

Lewisville Zoning Board of Adjustment
March 26, 2013
Lewisville Town Council Chambers

1. Call to Order:

- a. Chair Ron Hutton called the meeting to order at 6:36 p.m. Members present were Scott Ayers, Rick Hermann and Wayne Hutchens. Hobie Cawood arrived at 6:41 p.m. Also present were Secretary Scott Frye, Attorney Bowen Houff, Planner Marty Myers and Public Information Officer Lynn Hall.
- b. Adoption of Agenda – Mr. Ayers moved to adopt the agenda with one change – to have Board Organizations following the Hearing and Determination of Cases. Mr. Hermann seconded and the vote was unanimous.

2. Approval of Minutes:

- a. January 22, 2013 – Mr. Ayers moved for approval and Mr. Hutchens seconded. The vote was unanimous.

3. Hearing and Determination of Cases:

- a. 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.
- b. Bobby Adams, Dorothy Adams Case 4342
 - i. Request permission to continue to place a Manufactured Home Class B on a 3.46-acre tract of land with an unoccupied dwelling located at 1755 Conrad Sawmill Road, approximately 2200 feet south of Robinhood Road. Property is zoned RS-30. Tax Block 4615, Tax Lot 007B.
 - ii. Bobby Adams was sworn in by Mr. Houff. He said there had been no substantial changes in the property since it was last approved for a permit renewal.
 - iii. There was no opposition.
 - iv. Mr. Hutchens moved to approve the permit for another five years under the same stipulations. Mr. Cawood seconded and the vote was unanimous.
- c. Frank Holder Case 4344
 - i. Request permission to continue to place a Manufactured Home Class A with an existing dwelling on a 1.92-acre tract of land located at 7995 Dull Road (secondary dwelling address is 7985 Dull Road), approximately 1/8 mile west of Styers Ferry Road. Property is zoned RS-20. Tax Block 44405, Tax Lot 52.

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- ii. Mr. Holder was sworn in by Mr. Houff and said the property had not changed substantially since the last permit renewal.
- iii. There was no opposition.
- iv. Mr. Hermann moved to renew the permit for another five years under the same stipulations. Mr. Ayers seconded and the vote was unanimous.

4. Board Organization:

- a. Oath of Office
 - i. Mr. Houff administered the oath of office to Ron Hutton.
- b. Selection of Officers
 - i. Chair – Mr. Ayers nominated Dr. Hutton and Mr. Cawood seconded. There were no other nominations. Mr. Hermann moved to elect Dr. Hutton as chair by acclamation and Mr. Ayers seconded. The vote was unanimous.
 - ii. Vice Chair – Dr. Hutton nominated Scott Ayers for vice chair and Mr. Cawood seconded. There were no other nominations. Dr. Hutton moved to elect Scott Ayers vice chair by acclamation and Mr. Cawood seconded. The vote was unanimous.

5. New Business:

- a. Pending legislation – Mr. Houff said there are matters before the state legislature which may impact the ZBOA. Nothing is definite at this stage, but the legislators are looking at a bill that would require a simple Board majority for special use permit renewals rather than a 4/5s vote. Variances would still require the 4/5s. Mr. Houff will keep the Board posted on any changes should they occur.

6. Adjournment:

- a. Mr. Cawood moved to adjourn the meeting at 6:55 p.m. Mr. Ayers seconded and the vote was unanimous.

Respectfully Submitted:

Lynn W. Hall, Public Information Officer

Attest:

Joyce C. McWilliams Walker,
Clerk

Ron Hutton
Chair