



AGENDA

TOWN OF FLOWER MOUND BOARD OF ADJUSTMENT REGULAR MEETING

NOVEMBER 14, 2018

**FLOWER MOUND TOWN HALL
2121 CROSS TIMBERS ROAD
FLOWER MOUND, TEXAS**

**AN AGENDA INFORMATION PACKET IS AVAILABLE
ONLINE AT WWW.FLOWER-MOUND.COM/AGENDACENTER**

- A. CALL REGULAR MEETING TO ORDER – 6:30 P.M.**
- B. INVOCATION AND PLEDGE OF ALLEGIANCE**
- C. PUBLIC COMMENT**

To address the Board of Adjustment, please fill out a comment form.

- Turn in form by 6:30 p.m. to Administrative Assistant
- Speakers are limited to 3 minutes, however this can be adjusted by the Chair
- Please state your name and address when speaking

The purpose of this item is to allow the public an opportunity to address the Board on issues that are not the subject of a “Public Hearing” on this agenda. Any item requiring a Public Hearing will allow the public to speak at the time that item appears on this agenda as indicated as a “Public Hearing.”

D. CONSENT AGENDA

This agenda consists of non-controversial or “housekeeping” items and may be approved with a single motion. A member of the Board of Adjustment may request an item(s) be withdrawn from the Consent Agenda by making such request prior to a motion and vote on the Consent Agenda.

1. Consider approval of the minutes of the October 10, 2018, Board of Adjustment/Oil and Gas Board of Appeals, joint meeting.

E. PUBLIC HEARING

1. **(BOA18-0007)** Hold a public hearing and consider a request from Don Happe for a variance from Section 14-173 (a), “Location Requirements,” of the Code of Ordinances. The property is generally located East of High Rd and South of Sunnyview Lane and is locally known as 7300 Thomas Rd, Lot 11, of the Hickory Springs Subdivision.

F. ADJOURNMENT

I do hereby certify that the Notice of Meeting was posted on the bulletin board in Town Hall of the Town of Flower Mound, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on the following date and time: November 9, 2018, at 11:00 a.m., at least 72 hours prior to the scheduled time of said meeting.



Kathy Allgood
Administrative Assistant

Pursuant to Section 551.071 of the Texas Government Code, the Board of Adjustment reserves the right to consult in a closed meeting with its attorney and to receive legal advice regarding any item listed on this agenda. The Flower Mound Town Hall and Council Chambers is wheelchair accessible. Requests for accommodations or interpretive services must be made at least 48 hours prior to this meeting by contacting Building Inspections at 972.874.6355.



ZONING BOARD OF ADJUSTMENT AGENDA ITEM NO. 1

CONSENT ITEM

DATE: November 14, 2018

FROM: Kathy Allgood, Administrative Assistant

ITEM: Consider approval of minutes from the joint meeting of the Zoning Board of Adjustment and Oil and Gas Board of Appeals, held on October 10, 2018.

BACKGROUND INFORMATION: This agenda item is to consider approval of the minutes from the October 10, 2018, joint meeting of the Zoning Board of Adjustment and Oil and Gas Board of Appeals.

CITIZEN FEEDBACK: N/A

ALTERNATIVES/OPTIONS: N/A

FISCAL IMPACT: N/A

LEGAL REVIEW: N/A

ATTACHMENTS:

1. A copy of the draft minutes from the October 10, 2018, joint meeting of the Zoning Board of Adjustment and Oil and Gas Board of Appeals.
2. **RECOMMENDATION:** Move to approve the minutes from the October 10, 2018, joint meeting of the Zoning Board of Adjustment and Oil and Gas Board of Appeals.

FLOWER MOUND BOARD OF ADJUSTMENT & OIL AND GAS BOARD OF APPEALS JOINT MEETING OF OCTOBER 10, 2018

THE FLOWER MOUND BOARD OF ADJUSTMENT & OIL AND GAS BOARD OF APPEALS JOINT MEETING HELD ON THE 10TH DAY OF OCTOBER 2018, 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 PM.

[Click here](#) for meeting video link.

The Oil and Gas Board of Appeals met in regular session, with the following members present constituting a quorum:

Stephen Harris	Chair
Kent Johnson	Vice Chair
Gregory Schultz	Board Member, Place 1
Sky Jay Schoggins	Board Member, Place 4
David Moraine	Board Member, Place 5
Brad Painter	Board Member, Place 6
Denis Toth	Board Member, Place 7
Greg Wilson	Board Member, Place 8

Places 6, 7, and 8 of the Board do not vote on items unless they sit in place of one of the regular members, Places 1-5.)

And the following members of Town staff present:

Allen Taylor	Town Attorney
Bryn Meredith	Town Attorney
Julie Fort	Other Attorney
Matthew Woods	Director of Environmental Services
Emily Chapman	Administrative Assistant
John Luxton	Oil and Gas Inspector
Joelle Hainley	Building Official
Kathy Allgood	Administrative Assistant
Chris Pamplin	Assistant Building Official

A. CALL TO ORDER - REGULAR SESSION: 6:31 PM

B. INVOCATION AND PLEDGE OF ALLEGIANCE

C. ELECTION OF CHAIR AND VICE CHAIR

Stephen Harris was appointed Chair and Kent Johnson was appointed Vice Chair both by a unanimous vote.

D. PUBLIC COMMENT

None.

E. CLOSED MEETING: 6:33 PM

FLOWER MOUND BOARD OF ADJUSTMENT & OIL AND GAS BOARD OF APPEALS JOINT MEETING OF OCTOBER 10, 2018

The Board of Adjustment & Oil and Gas Board of Appeals to convene into closed meeting pursuant to Texas Government Code Chapter 551, specifically, Section 551.071 to consult with its attorney and to receive legal advice regarding any item listed on this agenda.

F. RECONVENE TO REGULAR MEETING: 6:53 PM

G. CONSENT AGENDA

- 1. Consider approval of minutes from the regular meeting of the Board of Adjustment held on September 12, 2018.**
- 2. Consider approval of minutes from the regular meeting of the Oil and Gas Board of Appeals held on June 20, 2018.**

Board Member Schoggins made a single motion to approve consent Items 1 & 2, as presented in the agenda caption. Vice Chair Johnson seconded the motion. Each item, as approved by consent, is restated above.

H. PUBLIC HEARING

Chair Harris opened items 3, 4, and 5 at the same time.

Board Member Moraine provided Town staff an Affidavit of Conflict of Interest and did not participate in items 3, 4, and 5. Board Member Painter (Alternate) served in his stead.

- 3. (OGB18-0001) Public hearing to consider a request from Eagle Ridge Operating, LLC., for a variance to Section 34-422(g), Article VII, of the Town's Code of Ordinances. The request is for a variance to the Town's work hours requirement, which limits work hours for gas well permits to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday and 9:00 a.m. to 5:00 p.m. on Saturday.**

Chair Harris opened the Public Hearing for items 3, 4, and 5.

The following individuals either spoke in support or opposition, or had questions / comments related to the item(s): Names listed below don't necessarily reflect the order in which each person spoke and all addresses are located in Flower Mound unless otherwise indicated.

Support: Comments/Questions	Opposition: Comments/Questions	Question(s)/ Comments Only
None	Tommy Miller, 6411 Frontier Drive *	None
	Shirley Miller, 6411 Frontier Drive	
	Sabrina Contreras, 11425 Peppergrass Trail	

*indicated did not wish to speak but would like to record their opposition.

Applicant Presentation

FLOWER MOUND BOARD OF ADJUSTMENT & OIL AND GAS BOARD OF APPEALS JOINT MEETING OF OCTOBER 10, 2018

Art Anderson (2728 N. Harwood Street, Ste. 500, Dallas, TX 75201), Applicant's Attorney presented to the board. Mr. Anderson provided Board Members packet of exhibits for items 3, 4, and 5.

Chair Harris administered an oath to Mr. Mark Grawe.

Mark Grawe, (3300 Oak Lawn Ave., Suite 500, Dallas, TX 75219), Eagleridge, provided information and answered questions in regards to items 3, 4, and 5.

Town Presentation

Allen Taylor (6000 Western Place, Suite 200, Ft. Worth, TX 76107), Town Attorney, and Bryn Meredith, Town Attorney, provided background information in regards to items 3, 4, and 5. Mr. Taylor provided Board Members a packet of exhibits for items 3, 4, and 5.

Chair Harris administered an oath to Mr. John Luxton.

John Luxton, Oil and Gas Inspector, answered questions in regards to items 3, 4, and 5.

Chair Harris administered an oath to Mr. Matthew Woods.

Matthew Woods, Director of Environmental Services, provided information and answered questions in regards to items 3, 4, and 5.

Board Member Deliberation

Motion 1

Board Member Schultz made a motion to deny the request from Eagle Ridge Operating, LLC., for a variance to Section 34-422(g), Article VII, of the Town's Code of Ordinances. The request is for a variance to the Town's work hours requirement, which limits work hours for gas well permits to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday and 9:00 a.m. to 5:00 p.m. on Saturday. Board Member Schoggins seconded the motion.

VOTE ON THE MOTION

Motion to deny did not pass

AYES: Schoggins, Schultz
NAYS: Painter, Harris, Johnson
ABSTAIN: None

Motion 2

Board Member Johnson made a motion to approve the request from Eagle Ridge Operating, LLC., for a variance to Section 34-422(g), Article VII, of the Town's Code of Ordinances. The request is for a variance to the Town's work hours requirement, which limits work hours for gas well permits to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday and 9:00 a.m. to 5:00 p.m. on Saturday. Board Member Painter seconded the motion.

VOTE ON THE MOTION

Motion to approve did not pass

FLOWER MOUND BOARD OF ADJUSTMENT & OIL AND GAS BOARD OF APPEALS JOINT MEETING OF
OCTOBER 10, 2018

AYES: None
NAYS: Painter, Harris, Johnson, Schoggins, Schultz
ABSTAIN: None

Motion 3

Board Member Schultz made a motion to reconsider Item 3. Vice Chair Johnson seconded the motion.

VOTE ON THE MOTION

Motion to reconsider passed

AYES: Schultz, Schoggins, Johnson, Harris, Painter
NAYS: None
ABSTAIN: None

Motion 4

Board Member Schultz made a motion to deny the request from Eagle Ridge Operating, LLC., for a variance to Section 34-422(g), Article VII, of the Town's Code of Ordinances. The request is for a variance to the Town's work hours requirement, which limits work hours for gas well permits to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday and 9:00 a.m. to 5:00 p.m. on Saturday. Board Member Johnson seconded the motion.

VOTE ON THE MOTION

Motion to deny passed

AYES: Schoggins, Schultz, Painter, Harris, Johnson
NAYS: None
ABSTAIN: None

4. (OGB18-0003) Public hearing to consider an appeal by Eagle Ridge Operating, LLC., of Town staff's determination that the work hour limitations for gas well permits set forth in Section 34-422(g), Article VII, of the Town's Code of Ordinances, apply to gas well pad site produced water collection and hauling operations; or, in the alternative, that sufficient grounds exist to satisfy the work hours exception: "any other emergencies or where the delivery of equipment is necessary to prevent the cessation of drilling or production."

Board Member Deliberation

Motion 1

Board Member Schultz made a motion to sustain the Town staff's determination that the work hour limitations for gas well permits set forth in Section 34-422(g), Article VII, of the Town's Code of Ordinances, apply to gas well pad site produced water collection and hauling operations. Board Member Schoggins seconded the motion.

VOTE ON THE MOTION

Motion to sustain passed

AYES: Schultz, Schoggins, Johnson, Harris, Painter

FLOWER MOUND BOARD OF ADJUSTMENT & OIL AND GAS BOARD OF APPEALS JOINT MEETING OF
OCTOBER 10, 2018

NAYS: None
ABSTAIN: None

Motion 2

Board Member Schultz made a motion to sustain the Town staff's determination that justification is not existent to be able to call for an emergency exception to the existing ordinance. Board Member Johnson seconded the motion.

VOTE ON THE MOTION

Motion to sustain passed

AYES: Schultz, Schoggins, Johnson, Harris, Painter
NAYS: None
ABSTAIN: None

5. (BOA18-0008) Public hearing to consider a preemption determination appeal from Eagle Ridge Operating, LLC. The applicant is appealing the Town Manager's denial of a preemption determination request, which contended that Chapter 621 of the Texas Transportation Code preempted the Town's authority to apply the work hour limitations (pursuant to Section 34-422(g), Article VII, of the Town's Code of Ordinances,) to gas well pad site produced water collection and hauling operations.

Board Member Deliberation

Board Member Schoggins made a motion to sustain the Town Manager's denial of a preemption determination request, which contended that Chapter 621 of the Texas Transportation Code preempted the Town's authority to apply the work hour limitations (pursuant to Section 34-422(g), Article VII, of the Town's Code of Ordinances,) to gas well pad site produced water collection and hauling operations. Board Member Schultz seconded the motion.

VOTE ON THE MOTION

Motion to sustain passed

AYES: Schultz, Schoggins, Johnson, Harris
NAYS: Painter
ABSTAIN: None

Chair Harris requested a short recess at 9:05 PM and was reconvened at 9:08 PM.

6. (BOA18-0006) Hold a public hearing and consider a request from Christy Tull for a special exception in accordance with Section 78-86, "Special Exceptions," of the Code of Ordinances. The property is generally located South of Cross Timbers Rd and West of Tour 18 Dr. and is locally known as 9104 Shawnee Trail, Lot 2, Block GR, of the Roanoke Hills Subdivision.

Staff Presentation

Chris Pamplin, Assistant Building Official, answered questions and gave a presentation with the following items included:

**FLOWER MOUND BOARD OF ADJUSTMENT & OIL AND GAS BOARD OF APPEALS JOINT MEETING OF
OCTOBER 10, 2018**

- Special Exception overview
- Section 78-86
- Section 78-321 (e)
- Items are that are nonconforming for this zoning district (SF-3)
- Overview of 9104 Shawnee Trail
- Google Street view
- Photos from Code Case
- Property Information
- Special Exception definition

Joelle Hainley, Building Official, answered questions on this item.

Applicant Presentation

Matt and Christy Tull (9104 Shawnee Trail, Flower Mound, TX 75028), answered questions and gave background information in regards to item 6.

Chair Harris opened the Public Hearing for item 6.

The following individuals either spoke in support or opposition, or had questions / comments related to the item(s): Names listed below don't necessarily reflect the order in which each person spoke and all addresses are located in Flower Mound unless otherwise indicated.

Support: Comments/Questions	Opposition: Comments/Questions	Question(s)/ Comments Only
Pete Tichansky, 4209 Pocahontas	None	None

Board Member Deliberation

Board Member Schultz made a motion to approve the request from Christy Tull for a special exception in accordance with Section 78-86, "Special Exceptions," of the Code of Ordinances; recognizing that it will not be in compliance with Town Codes and all permits be obtained. The property is generally located South of Cross Timbers Rd and West of Tour 18 Dr. and is locally known as 9104 Shawnee Trail, Lot 2, Block GR, of the Roanoke Hills Subdivision. Vice Chair Johnson seconded the motion.

VOTE ON THE MOTION

Motion to approve passed

AYES: Schultz, Schoggins, Johnson, Harris, Moraine
NAYS: None
ABSTAIN: None

I. ADJOURNMENT – REGULAR SESSION 9:45 PM

TOWN OF FLOWER MOUND, TEXAS

FLOWER MOUND BOARD OF ADJUSTMENT & OIL AND GAS BOARD OF APPEALS JOINT MEETING OF
OCTOBER 10, 2018

STEPHEN HARRIS
CHAIR

ATTEST:

EMILY CHAPMAN
ADMINISTRATIVE ASSISTANT

DRAFT



BOARD OF ADJUSTMENT MEETING AGENDA ITEM NO.

REGULAR ITEM

DATE: November 14, 2018
FROM: Tasha Tripp, Plans Examiner
THROUGH: Joelle Hainley, Chief Building Official
PRESENTER:

APPLICANT: Don Happe

STAFF: Chris Pamplin, Assistant Building Official

ITEM: (BOA18-0007) Hold a public hearing and consider a request from Don Happe for a variance from Section 14-173 (a), "Location Requirements," of the Code of Ordinances. The property is generally located East of High Rd and South of Sunnyview Ln and is locally known as 7300 Thomas Rd, Lot 11, of the Hickory Springs Subdivision.

BACKGROUND INFORMATION:

APPLICANT: Don Happe
7300 Thomas Rd
Flower Mound, TX 75022

LOCATION:

PROPERTY ADDRESS: 7300 Thomas Rd
Flower Mound, TX 75022

SUBDIVISION: Lot 11
Hickory Springs

ZONING: SF-15

STAFF ANALYSIS:

A request has been received from Don Happe for a variance from Section 14-173 "Location Requirements" of the Code of Ordinances.

- The request is to allow a swimming pool to be placed within the established front yard
- A swimming pool permit application could not be approved as the proposed swimming pool was located within the established front yard. Section 14-173(a) of the Code of Ordinances states "Front yard. No swimming pool, spa, or hot tub shall be located within the required or established front yard."

Mr. Happe is requesting a variance to allow the swimming pool to be placed 54' from the front property line, which is between the front property line and the main residence and therefore within the established front yard. The property line along Thomas Rd is the platted front building line.

In exercising its power to grant a variance in accordance with this chapter, the Board of Adjustment shall make findings and show in its minutes that:

- 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 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 or injury to the use, enjoyment, or value of property in the vicinity.

ATTACHMENTS:

1. Application
2. Information from applicant
3. Section 14-173
4. Zoning Map
5. 200' property owner notice map
6. Aerial photograph of property
7. Published public hearing notice
8. Property owner notification
9. List of property owners within 200 feet

ZONING BOARD OF ADJUSTMENT TOWN OF FLOWER MOUND

BOA18-0007

DATE: 10-1-18

I, the undersigned owner or authorized agent of the following described real property located in the Town of Flower Mound, Texas, hereby make application for a request for a variance from the terms of section _____ of the Town of Flower Mound Zoning Ordinance.

LOCATION OF PROPERTY

Street Address: 7300 Thomas Rd, Flower Mound, TX 75022Legal Description: Lot/Tract 11, Block _____, of Subdivision/Abstract Hickory Springs

REQUEST: (If there is additional information which you feel would be helpful to the Board in making a decision, be sure to include this information in your request. If additional space is required to explain your request, please attach the explanation to this application.)

Requesting a variance for location of pool.

A non-refundable application fee of \$250 + \$40 public hearing notice fee required at the time of application. \$2.50 per property notice fee is due upon notification by case manager.

For a variance to be granted by the Board of Adjustment, the Board **must** determine that all of the following conditions apply:

- (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 apply generally to other property in the same area and the same zoning district.
- (b) That 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) That the granting of the variance on the specific property will not adversely affect the land use pattern as outlined by the Master Land Use Plan and will not adversely affect any other features of the Comprehensive Master Plan of the Town of Flower Mound.
- (d) That the variance, if granted, will be not be materially detrimental to the public welfare or injure the use, enjoyment or value of property in the vicinity.

I have read this application form and understand that filing the application and paying the fee does not guarantee an affirmative action by the Board of Adjustment. I further understand that at least four (4) affirmative votes must be cast in order to receive a variance.

Signature of Applicant

Print Name

7300 Thomas Rd, Flower Mound, TX 75022

Mailing Address

Telephone (Home)

Telephone (Day Number)

Staff Member's Signature

Date

Receipt Number

BOARD OF ADJUSTMENT DECISION:

() DENIED

() GRANTED

TERMS AND/OR CONDITIONS:

BOARD OF ADJUSTMENT CHAIRMAN: _____ DATE: _____

Filed with office of the Secretary this _____ day of _____.

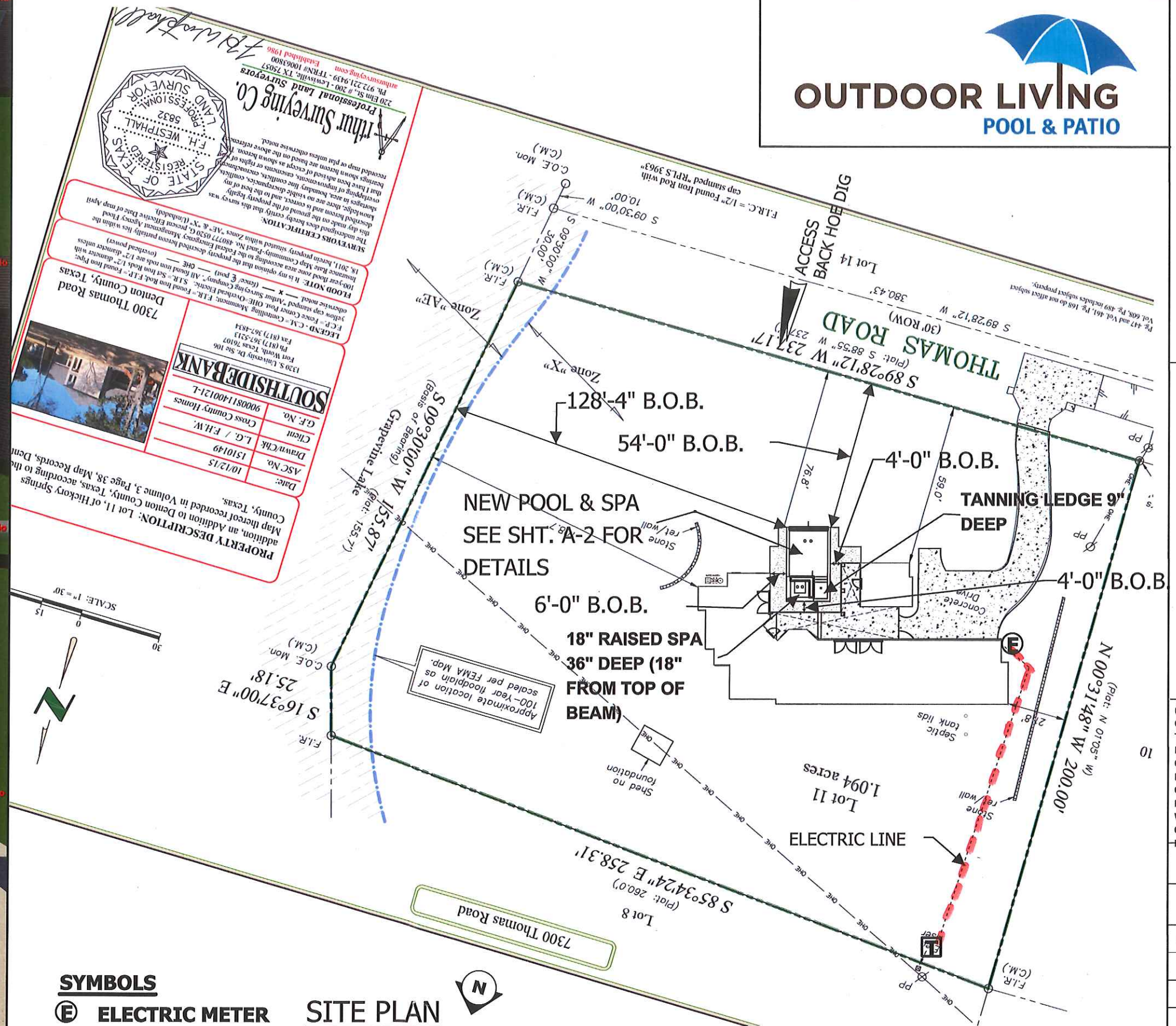


THE HAPPE FAMILY
7300 THOMAS RD.
FLOWER MOUND, TEXAS

BLOCK, -

A-1

SCALE 1"=40'-0"



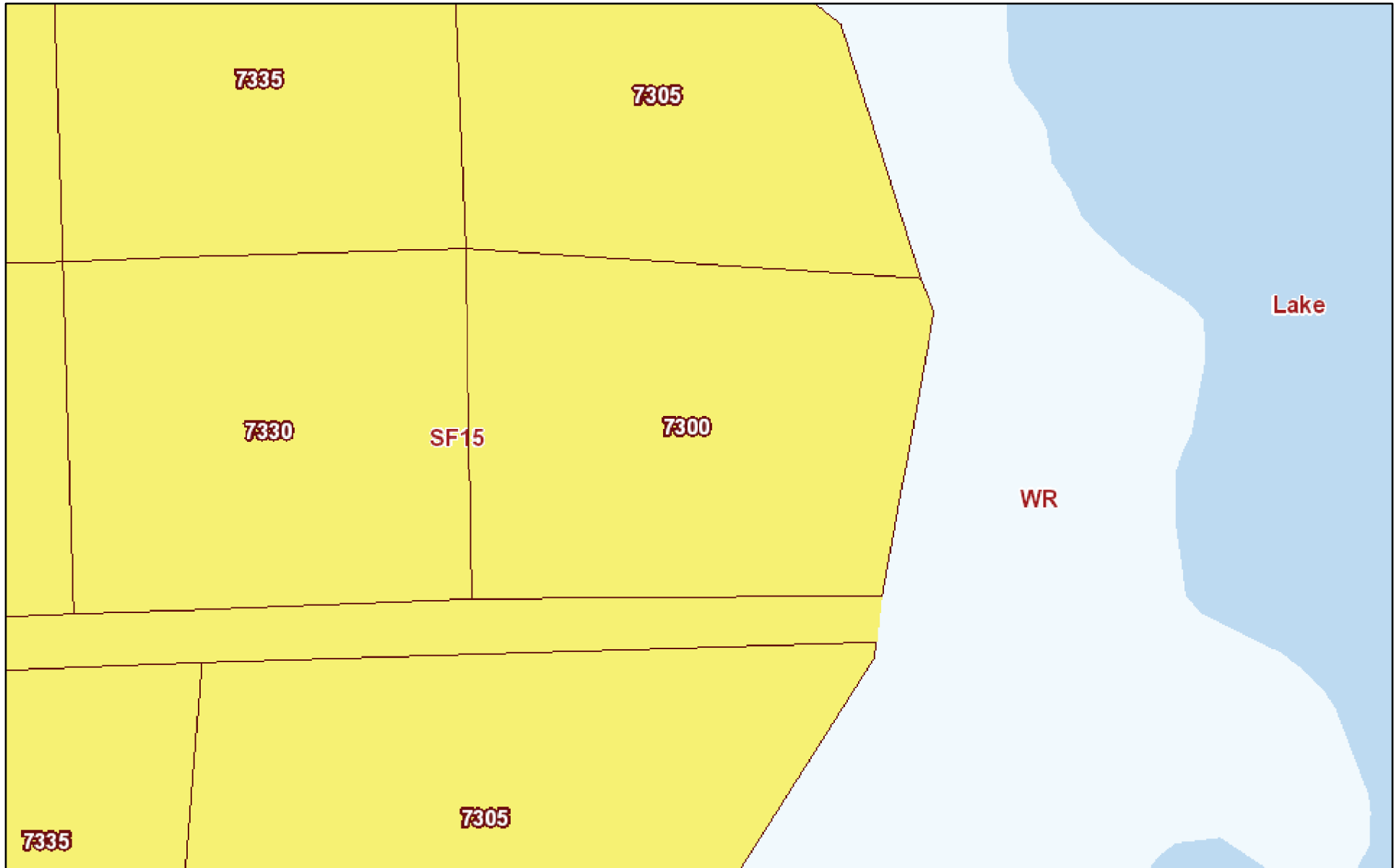
Sec. 14-173. - Location requirements.

- (a) *Front yard.* No swimming pool, spa or hot tub shall be located within the required or established front yard. On a corner lot, where both street exposures are treated as front yards, for the purposes of this section, the front yards shall be determined by the placement of the main building along with the legal address.
- (b) *Side yard.* All swimming pools, spas and hot tubs must be located at least five feet from the side property line to the water's edge.
- (c) *Rear yard.* All swimming pools, spas and hot tubs must be located at least five feet from the rear property line to the water's edge.
- (d) *Easements.* No swimming pool, spa or hot tub, including applicable decks, shall be located in an easement.
- (e) *Equipment.* No equipment may be placed within the required or established front yard as defined in subsection (a) of this section, or within any easement.
Equipment in relation to the pool shall not be affixed to any required perimeter fencing or common fences between property owners.

(Code 1989, ch. 3, § 5.04)

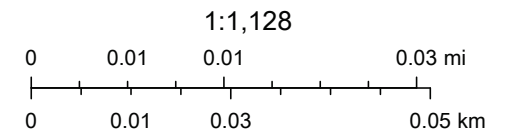
ZONING MAP

ATTACHMENT 4



10/19/2018 11:35:14 AM

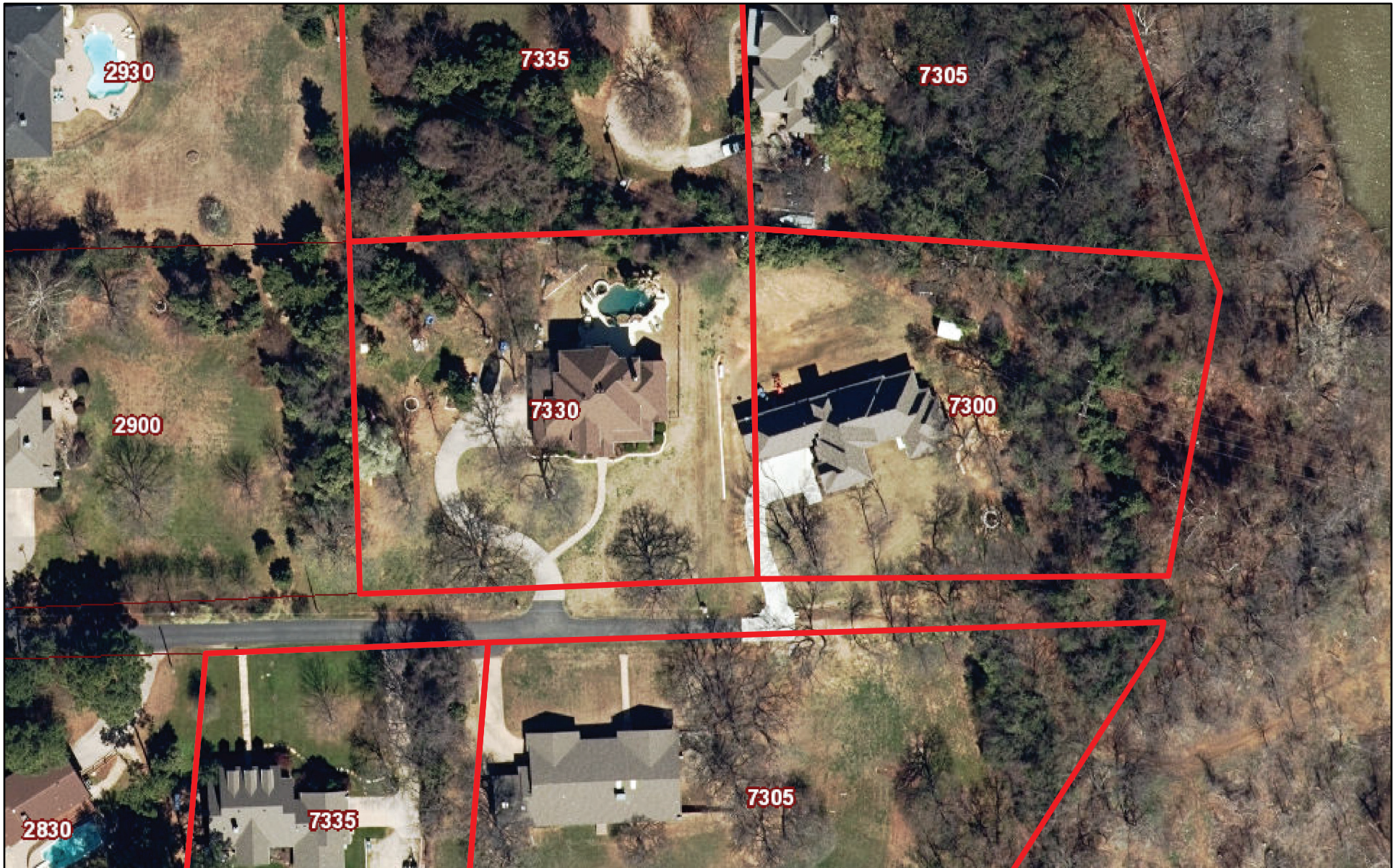
- | | | | |
|-------------|-----------------|-----------------------------|---------------------------------|
| Parcel | Address Points | Combined Uses-See Ordinance | Agriculture |
| County Line | Zoning | Mixed Use | Single Family Estate |
| Town Limits | Interim Holding | Central Business District | Single Family 30 & 1 (obsolete) |



Town of Flower Mound, DCAD, TAD, Sources: Esri, HERE, Garmin, USGS,

200' PROPERTY OWNER NOTICE MAP

ATTACHMENT 5



10/19/2018 11:47:38 AM

2017 AERIAL PHOTOGRAPHY

Blue: Band_3

Red: Band_1

Green: Band_2

Buffer (Step 2) _Query result

Parcel

County Line

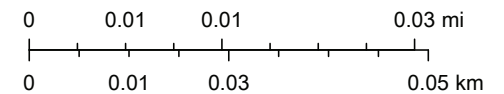
Town Limits

Address Points

Park Location

Streams

1:1,128



Town of Flower Mound, DCAD, TAD, Sources: Esri, HERE, Garmin, USGS,

Town of Flower Mound, Esri, HERE, Garmin, INCREMENT P, NGA, USGS | NCTCOG | NCTCOG, Town of Flower Mound | Town of Flower Mound | Town of Flower Mound & FEMA | Town of Flower Mound & NCTCOG | Town of Flower Mound, DCAD, TAD |

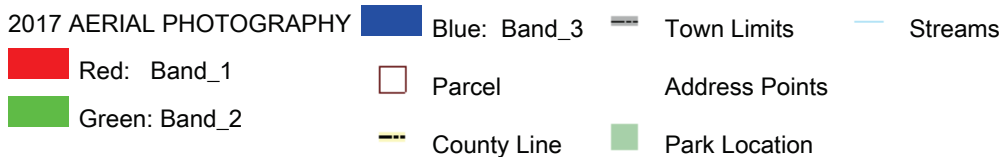
AERIAL PHOTO OF PROPERTY

ATTACHMENT 6

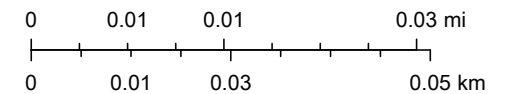


10/19/2018 11:38:52 AM

2017 AERIAL PHOTOGRAPHY



1:1,128



Town of Flower Mound, DCAD, TAD, Sources: Esri, HERE, Garmin, USGS,

PUBLIC HEARING

Notice is hereby given that the Board of Adjustment of the Town of Flower Mound, Texas, will hold a public hearing on Wednesday, November 14th, at 6:30pm at the Flower Mound Town Hall, 2121 Cross Timbers Rd (FM1171). The purpose of the hearing is to consider a request from Don Happe for a variance from Section 14-173 (a), "Location Requirements," of the Code of Ordinances. The property is generally located East of High Rd and South of Sunnyview Ln and is locally known as 7300 Thomas Rd, Lot 11, of the Hickory Springs Subdivision.

Tasha Coates
Residential Plans Examiner
Town of Flower Mound

To Run in Denton Record Chronicle: Friday, November 2, 2018
To Run in Lewisville/Flower Mound/Highland Village Neighbors: Friday,
November 2, 2018

Denton Record Chronicle:
FAX: 940-381-9667
Attn: Ann
e-mail: classads@dentonrc.com
Attn: Legal Notice Rep

ANY QUESTIONS OR PROBLEMS PLEASE CALL Tasha Coates at 972-874-6368.

(Ref: Case No. BOA18-0007)

Town of Flower Mound Account Number: 100041132



October 30, 2018

Board of Adjustment Case No. BOA18-0007

**NOTICE OF APPLICATION
FOR A VARIANCE TO THE LAND DEVELOPMENT CODE
FOR THE TOWN OF FLOWER MOUND**

A request has been made from Don Happe for a variance from Section 14-173 (a), "Location Requirements," of the Code of Ordinances. The property is generally located East of High Rd and South of Sunnyview Ln and is locally known as 7300 Thomas Rd, Lot 11, of the Hickory Springs Subdivision.

The Board of Adjustment of the Town of Flower Mound, Texas will hold a public hearing on this request on **Wednesday, November 14, 2018, at 6:30 p.m. at the Flower Mound Town Hall, 2121 Cross Timbers Road (FM 1171).** As an interested property owner, you are requested to make your views known by attending this hearing. If you cannot attend the hearing, it is requested that you express your views in writing by mail to the address listed below to my attention or dropping off in person to the office of Development Services.

The Board of Adjustment will review the merits of the case, based on the following criteria:

- 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 apply generally to other property in the same area and the same zoning district.
- b. That 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. That the granting of the variance on the specific property will not adversely affect the land use pattern as outlined by the Master Land Use Plan and will not adversely affect any other features of the Comprehensive Master Plan of the Town of Flower Mound.
- d. That the variance, if granted, will not be materially detrimental to the public welfare or injure the use, enjoyment or value of property in the vicinity.

Sincerely,

Tasha Coates
Plans Examiner

Mailing address:
Town of Flower Mound
Building Inspections
2121 Cross Timbers Road
Flower Mound, TX 75028

PID	SUBNAME	Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Site Address
R04650	HICKORY SPRINGS	EADS, STEPHEN B	7305 HICKORY SPRINGS RD	FLOWER MOUND	TX	75022	0 HICKORY SPRINGS RD
R04653	HICKORY SPRINGS	EADS, STEPHEN B	7305 HICKORY SPRINGS RD	FLOWER MOUND	TX	75022	7305 HICKORY SPRINGS RD
R04661	HICKORY SPRINGS	EASTERLING, JASON T & MCGREGOR, KELLY JUNE	7330 THOMAS RD	FLOWER MOUND	TX	75022	7330 THOMAS RD
R04665	HICKORY SPRINGS	HAPPE, DON & WANDA J	PO BOX 270627	FLOWER MOUND	TX	75027	7300 THOMAS RD
R04679	HICKORY SPRINGS	DODSON, JERRY & ADELINA	7335 THOMAS RD	FLOWER MOUND	TX	75022	7335 THOMAS RD
R04683	HICKORY SPRINGS	HOWELL, PATRICIA ANN 2016 LIVING TRUST	7305 THOMAS RD	FLOWER MOUND	TX	75022	7305 THOMAS RD