

## **AGENDA**

### **TOWN OF FLOWER MOUND BOARD OF ADJUSTMENT**

#### **REGULAR MEETING**

**August 12, 2020**

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

**6:30 P.M.**

\*\*\*\*\*

AN AGENDA INFORMATION PACKET IS AVAILABLE ONLINE AT  
[HTTPS://TX-FLOWERMOUND.CIVICPLUS.COM/AGENDACENTER](https://tx-flowermound.civicplus.com/agendacenter)

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There will be limited seating in Jody Smith Hall to allow for social distancing

Meeting participants may be asked to wait in the lobby until their name is called

**Comments regarding any item on this agenda can be sent to the Board of Adjustment by  
Emailing: [tofmboa@flower-mound.com](mailto:tofmboa@flower-mound.com) or Calling: 972.874.6005**

#### **A. CALL REGULAR MEETING TO ORDER – 6:30 PM**

#### **B. INVOCATION AND PLEDGE OF ALLEGIANCE**

#### **C. PUBLIC COMMENT**

To speak to The Board of Adjustment (BOA) during public comment, please fill out a comment form.

- Turn in form by 6:40 p.m. to Administrative Assistant
- Speakers are limited to 3 minutes; a tone will sound at 30 seconds left and when time has expired
- Please state your name and address when speaking

The purpose of this item is to allow the public an opportunity to address the BOA on issues that are not indicated as a "Public Hearing" on this agenda. Issues regarding daily operational or administrative matters should first be dealt with by calling Building Inspections at 972-874-6355 during business hours.

**D. CONSENT AGENDA - CONSENT ITEMS**

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 A member of the Board of Adjustment may request an item(s) be withdrawn from the Consent Agenda and moved to Regular Agenda for discussion by making such request prior to a motion and vote on the Consent Agenda.

1. Consider approval of minutes from the regular meeting of the Board of Adjustment held on February 12, 2020.

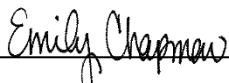
**E. REGULAR ITEMS – PUBLIC HEARING**

2. **(BOA20-0004)** Hold a public hearing and consider a request from John Brock for a special exception in accordance with Section 78-86, "Special Exceptions," of the Code of Ordinances. The property is generally located north of Cross Timbers Road and west of Red Rock Lane and is locally known as 8105 Firestone Drive, Lot 7, Block 6, of The Estates at Tour 18 Section 3 subdivision.
3. **(BOA20-0002)** Hold a public hearing and consider a request from Ronnie Chesney for a variance from Section 98-1026 (b), "Minimum Front Yard Setback" and Section 98-1027 (b), "Minimum Side Yard Setback," of the Code of Ordinances. The property is generally located south of Apache Trl. and west of Mohawk Dr. and is locally known as 3925 Pocahontas Dr., Lot 6, of the Roanoke Hills Addition subdivision.

**F. ADJOURNMENT- REGULAR SESSION**

  
\_\_\_\_\_  
**Joelle Hainley**  
**Chief Building Official**

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: August 7, 2020, by 5:00 p.m., at least 72 hours prior to the schedule time of said meeting.

  
\_\_\_\_\_  
**Emily Chapman**  
**Administrative Assistant**



## BOARD OF ADJUSTMENT AGENDA ITEM NO. 1

### CONSENT ITEM

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**DATE:** August 12, 2020

**FROM:** Emily Chapman, Administrative Assistant

**ITEM:** **Consider approval of minutes from the regular meeting of the Board of Adjustment held on February 12, 2020.**

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**BACKGROUND INFORMATION:** This agenda item is to consider approval of the minutes from the February 12, 2020, regular meeting of the Board of Adjustment.

**CITIZEN FEEDBACK:** N/A

**ALTERNATIVES/OPTIONS:** N/A

**FISCAL IMPACT:** N/A

**LEGAL REVIEW:** N/A

**ATTACHMENTS:**

- **ATTACHMENT 1:** A copy of the draft minutes from the February 12, 2020, regular meeting of the Board of Adjustment.

**RECOMMENDATION:** Move to approve the minutes from the February 12, 2020, regular meeting of the Board of Adjustment.

**THE FLOWER MOUND BOARD OF ADJUSTMENT MEETING HELD ON THE 12TH DAY OF FEBRUARY 2020, 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 Board of Adjustment met in regular session, with the following members present constituting a quorum:

|                   |                       |
|-------------------|-----------------------|
| Stephen Harris    | Chair                 |
| Gregory Schultz   | Vice Chair            |
| Sky Jay Schoggins | Board Member, Place 4 |
| Greg Wilson       | Board Member, Place 5 |
| Ryan Geddie       | Board Member, Place 7 |
| Anthony Kloefkorn | 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.)*

Constituting a quorum with the following member absent:

|              |                       |
|--------------|-----------------------|
| Denis Toth   | Board Member, Place 3 |
| Brad Painter | Board Member, Place 6 |

And the following members of Town staff present:

|                |                             |
|----------------|-----------------------------|
| James Donovan  | Town Attorney               |
| Joelle Hainley | Building Official           |
| Kathy Allgood  | Administrative Assistant    |
| Chris Pamplin  | Assistant Building Official |

**A. CALL TO ORDER - REGULAR SESSION: 6:30 PM**

**B. INVOCATION AND PLEDGE OF ALLEGIANCE**

**C. PUBLIC COMMENT**

None

**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 minutes from the regular meeting of the Board of Adjustment held on December 11, 2019.

Board Member Schoggins made a motion to approve the December 11, 2019, minutes as presented. Board Member Wilson seconded the motion.

**VOTE ON THE MOTION**

**AYES:** Schultz, Schoggins, Harris, Wilson, Geddie  
**NAYS:** None  
**ABSTAIN:** None

The motion passed with a vote of 5-0-0.

**E. PUBLIC HEARING**

(BOA20-0001) Hold a public hearing and consider a request from Pardeep Hundal 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 Road and west of High Road and is locally known as 9108 Shawnee Trail, Lot 3, Block GR of the Roanoke Hills Addition subdivision.

**Staff Presentation**

Chris Pamplin, Assistant Building Official gave the staff presentation.

**Applicant Presentation**

Pardeep Hundal, 533 Parkway Blvd., Coppell, TX, gave the applicant presentation.

*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.*

| <b>Support:<br/>Comments/Questions</b> | <b>Opposition:<br/>Comments/Questions</b> | <b>Question(s)/ Comments<br/>Only</b> |
|----------------------------------------|-------------------------------------------|---------------------------------------|
| None                                   | None                                      | None                                  |
|                                        |                                           |                                       |

Chair Harris closed the Public Hearing at 6:54 PM.

**Board Member Deliberation**

Vice Chair Schultz made a motion to approve the request from Pardeep Hundal 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 Road and west of High Road and is locally known as 9108 Shawnee Trail, Lot 3, Block GR of the Roanoke Hills Addition subdivision.

Board Member Schoggins seconded the motion.

**VOTE ON THE MOTION**

**AYES:** Geddie, Wilson, Harris, Schoggins, Schultz  
**NAYS:** None  
**ABSTAIN:** None

The motion to approve was passed with a vote of 5-0-0.

**F. ADJOURNMENT – REGULAR SESSION – 7:00 p.m.**

**TOWN OF FLOWER MOUND, TEXAS**

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**STEPHEN HARRIS**  
**CHAIR**

**ATTEST:**

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**EMILY CHAPMAN**  
**ADMINISTRATIVE ASSISTANT**



## BOARD OF ADJUSTMENT AGENDA ITEM NO. 2

### REGULAR ITEM

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**DATE:** August 12, 2020  
**FROM:** Kim Barnes, Plans Examiner

**PRESENTERS:**

**APPLICANT:** John Brock  
**STAFF:** Tasha Coates, Plans Review Supervisor

**ITEM:** (BOA20-0004) Hold a public hearing and consider a request from John Brock for a special exception in accordance with Section 78-86, "Special Exceptions," of the Code of Ordinances. The property is generally located north of Cross Timbers Road and west of Red Rock Lane and is locally known as 8105 Firestone Drive, Lot 7, Block 6, of The Estates at Tour 18 Section 3 subdivision.

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**BACKGROUND INFORMATION:**

**APPLICANT:** John Brock  
8105 Firestone Drive  
Flower Mound, TX 75022

**LOCATION:**

**PROPERTY ADDRESS:** 8105 Fireside Drive  
Flower Mound, TX 75022

**SUBDIVISION:** Lot 7, Block 6  
The Estates at Tour 18 Section 3

**ZONING:** IH

**STAFF ANALYSIS:**

A request has been received from John Brock for a special exception in accordance with Section 78-86, Special Exceptions," of the Code of Ordinances.

The following item is non-conforming for this zoning district (Interim Holding (IH)):

Per the provided site plan of this property, the home is currently located 15' from the right-hand side property line, which is 10' less than the required 25' side yard setback for IH zoning.

Section 78-231(e) of the Code of Ordinances states, "*Destruction*. If a nonconforming structure is destroyed by fire, the elements or other cause, it may not be rebuilt except to conform to the provisions of subpart B of this Code. In the case of partial destruction, where the cost of repairing or replacing the structure does not exceed 60 percent of its most recent appraised property tax value,

reconstruction may be permitted after a hearing and favorable action by the board of adjustment, provided that the repaired or new structure shall not exceed the original structure in lot coverage, gross floor area or height and shall not increase the degree of any nonconformity.”

Section 78-86(1) of the Code of Ordinances states, “Reconstruction of nonconforming building. The board of adjustment shall be authorized to permit the reconstruction of a nonconforming building pursuant to section 78-321(e), nonconforming uses and structures, destruction.”

A residential remodel permit application has been submitted to repair fire damage to this home. The currently submitted scope of work appears to include insulation installation, sheetrock installation, replacement of roof framing and roofing materials, possible additional wall framing, and HVAC/mechanical, plumbing, and electrical work. Additional work may be needed, as well. Per the Denton Central Appraisal District web site, the 2020 preliminary improvement value for this property, not including the pool, is \$1,247,163.

Under Texas law, a “Special Exception” may authorize a use or activity that is permitted in the Zoning Ordinance, but only after review by the Board of Adjustment and a determination that the activity or use will not adversely affect the public and neighborhood interests. If the Board is inclined to approve a Special Exception, it may attach reasonable conditions to ensure that the activity meets these standards. However, the Board may not permit a use or activity that goes beyond the scope of the Council- approved authority within the underlying Zoning ordinance (in this case §78-231(e)). For example, in the present case, if the Board concludes, based on testimony and evidence supplied at the hearing, that repair or replacement cost of the structure exceeds “60 percent of its most recent appraised property tax value,” the Board has no authority to approve the Special Exception. A vote to approve a Special Exception requires the concurring vote of 75% of the members of the Board. A Special Exception is not a variance, and therefore, the Board is not required to find that a land-based hardship exists in order to approve.

#### **ATTACHMENTS:**

- Attachment 1: Special exception application
- Attachment 2: Information from applicant
- Attachment 3: DCAD appraisal
- Attachment 4: Section 78-86
- Attachment 5: Section 78-231
- Attachment 6: Zoning Map
- Attachment 7: 200’ property owner notice map
- Attachment 8: Aerial photograph of property
- Attachment 9: Published public hearing notice
- Attachment 10: Property owner notification
- Attachment 11: List of property owners within 200 feet

**APPLICATION - REQUEST FOR VARIANCE OR APPEAL  
ZONING BOARD OF ADJUSTMENT  
TOWN OF FLOWER MOUND**

DATE: 6-29-2020

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: 8105 Firestone dr. F.M.

Legal Description: Lot/Tract 7, Block 6, of Subdivision/Abstract Estates at Tour 18 Section 3

**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.)

See attached -

A non-refundable application fee of \$250 + \$40 public hearing notice fee are required at the time of application. Fee of \$2.50 per property notice 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

John Brocie

Print Name

8105 Firestone dr. F.M.

661-313-2495

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 \_\_\_\_\_, \_\_\_\_\_.

To Whom It May Concern,

We are petitioning the board for a variance to the set back requirements on this 22 year old home.

The reason for this request is that on or about June 2nd an attic fire burned the attic of the home. The Flower Mound Fire department did a great job putting out the fire, but the firehoses poured extensive water into the home and damaged much more. In the rebuilding of the home, we will need to reframe the attic of the home back to the way it was, with no changes to the appearance in roof pitch and no changes to the two story house footprint. We will then re-wire, re-insulate, re-drywall and paint the home, and install new flooring, fixtures, fittings and furnishings along with 2 new water heaters, and 4 new HVAC systems. In all we will return to the home to its pre-loss condition with no change to the concrete slab footprint.

History:

This home was built in 1998 prior to being annexed into Flower Mound. The home was designed and architected by Paragon Planning Inc part of Paragon Design Group in July 1998. The home is a beautiful 7500 sq ft residence maintained in beautiful condition. The eye to detail has been taken on all aspects of this home. From the brick exterior, to the tall ceiling, hand scraped floors, beautiful kitchen with granite, premium cabinets and fixtures. The home has a detached garage and separate pool house/cabana area that create an oasis. The structures, nestled around a pool surrounded by expertly maintained and manicured gardens and landscape are groomed daily by Jeff who has been a caretaker at the residence for over 7 years service two different owners, the original builders Mr and Mrs Tom Jeary, and the new owners Mr and Mrs John Brock.

New covenants:

Apparently now that the Tour 18 neighborhood has been annexed, it falls under new setbacks and requirements. As such the front right corner of the property now encroaches on the newly applied Flower Mound covenants when the property was annexed in, but it was not built under those covenants. The current setback is only 15' but the towns covenants require a 25' setback for new construction. This encroachment is not an eye sore, nor a distraction to the neighborhood. We have letters from a few of the neighbors who like the home the way it is and a letter from the HOA board who also are pleased with the current setbacks and beauty of this home. We would suggest that trying to shave off 10 ft off the front right corner of the home would create an unsightly odd and awkward appearance that would not be as pleasing to the eye and based on the fact that it has been in this cared for state for over 20 years that it be allowed to remain this way

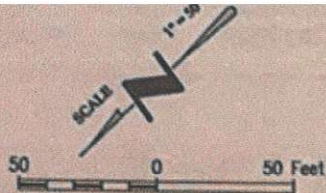
Request:

Please grant a variance to allow this home to be permitted to remain and preserve the beauty it provides to the neighborhood, and preserve the beauty of the cul-de-sac that it is built in.

Thank you

Sam Rogers - builder - T Rock Contracting  
John Brock - Owner  
Heather Brock - Owner

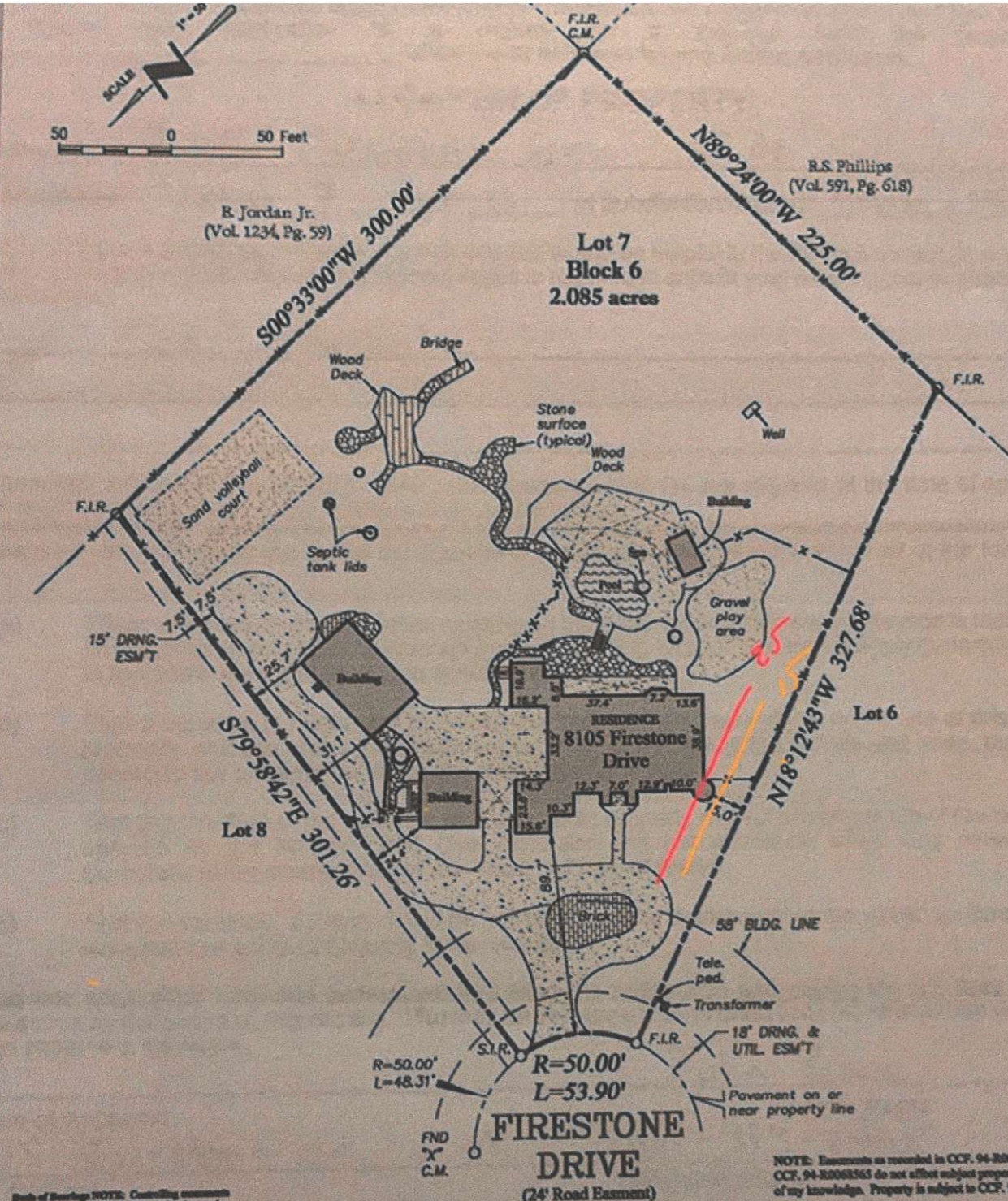




R. Jordan Jr.  
(Vol. 1234, Pg. 59)

R.S. Phillips  
(Vol. 591, Pg. 618)

Lot 7  
Block 6  
2.085 acres



State of Texas NOTE: Controlling monument shown herein are the basis for disclaimant stated.

NOTE: Encumbrances as recorded in CCF. 94-80068563 and CCF. 94-80068565 do not affect subject property to the best of my knowledge. Property is subject to CCF. 94-80068564.

**PROPERTY DESCRIPTION:** Being Lot 7 in Block 6 of The Estates at Tour 18, Section Three, an Addition to the County of Denton, Texas, according to the Map thereof recorded in Cabinet K, Page 254, Plat Records of Denton County, Texas.

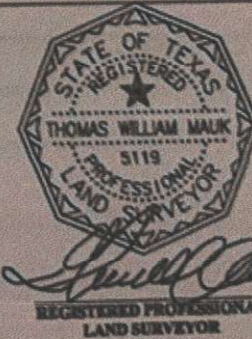
**LEGEND:** C.M. = Controlling Monument; F.I.R. = Found Iron Rod; F.I.P. = Found Iron Pipe; F.C.P. = Found Corner Post; O.H. = Overhead Electric; S.I.R. = Set Iron Rods 1/2" diameter with yellow cap stamped "Arthur Surveying Company". All found iron rods are 1/2" diameter unless otherwise noted. — x — (fence & post) — O — (overhead utility)

**FLOOD NOTE:** It is my opinion that the property described herein is not within the 100-year flood zone area according to the Federal Emergency Management Agency Flood Insurance Rate Map Community-Panel No. 480774 0520 G, present effective date of map, April 18, 2011, herein property situated within Zone "X" (Unshaded).

|             |                        |
|-------------|------------------------|
| Date:       | 06/10/19               |
| ASC No.     | A-0605198804           |
| P.C. / Tech | C.W. / L.G.            |
| Client      | Chicago Title          |
| G.P. No.    | CTHPL-8000421900285-KL |



**SURVEYOR'S CERTIFICATION:**  
The undersigned does hereby certify that this survey was this day made on the ground of the property legally described herein and is correct, and to the best of my knowledge, there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or rights of way that I have been advised of except as shown herein. All corners marked as set, will be set at a later date. The bearings shown herein are based on the above referenced recorded map or plat unless otherwise noted.



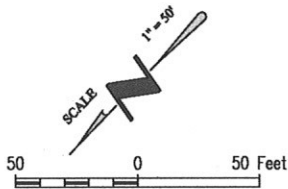
**Chicago Title**  
17300 Dallas Parkway Suite 3000  
Dallas, Texas 75248  
Ph: 972.365.0800  
Fax: 972.365.0899

**Mailing Address:**  
8105 Firestone Drive  
Flower Mound, Texas

**ARTHUR**  
LAND SURVEYING  
220 Elm St., #300 - Louisville, TX 75057  
Ph. 972.221.9409 - T/Fax 972.221.9400  
arthur@arthurlandsurveying.com Established 1986

8105 Firestone Drive

B. Jordan Jr.  
(Vol. 1031, Pg. 178)



B. Jordan Jr.  
(Vol. 1234, Pg. 59)

R.S. Phillips  
(Vol. 591, Pg. 618)

Lot 7  
Block 6  
2.085 acres



Scale of Bearings NOTE: Controlling monuments shown hereon are the basis for directional control.

NOTE: Easements as recorded in CCF. 94-R0068563 and CCF. 94-R0068565 do not affect subject property to the best of my knowledge. Property is subject to CCF. 94-R0068564.

**PROPERTY DESCRIPTION:** Being Lot 7 in Block 6 of The Estates at Tour 18, Section Three, an Addition to the County of Denton, Texas, according to the Map thereof recorded in Cabinet K, Page 254, Plat Records of Denton County, Texas.

**LEGEND -** C.M.= Controlling Monument; F.I.R.= Found Iron Rod; F.I.P.= Found Iron Pipe; F.C.P.= Fence Corner Post. O.H.= Overhead Electric. S.I.R.= Set Iron Rods 1/2" diameter with yellow cap stamped "Arthur Surveying Company". All found iron rods are 1/2" diameter unless otherwise noted. — X — (fence & post) — O — (overhead utility)

**FLOOD NOTE:** It is my opinion that the property described hereon is not within the 100-year flood zone area according to the Federal Emergency Management Agency Flood Insurance Rate Map Community-Panel No. 480774 0520 G, present effective date of map, April 18, 2011, herein property situated within Zone "X" (Unshaded).

Date: 06/10/19  
ASC No. A-0605198804  
P.C. / Tech C.W. / L.G.  
Client Chicago Title  
G.F. No. CTHPL-8000421900285-KL

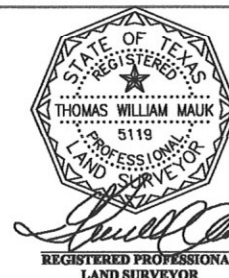


**SURVEYORS CERTIFICATION:**  
The undersigned does hereby certify that this survey was this day made on the ground of the property legally described hereon and is correct, and to the best of my knowledge, there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or rights of way that I have been advised of except as shown hereon. All corners marked as set, will be set at a later date. The bearings shown hereon are based on the above referenced recorded map or plat unless otherwise noted.

**Chicago Title**  
17300 Dallas Parkway Suite 3000  
Dallas, Texas 75248  
Ph: 972.265.0850  
Fax: 972.265.0099

Mailing Address:  
8105 Firestone Drive  
Flower Mound, Texas

**ARTHUR**  
LAND SURVEYING  
220 Elm St., # 200 - Lewisville, TX 75057  
Ph. 972.221.9439 - TFRN# 10063800  
arthursurveying.com Established 1986



## ***The Estates At Tour 18 Homeowners Association***

Professionally Managed by SBB Management Company

*An Accredited Association Management Company*

1670 Keller Parkway, Suite 170

Keller, TX 76248

(972) 960-2800 Fax (817) 431-6412

July 2, 2020

Johnathan Brock and Heather Brock  
31637 Pio Pico Rd  
Temecula, CA 92592

RE: 8105 Firestone Drive

Dear Johnathan Brock and Heather Brock:

Your submittal to **rebuild and repair after fire** has been received and reviewed by the Design Review Committee (DRC) for The Estates At Tour 18 Homeowners Association. We are writing to notify you that your submittal has been **approved with the following stipulations**:

**There is a \$10,000.00 impact fee and a \$10,000.00 deposit, please mail checks to SBB Management Company.**

Please be advised that The Estates At Tour 18 Homeowners Association does not warrant any improvements including structural design, functional concerns, and building code compliance. It is the responsibility of the homeowner to ensure quality construction and to obtain proper approvals from any required municipality. The Design Review Committee has sole discretion with respect to taste, design, and all standards specified by the HOA's Declaration, Covenants, Conditions, and Restrictions. The DRC is not responsible for (1) errors in or omissions from the plans and specs submitted to the DRC, (2) supervising construction for the owner's compliance with approved plans and specs, or (3) the compliance of the owner's plans and specs with city codes and ordinances, state and federal laws.

Any deviations from the approved submittal will require resubmission to the Architectural Design Committee.

Thank you for supporting the The Estates At Tour 18 Homeowners Association CC&Rs by requesting approval of your modification.

Should you have any questions, please feel free to call.

Sincerely,



Nikki Sheppard  
Community Manager  
n.sheppard@sbbmanagement.com  
SBB Management Company, AAMCO®

## Details for Property 176126

Values are 2020 Preliminary ▼ \*\*Values and data reflected on the website at this time are preliminary\*\*

### General Information

8105 FIRESTONE DR 75022-6493

\$1,563,374.00

|                       |                                                                      |
|-----------------------|----------------------------------------------------------------------|
| Owner Name            | BROCK, JOHNATHAN & HEATHER <sup>Q</sup> - 100%                       |
| Owner ID              | 1042789                                                              |
| Owner Mailing Address | 31637 PIO PICO RD<br>TEMECULA, CA 92592-2755                         |
| Property Type         | Real Property                                                        |
| Area                  | 7,015ft <sup>2</sup>                                                 |
| Class                 | 10D                                                                  |
| Legal Description     | THE ESTATES AT TOUR 18 SEC 3 BLK 6 LOT 7                             |
| Geographic ID         | SG0146A-000006-0000-0007-0000                                        |
| Subdivision           | THE ESTATES AT TOUR 18 SEC 3 - SG0146A <sup>Q</sup>                  |
| Neighborhood          | THE ESTATES AT TOUR 18 SEC 1,2,3 (NON GO - DS01004 <sup>Q</sup>      |
| Taxing Jurisdictions  | C07 (FLOWER MOUND TOWN OF<br>G01 (DENTON COUNTY)<br>S01 (ARGYLE ISD) |

[Direct Link to this property](#)

[View on map](#)

[View plat](#)

[Download Appraisal Notice for Owner/Agent ID 1042789](#)



## 2020 Values ▼

|                            |                |
|----------------------------|----------------|
| Total Improvement Value    | \$1,304,515.00 |
| Land Homesite Value        | \$258,859.00   |
| Land Non-Homesite Value    | \$0.00         |
| Agricultural Market Value  | \$0.00         |
| Timber Market Value        | \$0.00         |
| Total Market Value         | \$1,563,374.00 |
| Agricultural Use Reduction | \$0.00         |
| Timber Use Reduction       | \$0.00         |
| Homestead Cap              | \$0.00         |
| Appraised Value            | \$1,563,374.00 |
| Assessed Value             | \$1,563,374.00 |

[Value History Export](#)

## Improvements

| Class             | Description              | Square Feet | Number Of Units | Effective Year Built | Year Built | 2020 Improvement Value |
|-------------------|--------------------------|-------------|-----------------|----------------------|------------|------------------------|
| 10D               | MAIN AREA                | 4681        |                 | 2003                 | 1998       |                        |
| 10D               | SECOND FLOOR             | 2334        |                 | 2003                 | 1998       |                        |
| 10D               | DETACHED LIVING QUARTERS | 600         |                 | 2003                 | 1998       |                        |
| 10D               | ATTACHED GARAGE          | 624         |                 | 2003                 | 1998       |                        |
| 10D               | CARPORT                  | 360         |                 | 2003                 | 1998       |                        |
| 10D               | OPEN PORCH               | 1976        |                 | 2003                 | 1998       |                        |
| 10D               | BALCONY                  | 200         |                 | 2003                 | 1998       |                        |
| 10D               | DETACHED GARAGE          | 1000        |                 | 2003                 | 1998       |                        |
| 10D               | ATTACHED GARAGE          | 603         |                 | 2003                 | 1998       |                        |
| 10D               | OPEN PORCH               | 348         |                 | 2003                 | 1998       |                        |
| 10D               | OPEN PORCH               | 96          |                 | 2003                 | 1998       |                        |
| 10D               | OUTDOOR FIREPLACE        | 1           |                 | 2003                 | 1998       |                        |
| 10D               | ODKIT - OUTDOOR KITCHENS | 1           |                 | 2003                 | 1998       |                        |
| 10D               | TENNIS COURT             | 0           |                 | 2003                 | 1998       |                        |
| Improvement Total |                          | 12824       | N/A             |                      |            | \$1,247,163.00         |
| 1750S2+           | POOL                     | 1           |                 | 2001                 | 2001       |                        |
| 1750S2+           | Theraputic pool improved | 1           |                 | 2001                 | 2001       |                        |
| Improvement Total |                          | 2           | N/A             |                      |            | \$57,352.00            |

## Land Segments

| Type             | Acres  | Area      |
|------------------|--------|-----------|
| 8 - RESIDENT LOT | 2.0854 | 90842 ft² |



## Subdivision Stats for THE ESTATES AT TOUR 18 SEC 3

|                       |                       |
|-----------------------|-----------------------|
| Minimum Market        | \$238,490.00          |
| Median Market         | \$1,110,955.50        |
| Maximum Market        | \$2,213,676.00        |
| Median Living Area    | 5,839 ft <sup>2</sup> |
| Median Square Footage | 8,038 ft <sup>2</sup> |

## This Property

|                                               |                  |
|-----------------------------------------------|------------------|
| Percent Difference From Median Market         | 33.83% (rounded) |
| Percent Difference From Median Living Area    | 18.30% (rounded) |
| Percent Difference From Median Square Footage | 45.90% (rounded) |

## Stats Per Class for THE ESTATES AT TOUR 18 SEC 3

## 10D

|                       |                |
|-----------------------|----------------|
| Property Count        | 39             |
| Median Market         | \$1,153,970.00 |
| Median Living Area    | 6,029          |
| Median Square Footage | 8,078          |

## 10C

|                       |                |
|-----------------------|----------------|
| Property Count        | 33             |
| Median Market         | \$1,015,257.00 |
| Median Living Area    | 5,470          |
| Median Square Footage | 7,141          |

## 11

|                       |                |
|-----------------------|----------------|
| Property Count        | 16             |
| Median Market         | \$1,709,348.00 |
| Median Living Area    | 7,680          |
| Median Square Footage | 10,634         |



## 2020 Estimated Taxes

Owner ID: 1042789

| Entity                        | Tax Rate Per<br>\$100 | Taxable<br>Value | Estimated<br>Taxes | Tax Ceiling<br>Amount |
|-------------------------------|-----------------------|------------------|--------------------|-----------------------|
| FLOWER MOUND TOWN OF<br>- C07 | 0.4365%               | \$1,563,374      | \$6,824.13         | \$0.00                |
| DENTON COUNTY - G01           | 0.225278%             | \$1,563,374      | \$3,521.94         | \$0.00                |
| ARGYLE ISD - S01              | 1.508%                | \$1,563,374      | \$23,575.68        | \$0.00                |
| Estimated Total Taxes         |                       |                  |                    | \$33,921.75           |

DO NOT PAY BASED ON THESE ESTIMATED TAXES. You will receive an official tax bill from the appropriate agency when they are prepared. Taxes are collected by the agency sending you the official tax bill. To see a listing of agencies that collect taxes for your property, [click here](#)

The estimated taxes are provided as a courtesy and should not be relied upon in making financial or other decisions. The Denton Central Appraisal District (DCAD) does not control the tax rate nor the amount of the taxes, as that is the responsibility of each Taxing Jurisdiction. Questions about your taxes should be directed to the appropriate taxing jurisdiction. These tax estimates are calculated by using the taxable value as of 6:00AM multiplied by the most current tax rate. It does not take into account other special or unique tax scenarios.

[Prior Taxing Unit Tax Rates](#)

## Deed History

| Date       | Type | Seller                        | Buyer                         | Deed<br>Number | Sale Price  |
|------------|------|-------------------------------|-------------------------------|----------------|-------------|
| 2019-11-06 | KO   | JEARY, ANTHONY D &<br>TAMMY N | BROCK, JOHNATHAN &<br>HEATHER | 2019-144984    | Unavailable |
| 1996-02-21 | WD   | CROSSTIMBER DEV CO INC        | PAR SIX PROP INC              | 96-0011575     | Unavailable |
| 1996-02-21 | WD   | PAR SIX PROP INC              | JEARY, ANTHONY D &<br>TAMMY N | 96-0011576     | Unavailable |
| 1996-02-21 | WD   | TOUR 18 INV LTD               | CROSSTIMBER DEV CO INC        | 96-0011574     | Unavailable |
|            | CONV | PRIOR OWNER                   | TOUR 18 INV LTD               | 94-0040758     | Unavailable |



Real Estate Sales

|                                                           |                |
|-----------------------------------------------------------|----------------|
| By Neighborhood: THE ESTATES AT TOUR 18 SEC 1,2,3 (NON GO | Sales within ▾ |
| By Abstract/Subdivision: SG0146A                          | Sales within ▾ |
| By City: FLOWER MOUND TOWN OF                             | Sales within ▾ |
| By School: ARGYLE ISD                                     | Sales within ▾ |



Sec. 78-86. - Special exceptions.

The board of adjustment shall have the power to hear and decide the following special exceptions to the terms of subpart B of this Code:

- (1) *Reconstruction of nonconforming building.* The board of adjustment shall be authorized to permit the reconstruction of a nonconforming building pursuant to section 78-231(e), nonconforming uses and structures, destruction.
- (2) *Expansion of nonconforming building.* The board shall be authorized to permit the addition of off-street parking or off-street loading to a nonconforming use pursuant to section 78-231(b), nonconforming uses and structures, expansion.
- (3) *Discontinuance of nonconforming use.* The board shall be authorized to require the discontinuance of nonconforming uses of land or structures under any plan whereby the full value of the structure and facilities can be amortized within a definite period of time, taking into consideration the general character of the neighborhood and the necessity of all property to conform to the regulations of subpart B of this Code. All actions to discontinue a nonconforming use of land or structure shall be taken with due regard to the property rights of the persons affected when considered in the light of the public welfare and the character of the area surrounding the designated nonconforming use and the conservation and preservation of the property.
- (4) *Status of nonconforming uses.* The board shall, from time to time, on its own motion or upon cause presented by interested property owners or on request of the town council or planning and zoning commission inquire into the existence, continuation or maintenance of any nonconforming use within the town.

(Code 1989, ch. 12, § 6.13)

## Sec. 78-231. - Nonconforming uses and structures.

- (a) *Nonconforming status.* The use of land, use of a structure, or a structure itself shall be deemed to have nonconforming status when each of the following conditions exist:
- (1) The use or structure that does not conform to the regulations prescribed in the district in which such use or structure is located was in existence and lawfully constructed, located and operating prior to, and at the time of, the event or action that made such use or structure nonconforming.
  - (2) The event or action that made such use or structure nonconforming was one of the following: annexation into the town, adoption of subpart B of this Code or a previous zoning ordinance, or amendment of subpart B of this Code or a previous zoning ordinance.
  - (3) The nonconforming use has been operating since the time that the use first became nonconforming without abandonment, as abandonment is defined in subsection (d) of this section.
- (b) *Expansion.*
- (1) No nonconforming use may be expanded or increased beyond the lot or tract upon which such nonconforming use is located as of the effective date of subpart B of this Code, except to provide off-street loading or off-street parking space upon approval of the board of adjustment.
  - (2) No structure, occupied by a nonconforming use shall be altered so as to increase the gross floor area.
  - (3) No nonconforming structure shall be altered or expanded so as to increase the degree of nonconformity.
- (c) *Change of use.*
- (1) Any nonconforming use may be changed to a conforming use, and once such change is made, the use shall not thereafter be changed back to a nonconforming use.
  - (2) Where a conforming use is located in a nonconforming structure, the use may be changed to another conforming use by securing a certificate of occupancy.
- (d) *Abandonment.* Whenever a nonconforming use is abandoned, all nonconforming rights shall cease, and the use of the premises shall henceforth be in conformance to subpart B of this Code. Abandonment shall involve the intent of the user or

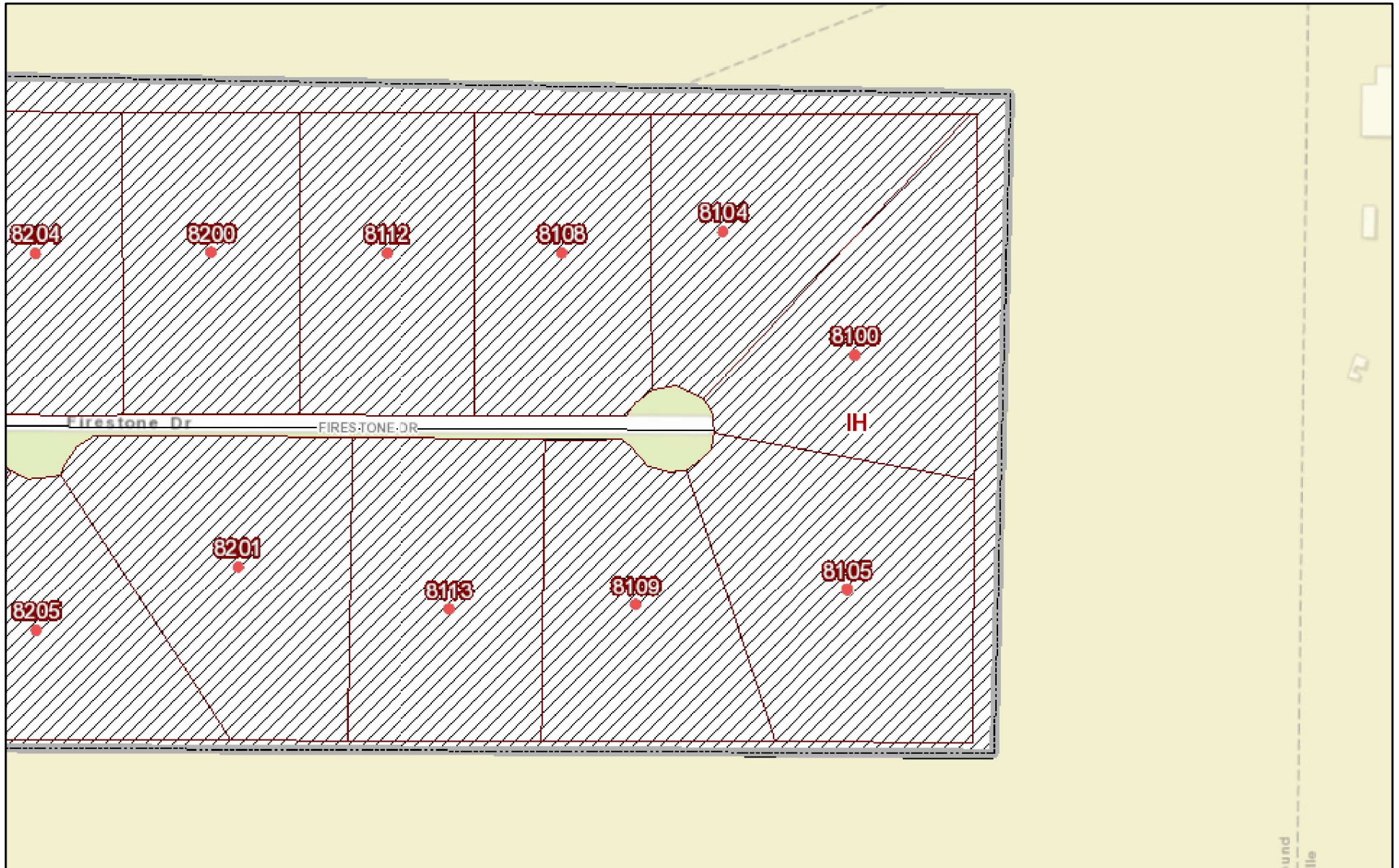
owner to discontinue a nonconforming operation and the actual act of discontinuance. Any nonconforming use that is discontinued, or that remains vacant for a period of six months, shall be considered to have been abandoned. Any nonconforming use that is moved from the premises shall be considered to have been abandoned.

- (e) *Destruction.* If a nonconforming structure is destroyed by fire, the elements or other cause, it may not be rebuilt except to conform to the provisions of subpart B of this Code. In the case of partial destruction, where the cost of repairing or replacing the structure does not exceed 60 percent of its most recent appraised property tax value, reconstruction may be permitted after a hearing and favorable action by the board of adjustment, provided that the repaired or new structure shall not exceed the original structure in lot coverage, gross floor area or height and shall not increase the degree of any nonconformity.

(Code 1989, ch. 12, § 1.05(a))

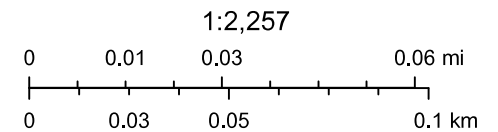
# ZONING MAP

ATTACHMENT 6



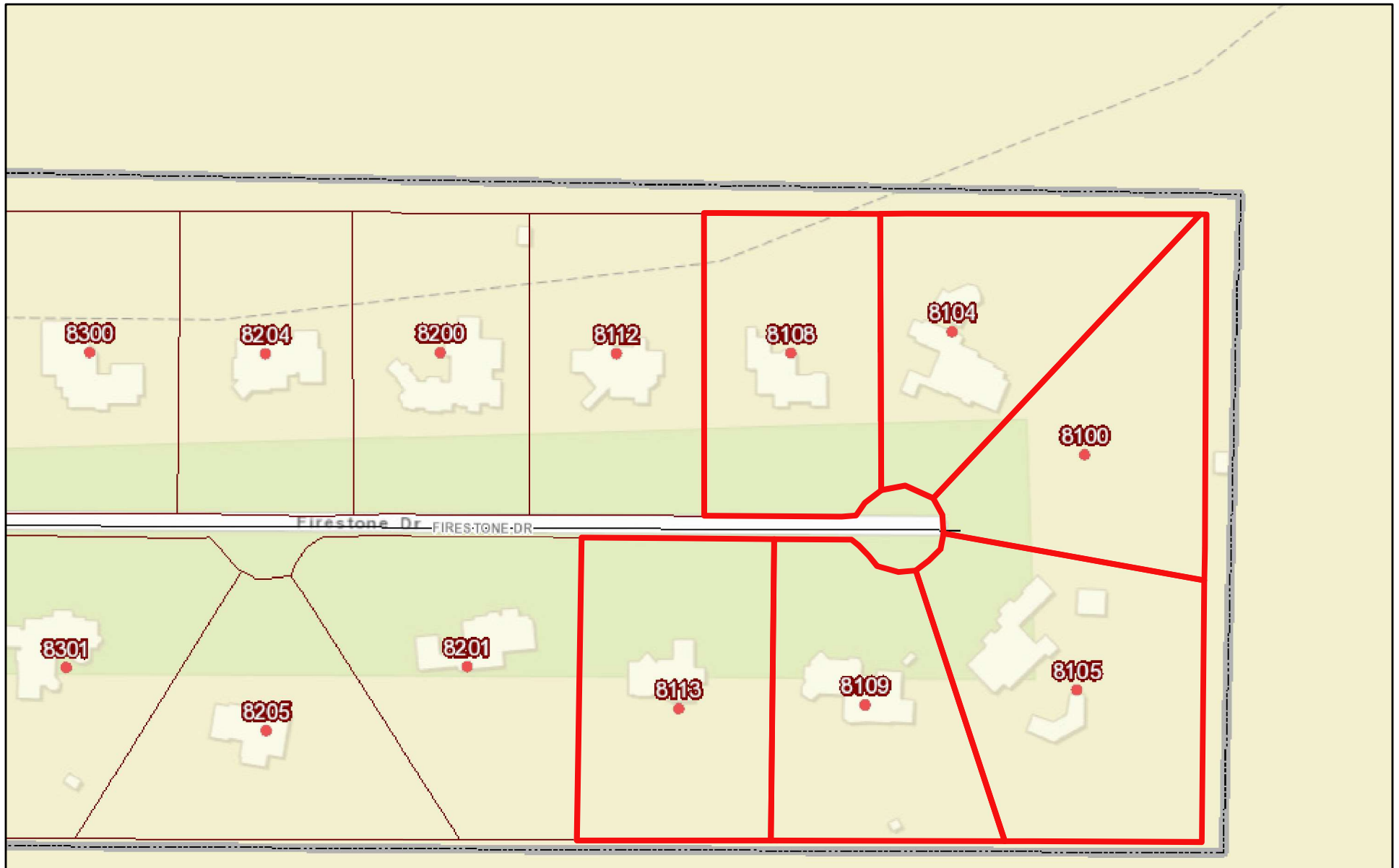
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- |             |                   |                 |                             |                                 |
|-------------|-------------------|-----------------|-----------------------------|---------------------------------|
| Parcel 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



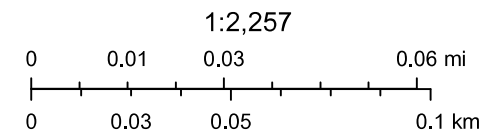
Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan,

## 200' PROPERTY OWNER NOTICE MAP



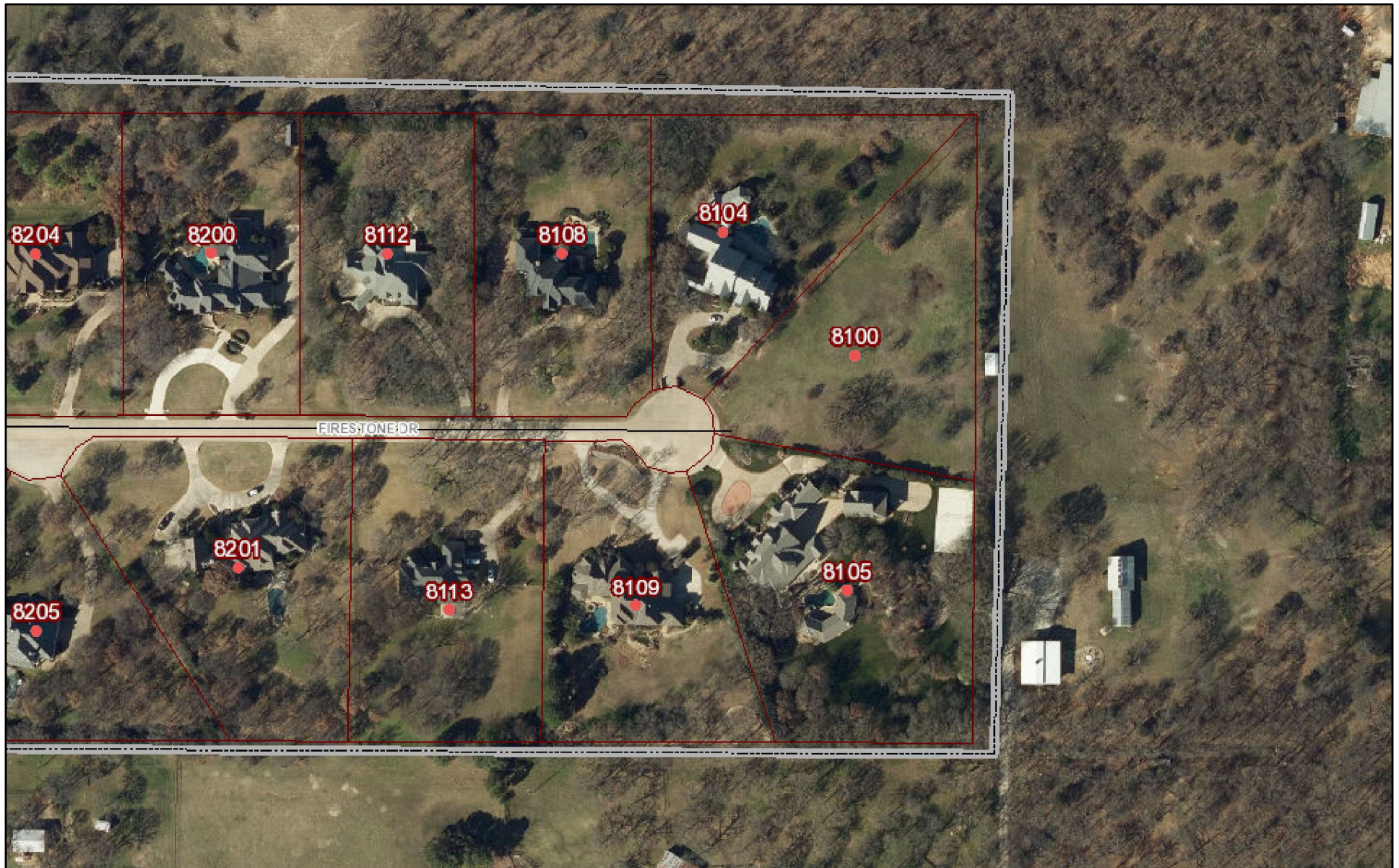
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- Buffer (Step 2) \_Query result
- Town Limits
- Alternate Address
- Streams
- Parcel
- Address Points
- Key Lot
- Streets
- County Line
- Primary Address
- Park Location
- Unknown



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan,

## AERIAL PHOTOGRAPH



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2019 AERIAL PHOTOGRAPHY

Red: Band\_1

Green: Band\_2

Blue: Band\_3

Parcel

County Line

Town Limits

Address Points

Primary Address

Alternate Address

Key Lot

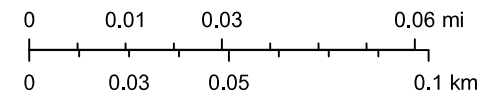
Park Location

Streams

Streets

Unknown

1:2,257



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan,

**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, August 12, 2020, at 6:30 p.m. The meeting will be held at the Flower Mound Town Hall, 2121 Cross Timbers Road, or via Virtual Meeting (Video Conference). If the meeting is held via video conference, login and public access details will be made available on the first page of the meeting agenda posted to the Town's Agenda Center page at <https://www.flower-mound.com/agendacenter>. The purpose of the hearing is to consider a request from John Brock for a special exception in accordance with Section 78-86, "Special Exceptions," of the Code of Ordinances. The property is generally located north of Cross Timbers Road and west of Red Rock Lane and is locally known as 8105 Firestone Drive, Lot 7, Block 6, of The Estates at Tour 18 Section 3 subdivision.

Kim Barnes  
Plans Examiner  
Town of Flower Mound

To Run in Denton Record Chronicle: Friday, July 31, 2020  
To Run in Lewisville/Flower Mound/Highland Village Neighbors: Friday, July 31, 2020

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

ANY QUESTIONS OR PROBLEMS PLEASE CALL Kim Barnes at 972-874-6357.

(Ref: Case No. BOA20-0004)

Town of Flower Mound Account Number: 100041132



July 28, 2020

Board of Adjustment Case No. BOA20-0004

**NOTICE OF APPLICATION  
FOR A SPECIAL EXCEPTION TO THE CODE OF ORDINANCES  
FOR THE TOWN OF FLOWER MOUND, TEXAS**

A request has been made from John Brock for a special exception in accordance with Section 78-86, "Special Exceptions," of the Code of Ordinances. The property is generally located north of Cross Timbers Road and west of Red Rock Lane and is locally known as 8105 Firestone Drive, Lot 7, Block 6, of The Estates at Tour 18 Section 3 subdivision.

The Board of Adjustment of the Town of Flower Mound, Texas will hold a public hearing on this request on **Wednesday, August 12, 2020, at 6:30 p.m. The meeting will be held at the Flower Mound Town Hall, 2121 Cross Timbers Road, or via Virtual Meeting (Video Conference). If the meeting is held via video conference, login and public access details will be made available on the first page of the meeting agenda posted to the Town's Agenda Center page at <https://www.flower-mound.com/agendacenter>.** 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 by mail to the address listed below to my attention or in person to the office of Development Services.

Sincerely,

Kim Barnes  
Plans Examiner

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

| PID     | Owner Name                                        | Owner Address                | Owner City   | Owner State | Owner Zip | Site Address   |
|---------|---------------------------------------------------|------------------------------|--------------|-------------|-----------|----------------|
| R176124 | ROJAS, GEORGE                                     | 8113 FIRESTONE DR            | FLOWER MOUND | TX          | 75022     | 8113 FIRESTONE |
| R176125 | FRANCIS, TROY S & ALYSSA L REVOCABLE LIVING TRUST | 8109 FIRESTONE DR            | FLOWER MOUND | TX          | 75022     | 8109 FIRESTONE |
| R176126 | BROCK, JOHNATHAN & HEATHER                        | 8105 FIRESTONE DR            | FLOWER MOUND | TX          | 75022     | 8105 FIRESTONE |
| R176127 | FERGUSON, SCOTT & ROSE                            | 2808 COUNTRYSIDE TRL         | KELLER       | TX          | 76248     | 8100 FIRESTONE |
| R176128 | LINDSEY, ROBERT E                                 | 8104 FIRESTONE DR            | FLOWER MOUND | TX          | 75022     | 8104 FIRESTONE |
| R176129 | ROBERTS, REESE                                    | 8108 FIRESTONE DR            | FLOWER MOUND | TX          | 75022     | 8108 FIRESTONE |
|         | THE ESTATES AT TOUR 18 HOA,                       |                              |              |             |           |                |
|         | C/O NIKKI SHEPPARD, SBB MANAGEMENT COMPANY        | 1670 KELLER PARKWAY, STE 170 | KELLER       | TX          | 76248     |                |



## BOARD OF ADJUSTMENT AGENDA ITEM NO. 3

### REGULAR ITEM

---

**DATE:** August 12, 2020  
**FROM:** Christa Crowe, Property Standards Specialist

**PRESENTERS:**

**APPLICANT:** Ronnie Chesney  
**STAFF:** Christa Crowe, Property Standards Specialist

**ITEM:** (BOA20-0004) Hold a public hearing and consider a request from Ronnie Chesney for a variance from Section 98-1026 (b), "Minimum Front Yard Setback" and Section 98-1027 (b), "Minimum Side Yard Setback," of the Code of Ordinances. The property is generally located south of Apache Trl. and west of Mohawk Dr. and is locally known as 3925 Pocahontas Dr., Lot 6, of the Roanoke Hills Addition Subdivision.

---

#### **BACKGROUND INFORMATION:**

**APPLICANT:** Ronnie Chesney  
3925 Pocahontas Drive  
Flower Mound, TX 75022

#### **LOCATION:**

**PROPERTY ADDRESS:** 3925 Pocahontas Drive  
Flower Mound, TX 75022

**SUBDIVISION:** Lot 6  
Roanoke Hills Addition

**ZONING:** SF10 (Single Family 10-SF3 Obsolete)

#### **STAFF ANALYSIS:**

A request has been received from Ronnie Chesney for a variance from Section 98-1026 (b), "Minimum Front Yard Setback" and Section 98-1027 (b), "Minimum Side Yard Setback," of the Code of Ordinances.

- The request is to allow a elevated deck to encroach into the minimum front yard and minimum side yard setbacks.
- The request could not be approved because the elevated deck:
  1. Exceeds a height of 30 inches above the average grade of the yard
  2. Is located less than 25 feet from the front property line and
  3. Is less than 10 feet from the side property line.

Section 98-1026(b) states "Every part of a required front yard shall be open and unobstructed, except for the ordinary projections of window sills, belt courses, cornices and other architectural features of

the main building, projecting no more than 12 inches into the required front yard. Roof eaves and roof extensions of the main building or a porch without posts or columns may project into the required front yard for a distance of no more than two feet, and subsurface structures, platforms or slabs may project into the front yard to a height no greater than 30 inches above the average grade of the yard.”

Section 98-1027(b) states “Every put of a required side yard shall be open and unobstructed, except for accessory buildings as permitted in subsection (c) of this section and the ordinary projections of window sills, belt courses, cornices and other architectural features of the main building projecting no more than 12 inches into the required side yard. Roof eaves of the main building shall project no more than two feet into the required side yard.”

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:**

- Attachment 1: Application
- Attachment 2: Information from applicant
- Attachment 3: Section 98-1026
- Attachment 4: Section 98-1027
- Attachment 5: Denton County Property Information
- Attachment 6: Zoning Map
- Attachment 7: 200’ property owner notice map
- Attachment 8: Aerial photograph of property
- Attachment 9: Published public hearing notice
- Attachment 10: Property owner notification
- Attachment 11: List of property owners within 200’

**ZONING BOARD OF ADJUSTMENT  
TOWN OF FLOWER MOUND**

ATTACHMENT 1

DATE: Friday March 13, 2020

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: 3925 Pocahontas Flower Mound TX, 75022

Legal Description: Lot/Tract \_\_\_\_\_, Block \_\_\_\_\_, of Subdivision/Abstract \_\_\_\_\_

**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.)

Variance from front and side set-backs

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

Ronnie Leon Chesley

Print Name

Ronnie Leon Chesley

Mailing Address

3925 Pocahontas Flower Mound

(817) 617-9900

Telephone (Home)

Telephone (Day Number)

Staff Member's Signature

Keith M. Youngstrom

Date

03/13/20

Receipt Number

017033

BOARD OF ADJUSTMENT DECISION:

( ) DENIED

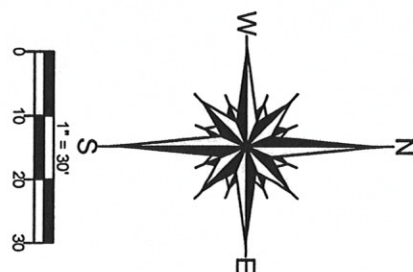
( ) GRANTED

TERMS AND/OR CONDITIONS:

BOARD OF ADJUSTMENT CHAIRMAN:

DATE:

Filed with office of the Secretary this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.



LOT 2R  
CAB. W, PG. 180

LOT 5

1/2" FIR  
(CM)

LOT 6  
BLOCK A

LOT 7

~~0 1/2" FIR~~

1/2" FIR  
O (CM)

POCAHONTAS STREET  
ASPHALT

Certified to Ronnie L  
This survey correctly  
made under my direct  
complies with the cur  
Standards and Speci  
are no apparent enc  
hereon.

**TO ALL PARTIES CONCERNED**  
I have this date direct of the property located at Mound, Denton County, Texas in addition to the Town of Denton County, Texas the Plat thereof recorded in the Public Records of Denton County, Texas.



**KVA**  
SURVEY

## Sec. 98-1026. - Minimum front yard setback.

- (a) *Generally.* The location of buildings shall comply with the minimum front yard setback standards contained in the district regulations and summarized in the residential and nonresidential dimensional regulations schedules, as may be modified by additional provisions in the district regulations, in this section or elsewhere in this chapter.
- (b) *Permitted obstructions.* Every part of a required front yard shall be open and unobstructed, except for the ordinary projections of window sills, belt courses, cornices and other architectural features of the main building, projecting no more than 12 inches into the required front yard. Roof eaves and roof extensions of the main building or a porch without posts or columns may project into the required front yard for a distance of no more than two feet, and subsurface structures, platforms or slabs may project into the front yard to a height no greater than 30 inches above the average grade of the yard.
- (c) *Corner lots.* For lots with frontage on two intersecting streets, a front yard shall be provided along the shorter of the two street lines; provided, however, that, on key lots in residential districts platted after January 9, 1975, both street exposures shall be treated as front yards.
- (d) *Through lots.* Where lots have double frontage, frontage on two parallel or approximately parallel streets, a required front yard shall be provided on both streets, unless a building line for accessory buildings has been established along one frontage on the plat or by the ordinance establishing a planned development district, in which event only one required front yard shall be observed.
- (e) *Plat building lines.* Where a building line has been established by a plat approved by the town or by an ordinance establishing a planned development district, and such line requires a greater or lesser front yard setback than is prescribed by this chapter for the district in which the building line is located, the required front yard shall comply with the building line so established by such ordinance or plat, provided that no such front yard setback shall be less than ten feet.
- (f) *Special regulations for residential districts.* In all residential zoning districts, including agricultural, the following building setbacks from street lines shall be required:
  - (1) On minor arterials, a minimum 35 foot front yard setback shall be required.
  - (2) On major arterials, the minimum front yard setback shall be 60 feet.
  - (3) Notwithstanding the foregoing, during the platting process, the town council may authorize exception to these special front yard requirements in instances where there exists right-of-way widths in excess of 150 feet, irregular or jogged right-of-way lines, or other such special circumstances.
- (g) *Special regulations for nonresidential districts.* In the nonresidential districts, the following building setbacks from street lines shall be required:
  - (1) On major arterials, a minimum 60-foot front yard shall be required.
  - (2) On all other streets and roads, one of the following shall be provided, except that a combination of the two setback options may be allowed if approved by the planning and zoning commission on a site plan:
    - a. A minimum 30-foot front yard with no parking allowed in the minimum front yard; or
    - b. A 60-foot front yard.
- (h) *Gas pump islands.* Motor vehicle fuel dispenser islands, including any roof or canopy over such islands, may not be located closer than 25 feet to the front property line.
- (i) *Accessory buildings.* No accessory building shall be located within the required front yard in any district.

(Code 1989, ch. 12, § 3.06(f))

Sec. 98-1027. - Minimum side yard setback.

- (a) *Generally.* The location of buildings shall comply with the minimum side yard setback standards contained in the district regulations and summarized in the residential and nonresidential dimensional regulations schedules, as may be modified by additional provisions in the district regulations, in this section or elsewhere in this chapter.
- (b) *Permitted obstructions.* Every put of a required side yard shall be open and unobstructed, except for accessory buildings as permitted in subsection (c) of this section and the ordinary projections of window sills, belt courses, cornices and other architectural features of the main building projecting no more than 12 inches into the required side yard. Roof eaves of the main building shall project no more than two feet into the required side yard.
- (c) *Accessory buildings.* Detached accessory buildings may be located within a required side yard, subject to section 98-1032, accessory buildings.
- (d) *Garage or carport.* Where a garage or carport is designed and constructed to be entered from a side street, such garage or carport shall be set back from the side street a minimum distance of 20 feet from the right-of-way line and shall not encroach over a sidewalk so as not to interfere with the use of the street by other vehicles or persons.
- (e) *Special regulations for residential districts.* In all residential zoning districts, including agricultural, the following building setbacks from street lines shall be required:
  - (1) On minor arterials, a minimum 35-foot side yard setback.
  - (2) On major arterials, a minimum 60-foot side yard setback.
  - (3) Notwithstanding the foregoing, during the platting process, the town council may authorize exceptions to these special side yard requirements in instances where there exists irregular or jogged right-of-way lines, or other such special circumstances.

(Code 1989, ch. 12, § 3.06(g))

## Property Details for Account: 69082

### General

|                             |                                                                    |
|-----------------------------|--------------------------------------------------------------------|
| <b>Market Value</b>         | \$110,756.00                                                       |
| <b>Address</b>              | 3925 POCAHONTAS TX                                                 |
| <b>Owner</b>                | CHESNEY, RONNIE L & MARY BETH B—100%                               |
| <b>Mailing Address</b>      | 3925 POCAHONTAS FLOWER MOUND TX 75022-7029                         |
| <b>Property Type</b>        | Real Property                                                      |
| <b>Area</b>                 | 1626ft²                                                            |
| <b>Class</b>                | 2                                                                  |
| <b>Legal Description</b>    | ROANOKE HILLS BLK A LOT 6                                          |
| <b>Geo ID</b>               | SJ0034A-00000A-0000-0006-0000                                      |
| <b>Subdivision</b>          | ROANOKE HILLS—SJ0034A                                              |
| <b>Neighborhood</b>         | ROANOKE HILLS—DC07263                                              |
| <b>Homestead Cap</b>        | \$0.00                                                             |
| <b>Taxing Jurisdictions</b> | FLOWER MOUND TOWN OF—C07<br>DENTON COUNTY—G01<br>NORTHWEST ISD—S11 |

### Values

|                            |              |
|----------------------------|--------------|
| <b>Imp. Total</b>          | \$61,006.00  |
| <b>Land Homesite</b>       | \$49,750.00  |
| <b>Land Non-Homesite</b>   | \$0.00       |
| <b>Agricultural Market</b> | \$0.00       |
| <b>Timber Market</b>       | \$0.00       |
| <b>Timber Reduction</b>    | \$0.00       |
| <b>Homestead Cap</b>       | \$0.00       |
| <b>Appraised Value</b>     | \$110,756.00 |
| <b>Assessed Value</b>      | \$110,756.00 |

### Subdivision Stats

|                                           |              |
|-------------------------------------------|--------------|
| ROANOKE HILLS                             |              |
| <b>Minimum Market</b>                     | \$45,760.00  |
| <b>Median Market</b>                      | \$141,448.00 |
| <b>Maximum Market</b>                     | \$740,707.00 |
| <b>Median Living Area</b>                 | 1378ft²      |
| <b>Difference from Median Market</b>      | -24.34%      |
| <b>Difference from Median Living Area</b> | 16.51%       |

## Property Details for Account: 69082

### Deed History

| Date       | Type | Seller        | Buyer                           | Deed Number | Sale Price  |
|------------|------|---------------|---------------------------------|-------------|-------------|
| 2001-06-06 | WD   | CHESNEY, M.B. | CHESNEY, RONNIE L & MARY BETH B | 01-54429    | Unavailable |

### Improvements

| Class             | Description     | Square Feet         | Effective Year Built | Year Built | Value       |
|-------------------|-----------------|---------------------|----------------------|------------|-------------|
| 2                 | MAIN AREA       | 1178ft <sup>2</sup> | 1975                 | 1960       |             |
| 2                 | OPEN PORCH      | 90ft <sup>2</sup>   | 1975                 | 1960       |             |
| 2                 | ATTACHED GARAGE | 384ft <sup>2</sup>  | 1975                 | 1960       |             |
| 2                 | SECOND FLOOR    | 448ft <sup>2</sup>  | 1975                 | 1960       |             |
| 2                 | CARPORT         | 224ft <sup>2</sup>  | 1975                 | 1960       |             |
| 2                 | BALCONY         | 224ft <sup>2</sup>  | 1975                 | 1960       |             |
| Improvement Total |                 | 2548ft <sup>2</sup> |                      |            | \$61,006.00 |

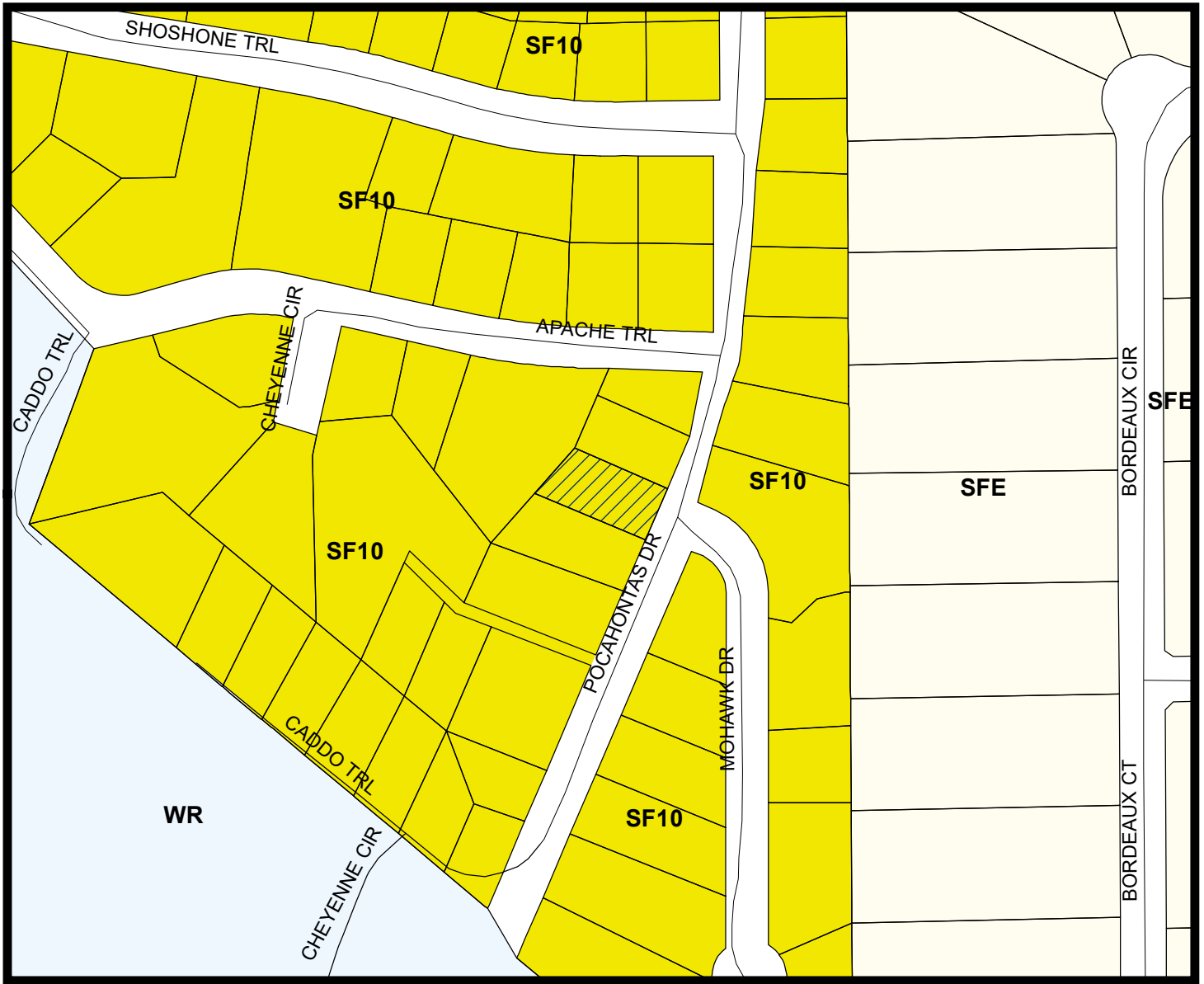
### Land Segments

| Type         | Acres  | Area                  |
|--------------|--------|-----------------------|
| 1 - HOMESITE | 0.2357 | 10269 ft <sup>2</sup> |



# Vicinity Map

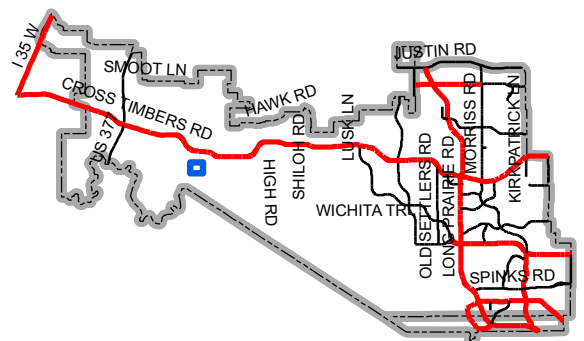
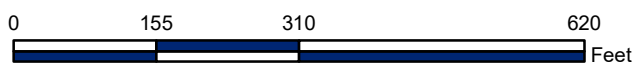
Reference Project: 3925 Pocahontas Drive



## LEGEND

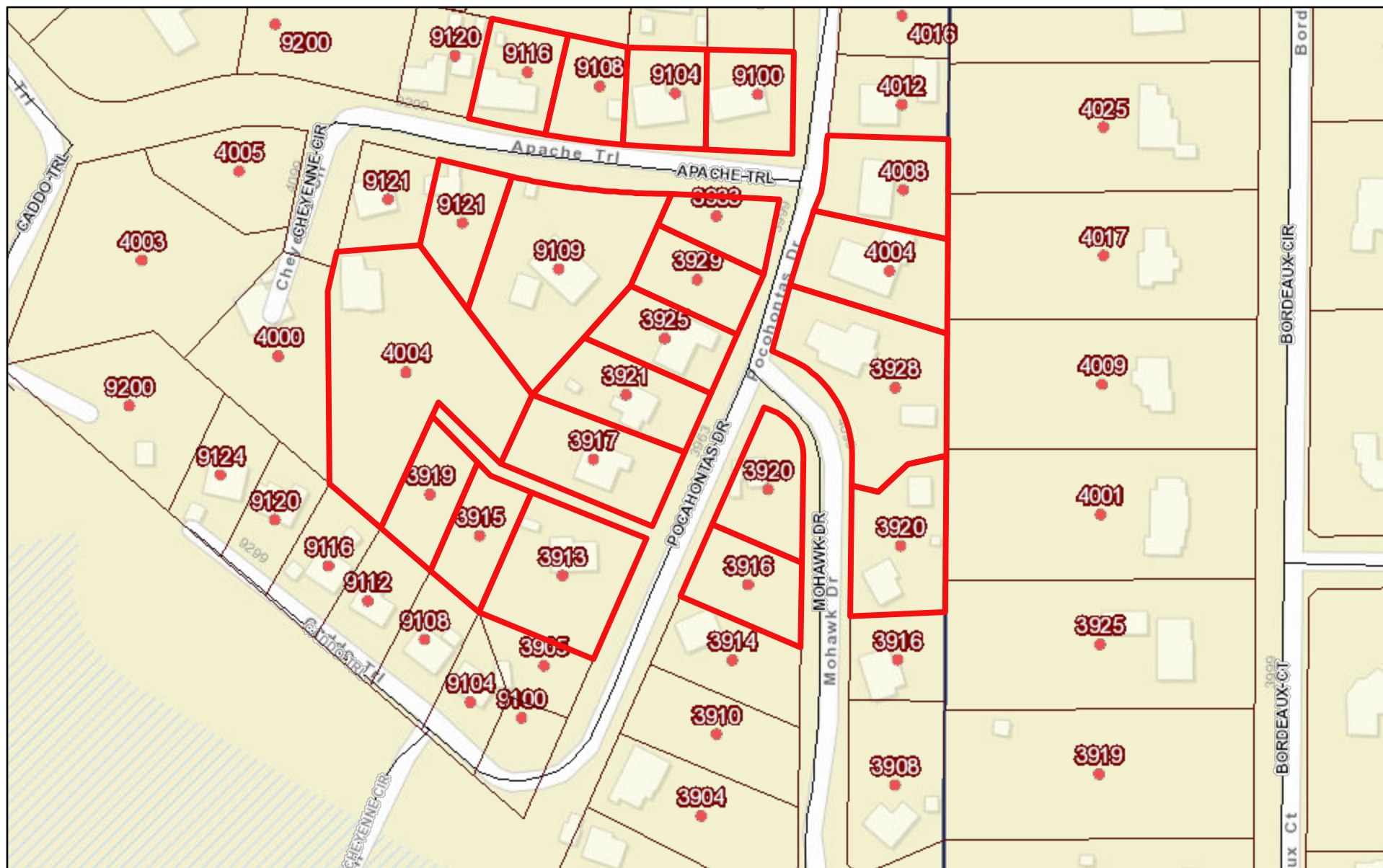
- Single Family 10
- Single Family Estate
- Water Recreation

— Subject Property



Map Location

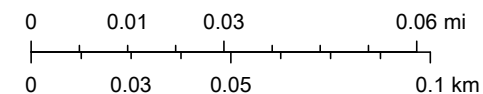
# 200' PROPERTY OWNER NOTICE MAP



7/24/2020 5:11:23 PM

 Buffer (Step 2) \_Query result   
  Town Limits   
  Alternate Address   
  Streams  
 Parcel   
 Address Points   
 Key Lot   
 Streets  
 County Line   
 Primary Address   
 Park Location   
 Unknown

1:2,257



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan,

## AERIAL PHOTOGRAPH



**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, August 12, 2020, at 6:30 pm. The meeting will be held at the Flower Mound Town Hall, 2121 Cross Timbers Road, or via Virtual Meeting (Video Conference). If the meeting is held via video conference, login and public access details will be made available on the first page of the meeting agenda posted to the Town's Agenda Center page at <https://www.flower-mound.com/agendacenter>. The purpose of the hearing is to consider a request from Ronnie Chesney for a variance from Section 98-1026 (b), "Minimum Front Yard Setback" and Section 98-1027 (b), "Minimum Side Yard Setback," of the Code of Ordinances. The property is generally located south of Apache Trl. and west of Mohawk Dr. and is locally known as 3925 Pocahontas Dr., Lot 6, of the Roanoke Hills Addition Subdivision.

Christa Crowe  
Property Standards Manager  
Town of Flower Mound

To Run in Denton Record Chronicle: Friday, July 31, 2020

Denton Record-Chronicle:

FAX: 1-940-381-9667

ATTN: Kaycee

Email: [classads@dentonrc.com](mailto:classads@dentonrc.com)

Any questions or issues, please contact:

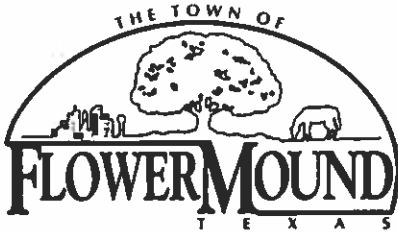
Christa Crowe

p: 972-874-6336

e: [Christa.crowe@flower-mound.com](mailto:Christa.crowe@flower-mound.com)

(Ref: Case No. BOA20-0020)

Town of Flower Mound Account Number: 100041133



## Board of Adjustment Case No. BOA20-0002

July 28, 2020

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

A request has been made from Ronnie Chesney for a variance from Section 98-1026 (b), "Minimum Front Yard Setback" and Section 98-1027 (b), "Minimum Side Yard Setback," of the Code of Ordinances. The property is generally located south of Apache Trl. and west of Mohawk Dr. and is locally known as 3925 Pocahontas Dr., Lot 6, of the Roanoke Hills Addition Subdivision.

The Board of Adjustment of the Town of Flower Mound, Texas will hold a public hearing on this request on **Wednesday, August 12, 2020, at 6:30 p.m. The meeting will be held at the Flower Mound Town Hall, 2121 Cross Timbers Road (FM 1171), or via Virtual Meeting (Video Conference).** If the meeting is held via video conference, login and public access details will be made available on the first page of the meeting agenda posted to the Town's Agenda Center page at <https://www.flower-mound.com/agendacenter>. 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 via email, or by dropping it off in person to the office of Environmental 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,

Christa Crowe 

Christa Crowe  
Property Standards Manager  
[christa.crowe@flower-mound.com](mailto:christa.crowe@flower-mound.com)  
972-874-6336

**Mailing Address:**  
Town of Flower Mound  
Environmental Services  
2121 Cross Timbers Road  
Flower Mound, TX 75028

| Parcel  | Parcel Address     | Owner Name                                            | Owner Address         | Owner City         | Owner State | Owner Zip |
|---------|--------------------|-------------------------------------------------------|-----------------------|--------------------|-------------|-----------|
| R100191 | 3920<br>POCAHONTAS | CAMP, CHAZ ALLEN                                      | 3920<br>POCAHONTAS    | FLOWER<br>MOUND    | TX          | 75022     |
| R163038 | POCAHONTAS         | BASANTKUMAR, JAYSHEEL J & SURJOVE, LAVINIA N          | 3908 ACAPULCO<br>ST   | IRVING             | TX          | 75062     |
| R207106 | 3920 MOHAWK        | SIEVERT, RODNEY L                                     | 21 ROBINS NEST<br>DR  | LAKE DALLAS        | TX          | 75065     |
| R279697 | 9109 APACHE        | HECKATHORN, CHASE & MEGAN                             | 9109 APACHE<br>TRL    | FLOWER<br>MOUND    | TX          | 75022     |
| R330536 | 3936 MOHAWK        | HARWELL, WESS & JERI ANN                              | 3936 MOHAWK           | FLOWER<br>MOUND    | TX          | 75022     |
| R69074  | 9121 APACHE        | SANDERS, N BRADLEY                                    | 9121 APACHE<br>TRL    | FLOWER<br>MOUND    | TX          | 75022     |
| R69082  | 3925<br>POCAHONTAS | CHESNEY, RONNIE L & MARY BETH B                       | 3925<br>POCAHONTAS    | FLOWER<br>MOUND    | TX          | 75022     |
| R69087  | 3921<br>POCAHONTAS | SALAS, EDGAR                                          | 3921<br>POCAHONTAS    | FLOWER<br>MOUND    | TX          | 75022     |
| R69092  | 3917<br>POCAHONTAS | CARPENTER, J C                                        | 3917<br>POCAHONTAS    | FLOWER<br>MOUND    | TX          | 75022     |
| R69096  | 3913<br>POCAHONTAS | TILBURY, MIKE & JENNY                                 | 200 VIA DE LUNA<br>DR | PENSACOLA<br>BEACH | FL          | 32561     |
| R69116  | 4004 CHEYENNE      | LUX, KAREN                                            | 609 PICKARD DR        | CEDAR HILL         | TX          | 75104     |
| R69181  | 4008<br>POCAHONTAS | WHITT, CHARLES B & HANDAN                             | 4008<br>POCAHONTAS    | FLOWER<br>MOUND    | TX          | 75022     |
| R69185  | 4004<br>POCAHONTAS | BRIDWELL, ERNEST FRANKLIN III & THORN,<br>ANGELA SHAE | 4004<br>POCAHONTAS    | FLOWER<br>MOUND    | TX          | 75022     |
| R69303  | 9100 APACHE        | VANDEVOIR, EUGENE J JR & TAMMY                        | 9100 APACHE<br>TRL    | FLOWER<br>MOUND    | TX          | 75022     |
| R69309  | 9104 APACHE        | DICKEY, DANIEL W & BEVERLY S                          | 9104 APACHE<br>TRL    | FLOWER<br>MOUND    | TX          | 75022     |
| R69319  | 9116 APACHE        | GINDER, KARL                                          | 9116 APACHE<br>TRL    | FLOWER<br>MOUND    | TX          | 75022     |

|         |                 |                                              |                    |                 |    |       |
|---------|-----------------|----------------------------------------------|--------------------|-----------------|----|-------|
| R163039 | POCAHONTAS      | BASANTKUMAR, JAYSHEEL J & SURJOVE, LAVINIA N | 3908 ACAPULCO ST   | IRVING          | TX | 75062 |
| R69218  | POCAHONTAS      | CAMP, CHAZ ALLEN                             | 3920 POCAHONTAS    | FLOWER MOUND    | TX | 75022 |
| R69309  | 9104 APACHE     | DICKEY, DANIEL W & BEVERLY S                 | 9104 APACHE TRL    | FLOWER MOUND    | TX | 75022 |
| R69111  | POCAHONTAS      | TILBURY, MIKE & JENNY                        | 200 VIA DE LUNA DR | PENSACOLA BEACH | FL | 32561 |
| R69114  | 3919 POCAHONTAS | TILBURY, MIKE & JENNY                        | 200 VIA DE LUNA DR | PENSACOLA BEACH | FL | 32561 |