

MINUTES OF THE REGULARLY SCHEDULED MEETING
LEWISVILLE ZONING BOARD OF ADJUSTMENT

APRIL 29, 2025 at 6:00 PM

Lewisville Town Hall

1st Floor Council Chambers



Members Present: Ken Wernick, Chair
Vance Horner
Kelly Reavis
Annemarie Stanford

Members Excused: David Hunt

Members Absent: Brian Gravely
Kirk Rieger

Staff Present: Dora Moore, Town Clerk
Elliot Fus, Town Attorney
Lynn Cochran, Planning Director

Applicant: Rusty LaRue

1. Call to Order

Chairperson Ken Wernick called the meeting to order at 6:04 pm. A quorum was confirmed with four board members present. The Pledge of Allegiance was conducted.

Before official proceedings began, Mr. Wernick gave a statement to the public in attendance about the Zoning Board of Adjustment and its purview.

2. Regular Business

The minutes of the March 25, 2025 ZBOA meeting were approved. Mrs. Moore administered the Oath of Office to Mr. Wernick.

The board discussed election of officers for 2025-2026. Mrs. Stanford motioned to elect Mr. Wernick as Chair and Mr. Horner Seconded. The vote to elect Mr. Wernick was unanimous (4-0). Mr. Horner moved to elect Mrs. Stanford as Vice-Chair and Mr. Reavis seconded. The vote to elect Mrs. Stanford as Vice-Chair was unanimous (4-0)

3. Evidentiary Hearings

- a. L-SUP-01 LaRue: a request for a special use permit to allow an accessory dwelling unit at 8254 Concord Church Road, tax parcel ID 5875-71-8768. UDO reference: Chapter B, Section 2-6.4(C).

Mr. Cochran presented the application materials to the board, which included a site plan, floor plan of the proposed accessory dwelling unit (ADU), application form, maps and staff report detailing the information related to the request. He confirmed that a notice sign had been

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posted on the property, notice of the hearing had been mailed to property owners within 500 feet of the subject property, and that public notice of the hearing had been advertised, all as required by the unified development ordinance (UDO). He explained that the board could consider the size of the ADU based on the area of living quarters depicted, which equal about 576 square feet and which would be less than the 1,000 square-foot maximum allowed by the UDO or based on the additional space shown on the floor plan as an oversized ADU, which the board could also approve.

In response to questions from Mr. Horner and Mrs. Stanford, Mr. Cochran explained that the subject property is considered a bona fide farm according to the statutory descriptions of such and the enrollment of the property in the present use value program of the Forsyth County tax administration. He also pointed out that other structures shown on the site plan and located on the property are all farm-related accessory structures. There followed a discussion regarding the height of the building. Mr. Cochran explained that the UDO allows 17 feet, but that the board can approve additional height so long as the structure is set back one foot from the property lines for each additional foot of height allowed. He confirmed that this structure is set back significantly more than would be necessary to approve additional height.

The applicant, Mr. LaRue of 8254 Concord Church Rd, Lewisville took the stand to address the board. Mr. Fus administered his oath of testimony. Mr. LaRue reviewed details of the application, the structure and the nature of the ADU request. He confirmed that the total height of the structure is 21 feet.

Mr. Reavis asked for confirmation of the actual size of the living space. Mr. LaRue confirmed that about half of the square footage of the structure will be renovated for living quarters. Mr. Cochran explained that the board motion, if approved, could include a statement regarding the ADU floor plan and site plan as submitted in the application package.

Mr. Horner asked if there is a second floor included in the plans. Mr. LaRue stated that there will be open loft space above the living quarters.

Mr. Donald Dunn of 8580 Brook Meadow Ct, Lewisville took the stand to address the board and Mr. Fus administered his oath of testimony. Mr. Dunn explained that he owns and resides on property adjacent to the subject property. He voiced support for the request and noted that Mr. LaRue had discussed the ADU project with the four members of their local HOA, who all approve of the project.

There were no additional speakers who had signed up to address the board.

There was no additional discussion amongst the board

Mr. Reavis moved to approve the request based on the floor and site plans as submitted, equaling approximately 1,200 square feet of living quarters and Mrs. Stanford seconded. There was no additional discussion. The board voted unanimously (4-0) to approve the request for an accessory dwelling unit.

Continued Business.

There followed a discussion among the board, staff and Mr. Fus regarding the format and processing of board orders (findings of facts) in the future since ZBOA business is now and will be

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handled by Lewisville Planning staff. The board agreed that these orders can be signed by the Chair without the full board having to vote on them to prevent delay, since the board does not always meet on a monthly basis. The board then approved the order for case L-VAR-01 Longwood Village, which had been heard the previous month.

There was additional discussion regarding special use permits in the future. Mr. Cochran explained that there will not be automatic renewals of special use permits each three to five years, including those issued for manufactured homes, when revisions to the UDO are approved in the next few months. Mr. Horner asked about enforcement of conditions. Mr. Cochran replied that any problems with a given home will be governed by the minimum housing code, not the ZBOA, and handled by Winston-Salem/Forsyth County code enforcement staff, with whom the town has an interlocal agreement. If complaints are received, they will be first handled at the administrative level but could be brought to the ZBOA in certain situations.

Mr. Cochran and Mr. Fus then reviewed the process and timeline for review and approval of the revised UDO, with a public engagement session occurring May 14, 2025, to which members of the ZBOA are encouraged to attend. Mr. Cochran also polled the board about attending a joint workshop with the planning board being presented by faculty of the School of Government at UNC Chapel Hill the week of June 16 – June 20.

Mr. Fus presented some additional comments about the review and approval of board orders in the future.

There was no additional discussion.

New Business. None

Adjourn. Mr. Horner moved to adjourn the meeting and Mr. Reavis seconded. The board adjourned at 7:04 pm.

(Minutes prepared by Lynn Cochran)

Ken Wernick
Ken Wernick, Chair

May 27, 2025
Date



Lynn Cochran
Lynn Cochran, Planning Director

May 27, 2025
Date

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