



AGENDA

PLANNING AND ZONING COMMISSION REGULAR MEETING

AUGUST 5, 2020

BARTONVILLE TOWN HALL

7:00 P.M.

In accordance with order of the Office of the Governor issued March 31, 2020, and in accordance with subsequent orders issued by Office of the Governor issued after that date, the Bartonville Planning and Zoning Commission will conduct a regular meeting at Town Hall, 1941 E. Jeter Road, Bartonville, Texas 76226 AND by video conference in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19).

The link to the video conference is www.townofbartonville.com/videomeeting *Please note there is an approximate 30 second delay.*

The public will be permitted to offer public comment via teleconference/video as provided by the agenda and as permitted by the presiding officer during the meeting by joining the meeting at www.zoom.com or by calling the toll-free dial-in number at 877 853 5257. The **meeting ID number is 870 7614 7423** and the **passcode is 339042**. To request to speak at the appropriate time, raise your hand via video or enter *9 on your phone. The identity of each speaker must be clearly stated prior to speaking.

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

C. PUBLIC PARTICIPATION

D. APPROVAL OF MINUTES

1. Consider approval of the February 18, 2020 Town Council and Planning and Zoning Commission Joint Work Session meeting minutes.
2. Consider approval of the July 1, 2020, regular meeting minutes.
3. Consider approval of the July 13, 2020 special meeting minutes
4. Consider approval of the July 20, 2020 special 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, by amending, Chapter 11, Article 11.2 Uses Permitted, for the Town of Bartonville, by amending an existing Conditional Use Permit site plan for the operation of a Restaurant and Retail Store located at 96 McMakin Road, Bartonville Texas. The property to be considered for the Conditional Use Permit is zoned Rural Business (RB) with Restaurant and Retail Store as permitted uses by Conditional Use Permit only.
 - a. Applicant presentation
 - b. Staff presentation
 - c. Those in Favor
 - d. Those Opposed
 - e. Rebuttal
 - f. Hearing Closed to Public Comment
2. 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 Kincade Lot 2R, Block A, approximately 10.09 acres, from Agriculture District (AG) to Public/Semi-Public (P/SP). The tract of land is located at 2200 E. Jeter Road, Bartonville, Texas. ***The applicant has requested this item be postponed to the September 2, 2020, meeting.***
3. 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, by amending, Chapter 5, Article 5.2 Uses Permitted, for the Town of Bartonville, by granting a Conditional Use Permit to allow for a 130’ Monopole Tower with 9’ lightning rod with associated equipment within a 65’ x 65’ fenced and evergreen-screened compound located at 2200 E. Jeter Road, Bartonville, Texas. The property to be considered for the Conditional Use Permit is the same property for which the zoning change from Agriculture (AG) to Public/Semi-Public (P/SP) is being requested. ***The applicant has requested this item be postponed to the September 2, 2020, meeting.***
4. Public hearing to hear public comment and consider recommendations to the Town Council regarding a Site Plan for Hemphill, LLC being all of a tract of land being described as Kincade Lot 2R, Block A, Town of Bartonville, Denton County, Texas. The property is generally described as a 10.09-acre tract of land located on the south side of East Jeter Road, more commonly known as 2200 E. Jeter Road, Bartonville, Texas. ***The applicant has requested this item be postponed to the September 2, 2020, meeting.***

F. ADJOURNMENT

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: July 31, 2020 at 2:15 p.m. at least 72 hours prior to the time of said meeting.


Sylvia Ordeman, 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.

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THE BARTONVILLE TOWN COUNCIL AND PLANNING AND ZONING COMMISSION HELD A JOINT WORK SESSION ON THE 18th DAY OF FEBRUARY 2020, AT BARTONVILLE TOWN HALL, 1941 E. JETER RD, IN THE TOWN OF BARTONVILLE, COUNTY OF DENTON, TEXAS AT 6:30 P.M.

The Town Council and Planning and Zoning Commission met in work session with the following members present:

Town Council:

Bill Scherer, Mayor
Jaclyn Carrington, Mayor Pro Tem, Place 2
Jeff Traylor, Councilmember Place 1
Clay Sams, Councilmember Place 3

Josh Phillips, Councilmember Place 5

with the following absent: Bridget Melson, Councilmember Place 4

Planning and Zoning Commission:

Ralph Arment, Chair
Gloria McDonald, Vice Chair
Don Abernathy
Harry Otto
Brenda Hoyt-Stenovitch, Alternate Member
Jim Roberts, Alternate Member

With the following absent: Gregory Peck and Jim Roberts, Alternate Member.

Staff Present: Michael Montgomery, Town Administrator; Tammy Dixon, Town Secretary; and Ed Voss, Town Attorney.

A. CALL WORK SESSION TO ORDER

Mayor Scherer called the work session to order at 6:30 p.m.
Chairman Arment called the work session to order at 6:30 p.m.

B. WORK SESSION ITEM

1. Discussion on Town's Land Use Plan and Land Use Table.

The Town Council and Planning and Zoning Commission discussed the future of Bartonville regarding the development of large parcels of land that are zoned and/or land used at 5 acres and Agriculture (10 acres) compared to 2-acre developments.

Councilmember Traylor entertained discussion to possibly consider allowing 2-acre residential development on larger tracts of land (minimum 100 acres) providing there was a

minimum of 5-acre buffer/transition next to adjacent properties with the goal of keeping the area compatible with the Town's natural features and existing neighborhoods.

Following discussion, it was the consensus that if a request came forward for development of larger tracts of land that did not conform to the Town's Land Use Plan for staff to follow the Town's guidelines and schedule Development Review Committee meeting to review.

There was also discussion of reviewing the regulations for Equestrian Centers. Mayor Scherer asked for a committee of four to include two members of the Planning and Zoning Commission and two members of the Town Council to review. The following volunteered to serve on the committee: Councilmember Traylor, Mayor Pro Tem Carrington, Commissioner McDonald and Commissioner Otto.

C. ADJOURNMENT

Mayor Scherer adjourned the work session at 7:16 p.m.
Chairman Arment adjourned the work session at 7:16 p.m.

Planning and Zoning Commission approved this the 4th day of March 2020.

Approved:

Ralph Arment, Chair

Attest:

Michael Montgomery, Town Administrator

Town Council approved this the 17th day of March 2020.

Approved:

Bill Scherer, Mayor

Attest:

Tammy Dixon, Town Secretary

The Bartonville Planning and Zoning Commission held a meeting on the 1st day of July 2020, at 7:50 p.m., in the Council Chambers of Bartonville Town Hall, 1941 East Jeter Road, Bartonville, Texas and via video meeting.

In accordance with order of the Office of the Governor issued March 31, 2020, and in accordance with subsequent orders issued by the Office of the Governor after that date, the Bartonville Planning and Zoning Commission conducted a meeting in person and by video conference in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19).

Present:

Ralph Arment, Chairperson
Gloria McDonald, Vice-Chairperson
Harry Otto, Commissioner (via video)
Don Abernathy, Commissioner
Gregory Peck, Commissioner

Not Present:

Brenda Hoyt-Stenovitch, Alternate 1
Jim Roberts, Alternate 2

Also present Sylvia Ordeman, Town Administrator, Tammy Dixon, Town Secretary, Ed Voss, Town Attorney (via video), Barry Hudson, Town Planner, Gary Vickery, Town Engineer (via video), Leslie Freeman, Town Sanitarian (via video), Chief Michael Lugo, Assistant Fire Chief (via video).

There constituting a quorum, the following business took place:

A. CALL TO ORDER

Chairperson Arment called the meeting to order at 7:50 p.m.

B. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

Chairperson Arment led the Pledge of Allegiance.

C. PUBLIC PARTICIPATION

There was none.

D. APPROVAL OF MINUTES: Discuss and consider approval of the February 5, 2020, meeting minutes.

Commissioner Peck moved to approve the February 5, 2020, meeting minutes. Commissioner Abernathy seconded the motion.

VOTE ON THE MOTION

AYES: Arment, McDonald, Otto, Abernathy, Peck
NAYS: None
VOTE: 5/0

E. REGULAR ITEMS

1. Discuss and consider recommendations to the Town Council regarding a waiver from Chapter 10, Subdivision Regulations, Exhibit A, Development Ordinance, Chapter III, Subdivision Design Standards, Section 3.5, Lots, Subsection b, to allow for the maintenance of a flag lot on an irregularly-shaped tract of land being described as Tract 19D in the M. Tucker Survey Abstract No. 1255, an unrecorded plat, Town of Bartonville, Denton County, Texas. The property to be considered for the waiver is a 11.34-acre tract of land located on Seals Road in Bartonville, Texas.

Town Attorney Ed Voss stated this item could not be considered unless the applicant received a variance from the Board of Adjustment and due to external circumstances, the Board of Adjustment postponed their decision to September 2, 2020 and recommended the Planning and Zoning Commission do the same.

Vice-Chairperson McDonald made a motion to postpone the decision on the waiver request to September 2, 2020. Commissioner Peck seconded the motion.

VOTE ON THE MOTION

AYES: Arment, McDonald, Otto, Abernathy, Peck
NAYS: None
VOTE: 5/0

2. Discuss and consider recommendation to the Town Council regarding a request for Lots 2R-1 and 2R-2 of Replat LOT 2, Block C Barrington Hills, Phase II Addition, Town of Bartonville, Denton County, Texas known as Plat No. 2016-49 to be vacated and the previous plat, recorded in Cabinet W, Pages 43 and 44 to be the effective plat of the subject property. The subject property is commonly known as 875 Porter Road.

Commissioner Peck moved to recommend approval of a request for Lots 2R-1 and 2R-2 of Replat LOT 2, Block C Barrington Hills, Phase II Addition, Town of Bartonville, Denton County, Texas known as Plat No. 2016-49 to be vacated and the previous plat, recorded in Cabinet W, Pages 43 and 44 to be the effective plat of the subject property Vice-Chairperson McDonald seconded the motion.

VOTE ON THE MOTION

AYES: Arment, McDonald, Otto, Abernathy, Peck
NAYS: None
VOTE: 5/0

3. 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, the Zoning regulations for the Town of Bartonville, by amending Division I, General Requirements, Chapter 2 Definitions, Section 2.2, by amending subsections (166), Schools, Private, and (167) Schools, Public, and by amending Appendix C, Land Use Table, by amending the Schools - public kindergarten, elementary school, middle school or high school by adding preschool.

Ms. Ordeman presented the requested change in language to include “preschool” to the “school” and “private school” definitions in the Town Code of Ordinances and the Land Use Table.

Chairperson Arment opened the public hearing at 7:58 p.m.

No one spoke in favor nor opposition.

Chairperson Arment closed the public hearing at 7:59 p.m.

Vice-Chairperson McDonald asked whether “preschool” or “prekindergarten” was the acceptable term. Town Attorney confirmed “preschool” was acceptable.

Commissioner Abernathy moved to recommend approval to the Town Council an ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit “A,” Article 14.02, Ordinance 361-05, the Zoning regulations for the Town of Bartonville, by amending Division I, General Requirements, Chapter 2 Definitions, Section 2.2, by amending subsections (166), Schools, Private, and (167) Schools, Public, and by amending Appendix C, Land Use Table, by amending the Schools - public kindergarten, elementary school, middle school or high school by adding preschool. Commissioner Otto seconded the motion.

VOTE ON THE MOTION

AYES: Arment, McDonald, Otto, Abernathy, Peck

NAYS: None

VOTE: 5/0

4. 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, by amending, Chapter 7, Article 7.2 Uses Permitted, for the Town of Bartonville, by granting a Conditional Use Permit to allow for the operation of an Equestrian Center and Animal-Assisted Therapy located at 875 Porter Road, Bartonville, Texas. The property to be considered for the Conditional Use Permit is zoned Residential Estates 2 (RE-2) with Equestrian Center and Animal-Assisted Therapy as permitted uses by Conditional Use Permit only.

Representative of the applicant, Shelly Peter, presented the application and answered questions from the Commission.

Ms. Ordeman presented a summary of the requested Conditional Use Permit application.

Chairperson Arment opened the public hearing at 8:08 p.m.

No one spoke in favor nor opposition.

Chairperson Arment closed the public hearing at 8:08 p.m.

Commissioner McDonald moved to recommend to the Town Council approval of an ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit “A,” Article 14.02, Ordinance 361-05, Zoning regulations, by amending, Chapter 7, Article 7.2 Uses Permitted, for the Town of Bartonville, by granting a Conditional Use Permit to allow for the operation of an Equestrian Center and Animal- Assisted Therapy located at 875 Porter Road, Bartonville, Texas with the following conditions:

- Arena not to exceed the minimum 50’ rear setback and the 20’ side yard setback
- The eastern portion of the existing gravel loop drive to be relocated to the east of the new covered arena
- Driveway reconfiguration to continue to meet the turn radius for a fire truck and applicant shall obtain Fire Department approval
- Soil in the arena will be kept in a dust free condition.
- LED lights in the arena will be directed downward and cease before 9:00 pm
- No amplified sound will be installed in the arena
- No horse shows or outside events that will bring outside participation or visitors other than current users or client base is permitted
- An updated site plan must be submitted that shows driveway reconfiguration

Commissioner Peck seconded the motion.

VOTE ON THE MOTION

AYES: Arment, McDonald, Otto, Abernathy, Peck

NAYS: None

VOTE: 5/0

5. Public hearing to hear public comment and consider recommendations to the Town Council regarding a Site Plan for First Church Nazarene/Lantana Community Church/Harvest Christian Academy being all of a tract of land being described as Kincade Lot 2R, Block A, Town of Bartonville, Denton County, Texas. The property is generally described as a 10.09-acre tract of land located on the north side of East Jeter Road, more commonly known as 2200 E. Jeter Road, Bartonville, Texas.

Calvary Callender, Tena Mitchell, and Roger Ivey spoke on behalf of the applicant, First Church Nazarene/Lantana Community Church/Harvest Christian Academy. The presentation focused on traffic patterns, the septic system, and fire code requirements.

Ms. Mitchell provided an updated traffic pattern diagram and stated there would be staggered drop-off and pick-up times for students. She stated parents would also be redirected to turn left at McMakin Road from FM 407 instead of turning left onto Jeter Road from FM 407. Town Engineer Gary Vickery stated this would be acceptable.

Mr. Callender provided a review of their current septic system from Jay Pinkston, a Texas Registered Sanitarian, that deemed sufficient treatment capacity existed to handle the anticipated load. Leslie Freeman, Town Sanitarian stated the applicant would likely need to increase the spray and disposal areas and shared this information with Mr. Pinkston. The applicant will need to review the comments with his sanitarian.

Mr. Callender questioned the need to have the existing structure retrofitted for a sprinkler system. Assistant Fire Chief Lugo stated a sprinkler system would be required if there would be more than a combined total of 100 students and staff on site.

Chairperson Arment opened the public hearing at 8:55 p.m.

Mr. Ivey made a formal request for the Town Attorney to review the fire code and sprinkler requirements.

Chairperson Arment closed the public hearing at 8:57 p.m.

Commissioner Peck asked the Assistant Fire Chief Lugo if the sprinkler system could be phased in. Assistant Chief Lugo stated he would review the Fire Code.

Commissioner Peck moved to postpone the Planning and Zoning Commission's consideration and action on this item to a special meeting to be held on July 13, 2020, to allow the applicant time to resolve the septic and fire code issues. Vice-Chairperson McDonald seconded the motion.

VOTE ON THE MOTION

AYES: Arment, McDonald, Otto, Abernathy, Peck
NAYS: None
VOTE: 5/0

F. ADJOURNMENT

There being no further business to come before the board, Chairperson Arment declared the meeting adjourned at 9:18 p.m.

APPROVED this the ___ day of _____ 2020.

Approved:

Ralph Arment, Chairperson

Attest:

Sylvia Ordeman, Town Administrator

The Bartonville Planning and Zoning Commission held a special meeting on the 13th day of July 2020, at 6:00 p.m., in the Council Chambers of Bartonville Town Hall, 1941 East Jeter Road, Bartonville, Texas and via video meeting.

In accordance with order of the Office of the Governor issued March 31, 2020, and in accordance with subsequent orders issued by the Office of the Governor after that date, the Bartonville Planning and Zoning Commission conducted a meeting in person and by video conference in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19).

Present:

Ralph Arment, Chairperson
Gloria McDonald, Vice-Chairperson
Harry Otto, Commissioner
Don Abernathy, Commissioner
Gregory Peck, Commissioner (via video)
Brenda Hoyt-Stenovitch, Alternate 1 (via video)

Not Present:

Jim Roberts, Alternate 2

Also present Sylvia Ordeman, Town Administrator, Tammy Dixon, Town Secretary, Ed Voss, Town Attorney (via video), Leslie Freeman, Town Sanitarian (via video), Mac Hohenberger, Fire Chief, Michael Lugo, Assistant Fire Chief (via video).

There constituting a quorum, the following business took place:

A. CALL TO ORDER

Chairperson Arment called the meeting to order at 6:18 p.m.

B. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

Chairperson Arment led the Pledge of Allegiance.

C. PUBLIC PARTICIPATION

There was none.

D. REGULAR ITEMS

1. Public hearing to hear public comment and consider recommendations to the Town Council regarding a Site Plan for First Church Nazarene/Lantana Community Church/Harvest Christian Academy being all of a tract of land being described as Kincade Lot 2R, Block A, Town of Bartonville, Denton County, Texas. The property is generally described as a

10.09-acre tract of land located on the north side of East Jeter Road, more commonly known as 2200 E. Jeter Road, Bartonville, Texas.

Vice-Chairperson McDonald moved to convene into a closed meeting at 6:18 p.m. pursuant to Texas Government Code Chapter 551, Section 551.071 to discuss matters relating to consultation with the Town Attorney regarding this site plan and legal documents received from the applicant before the meeting. Commissioner Abernathy seconded the motion. The Commission reconvened into open session at 6:39 p.m.

Vice-Chairperson McDonald moved to continue the Planning and Zoning Commission's consideration and action on this item to a special meeting to be held on July 20, 2020, to allow time for the attorneys for both the Town and Fire Department and Town Sanitarian to review the legal documents received from the applicant. Commissioner Abernathy seconded the motion.

VOTE ON THE MOTION

AYES: Arment, McDonald, Otto, Abernathy, Peck
NAYS: None
VOTE: 5/0

F. ADJOURNMENT

There being no further business to come before the board, Chairperson Arment declared the meeting adjourned at 6:41 p.m.

APPROVED this the ___ day of _____ 2020.

Approved:

Ralph Arment, Chairperson

Attest:

Sylvia Ordeman, Town Administrator

The Bartonville Planning and Zoning Commission held a special meeting on the 20th day of July 2020, at 6:30 p.m., in the Council Chambers of Bartonville Town Hall, 1941 East Jeter Road, Bartonville, Texas and via video meeting.

In accordance with order of the Office of the Governor issued March 31, 2020, and in accordance with subsequent orders issued by the Office of the Governor after that date, the Bartonville Planning and Zoning Commission conducted a meeting in person and by video conference in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19).

Present:

Ralph Arment, Chairperson
Gloria McDonald, Vice-Chairperson
Harry Otto, Commissioner (via video)
Don Abernathy, Commissioner
Brenda Hoyt-Stenovitch, Alternate 1

Not Present:

Gregory Peck, Commissioner
Jim Roberts, Alternate 2

Also present Sylvia Ordeman, Town Administrator, Tammy Dixon, Town Secretary, Ed Voss, Town Attorney (via video), Leslie Freeman, Town Sanitarian (via video), Mac Hohenberger, Fire Chief (via video), Michael Lugo, Assistant Fire Chief (via video).

There constituting a quorum, the following business took place:

A. CALL TO ORDER

Chairperson Arment called the meeting to order at 6:37 p.m.

B. CLOSED/OPEN SESSION

The Planning and Zoning Commission convened into a closed meeting at 6:37 p.m. pursuant to Texas Government Code Chapter 551, Section 551.071 and reconvened into open session at 7:15 p.m. to discuss matters relating to consultation with Town Attorney as follows:

- a. Consultation with Town Attorney regarding legal issues concerning fire code and septic system requirements for Site Plan for First Church Nazarene/Lantana Community Church/Harvest Christian Academy, and related matters.

No Action Taken.

C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

Chairperson Arment led the Pledge of Allegiance.

D. PUBLIC PARTICIPATION

There was none.

E. REGULAR ITEMS

1. Consider recommendation to the Town Council regarding a Site Plan for First Church Nazarene/Lantana Community Church/Harvest Christian Academy being all of a tract of land being described as Kincade Lot 2R, Block A, Town of Bartonville, Denton County, Texas. The property is generally described as a 10.09-acre tract of land located on the north side of East Jeter Road, more commonly known as 2200 E. Jeter Road, Bartonville, Texas. **(On July 1, 2020, the Planning and Zoning Commission (P&Z), after closing the public hearing, postponed consideration and action on their recommendation until a special meeting on July 13, 2020; On July 13, 2020, the P&Z again postponed their recommendation until another special meeting on July 20, 2020.)**

Chairperson Arment opened for the public to address the Planning and Zoning Commission related to this item.

Those in Favor (in person):

Dee Beasley Hayden, 454 Frankie Lane, Lewisville, TX 75057
Tricia Graham, 307 Bowling Green Circle, Lewisville, TX 75067
Doug Jackson, 1926 Aspen Drive, Lewisville, TX 75077
Tena Mitchell, 3611 High Road, Flower Mound, TX 75022
Terry Caywood, 7400 Glen Drive, Watauga, TX 76148
Pastor Calvary Callender, 2200 E. Jeter Road

Those in Favor (via Zoom):

Roger Ivey, 2920 Lakeside Drive, Highland Village, TX 75077

Those Opposed: none

Chairperson Arment asked the Town Sanitarian to provide comment related to the OSSF Report dated 07/13/2020 submitted by Peak XV Engineering Group, Inc. on behalf of the applicant. Leslie Freeman, Town Sanitarian, stated the report is in accordance with the required guidelines as set by the State and adopted by the Town. He added it is the property owner's responsibility to operate and maintain the unit within State code and Town requirements.

Chairperson Arment asked the Assistant Fire Chief to provide comment related to the fire code and sprinkler requirements. Assistant Fire Chief Lugo stated his position is capping the occupancy to 100 in order to keep it as Assembly Group A-3 type occupancy only during the time the school is in operation. If the school needed to exceed 100 occupancy, it would change to an Educational type occupancy and the building would need to have a sprinkler system.

Vice-Chairperson McDonald moved to recommend to the Town Council that a Site Plan for First Church Nazarene/Lantana Community Church/Harvest Christian Academy be approved and note that the applicant should comply with Town health and safety codes as may be applicable and as may be determined by the Town Building Official, Fire Marshall, and Town Sanitarian. This is also to include the updated traffic pattern as submitted.

Commissioner Abernathy moved to recommend amending the Planning and Zoning recommendation to state “must” instead of “should”. Vice-Chairperson McDonald seconded this motion.

VOTE ON THE MOTION

AYES: Arment, McDonald, Otto, Abernathy, Hoyt-Stenovitch
NAYS: None
VOTE: 5/0

Commissioner Abernathy seconded the original motion with the amended language.

VOTE ON THE MOTION

AYES: Arment, McDonald, Otto, Abernathy, Hoyt-Stenovitch
NAYS: None
VOTE: 5/0

F. ADJOURNMENT

There being no further business to come before the board, Chairperson Arment declared the meeting adjourned at 7:35 p.m.

APPROVED this the ___ day of _____ 2020.

Approved:

Ralph Arment, Chairperson

Attest:

Sylvia Ordeman, Town Administrator

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Planning and Zoning Commission Meeting

Item #1

DATE: August 5, 2020

FROM: Sylvia Ordeman, 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, by amending, Chapter 11, Article 11.2 Uses Permitted, for the Town of Bartonville, by amending an existing Conditional Use Permit site plan for the operation of a Restaurant and Retail Store located at 96 McMakin Road, Bartonville Texas. The property to be considered for the Conditional Use Permit is zoned Rural Business (RB) with Restaurant and Retail Store as permitted uses by Conditional Use Permit only.

Summary:

The Town has received a request from the owner, Tim House of Blue Pup, LLC and The Bartonville Store, LLC, to amend the existing Conditional Use Permit site plan for the operation of a Restaurant and Retail Store located at 96 McMakin Road. The amended site plan is to allow for the addition of a back porch/patio and storage shed.

ATTACHMENTS:

- Application
- Description of proposed improvement and CUP site plan amendment
- Correspondence and photographs detailing proposed improvement
- Amended Conditional Use Permit site plan
- Survey of the property located at Jeter Toad and McMakin Road (FM 407) in Bartonville, Texas
- Sketch plan illustrating proposed rear patio
- Ordinance No. 632-18 granting a CUP for the operation of a retail and restaurant at 96 McMakin Road, Bartonville, Texas
- Illustration of proposed storage shed
- Location Map
- Letter mailed to property owners within 200'
- Published Legal Notice



Town of Bartonville

Application ~~for Conditional Use Permit~~ Site Plan Amendment to CUP

All applications must be submitted in accordance with the Submission Schedule attached hereto. Please complete the attached checklist. A site plan application must be submitted with all Conditional Use Permit Applications.

Applicant (Owner or Agent, Specify): TIM HOUSE (Blue Pup Pub, LLC The Bartonville Store, LLC)

Mailing Address: 240 McMakin Rd., Double Oak, TX 75277

Phone: 214.773.7441 Fax: _____

Email Address*: bluepup94@verizon.net
(*This will be the primary method of communication)

Owner's Name(s) if different¹: Same

Owner's Address: _____

Phone: _____ Fax: _____

General Location of Property: NW corner McMakin and Jeter

Current Zoning: Rural Business with CUP

Legal Description of Property: Lot 1, Block 1, Bartonville Store Addition
(Attach Complete Metes and Bounds Description)

Use Being Requested (In accordance with Appendix C: Land Use Table, of the Town of Bartonville's Comprehensive Zoning Ordinance: Revised Back Porch layout & addition of Shed)

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 for the owner of the above described property.

[Signature]
Signature of Applicant/Owner

06/19/20
Date

STAFF USE ONLY:	
Date Submitted: <u>6/29/2020</u>	Fee Paid: <u>N/A</u>
Accepted By: _____	Check No. : _____
P& Z Public Hearing: <u>8.5.2020</u>	Metes & Bounds Attached: <input type="checkbox"/> Yes <input type="checkbox"/> No
Council Public Hearing: <u>8.18.2020</u>	Notarized Statement: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A

¹ A NOTARIZED statement that authorizes the agent to represent the owner(s) in this matter must be attached to this application.
P&Z Agenda Pkt Page 20

DESCRIPTION OF PROPOSED IMPROVEMENT AND CUP REVISION

Our original CUP provided for a *“covered patio area of approximately 40’ x 24’ “*, which would be 960 square feet. What we originally built as the first phase of this improvement was an area of 19’3” x 27’6”, a total of area of 529.4 s.f., all of which is covered and is what we refer to as the “screened porch”. What we are now proposing is an extension of 15’3” x 27’6”, or 419.4 s.f., and our intent is to leave that space uncovered. This area is not enclosed and does not add space to the existing building, any more than a patio deck on a house adds space to that residence. Combining both the screened porch and the deck yields a total back porch area of 948.8 s.f., which is within the 960 s.f. originally approved as a part of our CUP.

There are two differences (which I consider minor) between the specifics of the CUP approval and what I am now requesting:

1) The recent addition is intended to remain open air, or uncovered, except for a small corner area intended for Chef Michael to stage his outdoor cooking on occasion. As already noted, this open air concept is for the purpose of providing a greater sense of safety for those concerned with Covid-19. If it is determined to be necessary to be in compliance with the original CUP specification of *“a covered patio area”*, then a cover could be added.

2) The original description in the CUP was to add a patio area of *“approximately 40’ x 24’ “* off of the northwest corner of the old structure. While the screened porch/patio deck combination is in the same location designated by the CUP, the combined area of what is actually built is 34’6” x 27’6”. From my perspective, I would like to think that this difference in length and width can still be interpreted to be within the intent of *“approximately”*, which is the term used in the CUP. A sketch illustrating this difference is provided herewith.

June 15, 2020

Ms. Tammy Dixon
Town Secretary
Town of Bartonville

RE: The Bartonville Store CUP / Rear Patio Provision

Tammy:

Sorry for me taking a few days to get this request to you, but when we discussed this last week, the deck improvement project at the Store was in a partial state that I considered a safety concern, so I wanted to fill in those gaps to eliminate that concern. Having now done that, I am hereby submitting the information you requested.

As you have observed, we are in the process of adding an additional rear deck/ patio to the existing back porch. This is essentially the second phase of the rear patio improvement envisioned in our original plans and the CUP. This second phase came about suddenly because of a couple of factors:

- 1) The concern for the Covid-19 virus causes many people to be more comfortable with outdoor spaces, and we want them to feel safe when dining at the Store.
- 2) A customer of the Store offered us some large wood panels that would work perfectly as a patio deck.

Our original CUP provided for a "covered patio area of approximately 40' x 24' ", which would be 960 square feet. What we originally built as the first phase of this improvement was an area of 19'3" x 27'6", a total of area of 529.4 s.f., all of which is covered and is what we refer to as the "screened porch". What we are now adding is an area of 15'3" x 27'6", or 419.4 s.f., and our intent is to leave that space uncovered. This area is not enclosed and does not add space to the existing building, any more than a patio deck on a house adds space to that residence. Combining both the screened porch and the deck yields a total back porch area of 948.8 s.f., which is within the 960 s.f. originally approved as a part of our CUP.

There are two differences (which I consider minor) between the specifics of the CUP approval and what I am now requesting:

- 1) The recent addition is intended to remain open air, or uncovered, except for a small corner area intended for Chef Michael to stage his outdoor bbq on occasion. As already noted, this open air concept is for the purpose of providing a greater sense of safety for those concerned with Covid-19. If it is determined to be necessary to be in compliance with the CUP specification of "a covered patio area", then a cover could be added.

- 2) The original description in the CUP was to add a patio area of "approximately 40' x 24' " off of the northwest corner of the old structure. While the screened porch/ patio deck combination is in the same location designated by the CUP, the combined area of what is actually built is 34'6" x 27'6". From my perspective, I would like to think that this difference in length and width can still be interpreted to be within the intent of "approximately", which is the term used in the CUP. A sketch illustrating this difference is provided herewith.

As you can imagine, I would prefer not to have to go through another approval process, as I think the overall improvements made are certainly within the intent of the existing CUP approval. In addition, I'm sure you will recall that there was a segment of the local population that never liked the idea that I would preserve the Store, and in fact would have preferred that the structure be bulldozed and turned into a parking lot. I think offering another platform for them to express that sentiment again would only rile up an otherwise already settled issue.

I am, therefore, respectfully hoping you can agree with this judgment that the improvements described are substantially in compliance with the existing CUP, and that a new CUP application will not be required. The Town, and you specifically, have been very helpful, cooperative and supportive of our efforts to preserve and improve The Bartonville Store, and we appreciate all that you have done in that regard. It is our hope that this request can be met with favor.

Thank you for your attention to this matter.

A handwritten signature in black ink, appearing to read 'Tim House', with a long horizontal flourish extending to the right.

Tim House (for The Bartonville Store)

Tammy Dixon

From: [REDACTED]
Sent: Tuesday, June 30, 2020 1:54 PM
To: Tammy Dixon
Subject: The Bartonville Store Proposed CUP Amendment
Attachments: IMG_2139.jpg; IMG_2137.jpg

Tammy - Per your request, I am sending two photos which show the proposed rear deck/ patio. One image is from the north looking south, while the other is from the south looking north-northeast. The proposed addition is clearly shown as it is not yet painted white, as I stopped construction upon your request. The plan is to ultimately paint it to match the rest of the building. Hope this helps, and thank you for your help in coordinating my application. Tim

-----Original Message-----

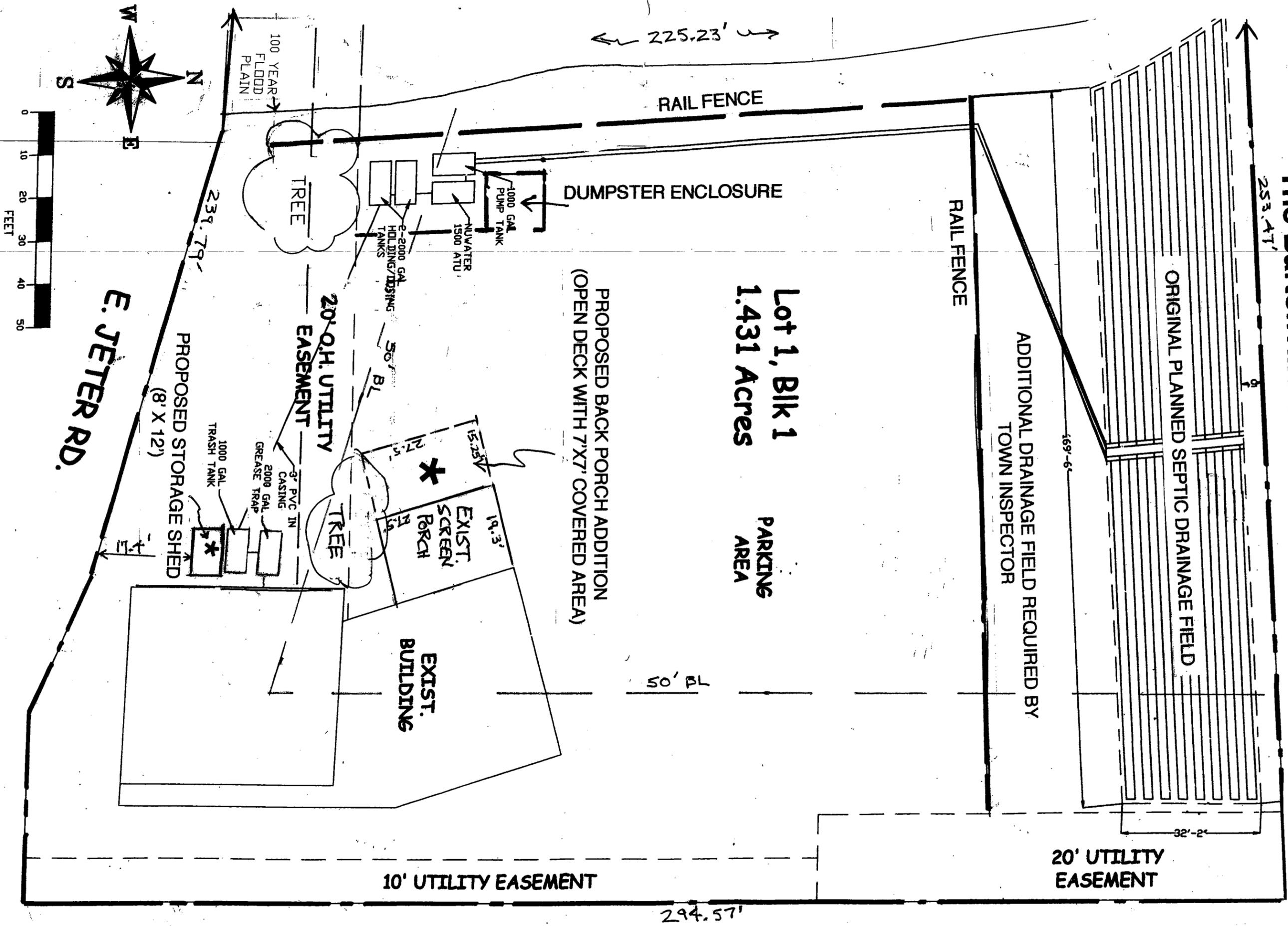
From: TIM HOUSE <bluepup94@verizon.net>
To: Tim House <bluepup94@verizon.net>
Sent: Tue, Jun 30, 2020 12:21 pm

Sent from my iPhone



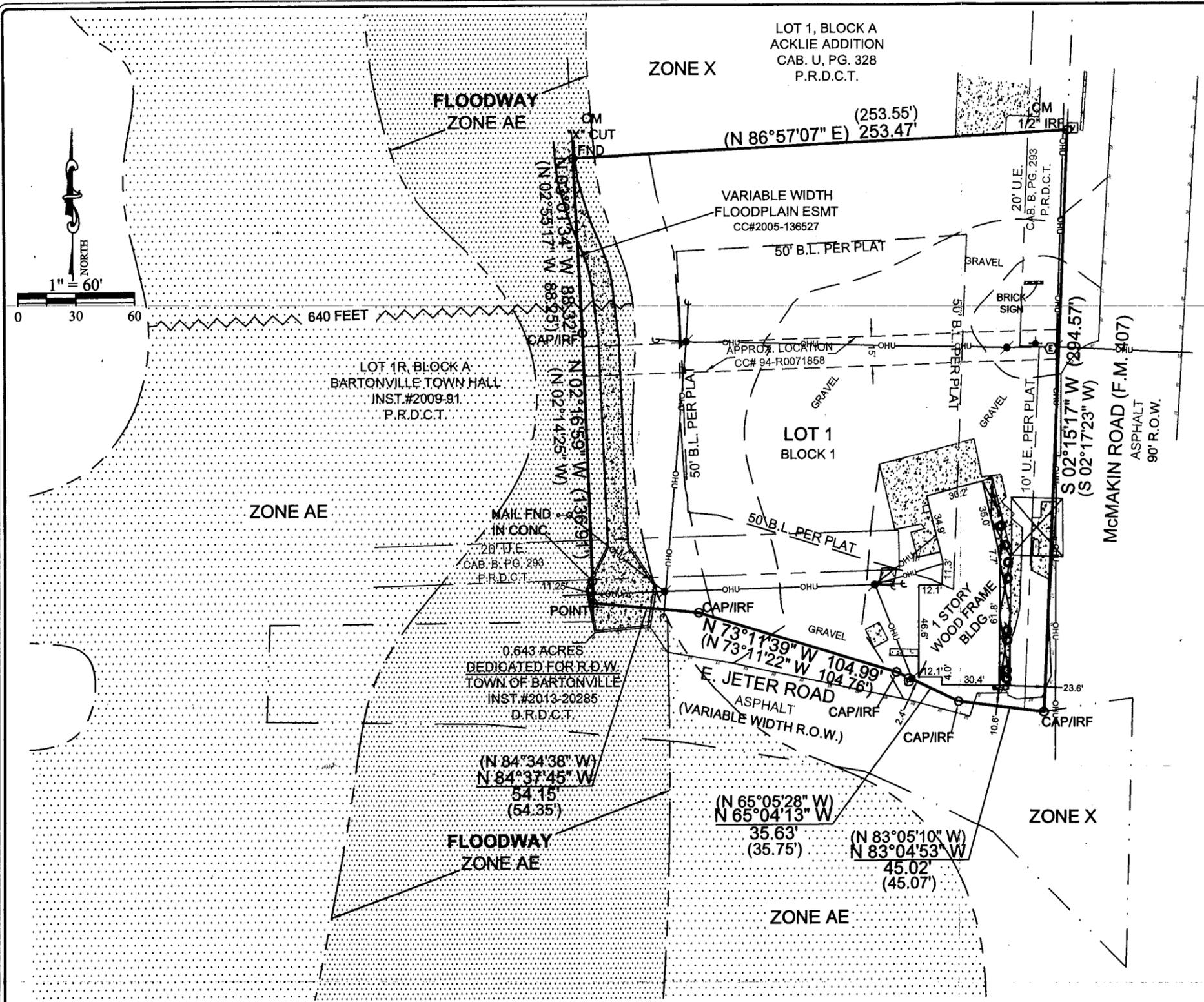


The Bartonville Store / Revised CUP Site Plan



Lot 1, BIK 1
1.431 Acres

PARKING
AREA



LOT 1, BLOCK A
ACKLIE ADDITION
CAB. U, PG. 328
P.R.D.C.T.

ZONE X

FLOODWAY
ZONE AE

(N 86°57'07" E) 253.47'
(253.55')

VARIABLE WIDTH
FLOODPLAIN ESMT
CC#2005-136527

50' B.L. PER PLAT

LOT 1R, BLOCK A
BARTONVILLE TOWN HALL
INST.#2009-91
P.R.D.C.T.

LOT 1
BLOCK 1

ZONE AE

MAIL FND
IN CONC
20' U.E.
CAB. B, PG. 293
P.R.D.C.T.

0.643 ACRES
DEDICATED FOR R.O.W.
TOWN OF BARTONVILLE
INST.#2013-20285
D.R.D.C.T.

N 73°11'39" W 104.99'
N 73°11'22" W 104.76'

E. JETER ROAD
ASPHALT
(VARIABLE WIDTH R.O.W.)

McMAKIN ROAD (F.M. 407)
ASPHALT
90' R.O.W.

ZONE X

FLOODWAY
ZONE AE

(N 65°05'28" W) 35.63'
(N 65°04'13" W) 35.75'

(N 83°05'10" W) 45.02'
(N 83°04'53" W) 45.07'

ZONE AE

LEGEND

- B.L. = BUILDING LINE
- P.U.E. = PUBLIC UTILITY EASEMENT
- P.A.E. = PRIVATE ACCESS EASEMENT
- IRF = IRON ROD FOUND
- CAP/IRF = CAPPED IRON ROD FOUND
- () = PLAT OR DEED CALL
- [] = CONCRETE
- [] = BRICK
- [] = VERIZON BURIED VAULT/BOX
- [] = ELECTRIC RISER
- [] = FIRE HYDRANT
- [] = LIGHT POLE
- [] = ELECTRIC METER
- [] = BOLLARD
- [] = CATV RISER
- [] = STONE COLUMN

TO ALL PARTIES DIRECTLY INTERESTED IN THE PREMISES SURVEYED
I have this date directed a careful and accurate survey made on the grounds of the property located at Jeter Road and McMakin Road (F.M. 407) in the Town of Bartonville, Denton County, Texas, being Lot 1, Block 1, of BARTONVILLE STORE ADDITION, an Addition to the Town of Bartonville, Denton County, Texas according to the Plat thereof recorded in CC# 2016-2049, Plat Records of Denton County, Texas.

FLOOD STATEMENT: I have reviewed the F.E.M.A. Flood Insurance Rate Map for the Town of Bartonville, Community Number 481501 effective date 4-18-2011 and that map indicates as scaled, that a portion of this property is within "Non-Shaded Zone X" defined as "Areas determined to be outside the 0.2% annual chance flood (500-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.

NOTE: This survey is certified to Tim House, Point Bank, Title Resources, and the Town of Bartonville (GF#176345) This survey correctly represents the results of an on-the-ground survey made under my direction and supervision on 8-6-2018. There are no visible or apparent intrusions or protrusions except as shown hereon.

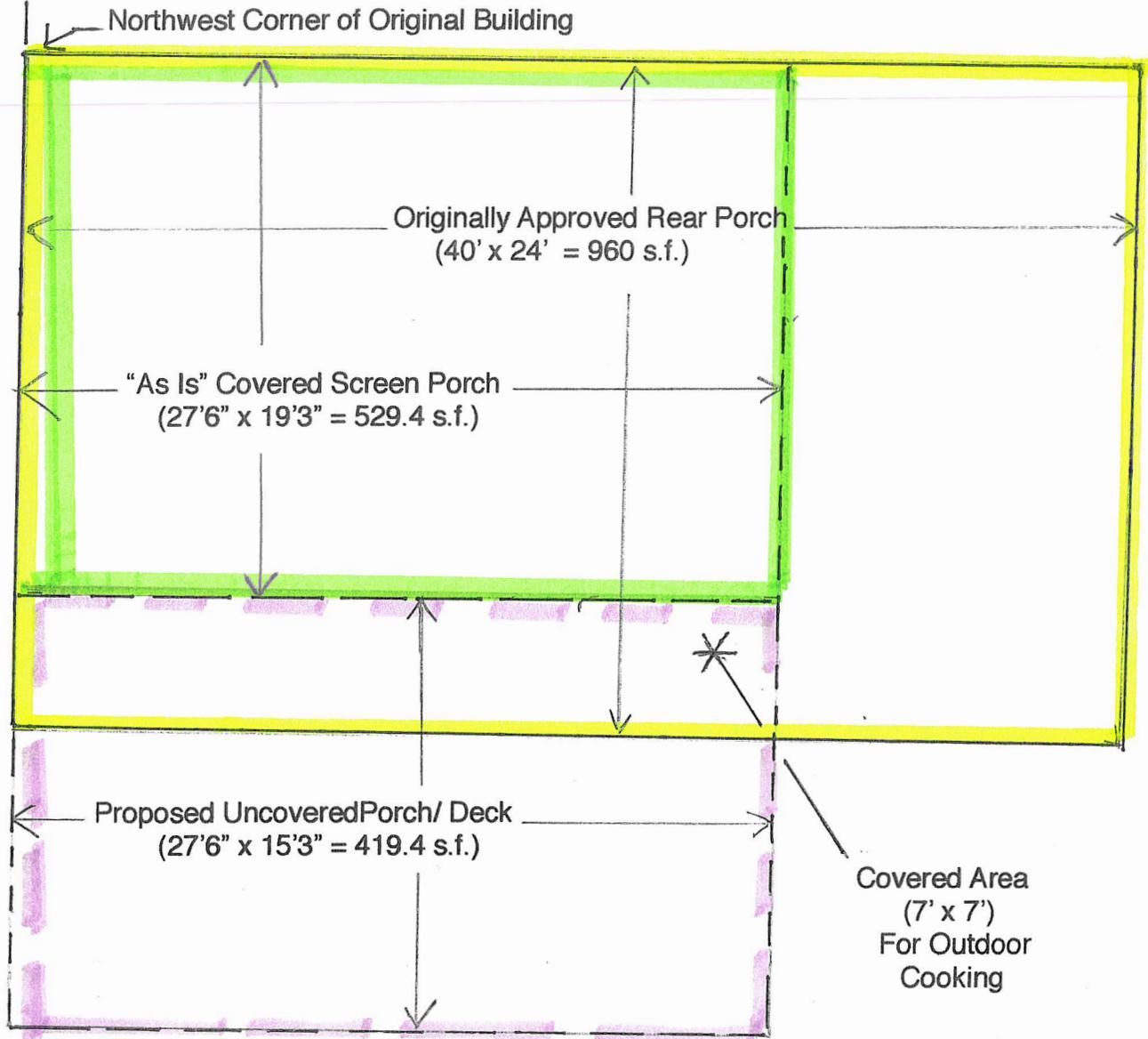
NOTE: Only the following easements supplied to me by Title Resources with (GF#176345), have been reviewed and are addressed as follows:
10(k.) CC#94-R0071858 Blanket type easement to Bartonville Water Supply Corporation; does affect
10(l.) CC#2005-136527 Blanket type easement to the Town of Bartonville; does affect



1720 WESTMINSTER
DENTON, TX 76205
(940)382-3446
JOB NUMBER: 180866
DRAWN BY: RSB
DATE: 8-9-2018
R.P.L.S.
KENNETH A. ZOLLINGER

SKETCH PLAN ILLUSTRATING PROPOSED REAR PATIO

NORTH **SCALE 1": 6'**



-  40' x 24' (960 s.f.) Rear Porch Area Approved in Original CUP
-  27'6" x 19'3" (529.4 s.f.) "As Is" Screen Porch (already constructed)
-  27'6" x 15'3" (419.4 s.f.) Proposed Porch/ Deck Addition

**TOWN OF BARTONVILLE
ORDINANCE NO. 632-18**

AN ORDINANCE AMENDING TOWN OF BARTONVILLE CODE OF ORDINANCES, CHAPTER 14, ARTICLE 14.02 ZONING ORDINANCE, EXHIBIT "A" ZONING ORDINANCE BY AMENDING CHAPTER 11, ARTICLE 11.2 USES PERMITTED, FOR THE TOWN OF BARTONVILLE BY GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR THE OPERATION OF A RESTAURANT AND RETAIL STORE LOCATED AT 96 MCMAKIN ROAD, BARTONVILLE, TEXAS; PROVIDING FOR CONDITIONS AS DESCRIBED HERIN AND ATTACHED HERETO AS EXHIBIT "A". PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING FOR 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 laws with reference to amending the Comprehensive Zoning Ordinance, have given the requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, the governing body 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:

SECTION 1.

That the Code of Ordinance be and the same is hereby amended by amending Comprehensive Zoning Ordinance amending Chapter 14, Exhibit "A," Zoning Ordinance by amending Chapter 11, Article 11.2 Uses Permitted, by allowing the Conditional Use of a Restaurant and Retail Store at 96 McMakin Road, Bartonville, Texas.

SECTION 2. SEVERABILITY.

That 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 such unconstitutional phrases, clause, sentence, paragraph, or section.

SECTION 3. SAVINGS.

That an offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Town of Bartonville Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 4. ENGROSS AND ENROLL.

That 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 5. PUBLICATION.

That 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.

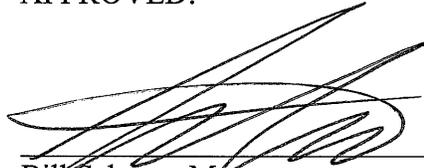
SECTION 6. EFFECTIVE DATE.

That this ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such case provides.

AND IT SO ORDAINED.

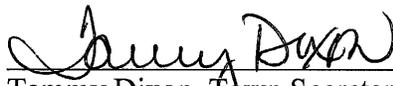
DULY PASSED AND APPROVED by the Town Council of the Town of Bartonville, Texas, on the 20th day of February 2018.

APPROVED:



Bill Scherer, Mayor

ATTEST:



Tammy Dixon, Town Secretary



Exhibit "A"

1. Removal of the existing gas service island and canopy.
2. Repair the existing front sidewalk canopy, which extends six feet (6') from the east side of the building, and further extend same to a total depth not to exceed twelve feet (12').
3. Add rear (west) covered patio area of approximately forty feet (40') x twenty-four feet (24').
4. Adjust existing limits of parking area as may be needed to allow for new on-site septic system.
5. Outside music or other sound shall not exceed sixty (60) decibels measured at the property line, and if this condition is violated, the Town will cause the violation to come into immediate compliance. Additionally, should the Town receive complaints of excessive noise, as verified by the Town Administrator or his designee, the property shall cease all outdoor noise. Should the Town receive more than two complaints in a single calendar month, the property shall be prohibited from having outside music the rest of that calendar month plus the following calendar month.
6. Hours of operation shall be from 6:00 a.m. to 12:00 midnight. No outside business operations or outside activities shall occur after 10:00 p.m. on Friday and Saturday. No outside business operations or outside activities shall occur after 9:00 p.m. on Sundays through Thursdays.
7. All food cooking operations and preparation shall be enclosed and inside the building, unless conducted with equipment approved by the Town Council that is non-offensive to the neighboring properties. All odors, smells and cooking emissions shall comply with state law air quality standards and will be enforced in accordance with state law by the Texas Commission on Environmental Quality and/or the Town.
8. The Town Council shall review and approve improvements to the building elevations and building layout to ensure compliance with conditions set forth within the approved Conditional Use Permit.

THE BARTONVILLE STORE PROPOSED CUP PROPOSED STORAGE SHED

The proposed storage shed is 8' x 12', and is a typical storage shed like sold at Lowes and Home Depot. The following describes the model sold at Lowes. It would be wood construction painted white to match the existing Store building, with matching shingles on the roof.



ROCKPORT 8-ft x 12-ft.*

- Wide 56-in. double doors for easy access
- Treated, engineered wood siding is factory primed
- Premium 2x4 wall framing
- 12-year limited material warranty

SHED INCLUDES

- Deep roof overhangs
- Transom window
- Locking door handle
- Decorative, faux hinges

The location planned is 15' north of the southwest corner of the old building, which means it would be 17.4' from the Jeter Road r-o-w. This location works best for the Store's operations, as it is adjacent to the rear entry service ramp and door, and also would be clearly visible by the Store's existing security cameras and lighting. While it is not intended to be temporary in nature, it would be a portable building should it ever need to be moved elsewhere on the site per the Town's request.

The proposed location is clearly within the building setback lines, as is most of the existing building. If this provides a problem with approval, an alternate location on site could be immediately adjacent to and north of the existing dumpster screened area. While not nearly as convenient and safe for operations, this would be acceptable to the Applicant.

LOCATION MAP



Conditional Use Permit Site Plan Amendment request for a restaurant and retail store located at 96 McMakin Road, Bartonville, Texas. Property identified by the Denton Central Appraisal District as Property ID: 692393.



July 22, 2020

Name
Address
City State Zip

RE: Request to amend an existing Conditional Use Permit site plan for the operation of a Restaurant and Retail Store located at 96 McMakin Road, Bartonville Texas and is identified by the Denton Central Appraisal District as Property ID: 692393.

Dear Property Owner,

In accordance with local zoning laws, all owners of land within two hundred feet of any property being considered for a Conditional Use Permit Site Plan Amendment must be afforded an opportunity to address the subject at a public hearing held for this purpose.

Per the Denton County Appraisal District records, you own property (Property ID _____) within two hundred feet (200') of the property described above. The owner for this property has made an application for a Conditional Use Permit Site Plan Amendment for a restaurant and retail store located at 96 McMakin Road, Bartonville, Texas.

You are hereby notified that the Bartonville Planning and Zoning Commission and Bartonville Town Council will conduct two public hearings regarding a Conditional Use Permit Site Plan Amendment for the subject property which may be of interest to you as follows:

Bartonville Planning and Zoning Commission Public Hearing

Date/Time: Wednesday, August 5, 2020 at 7:00 p.m.
Location Bartonville Town Hall, 1941 E. Jeter Road, Bartonville, Texas; AND
via teleconference/video due to COVID-19

Please Join Zoom Meeting from your computer, tablet or smartphone.
<https://us02web.zoom.us/j/87076147423?pwd=YjVEb3hOMnhWLIJETjcxRlFOYkNoUT09>
or www.zoom.com, join meeting and use the following ID and Password

Meeting ID: 870 7614 7423 Password: 339042

You may also dial in using your phone toll free.
1-877-853-5257, Meeting ID 870 7614 7423, Passcode 339042

Bartonville Town Council

Date/Time: Tuesday, August 18, 2020 at 7:00 p.m.
Location: Bartonville Town Hall, 1941 E. Jeter Road, Bartonville, Texas; AND
via teleconference/video due to COVID-19

Please Join Zoom Meeting from your computer, tablet or smartphone.

<https://us02web.zoom.us/j/84808945332?pwd=dTBnczltdnZJVdhpL2M5cGdES2NZOT09>

Meeting ID: 848 0894 5332

Password: 652776

You may also dial in using your phone toll free.

1-877-853-5257, Meeting ID: 848 0894 5332, Password: 652776

Should you have any questions regarding this matter, please feel free to contact me at 817.693.5280 or sordeman@townofbartonville.com.

Sincerely,



Sylvia Ordeman
Town Administrator

Enclosure: Location Map

Property ID	Property Owner	Property Owner Mailing Address	City, State	Zip
R241296	CC88 HOLDINGS LLC	921 CRIMSON RD	LANTANA, TX	76226-6977
R241297	MCCRAY, J GREGORY	80 MCMAKIN RD	BARTONVILLE, TX	76226-8438
R656793	KROGER TEXAS LP, C/O REAL ESTATE DEPARTMENT	751 FREEPORT	COPPELL, TX	75019-4411
R656787	A-S 114 LANTANA TOWN CENTER LP	8827 W SAM HOUSTON PKWY N STE 200	HOUSTON, TX	77040-5383
R37531	MCMAKIN TEN ACRE LLC	114 W CARRUTH LN	LEWISVILLE, TX	75077-7335
R37553	NTH4 RESOURCES LLC	1800 EMERSON LN	DENTON, TX	76209-1314
R37555	MORROW, BILL & COPELAND, MARK	124 MCMAKIN RD	BARTONVILLE, TX	76226-8499
R622658	HAPPY HUTS, LLC	2650 FM 407 E STE 145-145	ARGYLE, TX	76226-7014

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

ORDER CONFIRMATION (CONTINUED)

Salesperson: Legals Denton

Printed at 07/16/20 13:57 by plaga-dm

Acct #: 232

Ad #: 28523

Status: New

TOWN OF BARTONVILLE

The Planning and Zoning Commission for the Town of Bartonville, Texas, will conduct a public hearing at 7:00 p.m. on August 5, 2020, at Bartonville Town Hall, 1941 E. Jeter Road, Bartonville, Texas, AND by teleconference/video due to COVID-19 for the public to offer public comment by calling 877-853-5257, Meeting ID 870 7614 7423, Passcode 339042, 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, by amending, Chapter 11, Article 11.2 Uses Permitted, for the Town of Bartonville, by amending an existing Conditional Use Permit site plan for the operation of a Restaurant and Retail Store located at 96 McMakin Road, Bartonville Texas. The property to be considered for the Conditional Use Permit is zoned Rural Business (RB) with Restaurant and Retail Store as permitted uses by Conditional Use Permit only. The Town Council will conduct a second Public Hearing at 6:30 p.m. on Tuesday, August 18, 2020, at Bartonville Town Hall, 1941 E. Jeter Road, Bartonville, Texas AND by teleconference/video due to COVID-19 for the public to offer public comment by calling 877-853-5257, Meeting ID 848 0894 5332, Passcode 652776, to hear public comment and consider the amendment of an existing Conditional Use Permit site plan and recommendations of the Planning and Zoning Commission. All interested parties are encouraged to attend.

drc 07/18/2020