

LEWISVILLE ZONING BOARD OF ADJUSTMENT MEETING MINUTES
RM 110 - LEWISVILLE TOWN HALL
6510 SHALLOWFORD ROAD ROOM 110
TUESDAY, JANUARY 23, 2018 - 6:30 P.M.

I. Call to Order

- A. Chair Scott Ayers opened the meeting at 6:30 p.m. Board members present were Tim Dickson, Rick Herman, Alan Nealeans and Ken Wernick. Vance Horner and Susan Stevens were unable to attend. Also present were Secretary Donna Guffey and Attorney Bo Houff.

II. Adoption of Agenda

- A. Alan Nealeans moved to approve the agenda. The motion was seconded by Ken Wernick and approved unanimously.

III. Approval of Minutes

- A. Tuesday, November 28, 2017
1. Rick Hermann moved to approve the Tuesday, November 28, 2017 minutes. The motion was seconded by Alan Nealeans and approved unanimously.

IV. Hearing & Determination of Cases

- A. Ms. Guffey read the required findings into the record:
1. 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. Manufactured Home Renewals (Consent)
1. Bobby Ray and Wilma S. Church, Case # Z1701216, 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 RS30. Tax Block 4617, Tax Lot 042D, PIN 5887-42-9120.
 2. The Public Hearing was opened.
 - a. The floor was opened to anyone who wished to speak in favor of the renewal.
 - (1) Attorney Houff gave the oath to Tony Church, 2500 Beroth Road, who was representing his parents, Bobby Ray and Wilma Church.
 - (a) Mr. Church asked that the Board approve this request. Currently, his daughter and her husband occupy the double wide on the property. He also corrected the information on the case, noting that the Fire Department had burned the unoccupied dwelling and it no longer is on the property.
 - (b) Mr. Wernick indicated he had gone by the property and that there appeared to be a lot of overgrown shrubbery.
 - (c) Mr. Church thought that the wrong property had been viewed

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and volunteered to have this case continued so that Mr. Werncik could have an opportunity to revisit the property.

- (d) The double wide will need to have the roof replaced. The inside of the dwelling has been remodeled in the past few years.
 - b. The floor was opened to anyone who wished to speak against this renewal.
 - (1) There were no speakers.
 - 3. The Public Hearing was closed.
 - a. There was no other discussion by the Board.
 - 4. Tim Dickson moved to approve the renewal for 5 years with NO conditions. The motion was seconded by Rick Hermann and approved unanimously.
- C. Manufactured Home Renewals (Non-Consent)
- 1. None.
- D. Other Special Use Permit Renewals
- 1. Terry P. And Marie Simos, Case # Z1701214, request permission to continue to place a secondary dwelling on a 1.02 acre tract of land with an existing dwelling located at 4015 Kathryn Court (secondary dwelling address is 4011 Kathryn Court), approximately 600 feet south of Skylark Road. Property is zoned RS30. Tax Block 4677, Tax Lots 016 and 017, PINs 5887-58-6078 and 5887-58-8008.
 - 2. The Public Hearing was opened.
 - a. The floor was opened to anyone who wished to speak in favor of the renewal.
 - (1) Attorney Houff gave the oath to Terry Simos, 4015 Kathryn Ct.
 - (a) Mr. Simos said that he had built the structure as a pool house with all the proper permits; however when his parents' health was bad, he moved in a bed and let them stay there. They are both deceased now and he would like to use the building as a guest house when he has visitors. There are no plans for changes to the property at this time, if anything, possibly a lean-to to cover the patio. The property is in good condition.
 - b. The floor was opened to anyone who wished to speak against the renewal.
 - (1) There were no speakers.
 - 3. The Public Hearing was closed.
 - 4. Alan Nealeans moved to approve the permit renewal for 5 years. The motion was seconded by Ken Wernick and approved unanimously.
- E. Special Use Permits for Manufactured Homes (New)
- 1. None
- F. Other Special Use Permits (New)
- 1. None
- G. Variances
- 1. None
- H. Appeals
- 1. No Applications

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V. Unfinished Business

A. None

VI. Board Discussion

A. Manager's Report

VII. Other

A. Comments

1. This is a reminder that anyone interested in renewing their term ending in March 2018 needs to notify the clerk.

VIII. Adjournment

A. Having no other business to discuss, Ken Wernick moved to adjourn the meeting. The motion was seconded by Alan Nealeans and approved unanimously.

Scott Ayers, Chair

ATTEST:

Joyce C. McWilliams Walker, Town Clerk