



BOARD OF ADJUSTMENT APPLICATION

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

☐ APPEAL

☒ SPECIAL EXCEPTION

☒ VARIANCE

TODAY'S DATE: 05/31/2025

CONTACT INFORMATION

PROPERTY LOCATION (Street Address):

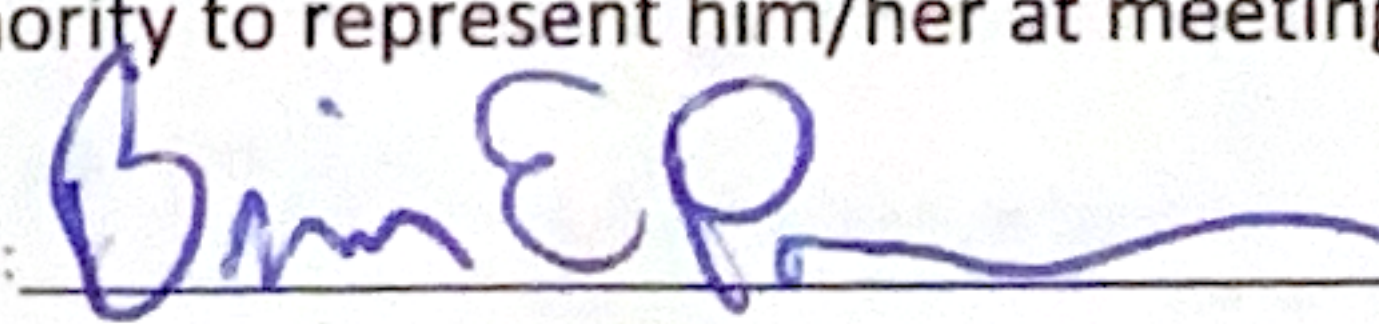
907 W Virginia St, McKinney Texas 75069

Subdivision: N/A Lot: 547C Block:

Property Owner: Brian Powers 907 W Virginia St, McKinney Texas 75069
(Name) (Address) (City, State, & Zip Code)

brianepowers@hotmail.com 214-578-0881
(Email) (Phone)

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

Property Owner Printed Name: Brian Powers Property Owner Signature: 

Applicant: Jennifer Powers 907 W Virginia St, McKinney Texas 75069
(Name) (Address) (City, State, & Zip Code)
jenniferapowers@icloud.com 239-537-6561
(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	Remove artificial turf and replace with sod or suitable alternative		To be permitted to keep artificial turf due or be provided water-wise alternative.
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 -

1. The size of our lot being 077 of an acre or 3,354 sq. ft. and one of the smallest, if not the smallest in the City per a recent meeting with the Appraisal District on 5/29/25 for which there are no comparisons.
2. The agreement by the Appraisal District to provide permanent relief at a reduction of 25% per year due to the installation of the sidewalk as a direct result of the reduction of our lot size.
3. Last Year, the City absorbed over half of our front yard to install a 5ft wide ADA-compliant sidewalk which caused erosion of our yard into the street. We requested and twice met with City Engineer Alvin Maliakal & sub contractor Justin Wilson who agreed to the damages caused and made alterations to lower the slope in order to prevent further erosion.
4. In addition, and after having met with us twice, the City did not work to minimize the impact of the new sidewalk by placing it next to the curb like all of our surrounding neighbors, but instead installed the sidewalk in the middle of our yard making it now illegal for us to park in our driveway.
5. The City did not replace the sod they removed which encompassed most of our yard due to the very small lot size referenced above. They stated they would do so once all the sidewalks were completed on Virginia which was expected in August/September; the hottest months of the year in which the City institutes the most stringent watering restrictions. We expressed concerns over the timing, I was told it would be the homeowner's responsibility.
6. With the above in mind, I instead paid to install Saint Augustine and river rock the last week in May at a cost of \$2,440. At that time, we also paid an additional \$3,400 to install artificial turf to the remaining sodded portion of our backyard.
7. Despite all our efforts, portions of the Saint Augustine did not survive, even after replacing a portion of the turf last October.

VARIANCE -

1. We have attempted sod three times in the past four years at a cost of just under \$5,000; twice of which was last year after the City removed our most of our front yard. This does not include the cost of watering.
2. We only considered artificial turf after having lost two of our 120+ year old trees in the storm that occurred the beginning of March at a removal cost of \$2,600. To take advantage of rainy season approaching and in an effort to replace our front yard tree with something drought tolerant, we moved quickly to install a 30-gallon crepe myrtle at an additional cost of \$510.
3. Recognizing the increasing strain on water utilities, we then began to research alternatives to front yard landscape.
4. Noting the City's website and current Stage 2 Drought Contingency Plan minimizing watering to two days per week "due to excessive heat and drought conditions" to include no watering between 10AM - 6PM from April 1 to October 1 which is likely worsen as the summer progresses same as it has done the past few years.
5. We honestly did not realize that we had to seek City approval for front yard landscape seeing as we do not live in a homeowner's association.
6. After careful consideration of options and the increased moratoriums being implemented by municipalities due to the stress on water utilities, most recently neighboring Princeton, we elected to install the highest grade artificial turf including an underlayment of peagravel and root barrier at a cost of \$3,280.

We are proud residents of McKinney, having worked very hard to pay our mortgage in full with continued investments to improve the value of our home and those of our surrounding neighbors. We ask that you consider the circumstances by which we came to install the artificial turf including the recent ruling in our favor by the Appraisal District and the long-term, proactive approach on an increasingly stressed water district.

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.

Brian E. Power
Property Owner Signature (If different from Applicant)

Jennifer A. Powers
Applicant's Signature

STATE OF TEXAS

COUNTY OF Dallas

Subscribed and sworn to before me this 2nd day of June, 2025
[Signature]
Notary Public

(seal)

My Commission expires: 1-30-27

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: