

**THE FLOWER MOUND BOARD OF ADJUSTMENT MEETING HELD ON THE 13TH DAY OF FEBRUARY 2019, 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
Brad Painter	Board Member, Place 6
Greg Wilson	Board Member, Place 8

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

Constituting a quorum with the following members absent:

Denis Toth	Board Member, Place 7
David Moraine	Board Member, Place 5
Vacant	Board Member, Place 3

And the following members of Town staff present:

James Donavon	Town Attorney
Joelle Hainley	Building Official
Chris Pamplin	Assistant Building Official
Tasha Coates	Plan Review Manager
Kathy Allgood	Administrative Assistant

**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 A member of the Board of Adjustment may request an item(s) be withdrawn from the Consent Agenda by making such request prior to a motion and vote on the Consent Agenda.**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 January 9, 2019.

Board Member Painter made a motion to approve the January 9, 2019, minutes as presented. Board Member Schoggins seconded the motion.

**VOTE ON THE MOTION**

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

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

**E. PUBLIC HEARING**

1. **(BOA19-0001)** Hold a public hearing and consider a request from Bjorn Vandug for a variance from Section 98-1032(a)(1), "Accessory Buildings," of the Code of Ordinances. The property is generally located south of Firewheel Drive and east of Morriss Rd and is locally known as 2016 Barton Creek Lane, Lot 14, Block D, Creekside at Cross Timbers.

Chair Harris opened the Public Hearing for item 1.

**Staff Presentation**

Chris Pamplin, Assistant Building Official, gave the staff presentation.

**Applicant Presentation**

Bjourn Vandug (2016 Barton Creek Lane), spoke regarding item 1.

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

Support: Comments/Questions	Opposition: Comments/Questions	Question(s)/ Comments Only
None	None	None

Chair Harris closed the Public Hearing at 6:51 PM.

**Board Member Deliberation**

1. **Board Member Painter made a motion to approve the variance Section 98-1032(a)(1), "Accessory Buildings," of the Code of Ordinances. The property is generally located south of Firewheel Drive and east of Morriss Rd and is locally known as 2016 Barton Creek Lane, Lot 14, Block D, Creekside at Cross Timbers.**
  - A. **There are special circumstances existing on the property on which the application is made related to size, shape, area, topography, surrounding conditions, and location that do not generally apply to other property in the same area and under the same zoning districts.**

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

Board Member Wilson seconded the motion.

**VOTE ON THE MOTION**

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

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

- 2. **(BOA19-0002)** Hold a public hearing and consider a request from Kenneth Graham for a variance from Section 98-1032(a)(2) "Accessory Buildings," of the Code of Ordinances. The property is generally located east of High Road and south of Cross Timbers Rd and is locally known as 7375 Lost Creek Drive, Lot 6A, of the Lost Creek subdivision.

**Chair Harris reopened the Public Hearing for item 2.**

**Staff Presentation**

Chris Pamplin, Assistant Building Official, gave the staff presentation.

**Applicant Presentation**

Kenny Graham (Kenneth Graham Construction) and Jennifer Hagen, 7375 Lost Creek Drive, spoke regarding item 2.

*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: Comments/Questions</b>	<b>Opposition: Comments/Questions</b>	<b>Question(s)/Comments Only</b>
Mark/Annette Barth 7380 Lost Creek	None	None

**Chair Harris closed the Public Hearing at 7:11 PM.**

**Board Member Deliberation**

3. Board Member Painter made a motion to approve the variance Section 98-1032(a)(1), "Accessory Buildings," of the Code of Ordinances. The property is generally located south of Firewheel Drive and east of Morriss Rd and is locally known as 2016 Barton Creek Lane, Lot 14, Block D, Creekside at Cross Timbers.
  - A. There are special circumstances existing on the property on which the application is made related to size, shape, area, topography, surrounding conditions, and location that do not generally apply to other property in the same area and under the same zoning districts.
  - B. A variance is necessary to permit the applicant the same rights in the use of this property that are presently enjoyed under the ordinance by other properties in the vicinity and zone, but which rights are denied to the property on which the application is made.
  - C. The granting of the variance on the specific property will not adversely affect the land use pattern as outlined by the Land Use Plan and will not adversely affect any other feature of the Comprehensive master Plan of the Town of Flower Mound.
  - D. The variance, if granted, will be no material detriment to the public welfare of injury to the use, enjoyment, or value of property in the vicinity.

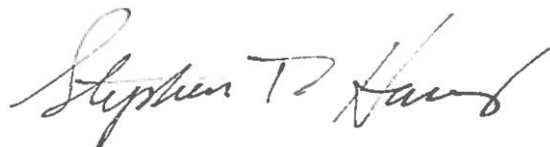
Board Member Wilson seconded the motion.

VOTE ON THE MOTION

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

F. ADJOURNMENT – REGULAR SESSION 7:15 PM

TOWN OF FLOWER MOUND, TEXAS



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STEPHEN HARRIS  
CHAIR

ATTEST:



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KATHY ALLGOOD  
ADMINISTRATIVE ASSISTANT