

**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  
June 22, 2016**

**PRESENT:** Chairman Raymond Moyer, Vice Chairman Chris Kizziar, Members Kellie McKee, Robert Vickers

**ABSENT:** Member Tony Brown, Alternate Member Frixmon Michael

**STAFF PRESENT:** Principal Planner Garrett Langford, Community Services Manager Maria Martinez, Planner Katy Goodrich, Development Services Coordinator Lola Isom

**OTHERS PRESENT:** City Attorney David Berman

**WORK SESSION**

**i. Call to Order**

Chairman Raymond Moyer called the Work Session to order at 6:00 p.m.

**ii. Discuss tornado code compliance process.**

Community Services Manager Maria Martinez stated that the last count that was conducted of homes in the tornado damaged area in disrepair was less than 100.

There was discussion amongst the Board in regards to the Code Enforcement Division's surveying process of the area damaged by the tornado.

City Attorney David Berman noted that the City of Rowlett is in the last stage of tornado recovery and is working towards getting properties into compliance. He said that the City of Rowlett has adopted the provisions of the *Uniform Code for the Abatement of Dangerous Buildings, 1997 edition*. He reminded the Board that they also serve as the City's Board of Appeals.

Mr. Berman stated that the Code Enforcement Division would initiate the process of getting the properties into compliance and the Board of Adjustment (BOA) would make decisions regarding demolition. It was mentioned that homeowners/applicants have 30 days to appeal these particular decisions to the BOA. Mr. Berman stated that Form Orders will be used, hearings will be public, and that Code Enforcement will present the cases to the BOA for consideration. He stated that the City of Rowlett would incur the cost of the demolition and the corresponding lien would be filed. He provided a document outlining the process to the BOA titled "*Code Compliance and the Remediation and Demolition of Substandard and Dangerous Structures.*"

There was discussion amongst the Board regarding the definition of habitable structures, lien holders, timeline for repair, extensions, a schedule for each case, inspections, property ownership, the degree of damage, liens, and media communications.

Ms. Martinez stated that the identification process would begin in August of 2016.

**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  
June 22, 2016**

Mr. Langford offered the idea to the BOA of working towards scheduling a standing meeting every month in the event that there are cases to be heard since this review will increase the volume of BOA hearings in the near future.

**iii. Adjournment.**

Chairman Raymond Moyer adjourned the Work Session at 6:45 p.m.

**REGULAR MEETING**

**PRESENT:** Chairman Raymond Moyer, Vice Chairman Chris Kizziar, Members Kellie McKee, Robert Vickers

**ABSENT:** Member Tony Brown, Alternate Member Frixmon Michael

**STAFF PRESENT:** Principal Planner Garrett Langford, Planner Katy Goodrich, Development Services Coordinator Lola Isom

**OTHERS PRESENT:** City Attorney David Berman

**1. Call to Order**

Chairman Raymond Moyer called the Regular Meeting to order at 7:02 p.m.

**2. Consider approval of the minutes of the Board of Adjustment Meeting of April 14, 2016.**

Member Robert Vickers made a motion to approve the minutes. Member Kellie McKee seconded the motion. The item passed 4-0.

**3. Conduct a public hearing and take action on a request for a variance to allow a building to encroach 17 feet into the 20-foot setback from the rear property line. The subject property is located at 2209 Windjammer Way, further described as being Lot 13R, Block 7(A) of the Vue Du Lac, an addition to the City of Rowlett, Dallas County, Texas.**

Garrett Langford, Principal Planner, came forward to present the case. He displayed a location map and summarized the proposal for the attached patio that would encroach into the rear setback. Mr. Langford presented a photograph of the property before and after the tornado damage, additional site photos, a Plot Plan, renderings, elevations, and provided some detail on the Take Area Lease Ordinance and view corridor. He summarized the staff analysis and stated that staff recommends denial.

He stated that public hearing notifications were sent and four were received in favor.

There was discussion amongst the Board regarding the public hearing responses and the current zoning.

**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  
June 22, 2016**

Chairman Raymond Moyer opened the public hearing.

The following speakers came forward:

**Chad and Lynn Grant  
2209 Windjammer Way  
Applicant**

Ms. Grant expressed her desire for BOA approval.

Mr. Grant provided a document to the Board displaying Homeowner's Association (HOA) approval. He said he wants to attach the structure to the house because he believes it would be more structurally sound and a better design.

There was discussion amongst the Board regarding the structure being attached versus attached and the builder.

No additional speakers came forward.

Chairman Raymond Moyer closed the public hearing.

Member Kellie McKee made a motion to deny the request. Member Robert Vickers seconded the motion. The motion for denial passed with a 3-1 vote. Vice Chairman Chris Kizziar voted in opposition of the motion.

**4. Adjournment**

Member Robert Vickers made a motion to adjourn the meeting. Member Kellie McKee seconded the motion. The motion to adjourn passed with a 4-0 vote.

Chairman Raymond Moyer adjourned the meeting at 7:25 p.m.

  
\_\_\_\_\_  
Chairman- Raymond Moyer

  
\_\_\_\_\_  
Secretary

10/10/16  
\_\_\_\_\_  
Date