

STATE OF TEXAS §
COUNTY OF DENTON §
TOWN OF BARTONVILLE §

The regular meeting of the Planning and Zoning Commission of the Town of Bartonville was held on September 1, 2010, at 7:00 p.m., in the Bartonville Town Hall. This was an OPEN MEETING, open to the public, subject to the open meeting laws of the State of Texas and, as required by law, was duly posted at on Thursday, August 26, 2010, at 3:30 p.m., at Bartonville Town Hall giving notice of time, date, place, and agenda thereof.

Present:	Absent:
Ralph Arment, Chairperson	None
Gloria McDonald, Vice Chairperson	
Don Abernathy	
Betty Medlock	
Jim Langford	
Kathy Bradham, Alternate (voting)	
Jim Strange, Alternate (non-voting)	

Also present: Kristi Gilbert, Town Secretary
Bob Hager, Town Attorney
Gary Vickery, Town Engineer

The Oath of Office was executed by Commissioner Arment prior to the meeting.

This constituting a quorum, the following business took place:

Chairperson Arment called the meeting to order at 7:05 p.m.

Call to Order

The Commissioners considered the August 4, 2010, regular meeting minutes. Vice-Chairperson McDonald moved to approve the minutes as presented. Commissioner Medlock seconded the motion. For: Abernathy, Arment, Langford, McDonald and Medlock. Against: None. The motion carried 5 to 0.

ACTION: Approve Minutes

No one was signed in to speak.

Open Forum

The Commission conducted a public hearing to hear public comment and to consider recommendations to the Town Council regarding **AN ORDINANCE OF THE TOWN OF BARTONVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 14, ZONING, EXHIBIT "A," ZONING ORDINANCE, AMENDING CHAPTER 2, SECTION 2.2., DEFINITIONS, TO PROVIDE FOR THE DEFINITION OF "SPORT COURT, PRIVATE" (176A); AMENDING SECTION 20.3 FENCES IN RESIDENTIAL DISTRICTS TO PROVIDE FOR THE FENCING OF PRIVATE SPORT COURTS.**

**Public Hearing:
Amend Zoning Ordinance for Sport Court Fencing**

Alternate Commissioner Kathy Bradham recused herself due to a conflict of interest in that she lives within 200 feet of the applicant.

Chairperson Arment opened the public hearing at 7:05 p.m.

Karrie Sasich, 1112 Triple Crown Ct, explained that she was requesting a text amendment to allow for 10'-12' fence because as that standard is set forth in the United States Tennis Association regulations. Would prefer over 8' so she doesn't have to chase the ball around.

Ms. Gilbert reviewed the proposed changes with the Commission. Town Attorney Bob Hager suggested "non-aquatic" be added to the definition of sport courts.

No one signed in to speak.

None.

Chairperson Arment closed the public hearing to public comment at 7:08 p.m.

The Commission discussed the reasoning behind the original requirement of the eight foot height limitation.

Commissioner Medlock moved to approve the ordinance with the following amendments: include in the definition "non-aquatic"; decrease the maximum height to 10 feet and exclude stockade and wood materials. Commissioner Langford seconded the motion. For: Abernathy, Arment, Langford, McDonald and Medlock. Against: None. The motion carried 5 to 0.

Alternate Commissioner Kathy Bradham returned to her seat.

Gloria McDonald recused herself due to a conflict of interest in that she is related in the first degree of affinity to a Board Member of the Bartonville Water Supply Corporation.

The Commission conducted a public hearing to hear public comment and to consider recommendations to the Town Council regarding **AN ORDINANCE OF THE TOWN OF BARTONVILLE, TEXAS, AMENDING TOWN OF BARTONVILLE CODE OF ORDINANCES, CHAPTER 14, ARTICLE 14.300, ORDINANCE 361-05, ZONING REGULATIONS FOR THE TOWN OF BARTONVILLE, BY GRANTING A CONDITIONAL USE PERMIT TO ALLOW AN ELEVATED WATER TANK AND RELATED FACILITIES ON A TRACT OF LAND OF APPROXIMATELY 4.735 ACRES KNOWN AS LOT 1,**

Open Hearing

Applicant

Staff

In Favor/Opposed

Rebuttal

Hearing Closed

**ACTION:
Approve Amend
Zoning Ordinance
for Sport Court
Fencing**

**Public Hearing:
Conditional Use
Permit for
Elevated Water
Storage Tank**

BLOCK A OF THE BARTONVILLE WATER SUPPLY ADDITION, AN ADDITION TO THE TOWN OF BARTONVILLE, TEXAS AS RECORDED IN CABINET V, PAGE 806 OF THE PLAT RECORDS OF DENTON COUNTY, TEXAS BEING MORE SPECIFICALLY DESCRIBED HEREIN AND ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR AN AMENDMENT TO THE OFFICIAL ZONING MAP; PROVIDING FOR CONDITIONS AS DESCRIBED HEREIN AND ATTACHED HERETO AS EXHIBIT "B"; PROVIDING FOR CONFORMANCE WITH APPROVED SITE PLAN, WHICH IS ATTACHED HERETO AS EXHIBIT "C".

Chairperson Arment opened the public hearing at 7:15 p.m.

Open Hearing

Kerry Maroney with Biggs & Mathews spoke as a representative of Bartonville Water Supply Corporation (BWSC). Mr. Maroney stated that an application for a conditional use permit for an elevated water tank on 4.735 acres had been submitted in August. BWSC purchased the property in 2001 for the sole purpose of constructing additional water facilities. He stated that the site was strategically evaluated due to its remote location and vicinity to the Upper Trinity Regional Water District lines, providing a second delivery point for additional service water supply.

Applicant

Mr. Maroney stated they were in the process of drilling a water well on the location that is anticipated to produce one million gallons per day. The proposed tank will be at the approximate elevation as the tank in Double Oak on FM 407. Mr. Maroney addressed concerns from previous staff reviews including drainage and landscaping.

A letter of opposition has been filed by Richard and Susan Arney regarding the elevated tank.

In Favor/Opposed

None.

Rebuttal

Chairperson Arment closed the public hearing to public comment at 7:25p.m.

Hearing Closed

Town Secretary Kristi Gilbert explained the details of the development standards included in the conditional use permit.

**Discussion:
Conditional Use
Permit for
Elevated Water
Storage Tank**

Jim Langford inquired as to the original use of the property for a ground storage tank as was original permitted in the first conditional use permit. Jim Leggieri, General Manager for Bartonville Water Supply, stated that his had always been to install an elevated tank. Commissioner Langford inquired as to why the

tank had to be elevated. Mr. Maroney stated that, in the event of a power loss, there would be a total capacity of over one million gallons that is elevated. Mr. Maroney stated that it also helps with fire demand and meets TCEQ regulations for systems over 1,000 connections.

Mr. Hager stated that the Commissioners options were limited. If BWSC can show that the tank is needed and required to maintain the system then the Town can only regulate the aesthetics.

Commissioner Medlock moved to table action until the October 6, 2010 meeting to allow time to review colors and designs. Commissioner Langford seconded the motion. For: Unanimous. The motion carried 5 to 0.

**ACTION:
Conditional Use
Permit for
Elevated Water
Storage Tank**

Vice-Chairperson McDonald returned to her seat.

Ms. Gilbert reviewed the proposed changes to the gas drilling regulations with the Commission. Commissioner Langford moved to table the ordinance. Commissioner Abernathy seconded the motion. For: Unanimous. The motion carried 5 to 0.

**Discussion:
Amending Oil and
Gas Drilling
Regulations**

Future agenda items include the items tabled.

**Future Agenda
Items**

There being no further business, Chairperson Arment adjourned the meeting at 8:50 p.m.

ADJOURNMENT

APPROVED this the 6th day of October, 2010.

Approved:

Ralph Arment, Chairperson

(Seal)

Attest:

Kristi Gilbert, Town Secretary, TRMC, CMC