

**THE BARTONVILLE PLANNING AND ZONING COMMISSION MEETING HELD ON THE 5<sup>th</sup> DAY OF SEPTEMBER, 2018, 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
- Gloria McDonald, Vice-Chairman
- Don Abernathy, Commissioner
- Gregory Peck, Commissioner
- Harry Otto, Commissioner
- Brenda Hoyt-Stenovitch, Alternate 1
- Jim Roberts, Alternate 2

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**

Chairman Arment led the pledge of allegiance.

**C. CITIZENS PARTICIPATION**

No citizen participation.

**D. APPROVAL OF MINUTES**

1. Discuss and consider approval of the August 1, 2018, meeting minutes.

Commissioner Peck moved to approve the August 1, 2018, minutes with the corrections as stated by Vice-Chairman McDonald. Vice-Chairman McDonald seconded the motion.

**VOTE ON THE MOTION**

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

**E. REGULAR ITEMS**

1. Discuss and consider recommendations to the Town Council regarding the proposed re-plat of Lot 4-R Rockgate Estates and Lot 1 Willow Lake Estates, into Lots 4-R-1R, 4-R-2R, and 4-R-3R, Block A, Rockgate Estates, a 75.907 acre tract of land located on 1200 Rockgate and a waiver of street construction from Chapter 10, Subdivision Regulations, Exhibit A, Development Ordinance, Section III, Subdivision Design Standards, Section 3.1, Streets, Item 7, Street Construction. The property is zoned Residential Estates 2 (RE-2).

Mr. Montgomery presented the replat of a 75.907 acre tract on Rockgate Road. The Town Administrator further explained that per the Town’s Subdivision Ordinance that the applicant would be required to pave a section of Broome Road. The waiver of the applicant was presented to the Commission. Mr. Montgomery stated that the Commission could revert the platted Broome Road right-of-way to a right-of-way reservation rather than grant the applicant a waiver.

Chairman Arment convened the Commission into Executive Session at 7:12 p.m.

The Commission returned from Executive Session and Chairman Arment resumed the meeting at 7:23 p.m. No action was taken out of Executive Session.

Mr. Montgomery stated that the replat met all the conditions of the Town’s Subdivision Ordinance.

Commissioner Peck motioned to recommend approval the proposed re-plat of Lot 4-R Rockgate Estates and Lot 1 Willow Lake Estates, into Lots 4-R-1R, 4-R-2R, and 4-R-3R, Block A, Rockgate Estates, a 75.907 acre tract of land located on 1200 Rockgate with Broome Road right-of-way reverting to a right-of-way reservation. Vice-Chairman McDonald seconded the motion.

**VOTE ON THE MOTION**

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

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, 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 (training facility) located at 1200 Rockgate Road, Bartonville Texas. The property to be considered for the Conditional Use Permit is zoned Residential Estates 2 (RE-2) with Equestrian Center as a permitted use by Conditional Use Permit only.

Chairman Arment opened the public hearing at 7:30 p.m.

Mr. Montgomery presented that the applicant, Yarraman LLC, wanted to operate an Equestrian Center at 1200 Rockgate.

Yarraman LLC, represented by James Fay and Sherry Pound, presented their application for an Equestrian Center at 1200 Rockgate comprised of the following elements:

- Main entry gate
- Client parking
- Barn –24 stalls
- Covered arena
- Outdoor arena
- Covered walker & round pen
- Client trailer parking
- Turnouts
- Grass arena
- Wash racks
- Equipment & Hay shed
- Manure shed

The following people spoke against:

- Jeff Traylor, 650 McMakin
- Vicki Burdford, 1221 Rockgate
- Rebecca Scherer, 1173 Rockgate (spoke twice)
- Terry Skodack, 1267 Rockgate
- Vickie Hill, 1000 Timberidge Lane
- Nancy Skodack, 1267 Rockgate
- Shirley McGlothlin, 1333 Rockgate

No one spoke in favor

Chairman Arment closed the public hearing at 8:16 p.m.

Chairman Arment convened the Commission into Executive Session at 8:17 p.m.

The Commission returned from Executive Session and Chairman Arment resumed the meeting at 8:28 p.m. No action was taken out of Executive Session.

The Commissioners and applicants discussed the following items regarding the proposed Equestrian Center:

- Dust
- Lights
- Noise
- Setbacks
- Entry
- Special Events

- Manure

Commissioner Otto motioned to recommend approval 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 (training facility) located at 1200 Rockgate Road, Bartonville Texas with the following conditions:

1. Soil in the arenas be kept in a dust free condition.
2. Lights in the arenas and all outside operations will cease at 10:00 p.m. nightly.
3. No amplified sound in any accessory building or outdoor arena.
4. Accessory buildings and outdoor arenas may not be located within 250 feet of the nearest property line.
5. Driveways must meet the turn radius for a fire truck as approved by the Argyle Fire Department and Town Engineer.
6. No special events.
7. All manure must be enclosed until composted.

Commissioner Peck seconded the motion.

Commissioner Otto amended his motion to also include the following condition:

8. The water well pumphouse will comply with the setback standards of the Residential Estates-2 zoning district.

Commissioner Peck rescinded his second of the motion. Vice Chairman McDonald seconded the amended motion.

**VOTE ON THE MOTION**

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

Chairman Arment recessed the meeting at 9:07 p.m.

Chairman Arment resumed the meeting at 9:15 p.m.

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, Division II, Districts, by adding Chapter 11.A, entitled “Rural Services (RS),” zoning district provisions.

Chairman Arment opened the public hearing at 9:20 p.m.

Mr. Montgomery stated that Rural Services is a new zoning district for commercial along FM 407 that is needed due to the fact that Village Center cannot be used anywhere else.

No one spoke in favor or opposition.

Chairman Arment closed the public hearing at 9:22 p.m.

Commissioner Abernathy motioned to recommend approval of an ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit “A,” Article 14.02, Ordinance 361-05, Zoning regulations, Division II, Districts, by adding Chapter 11.A, entitled “Rural Services (RS),” zoning district provisions. Commissioner Otto seconded the motion.

**VOTE ON THE MOTION**

**AYES:** Arment, Otto, McDonald, 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 adding Appendix C, Land Use Table, Agricultural Store and Division I, General Requirements, Chapter 2, Definitions, Agricultural Store.

Chairman Arment opened the public hearing at 9:50 p.m.

Mr. Montgomery stated that Ozark Engineering had submitted an application to add Agricultural Store to the definitions and land use table of the Zoning Ordinance.

The following people spoke against:

- Tim Raynor, 1842 FM 407
- Michael Paulsen, 8281 Tudor Lane (Argyle)
- Sean Parks, 8241 Tudor Lan (Argyle)

No one spoke in favor

Chairman Arment closed the public hearing at 9:57 p.m.

Vice Chairman McDonald moved to recommend an ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit “A,” Article 14.02, Ordinance 361-05, Zoning regulations, by adding Appendix C, Land Use Table, Agricultural Store and Division I, General Requirements, Chapter 2, Definitions, Agricultural Store. Commissioner Otto seconded the motion

**VOTE ON THE MOTION**

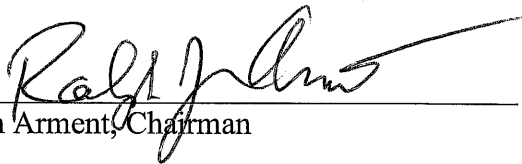
**AYES:** Arment, Otto, McDonald, Abernathy  
**NAYS:** Peck  
**VOTE:** 4/1

**F. ADJOURN REGULAR MEETING**

Chairman Arment adjourned the regular meeting at 10:04 p.m.

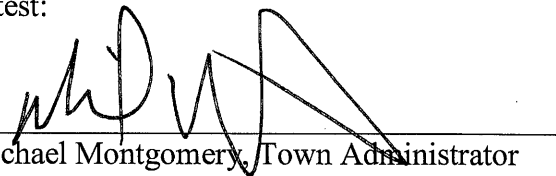
**APPROVED this 3rd day of October, 2018.**

Approved:

  
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Ralph Arment, Chairman

(Seal)

Attest:

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