

LEWISVILLE ZONING BOARD OF ADJUSTMENT MINUTES
RM 110 - LEWISVILLE TOWN HALL
6510 SHALLOWFORD ROAD
TUESDAY, February 23, 2016
6:30 P.M.

I. Call to Order

- A. Chair Ron Hutton called the meeting to order at 6:34 p.m. Board members present were Scott Ayers, Alan Nealeans, Nathan Ziglar and Timothy Dickson. Also in attendance were Secretary Donna Guffey, Attorney Bowen Houff, and Planner Marty Myers.
- B. Adoption of Agenda
 - 1. Scott Ayers moved to adopt the agenda. The motion was seconded by Al Nealeans and approved unanimously.

II. Approval of Minutes

- A. Scott Ayers moved to approve the minutes from Tuesday, January 26, 2016. The motion was seconded by Alan Nealeans and approved unanimously.

III. Membership

- A. Dr. Hutton's term ends in March after serving since October 1995.
- B. Council will be appointing new members at the March meeting. Election of Officers will be at the April meeting.

IV. Hearing & Determination of Cases

- A. Manufactured Home Renewals (Consent)
 - 1. Ms. Guffey read into the record the necessary findings for issuing a Special Use Permit:
 - a. The Zoning Board of Adjustment shall issue a special use permit only when the Board makes an affirmative finding that:
 - (1) 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;
 - (2) The use meets all required conditions and specifications;
 - (3) The use will not substantially injure the value of adjoining or abutting property or that the use is a public necessity; and
 - (4) 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.
 - 2. **Case #5247** John Phipps (new owner) Requests permission to continue to place a Manufactured Home, Class A on a 1.17-acre tract of land located at 8260 Lake Ridge Drive, approximately 1300 feet south of Dull Road. Property is zoned RS20. Tax Block 4405, Tax Lot 022C.
 - 3. Mr. Phipps was sworn in and the public hearing opened.
 - a. Questions answered:
 - (1) He has been in the home for 4 ½ years. Since being there, he has cut

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- bushes, placed a fence, cut woods and planted a garden.
- (2) Going forward he plans to put in new windows, add new siding, add a new roof and continue to cut woods.
 - (3) He has not received any complaints from his neighbors.
 - (4) The last permit was issued in 2010 without conditions.
- 4. The public hearing was closed.
 - 5. No one was present in opposition.
 - 6. Scott Ayers moved to grant the request for an additional five (5) years with no conditions. The motion was seconded by Nathan Ziglar and approved unanimously.

V. Discussion

- A. Attorney Houff explained that the Board sits as a quasi-judicial board and how it should assess the request and how to access the pros and cons of persons giving testimony as well as fact vs. “thought”. He suggested that members enumerate items found, good or bad, when visiting the property, so that the information is in the record.

VI. Adjournment

- A. Having no other business to discuss, Scott Ayers moved to adjourn the meeting. The motion was seconded by Timothy Dickson and approved unanimously.

Ron Hutton, Chair

ATTEST:

Joyce C. McWilliams Walker, Town Clerk