

**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., SEPTEMBER 25, 2012**

PRESENT: Chairman Rick Sheffield; Vice-Chairman Greg Landry; Commissioners Charles Alexander, Greg Peebles, Joe Charles, Karl Crawley, Rosalind Jeffers

ALSO PRESENT: Alternates Jonas Tune, Ronald Meyer

ABSENT:

STAFF PRESENT: Senior Planner Arti Harchekar, Planner II Michele Berry, Development Services Technician Ashley McCoy

A. CALL TO ORDER

Chairman Rick Sheffield called the meeting to order at 7:00 p.m.

B. CONSENT AGENDA

1. Minutes of the Regular Meeting of September 11, 2012

Vice-Chairman Greg Landry made a motion to approve the Consent Agenda. Commissioner Rosalind Jeffers seconded the motion and it passed with a 7-0 vote.

C. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Conduct a public hearing and take action on a Conditional Use Permit for a carport of approximately 1,200 square feet on a residential property in the Single Family 40 Zoning District. The subject property is 4105 Misty Lane, being Lot 4, Block A of the Misty Valley Addition to the City of Rowlett, Dallas County, Texas. (CUP12-616)

Michele Berry, Planner II came forward to present the case. She presented a location map and noted that the carport was existing and the posts were three feet off the property lines which meets the code requirements. She presented photos of the property including the eight foot wooden fence screening the carport from view and photos of the structure. Ms. Berry stated that the structure was not permitted at time of construction but would need to receive a permit and be brought up to current building code regulations if the CUP is approved. She reviewed the approval criteria and stated that Staff would recommend approval with the provision that the carport will be brought up to building code requirements. Chairman Sheffield opened the public hearing and recognizing no speakers closed the public hearing. Vice-Chairman Landry noted that the structure was not in public view and had existed for some time and made a motion to approve the Conditional Use Permit for a carport of approximately 1,200 square feet on a residential property in the Single Family 40 Zoning District as presented. Commissioner Alexander seconded the motion and the motion passed with a 7-0 vote.

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2. Consider and take action on Temporary Use Permit Request for a "Similar temporary use", specifically one-day event, at 5117 Rowlett Road, being part of a 2.9651 acre property in Tract 6.2 of the U Matthusen Abstract No. 1017, Page 470, Dallas County, Texas.

Michele Berry, Planner II came forward to present the case. She presented a location map and stated that the applicant opened for business in September 2011 and wished to hold a one year anniversary event in which they would grill food items and possibly have a small display of inventory on the walkway in front of the business. They would block off one parking space to accommodate the grill and in the event of rain, would erect a tent. The applicant was also requesting special signage for approximately one week before the event as advertisement allowed under the TUP. Ms. Berry noted that the applicant was in contact with the Health Department to acquire the necessary food permits and that they have also contacted other businesses in the shopping center and received their support. She stated that the request had initially been submitted as a Special Events Permits but had been scaled back to the point that a Special Events Permit was not necessary and became a Temporary Use Permit request. She stated that Staff would recommend approval and Commissioner Crawley expressed confusion that the request was not a Special Event. Ms. Berry responded that a Special Event Permit had a higher fee and required separate insurance geared towards parades and similar events. Chairman Sheffield inquired if the applicant was paying additional fees to go before the Commission for approval and Ms. Berry replied that the TUP fee was \$50 and the Temporary food permit was an additional fee of approximately \$50, but the Special Events Permit would have been approximately \$200. Vice-Chairman Landry asked if the tent and signage were being reviewed for code compliance and Ms. Berry stated that the signage would fall under the TUP and would not require an additional Temporary Sign Permit. Commissioner Crawley inquired about approval of fundraising style car washes and Ms. Berry replied that car washes fell under their own permit application and were administratively approved. Commissioner Alexander made a motion to approve the Temporary Use Permit Request for a "Similar temporary use", specifically one-day event, at 5117 Rowlett Road. Commissioner Crawley seconded the motion and the motion passed with a 7-0 vote.

D. ADJOURNMENT

Chairman Rick Sheffield adjourned the meeting at 7:11 p.m.


Chairman


Secretary