

DRAFT MINUTES OF THE REGULAR MEETING OF THE BOARD OF ADJUSTMENT
OF THE CITY OF ROWLETT, TEXAS HELD IN THE ROWLETT
MUNICIPAL CENTER, 4000 MAIN STREET, ROWLETT, TEXAS
AT 7:05 P.M., DECEMBER 7, 2009

PRESENT: Vice-Chairman, Jerry Galloway; Members, Michael Lucas, Juan Vasquez, Juan Torres

ALSO PRESENT: Alternate Carl Pankratz

ABSENT: Member Charles Lee

STAFF PRESENT: Erin Jones, Interim Planning Manager; Kendra Frederick, Sr. Administrative Assistant; David Berman, City Attorney

OTHER ATTENDANTS:

Gerald and Shannon Dewitt
10308 Liberty Grove Road
Rowlett, TX 75088

Valero represented by Zeke Bullock of Barnett Signs
Diamond Shamrock Addition
4902 Lakeview Parkway
Rowlett, TX 75088

1. Call to Order

Vice Chairman Jerry Galloway called the meeting at 7:05.

2. Consider approval of the minutes of the Regular Meeting of the Board of Adjustment from June 8, 2009.

Member Juan Vasquez made a motion to approve the minutes of June 8, 2009. Member Juan Torres seconded the motion. Motion carried with a 4-0 vote with Alternate Carl Pankratz abstaining from voting since he was not a voting member.

3. Conduct a public hearing and take appropriate action on a variance request. The subject property is located at 10308 Liberty Grove Road, being 9.41± acres in the Harrison Blevins Survey, Abstract Number 94. The applicant requests a variance from Dimensional Requirements in Chapter 77, Section 400 of the *Rowlett Development Code*, to allow for a reduction in setback requirements.

Erin Jones came forward to present the request on a variance to allow for a reduction in setback requirements in order to add an addition to his property. Mrs. Jones stated that in order to add an addition to the house, the property must be platted before a building permit can be issued. Mr. Dewitt has the option of platting the property in one lot or two and if the property is platted into one lot, he would not have to dedicate land for Right-Of-Way.

The applicant Mr. Dewitt came forward and explained different ways of how the addition will not work anywhere else in the home and how the future barn cannot be placed at the back of the property due to water drainage. Several members stated that the hardship seems to fall back on

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financial reasons which are not permissible for the Board to grant a variance and the Members agreed that the barn is not a specific element in this request. Daughter, Shannon Dewitt discussed how she and Mr. Dewitt engaged a lawyer to get the Right-of-Way exaction waived. Mrs. Jones stated that if the applicant was willing to plat the land into a smaller lot to later put a barn behind the home, the request for a variance would be closer to conformity, and Staff would be willing to work with that. With that, the applicant decided to continue to work with Staff to make the request more favorable. The item was tabled until further notice. Alternate Carl Pankratz made a motion to table the item until further notice. Member Michael Lucas seconded the motion. Motion passed with a 5-0 vote.

4. **Conduct a public hearing and take appropriate action on a variance request. The subject property is located at 4902 Lakeview Property, being .68± acres, Lot 1, Block 1 of the Diamond Shamrock Addition. The applicant requests a variance to the sign regulations contained in Section 77:512 for the *Rowlett Development Code* to allow for a reduction in setback requirements.**

Erin Jones presented how the North Texas Tollway Authority's President George Bush Turnpike eastern extension project will require removal of the sign for the Valero convenience store. The desired new location of the sign would encroach on the setback requirements. Applicant Zeke Bullock came forward with Barnett Signs explains how the sign cannot move further back because of the access easement. Member Michael Lucas made a motion to approve the request as submitted. Alternate Carl Pankratz seconded the motion. Motion passed with a 5-0 vote.

5. Adjournment.

Member Juan Torres made a motion to adjourn the meeting. Member Juan Vasquez seconded the motion. Motion passed with a 5-0 vote. Meeting adjourned at 7:47.


Larry Beckham, Chairman
Signed by Jerry Galloway, Chairman:
I certify that the above minutes are a true
account of the meeting held on December 7, 2009.


Secretary