

**Board of Adjustment
December 11, 2007**

Board Members Present:

Chris Polito, Chairman
Joe Milkes
Mike Pirek
Cameron McCall, Alternate
William Suttle, Alternate

Board Members Present Not Seated

Donnie Swango
Roger Bolin, Alternate
Carolyn Kalchthaler

Board Members Absent:

Randy Hart

Staff Present:

Selso Mata, Building Official
Victoria Huynh, Assistant City Attorney III
Anthony Han, Plan Review supervisor
Patti Hoffer, Code Compliance Representative
Tamra Beck, Sr. Administrative Assistant

A public hearing of the Board of Adjustment was called to order by Chairman Chris Polito on Tuesday, December 11, 2007 at 6:05 p.m. in the Building Inspections Training Room at the Plano Municipal Center. A quorum was present and notice of the meeting had been posted for the time and manner required by law. Chairman Caso swore in those persons planning on giving testimony before the Board.

1. Approval of Minutes: November 13, 2007

Mr. Mike Pirek made a motion to approve the minutes of November 13, 2007. Mr. Cameron McCall seconded the motion. Motion was approved with a vote of 5/0.

2. Public Comments: There were no public comments.

3. APPEAL # 07-30Z 4505 Aspen Glen Road: : A request to vary subsections 2.808 4 (a) (vii) of the Zoning Ordinance number 2006-4-24 to allow a garage to be converted into a living space.

Patti Hoffer, Code Compliance Representative, provided testimony concerning the case stating that this property is located within a PH (Patio Home) zoning residential district which requires the home to have a two car garage. The applicant has renovated the garage and converted it into a living space without first obtaining a City permit.

Chairman Polito opened the floor to public comments and received testimony from the Applicant Ellie Afshar relating to her application for a variance. Ms. Afshar also submitted the document demonstrating her neighbors' support for the variance. The Board also admitted said document into the record.

The Board received testimony from Bob Gross, HOA representative, concerning his objection to the variance. He also provided to the Board his position statement objecting to the variance as well as the HOA regulations prohibiting the conversion. Chairman Polito admitted into the record the position statement and HOA construction restrictions.

The Board also received one (1) letter from neighbors Shane & Nichole Tucker objecting to the variance request.

Chairman Polito closed the floor to public comment.

After considering the evidence presented, Board Member Joe Milkes made the motion to deny Appeal #07-30Z, Mr. Mike Pirek seconded. The Board voted 5/0 in favor of the motion to deny the variance.

4. Items for future agenda.

The department has received one appeal for the January 8, 2008 meeting. The cutoff date is December 21, 2007. In addition, Board Member Joe Milkes requested additional training for BOA members pertaining to the Board's responsibilities, role and functions. Victoria Huynh, Legal Counsel, and Selso Mata, Building Official, stated that they will put together the training materials and schedule a training session in the near future.

The Public Hearing adjourned at 6:55 P.M.

Chris Polito, Chairman