



TO: MAYOR AND TOWN COUNCIL
FROM: RICK WEINMAN, BUILDING OFFICIAL
RE: BOARD OF APPEALS REAPPOINTMENTS
DATE: SEPTEMBER 26, 2023

Summary & Background: The Town of Frisco Municipal Code, Chapter 4, “*Appeals, Board of*”, states that the Board of Appeals shall consist of three (3) members appointed by the Town Council for three-year terms. Members of the Board of Appeals (hereafter “BOA”) must be residents or business owners in the Town of Frisco and shall be qualified by experience and training to pass upon matters pertaining to building construction.

Board of Appeals Roles and Responsibilities: Chapter 4 of the Town Code states that the BOA shall hear and decide appeals from and shall review any order, requirement, decision, or determination made by any administrative official charged with the administration or enforcement of the building construction standards in Chapter 65 of the Town Code (also known as the Town Building Codes).

The BOA does not have any interpretive authority relative to the Building Codes, nor does it have any authority to waive Building Code requirements. However, the BOA may review and offer recommendations on proposed Building Code amendments and may also propose Building Code amendments for consideration by the Town Council.

The BOA last met to consider an appeal over 13 years ago. While the infrequency of meetings may suggest a reduced importance of this particular appointed Board, the Town Code and adopted Building Codes do require that a qualified Board of Appeals is appointed and available for timely review and consideration of appeals.

Board of Appeals Appointments: Chapter 4 of the Town Code states that the BOA shall consist of three members appointed by the Town Council. BOA members serve 3-year terms. Unlike Planning Commissioner appointments which are set to coincide with Town Council terms, Chapter 4 includes no such stipulations for the BOA.

The Board of Appeals members were most recently appointed at the meeting of September 8, 2020, with terms expiring at the end of July 2023. At that time, the Town Council interviewed, and appointed: Pete Campbell, Dan McCreery, and Colette Smith.

Town Staff contacted each of these members to inquire if they had an interest in remaining on the Board of Appeals. Each of the three candidates expressed interest in being reappointed to the Board of Appeals.

Each of the three candidates continue to meet the requirements to be a member of the BOA as listed in Chapter 4 of the Town Code. McCreery and Campbell are contractors, and Smith is a

structural engineer. Each applicant either lives in or owns a business in the Town of Frisco, meeting the requirements of Chapter 4 of the Code.

If any of the three individuals were not interested in serving another term, the Town would have advertised for the vacancy and staff would have requested Town Council perform interviews.

Staff Recommendation: Staff recommends that the Council reappoint Dan McCreery, Pete Campbell, and Colette Smith to the Frisco Board of Appeals for 3-year terms each ending on September 31, 2026.

Reviews and Approvals:

- Leslie Edwards, Finance Director
- Diane McBride, Assistant Town Manager
- Tom Fisher, Town Manager

Attachments:

Attachment 1_Interest in continuing to serve_Campbell
Attachment 2_Interest in continuing to serve_McCreery
Attachment 3_Interest in continuing to serve_Smith
Attachment 4_Town Code, Chapter 4, "Appeals, Board of"