



# CITY OF MCKINNEY, TEXAS

## Legislation Text

File #: BOA21-02, Version: 1

Request by Applicant Kristi Carlton, representing Owners Rosa Leticia Vargas Mata, to Consider/Discuss/Act on a Variance request to allow a 10' rear yard setback to the zoning ordinance requirement of 20' rear setback for the property located at 1317 Coleman Street, Lot 6B, Block M of the Urbanton Addition, **an addition to the City of McKinney, Texas.**

**BOARD OF ADJUSTMENT CASE NUMBER:** BOA21-02

**MEETING DATE:** April 28, 2021

**DEPARTMENT:** Development Services - Building Inspections

**CONTACT:** Jeffrey Harris, Chief Plans Examiner

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

**ZONING:** RS-60 with Traditional McKinney Neighborhood (TMN) overlay designation.

**EXISTING CONDITIONS:** This is a non-conforming corner lot, per depth of lot less than 100'

**ITEM SUMMARY:** The applicant/owner desires to construct a single-family home on this existing lot, yet due to some lot non-conformity concerns, a variance is requested for consideration by the Board. The placement of the structure meets the front setback of 20' but the rear setback of 20' restricts the placement of the structure, thus a request for 10' rear setback.

A GIS rendering of the surrounding lots is provided and shows the varied setbacks. The input of the 200' property owners should be reviewed to determine if such variance will not seriously affect the adjoining property or the general welfare.

**VARIANCE REQUESTED:**

ZONING ORDINANCE REQUIREMENTS	REQUESTED SETBACK	VARIANCE
Rear Yard Setback - 20' setback	10' setback	10' setback

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

**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:**

BOA 21-02 - 1317 Coleman St - Packet to include:

- Board of Adjustment (BOA) Application
- GIS map of Coleman houses and setbacks
- Zoning Exhibit
- Survey and Survey Site Plan
- Newspaper notice and 200' notice with Locator Map