or wall up to a maximum height of 8 feet 6 inches when it is adjacent to a required screening device, if the Board finds that:
 - a. The lot has unusual topographical conditions that distinguish it from other similarly sized and shaped lots, and such conditions create a hardship that renders privacy inadequate without such relief; and
 - b. The following required provisions have all been met:
 - I. The lot shall have an existing residential structure on it or a building permit to construct a residential structure has been issued;
 - II. The subject property shall not be located within the H -- Historic Overlay district;
 - III. The subject fence shall not be a corner lot fence as described in Table 6-1 of this section; and
 - IV. Such fences shall be constructed of either:
 - a. Stained wood, board-on-board construction, or double-sided construction, with a stained trim cap and steel posts; or
 - b. An engineered brick, stone, or masonry wall in a color and style that is consistent with and compatible with the surrounding vicinity.
 - c. A Special Exception is only appropriate for those sides of a fence that meet the requirements set out above. A hardship may be found regardless of when the unusual condition was created.
2. The Board of Adjustment may grant a Special Exception, as described in §203G.2, that will allow a fence up to a maximum height of 6 feet which is situated between the front building line and the public right-of-way line of a lot (a "front yard fence") provided the Board finds that:
 - a. The subject property shall not be located within the H -- Historic Overlay district;
 - b. A front yard fence shall not be a corner lot fence as described in Table 6-1 of this section;
 - c. The lot shall have an existing structure on it or a building permit to construct a structure has been issued;
 - d. All fences in the front yard shall be at least 50 percent open and the open portions shall be for the entire height of the fence; and
 - e. The 6-foot front yard fences must be consistent and appropriate to the area where they are proposed.

704 Standards

B. Fence Height

Table 7-1: Maximum Fence Height in Certain Locations			
Fence Location	Maximum Fence Height [1] [2]		Standards
	All Zoning Districts	H - Historic Overlay District	
Front Yard	4 feet	4 feet	<ul style="list-style-type: none"> Minimum 50 percent open fencing the entire height of fence Wire fences are prohibited [3]
Side Yard	8 feet 6 inches	6 feet 8 inches [4]	For fences located along the side property line behind the front building line
Rear Yard	8 feet 6 inches	6 feet 8 inches [4]	Located in the rear portion of the yard
Midblock Lot Configurations			
Rear Yard adjacent to Front Yard (including across alleys)	4 feet [5]	4 feet [5]	<ul style="list-style-type: none"> For fences located along the side property line in front of the adjacent front building line Minimum 50 percent open fencing the entire height of fence
			Wire fences are prohibited [3]
Corner Lot Configurations			
Side Yard adjacent to Front Yard (including across alleys)	4 feet [5]	4 feet [5]	<ul style="list-style-type: none"> For fences located along the side property line in front of the adjacent front building line Minimum 50 percent open fencing the entire height of fence Wire fences are prohibited [3]
Side Yard adjacent to Rear Yard (including across alleys)	8 feet 6 inches	6 feet 8 inches [4]	Located along the rear and side property line
Rear Yard adjacent to Side Yard (including across alleys)	8 feet 6 inches	6 feet 8 inches [4]	Located along the rear and side property line
Rear Yard adjacent to Rear Yard (including across alleys)	8 feet 6 inches	6 feet 8 inches [4]	Located along the rear property line
<p>[1] Maximum height of fences may be increased to 10 feet in industrial districts and on public property.</p> <p>[2] Fences adjacent to a screening device, whether parallel or perpendicular to the device, shall be built at the same height, unless they are granted a special exception pursuant to §203G.2, <i>Special Exception</i>.</p> <p>[3] Chain link fences are allowed in the front yard in industrial districts and on public property.</p> <p>[4] Within the H - Historic Overlay District, an increased fence or wall height of up to 8 feet 6 inches may be allowed if granted a special exception pursuant to §203G.2, <i>Special Exception</i>.</p> <p>[5] Fence height may be increased to 6 feet if the fence is constructed out of wrought iron and does not create a sight distance issue or safety concern in the opinion of the appropriate Chief Building Official. See Figure 7-3.</p>			





BOARD OF ADJUSTMENT APPLICATION

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

☐ APPEAL

☐ SPECIAL EXCEPTION

☒ VARIANCE

TODAY'S DATE: 9/13/2023

CONTACT INFORMATION

PROPERTY LOCATION (Street Address):

7901 Boulder River Trl, McKinney Tx 75070

Subdivision: Craig Ranch North Phase 10 Lot: 90 Block: N

Property Owner: Joseph Skotnik 7901 Boulder River Trl, McKinney Tx 75070

(Name)

(Address)

(City, State, & Zip Code)

kjskotnik@gmail.com

(Email)

903-815-8948

(Phone)

Property Owner is giving N/A authority to represent him/her at meeting.

(Applicant Name)

Property Owner Printed Name: Joseph Skotnik Property Owner Signature: [Signature]

Applicant: Same as Owner

(Name)

(Address)

(City, State, & Zip Code)

(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	7'	0'	7'
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 - N/A

SPECIAL EXCEPTION -

N/A

VARIANCE - Requesting to extend fence line to property line at sidewalk with current 6ft wood fence in lieu of 6ft wrought iron fence per Unified Code.
- use of wood fence would not obstruct street views for drivers. The street running parallel to the fence line is a one-way street with traffic flowing towards the fence.
- Creates no hardship for neighbor with adjacent front yard. Fence would create no obstruction from their driveway. Neighbor is in support of this project and prefers the look of extending fence line with wood as opposed to wrought iron.
- HOF architectural committee has approved fence extension to be in line with community standards. *See attached

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.

Same as applicant

Property Owner Signature (If different from Applicant)

STATE OF TEXAS

COUNTY OF

Collin

[Signature]
Applicant's Signature

Subscribed and sworn to before me this

13

day of

September

20

25



WILLIAM JOHNSON
Notary Public
STATE OF TEXAS
My Comm. Exp. 04-20-27
Notary ID # 12859175-4

[Signature]
Notary Public

(seal)

My Commission expires:

04-20-2027

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:

\$50.00 (non- refundable)

Received by:

Signature:

Date:

Variance Continued

- Wood fence extension would create greater privacy from regularly frequented neighborhood green space and community pool which are directly across the street.
- Extending the fence forward, at the current 7ft setback, would cause the fence line to intersect with a mature oak tree on our property. Extending the fence outward 7ft to the sidewalk would place the fence line at the outer drip line of the tree and greatly reduce the ~~but~~ likelihood of damage to main roots during fence installation.
- There are multiple corner lot homes, in our neighborhood, with the same neighboring lot configuration, that have extended their fence line to their property line at the sidewalk. To our knowledge there have been no known complaints or issues.
- The open sight line and lack of physical barrier with a wrought fence could create a dangerous situation with our dogs and kids and neighborhood dogs and people. This would create a liability for us due to the highly trafficked location of the neighborhood green space next to our home.
- Our neighborhood has small yards and with the 7ft variance granted to allow us to move our fence line to our property ~~line~~ line at the sidewalk, would give us an additional ~~576~~ 609 sq ft fenced in yard space.

Additional Pictures

- Intersection at corner; One-Way Street with traffic flow coming from the left and moving toward our house and fence location. Additionally, note the neighborhood green space across the street which is mentioned in the Variance arguments.



- View of stop sign at intersection of the One-Way Street; Joe is standing at the location in which the front corner of the fence would be placed with the approval of the variance. Not again the neighborhood green space and building in the green space which is the community pool.



- View from stop line at intersection of One-Way Street; Joe is holding a metal post which indicates where the front corner of the fence would be place with the approval of the variance.



- Illustration of 7ft variance with the metal post indicating the front corner of the fence at the 7ft set back line and Joe indicating the corner of the fence with the approval of the variance. Note the mature oak tree which was mentioned in the Variance arguments.



- Illustration of the current 7ft set back and Joe standing where the fence line would be moved with approval of the variance.



- Illustration of the view from neighbor's driveway with current 7ft set back and Joe holding a metal post where the fence line would be moved with approval of the variance. Note the curve of the street and 10ft width of sidewalk and grass strip which still allow ample view of traffic flowing towards their driveway.



- Illustration of neighbor's front yard and driveway with Joe standing where the rear corner of the fence would be with the approval of the variance. Note that my neighbor's front door is set back behind their driveway and to the left of the garage door. Extending the fence line to the sidewalk would not disrupt their front yard view from their front door or from their home as the garage sits at the front of the house, blocking the view of the proposed fence line.



Existing

AREAS

FRONT SOD SQ. FT. — 1,616
SIDE SOD SQ. FT. — 3,171
REAR SOD SQ. FT. — 3,423
FENCE-LINEAL FT. — 188
FLATWORK SQ. FT. — 835

ALL CALCULATIONS ARE APPROX. THEY MUST BE VERIFIED PRIOR TO USE AS PART OF A CONTRACT OR PURCHASING MATERIALS.

MUST COMPLY WITH: 2" tolerance
2003 IRC either
2002 NEC way

BUILDING LINES:

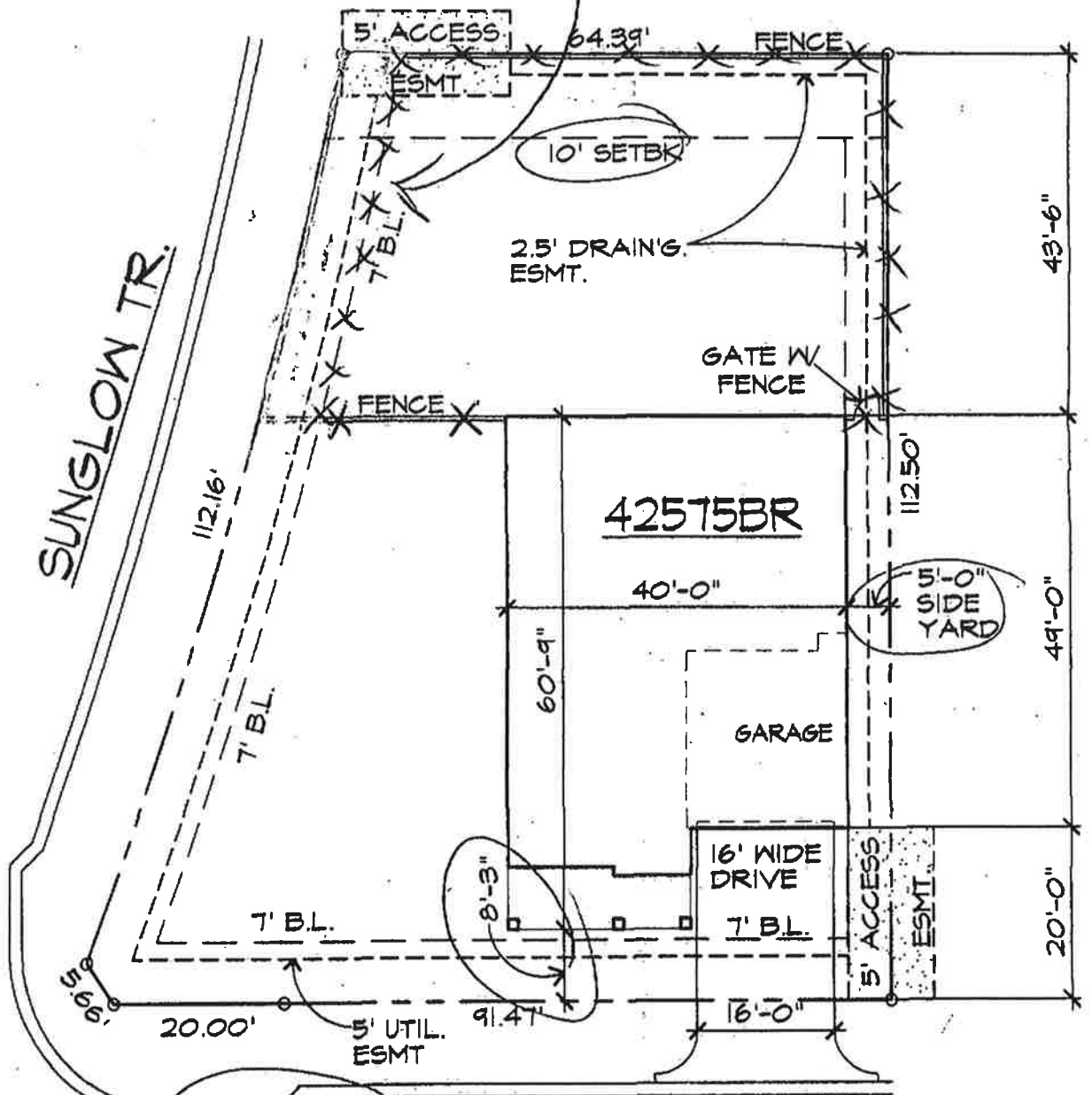
FRONT BUILD-TO LINE 8' 3"

REAR 10 SIDES 5

SIDES AT CORNER 7



Fence must be on Build Line



#7901 BOULDER RIVER TRAIL

MAINTAIN 20' from Return Radius to tangent.

EMERALD

AREAS

FRONT SOD SQ. FT. — 1616
SIDE SOD SQ. FT. — 3171
REAR SOD SQ. FT. — 3423
FENCE-LINEAL FT. — 188
FLATWORK SQ. FT. — 835

ALL CALCULATIONS ARE APPROX. THEY MUST BE VERIFIED
PRIOR TO USE AS PART OF A CONTRACT OR PURCHASING
MATERIALS.

MUST COMPLY WITH: 2" tolerance
either

2003 IRC

2002 NEC 44-a

BUILDING LINES:

FRONT BUILD-TO LINE 8' 3"

REAR 10 SIDES 5

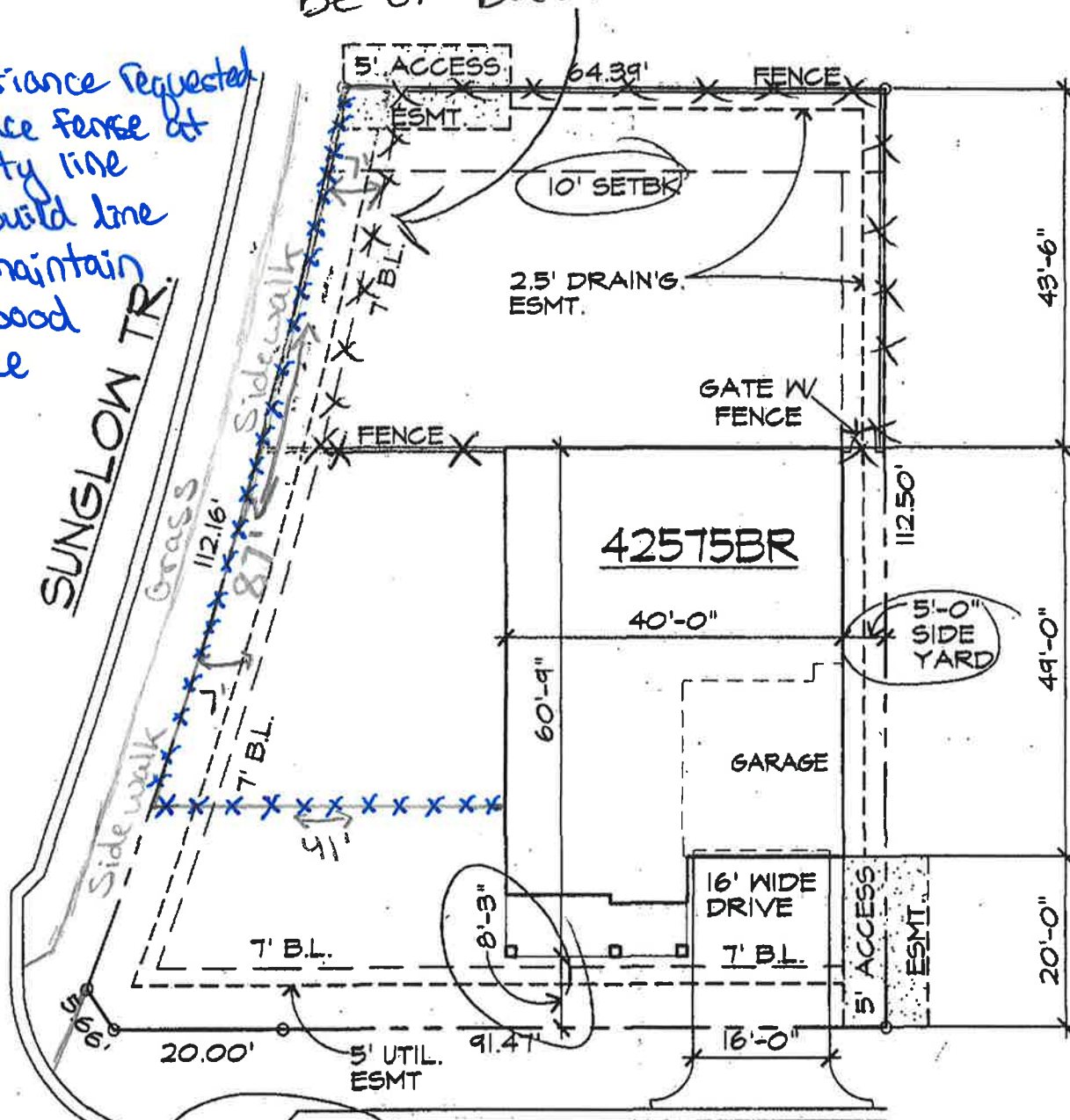
SIDES AT CORNER 7



X-Blue x's proposed fence line

Fence must
be on Build Line

7th Variance Requested
to place fence at
property line
vs build line
and maintain
6ft wood
fence

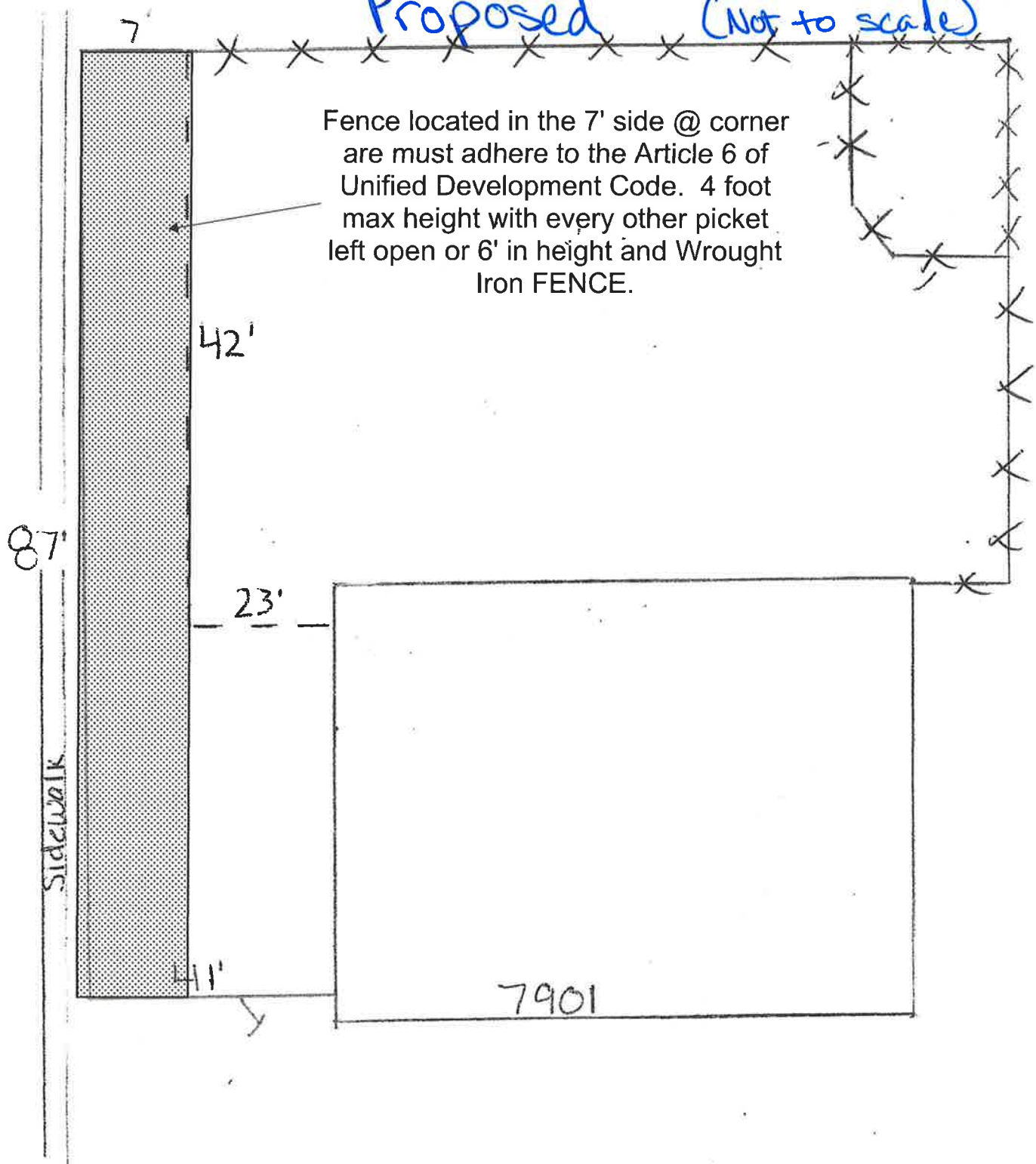


MAINTAIN #790
20' from Return
Reading to tangent.
DIVER HOLD

#190 BOULDER RIVER TRAIL

EMERALD

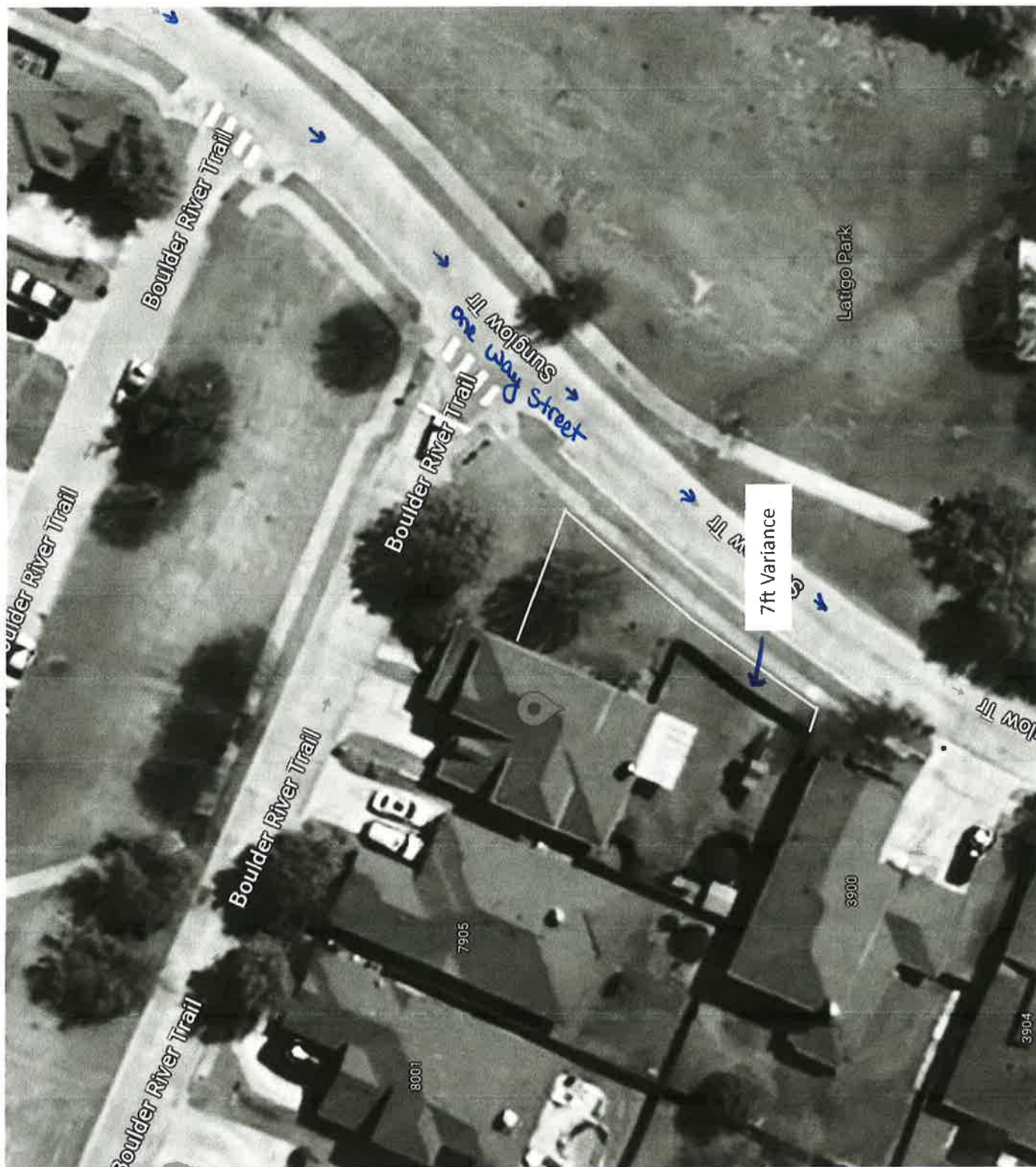
Proposed (Not to scale)



Fence located in the 7' side @ corner are must adhere to the Article 6 of Unified Development Code. 4 foot max height with every other picket left open or 6' in height and Wrought Iron FENCE.

- 1x6x6 Cedar pickets
- 2x4 rails
- 2x6 bottom board
- 1x4 side trim
- Stained - Russet

~~XXX~~
No Work Here



Boulder River Trail

Boulder River Trail

Boulder River Trail

Sunglow Tr

Sunglow Tr

one way street

Sunglow Tr

29ft

41ft

10ft

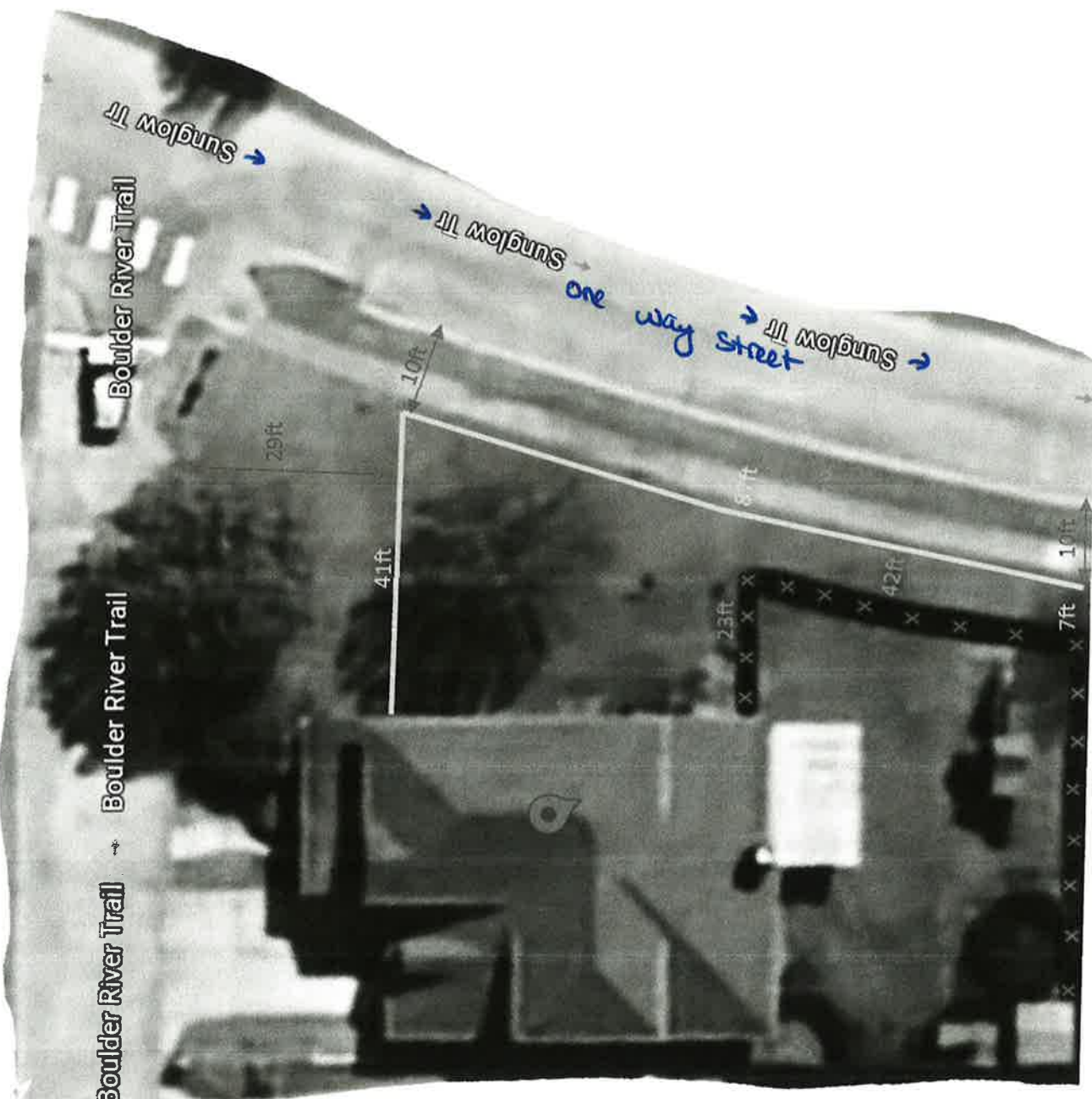
8.7ft

23ft

42ft

7ft

10ft



Craig Ranch Community Association - North
7850 Collin McKinney Parkway
Suite 103
McKinney, TX 75070

June 28, 2023

Joseph A. Skotnik
Katherine Robinson
7901 Boulder River Trl
McKinney, TX 75070

Re: Approval Letter; Architectural Submission - Fence - New or Replacement

Account No. 505101409; Property Address: 7901 Boulder River Trl

Dear Joseph A. Skotnik & Katherine Robinson:

Thank you for your submittal to the Architectural Committee of Craig Ranch Community Association - North. Your application for the ***Fence - New or Replacement*** has been approved as submitted.

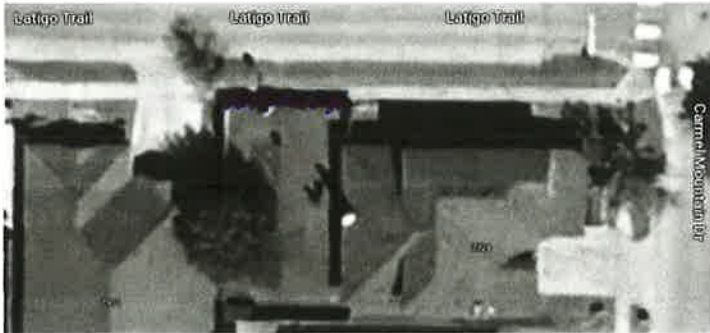
If you have any questions, please feel free to call (972) 548-9191.

Thank you,

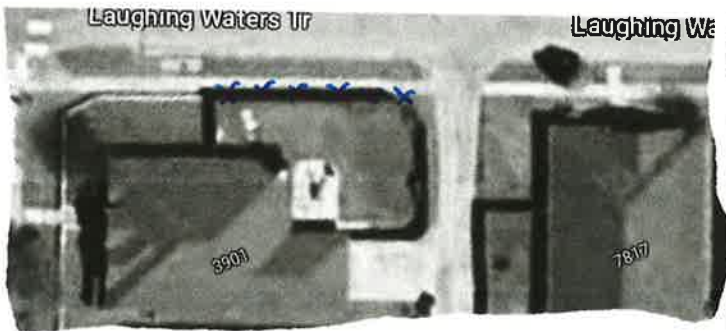
Architectural Committee
Craig Ranch Community Association - North

Fences past 7ft Build Line – Craig Ranch North
Corner Lots

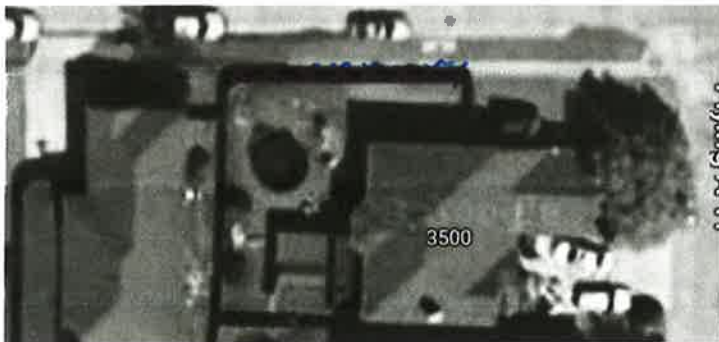
39XX Carmel Mountain Dr



39XX Carmel Mountain Dr



35XX Flying A Trl



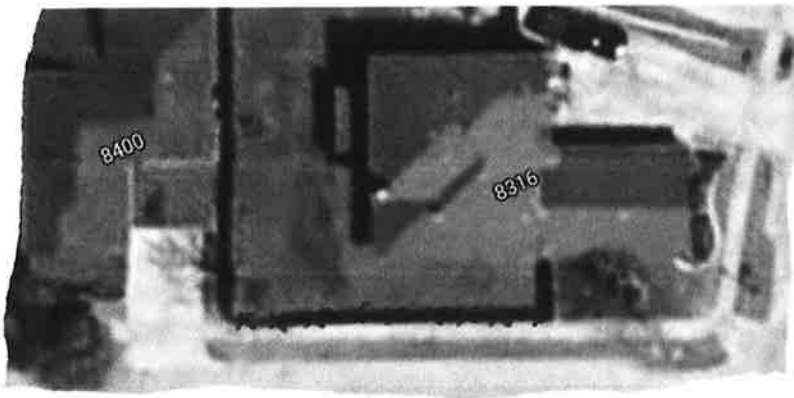
35XX Casa Loma Trl



36XX Casa Loma Trl



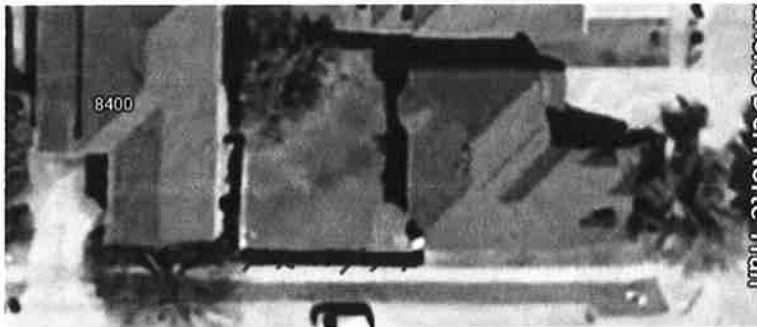
83XX Rancho De La Osa Trl



35XX Butterfield Trl



42XX Rancho Del Norte Trl



42XX Carmel Mountain Dr







**Be Published in the
McKINNEY COURIER-GAZETTE
SUNDAY, October 1, 2023
ONE (1) TIME**

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

BOARD OF ADJUSTMENT CASE NO. 23-02

Conduct a Public hearing to Consider/Discuss/Act on the request by Owners Joseph Skotnik & Katherine Robinson, to Consider/Discuss/Act on the Appeal of the Building Official's decision for the consideration of a variance to the zoning ordinance corner fence setback requirement of 7 feet to allow a 6 foot wood fence to be constructed at the side property line at **7901 Boulder River Trail, Lot 9 of Block N of the Craig Ranch North Phase 10 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.

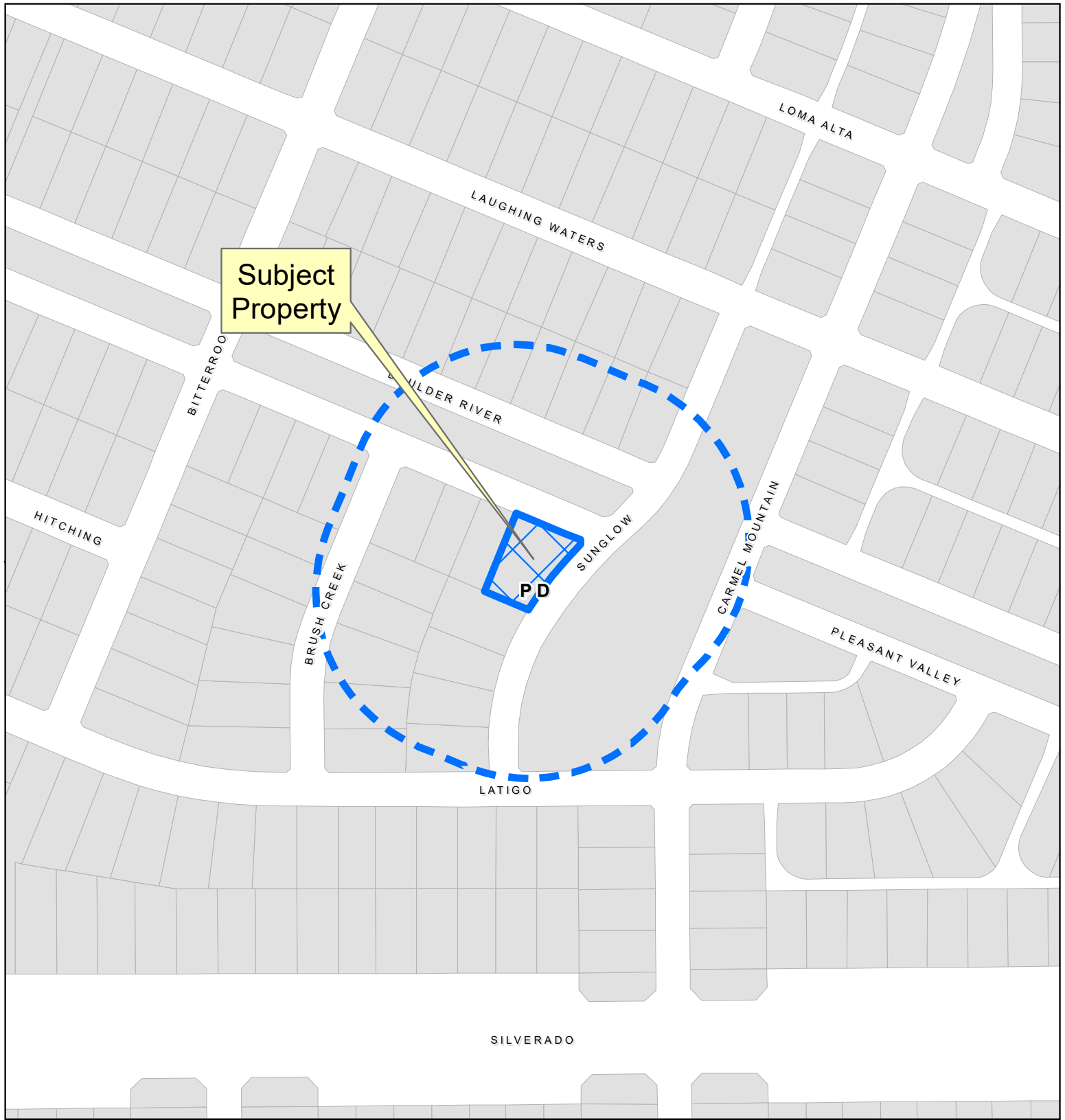
WEDNESDAY, OCTOBER 11, 2023 - 6:00 P.M.

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 26TH DAY OF
SEPTEMBER, 2023.**

EMPRESS DRANE
City Secretary

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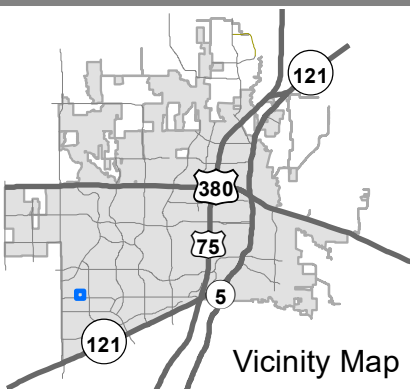
Board of Adjustment Map

7901 Boulder River Trl

0 80 160 Feet



DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of McKinney. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of McKinney, its officials or employees for any discrepancies, errors, or variances which may exist.



Vicinity Map



Board of Adjustment Map

7901 Boulder River Trl

0 80 160 Feet



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