



CITY OF MCKINNEY, TEXAS

Legislation Text

File #: BOA20-06, Version: 1

Request by Applicant/Owner, Rudy Vazquez Jr. for the consideration of a 104 square feet variance to the zoning ordinance requirement of a maximum 500 square feet detached accessory structure, to allow a 604 square feet detached garage located at **2408 Cayenne Drive, Lot 1 Block 2 of the El Dorado Estates, an addition to the City of McKinney, Texas.**

BOARD OF ADJUSTMENT CASE NUMBER: BOA 20-06

MEETING DATE: September 30, 2020

DEPARTMENT: Development Services - Building Inspections

CONTACT: Rick Herzberger, Chief Building Official

RECOMMENDED BOARD ACTION: Consider this variance request based on the applicant statement on the BOA application.

ZONING: PD - Planned Development Ordinance 1743 and as amended by Ordinance 1884 Single Family Low Density Large Lot. Accessory Buildings and Uses, Section 146-133 - Detached garages are limited to 500 square feet in area, located in the rear yard with a rear setback of 10' and a side setback of 3'.

EXISTING CONDITIONS: This is a conforming large lot and existing SF Dwelling has a 2 car enclosed garage.

ITEM SUMMARY: The applicant/owner desires to construct a detached garage with rear setback of 11'6" and a side yard setback of 5' and a size of 604 square feet. The ordinance allows a maximum size of 500 square feet.

VARIANCE REQUESTED:

ZONING ORDINANCE REQUIREMENTS	REQUESTED SETBACK	VARIANCE
Maximum size of detached garage - 500 square feet.	604 square feet	104 square feet

APPLICANT'S BASIS FOR VARIANCE: See description on the application and attachment.

PUBLIC SUPPORT/OPPOSITION OF REQUEST:

To date, no letters of support and no letters of opposition have been submitted.

BOARD AUTHORITY:

Variances. The board shall have the power to authorize upon appeal in specific cases such variance from the terms of this chapter as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary hardship, and so that the spirit of this chapter shall be observed and substantial justice done, including the following:

1. Permit a variance in the yard requirements of any district where there are unusual and practical difficulties or unnecessary hardships in the carrying out of these provisions due to an irregular shape of the lot, topographical or other conditions, provided such variance will not seriously affect any adjoining property or the general welfare; and
2. Authorize upon appeal, whenever a property owner can show that a strict application of the terms of this chapter relating to the construction or alterations of buildings or structures will impose upon him unusual and practical difficulties or particular hardship, such variances from the strict application of this chapter as are in harmony with its general purpose and intent, but only when the board is satisfied that a granting of such variation will not merely serve as a convenience to the applicant, but will alleviate some demonstrable and unusual hardship or difficulty so great as to warrant a variance from the zoning ordinance as established by this chapter, and at the same time, the surrounding property will be properly protected.

BUILDING OFFICIAL STATEMENT:

The request has been field validated and I agree that the Board has the implied authority to consider this Variance by the Applicant/Owner

SUPPORTING MATERIALS:

- Board of Adjustment Application
- Zoning Exhibit
- BOA Locator Map