

NOTICE OF MEETING

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENT WILL MEET IN A REGULAR SESSION IN THE COUNCIL CHAMBER OF THE MUNICIPAL CENTER, 1520 AVENUE K, PLANO, TEXAS AT 3:00 P.M. TUESDAY, APRIL 28TH, 2009.

The Board of Adjustment may convene into Executive Session pursuant to Section 551.071 of the Texas Government Code to consult with its attorney regarding posted items in the regular meeting.

PUBLIC COMMENTS:

1. The Board of Adjustment will hear comments of public interest. Time restraints may be directed by the Chair of the Board of Adjustment. Specific factual information, explanation of current policy, or clarification of Board of Adjustment authority may be made in response to an inquiry. Any other discussion or decision must be limited to a proposal to place the item on a future agenda.

APPROVAL OF MINUTES:

2. April 9, 2009 meeting.
3. April 14, 2009 meeting.

SIGN APPEALS:

4. **APPEAL # 09-14S 4550 LEGACY DR:** A request to vary Subsection 3.1603 (2) (e) of the Zoning Ordinance number 2006-4-24 to:
- a) allow an institution sign to remain in a residential zoning district that exceeds the 32 maximum allowed square footage by 21 1/3 square feet, for a total overall size of 53 1/3 square feet; and
 - b) allow an institution sign to be erected in a residential zoning district that exceeds the 32 maximum allowed square footage by 18 square feet, for a total overall size of 50 square feet.
- This appeal is requested by Director Adam Ruef of Christ Church of Plano, Inc., property owner.

ZONING APPEALS:

5. **APPEAL # 09-07Z 5601 W SPRING CREEK PKWY:** A request to vary Subsection 3.1002 (2) of the Zoning Ordinance number 2006-4-24 to:
- a) allow 767 feet of a golf-net style fence to remain along and one foot inside the west side property line, one foot south of the north or rear property line, which exceeds the allowed maximum height of 8 feet by 3.5 feet for a total height of 11.5 feet;
 - b) allow 559 feet of a golf-net style fence to remain along and one foot inside the north or rear property line, one foot east of the west or side property line and one foot west of the east or side property line, which exceeds the allowed maximum height of 8 feet by 3.5 feet for a total height of 11.5 feet; and
 - c) allow 1,432 feet of a golf-net style fence to remain along and one foot inside the east or side property line, one foot south of the north or rear property line, of which:
 - 1) 263 feet exceeds the allowed maximum height of 8 feet by 7 feet, for a total height of 15 feet;
 - 2) 721 feet exceeds the allowed maximum height of 8 feet by 15 feet, for a total height of 23 feet spanning south from the 263 feet of 15 foot high fencing above; and

- 3) 448 feet exceeds the allowed maximum height of 8 feet by 7 feet, for a total height of 15 feet spanning south from the 721 feet of 23 foot high fencing above.

This appeal is requested by Bill Kirkendall of GRI Management Inc., manager of property owner, Acres of Sunshine LTD, and is represented by Gary E. Steffen of Burdette & Rice, P.C.

6. APPEAL # 09-08Z 7109 OAKBROOK DR: A request to vary Subsection 3.1002 (2) of the Zoning Ordinance number 2006-4-24 to allow 36 feet of a golf-net style fence to remain along and 1 foot inside the south or side property line, spanning 1 foot from the west or rear property line which exceeds the maximum allowed height of 8 feet by 22 feet for a total height of 30 feet. This appeal is requested by Reza "Richard" Samadi, property owner.

7. APPEAL # 09-09Z 7117 OAKBROOK DR: A request to vary Subsection 3.1002 (2) of the Zoning Ordinance number 2006-4-24 to:

- a) allow a 22 foot 6 inch section of a golf-net style fence to remain, 12 inches from the south and west property lines, spanning north to a distance 15 inches from the west or rear property line, which exceeds the maximum allowed height of 8 feet by 22 feet for a total height of 30 feet;
- b) allow a 21 foot section of a golf-net style fence to remain, 12 inches from the south and west property lines, spanning east to a distance 9 inches from the south or side property line, which exceeds the maximum allowed height of 8 feet by 22 feet for a total height of 30 feet; and
- c) allow a 24 foot section of a golf-net style fence to remain, spanning east from the 21 foot section of a golf-net style fence above to a distance of 8 inches from the south or side property line, which exceeds the maximum allowed height of 8 feet by 22 feet for a total height of 30 feet.

This appeal is requested by Jeffrey K. Marin, property owner.

8. APPEAL # 09-10Z 7113 OAKBROOK DR: A request to vary Subsection 3.1002 (2) of the Zoning Ordinance number 2006-4-24 to:

- a) allow 20 feet of a golf-net style fence to remain 14 inches from the south and west property lines, spanning north and parallel to west property line, which exceeds the maximum allowed height of 8 feet by 22 feet for a total height of 30 feet; and
- b) allow 20 feet of a golf-net style fence to remain 14 inches from the south and west property lines, spanning east and parallel to south property line, which exceeds the maximum allowed height of 8 feet by 22 feet for a total height of 30 feet.

This appeal is requested by Sacheen & Sangini Mehta, property owners.

9. APPEAL # 09-11Z 644 WATER OAK DR: A request to vary Subsection 3.1002 (2) of the Zoning Ordinance number 2006-4-24 to allow 33 feet 10 inches of a golf-net style fence to remain 10 inches from the east or side property line and 3 feet from the south or rear property line, spanning north and parallel to the east or side property line, which exceeds the maximum allowed height of 8 feet by 12 feet for a total height of 20 feet. This appeal is requested by Shou-Cheng Brett & Lichu Hsu, property owners.

10. APPEAL # 09-12Z 7121 OAKBROOK DR: A request to vary Subsection 3.1002 (2) of the Zoning Ordinance number 2006-4-24 to:

- a) allow 19 feet 10 inches of a golf-net style fence to remain 1 foot 2 inches from the west property line and 1 foot from the south property line, spanning east to a distance of 14 inches from the south or side property line, which exceeds the maximum allowed height of 8 feet by 22 feet for a total height of 30 feet; and
- b) allow 18 feet 4 inches of a golf-net style fence to remain 1 foot 2 inches from the west property line and 1 foot from the south property line, spanning north to a distance of 11 inches from the west or rear property line, which exceeds the maximum allowed height of 8 feet by 22 feet for a total height of 30 feet; and
- c) allow 19 feet 6 inches of a golf-net style fence to remain, spanning north from the above 18 foot 4 inch section, to a distance of 6 inches from the west or rear property line, which exceeds the maximum allowed height of 8 feet by 22 feet for a total height of 30 feet; and

- d) allow 17 feet 3 inches of a golf-net style fence to remain, spanning north from the above 19 foot 6 inch section, to a distance of 8 inches from the west or rear property line, which exceeds the maximum allowed height of 8 feet by 22 feet for a total height of 30 feet; and
- e) allow 13.18 feet of a golf-net style fence (support structure only – no netting) to remain, spanning north from the above 17 foot 3 inch section, to the north or side property line at a distance of 8 inches from the west or rear property line, which exceeds the maximum allowed height of 8 feet by 22 feet for a total height of 30 feet.

This appeal is requested by Weldon Montgomery, representing Sara Montgomery, property owner.

11. APPEAL # 09-13Z 7125 OAKBROOK DR: A request to vary Subsection 3.1002 (2) of the Zoning Ordinance number 2006-4-24 to:

- a) allow 14 feet 8 inches of a golf-net style fence to remain 5 inches from the west property line and 5 inches from the south property line, spanning slightly northeast parallel to the south or side property line, which exceeds the maximum allowed height of 8 feet by 22 feet for a total height of 30 feet; and
- b) allow 5 inches of a golf-net style fence (support structure only – no netting) to remain, 5 inches from the west or rear property line, spanning slightly northwest parallel to the west or rear property line to the start of the 14 foot 8 inch section above, which exceeds the maximum allowed height of 8 feet by 22 feet for a total height of 30 feet; and
- c) allow 61 feet 4 inches of a golf-net style fence to remain 5 inches from the west property line and 5 inches from the south property line, spanning slightly northwest parallel to the west or rear property line, which exceeds the maximum allowed height of 8 feet by 22 feet for a total height of 30 feet.

This appeal is requested by Shawn McMillen, property owner.

OTHER:

12. Items for future Agenda.

Municipal Center is wheelchair accessible. A slope curb entry is available at the main entrance facing Ave. L, with specially marked parking spaces nearby. Access and special parking are also available on the north side of the building. The Council Chamber is accessible by elevator to the lower level. Requests for sign interpreters or special services must be received forty-eight (48) hours prior to the meeting by calling the Building Inspection Department at 972-941-7140.