

DRAFT
LEWISVILLE ZONING BOARD OF ADJUSTMENT MEETING MINUTES
1st FLOOR COUNCIL CHAMBERS - LEWISVILLE TOWN HALL
6510 SHALLOWFORD ROAD
TUESDAY, June 25, 2024 - 6:00 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 6:03 p.m. Board members present were Ken Wernick, Annemarie Stanford, Brian Gravely, Vance Horner, and Kirk Rieger. Also present were Project Planner Rory Howard, Planner Adam Barr, Town Clerk Dora Moore and Attorney Elliot Fus.

II. Approval of Minutes

- A. Annemarie Stanford moved to approve the May 28, 2024 minutes. The motion was seconded by Vance Horner and approved unanimously.

III. Withdrawals

- A. None.

IV. Continuance Requests

- A. None.

V. Hearing and Determination of Cases

- A. Special Use Permit
 - 1. Rory Howard 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.

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2. **Case # Z2400325** Michael Ogden requests permission to occupy an oversized accessory dwelling on a 7.25-acre tract of land with a primary dwelling located at 630 Conrad Road (accessory address is 630 Conrad Road, Unit 101) approximately 2000 feet south of Thunderwood Lane. Property is zoned AG. Tax Block 4608, Tax Lot 205.
- a. Accessory structures can occupy a maximum of 5% of the smaller of either the required minimum lot size or the actual lot dimension. The property is zoned AG, the minimum lot size of which is 40,000 square feet, and the parcel size 7.25 which is 316,810 square feet. This leads to the use of the 40,000 square feet for the requirement, 5% of which is 2,000 square feet. The proposed garage is 3,281 square feet, 1,281 feet over the requirement.
 - b. The public hearing was opened.
 - (1) Michael Ogden, the applicant, spoke to proposal. He wanted to build a garage with the intention to be used as workshop, a place to park cars, and for recreational use of a golf simulator. Builder Alan Fletcher built the primary home and intends to have the new structure match its character.
 - (2) Chair Ken Wernick pointed out that the sign on the property showed a meeting time of 6:30 pm. Eliot Fuss recommended waiting until that time before moving to a decision.
 - (3) Brian Gravely asked why the applicant chose the particular placement of the structure. Mr. Ogden responded that it was mostly due to a desire to keep the structure closer to home, to utilize the existing driveway, and minimize additional paving.
 - (4) Annemarie Stanford asked what the purpose of the dwelling unit would be. Mr. Ogden responded that any resident would be within the third degree of kinship, but that it could also potentially be utilized for guests.
 - (5) Vance Horner asked if there were any intentions for it to be used as a short term. Mr. Ogden responded that there were absolutely no plans to do so.
 - c. The public hearing was closed.
 - d. With an affirmative finding, Brian Gravely moved to grant the special use permit. The motion was seconded by Kirk Rieger and approved unanimously.

VI. Unfinished Business
A. None.

VII. New Business

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A. None.

VIII. Adjournment

A. Having no other business to discuss, Vance Horner moved to adjourn the meeting at 6:47 p.m. The motion was seconded by Kirk Rieger and approved unanimously.

Ken Wernick, Chair

ATTEST:

Adam Barr, Planner