

AGENDA

TOWN OF FLOWER MOUND BOARD OF ADJUSTMENT

REGULAR MEETING

March 9, 2022

**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-FLOWER MOUND.CIVICPLUS.COM/AGENDACENTER](https://tx-flowermound.civicplus.com/agendacenter)

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 A member of the Board of Adjustment may request an item(s) be withdrawn from the Consent Agenda and moved to Regular Agenda for discussion by making such request prior to a motion and vote on the Consent Agenda.

Board of Adjustment Meeting Agenda

February 9, 2022

Page 2

1. Consider approval of minutes from the regular meeting of the Board of Adjustment held on February 9, 2022.

E. REGULAR ITEMS – PUBLIC HEARING

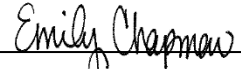
2. **(BOA21-0009)** Hold a public hearing and consider a request from Andre & Charise Champagne for a variance from Section 98-1032(b)(2)(b) and Section 98-1032(a)(2), "Accessory Buildings," of the Code of Ordinances. The property is generally located North of Cross Timbers Rd and West of Red Rock Ln and is locally known as 4433 Glen Oaks Dr, Lot 66, of MEP & PRR.

F. ADJOURNMENT- REGULAR SESSION


A handwritten signature in blue ink, appearing to read 'Joelle H.', is written over a horizontal line.

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: March 4, 2022, by 5:00 p.m., at least 72 hours prior to the schedule time of said meeting.


A handwritten signature in blue ink, appearing to read 'Emily Chapman', is written over a horizontal line.

Emily Chapman
Administrative Assistant



BOARD OF ADJUSTMENT AGENDA ITEM NO. 1

CONSENT ITEM

DATE: March 9, 2022

FROM: Emily Chapman, Administrative Assistant

ITEM: Consider approval of minutes from the regular meeting of the Board of Adjustment held on February 9, 2022.

BACKGROUND INFORMATION: This agenda item is to consider approval of the minutes from the February 9, 2022, 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 9, 2022, regular meeting of the Board of Adjustment.

RECOMMENDATION: Move to approve the minutes from the February 9, 2022, regular meeting of the Board of Adjustment.

THE FLOWER MOUND BOARD OF ADJUSTMENT MEETING HELD ON THE 9TH DAY OF FEBRUARY 2022, 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:

Gregory Schultz	Chair
Ryan Geddie	Vice Chair
Greg Jones	Board Member, Place 3
Sky Jay Schoggins	Board Member, Place 4
Craig Goodhart	Board Member, Place 5
Chuck Freeny	Board Member, Place 6
Thomas Stevenson	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 members absent

Len Chavez	Board Member, Place 7
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And the following members of Town staff present:

James Donovan	Town Attorney
Helena Lynch	Administrative Assistant
Joelle Hainley	Building Official
Christa Crowe	Property Standards Manager

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 8, 2021.

Board Member Jones made a motion to approve the December 8, 2021, minutes as presented. Board Member Schoggins seconded the motion.

VOTE ON THE MOTION

AYES: Jones, Geddie, Schultz, Schoggins, Goodhart
NAYS: None
ABSTAIN: None

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

E. PUBLIC HEARING

2. (BOA22-0001) Hold a public hearing and consider a request from David Wilkins for a variance from Section 98-1032 (a)(1), Accessory Buildings, Number; Area, of the Code of Ordinances. The property is generally located West of High Rd and East of Shady Trl and is locally known as 3443 Sunnyview Ln, Lot 24, Block E-1 of the Franklin Hills Subdivision.

Staff Presentation

Christa Crowe, Property Standards Manager gave the staff presentation with the following items included:

- Variance Request
- Section 98-1032(a)(1)
- Background
- Photo 1
- Phot 2
- Site Plan
- Site Plan
- Aerial
- Property Information
- Variance Request

Applicant Presentation

David Wilkins (3443 Sunnyview Ln, Flower Mound) answered questions and gave the presentation with the following items included:

- 3443 Sunnyview Ln Variance Request
- Site Plan
- Aerial Photograph of Property and Adjoining Neighbors
- Looking at Adjoining Neighbors
- Addressing the Four Conditions A & B
- View of Property Showing Elongated Shape of Lot
- Addressing the Four Conditions C & D
- Input from Surrounding Properties
- Written Approval

Comments

No Comments.

PUBLIC COMMENTS CLOSED- 6:52PM

Board Member Deliberation

Board Member Jones made a motion to deny the request from David Wilkins for a variance from Section 98-1032 (a)(1), Accessory Buildings, Number; Area, of the Code of Ordinances. The property is generally located West of High Rd and East of Shady Trail and is locally known as 3443 Sunnyview Ln, Lot 24, Block E-1 of the Franklin Hills Subdivision. Vice Chair Geddie seconded the motion.

VOTE ON THE MOTION

AYES: Geddie, Schultz, Goodhart
NAYS: Jones, Schoggins
ABSTAIN: None

The motion passed (to deny) with a vote of 3-2-0.

F. ADJOURNMENT – REGULAR SESSION – 7:03 PM.

TOWN OF FLOWER MOUND, TEXAS

GREGORY SCHULTZ
CHAIR

ATTEST:

HELENA LYNCH
ADMINISTRATIVE ASSISTANT



BOARD OF ADJUSTMENT MEETING AGENDA ITEM NO. 2

REGULAR ITEM

DATE: March 9, 2022
FROM: Tasha Coates, Plans Review Manager
THROUGH: Joelle Hainley, Chief Building Official
PRESENTER:
APPLICANT: Andre & Charise Champagne, Owner
STAFF: Tasha Coates, Plans Review Manager

ITEM: (BOA21-0009) Hold a public hearing and consider a request from Andre & Charise Champagne for a variance from Section 98-1032(b)(2)(b) and Section 98-1032(a)(2), "Accessory Buildings," of the Code of Ordinances. The property is generally located North of Cross Timbers Rd and West of Red Rock Ln and is locally known as 4433 Glen Oaks Dr, Lot 66, of MEP & PRR.

BACKGROUND INFORMATION:

APPLICANT: Andre & Charise Champagne
4433 Glen Oaks Dr
Flower Mound, TX 75022

LOCATION:

PROPERTY ADDRESS: 4433 Glen Oaks Dr
Flower Mound, TX 75022

SUBDIVISION: Lot 66
MEP & PRR

ZONING: A

STAFF ANALYSIS:

A request has been received from Andre & Charise Champagne for a variance from Section 98-1032(b)(2)(b) and Section 98-1032(a)(2), "Accessory Buildings" of the Code of Ordinances.

1. The first request is to allow 3 accessory buildings to be located closer to the front property line than the house.
 - The first accessory building (Building A - garage) is located 25.3' from the front property line, which is 211.3' closer to the front property line than the existing house and within the required 40' front yard.
 - The second accessory building (Building B – garage) is located 91.2' from the front property line, which is 145.4' closer to the front property line than the existing house.

- The third accessory building (Building C – barn) is located 52' from the front property line, which is 184.6' closer to the front property line than the existing house.

Section 98-1032(b)(1)(b) of the Town's Code of Ordinances states "*Front*. Accessory buildings shall not be located closer to the front property line than the primary building or the front yard setback requirement for that zoning district, whichever is greater."

A variance for these structures would allow them to remain located closer to the front property line than the primary structure.

2. The second request is to allow a barn to be located less than 50' from the property line.
 - The barn (Building C) is located 12.8' from the side property line, which is 37.2' less than required by the Town's Code of Ordinances.

Section 98-1032(a)(2) of the Town's Code of Ordinances states "*Barns, stables, and riding arenas*. In SF-E single-family estate and A agricultural zoning districts, barns and/or stables directly associated with the support of a bona fide agricultural use of the property and/or riding arenas, shall be limited in area to that allowed by the building code for their use and construction type, but in no case shall the combined floor area of the primary use and all accessory buildings exceed the maximum percentage of lot coverage allowed for in an A or SF-E zoning district. In SF-E and A zoning districts, barns, stable, and/or riding arenas shall be limited to a height of not more than 20 feet to the top of the roof. Such barns, stables, and/or riding arenas shall not be located within 50 feet of any property line."

A variance for this structure would allow it to remain located closer to the side property line than allowed per the Town's Code of Ordinances.

Summary:

Mr. & Mrs. Champagne are requesting a variance to allow the 3 existing accessory buildings (garages and barn) to be located at 25.3', 91.2' and 52' from the front property line which is 211.3', 145.4' and 184.6' closer to the front property line than the house and to allow a barn to be located at 12.8' from the side property line, which is 37.2' closer to the side property line than allowed per the Town's Code of Ordinances.

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 98-1032
- 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

DATE: 12/3/21

TOWN OF FLOWER MOUND

ATTACHMENT 1

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: 4433 Glen Oaks Drive Flower Mound, TX 75022Legal Description: Lot/Tract _____, Block _____, of Subdivision/Abstract No. 829

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.)

Please see attached

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

4433 Glen Oaks Dr. Flower Mound, TX 75022

Mailing Address

Telephone (Home)

Telephone (Day Number)

Nasha Coates12/3/2123075766

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 _____, _____

12-3-21

To: Town of Flower Mound
Board of Adjustment

From: Andre Champagne
4433 Glen Oaks Drive
Flower Mound, TX 75022

Re: Variance request for property at 4433 Glen Oaks Drive Flower Mound, 75022

Thank you in advance for the opportunity to meet with the committee and discuss the requests for this unique property. We previously met with the DRC committee in March of 2021 before purchasing the property to better understand what our options would be if we took action in purchasing the property. We have since had a follow up meeting, Nov. 30th, 2021, and we are now filing this request based on their recommendation to do so, allowing us to move forward with our building permit requests.

Details of the Variance request:

- a) Variance #1: One barn structure in the southwest corner of property sits closer than allowed proximity (50 feet) to property lines.
- b) Variance #2: it is our understanding that one of the barn structures must also be considered for exception in its relation to what could be considered the front yard of the property.
- c) Variance #3: the barn structures would also be considered to be in front of the main structure (the house).

We are seeking approval for these variances to be allowed, as was our understanding following the initial DRC meeting. We tried to do our due diligence before purchasing the property to understand any potential considerations needed to move forward on a new home. We left that initial meeting with the understanding that the only incidence where the variances would come into play was if we were to request the land be divided and replatted into 2 pieces of property. As such, we purchased the property and are not requesting the replatting and are keeping the property as is.

We are anxious to get started building our 3rd home in Flower Mound. We have been residents for 30 years, take great pride in our town, and love it here. We are looking forward to this new place being our forever home.

Thank you again for your consideration.



CHAMPAGNE HOUSE

FLOWER MOUND, TEXAS



GENERAL PROJECT NOTES

1. THESE DRAWINGS AND COPIES THEREOF ARE LEGAL INSTRUMENTS OF THE PROPERTY OWNER AND RISSEY DESIGN+DEVELOPMENT, AND ARE TO BE USED FOR THE CONSTRUCTION OF THIS PROJECT ON THE DESIGNATED PROPERTY ONLY.
2. EACH TRADE SHALL BE RESPONSIBLE FOR KNOWLEDGE OF RELATIVE INFORMATION CONTAINED IN THESE DOCUMENTS AND THE CONDITIONS UNDER WHICH HE/SHE WILL BE EXPECTED TO PERFORM.
3. THE GENERAL CONTRACTOR AND ALL SUBCONTRACTORS SHALL REVIEW AND THOROUGHLY EXAMINE THE PROJECT SITE, FIELD VERIFY ALL CONDITIONS, GRADES, ELEVATIONS AND DIMENSIONS OF THE VARIOUS FEATURES OF THE PROJECT SITE AND SHALL COMPARE THE DRAWINGS WITH THE EXISTING SITE CONDITIONS PRIOR TO BEGINNING WORK. ANY DISCREPANCIES SHALL BE REPORTED TO RISSEY DESIGN+DEVELOPMENT, IMMEDIATELY IN WRITING.
4. THE GENERAL CONTRACTOR AND ALL SUBCONTRACTORS SHALL REVIEW AND THOROUGHLY EXAMINE AND FAMILIARIZE THEMSELVES WITH ALL ELEMENTS AND CONDITIONS IN THE CONSTRUCTION DOCUMENTS AND SPECIFICATIONS. THE GENERAL CONTRACTOR SHALL AND ALL SUBCONTRACTORS SHALL VERIFY ALL DIMENSIONS ON THE DRAWINGS, ANY DISCREPANCIES AND/OR CONDITIONS NEEDING CLARIFICATION SHALL BE SUBMITTED TO RISSEY DESIGN+DEVELOPMENT BEFORE BEGINNING WORK.
5. ALL CONSTRUCTION, FABRICATION AND INSTALLATIONS SHALL CONFORM TO THE LATEST ADOPTED EDITIONS OF THE 2016 I.R.C., AND ANY FEDERAL, STATE, AND LOCAL CODES, REGULATIONS AND ORDINANCES OF THE GOVERNING AGENCY HAVING JURISDICTION OVER THE PROJECT. SUCH APPLICABLE CODES, ETC., ARE THOSE WHICH ARE IN EFFECT AT THE TIME THE PERMIT APPLICATION FOR THIS PROJECT IS RECORDED.
6. EACH SUBCONTRACTOR IS CONSIDERED A SPECIALIST IN HIS RESPECTIVE FIELD / TRADE AND SHALL (BEFORE SUBMISSION OF BID OR PERFORMANCE OF WORK), NOTIFY THE GENERAL CONTRACTOR AND RISSEY DESIGN+DEVELOPMENT - IN WRITING - OF ANY WORK CALLED OUT ON THE DRAWINGS OR IN THE SPECIFICATIONS WHICH CANNOT BE FULLY GUARANTEED OR CONSTRUCTED AS DESIGNED AND / OR DETAILED.
7. DUE TO REPROGRAPHIC PROCESSES, THESE PLANS MAY NOT BE ACCURATE TO SCALE. ALL DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALE SHOWN AND IN NO CASE SHALL WORKING DIMENSIONS BE SCALED FROM PLANS, SECTIONS, OR DETAILS.

LOT COVERAGE

LOT AREA = 5.5 ACRES (APPX)

AREAS

MAIN RESIDENCE:	4,512 SF
GARAGE:	920 SF
GUEST HOUSE:	1,292 SF

PROJECT DESCRIPTION

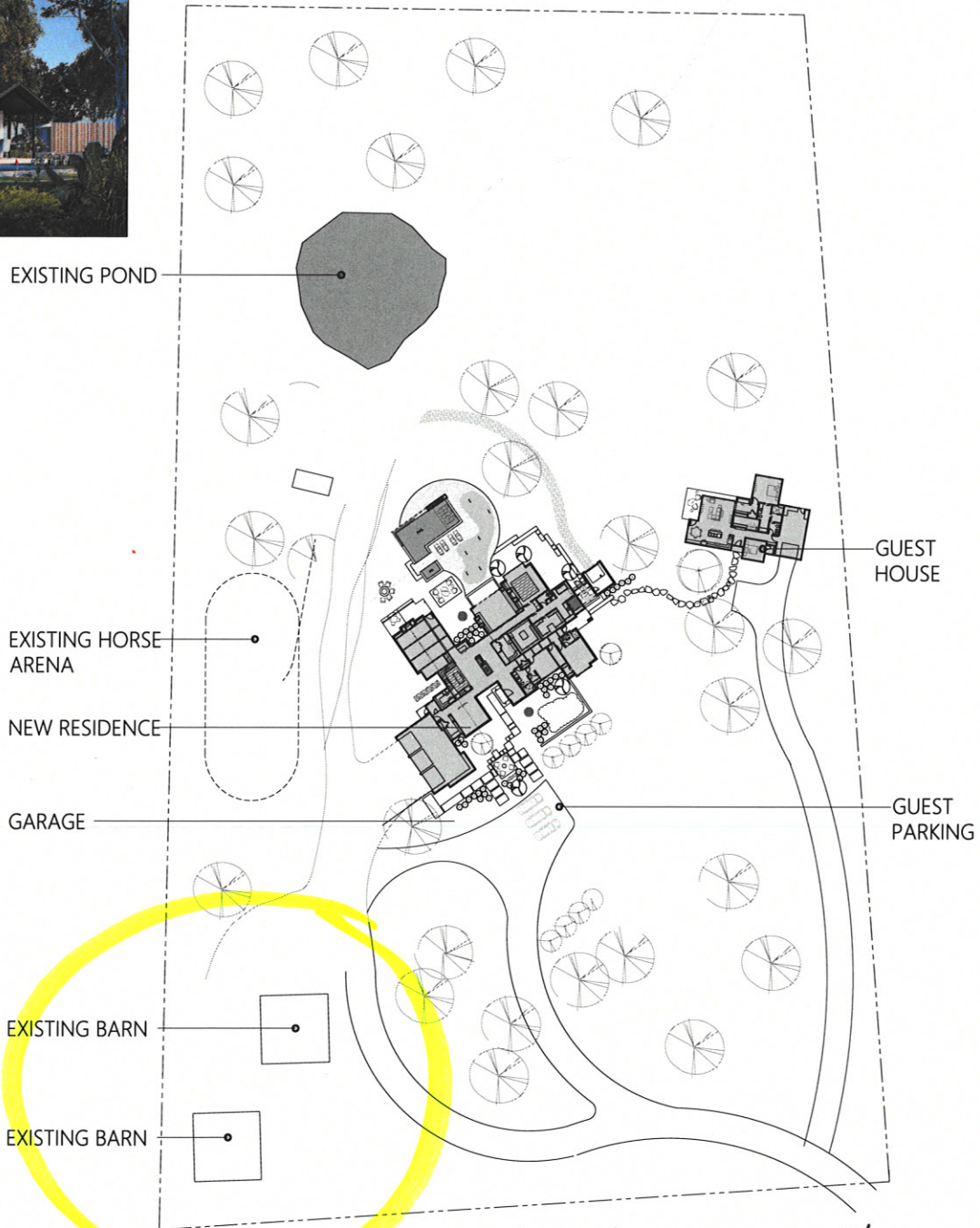
SINGLE FAMILY RESIDENCE

LEGAL DESCRIPTION

LOT X
BLOCK XX
X
CITY OF FLOWER MOUND
COLLIN COUNTY

SHEET LEGEND

COVER	OVERALL PROPERTY SITE PLAN / GENERAL NOTES
SITE	PROJECT AREA / RESIDENCE SITE PLAN
A2.0	FLOOR PLAN
A2.1	ROOF PLAN
A3.0	ENLARGED PLANS - INTERIOR ELEVATIONS
A3.1	ENLARGED PLANS - INTERIOR ELEVATIONS
A3.2	ENLARGED PLANS - INTERIOR ELEVATIONS
A3.3	ENLARGED PLANS - INTERIOR ELEVATIONS
A4.0	EXTERIOR ELEVATIONS
A4.1	EXTERIOR ELEVATIONS
A5.0	WINDOW SCHEDULE
AE2.0	ELECTRICAL PLAN - MAIN RESIDENCE
A9.0	GUEST HOUSE FLOOR PLAN / ROOF PLAN
A9.1	GUEST HOUSE ELEVATIONS



01
OVERALL PROPERTY SITE PLAN

Area of variance request

RISSEY DESIGN DEVELOPMENT
5007 DYER STREET
DALLAS, TX 75206
214.460.1636

PROJECT:
ANDRE + CHARISSE
CHAMPAGNE

FLOWER MOUND, TX

ISSUE:
DESIGN
DEVELOPMENT

ISSUE DATE:
11/25/2021

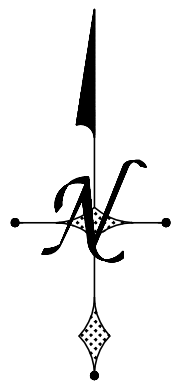
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PROPERTY PLAN /
GENERAL NOTES

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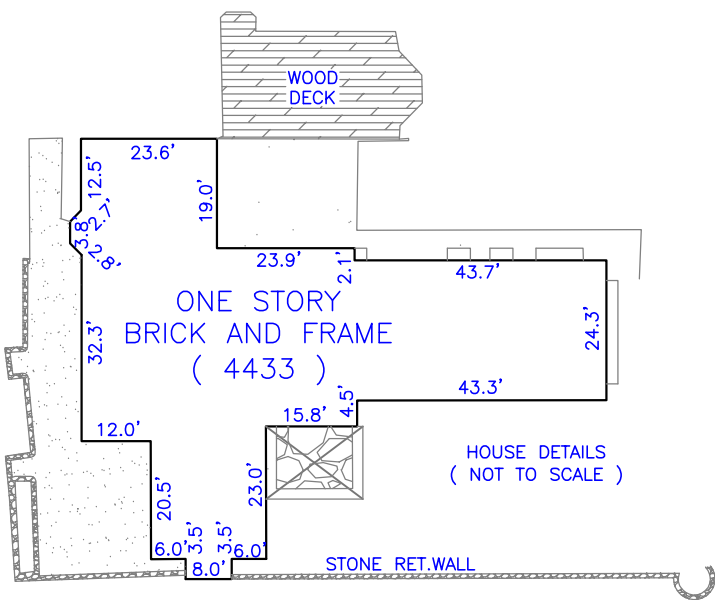
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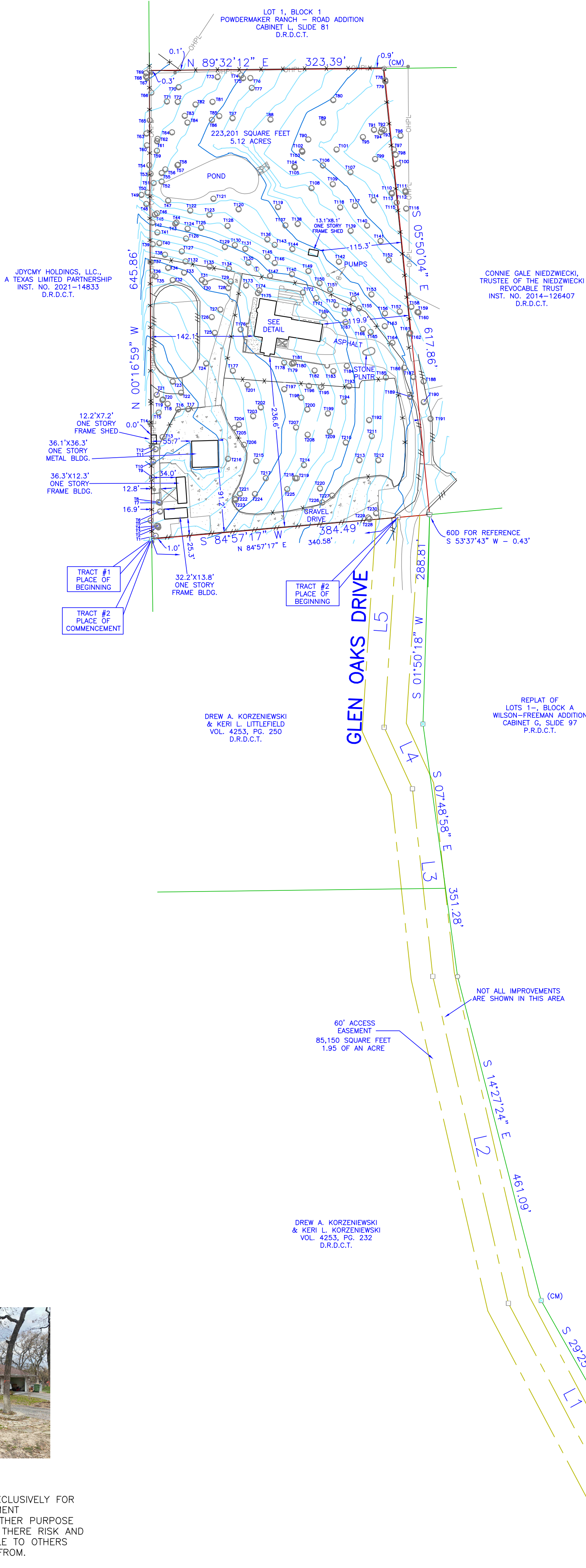
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THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR
RISSER DESIGN DEVELOPMENT
USE OF THIS SURVEY FOR ANY OTHER PURPOSE
OR OTHER PARTIES SHALL BE AT THERE RISK AND
UNDERSIGNED IS NOT RESPONSIBLE TO OTHERS
FOR ANY LOSS RESULTING THEREFROM.

TITLE AND ABSTRACTING WORK FURNISHED BY _____ N/A



ACCEPTED BY: _____

LEGEND	
WOOD FENCE	TEXT
CHAIN LINK	IMPROVEMENTS
IRON FENCE	BOUNDARY LINE
WIRE FENCE	EXISTING SETBACK
---	RESIDENCE
---	OVERHEAD POWER LINE
---	OVERHEAD SERVICE LINE
CM	CONTROLLING MONUMENT
MND	MONUMENT OF RECORD DIGNITY
1/2"	IRON ROD FOUND
3/8"	IRON ROD FOUND
5/8"	IRON ROD FOUND
POINT	POINT FOR CORNER
C	CABLE
GL	CLEAN OUT
G	GAS METER
F	FIRE HYDRANT
L	LIGHT POLE
M	MANHOLE
W	WATER VALVE
E	ELECTRIC
PE	POOL EQUIP
P	POWER POLE
T	TELEPHONE
W	WATER METER
W	WATER VALVE
(UNLESS OTHERWISE NOTED)	

TRACT #1

BEING all that certain lot, tract or parcel of land situated in the M.E.P & P.R.R. Co. Survey, Abstract No. 829, Denton County, Texas, being a tract of land described in deed to Andre R. Champagne, recorded in Instrument No. 2021-65911, Deed Records, Denton County, Texas (D.R.D.C.T.), and being more particularly described by the following metes and bounds description:

BEGINNING at a 3/8 inch iron rod found for corner in the East line of a tract of land described in deed to JDYCMY Holdings LLC., recorded under Instrument No. 2021-14833 (D.R.D.C.T.), at the Northwest corner of a tract of land described in deed to Drew A. Korzeniewski and Keri L. Littlefield, recorded in Volume 4253, Page 250 (D.R.D.C.T.), being the Southwest corner of said Champagne tract;

THENCE North 00 deg. 16 min. 59 sec. West, with the said East line a distance of 645.86 feet to a 1/2 inch iron rod found for corner at the Southwest corner of Lot 1, Block 1, Powdermaker Ranch-Road Addition, an addition to the City of Lewisville, Denton County, Texas, according to the Plat thereof recorded in Cabinet L, Slide 81, Plat Records, Denton County, Texas (P.R.D.C.T.);

THENCE North 89 deg. 32 min. 12 sec. East, with the South line of said Lot 1, a distance of 323.39 feet to a 5/8 inch iron rod found for corner at the Northwest corner of a tract of land described in deed to Connie Gale Niedzwiecki, Trustee of the Niedzwiecki Revocable Trust, recorded under Instrument No. 2014-126407 (D.R.D.C.T.);

THENCE South 05 deg. 50 min. 04 sec. East, a distance of 617.86 feet to a point for corner at the Northeast corner of said Korzeniewski/Littlefield tract, at the Southwest corner of said Connie Gale Niedzwiecki, Trustee of the Niedzwiecki Revocable Trust tract;

THENCE South 84 deg. 57 min. 17 sec. West, a distance of 384.49 feet to the PLACE OF BEGINNING and containing 223,201 square feet or 5.12 acres of land.

TRACT #2 (ACCESS EASEMENT)

BEING a 60 foot Access Easement situated in the M.E.P & P.R.R. Co. Survey, Abstract No. 829, Denton County, Texas, being known as Tract #2 described in deed to Andre R. Champagne, recorded in Instrument No. 2021-65911, Deed Records, Denton County, Texas (D.R.D.C.T.), being a part of a tract of land described in deed to Drew A. Korzeniewski and Keri L. Littlefield, recorded in Volume 4253, Page 250 (D.R.D.C.T.), being a part of a tract of land described in deed to Drew A. Korzeniewski and Keri L. Korzeniewski, recorded in Volume 4253, Page 232 (D.R.D.C.T.) and being more particularly described by the following Centerline description of said Access Easement:

COMMENCING at a 3/8 inch iron rod found for corner in the East line of a tract of land described in deed to JDYCMY Holdings LLC., recorded under Instrument No. 2021-14833 (D.R.D.C.T.), at the Northwest corner of said Korzeniewski tract (Vol. 4253, Pg. 250);

THENCE North 84 deg. 57 min. 17 sec. East, a distance of 340.58 feet to a point for corner being the PLACE OF BEGINNING;

THENCE South 03 deg. 45 min. 00 sec. West, a distance of 290.00 feet to a point for corner;

THENCE South 24 deg. 39 min. 56 sec. East, a distance of 93.25 feet to a point for corner;

THENCE South 06 deg. 11 min. 56 sec. East, a distance of 260.00 feet to a point for corner;

THENCE South 13 deg. 00 min. 56 sec. East, a distance of 462.49 feet to a point for corner;

THENCE South 27 deg. 53 min. 56 sec. East, a distance of 313.46 feet to a point for corner in the North line of Farm to Market 1171, being the end of said Access Easement and containing 85,904 square feet or 1.97 acres of land.

THIS CERTIFICATION DOES NOT
TAKE INTO CONSIDERATION
ADDITIONAL FACTS THAT AN
ACCURATE TITLE SEARCH AND OR
EXAMINATION MIGHT DISCLOSE.
CM'S SHOWN HEREON ARE BASIS
FOR DIRECTIONAL CONTROL.
BEARINGS ARE BASED ON NAD 83
DATUM, TEXAS STATE PLANE
COORDINATE SYSTEM, NORTH
CENTRAL ZONE

LINE TABLE		
LINE	LENGTH	BEARING
L1	313.46	S27°53'56"E
L2	462.49	S13°00'56"E
L3	260.00	S06°11'56"E
L4	93.25	S24°39'56"E
L5	290.00	S03°45'00"W

1529 E I-30, STE. 103
GARLAND, TEXAS 75043

FIRM REGISTRATION NO. 10194366

BARRY S. RHODES Registered Professional Land Surveyor (214) 326-1090
This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. 4433 GLEN OAKS DRIVE, in the City of LEWISVILLE, Texas

The plot hereon is true, correct, and accurate

Sec. 98-1032. - Accessory buildings.

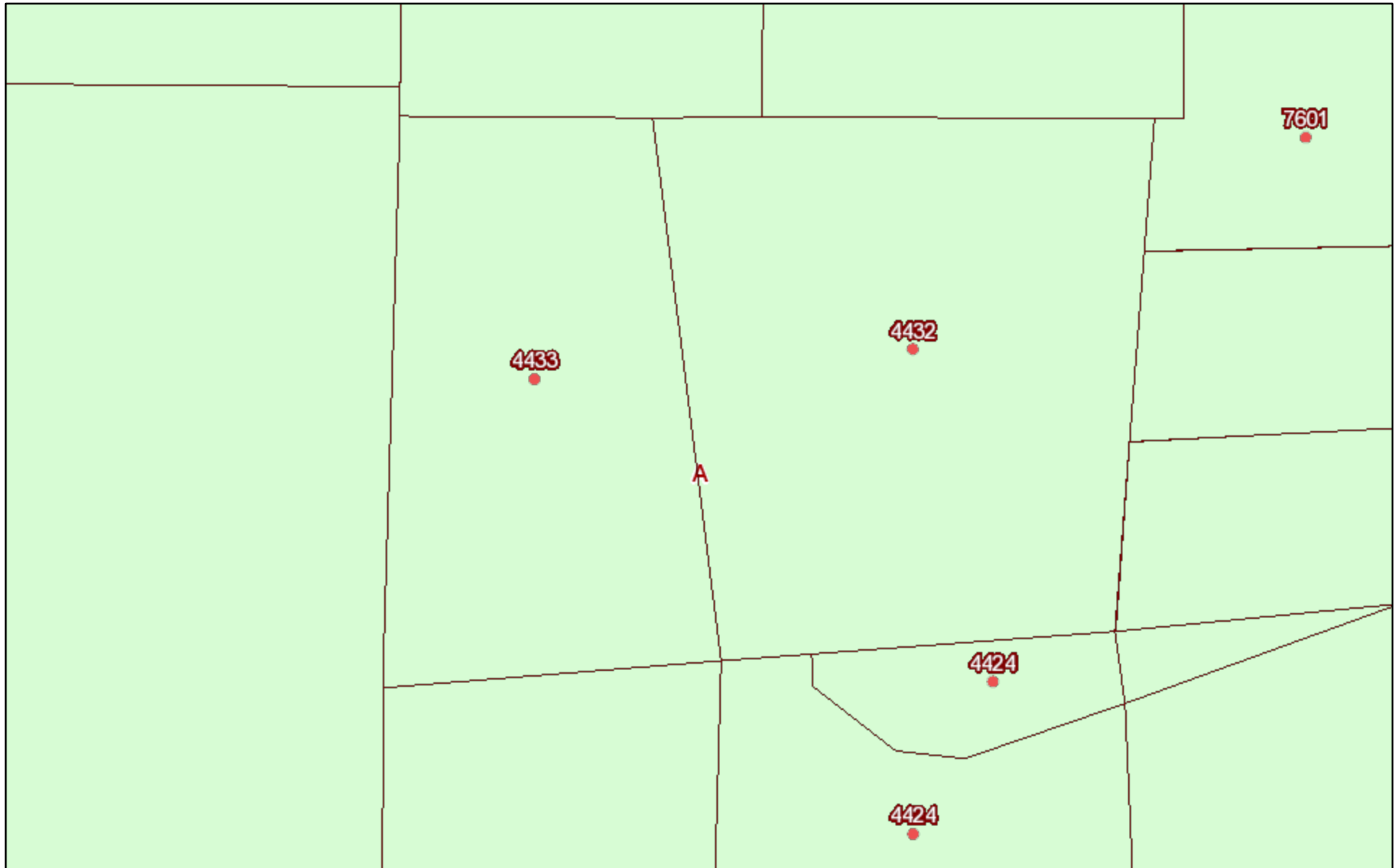
- (a) *Generally.* Attached accessory buildings shall conform to the regulations applicable to the main building to which they are attached.
- (1) *Number; area.* Except in A agricultural zoning districts, no more than two accessory buildings may be placed on any residential lot. The combined floor area of all accessory buildings shall not exceed 750 square feet or 25 percent of the floor area of the primary structure, whichever is less, except for SF-E single-family estate zoning districts, in which the combined floor area of all accessory buildings shall not exceed 1,500 square feet. In no case shall the combined area of the primary structure and accessory buildings exceed the maximum percentage of lot coverage allowed for the zoning district in which the structures are located. Accessory dwellings are not subject to these regulations and shall be governed by other provisions of this chapter.
- (2) *Barns, stables, and riding arenas.* In SF-E single-family estate and A agricultural zoning districts, barns and/or stables directly associated with the support of a bona fide agricultural use of the property and/or riding arenas, shall be limited in area to that allowed by the building code for their use and construction type, but in no case shall the combined floor area of the primary use and all accessory buildings exceed the maximum percentage of lot coverage allowed for in an A or SF-E zoning district. In SF-E and A zoning districts, barns, stables, and/or riding arenas shall be limited to a height of not more than 20 feet to the top of the roof. Such barns, stables, and/or riding arenas shall not be located within 50 feet of any property line.
- (3) *Location.* Accessory buildings must be located at least five feet from any other building or structure on the property.
- (4) *Walls abutting property line.* When accessory buildings are constructed less than five feet from any property line, no windows, doors or other penetrations of the exterior wall shall be allowed in the wall abutting that property line.
- (b) *Setback requirements.*
- (1) Detached accessory buildings less than 120 square feet shall be subject to the following regulations, in addition to any applicable regulations of this Code.
- a. *Generally.*
1. No accessory building shall be located within any easement.
2. No accessory building may be placed so as to negatively impact drainage on any adjacent lot by diversion or impoundment of stormwater flows.
- b. *Front.* Accessory buildings shall not be located closer to the front property line than the primary building or the front yard setback requirement for that zoning district, whichever is greater.
- c. *Side.* Accessory buildings shall be set back a minimum of three feet from the side property line. When accessory buildings are placed on corner lots adjacent to an exterior side yard setback, the accessory building shall be required to adhere to the exterior side yard setback established for the primary structure.
- d. *Rear.* There need be no rear setback for accessory buildings where lots abut an alley. Where lots do not abut an alley, the rear setback shall be a minimum of three feet.

- e. *Height.* Accessory buildings shall be limited to a height of not more than 14 feet to the top of the roof.
 - f. *Permit.* No building permit shall be required.
- (2) Detached accessory buildings 120 square feet or larger shall be subject to the following regulations, in addition to any applicable regulations of this Code.
- a. *Generally.*
 - 1. No accessory building shall be located within any easement.
 - 2. No accessory building may be placed so as to negatively impact drainage on any adjacent lot by diversion or impoundment of stormwater flows.
 - b. *Front.* Accessory buildings shall not be located closer to the front property line than the primary building or the front yard setback requirement for that zoning district, whichever is greater.
 - c. *Side.* Accessory buildings shall be set back a minimum of three feet from an interior side property line. When accessory buildings are placed on corner lots adjacent to an exterior side yard setback, the accessory building shall be required to adhere to the exterior side yard setback established for the primary structure. When accessory buildings are constructed less than five feet from a side property line, no windows, doors or other penetrations of the exterior wall shall be allowed in the wall abutting the side property line. Where a garage or carport is designed to be entered from a side street, the structure shall be set back not less than 20 feet from the exterior side property line.
 - d. *Rear.* There need be no rear setback for accessory buildings where lots abut an alley. Where lots do not abut an alley, the rear setback shall be a minimum of three feet. Where a garage or carport is designed and constructed to be entered from an alley or street at the rear of a lot, such garage or carport shall be set back not less than 20 feet from the rear property line.
- (c) *Roof.*
- (1) The minimum roof slope shall be 3 to 12.
Exception. Metal carports and engineered metal buildings.
 - (2) The color and materials of the roof of the accessory building must closely resemble the color and materials of the roof of the main building.
- (d) *Exterior walls.*
- (1) Accessory buildings 300 square feet and less in area may use exterior grade wood siding.
 - (2) Accessory buildings over 300 feet in area must have exterior walls that are at least the same masonry content required of the main structure. The masonry used on the accessory building shall closely resemble the masonry used on the main building.
- (e) *Height.* Accessory buildings shall be limited to a height of not more than 14 feet to the top of the roof.
Exception. Accessory building located in SF-E single-family estates and A agricultural shall be no more than 20 feet to the peak of the roof.
- (f) *Permit.* A building permit shall be required.

(Ord. No. 19-01, § 1, 3-5-2001; Ord. No. 17-21, § 16, 4-5-2021)

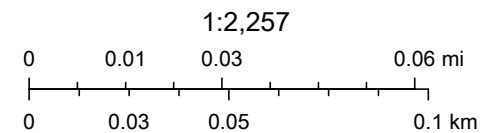
ZONING MAP

ATTACHMENT 4



12/16/2021, 12:31:27 PM

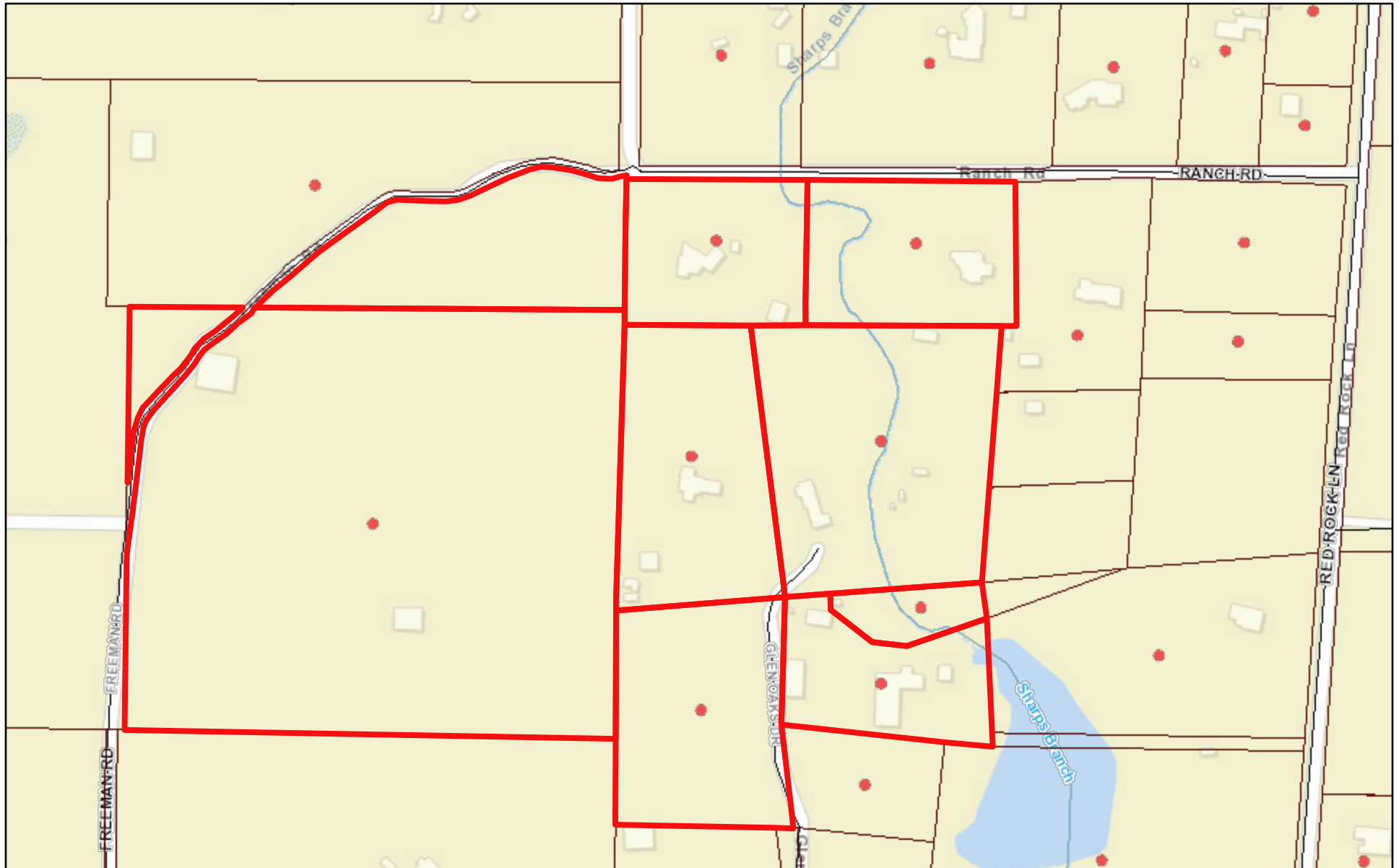
- | | | | | |
|-------------|-------------------|-----------------|-----------------------------|---------------------------------|
| Parcel | Address Points | Key Lot | Combined Uses-See Ordinance | Agriculture |
| County Line | Primary Address | Zoning | Mixed Use | Single Family Estate |
| Town Limits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



Town of Flower Mound, DCAD, TAD, Town of Flower Mound, Esri, HERE,

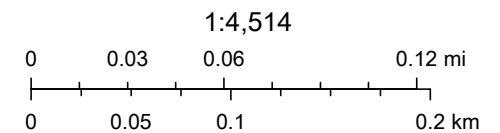
200' PROPERTY OWNER NOTICE MAP

ATTACHMENT 5



12/16/2021, 12:57:13 PM

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



Town of Flower Mound, DCAD, TAD, Town of Flower Mound, Esri, HERE,

AERIAL MAP

ATTACHMENT 6



12/16/2021, 12:33:33 PM

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

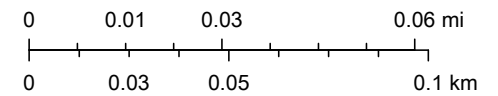
Park Location

Streams

Streets

Unknown

1:2,257



Town of Flower Mound, DCAD, TAD, Town of Flower Mound, Esri, HERE,

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, March 9, 2022 at 6:30pm. 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 Andre & Charise Champagne for a variance from Section 98-1032(b)(2)(b) and Section 98-1032(a)(2), "Accessory Buildings," of the Code of Ordinances. The property is generally located North of Cross Timbers Rd and West of Red Rock Ln and is locally known as 4433 Glen Oaks Dr, Lot 66, of MEP & PRR..

Tasha Coates
Plans Review Manager
Town of Flower Mound

To Run in Denton Record Chronicle: Friday, February 25th, and Saturday/Sunday (print edition), February 26th, 2022 & February 27th, 2022.
To Run in Lewisville/Flower Mound/Highland Village Neighbors: Friday, February 25th, 2022

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 972-874-6367.

(Ref: Case No. BOA21-0009)

Town of Flower Mound Account Number: 100041132



February 22, 2022

Board of Adjustment Case No. BOA21-0009

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

A request has been received from Andre & Charise Champagne for a variance from Section 98-1032(b)(2)(b) and Section 98-1032(a)(2), "Accessory Buildings," of the Code of Ordinances. The property is generally located North of Cross Timbers Rd and West of Red Rock Ln and is locally known as 4433 Glen Oaks Dr, Lot 66, of MEP & PRR..

The Board of Adjustment of the Town of Flower Mound, Texas will hold a public hearing on this request on **Wednesday, March 9, 2022, at 6:30 p.m. 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 by email to BOA@flower-mound.com. Please note that Board members are unable to reply to your message(s) due to Open Meetings regulations. In addition, correspondence received two hours prior to the meeting start time may not be read as Board members are preparing for the meeting. Please note that your correspondence is considered public information; however, your email address, or other information deemed confidential by law, would not be disclosed.

Sincerely,

Tasha Coates
Plans Review Manager

PARCEL ID	OWNER NAME	OWNER ADDRESS	OWNER CITY	OWNER STATE	OWNER ZIP	ADDRESS
R151801	PRINCE, ROBERT STEVEN & TAMEKA CANEA	4424 Glen Oaks Dr	Flower Mound	TX	75022	4424 Glen Oaks Dr
R151801	PRINCE, ROBERT STEVEN & TAMEKA CANEA	4424 Glen Oaks Dr	Flower Mound	TX	75022	4424 Glen Oaks Dr
R180256	SCHNEIDER, EMIL & STEFANY	7801 Ranch Rd	Flower Mound	TX	75022	7801 Ranch Rd
R180257	VENOSDEL, ERIC R & SABRINA C	7701 Ranch Rd	Flower Mound	TX	75022	7701 Ranch Rd
R196261	YORK, JEFFREY D & CARMEN M	4901 Bridle Bit Rd	Flower Mound	TX	75022	7980 Cross Timbers Rd
R196264	YORK, JEFFERY D & CARMEN M	4901 Bridle Bit Rd	Flower Mound	TX	75022	4901 Bridle Bit Rd
R36814	NIEDZWIECK, CONNIE TRT OF NIEDZWIECKI REVOCABLE TRUST	4432 Glen Oaks Dr	Flower Mound	TX	75022	4432 Glen Oaks Dr
R36826	COHOPI LLC	PO BOX 1136	Argyle	TX	76226	4433 Glen Oaks Dr
R36840	KORZENIEWSKI, DREW A & KERI	4409 Glen Oaks Dr	Flower Mound	TX	75022	4413 Glen Oaks Dr