

**MINUTES OF THE WORK SESSION AND REGULAR MEETING
OF THE BOARD OF ADJUSTMENT OF THE CITY OF ROWLETT, TEXAS
HELD IN THE ROWLETT MUNICIPAL CENTER,
4000 MAIN STREET, ROWLETT, TEXAS
APRIL 28, 2014**

PRESENT: Members Raymond Moyer, Robert Kittrell, Wanda Hoff, Harris D. Brown;
Alternate Member Chris Kizziar

ABSENT: Member James Vessels; Alternate Member Miranda Morgan

STAFF PRESENT: Director of Development Services Marc Kurbansade, Principal Planner Garrett Langford, Development Services Technician Lola Isom

1. Call to Order

Member Raymond Moyer called The Board of Adjustment Work Session to order at 6:02 p.m.

2. Administer the Oath of Office and the Statement of Elected/Appointed Officer to the newly appointed and reappointed members

Lola Isom, Development Services Technician, administered the Oath of Office to Harris D. Brown and Chris Kizziar. Documentation for the Statement of Elected Appointed Officer and Confidentiality Form were processed.

3. Board of Adjustment Orientation

David Berman, City Attorney, passed out The Board of Adjustment Handbook and summarized the member guidelines.

4. Discuss electing a Chairman and Vice-Chairman

The Board briefly discussed the nominations for Chairman and Vice-Chairman.

5. Discuss items on the regular agenda

The agenda for the Regular Meeting was briefly discussed.

6. Adjournment

Member Raymond Moyer made a motion to adjourn the Work Session. Member Robert Kittrell seconded the motion. The motion passed 4-1. Alternate Member Chris Kizziar abstained from the vote.

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1. Call to Order

Member Raymond Moyer called The Board of Adjustment Regular Meeting to order at 7:05 p.m.

2. Elect a Chairman and Vice-Chairman

Member Robert Kittrell made a motion to nominate Member Raymond Moyer as the Chairman for The Board of Adjustment. Member Wanda Hoff seconded the motion. Member Wanda Hoff made a motion to nominate Member Robert Kittrell as the Vice-Chairman for The Board of Adjustment. Member Raymond Moyer seconded the motion.

Member Robert Kittrell made a motion to elect Member Raymond Moyer as the Chairman for The Board of Adjustment. Member Wanda Hoff seconded the motion. The motion passed 5-0.

Member Harris D. Brown made a motion to elect Member Robert Kittrell as the Vice-Chairman for The Board of Adjustment. Alternate Member Chris Kizziar seconded the motion. The election passed 5-0.

3. Consider approval of the minutes of the Regular Meeting of The Board of Adjustment from December 3, 2012.

Chairman Raymond Moyer requested that a correction be made on the minutes. Member Harris D. Brown made a motion to approve the minutes with the correction. Vice-Chairman Robert Kittrell seconded the motion. The item passed 5-0.

4. Conduct a public hearing and take appropriate action on a variance request. The applicants are requesting a variance from the width requirements for a flag lot outlined in Chapter 77, Section 603.F.2 of the Rowlett Code of Ordinances, specifically a reduction in the minimum width of the flag portion of the lot from 35 feet to 10 feet, in order to accommodate a flag lot for a new single family home. The subject property is located at 3706 Toler Rd., being Lot 10, Block 4 of the Rowlett Ranch Estates Second Section, an addition to the City of Rowlett, Dallas County, Texas, and being a 2.267 acre tract of land in the Reason Crist Survey, Abstract 225, Rowlett, Dallas County, Texas.

Garrett Langford, Principal Planner, came forward to present the case. He presented a location map and briefly described flag lots. Mr. Langford presented the proposed replat and provided background photographs and diagrams of the property. He summarized criteria within the Rowlett Development Code that are considered when granting a variance. Mr. Langford briefly presented the staff analysis and stated that staff recommends approval of the variance.

Mr. Langford stated that 72 public hearing notices were mailed out; one was received in favor and six were received in opposition. He mentioned that some common concerns of those in opposition were the increase in traffic, the continuance of Berryman Drive, placing a house behind existing homes, impact on the drainage, and inhibiting emergency access.

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There was additional discussion amongst the Board regarding the minimum lot width, setback requirements, access easement, comments from neighboring residences, and emergency vehicle access.

Chairman Raymond Moyer opened the public hearing.

The following speakers came forward:

Jerry and Jessica MacDonald
3706 Toler Road
Applicants

Mr. and Mrs. MacDonald expressed their hardship and reasons for requesting the variance.

There was discussion amongst the Board regarding the access easement.

A second speaker came forward:

David Ellis
4002 Toler Road

Mr. Ellis stated that he is in opposition of the request. He expressed concerns such as: having housing behind other houses, a negative impact on water pressure and drainage, reducing lot size, and inhibiting emergency access.

Chairman Raymond Moyer asked that the applicants return to the podium for additional questioning and discussion.

The Board and the applicants discussed emergency access, drainage culverts, fire sprinkler requirements for the residence, septic system requirements, "the house behind a house" concept, the flood plain, SF9 zoning regulations, and the development process.

Vice-Chairman Robert Kittrell made a motion to close the public hearing. Member Harris D. Brown seconded the motion. The motion passed 5-0. The public hearing was closed.

The Board further discussed "the house behind a house" concept.

Vice-Chairman Robert Kittrell made a motion to approve the variance request. Member Wanda Hoff seconded the motion. The item passed 5-0.

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5. Adjournment

Vice-Chairman Robert Kittrell made a motion to adjourn the Regular Meeting. Member Wanda Hoff seconded the motion. The adjournment passed 5-0. The meeting adjourned at 7:48 p.m.



Chairman- Raymond Moyer



Secretary

10/22/14

Date