

**MINUTES OF THE REGULAR MEETING
OF THE PLANNING AND ZONING COMMISSION
OF THE CITY OF ROWLETT, TEXAS, HELD IN THE MUNICIPAL CENTER
4000 MAIN STREET, AT 7:00 P.M., NOVEMBER 10, 2009**

PRESENT: Vice-Chairman Greg Peebles, Commissioners Rick Sheffield, Chris Cigainero, Greg Landry, Charles Alexander, Joe Charles,

ALSO PRESENT: Alternate Robert Kittrell

ABSENT: Chairman Kevin Moore, Alternate Karl Crawley

STAFF PRESENT: Erin Jones, Interim Planning Manager; Amy Mathews, Planner II; Kendra Frederick, Senior Administrative Assistant

A. CALL TO ORDER

Vice-Chairman Greg Peebles called the meeting to order at 7:00 p.m.

B. CONSENT AGENDA

1. Minutes of the Regular Meeting of September 22, 2009.

Commissioner Rick Sheffield made a motion to approve the minutes of the regular meeting of September 22, 2009. Commissioner Greg Landry seconded the motion. The motion passed with a 4-0-3 vote with Commissioner Joe Charles, and Vice-Chairman Greg Peebles abstaining from voting since they were not present at the September 22, 2009 meeting. Alternate Robert Kittrell abstained from voting since he was not seated at the dais at the September 22, 2009 meeting.

2. Consider and take appropriate action on a request to allow more than one accessory structure on a residential lot. The property is located at 9414 Shearer Street, being Block G, lot 4 of the Highland Meadows North No. 1 subdivision.

Commissioner Charles Alexander made a motion to approve the request to allow more than one accessory structure on a residential lot. Alternate Robert Kittrell seconded the motion. The motion passed with a 7-0 vote.

C. PUBLIC HEARINGS

1. Conduct a public hearing and make a recommendation regarding an application for a request to amend Planned Development (PD) 5-5-87B in order to revise the setback requirements for 4402 Scenic Drive being 0.24± acres, Block F, Lot 61 of the Lakeshore Park Estates Subdivision.

Erin Jones came forward to present the case. She stated that the applicant requests to amend Planned Development 5-5-87B in order to revise the setback requirements for 4402 Scenic Drive in order to build an addition to his home. She stated that all other properties within the PD will still have to meet the original standards; this revision will only affect 4402 Scenic. With no one wishing to speak for or against

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this item Commissioner Sheffield made a motion to close the public hearing. Commissioner Alexander seconded the motion. The motion passed with a 7-0 vote. Commissioner Sheffield asked Ms. Jones if the side setback should be corrected for the entire PD due to the fact that the PD states that the side setback shall be 15 ft., however, the homes in the subdivision were built with 5 ft. side setbacks. Ms. Jones stated that she would revise the development regulations to reflect that change prior to taking this item before City Council for approval. Commissioner Cigainero made a motion to recommend approval to City Council to approve the item as presented. Commissioner Sheffield amended the motion to include eliminating the 15ft side setback requirement from the entire Planned Development. Commissioner Alexander seconded the motion. The motion passed with a 7-0 vote.

- 2. Conduct a public hearing and make a recommendation on the request of the City of Rowlett to make text amendment to the Rowlett Development Code pertaining to limiting homeowner association's authority to regulate solar energy and wind energy systems.**

Erin Jones came forward to present the request. She stated that if approved by City Council this amendment will only affect HOA's adopted after this ordinance is passed. Staff will continue to work on specific regulations for wind and solar energy. The ordinance before the commission tonight will lay the framework for new neighborhoods to allow solar and wind energy as City regulations allow.

Rowlett citizen Kris Kriofske who resides at 1714 Blain Dr. came forward to discuss the importance of creating enabling legislation to encourage existing neighborhoods and future neighborhoods to utilize wind and solar energy equipment. Citizen Al Wilkinson who resides at 7809 Defender Lane discussed the process that the Waterview Community has gone through to allow wind and solar energy systems in their neighborhood. With no further discussion, Commissioner Charles Alexander made a motion was made to close the public hearing. Commissioner Cigainero seconded the motion and the motion passed with a 7-0 vote. Commissioner Sheffield made a motion to recommend approval of this item to City Council as presented. Alternate Kittrell seconded the motion. Motion passed with a 7-0 vote.

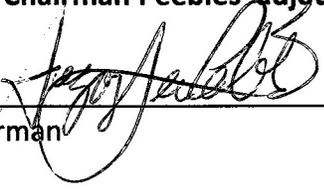
- 3. Conduct a public hearing to consider and take appropriate action on a Conditional Use Permit (CUP) application for a 250± square foot Bail Bonds office. The subject property is located at 4501 Rowlett Road, Rowlett, TX and is part of the Toler Business Park No. 2 subdivision.**

Amy Mathews came forward to present the request. Ms. Mathews discussed how the CUP, if approved, will be associated only with Maverick Bail Bonds and cannot be transferred to a new owner or business. The office will only operate from 8:00 to 6:00 Monday through Friday. Owner Lawrence McCurdy at 8802 Meadowlark Lane came forward to discuss the services he wants to provide for the community. With no further discussion, Commissioner Greg Landry made a motion to close the public hearing. Commissioner Charles Alexander seconded the motion. The motion passed with a 7-0 vote. Commissioner Greg Landry made a motion to approve the Conditional Use permit with the condition that the hours of operation be restricted to 8:00 to 6:00, Monday through Friday. Alternate Robert Kittrell seconded the motion. Motion passed with a 4-3 vote with Commissioners Joe Charles and Rick Sheffield and Vice-Chairman Greg Peebles casting the opposing votes.

A. ADJOURNMENT

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Vice-Chairman Peebles' adjourned the meeting at 7:34 p.m.



Chairman



Secretary