



# Wylie Zoning Board of Adjustment

## AGENDA REPORT

Meeting Date:	June 07, 2021	Item Number:	2
Department:	Planning	Case Number:	2021-06
Prepared By:	Kevin Molina	Project Location:	1512 Canyon Creek Road
Date Prepared:	May 10, 2021	Subdivision Name:	Bozman Farm Estates
		Exhibits:	Locator Map, Elevation, Notification Map, Comments

### Subject

Hold a Public Hearing to consider and act upon a request by Jessica Schrader for a variance to Section V.II.14 and Section V.II.15 of Planned Development 2002-52 to allow for a reduction in the required side and rear setbacks of accessory structures. Property located at 1512 Canyon Road. **ZBA 2021-06**

### Discussion

**Applicant: Jessica Schrader**

**Owner: Jessica Schrader**

The subject property is located at 1512 Canyon Road and is currently zoned within Planned Development 2021-06

The applicant is requesting to allow for a reduction in the allowed setbacks for accessory structures to 3' in the rear and 3' on the sides to allow for the placement of a 10'X12' pre-manufactured shed. The requested setbacks match the allowed setbacks of the Zoning Ordinance. However, a variance is requested because the Planned Development 2002-52 where the property is located has minimum accessory rear setbacks of 10% of the lot depth, being 12' for the subject property, and side setbacks of 5'.

The shed is proposed to match the shingle and siding colors of the primary structure.

Public comment forms were mailed to nineteen (19) property owners within 200 feet of this request, as required by State Law. At the time of posting one comment form was 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.

**Approved By**

**Department Director**

*Initial*

JH

*Date*

May 12, 2021