

**MINUTES
ZONING BOARD OF ADJUSTMENT
OCTOBER 7, 2009**

The Lewisville Zoning Board of Adjustment was called to order at 6:32 p.m.

Members present: Stephanie Rogers (Chairman), Marshan Naragon (Vice-Chairman), William “Bill” Price (P&Z Representative), Tom Jensen and Mary Ellen Miksa. Both alternates Antonio Gallizzi and Debbie Ingle were also present.

Staff members present: Mary Paron Boswell, Cleve Joiner and Sarah McLain

Item 2: Minutes

Approval of the February 4, 2009, minutes was next on the agenda. A motion was made by Tom Jensen to approve the minutes and seconded by Bill Price. The motion was approved (5-0).

Item 3: Selection of a Chairman and Vice-Chairman

A motion was made by Marshan Naragon and seconded by Bill Price to re-elect Stephanie Rogers as Chairman. The motion passed unanimously (5-0). A motion was made by Stephanie Rogers and seconded by Bill Price to re-elect Marshan Naragon as Vice-Chairman. The motion passed unanimously (5-0).

Item 4: Public Hearings

- A. Consideration of a variance request to allow the enclosure of an existing carport. The property is located at 231 Teakwood; further identified as Meadow Glen Addition Section 2A, Lot 51, Block P, zoned Townhouse (TH). The request is being made by Juan Moreno the current property owner. (Case No. BA20091003).

Staff gave a brief presentation on the history of carports and on this variance request. Stephanie Rogers asked about setbacks for other buildings to the house. Tom Jensen asked if the existing fences didn’t already constitute the carport being enclosed. Staff identified that this was a small lot and that the fence and storage building on the far end of the carport would be considered a wall, but the other two fences on the sides seemed far enough away that they would not be considered as enclosing the carport. Staff pointed out that the ordinance states that the carport must be fully open on the entrance side and that placing a door or fence on the entrance side violated the ordinance. The public hearing was opened and Mr. Moreno, the applicant, spoke to the members and indicated that he has four police reports since 2004 regarding vandalism of his cars and property. He indicated that he had 3 more before that time. Mr. Moreno stated that he has spent approximately \$5000 thus far on improving the carport and fence and that he would not have done so if he had known that he would not have been able to place a garage door on it. He indicated that he had inquired about this before he started this project and was told that he could have a door. Then 3-4 months later when he was having the work inspected, the inspector told him he could not have a door. Mr. Moreno feels a garage door will help to help protect his family and their belongings. He does not plan on fully enclosing the carport and create a garage or storage shed. Stephanie Rogers asked Mr. Moreno if all the reports related to the car and if he felt that they could have been prevented if it had a door on it.

Mr. Moreno believed that it could have been avoided. Mary Ellen Miksa asked if his neighbors have been affected also. Mr. Moreno indicated that they have also been affected. He indicated that when the tires of his car were slashed they did about 30 other cars in the alley also. Because of this many people are parking their cars on the street, which causes congestion because the street is narrow and difficult to travel if there are cars parked on both sides of the street. He indicated that someone did a hit and run on his car while it was parked on the street in front of his house. He indicated that he plans on taking down the fence behind his storage shed in order to increase the paved driveway so that his car can fit properly and that would still leave him about 7 ft up to his house. The public hearing was then closed. Bill Price indicated that he was having similar problems in his neighborhood and that what they found that helped immensely was to form a neighborhood watch. He indicated that the crime rate has dropped about 90%. They have monthly meetings and have had great police support. Tom Jensen had doubts as to whether granting the variance is the solution. Stephanie Rogers was also hesitant about granting the variance since this seemed to be more of a police issue versus a zoning hardship. A motion was made by Tom Jensen to deny the variance request, seconded by Mary Ellen Miksa. The motion passed unanimously (5-0).

There being no other business before the Board, the meeting adjourned at 7:11 p.m.
These minutes approved by the Lewisville Zoning Board of Adjustment on November 4, 2009.

Respectfully Submitted,

Approved,

Mary Paron Boswell, Sr. Planner

Stephanie Rogers, Chairman