



AGENDA

**TOWN OF FLOWER MOUND
BOARD OF ADJUSTMENT & OIL AND GAS BOARD OF APPEALS
JOINT REGULAR MEETING**

OCTOBER 10, 2018

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

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

A. CALL REGULAR MEETING TO ORDER – 6:30 P.M.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

C. ELECTION OF CHAIR AND VICE CHAIR

D. PUBLIC COMMENT

To address the Board of Adjustment & Oil and Gas Board of Appeals, please fill out a comment form.

- Turn in form by 6:40 p.m. to Administrative Assistant
- Speakers are limited to 3 minutes, however this can be adjusted by the Chair
- Please state your name and address when speaking

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

E. CLOSED MEETING

The Board of Adjustment & Oil and Gas Board of Appeals to convene into closed meeting pursuant to Texas Government Code Chapter 551, specifically, Section

551.071 to consult with its attorney and to receive legal advice regarding any item listed on this agenda.

F. RECONVENE TO REGULAR MEETING

The Board of Adjustment & Oil and Gas Board of Appeals to reconvene into an open meeting to take any action deemed necessary as a result of the closed meeting.

G. 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 A member of the Board of Adjustment & Oil and Gas Board of Appeals may request an item(s) be withdrawn from the Consent Agenda by making such request prior to a motion and vote on the Consent Agenda.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 September 12, 2018.
2. Consider approval of minutes from the regular meeting of the Oil and Gas Board of Appeals held on June 20, 2018.

H. PUBLIC HEARING

3. **(OGB18-0001)** Public hearing to consider a request from Eagle Ridge Operating, LLC., for a variance to Section 34-422(g), Article VII, of the Town’s Code of Ordinances. The request is for a variance to the Town’s work hours requirement, which limits work hours for gas well permits to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday and 9:00 a.m. to 5:00 p.m. on Saturday.
4. **(OGB18-0003)** Public hearing to consider an appeal by Eagle Ridge Operating, LLC., of Town staff’s determination that the work hour limitations for gas well permits set forth in Section 34-422(g), Article VII, of the Town’s Code of Ordinances, apply to gas well pad site produced water collection and hauling operations; or, in the alternative, that sufficient grounds exist to satisfy the work hours exception: "any other emergencies or where the delivery of equipment is necessary to prevent the cessation of drilling or production."
5. **(BOA18-0008)** Public hearing to consider a preemption determination appeal from Eagle Ridge Operating, LLC. The applicant is appealing the Town Manager’s denial of a preemption determination request, which contended that Chapter 621 of the Texas Transportation Code preempted the Town’s authority to apply the work hour limitations (pursuant to Section 34-422(g), Article VII, of the Town’s Code of Ordinances,) to gas well pad site produced water collection and hauling operations.
6. **(BOA18-0006)** Hold a public hearing and consider a request from Christy Tull for a special exception in accordance with Section 78-86, “Special Exceptions,” of the Code of Ordinances. The property is generally located South of Cross Timbers Rd

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and West of Tour 18 Dr. and is locally known as 9104 Shawnee Trail, Lot 2, Block GR, of the Roanoke Hills Subdivision.

I. ADJOURNMENT

I do hereby certify that the Notice of Meeting was posted on the bulletin board in Town Hall of the Town of Flower Mound, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted by the following date and time: October 5, 2018, by 5:00 p.m., at least 72 hours prior to the scheduled time of said meeting.



Kathy Allgood
Administrative Assistant

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