

THE FLOWER MOUND ZONING BOARD OF ADJUSTMENT MEETING HELD ON THE 13TH DAY OF SEPTEMBER, 2017, IN THE FLOWER MOUND TOWN HALL, LOCATED AT 2121 CROSS TIMBERS ROAD IN THE TOWN OF FLOWER MOUND, COUNTY OF DENTON, TEXAS, AT 6:30 P.M.

The Zoning Board of Adjustment met in a regular session with the following members present:

Stephen Harris	Chairman	
Doug Fulmer	Vice-Chair	
Kent Johnson	Member	Place 3
Sky Jay Schoggins	Member	Place 4
Jim Engel	Member	Place 7
Thomas Moore	Member	Place 6

Constituting a quorum with the following members absent:

Gail Scheepers	Member	Place 5
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Constituting a quorum with the following members of the Town Staff participating:

Ashley Dierker	Town Attorney
Rohan Buck	Plans Review Manager
Liz Ciolino	Commercial Plans Examiner
Chris Pamplin	Sr. Commercial Building Inspector
Kathy Allgood	Administrative Assistant

A. CALL TO ORDER – REGULAR SESSION

Chairman Harris called the meeting to order at 6:30 p.m.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Chairman Harris led the Pledge of Allegiance.

C. PUBLIC PARTICIPATION

None

D. CONSENT AGENDA

1. Consider approval of the minutes of the July 7, 2017, Board of Adjustment meeting.

VOTE ON THE MOTION

AYES:	Johnson, Schoggins, Fulmer, Harris, Engel
NAYS:	None

E. PUBLIC HEARING

2. **(BOA17-0007)** Hold a public hearing and consider a request from John Davis for a variance from Section 98-1032 (b)(1)(b) and (e), "Accessory Buildings" of the Code of Ordinances. The property is generally located south of Cross Timbers Road and west of Post Oak Road and is locally known as 8333 Cross Timbers Road, Lot 16, of the Stewart Subdivision.

Staff Presentation

Liz Ciolino, Commercial Plans Examiner

Applicant Presentation

John Davis, 1709 Shadywood Ct., Flower Mound, TX.

Public Comment

Nolan Brawley, 1716 Beretta Dr., Flower Mound, TX, spoke in favor of the variance.

Sam Wilson 5900 Cross Timbers Rd., Flower Mound, TX, spoke in favor of the variance.

Duane Baccus, 8325 Cross Timbers Rd., Flower Mound, TX, spoke in spoke in favor of the variance.

Chairman Harris closed the public hearing at 7:02 p.m.

Board Member Johnson moved to approve the variance as to "height" from Section 98-1032 (b)(1)(b) and (e), "Accessory Buildings" of the Code of Ordinances. The property is generally located south of Cross Timbers Road and west of Post Oak Road and is locally known as 8333 Cross Timbers Road, Lot 16, of the Stewart Subdivision.

- A. There are special circumstances existing on the property on which the application is made related to size, shape, area, topography, surrounding conditions, and location that do not generally apply to other property in the same area and under the same zoning districts.
- B. A variance is necessary to permit the applicant the same rights in the use of this property that are presently enjoyed under the ordinance by other properties in the vicinity and zone, but which rights are denied to the property on which the application is made.
- C. The granting of the variance on the specific property will not adversely affect the land use pattern as outlined by the Land Use Plan and will not adversely affect any other feature of the Comprehensive master Plan of the Town of Flower Mound.
- D. The variance, if granted, will be no material detriment to the public welfare of injury to the use, enjoyment, or value of property in the vicinity.

Board Member Schoggins seconded the motion.

VOTE ON THE MOTION

AYES: Engel, Harris, Fulmer, Schoggins, Johnson
NAYS None
ABSTAIN None

The motion to grant the variance as to "height" was approved with a 5-0-0 vote.

Board Member Johnson made a motion to also approve the variance as to "location".

Board Member Engel seconded the motion.

VOTE ON THE MOTION

AYES: Engel, Harris, Fulmer, Schoggins, Johnson
NAYS None
ABSTAIN None

The motion to grant the variance as to "location" was approved with a 5-0-0 vote.

G. ADJOURNMENT OF REGULAR SESSION

Chairman Harris adjourned the meeting at 7:10 p.m. and all were in favor.



Joelle Hainley
Building Official

ATTEST:



Kathy Allgood, Administrative Assistant