

Zoning Board of Adjustment
January 22, 2013
Lewisville Town Council Chambers

1. Call to Order:

- a. Chair Ron Hutton called the meeting to order at 6:31 p.m. Members present were Scott Ayers, Rick Hermann and William Lorentz. Also present were Town Attorney Bowen Houff, Secretary Scott Frye and Planner Marty Myers. Also present was Public Information Officer Lynn Hall.
- b. Adoption of Agenda – Mr. Ayers moved for adoption and Mr. Lorentz seconded. The vote was unanimous.

2. Approval of Minutes:

- a. November 27, 2012 – Mr. Ayers moved for approval and Mr. Hermann seconded. The vote was unanimous.

3. Hearing & Determination

Mr. Frye read into the record the findings for issuing a special use permit. The Zoning Board of Adjustment shall issue a special use permit only when the Board makes an affirmative finding that: (A) The use will not materially endanger the public health or safety if located where proposed and developed according to the application and plan as submitted and approved; (B) The use meets all required conditions and specifications; (C) The use will not substantially injure the value of adjoining or abutting property or that the use is a public necessity; and (D) The location and character of the use, if developed according to the application and plan submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the Legacy Plan and Lewisville Comprehensive Plan.

- i. Manufactured Home Renewals (Consent)
 1. Bobby Church & Wilma Church
 2. (Mike Sutton)
 3. Case 4270
 4. Request permission to continue to place a Manufactured Home Class A on a 1.27-acre tract of land with an unoccupied dwelling located at 1965 Vienna-Dozier Road, approximately 300 feet northwest of intersection of Yadkinville Road and Vienna Dozier Road. Property is zoned RS-30, Tax Block 4617, Tax Lot 42D.
- ii. Mr. and Mrs. Church were sworn in by Mr. Houff.
- iii. It was explained that since only four members of the ZBOA Board were present, an approval *for* will require all four votes. The petitioners had the right to request

Zoning Board of Adjustment
January 22, 2013
Lewisville Town Council Chambers

a continuance until five members were present, but all agreed to proceed with the hearings tonight.

- iv. The manufactured home was first approved for special use permit in 1997. There have been no changes to the property since the last time it was renewed.
 - v. No one was present in opposition.
 - vi. Mr. Ayers moved to approve the permit for another five years under the same conditions and Mr. Lorentz seconded. The vote was unanimous.
- b. Frances Hauser (Ashley Hauser)
- i. Case 4276
 - ii. Request permission to continue to place a Manufactured Home Class C on a .79-acre tract of land located at 850 Hauser Road, approximately 1 mile south of Shallowford Road. Property is zoned RS-40. Tax Block 4435, Tax Lot 4E.
 - iii. Mrs. Hauser was sworn in by Mr. Houff.
 - iv. She testified that it was her granddaughter living in the Manufactured Home.
 - v. The special use permit was first approved in 1977.
 - vi. No one was present in opposition.
 - vii. Mr. Hermann moved to renew the permit for five years under the same conditions and Mr. Lorentz seconded. The vote was unanimous.
- c. Terry Simos & Marie Simos
- i. Case 4259
 - ii. Request permission to occupy a secondary dwelling on a 1.02-acre tract of land with an existing dwelling located at 4015 Kathryn Court (secondary dwelling is located at 4011 Kathryn Court), approximately 600 feet south of Skylark Road. Property is zoned RS30. Tax Block 4677, Tax Lots 16 and 17.
 - iii. Mr. Simos was sworn in by Mr. Houff.
 - iv. He testified that this was first a pool house, but was made into a living space when his father was ill. No one is currently living there, but he would like to make it a secondary dwelling for family use.
 - v. It was explained that the ordinance stipulates who may occupy a secondary dwelling.
 - vi. No one was there in opposition and Mr. Ayers moved to grant the request for five years under the conditions outlined in the ordinance. Mr. Hermann seconded and the vote was unanimous.

4. For the Good of the Order:

- a. Adjournment – Mr. Hermann moved to adjourn the meeting and Mr. Lorentz seconded. The vote was unanimous.

**Zoning Board of Adjustment
January 22, 2013
Lewisville Town Council Chambers**

Respectfully Submitted:

Lynn W. Hall,
Public Information Officer

Attest:

Joyce C. McWilliams Walker,
Town Clerk

Ron Hutton,
Chair