



Wylie Zoning Board of Adjustments

AGENDA REPORT

Department: Planning

Item Number: 1

Prepared By: Kevin Molina

Subject

Hold a Public Hearing to consider and act upon a request by Randall Owens for a variance to Figure 1-1 of Planned Development 2005-22 to allow for a rear setback of five feet in lieu of ten feet. Property located at 903 Alfred Drive. (ZBA 2025-13).

Recommendation

Motion to approve or deny.

Discussion

OWNER: Randall Owens

APPLICANT: Randall Owens

The applicant is requesting a variance to Figure 1-1 of Planned Development 2005-22 to allow for rear setbacks of five feet in lieu of ten feet. The property is located at 903 Alfred Drive and the purpose for the request is to allow for the construction of a detached garage.

The purpose of the Planned Development Ordinance restricting rear setback requirements is to provide separation from adjacent properties and existing structures.

The applicant believes the variance request has merit for the following reasons:

- The city's current Zoning Ordinance would not require the variance as it allows for a 3' rear setback.
- A 5' side setback shall remain to allow for the access and maintenance of remaining open space.
- There will be a minimal impact to the surrounding properties as the property to the south of the subject property contains a single family home outside of the city limits that is approximately 300' away from the proposed detached garage.
- The applicant has received approval from the Collin Estates Homeowners Association Architectural Review Committee for the construction of the garage pending the city's permitting approvals.

Public comment forms were mailed to ten (10) property owners within 200 feet of this request, as required by State Law. At the time of posting three comment forms were returned in favor and none in opposition of the request.

The Board shall not grant a variance to the development code which:

- (1) Permits a land use not allowed in the zoning district in which the property is located; or
- (2) Is in the public right-of-way or on public property; or
- (3) Alters any definition of the development code; or
- (4) Is other than the minimum variance that will afford relief with the least modification possible to the requirements of the development code; or
- (5) Is based on physical conditions or circumstances of the property so general or recurring in nature as to reasonably make practicable the formulation of a general regulation to be adopted as an amendment to the development code; or
- (6) Is based exclusively on findings of personal or financial hardship.

In order to grant a variance to the development code the Board shall find that all the following have been satisfied:

- (1) That there are unique physical circumstances or conditions of the lot, or other exceptional physical condition particular to the affected property;
- (2) That because of these unique physical circumstances or conditions, the property cannot be reasonably developed or used in compliance with the provisions of the development code;
- (3) That due to such unique physical circumstances or conditions, the strict application of the development code would create a demonstrated hardship;
- (4) That the demonstrable hardship is not self-imposed;
- (5) That the variance if granted will not adversely affect the proposed development or use of adjacent property or neighborhood;
- (6) That the variance, if granted will not change the character of the zoning district in which the property is located;
- (7) That the variance, if granted is in keeping with the intent of the development code; and
- (8) That the variance, if granted, will not adversely affect the health, safety or welfare of the citizens of Wylie.