

DRAFT
LEWISVILLE ZONING BOARD OF ADJUSTMENT MEETING MINUTES
RM 110 - LEWISVILLE TOWN HALL
6510 SHALLOWFORD ROAD ROOM 110
TUESDAY, JULY 27, 2021 - 6:30 P.M.

NOTE: ALL cases on the Zoning Board of Adjustment agenda are quasi-judicial in nature; as a result, NO communications should take place between yourself and the Zoning Board of Adjustments members prior to the public hearing.

I. Call to Order

A. Chair Ken Wernick called the meeting to order at 6:30 p.m. Board members present were Lynn Fulton, Vance Horner, David Hunt, and Philip May. Jennifer Hill and Alan Nealeans were excused. Also present were Secretary Amy McBride and Attorney Bo Houff. Planner Stacy Tolbert was on vacation. In addition, Mayor Pro Tem Jeanne Marie Foster was also in attendance.

II. Adoption of Agenda

A. Philip May moved to approve the agenda. The motion was seconded by Vance Horner and approved unanimously.

III. Oath of Office

A. Alan Nealeans

1. Mr. Nealeans was unable to attend the meeting and was excused. He will continue to be noted under Oath of Office until such time that he can attend.

IV. Approval of Minutes

A. May 25, 2021

1. Two misspellings were noted: V.B. limitations and A.4.d. needed to have *member* made plural.
2. With those two corrections, David Hunt moved to approve the May 25, 2021 minutes as amended. The motion was seconded by Lynn Fulton and approved unanimously.

B. June 22, 2021

1. The “f” in Fulton needed to be capitalized and the “p” was missing from “property” in IV.A.2.b.(1).
2. With those corrections, Vance Horner moved to approve the June 22, 2021 minutes as amended. The motion was seconded by Philip May and approved unanimously. (Mr. Fulton abstained because he was not present; however, abstentions are counted as a *YES* vote per §160A-75.)

V. Withdrawals

A. None.

VI. Continuance Requests

A. None.

VII. Hearing and Determination of Cases

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- A. Manufactured Home Renewals (Consent)
1. Before reading the case, Ms. McBride read the required findings into the record:
 - a. The Board of Adjustment shall approve a special use permit only when the Board of Adjustment makes an affirmative finding as follows:
 - (1) That the use will not materially endanger the public health or safety if located where proposed and developed according to the application and plans submitted and approved;
 - (2) That the use of the property otherwise meets all required conditions and specifications;
 - (3) That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and
 - (4) That the location and character of the use, if developed according to the application submitted and approved, will otherwise be in harmony with the area in which it is to be located and in general conformity with Legacy and the Lewisville Comprehensive Plan.
 2. **Case # Z2100415** Judy K. Craver requests permission to continue to place a Manufactured Home, Class A on a 3.46 acre tract of land with an existing Manufactured Home, Class C, located at 595 Lewisville Vienna Road, at dead end, approximately 1700 feet east of Riverwood Drive. Property is zoned RS9. Tax Block 4425, Tax Lot 086D, PIN 5885-49-9782.
 - a. The first permit was issued in July 2001 and has been renewed every five years since. There have been no changes since 2016.
 - b. The difference between a Class A and Class C manufactured home was explained.
 - c. The public hearing was opened.
 - (1) There was no one present to speak for or against the request.
 - d. The public hearing was closed.
 - e. Board discussion
 - (1) Mr. May has visited and found the property secluded and in relatively good shape.
 - (2) Mr. Wernick noted that the property is remote and fits the environment. He also noted that there was nothing that seemed to endanger public safety.
 - (3) Mr. Horner also visited and said that the property is remote and fits in with the surrounding area.
 - (4) David Hunt saw the property and had no problems.
 - f. With those comments, Lynn Fulton moved to approve the request for another five years. The motion was seconded by David Hunt and approved unanimously.

VIII. **Appeals**

- A. None.

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IX. Unfinished Business

A. None.

X. New Business

A. None.

XI. Other Discussion

A. Mayor Pro Tem Jeanne Marie Foster was present to provide an update on the feedback received from members of the boards and committees. She provided a handout on the five key items that were found throughout the survey from all respondents.

1. One comment was that ZBOA is different from the other boards and that Attorney Houff does training for the board. Staff is supportive. There was no concern with appreciation. It was also noted that joint meetings with other boards and committees would not serve a purpose since this board is different.
2. There was discussion on the possibility of changing to meetings other than every month by stacking some of the cases.
3. Mr. Houff will look for other opportunities for ZBOA training.
4. There was also a question whether the town will be having a 30th anniversary celebration.
 - a. Attorney Houff did remind everyone that the new community center will be opening this fall but there hasn't been any discussion of an anniversary celebration.

XII. Board Discussion

A. None.

XIII. Adjournment

A. Having no other business to discuss, David Hunt moved to adjourn the meeting at 7:04 p.m. The motion was seconded by Lynn Fulton and approved unanimously.

Ken Wernick, Chair

ATTEST:

Joyce C. McWilliams Walker, Town Clerk