



Wylie Zoning Board of Adjustments

AGENDA REPORT

Department: Planning
Prepared By: Kevin Molina

Item Number: 1

Subject

Hold a Public Hearing to consider and act upon a request by Daniel Reed Compton for a variance to Planned Development 93-29 and to Section 2.5.C of the Zoning Ordinance to allow for an accessory structure over the maximum allowed square footage and over the allowed accessory structure building height. Property located at 1201 E Stone Road and 720 S W.A. Allen Boulevard. (ZBA 2026-02).

Recommendation

Motion to **approve or deny**.

Discussion

OWNER: Daniel Reed Compton

APPLICANT: Daniel Reed Compton

The applicant is requesting a variance to Section 2.5.C of the Zoning Ordinance to allow for an accessory structure that measures 2,700 sq.ft in lieu of the maximum allowed 1,700 sq.ft with a building height of 25' in lieu of the maximum allowed 20'. The property is located at 1201 E Stone Road and 720 S W.A Allen Boulevard and the proposed use of the structure is for garage storage of a recreational vehicle (RV). The property owner received City Council approval for a Right of Way abandonment acquisition of 0.339 acres located at 720 S W.A. Allen Boulevard in April of 2026. A recorded plat document shall be required which combines the new acquired land with the existing lot at 1201 E Stone Road. The property once replatted will measure 3.189 acres in size.

The purpose of the Ordinance restricting building size of accessory structure is to regulate lot coverage and provide separation from adjacent properties and existing structures. The proposed garage is to replace a dilapidated barn that was recently demolished. The new structure shall only be used for accessory residential purposes such as storage and personal workshop. All zoning land use regulations shall remain applicable.

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

- The accessory structure shall be in compliance with setback requirements and allows for access to all open spaces surrounding the structure. A concrete drive shall be constructed for access to the structure with an entrance from E Stone Road.
- The accessory structure shall not have elevated windows which would affect the privacy of the surrounding property owners.
- The proposed size and height of the accessory structure are compatible with the overall 3.189 acre size of the lot which is much larger than the 10,000-20,000 sqft lots the ordinance is intended for.

Public comment forms were mailed to twenty-one (21) property owners within 200 feet of this request, as required by State Law. At the time of posting, four comment forms were returned in favor and one 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.