



## AGENDA

### BARTONVILLE PLANNING AND ZONING COMMISSION

Wednesday, January 8, 2020

BARTONVILLE TOWN HALL  
1941 E. JETER ROAD, BARTONVILLE, TX 76226

7:00 P.M.

A. **CALL TO ORDER**

B. **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**

C. **CITIZENS PARTICIPATION:**

If you wish to address the Commission, please fill out a “Public Meeting Appearance Card” and present it to the Town Administrator, preferably before the meeting begins. Pursuant to Section 551.007 of the Texas Government Code, citizens wishing to address the Commission for items listed as public hearings will be recognized when the public hearing is opened. For citizens wishing to speak on a non-public hearing item, they may either address the Commission during the Citizen Comments portion of the meeting or when the item is considered by the Planning and Zoning Commission.

D. **APPROVAL OF MINUTES**

1. Discuss and consider approval of the December 4, 2019, meeting minutes.

E. **REGULAR ITEMS**

1. Public hearing to hear public comment and consider recommendations to the Town Council regarding an Ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit “A,” Article 14.02, Ordinance 361-05, Zoning regulations, to change the zoning designation of Meadowlakes Farm Addition, Lots 2R & 3R, approximately 49.91 acres, from Agriculture District (AG) to Residential Estates 5 (RE-5). The tracts of land are located at 785 & 531 West Jeter, Bartonville, Texas.
2. Discuss communication of Planning and Zoning Commission recommendations to the Town Council.

F. **ADJOURNMENT**

Planning and Zoning Meeting Agenda  
January 8, 2020

I do hereby certify that the Notice of Meeting was posted on the bulletin board at Town Hall of the Town of Bartonville, 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: January 3, 2020, at 4:00 pm, at least 72 hours prior to the time of said meeting.



\_\_\_\_\_  
Michael Montgomery, Town Administrator

***The Planning and Zoning Commission reserves the right to adjourn into a closed meeting or executive session as authorized by Texas Government Code, Sections 551.001, et seq. (the Texas Open Meetings Act) on any item on its open meeting agenda in accordance with the Texas Open Meetings Act, including, without limitation Sections 551.071-551.088 of the Texas Open Meetings Act. Any final action, decision, or vote on a matter deliberated in a closed meeting will only be taken in an open meeting that is held in compliance with Texas Government Code, Chapter 551.***

**THE BARTONVILLE PLANNING AND ZONING COMMISSION MEETING HELD ON THE 4TH DAY OF NOVEMBER 2019, AT BARTONVILLE TOWN HALL, 1941 E. JETER ROAD, BARTONVILLE, TX 76226, COUNTY OF DENTON, TEXAS AT 7:00 P.M.**

The Planning and Zoning Commission met in a regular meeting with the following members present:

Ralph Arment, Chairman  
Harry Otto, Commissioner  
Gregory Peck, Commissioner  
Brenda Hoyt-Stenovitch, Alternate 1  
Jim Roberts, Alternate 2

Not present:

Gloria McDonald, Vice-Chairman  
Don Abernathy, Commissioner

Also present:

Michael Montgomery, Town Administrator  
Ed Voss, Town Attorney

There constituting a quorum, the following business took place:

**A. CALL TO ORDER**

Chairmen Arment called the meeting to order at 7:00 p.m.

**B. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**

Chairmen Arment led the pledge of allegiance.

**C. CITIZENS PARTICIPATION**

None

**D. APPROVAL OF MINUTES**

1. Discuss and consider approval of the November 13, 2019, meeting minutes.

Commissioner Peck moved to approve the November, 2019, minutes. Commissioner Otto seconded the motion.

**VOTE ON THE MOTION**

**AYES:** Arment, Roberts, Peck, Otto, Hoyt-Stenovitch  
**NAYS:** None  
**VOTE:** 5/0

**E. REGULAR ITEMS**

1. Public hearing to hear public comment and consider recommendations to the Town Council regarding a waiver from the Town of Bartonville Code of Ordinances, Chapter 10, Subdivision Regulations, Exhibit A, Development Ordinance, Chapter III, Subdivision Design Standards, Section 3.5, Lots, Subsection b, to allow for the creation of a flag lot on a tract of land being described as Lot 2, Block 1 of the CC Carter Addition, Town of Bartonville, Denton County, Texas. The property to be considered for the waiver is a 2.348-acre tract of land located at 1361 Bridle Bit Road in Bartonville, Texas.

Mr. Montgomery presented the application and the waiver request.

The applicant, Carol Carter, presented her application and answered questions from the commissioners.

Chairman Arment opened the public hearing at 7:07 p.m.

The following people spoke in opposition:

Johnny Jones, 1304 Bridle Bit Road

Anne Jones, 1304 Bridle Bit

No one spoke in favor.

Chairman Arment closed the public hearing at 7:10 p.m.

Chairman Arment moved the commission into executive session at 7:18 p.m.

Chairman Arment reconvened the meeting 7:25 p.m.

Commissioner Peck moved to recommend approval of a waiver from the Town of Bartonville Code of Ordinances, Chapter 10, Subdivision Regulations, Exhibit A, Development Ordinance, Chapter III, Subdivision Design Standards, Section 3.5, Lots, Subsection b, to allow for the creation of a flag lot on a tract of land being described as Lot 2, Block 1 of the CC Carter Addition, Town of Bartonville, Denton County, Texas. Commissioner Roberts seconded the motion.

**VOTE ON THE MOTION**

**AYES:** Arment, Roberts, Peck, Otto, Hoyt-Stenovitch

**NAYS:** None  
**VOTE:** 5/0

2. Discuss and consider approval of a Site Plan amendment for a secondary access driveway, additional parking, additional equestrian turnouts, relocation of well house, and enlargement of outdoor arena for an equestrian center located on a 79.907 acre lot located at 1200 Rockgate Road, Bartonville, Texas.

Mr. Montgomery presented to proposed changes to the approved Site Plan at 1200 Rockgate.

The applicant, James Fay, presented his application and answered questions from the commission.

The following members gave public comment regarding the request:

Jeff Traylor, 650 McMakin

Betty Medlock, 1029 Rockgate

Becca Clark, 1040 Rockgate

Vicki Burford, 1221 Rockgate

Chairman Arment moved the commission into executive session at 8:05 p.m.

Chairman Arment reconvened the meeting 8:45 p.m.

Commissioner Otto moved to recommend approval of Items #4 & #5 and denial of Item #1, #2, & #3 of the amended Site Plan request at 1200 Rockgate Road. Commissioner Peck seconded the motion.

**VOTE ON THE MOTION**

**AYES:** Arment, Roberts, Peck, Otto, Hoyt-Stenovitch  
**NAYS:** None  
**VOTE:** 5/0

**G. ADJOURN REGULAR MEETING**

Chairman Arment adjourned the regular meeting at 8:50 p.m.

**APPROVED this 8th day of January 2020.**

Approved:

\_\_\_\_\_  
Ralph Arment, Chairman

(Seal)

Attest:

\_\_\_\_\_  
Michael Montgomery, Town Administrator



## Planning and Zoning Commission Meeting

### Item #1

**DATE:** January 8, 2020

**FROM:** Michael Montgomery, Town Administrator

**ITEM:** Public hearing to hear public comment and consider recommendations to the Town Council regarding an Ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit "A," Article 14.02, Ordinance 361-05, Zoning regulations, to change the zoning designation of Meadowlakes Farm Addition, Lots 2R & 3R, approximately 49.91 acres, from Agriculture District (AG) to Residential Estates 5 (RE-5). The tracts of land are located at 785 & 531 West Jeter, Bartonville, Texas.

#### **Summary:**

The Town has received a request from the owner, Patrick Rodes, to rezone 49.91 acres on 785 & 531 E Jeter. The lots currently have residential homes. The purpose of this request is subdivide from two lots into three total lots.

The tract is currently zoned Agriculture District (AG).

The requested zoning is Residential Estates 5 (RE-5).

This tract of land is on the Town's Land Use Plan as Residential Estates 5 (RE-5).

#### **ATTACHMENTS:**

- Applicant Request
- Location Map
- Published Legal Notice
- Letter to Residents within 200 feet
- Draft Ordinance



# Town of Bartonville

## Application for Zoning Map Amendment

All applications must be submitted in accordance with the Submission Schedule attached hereto.

Applicant (Owner or Agent, Specify): PATRICK RODES

Mailing Address: 785 W. JETER RD ARLING, TX 76226

Phone: [REDACTED]

Fax: \_\_\_\_\_

Owner's Name(s) if different: \_\_\_\_\_

Owner's Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Engineer/Surveyor if applicable: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

General Location of Property: \_\_\_\_\_

Legal Description of Property: MEADOW LAKE FARM ADDITION LOT 2R & 3R  
(Attach Complete Metes and Bounds Description)

Nature and reason for Zoning Change: PROPERTY SUBDIVISION

Does this request conform with the adopted Land Use Plan?  Yes  No

If the change requested does not conform with the adopted Land Use Plan, you must submit a Land Use Plan Amendment Application.

Current Zoning: AG

I hereby request that the Zoning Designation be changed to: RE-5  
*(If a PD is proposed, submit PD Application)*

I hereby certify that the information concerning this proposed zoning change is true and correct and that I am the owner of record or the authorized<sup>1</sup> for the owner of the above described property.

[Signature]  
Signature of Applicant/Owner

12/18/19  
Date

<b>STAFF USE ONLY:</b>	
Date Submitted: <u>12-18-19</u>	Fee Paid: <u>\$400</u>
Accepted By: <u>MM</u>	Check No. : _____
P& Z Public Hearing: <u>1-8-20</u>	Metes & Bounds Attached: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Council Public Hearing: <u>1-21-20</u>	Notarized Statement: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A

<sup>1</sup> A NOTARIZED statement that authorizes the agent to represent the owner(s) in this matter must be attached to this application.

**OWNERS CERTIFICATION**

WHEREAS, Patrick Rodas is the owner of all that certain tract of land situated in the A. M. Fellus Survey, Abstract Number 1595, Town of Bartonville, Denton County, Texas, all of Lot 26 and Lot 3R of Meadowlakes Farm Addition, an addition to the Town of Bartonville, according to the plat thereof recorded in Cabinet Y, Page 710, Plat Records, Denton County, Texas, the subject tract being more particularly described as follows: BEGINNING at a capped iron rod set stamped "KAZ" in the South line of West Jeter Road for the Northwest corner of said Lot 2R from which a 1/2" iron rod found for the Northeast corner of Lot 1 of Meadowlakes Farm Addition, an addition to said town, according to the plat thereof recorded in Cabinet Y, Page 724 of said Plat Record bears North 02 degrees 58 minutes 01 seconds West, a distance of 12.80 feet; THENCE along said South line, South 89 degrees 51 minutes 43 seconds East, a distance of 698.86 feet to a capped iron rod found; THENCE South 00 degrees 30 minutes 14 seconds East, 555.46 feet to a capped iron rod found stamped "ALLANCE"; THENCE South 89 degrees 37 minutes 48 seconds East, 48 seconds East, 220.95 feet to a wood fence corner post; THENCE North 00 degrees 25 minutes 52 seconds West, 555.43 feet to a capped iron rod set stamped "KAZ" in the South line of said West Jeter Road; THENCE along said South line, South 89 degrees 45 minutes 43 seconds East, 80.22 feet to a capped iron rod set stamped "KAZ"; THENCE South 00 degrees 28 minutes 47 seconds East, 555.39 feet to a capped iron rod found stamped "KAZ"; THENCE South 89 degrees 47 minutes 44 seconds East, 145.94 feet to a wood fence corner post at the Southwest corner of Lot 3 of said Meadowlakes Farm; THENCE along the common line of said Lot 3 and this tract, North 00 degrees 23 minutes 11 seconds West, 555.27 feet to a capped iron rod found at the Northwest corner of said Lot 3 and being in the South line of said West Jeter Road; THENCE along said South line, South 89 degrees 35 minutes 45 seconds East, 482.46 feet to a capped iron rod found at the Northeast corner of said Lot 3; THENCE North 00 degrees 22 minutes 55 seconds East, 579.58 feet to a capped iron rod found at the Southeast corner of said Lot 3; THENCE North 89 degrees 30 minutes 34 seconds East, 161.23 feet to a capped iron rod found; THENCE South 00 degrees 12 minutes 25 seconds East, 513.41 feet to a 1/2 inch iron rod found; THENCE North 89 degrees 03 minutes 16 seconds West, 899.96 feet to a 1/2 inch iron rod found; THENCE North 89 degrees 04 minutes 47 seconds West, 220.17 feet to a 1/2 inch iron rod found; THENCE South 00 degrees 28 minutes 29 seconds East, 141.32 feet to a 1 inch iron rod found; THENCE North 45 degrees 30 minutes 57 seconds West, 202.55 feet to a capped iron rod set stamped "KAZ"; THENCE North 89 degrees 41 minutes 56 seconds West, 496.03 feet to a capped iron rod set stamped "KAZ"; THENCE North 02 degrees 58 minutes 01 seconds West, 1379.28 feet to the PLACE OF BEGINNING and containing 49.91 acres of land more or less.

**OWNERS DEDICATION**

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS: THAT PATRICK RODES, ACTING HEREIN BY AND THROUGH THEIR DULY AUTHORIZED OFFICERS, DOES HEREBY ADOPT THIS REPLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS MEADOWLAKES FARM, AN ADDITION TO THE TOWN OF BARTONVILLE, TEXAS, NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON OVER OR ACROSS THE BASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE ELEMENTS IF APPROVED BY THE TOWN OF BARTONVILLE. IN THE ADDITION, UTILITY BASEMENTS MAY ALSO BE USED FOR THE NATURAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIGNED TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REINFORCED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS. THE TOWN OF BARTONVILLE AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PROCURING PERMISSION FROM ANYONE.

THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE TOWN OF BARTONVILLE, TEXAS  
WITNESS, MY HAND, THIS 8TH DAY OF APRIL, 2019.

PATRICK RODES  
STATE OF TEXAS  
COUNTY OF DENTON

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED PATRICK RODES, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS HEREIN.  
WITNESS MY HAND AND SEAL OF OFFICE THIS 8TH DAY OF APRIL, 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS  
DENTON COUNTY  
MY COMMISSION EXPIRES ON 4/28/2020

STATE OF TEXAS  
COUNTY OF DENTON

I, MICHAEL R. KERSTEN, REGISTERED PROFESSIONAL LAND SURVEYOR, DOES HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND AND THAT THE MONUMENTS SHOWN HEREON WERE FOUND OR PLACED WITH CAPPED 1/2" IRON RODS STAMPED "KAZ" UNDER MY DIRECTION AND SUPERVISION IN ACCORDANCE WITH THE ORDINANCES OF THE TOWN OF BARTONVILLE, DENTON COUNTY, TEXAS.

MICHAEL R. KERSTEN R.P.L.S. # 6877  
DATE 4/8/2019

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MICHAEL R. KERSTEN, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.  
GIVEN UNDER MY HAND AND SEAL OF THE OFFICE THIS 8TH DAY OF APRIL, 2019.

NOTARY PUBLIC, DENTON COUNTY, TEXAS.  
MY COMMISSION EXPIRES \_\_\_\_\_

**EXHIBIT ONLY**

REPLAT  
LOTS 2R-1, 3R-1 & 3R-2  
MEADOWLAKES FARM ADDITION  
BEING 49.91 ACRES OUT OF THE  
A.M. FELTUS SURVEY, ABSTRACT NUMBER 1595,  
TOWN OF BARTONVILLE,  
DENTON COUNTY, TEXAS

**KAZ SURVEYING**  
1120 WESTMINSTER  
DENTON, TX 76205  
(940) 382-3446  
JOB NUMBER: 060744RP  
DRAWN BY: JK  
DATE: 4-8-2019  
R.P.L.S.  
MICHAEL R. KERSTEN



**LINE TABLE**

LINE	BEARING	DISTANCE
L1	N 02°23'54"E	28.53'
L2	N 46°33'07"E	25.23'
L3	N 46°33'07"E	25.23'
L4	N 63°06'57"E	44.28'
L5	N 30°00'55"E	142.37'
L6	S 13°51'28"W	89.41'
L7	S 13°51'28"W	89.41'
L8	S 16°26'25"W	78.90'
L9	S 32°45'43"W	68.86'
L10	S 41°25'41"W	207.01'
L11	S 26°07'28"W	184.98'

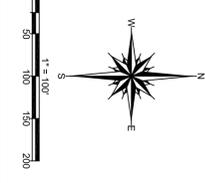
**CURVE TABLE**

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	310.44'	78.23'	179.10'	N 22°41'29"E	37.3832°
C2	150.11'	77.43'	76.02'	N 46°38'11"E	36°56'07"
C3	74.20'	30.85'	30.60'	S 51°12'52"E	23°48'07"
C4	72.81'	30.85'	30.43'	S 61°40'33"W	28°36'20"
C5	260.64'	78.23'	78.23'	S 13°51'28"W	143.81°
C7	260.64'	92.37'	92.37'	S 22°39'52"W	193.9341°

- GENERAL NOTES:**
1. ALL CORNERS ARE MARKED WITH CAPPED 1/2" IRON RODS STAMPED "KAZ" UNLESS OTHERWISE NOTED.
  2. FLOOD STATEMENT: I HAVE REVIEWED THE F.E.M.A. FLOOD INSURANCE RATE MAP FOR THE TOWN OF BARTONVILLE, COMMUNITY NUMBER 481501 EFFECTIVE DATE 04-18-2011 AND THAT MAP INDICATES AS SCALED THAT A PORTION OF THIS PROPERTY IS WITHIN THE FLOODWAY, NON-SHADED ZONE X DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD (600-YEAR) AND A PORTION OF THIS PROPERTY IS WITHIN "SHADED ZONE AE" DEFINED AS "SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD (100-YEAR) WITH BASE FLOOD ELEVATIONS DETERMINED AS SHOWN ON PANEL 510 G OF SAID MAP.
  3. THE SUBJECT PROPERTY IS ZONED RL AND LIES WITHIN THE TOWN OF BARTONVILLE PER THE TOWN OF BARTONVILLE ZONING MAP.
  4. THE PURPOSE OF THIS PLAT IS TO CREATE 2 LOTS OF RECORD FROM 2 LOTS.
  5. THE INTENDED DEVELOPMENT ON THE PROPOSED LOTS IS TO MODIFY PROPERTY LINES.
  6. NOTICE: SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF TOWN ORDINANCE AND STATE LAW, AND IS SUBJECT TO FINES AND/OR WITHHOLDING OF UTILITIES AND BUILDING PERMITS.

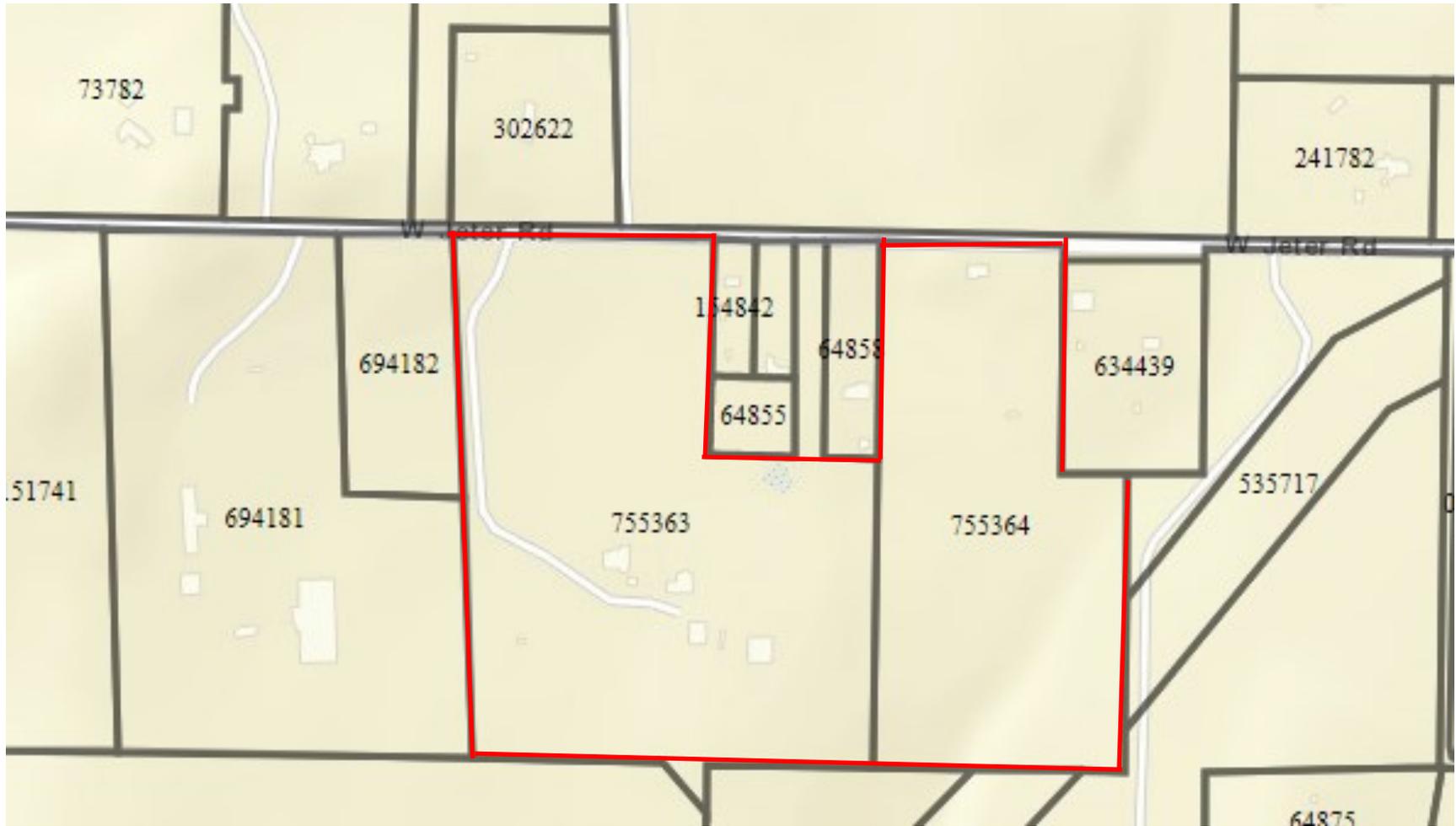
**LEGEND**  
NOT TO SCALE

UE = UTILITY EASEMENT  
DE = DRAINAGE EASEMENT  
BL = BUILDING LINE  
R.O.W. = RIGHT-OF-WAY  
F.F.E. = FINISHED FLOOR ELEVATION  
P.O.B. = POINT OF BEGINNING  
R.O.B. = POINT OF BEGINNING  
INST. NO. = INSTRUMENT NUMBER  
C.S. = CENTERLINE SURVEY  
C.A.P.S. = CAPPED IRON ROD SET  
P.D.C.T. = PLAT RECORDS DENTON COUNTY TEXAS  
C = CENTERLINE OF RIGHT-OF-WAY



**SURVEYOR:**  
KAZ SURVEYING, INC.  
1720 WESTMINSTER STREET  
DENTON, TEXAS 76205  
PHONE: (940) 382-3446  
T.E.P.L.S. #RN# 140022100

**OWNER:**  
PATRICK RODES  
600 ACRES  
MINIMUM F.F.E. = 631



**Change of Zoning Designation**

Meadowlakes Farm Addition, Lots 2R & 3R, approximately 49.91 acres, from Agriculture District (AG) to Residential Estates 5 (RE-5)  
The tracts of land are located at 785 & 531 West Jeter, Bartonville, Texas.

DENTON RECORD-CHRONICLE  
P.O. BOX 369  
DENTON TX 76202  
(940)566-6800

ORDER CONFIRMATION (CONTINUED)

Salesperson: David Payne

Printed at 12/19/19 15:54 by dpayn-dm

-----  
Acct #: 232

Ad #: 23191

Status: New WHOLD WHOI

The Planning and Zoning Commission for the Town of Bartonville, Texas, will conduct the first of two public hearings at 7:00 p.m. on Wednesday, January 8, 2020, at Bartonville Town Hall, 1941 E. Jeter Road, Bartonville, Texas, to hear public comment and consider recommendations to the Town Council regarding an Ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit "A," Article 14.02, Ordinance 361-05, Zoning regulations, to change the zoning designation of Meadowlakes Farm Addition, Lots 2R & 3R, approximately 49.91 acres, from Agriculture District (AG) to Residential Estates 5 (RE-5). The tracts of land are located at 785 & 531 West Jeter, Bartonville, Texas. The Town Council will conduct a second Public Hearing at 7:00 p.m. on Tuesday, January 21, 2020, at Bartonville Town Hall, 1941 E. Jeter Road, Bartonville, Texas, to hear public comment and consider the change of the zoning designation and recommendations of the Planning and Zoning Commission. All interested parties are encouraged to attend.

drc 12/23/2019



December 30, 2019

**RE:** Change of Zoning Designation request for 49.94-acres of land described as Meadlowlakes Farm Addition, Lots 2R & 3R, Town of Bartonville, Denton County, Texas and is located at 785 & 531 W Jeter, Bartonville, Texas.

Dear Property Owner,

Per the Denton Central Appraisal District records, you own property (Property ID 535715) within two hundred feet (200') of the property described in the notice below. The owner of the property has made application for a change of zoning designation.

You are invited to attend and participate in the following public hearing regarding this application:

The Planning and Zoning Commission for the Town of Bartonville, Texas, will conduct the first of two public hearings at **7:00 p.m. on Wednesday, January 8, 2020, at Bartonville Town Hall, 1941 E. Jeter Road, Bartonville, Texas**, to hear public comment and consider recommendations to the Town Council regarding an Ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit "A," Article 14.02, Ordinance 361-05, Zoning regulations, to change the zoning designation of Meadlowlakes Farm Addition, Lots 2R & 3R, approximately 49.91 acres, from Agriculture District (AG) to Residential Estates 5 (RE-5). The tracts of land are located at 785 & 531 West Jeter, Bartonville, Texas. The Town Council will conduct a second Public Hearing at **7:00 p.m. on Tuesday, January 21, 2020, at Bartonville Town Hall, 1941 E. Jeter Road, Bartonville, Texas**, to hear public comment and consider the change of the zoning designation and recommendations of the Planning and Zoning Commission. All interested parties are encouraged to attend.

Should you have any questions regarding this matter, please feel free to contact me at 817.693.5280.

Sincerely,

Michael Montgomery  
Town Administrator

*Enclosure: Location Map*

**TOWN OF BARTONVILLE  
ORDINANCE NO. \_\_\_\_\_-19**

**AN ORDINANCE OF THE TOWN OF BARTONVILLE, TEXAS, AMENDING THE TOWN OF BARTONVILLE CODE OF ORDINANCES, CHAPTER 14, ARTICLE 14.02, EXHIBIT "A," THE ZONING ORDINANCE, BY CHANGING THE ZONING DESIGNATION ON APPROXIMATELY 49.91 ACRES OF LAND SITUATED MEADOWLAKES FARM ADDITION, LOTS 2R & 3R, DENTON COUNTY, TEXAS, LOCATED AT 785 & 531 WEST JETER ROAD WITHIN THE LIMITS OF THE TOWN OF BARTONVILLE, DENTON COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO, FROM A ZONING DESIGNATION OF "AG" AGRICULTURE TO A ZONING DESIGNATION OF "RE-5" RESIDENTIAL ESTATES 5, AND BY AMENDING THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGE; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION; PROVIDING FOR A PENALTY; PROVIDING FOR NO VESTED RIGHTS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Bartonville, Texas, is a Type A General Law Municipality located in Denton County, Texas, created in accordance with provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, the Town of Bartonville, Texas, is a general law municipality empowered under the Texas Local Government Code, Section 51.001, to adopt an ordinance or rule that is for the good government of the Town; and

**WHEREAS**, the Planning and Zoning Commission of the Town of Bartonville and the Town Council of the Town of Bartonville, in compliance with state law, have given the requisite notice by publication and otherwise, and after holding due public hearings and affording full and fair hearings to all property owners generally, the Town Council of the Town of Bartonville is of the opinion that said zoning ordinance should be amended as provided herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS, THAT:**

**SECTION 1.  
INCORPORATION OF PREMISES**

The above and foregoing premises are true and correct legislative determinations and are incorporated herein and made a part hereof for all purposes.

**SECTION 2.  
ZONING ORDINANCE AMENDED**

The Code of Ordinances of the Town of Bartonville, Texas, shall be and the same is hereby amended by changing the zoning classification on approximately 49.91 acres of land situated in the Meadowlakes Farm Addition, Lots 2R & 3R, Denton County, Texas, located at 785 & 531 West Jeter Road within the limits of the Town of Bartonville, Denton County, Texas, being more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes, from a zoning designation of "AG" Agricultural to a zoning designation of "RE-5" Residential Estates 5.

**SECTION 3.  
OFFICIAL ZONING MAP AMENDED**

The Town Secretary is hereby directed to amend the official zoning map to reflect the changes in zoning classification approved by this Ordinance.

**SECTION 4.  
REPEALING CLAUSE**

All provisions of the Ordinances of the Town of Bartonville, Texas, in conflict with the provisions of this Ordinance shall be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**SECTION 5.  
SEVERABILITY**

It is hereby declared to be the intention of the Town Council of The Town of Bartonville, Texas, that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the Town Council without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

**SECTION 6.  
SAVINGS**

An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 7.  
ENGROSSMENT AND ENROLLMENT**

The Town Secretary of the Town of Bartonville is hereby directed to engross and enroll this Ordinance by copying the exact Caption and the Effective Date clause in the minutes of the Town Council of the Town of Bartonville and by filing this Ordinance in the Ordinance records of the Town.

**SECTION 8.  
PUBLICATION**

The Town Secretary of the Town of Bartonville is hereby directed to publish in the Official Newspaper of the Town of Bartonville the Caption and the Effective Date of this Ordinance for two (2) days.

**SECTION 9.  
PENALTY**

Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the Town of Bartonville, Texas, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 10.  
NO VESTED RIGHTS**

No person or entity shall acquire any vested rights in this Ordinance or any specific regulations contained herein. This Ordinance and any regulations may be amended or repealed by the Town Council of the Town of Bartonville, Texas, in the manner provided by law.

**SECTION 11.  
EFFECTIVE DATE**

This Ordinance shall take effect immediately from and after its passage and publication, as the law provides.

**AND IT IS SO ORDAINED.**

Ordinance No. \_\_\_\_\_

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**PASSED AND APPROVED on this the 21<sup>st</sup> day of January, 2020.**

APPROVED:

\_\_\_\_\_  
Bill Scherer, Mayor

*(Seal)*

ATTEST:

\_\_\_\_\_  
Tammy Dixon, Town Secretary

## Exhibit A

WHEREAS, Patrick Rodes is the owner of all that certain tract of land situated in the A. M. Feltus Survey, Abstract Number 1595, Town of Bartonville, Denton County, Texas, all of Lot 2R and Lot 3R of Meadowlakes Farm Addition, an addition to the Town of Bartonville, according to the Replat thereof recorded in Cabinet Y, Page 710, Plat Records, Denton County, Texas, the subject tract being more particularly described as follows:

BEGINNING at a capped iron rod set stamped "KAZ" in the South line of West Jeter Road for the Northwest corner of said Lot 2R, from which a 1/2" iron rod found for the Northeast corner of Lot 1 of Meadowlakes Farm Addition, an addition to said Town, according to the plat thereof recorded in Cabinet I, Page 234 of said Plat Records bears North 02 degrees 58 minutes 01 seconds West, a distance of 12,90 feet;

THENCE along said South line, South 89 degrees 51 minutes 43 seconds East, a distance of 898.86 feet to a capped iron rod found;

THENCE South 00 degrees 30 minutes 14 seconds East, 555.46 feet to a capped iron rod found stamped "ALLIANCE";

THENCE South 89 degrees 37 minutes 48 seconds East, 220.95 feet to a wood fence corner post;

THENCE North 00 degrees 25 minutes 52 seconds West, 555.43 feet to a capped iron rod set stamped "KAZ" in the South line of said West Jeter Road;

THENCE along said South line, South 89 degrees 45 minutes 43 seconds East, 80.22 feet to a capped iron rod set stamped "KAZ";

THENCE South 00 degrees 26 minutes 47 seconds East, 555.39 feet to a capped iron rod found stamped "KAZ";

THENCE South 89 degrees 47 minutes 44 seconds East, 145.94 feet to a wood fence corner post at the Southwest corner of Lot 3 of said Meadowlakes Farm;

THENCE along the common line of said Lot 3 and this tract, North 00 degrees 23 minutes 11 seconds West, 555.27 feet to a capped iron rod found at the Northwest corner of said Lot 3 and being in the South line of said West Jeter Road;

THENCE along said South line, South 89 degrees 35 minutes 45 seconds East, 492.46 feet to a capped iron rod found at the Northeast corner of said Lot 3;

THENCE South 00 degrees 22 minutes 55 seconds East, 579.58 feet to a capped iron rod found at the Southeast corner of said Lot 3;

THENCE North 89 degrees 30 minutes 34 seconds East, 181.23 feet to a capped iron rod found;

THENCE South 00 degrees 12 minutes 25 seconds East, 813.41 feet to a 1/2 inch iron rod found;

THENCE North 89 degrees 03 minutes 16 seconds West, 896.96 feet to a 1/2 inch iron rod found;

THENCE North 89 degrees 04 minutes 47 seconds West, 220.17 feet to a 1/2 inch iron rod found;

THENCE South 00 degrees 28 minutes 29 seconds East, 141.32 feet to a 1 inch iron rod found;

THENCE North 45 degrees 30 minutes 57 seconds West, 202.55 feet to a capped iron rod set stamped "KAZ";

THENCE North 89 degrees 41 minutes 58 seconds West, 496.03 feet to a capped iron rod set stamped "KAZ";

THENCE North 02 degrees 58 minutes 01 seconds West, 1379.28 feet to the PLACE OF BEGINNING and containing 49.91 acres of land more or less;



## Planning and Zoning Commission Meeting

### Item #2

**DATE:** January 8, 2020

**FROM:** Michael Montgomery, Town Administrator

**ITEM:** Discuss communication of Planning and Zoning Commission recommendations to the Town Council.

**Summary:**

Commissioner Otto has requested the Commission discuss alternative ways the Planning and Zoning Commission can better communicate their recommendations to the Town Council.