



**City of Lewisville, TX**  
**Zoning Board of Adjustment**  
**Agenda**

151 W Church Street  
Lewisville, Texas 75057

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Wednesday, August 7, 2024

6:30 PM

Council Chambers

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**Regular Session - 6:30 P.M.**

**A. Call to Order and Announce that a Quorum is Present.**

**B. Approval of Minutes**

1. [Consider the Minutes of the July 3, 2024 Meeting.](#)

**C. Regular Hearing**

2. [ITEM REQUESTED BY BOARD MEMBER LEWELLEN FOR THE RECISSION OR RECONSIDERATION OF PRIOR ACTION, IF ANY, TAKEN AT THE JULY 3, 2024 MEETING RELATING TO VARIANCE APPROVAL REGARDING CASE NO. 24-06-4-ZBOA AND TO PLACE SAID CASE AND PUBLIC HEARING ON THE NEXT MEETING OF THE BOARD OF ADJUSTMENT. Case No 20-06-4-ZBOA addressed a Variance Request to Allow Four Townhomes to Encroach Approximately 18 Inches Into the Required 6.5-Foot Rear Yard Setback, Located at 230, 232, 234, and 236 Milton Street, Legally Described as Larry Ho Addition, Block A, Lots 2B, 2A, 1B and 1A; Zoned Old Town Mixed-Use 2 \(OTMU-2\), as Requested by Shamsuddin Ali of MSKM LLC, the Property Owner.](#)
3. [Selection of Chair and Vice Chair.](#)

**D. Adjournment**

The Zoning Board of Adjustment reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney).

**NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS**

The City will provide appropriate auxiliary aids and services, including sign language interpreters and assisted listening devices, whenever necessary to ensure effective communication with members of the public who have hearing, sight or speech impairments, unless doing so would result in a fundamental alteration of its programs or an undue financial burden. A person who requires an accommodation or auxiliary aid or service to participate in a City program, service or activity, should contact the sponsoring Department, or the Human Resource Department at 972-219-3450 or by Fax at 972-219-5005 as far in advance as possible but no later than 48 hours before the scheduled event.

I do hereby certify that the above notice of meeting of the City of Lewisville Zoning Board of Adjustment was posted at City Hall, City of Lewisville, Texas in compliance with Chapter 551, Texas Government Code on \_\_\_\_\_, 2024 at \_\_\_\_\_ AM.

\_\_\_\_\_  
Planning

# DRAFT

## MINUTES ZONING BOARD OF ADJUSTMENT JULY 3, 2024

### Item A: Call to Order and Announce that a Quorum is Present

With a quorum present, the Lewisville Zoning Board of Adjustment meeting was called to order by Rick Lewellen at 6:30 p.m., in the Council Chambers, 1<sup>st</sup> Floor, City Hall, 151 West Church Street, Lewisville, Texas 75057.

**Board Members Present:** John Deihl, Rick Lewellen, Audra Smolinski, Alternate Ronke Abbey (Voting Member)

**Board Members Absent:** Chair Pamela Goodwin, MaryCarmen Estes, Alternate Kimberly Turner

**Staff Members Present:** Richard E. Luedke, Planning Director; Michele Berry, Planning Manager; Jeremy Booker, Building Official; David Salmon, City Engineer.

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### Item B: Approval of Minutes

1. Consider approval of the minutes of the April 3, 2024, regular meeting. *A motion was made by Audra Smolinski to approve the minutes, seconded by John Deihl. The motion passed unanimously (4-0).*

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### Item C: Public Hearing

There was one item for consideration:

2. Public Hearing: Consideration of a Variance Request to Allow Four Townhomes to Encroach Approximately 18 Inches Into the Required 6.5-Foot Rear Yard Setback, Located at 230, 232, 234, and 236 Milton Street, Legally Described as Larry Ho Addition, Block A, Lots 2B, 2A, 1B and 1A; Zoned Old Town Mixed-Use 2 (OTMU-2), as Requested by Shamsuddin Ali of MSKM LLC, the Property Owner. (Case No. 24-06-4-ZBOA)

Michele Berry, Planning Manager, gave a brief overview of the proposed variance request and recommended approval as presented. Board Member Rick Lewellen then opened the public hearing. Julio D. Rodriguez, 151 Campbell Drive, Lewisville, Texas spoke in opposition of this item with concerns of decreased privacy in the back yard of the property to the east, which he owns. Mr. Rodriguez provided a narrative outlining his objection to the request, which was shared with the Board members. Mr. Rodriguez also expressed concerns about increased noise and diminished property value. In addition, Mr. Rodriguez expressed his disagreement with the

estimated cost to bring the structures into compliance with the rear setback. Lance Vanzant, 512 W. Hickory, Denton, Texas, representing applicant, spoke in support of this item. With no one else indicating a desire to speak the public hearing was then closed. A motion was made by Audra Smolinski to approve the variance request as presented, seconded by John Deihl. Members Smolinski, Deihl, and Lewellen initially voted in favor but Board Member Ronke Abbey orally indicated she was uncomfortable voting, as this was her first Zoning Board of Adjustment meeting and she had not yet attended an orientation meeting with staff or had adequate time to review the materials. After a brief discussion amongst the Board and prior to the completion of voting and announcement of the result by the Chair, Members Smolinski, Deihl, and Lewellen withdrew their votes and Audra Smolinski withdrew her motion. A motion was made by Audra Smolinski to table this item to the August 7<sup>th</sup>, 2024, meeting, seconded by John Deihl. The motion passed unanimously (4-0).

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**Item D: Other Business**

3. Selection of Chair and Vice Chair.

A motion was made by Audra Smolinski to table this item to the August 7<sup>th</sup>, 2024 meeting, seconded by John Deihl. The motion passed unanimously (4-0).

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**Item E: Announcements**

There were no announcements.

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**Item F: Adjournment**

A motion was made by John Deihl to adjourn the meeting, seconded by Ronke Abbey. The motion passed unanimously (4-0). The meeting adjourned at 7:19 p.m.

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These minutes approved by the Lewisville Zoning Board of Adjustment on August 7, 2024.

Respectfully Submitted,

Approved,

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Michele Berry, Planning Manager

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Rick Lewellen, Acting Chair

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