

The Bartonville Planning and Zoning Commission held a regular meeting and work session on the 7th day of April 2021, at 7:00 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
Don Abernathy, Commissioner
Harry Otto, Commissioner
Brenda Hoyt-Stenovitch, Commissioner
Jim Roberts, Alternate 1
Margie Arens, Alternate 2

Also present: Sylvia Ordeman, Town Administrator, and Ed Voss, Town Attorney

There constituting a quorum, the following business took place:

A. CALL TO ORDER

Chairperson Arment called the meeting to order at 7:02 p.m.

B. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

Chairperson Arment led the Pledge of Allegiance.

C. PUBLIC PARTICIPATION

Omar Oweis, 5225 Las Colinas Blvd., Irving, TX spoke in reference to his proposed 2-acre lot subdivision project located off of I.T. Neely (behind Marty Bs).

D. APPROVAL OF MINUTES: Discuss and consider approval of the March 3, 2021 regular meeting minutes.

Commissioner Hoyt-Stenovitch moved to approve the March 3, 2021 meeting minutes. Commissioner Abernathy seconded the motion.

VOTE ON THE MOTION

AYES: Arment, McDonald, Hoyt-Stenovitch, Abernathy, Otto
NAYS: NONE

VOTE: 5/0

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 for the Town of Bartonville, to change the zoning designation of Dyer Estates, Lot 4, containing approximately 4.732 acres, from Agriculture District (AG) to Residential Estates 2 (RE-2). The tract of land is located at 975 Dyer Road, Bartonville, Texas.

Ms. Ordeman made a summary presentation of the item, stating the requested zone change is in line with the Future Land Use Plan. The applicant intends to subdivide the land into two lots, each at least 2 acres in size. The applicant will begin the minor re-plat process administratively dependent on the zoning change request being approved.

Chairperson Arment opened the public hearing at 7:13 pm.

No one spoke in favor or in opposition.

Chairman Arment closed the public hearing at 7:15 p.m.

Commissioner Otto 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, Zoning regulations for the Town of Bartonville, to change the zoning designation of Dyer Estates, Lot 4, containing approximately 4.732 acres, from Agriculture District (AG) to Residential Estates 2 (RE-2). Vice-Chair McDonald seconded the motion.

VOTE ON THE MOTION

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

F. ADJOURNMENT / CALL WORK SESSION TO ORDER

There being no further business to come before the commission, Chairperson Arment declared the regular meeting adjourned and called the work session to order at 7:18 p.m.

G. WORK SESSION ITEMS

- 1. Discussion on Equestrian Center issues and related ordinance provisions.

Ms. Ordeman made a summary presentation of the item, stating that a request from Vice-Chair McDonald was received to start discussions related to the definition of “equestrian center” and whether the definition should have a distinction between residential and commercial.

Vice-Chair McDonald stated she made the request to begin the discussion due to the increase in requests for equestrian centers in Bartonville and the legal non-conforming status of residential equestrian centers that do not have commercial activity. She stated she believed residential equestrian centers should not be considered a legal non-conforming status as they are for private use.

Vice-Chair McDonald also questioned the definition of “private stables” because someone who boards up to six horses would not qualify as commercial activity. She also stated the impact of an equestrian commercial use is dependent on the acreage of the property.

Town Attorney Voss stated that in researching the immunity statute that applies to horses, the Town’s ordinance should be updated to include all the equine animals listed in the statute. He stated support of continuing the sub-committee meetings to continue discussion on equestrian centers and to compare to the statutory language.

Chairperson Arment shared concerns of over-regulating equestrian uses as many people move to Bartonville to enjoy horses, but also recognized the need to regulate activities that bring in visitors such as horse shows or clinics.

Commissioner Otto stated the size of the property was important to consider as larger properties have more privacy than smaller ones, and it may need to be a case-by-case basis. Town Attorney Voss stated that was the rationale behind issuing a Conditional Use Permits.

Commissioner Roberts asked if the commercial activity could be determined by the number of days in a year one receives income from the activity. Town Attorney Voss stated that would be difficult to enforce as State law also does not distinguish by number of days. He suggested adding a definition for “commercial”.

Vice-Chair McDonald stated the intent behind discussions was not to intrude on private property or use but to distinguish commercial operations. Commissioner Arens suggested that “commercial” be defined in part by an ongoing operation, such as once a month. Commissioner Abernathy also supported clarifying “commercial” in future definitions.

Discussions ensued regarding the definitions of “private stables” and “commercial stables” being distinguished by six stalls. Commissioner Hoyt-Stenovitch stated that the use of six stalls on an ongoing basis for compensation should qualify as commercial.

Vice-Chair McDonald suggested possibly drafting two ordinances, one for smaller acreage properties and one for larger acreage properties. She also presented the suggestion that equestrian centers be accessed through public roads and not private ones.

The consensus of the Commission also felt that the definitions for “large animal breeding” and “farms, general – livestock/ranch” should be assessed.

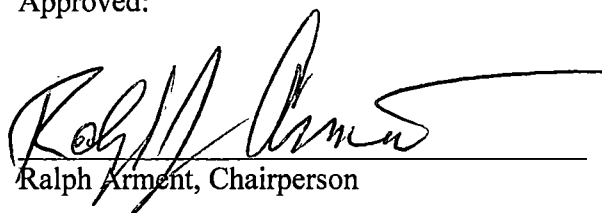
Ms. Ordeman was directed to coordinate with the equestrian center sub-committee members to schedule a future meeting to continue discussions.

H. ADJOURNMENT OF WORK SESSION

There being no further business to come before the commission, Chairperson Arment declared the work session adjourned at 7:59 p.m.

APPROVED this the 5 day of May 2021.

Approved:



Ralph Arment, Chairperson

Attest:



Sylvia Ordeman, Town Administrator