



# BOARD OF ADJUSTMENT MEETING AGENDA

July 30, 2024 at 6:00 PM

Town Hall - 1941 E. Jeter Road, Bartonville, TX 76226

## A. CALL MEETING TO ORDER

## B. PLEDGE OF ALLEGIANCE

## C. PUBLIC PARTICIPATION

*If you wish to address the Board, please fill out a "Public Meeting Appearance Card" and present it to the Town Secretary preferably before the meeting begins. Pursuant to Section 551.007 of the Texas Government Code, citizens wishing to address the Board 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 Board during the Public Participation portion of the meeting or when the item is considered by the Board of Adjustment.*

## D. APPROVAL OF MINUTES

1. Discuss and consider approval of the April 11, 2024, Regular Meeting Minutes.

## E. PUBLIC HEARINGS AND ACTION ITEMS

1. Public hearing to consider a variance to regulations found in Bartonville Zoning Ordinance Section 18.6, relating to minimum landscaping requirements for nonresidential developments. The property subject to the variance request is located at 64 McMakin Road in Bartonville, Texas. The applicants are Mark and Kathryn Taylor. [Town File No. VAR-2024-006].

- A. Staff Presentation
- B. Application Presentation
- C. Open Public Hearing
- D. Those in Favor
- E. Those Opposed
- F. Rebuttal
- G. Close Public Hearing
- H. Discussion and Action

2. Public hearing to consider a variance to the following regulations: Bartonville Zoning Ordinance Section 4.7, relating to minimum side yard setbacks for residential lots. The property subject to the variance request is located at 1189 W. Jeter Road in Bartonville, Texas. The applicant is Jeff Cash. [Town File No. VAR-2024-007].

- A. Staff Presentation
- B. Applicant Presentation
- C. Open Public Hearing
- D. Those in Favor
- E. Those Opposed
- F. Rebuttal

- G. Close Public Hearing
- H. Discussion and Action

**F. ADJOURNMENT**

*The Board of Adjustment 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.*

**CERTIFICATION**

I hereby certify that this Notice of Meeting was posted on the Town Website, and on the bulletin board, at Town Hall of the Town of Bartonville, Texas, a place convenient and readily accessible to the public at all times. Said Notice was posted on the following date and time; and remained posted continuously prior to the scheduled time of said meeting and shall remain posted until meeting is adjourned.

/s/ Shannon Montgomery, Town Secretary

Posted: Friday July 19, 2024 Prior to 4:00 pm.

*Agenda Removed from Town of Bartonville Bulletin Board on:* \_\_\_\_\_

*By:* \_\_\_\_\_, *Title:* \_\_\_\_\_



# BOARD OF ADJUSTMENT COMMUNICATION

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**DATE:** July 30, 2024  
**FROM:** Shannon Montgomery, Town Secretary  
**AGENDA ITEM:** Discuss and consider approval of the April 11, 2024, Regular Meeting Minutes.

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**SUMMARY:**

The Board of Adjustment held a Regular Meeting on April 11, 2024.

**RECOMMENDED MOTION OR ACTION:**

Approve the April 11, 2024, Regular Meeting Minutes as presented.

**ATTACHMENT:**

- Draft April 11, 2024, Regular Meeting Minutes.

**THE TOWN OF BARTONVILLE BOARD OF ADJUSTMENT IN REGULAR SESSION ON THE 11TH DAY OF APRIL 2024 AT THE TOWN OF BARTONVILLE TOWN HALL, LOCATED AT 1941 E JETER ROAD, BARTONVILLE, TEXAS WITH THE FOLLOWING MEMBERS PRESENT, CONSTITUTING A QUORUM:**

Donna Baumgarner, Chair  
Kathy Daum, Director  
Del Knowler, Director  
Siobhan O'Brien  
Rebecca Jenkins, Alternate 1  
Heather Head, Alternate 2

*Directors Absent:*

Jim Lieber, Vice Chair

*Town Staff Present:*

Thad Chambers, Town Administrator  
Shannon Montgomery, Town Secretary  
Ed Voss, Town Attorney  
Ryan Wells, Town Planning Consultant

**A. CALL MEETING TO ORDER**

Chair Baumgarner called the meeting to order at 6:02 pm.

**B. PLEDGE OF ALLEGIANCE**

Chair Baumgarner led the pledge.

Chair Baumgarner convened the Board of Adjustment into Executive Session Pursuant to the Open Meetings Act, Chapter 551, in accordance with the Texas Government Code Section 551.071 Consultation with Town Attorney to seek legal advice of its attorney concerning agenda item # E.2 at 6:04 pm.

Chair Baumgarner reconvened the Board of Adjustment into Open Session at 6:27 pm.

**C. PUBLIC PARTICIPATION**

*If you wish to address the Board, please fill out a "Public Meeting Appearance Card" and present it to the Town Secretary, preferably before the meeting begins. Pursuant to Section 551.007 of the Texas Government Code, citizens wishing to address the Board 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 Board during the Public Participation portion of the meeting or when the item is considered by the Board of Adjustment.*

There was no Public Participation.

**D. APPROVAL OF MINUTES**

**1. Discuss and consider approval of the September 20, 2023, Regular Meeting Minutes.**

Motion made by Director Knowler, seconded by Director O'Brien, to approve the September 20, 2023, Regular Meeting Minutes as presented. Motion carried unanimously.

#### **VOTE ON THE MOTION**

AYES: Baumgarner, Daum, Jenkins, Knowler, and O'Brien

NAYS: None

VOTE: 5-0

#### **E. PUBLIC HEARINGS AND ACTION ITEMS**

- 2. Public hearing to consider a variance to regulations found in Bartonville Zoning Ordinance Section 19.3.J., relating to maximum distance of an accessory dwelling from the primary building. The property subject to the variance request is located on land situated in the Meadowlakes Farm Addition, Lot 3R-2, in the Town of Bartonville, Denton County, Texas. The site address is 531 W Jeter Road. The applicants are Audelino Melgar and Elizabeth Anaya. [Town File No. VAR-2024-001].**

Town Secretary Montgomery announced that the applicant requested this item to be withdrawn to a date to be determined. New notices will be published and mailed once the application is resubmitted.

- 3. Public hearing to consider a variance to the following regulations: Bartonville Zoning Ordinance (BZO) Appendix F (Technical Design Standards) Section F.1, relating to parking technical design standards for nonresidential districts; BZO Section 12.3.C., relating to the compatibility buffer requirements; and BZO Section 18.J.2., relating to perimeter landscaping requirements. The property subject to the variance request is located on land situated in the Yeti Addition, Block A, Lot 1R, in the Town of Bartonville, Denton County, Texas. The site address is 1001 I.T. Neely Road. The applicant is BryFam Properties, LLC. [Town File No. VAR-2024-002.]**

- A. Staff Presentation**
- B. Applicant Presentation**
- C. Open Public Hearing**
- D. Those in Favor**
- E. Those Opposed**
- F. Rebuttal**
- G. Close Public Hearing**
- H. Discussion and Action**

Town Administrator Chambers introduced the Town's Planning Consultant Ryan Wells, who provided a summary of the requested variances and addressed questions from the Board.

Applicants Cara King of McAdams, 201 Country View Drive, Roanoke, Texas 76262, and Marty Bryan, BryFam Properties, LLC, 913 Hat Creek Court, Bartonville, Texas 76226, shared a presentation of the proposed variance requests and addressed questions from the Board.

Chair Baumgarner opened the Public Hearing at 6:57 pm, and after recognizing that no one wished to speak, closed the Public Hearing at 6:58 pm.

**Requested Variance #1**

Motion made by Director Jenkins, seconded by Director Daum, to approve the requested variance to allow reduction in the required parking spaces to 77, with the remaining parking spaces being constructed of flex base, where 99 parking spaces are required to be constructed of concrete or asphalt by Town Zoning Ordinance Appendix F, Section F.1, the Technical Design Standards, because the variance meets the following requirement(s) under the factors in Zoning Ordinance Section A.3.D of Appendix A, Item(s):

- a. There are special circumstances or conditions arising from the physical surroundings, shape, topography or other feature affecting the land subject to the variance petition, such that the strict application of the provisions of this Zoning Ordinance to the development application would create an unnecessary hardship or inequity upon or for the petitioner, as distinguished from a mere inconvenience, in developing the land or deprive the petitioner of the reasonable and beneficial use of the land; and
- d. Granting the variance petition will not be detrimental to the public health, safety or welfare, or injurious to other property within the area.

**VOTE ON THE MOTION**

AYES: Baumgarner, Daum, Knowler, O'Brien, and Jenkins

NAYS: None

VOTE: 5-0

**Requested Variance #2**

Motion made by Director O'Brien, seconded by Director Jenkins, to approve the requested Variance to allow reduction of the required landscape buffer adjacent to the Hudson Hills residential use to 15 feet, where 25 feet is required by Town Zoning Ordinance Section 12.3.C.11, because the variance meets the following requirement(s) under the factors in Zoning Ordinance Section A.3.D of Appendix A, Item(s):

- a. There are special circumstances or conditions arising from the physical surroundings, shape, topography or other feature affecting the land subject to the variance petition, such that the strict application of the provisions of this Zoning Ordinance to the development application would create an unnecessary hardship or inequity upon or for the petitioner, as distinguished from a mere inconvenience, in developing the land or deprive the petitioner of the reasonable and beneficial use of the land.

**VOTE ON THE MOTION**

AYES: Baumgarner, Daum, Knowler, O'Brien, and Jenkins

NAYS: None

VOTE: 5-0

**Requested Variance #3**

Motion made by Director O'Brien, seconded by Director Knowler, to approve the requested Variance to allow construction of a screening wall of 6-foot-high stone column and ornamental fence configuration, where a solid masonry wall at least 6 feet in height is required by Town Zoning Ordinance Sections 12.3.C.11 and 18.6.J.2, because the variance meets the following requirement(s) under the factors in Zoning Ordinance Section A.3.D of Appendix A, Item(s):

- a. There are special circumstances or conditions arising from the physical surroundings, shape, topography or other feature affecting the land subject to the variance petition, such that the strict application of the provisions of this Zoning Ordinance to the development application would create an unnecessary hardship or inequity upon or for the petitioner, as distinguished from a mere inconvenience, in developing the land or deprive the petitioner of the reasonable and beneficial use of the land; and
- f. Granting the variance petition is consistent with any special criteria applicable to varying particular standards.

**VOTE ON THE MOTION**

AYES: Baumgarner, Daum, Knowler, and O'Brien

NAYS: Jenkins

VOTE: 4-1

**Requested Variance #4**

Motion made by Director Jenkins, seconded by Director O'Brien, to to approve the requested Variance to allow a reduction of perimeter landscaping by 16 trees, offset by the street trees to be planted in the adjacent right-of-way, where a larger number of trees is required by Town Zoning Ordinance Sections 18.6.J.2.b.1 & 2, because the variance meets the following requirement(s) under the factors in Zoning Ordinance Section A.3.D of Appendix A, Item(s):

- a. There are special circumstances or conditions arising from the physical surroundings, shape, topography or other feature affecting the land subject to the variance petition, such that the strict application of the provisions of this Zoning Ordinance to the development application would create an unnecessary hardship or inequity upon or for the petitioner, as distinguished from a mere inconvenience, in developing the land or deprive the petitioner of the reasonable and beneficial use of the land.

**VOTE ON THE MOTION**

AYES: Baumgarner, Daum, Knowler, O'Brien, and Jenkins

NAYS: None

VOTE: 5-0

- 4. Public hearing to consider a variance to the following regulations: Bartonville Zoning Ordinance Section 4.7., relating to single-family dwelling setback requirements. The property subject to the variance request is located on land situated in the Eagle Ridge Addition, Block A, Lot 21, in the Town of Bartonville, Denton County, Texas. The site address is 1209 Pitner Court. The applicant is Bartonville South 1031, LLC. [Town File No. VAR-2024-003.]**
- A. Staff Presentation**
  - B. Applicant Presentation**
  - C. Open Public Hearing**
  - D. Those in Favor**
  - E. Those Opposed**
  - F. Rebuttal**
  - G. Close Public Hearing**
  - H. Discussion and Action**

Town Planning Consultant Ryan Wells provided a summary of the requested variance and addressed questions from the Board.

Applicant Omar Oweis, Bartonville South 1031, LLC, 2061 S Stemmons Freeway, Lewisville, Texas 75067, explained the reason for the requested variance and addressed questions from the Board. Chair Baumgarner opened the Public Hearing at 7:16 pm, and after recognizing that no one wished to speak, closed the Public Hearing at 7:16 pm.

Chair Baumgarner convened the Board of Adjustment into Executive Session Pursuant to the Open Meetings Act, Chapter 551, in accordance with the Texas Government Code Section 551.071 Consultation with Town Attorney to seek legal advice of its attorney concerning agenda item # E.4 at 7:17 pm.

Chair Baumgarner reconvened the Board of Adjustment into Open Session at 7:37 pm.

Motion made by Director Daum, seconded by Director Jenkins to approve the requested Variance to reduce the front and side yard setbacks for Lot 21 of the Eagle Ridge subdivision to 40 feet, where front and side yard setbacks of 50 feet are required by Town Zoning Ordinance Section 4.7, because the variance meets the following requirement(s) under the factors in Zoning Ordinance Section A.3.D of Appendix A, Item(s):

- b. The circumstances causing the hardship do not similarly affect all or most properties in the vicinity of the petitioner's land;
- d. Granting the variance petition will not be detrimental to the public health, safety or welfare, or injurious to other property within the area; and
- g. The hardship or inequity suffered by petitioner is not self-induced.

**VOTE ON THE MOTION**

AYES: Baumgarner, Daum, Knowler, O'Brien, and Jenkins

NAYS: None

VOTE: 5-0



5. **Public hearing to consider a variance to the following regulations: Bartonville Zoning Ordinance Section 19.4.A., relating to accessory building setback requirements. The property subject to the variance request is located on land situated in the Fuller Addition III, Block A, Lot 1, in the Town of Bartonville, Denton County, Texas. The applicant is Jonathan King. [Town File No. VAR-2024-004.]**

- A. Staff Presentation**
- B. Applicant Presentation**
- C. Open Public Hearing**
- D. Those in Favor**
- E. Those Opposed**
- F. Rebuttal**
- G. Close Public Hearing**
- H. Discussion and Action**

Town Planning Consultant Ryan Wells provided a summary of the requested variance and addressed questions from the Board.

Applicant Jonathan King, 2916 Frontier Drive, Denton, Texas 76201 explained the reason for the requested variance and addressed questions from the Board.

Chair Baumgarner opened the Public Hearing at 7:53 pm.

Town Secretary Montgomery stated that the Town received a statement in support of the requested variance from Ben Borgman, 565 W Jeter Road, Bartonville, Texas 76226 and two speakers requesting to speak tonight have also sent in statements in favor of the request.

The following individuals spoke IN FAVOR of the requested variance:

- Odis Fuller, 443 Pine Hills, Frisco, Texas 76036, and Bartonville Property Owner
- Missy Grau, 1112 Frenchtown, Bartonville, Texas 76226
- Weldon Pierson, 1126 Frenchtown, Bartonville, Texas 76226
- Cherry Fuller, 1000 S Gibbons Road, Bartonville, Texas 76226 – submitted a statement in favor.

Chair Baumgarner closed the Public Hearing at 8:04 pm.

Motion made by Director Jenkins, seconded by Director Knowler, to approve the requested Variance to allow construction of a single-family residence behind the existing accessory building rather than in front of the existing accessory building as required by Town Zoning Ordinance Section 19.4.A, because the variance meets the following requirement(s) under the factors in Zoning Ordinance Section A.3.D of Appendix A, Item(s):

- a. There are special circumstances or conditions arising from the physical surroundings, shape, topography or other feature affecting the land subject to the variance petition, such that the strict application of the provisions of this Zoning Ordinance to the development application would create an unnecessary hardship or inequity upon or for the petitioner, as distinguished from a mere inconvenience, in developing the land or deprive the petitioner of the reasonable and beneficial use of the land;

- c. The variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner;
- g. The hardship or inequity suffered by petitioner is not self-induced; and
- h. The request for a variance is not based exclusively upon a desire from the petitioner for increased financial gain from the property, or to reduce an existing financial hardship.

**VOTE ON THE MOTION**

AYES: Baumgarner, Daum, Knowler, O'Brien, and Jenkins

NAYS: None

VOTE: 5-0

- 6. Public hearing to consider a variance to the following regulations: Bartonville Zoning Ordinance Sections 22.3.D., L., and R., relating to telecommunications facility setback requirements. The property subject to the variance request is located on land situated in the DCFWSD #7 Retail Center Addition, Block A, Lot 1, in the Town of Bartonville, Denton County, Texas. The applicant is Ralph Wyngarden of Faulk & Foster. [Town File No. VAR-2024-005.]**

- A. Staff Presentation**  
**B. Applicant Presentation**  
**C. Open Public Hearing**  
**D. Those in Favor**  
**E. Those Opposed**  
**F. Rebuttal**  
**G. Close Public Hearing**  
**H. Discussion and Action**

Town Planning Consultant Ryan Wells provided a summary of the requested variance and addressed questions from the Board.

Applicant Ralph Wyngarden, Faulk & Foster, 678 Front Avenue NW, Suite 255, Grand Rapids, MI 49504, explained the reason for the requested variance and addressed questions from the Board.

Chair Baumgarner opened the Public Hearing at 8:22 pm.

The following spoke:

- Tim House, Bartonville Store, 96 McMakin, Bartonville, Texas 76226, objected to the use of the variance request.

Chair Baumgarner closed the Public Hearing at 8:26 pm.

Motion made by Director Jenkins, seconded by Director Knowler, to enter into executive session to discuss legal questions with the Town Attorney for agenda item E.6.

**VOTE ON THE MOTION**

AYES: Baumgarner, Daum, Knowler, O'Brien, and Jenkins

NAYS: None

VOTE: 5-0

Chair Baumgarner convened the Board of Adjustment into Executive Session Pursuant to the Open Meetings Act, Chapter 551, in accordance with the Texas Government Code Section 551.071 Consultation with Town Attorney to seek legal advice of its attorney concerning agenda item # E.6 at 8:25 pm.

Chair Baumgarner reconvened the Board of Adjustment into Open Session at 8:39 pm.

Motion made by Director Jenkins, seconded by Director Daum, to deny the requested Variance to remove the rear yard setback for the 130-foot monopole proposed behind the Kroger Marketplace within the Lantana Town Center development, where a 10-foot rear yard setback is required by Planned Development District Ordinance No. 411-06 and Zoning Ordinance Sections 22.3.D., L., and R, because the variance does not meet the requirement(s) under the factors in Zoning Ordinance Section A.3.D of Appendix A, Item(s):

- b. The circumstances causing the hardship do similarly affect all or most properties in the vicinity of the petitioner’s land;
- g. The hardship or inequity suffered by petitioner is self-induced; and
- h. The request for a variance is based exclusively upon a desire from the petitioner for increased financial gain from the property, or to reduce an existing financial hardship.

**VOTE ON THE MOTION**

AYES: Baumgarner, Daum, Knowler, O’Brien, and Jenkins

NAYS: None

VOTE: 5-0

**F. ADJOURNMENT**

Chair Baumgarner declared the meeting adjourned at 8:41 pm.

**APPROVED this the 30th day of July 2024.**

**APPROVED:**

\_\_\_\_\_  
Donna Baumgarner, Chair

**ATTEST:**

\_\_\_\_\_  
Shannon Montgomery, TRMC, Town Secretary



# BOARD OF ADJUSTMENT COMMUNICATION

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**DATE:** July 30, 2024

**FROM:** Thad Chambers, Town Administrator

**AGENDA ITEM:** Public hearing to consider a variance to regulations found in Bartonville Zoning Ordinance Section 18.6, relating to minimum landscaping requirements for nonresidential developments. The property subject to the variance request is located at 64 McMakin Road in Bartonville, Texas. The applicants are Mark and Kathryn Taylor. [Town File No. VAR-2024-006].

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**Applicant:** Mark and Kathryn Taylor

**Zoning:** Rural Business (RB)

**Requested Variance:** To permit a variance from the original landscape plan for Guidance Preparatory Academy, located at 64 McMakin Road.

**Summary:** The applicant has submitted a variance request (Exhibit 1) to amend the original approved landscape plan included as part of their original site plan approval in 2008. Within the past year or so, approximately 11 Leland cypress trees and 12 photinia trees were removed as part of a site clearing effort related to utility easement maintenance and septic system upgrades. These trees were originally planted to provide extra screening between the school property and the adjacent residential property. Town staff observed the change to the landscape plan and on May 23, 2024 a notice of zoning code violation was prepared and delivered to the property owner, stating that the landscape maintenance provisions in Bartonville Zoning Ordinance Section 18.8 had been violated.

In response to the zoning code violation letter, the applicant submitted a variance request, which had been identified as an available option. Based on the applicant's variance request explanation letter, the variance and change to the original landscape plan is being requested to accommodate 1) changes recommended by the property owner's septic design engineer, which precludes the ability to replant the Leland cypress trees, and 2) an error in the original application that allowed the photinia to be planted within a recorded utility easement along the screen wall located on the property's western boundary.

The applicant claims that the redesigned septic system lateral lines prevent the Leland cypress from being planted in their original location without risk of future damage to the system. The photinia are not appropriate for the utility easement, as said easement provides vehicular access for utility maintenance.

As part of the variance request, the applicant is requesting the authority to plant three 45-gallon, 12-foot-high live oak trees at 20-foot spacing within the area between McMakin Road and the septic tank on-site, in lieu of replanting the Leland cypress and photinia as reflected in the original approved landscape plan. The applicant's proposed planting location is not situated between the applicant's commercial use and the adjacent residential property.

**Criteria for Approval:** In deciding the variance petition, the Board of Adjustments shall apply the following criteria:

- A. There are special circumstances or conditions arising from the physical surroundings, shape, topography or other feature affecting the land subject to the variance petition, such that the strict application of the provisions of this Zoning Ordinance to the development application would create an unnecessary hardship or inequity upon or for the petitioner, as distinguished from a mere inconvenience, in developing the land or deprive the petitioner of the reasonable and beneficial use of the land;
- B. The circumstances causing the hardship do not similarly affect all or most properties in the vicinity of the petitioner's land;
- C. The variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner;
- D. Granting the variance petition will not be detrimental to the public health, safety or welfare, or injurious to other property within the area;
- E. Granting the variance petition will not have the effect of preventing the orderly use and enjoyment of other land within the area in accordance with the provisions of this Ordinance, or adversely affect the rights of owners or residents of surrounding property;
- F. Granting the variance petition is consistent with any special criteria applicable to varying particular standards;
- G. The hardship or inequity suffered by petitioner is not self-induced;
- H. The request for a variance is not based exclusively upon a desire from the petitioner for increased financial gain from the property, or to reduce an existing financial hardship; and
- I. The degree of variance requested is the minimum amount necessary to meet the needs of petitioner and to satisfy the standards in this section.

**If Approved:** Approval of the variance request would permit the property owner to plant three 45-gallon, 12-foot-high live oak trees at 20-foot spacing within the area between McMakin Road and the septic tank on-site, in lieu of replanting the Leland cypress and photinia as reflected in the original approved landscape plan. As a result, the extra screening provided by the original plantings would not be replaced.

**If Denied:** Denial of the variance request would mean that the property owner would either have to replace all of the original plantings and ensure their survival in accordance with Bartonville Zoning Ordinance Section 18.8 or propose another landscape plan for Planning & Zoning Commission and Town Council approval that meets all of the requirements in Chapter 18 of the Bartonville Zoning Ordinance.

**Exhibits:**

1. Variance Application VAR-2024-006
2. Copy of Original Approved Landscape Plan
3. Location Map
4. Notification Letter and Addresses
5. Publication Affidavit

# Exhibit 1

TOWN OF BARTONVILLE  
REQUEST FOR VARIANCE

Item E1.

Zoning Regulations (Section: \_\_\_\_\_)  Subdivision Regulations (Section: \_\_\_\_\_)  
 Sign Regulations (Section: \_\_\_\_\_)  Other: Landscape Plan

Owner's Name: Mark & Kathryn Taylor Phone: 817-463-0382 Fax: \_\_\_\_\_

Mailing Address 8470 Steeplechase Circle, Argyle 76226

Legal Description: Lot 4R Block A Addition Addic Addition

Present Use and Improvements on Property: 64 McMahon Road

Description of Variance or Special Exception Requested:

See attached letter requesting variance from  
original landscape plan

Has a previous Application or Appeal to the Board been filed on the property?  
 No  Yes, Date: \_\_\_\_\_

**Attach maps, designs, lists of property owner's names and addresses , and/or any additional materials as necessary or required by ordinance appeal procedures. Please included ten (10) copies of any information that is submitted.**

I certify that I am the legal owner of record of the property, or that I have secured the property owner's permission as shown on the attached affidavit (as applicable), and that the information concerning this request for variance is true and correct and respectfully request it's consideration.

*Keith Jew*  
Signature

6/18/24  
Date

RECEIVED

Application complete? _____	Fee Paid: \$ <u>450.00</u>	Date: <u>JUL 08 2024</u>
Date to appear before: P&Z _____	TC _____	BOA _____
Remarks: _____		

June 18, 2024

Town of Bartonville  
1941 E. Jeter Road  
Bartonville, TX 76226

Re: Zoning Code Violation

Dear Zoning Board of Adjustment,

We are in receipt of the Zoning Code Violation and wish to remedy this issue as quickly as possible. We are seeking a variance to our original landscaping application because of changes recommended by KCB Engineering to our existing septic drainage field and well as errors in our original application.

The original landscaping plan called for Leland cypress trees to be planted along the east side of the privacy wall. Because of our need to modify our septic field and increase the area of lateral lines based on engineering recommendations, we no longer have the ability to plant in the original location of these trees. As shown in the diagram below, there is no space to accommodate root growth of trees in the original location of the Leland cypress trees without damage to the buried septic lines.

We would also like to revisit the error that was made in our original application allowing photinia to be planted in the utility easement along the west side of the privacy wall. As mentioned in our response email, we cannot accommodate maintenance vehicles on our property as a courtesy because of the potential breakage of the buried septic lines. Future maintenance vehicles will have to utilize the easement, thus preventing the ability to plant in this area.

For security and the safety of the children enrolled at GPA, we do not wish to plant anything around our playground or building that impedes the staff's ability to see intruders approaching.

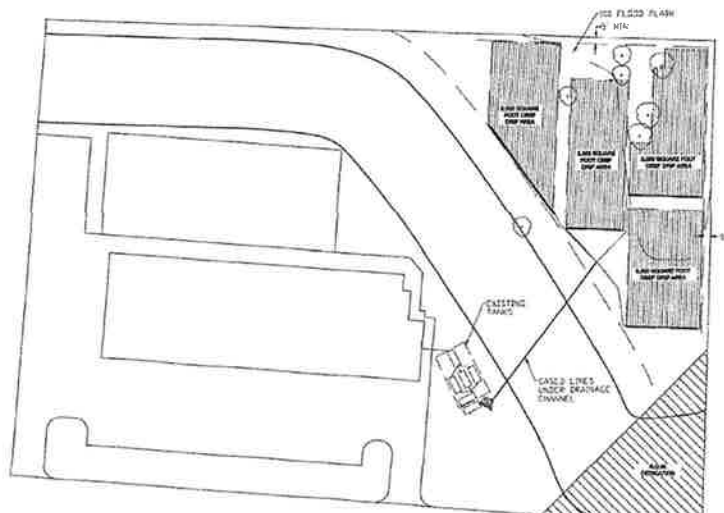
All of these factors outlined necessitates a change to our original landscaping application. In lieu of the Leland cypress and photinia, we would like to propose a planting of live oak trees in the area between McMackin Road and our septic tanks. These trees would be a minimum of 45 gallon and 12 feet high at planting. Because of the 20' spacing recommended by Fannin Tree Farm, the planting area will accommodate 3 trees.

We are available at any time to answer your questions or provide additional information.

Respectfully,

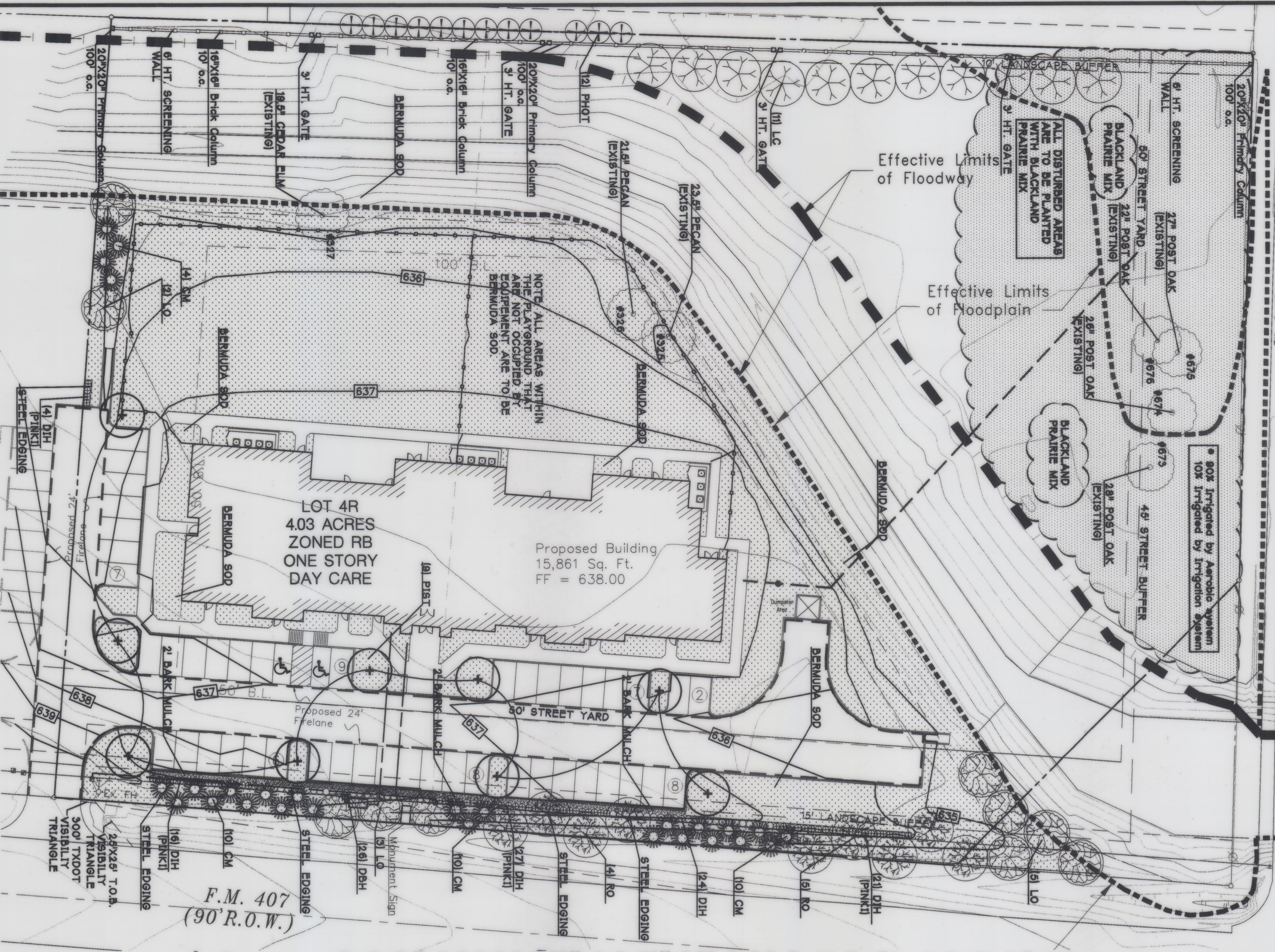


Kathryn Taylor  
817-403-0382





# Exhibit 2



Post Oak Lane  
(60' R.O.W.)

- LANDSCAPE NOTES:**
- Plant material shall be measured and sized according to the latest edition of the American Nursery and Landscape Association (NLA) grades and standards.
  - Areas surveyed and landscaped with a minimum of 3 inches of hardwood or other mulch shall be top-dressed with a minimum of 3 inches of hardwood or other mulch.
  - Trees shall be planted at least 4 feet from utility lines, curbs, walk, fire connection, and outside of utility easements.
  - Trees overhanging walk and parking shall have a minimum clear trunk height of 7 ft. A visibility triangle must be provided at all intersections. Shrubs are not to exceed 30 inches in height. Trees shall have a minimum clear trunk height of 9 feet.
  - The owner, tenant, and/or their agents, if any, shall be jointly and severally liable for the maintenance of all trees, shrubs, and plants on the site.
  - All irrigation shall be maintained in a neat and orderly manner. All trees shall include, but not be limited to, watering, pruning, fertilizing, watering, and other activities necessary for the maintenance of landscaped areas.
  - All plant material shall be maintained in a healthy and growing condition as is appropriate for the season of the year. Plant material that is damaged, destroyed, or removed shall be replaced with plant material of similar size and variety within 30 days unless otherwise approved in writing by the town of Bartonville.
- Before construction, landscape contractor and general contractor shall verify and locate all underground utilities, trees, and irrigation specifications.
  - All landscape beds and turf areas to be selected with steel edging.
  - All landscape beds to be 6" below finished floor.
  - All hydro-mulch or soil areas to be brought to +1/4" by site grading contractor.
  - Landscape contractor to bring all areas to final grade and remove all sod.
  - Rock or debris to be removed from all areas.
  - Landscaping shall be completed within 90 days of completion of building.
  - Please note that the permeable areas under the drip line of specimen and protected trees should be left of natural grade. No cutting or filling is to occur in these areas.
  - Newly planted trees to be measured at 18" above ground.**

QUANTITY	COMMON NAME	BOTANICAL NAME	SIZE	SPACE	REMARKS
10	LIVE OAK	Quercus virginiana	3" cal.	See plan	single trunk
9	RED OAK	Quercus shumardii	3" cal.	See plan	single trunk
1	PISTACHE	Pistacia chinensis	3" cal.	See plan	single trunk
1	LELAND CYPRESS	Cupressus leylandii	30 gal.	See plan	7 ft. x 3 cal.
27	CAEAPEWATTLE	Lagerstromia indica	15 gal.	7-8 cal.	6-7 ft. H.
68	DWP INDIAN HAWTHORNE	Rapanea indica	3 gal.	3-4 cal.	min. 60 in. H.
50	DWP INDIAN HAWTHORNE	Rapanea indica	3 gal.	3-4 cal.	min. 60 in. H.
12	FRONTSIA	Fraxinus texensis	5 gal.	5-6 cal.	5-6 ft. H.

**LANDSCAPE REQUIREMENT COMPLIANCE**  
TOWN OF BARTONVILLE  
Adopted Addition on F.M. 407  
Zoning - RB

All landscape will be maintained according to city standards. All landscape will be 100% watered by an underground irrigation system. All plant materials will meet or exceed minimal plant sizes and will be selected from approved plant lists.

**STREET TREES**  
REQUIRED: Street canopy trees shall be provided in a ratio of 1 tree per 30 LT. F.M. 407: 608' of street frontage = 20 trees. F.M. 407: 17 trees = 510' of street frontage = 13 trees. Post Oak Ln: 22 existing tree credits (6-673-5, 6-675-6, 6-676-5)

**PARKING AREA LANDSCAPING**  
REQUIRED: A minimum of ten (10) percent of the gross parking area shall be devoted to living landscaping that includes grass, ground cover, plants, shrubs, and trees.  
PROVIDED: 26,143 s.f. = 1 = 2,614 s.f.  
PROVIDED: 3,561 s.f.  
PROVIDED: There shall be a minimum of one (1) native overstory tree planted for each four hundred (400) s.f. or fraction thereof required interior landscape area. 2,614 s.f./400 = 6 trees

**PROVIDED:** 9 canopy trees (3" cal.)  
REQUIRED: The minimum width of the perimeter landscape area from the street right-of-way shall be 15'.  
PROVIDED: F.M. 407: minimum 15' landscape buffer.  
Post Oak Ln: minimum 45' landscape buffer.  
REQUIRED: One (1) overstory tree per fifty (50) LT of frontage.  
PROVIDED: 10 trees  
REQUIRED: Three (3) understory trees per fifty (50) LT of frontage.  
PROVIDED: 23 trees  
REQUIRED: 370 LT / 50 = 23 trees

**REQUIRED:** Parking and vehicular use areas with head-in parking shall be screened from street view to a minimum height of 3 foot.  
PROVIDED: 3' ht. screening shrubs

**NON-RESIDENTIAL TO RESIDENTIAL BUFFER**  
REQUIRED: The landscape setback shall consist of a minimum 10' landscape buffer.  
PROVIDED: Minimum 10' landscape buffer.  
REQUIRED: Quarterly lines of a species specified by Chapter 31 requires min. 1 tree per 50 LT. PROVIDED: 506 LT / 50 = 11 trees

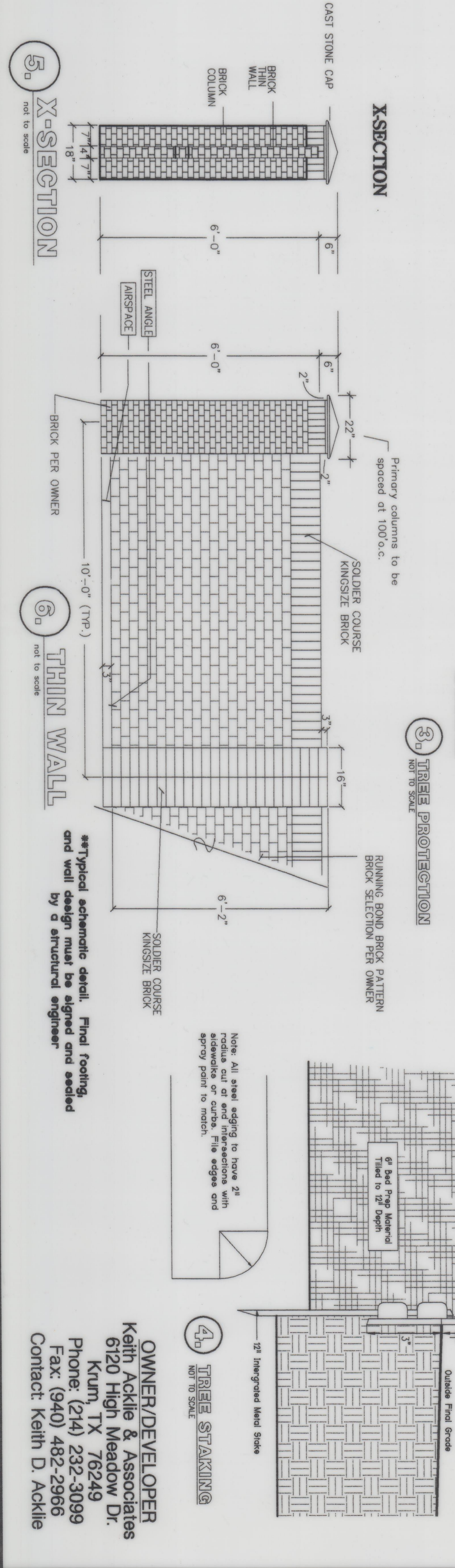
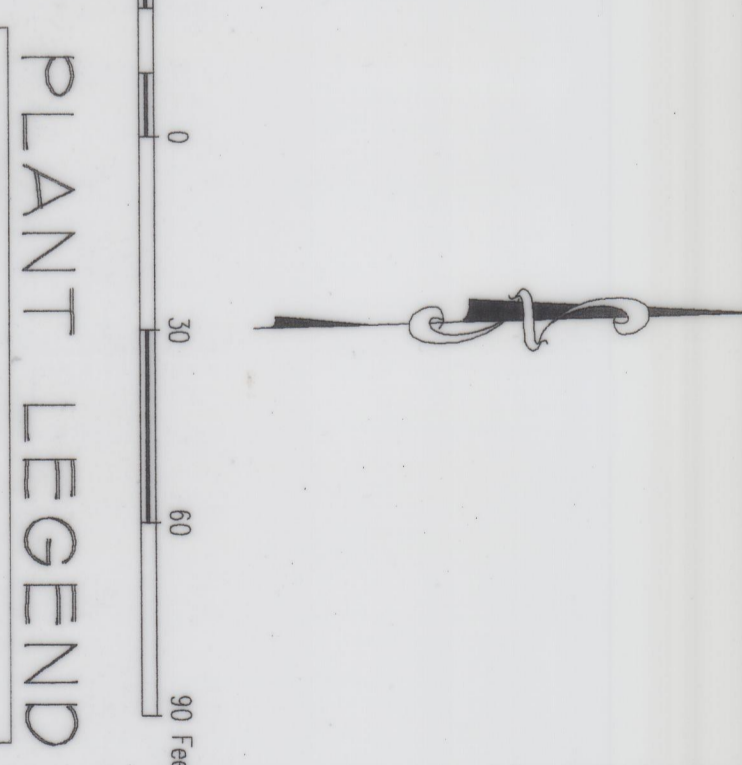
**NON-RESIDENTIAL TO NON-RESIDENTIAL LANDSCAPE BUFFER**  
REQUIRED: A landscape edge of a min. 5' landscape buffer.  
PROVIDED: 60 LT / 50 = 2 trees

**REQUIRED:** Overstory trees of a species specified by Chapter 31 requires min. 1 tree per 50 LT. PROVIDED: 2 trees  
REQUIRED: 60 LT / 50 = 1.2 trees X 3 = 4 trees  
PROVIDED: 4 trees  
REQUIRED: Screening shrubs of a species specified by Chapter 31 min. 6 shrubs per 100 LT. PROVIDED: 60 LT / 100 = 6 shrubs X 6 = 4 shrubs

**NON-VEHICULAR OPEN SPACE**  
REQUIRED: Development within the RB and GC zoning districts shall meet the landscaping standards for open spaces on any developed lot or parcel.  
Total site: 183,863 s.f. (-) Parking area: 24,187 s.f. (-) Building: 15,861 s.f. (-) Open Drainage Easement: 47,673 s.f. = Total Non-Vehicular open space: 96,138 s.f.  
REQUIRED: Overstory trees shall be planted in non-vehicular open space to meet the following criteria:  
% of site in non-vehicular open space  
Tree ratio per non-vehicular open space  
less than 30 1 tree/2,500 s.f.  
30 to 49 1 tree/3,000 s.f.  
more than 49 1 tree/4,000 s.f.

**Non-Vehicular Open Space:** 96,138 s.f. / Total Site: 183,863 s.f. = 52% of Non-Vehicular Open Space  
**Non-Vehicular Open Space:** 96,138 s.f. / 4,000 s.f. = 24 trees  
PROVIDED: 39 new (3" cal.) trees + 36 existing tree credits (6-673-5, 6-675-6, 6-676-5, 6-677-1, 6-678-2, 6-679-3, 6-680-4, 6-681-5)

**\*THERE ARE NO PROTECTED TREES TO BE REMOVED FROM THIS SITE**



**OWNER/DEVELOPER**  
Keith Ackle & Associates  
6120 High Meadow Dr.  
Krum, TX 76249  
Phone: (214) 232-3099  
Fax: (940) 482-2966  
Contact: Keith D. Ackle

**OWNER/DEVELOPER**  
Keith Ackle & Associates  
6120 High Meadow Dr.  
Krum, TX 76249  
Phone: (214) 232-3099  
Fax: (940) 482-2966  
Contact: Keith D. Ackle

**DRAWN BY:** R.L.S.  
**DATE:** 04/07/08  
**SCALE:** 1" = 50'  
04/16/08  
05/27/08  
06/10/08

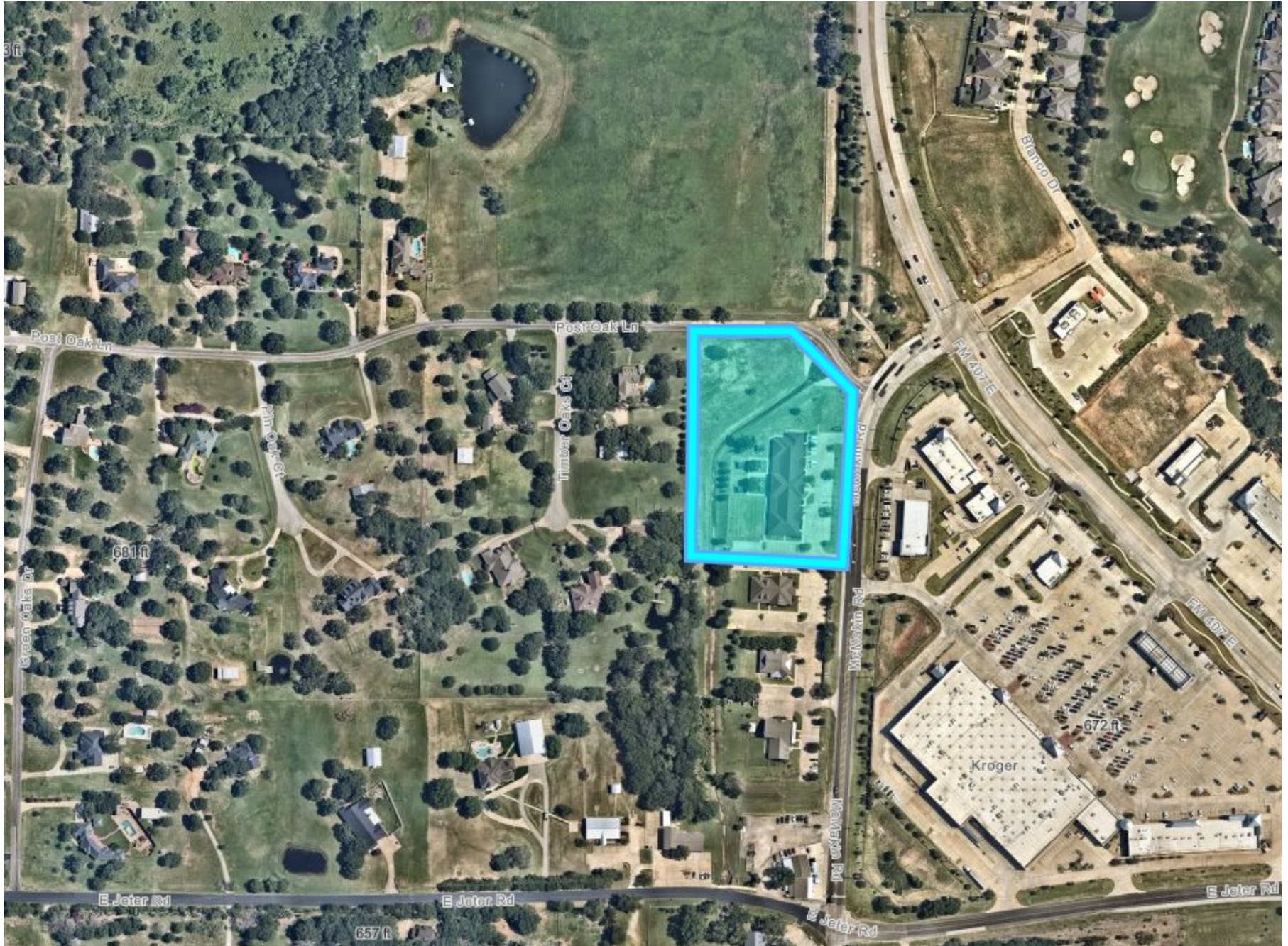
**REGISTERED LANDSCAPE ARCHITECT**  
RON W. SWARTZ  
No. 4124 06

**LANDSCAPE PLAN**

**BARTONVILLE DAY CARE**  
4.032 ACRES  
in the  
AR. LOVING SURVEY, ABSTRACT NO. 736  
TOWN OF BARTONVILLE  
DENTON COUNTY, TEXAS

**G & A Consultants, Inc.**  
SITE PLANNING • PLATTING  
CIVIL ENGINEERING  
LAND SURVEYING  
LANDSCAPE ARCHITECTURE  
Phone (972) 436-9712 • Fax (972) 436-9715  
P.O. Box 1396 • Lewisville, Texas 75067

# Exhibit 3



## Exhibit 4



1941 E. Jeter Road, Bartonville, TX 76226 817-693-5280

July 18, 2024

«OWNER»  
«ADDRESS»  
«CITY», «ST» «ZIP»

Re: Proposed Variance, 64 McMakin Road

Dear Property Owner,

The Board of Adjustment for the Town of Bartonville, Texas will conduct a Public Hearing at 6:00 p.m. on July 30, 2024, at Bartonville Town Hall, 1941 E. Jeter Road, Bartonville, Texas, to hear public comment and consider a variance to the following regulations: Bartonville Zoning Ordinance Section 18.6, relating to minimum landscaping requirements for nonresidential developments. The property subject to the variance request is located at 64 McMakin Road in Bartonville, Texas. The applicants are Mark and Kathryn Taylor. The Town of Bartonville file number for this application is VAR-2024-006. All interested parties are encouraged to attend.

Sincerely,

Thad Chambers, CPM  
Town Administrator  
Town of Bartonville

## VAR-2024-006 64 McMakin Road Variance Request Mailing List

Item E1.

OWNER	ADDRESS	CITY	ST	ZIP
A-S 114 LANTANA TOWN CENTER LP	8827 W SAM HOUSTON PKWY N STE 200	HOUSTON	TX	77040-5383
DAUM, SCOTT D & KATHY A	1590 POST OAK LN	BARTONVILLE	TX	76226-9461
FRICK, RONNIE & 1995 FRICK FAMILY TRUST	1487 POST OAK LN	BARTONVILLE	TX	76226-9463
JANKE OFFICE BUILDING LTD	145 S FOREST LN	LEWISVILLE	TX	75077-8284
KILPATRICK, WILLIAM SCOTT & SUSAN BECKETT LIVING TRUST	290 TIMBER OAKS CT	ARGYLE	TX	76226-7000
KROGER TEXAS LP	751 FREEPORT PKWY	COPPELL	TX	75019-4411
MCCRAY, J GREGORY	80 MCMAKIN RD	BARTONVILLE	TX	76226-8438
TFLH LLC	64 MCMAKIN RD	BARTONVILLE	TX	76226-8438

## Exhibit 5



**Denton Record-Chronicle**  
2413 Fort Worth Dr  
(940) 387-7755

I, Justin Mattos, of lawful age, being duly sworn upon oath depose and say that I am an agent of Column Software, PBC, duly appointed and authorized agent of the Publisher of Denton Record-Chronicle, a publication that is a "legal newspaper" as that phrase is defined for the city of Denton, for the County of Denton, in the state of Texas, that this affidavit is Page 1 of 1 with the full text of the sworn-to notice set forth on the pages that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates:

**PUBLICATION DATES:**  
Jul. 13, 2024

**Notice ID:** j8fbcBdd3gL8xm2W4Chz  
**Notice Name:** 07.13.2024 BOA PH Notice for 07.30.24 Meeting

**PUBLICATION FEE:** \$45.04

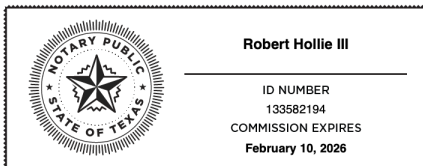
I declare under penalty of perjury that the foregoing is true and correct.

*Justin Mattos*

Agent

**VERIFICATION**

State of Texas  
County of Bexar



Signed or attested before me on this: 07/16/2024

Notary Public  
Electronically signed and notarized online using the Proof platform.

**TOWN OF BARTONVILLE  
BOARD OF ADJUSTMENT  
NOTICE OF PUBLIC  
HEARINGS**

The Board of Adjustment for the Town of Bartonville, Texas will conduct Public Hearings beginning at 6:00 pm on Tuesday, July 30, 2024, at Bartonville Town Hall, 1941 E. Jeter Road, Bartonville, Texas, to hear public comment and consider the following items:

- a variance to the following regulations: Bartonville Zoning Ordinance Section 18.6, relating to minimum landscaping requirements for nonresidential developments. The property subject to the variance request is located at 64 McMakin Road in Bartonville, Texas. The applicants are Mark and Kathryn Taylor. [Town File No. VAR-2024-006].
- a variance to the following regulations: Bartonville Zoning Ordinance Section 4.7, relating to minimum side yard setbacks for residential lots. The property subject to the variance request is located at 1189 W. Jeter Road in Bartonville, Texas. The applicant is Jeff Cash. [Town File No. VAR-2024-007.]

All interested parties are encouraged to attend.

drc 07/13/2024



# BOARD OF ADJUSTMENT COMMUNICATION

**DATE:** July 30, 2024

**FROM:** Thad Chambers, Town Administrator

**AGENDA ITEM:** Public hearing to consider a variance to the following regulations: Bartonville Zoning Ordinance Section 4.7, relating to minimum side yard setbacks for residential lots. The property subject to the variance request is located at 1189 W. Jeter Road in Bartonville, Texas. The applicant is Jeff Cash. [Town File No. VAR-2024-007].

**Applicant:** Jeff Cash

**Zoning:** Residential Estates 2 (RE-2)

**Requested Variance:** To permit the conversion of an existing barn to residential use. The barn is located within the 20-foot interior side yard setback for the RE-2 zoning district.

**Summary:** The applicant has submitted a variance request (Exhibit 1) to permit the conversion of an existing barn to residential use. Prior to commencing the renovation, a variance must be granted permitting the retention of the existing building within the 20-foot interior side yard setback for the RE-2 zoning district. The existing barn structure, constructed in 1982 per Denton CAD, is located approximately 15 to 17 feet from the property line.

The subject property is approximately 3.570 acres in size. The converted structure, which upon approval of the variance would be renovated to be attached to the primary structure and not constitute a second residence, would otherwise remain subject to all other dimensional and use standards found in the BZO.

**Criteria for Approval:** In deciding the variance petition, the Board of Adjustments shall apply the following criteria:

- A. There are special circumstances or conditions arising from the physical surroundings, shape, topography or other feature affecting the land subject to the variance petition, such that the strict application of the provisions of this Zoning Ordinance to the development application would create an unnecessary hardship or inequity upon or for the petitioner, as distinguished from a mere inconvenience, in developing the land or deprive the petitioner of the reasonable and beneficial use of the land;
- B. The circumstances causing the hardship do not similarly affect all or most properties in the vicinity of the petitioner's land;
- C. The variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner;
- D. Granting the variance petition will not be detrimental to the public health, safety or welfare, or injurious to other property within the area;

- E. Granting the variance petition will not have the effect of preventing the orderly use and enjoyment of other land within the area in accordance with the provisions of this Ordinance, or adversely affect the rights of owners or residents of surrounding property;
- F. Granting the variance petition is consistent with any special criteria applicable to varying particular standards;
- G. The hardship or inequity suffered by petitioner is not self-induced;
- H. The request for a variance is not based exclusively upon a desire from the petitioner for increased financial gain from the property, or to reduce an existing financial hardship; and
- I. The degree of variance requested is the minimum amount necessary to meet the needs of petitioner and to satisfy the standards in this section.

**If Approved:** Approval of the variance request would permit the renovation of the existing barn structure in its current location into residential use, otherwise subject to all other setback and dimensional standards of the RE-2 zoning district.

**If Denied:** Denial of the variance request would mean that the renovation of the barn could not occur in its current location. The barn could continue to exist as a legal nonconforming structure. In order to convert the barn, a portion would have to be removed, or the structure relocated, such that it meets the 20-foot interior side yard setback.

**Exhibits:**

1. Variance Application VAR-2024-007
2. Location Map
3. Letter of Support
4. Notification Letter and Addresses
5. Publication Affidavit

# Exhibit 1

TOWN OF BARTONVILLE  
REQUEST FOR VARIANCE

Zoning Regulations (Section: \_\_\_\_\_)  Subdivision Regulations (Section: \_\_\_\_\_)  
 Sign Regulations (Section: \_\_\_\_\_)  Other: \_\_\_\_\_

Owner's Name: Jeff Cash Phone: (214) 244-7007 Fax: \_\_\_\_\_

Mailing Address 1185 W. Sooter Rd.

Legal Description: Lot 1 Block 1 Addition Glenview Estates

Present Use and Improvements on Property: Residential home and barn structure

Description of Variance or Special Exception Requested:

Renovating barn to include residential conditioned square footage and need variance for set back of the barn. Existing encroachment of set back is prior non conforming use.

Has a previous Application or Appeal to the Board been filed on the property?  
 No  Yes, Date: \_\_\_\_\_

**Attach maps, designs, lists of property owner's names and addresses , and/or any additional materials as necessary or required by ordinance appeal procedures. Please included ten (10) copies of any information that is submitted.**

I certify that I am the legal owner of record of the property, or that I have secured the property owner's permission as shown on the attached affidavit (as applicable), and that the information concerning this request for variance is true and correct and respectfully request it's consideration.

[Signature]  
Signature

7/9/2024  
Date

\*\*\*\*\*

Application complete? _____	Fee Paid: \$ <u>450.00</u>	Date: <u>7/9/2024</u>
Date to appear before: P&Z _____	TC _____	BOA _____
Remarks: _____		

**SURVEY**  
P.O. BOX 507 KFUJA,  
(817) 482-6729

TO ALL PARTIES DIRECTLY INTERESTED IN THE PREMISES SURVEYED  
I have this date directed a careful and accurate survey made on the ground of the property located at ~~1189~~ W. Jeter Road in the Town of Bartonville, Denton County, Texas and being Lot 1 in Block 1 of Glenview Estates an addition in the Town of Bartonville, Denton County, Texas, according to the Plat thereof, recorded in Cabinet B, Page 295 of the Plat Records of Denton County, Texas.

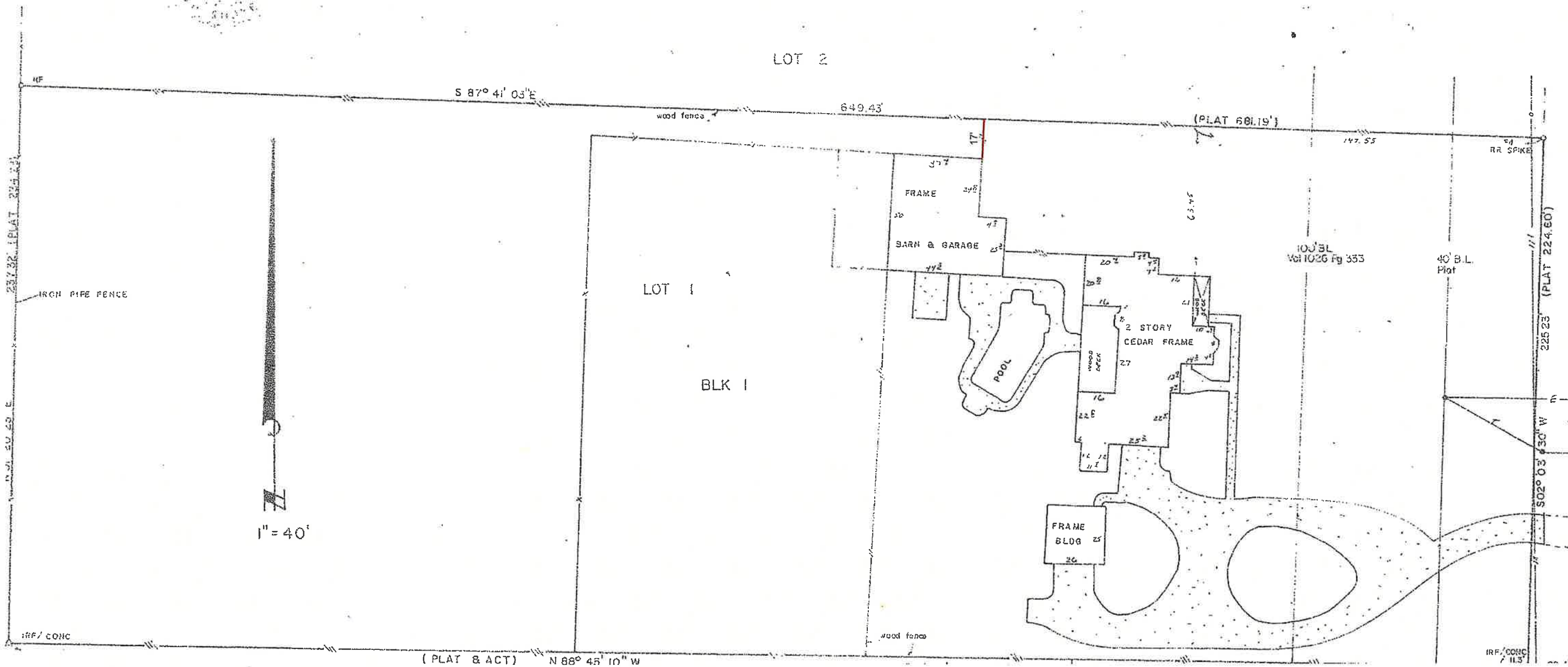
FLOOD STATEMENT: I have examined the Flood Hazard Boundary Map for the Town of Bartonville, Community No. 481501, effective date June 12, 1979 and that map indicates that this property is not within an identified Flood zone (Not In Zone V) as shown on Panel 1A of said map.

This Plat correctly represents the results of an on-the-ground survey made by me on October 12, 1993. There are no visible or apparent intrusions, protrusions or easements except as shown herein.

*Michael J. Kern*  
Michael J. Kern R.P.L.S. No. 4197

10-18-93  
Date

REVISED 10-18-93



## Exhibit 2





# Exhibit 3

Abraham Jose  
1221 W. Jeter Road  
Bartonville, TX 76226  
July 9, 2024

Board of Adjustments  
Town of Bartonville  
1941 E Jeter Rd  
Bartonville, TX 76226

Dear Members of the Board of Adjustments,

I am writing to express my full support for the construction project taking place at 1189 West Jeter Rd. As a neighbor of the property, I am aware of the variance requested for this project and understand the necessity of this adjustment to move forward with the construction.

The planned construction at 1189 West Jeter Rd. promises to enhance our community, and I am confident that the project will be completed with the utmost consideration for the surrounding environment and residents. I believe that granting the requested variance is in the best interest of our neighborhood and will contribute positively to Bartonville.

Thank you for considering my support for this project. I look forward to seeing its successful completion.

Sincerely,

  
Abraham Jose

  
Mary Jose



# Exhibit 4



1941 E. Jeter Road, Bartonville, TX 76226 817-693-5280

July 18, 2024

«OWNER»  
«ADDRESS»  
«CITY», «ST» «ZIP»

Re: Proposed Variance, 1189 W. Jeter Road

Dear Property Owner,

The Board of Adjustment for the Town of Bartonville, Texas will conduct a Public Hearing at 6:00 p.m. on July 30, 2024, at Bartonville Town Hall, 1941 E. Jeter Road, Bartonville, Texas, to hear public comment and consider a variance to the following regulations: Bartonville Zoning Ordinance Section 4.7, relating to minimum side yard setbacks for residential lots. The property subject to the variance request is located at 1189 W. Jeter Road in Bartonville, Texas. The applicant is Jeff Cash. The Town of Bartonville file number for this application is VAR-2024-007. All interested parties are encouraged to attend.

Sincerely,

Thad Chambers, CPM  
Town Administrator  
Town of Bartonville

**VAR-2024-007 1186 Jeter Road Variance Request Mailing List**

Item E2.

<b>NAME</b>	<b>ADDRESS</b>	<b>CITY</b>	<b>ST</b>	<b>ZIP</b>
MASSEY, JORDAN FORT & AMBER MARIE	348 SPRINGFIELD BND	ARGYLE	TX	76226-6848
JOSE, ABRAHAM & MARY	1221 W JETER RD	ARGYLE	TX	76226-6867
LOTT, JOHN R & KIMBERLY H	1136 W JETER RD	BARTONVILLE	TX	76226-6946
GOMEZ, JORGE A MAZIN	193 SPRINGFIELD LN	ARGYLE	TX	76226-6829
EVANS, ROBERT & TRACIE CHARITABLE REMAINDER TRUST #2	3460 TYRONE PIKE	VERSAILLES	KY	40383-9552
CASH, JEFFREY MICHAEL & JULIE	1189 W JETER RD	BARTONVILLE	TX	76226-6945
TREVANS INV LLC	3640 TYRONE PIKE	VERSAILLES	KY	40383-9261
EVANS, ROBERT LOUIS	480 E JETER RD	BARTONVILLE	TX	76226-9585
RATCLIFF, HAROLD R & DANA J	141 SPRINGFIELD LN	ARGYLE	TX	76226-6829

## Exhibit 5

**Denton Record-Chronicle**  
2413 Fort Worth Dr  
(940) 387-7755

I, Justin Mattos, of lawful age, being duly sworn upon oath depose and say that I am an agent of Column Software, PBC, duly appointed and authorized agent of the Publisher of Denton Record-Chronicle, a publication that is a "legal newspaper" as that phrase is defined for the city of Denton, for the County of Denton, in the state of Texas, that this affidavit is Page 1 of 1 with the full text of the sworn-to notice set forth on the pages that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates:

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**PUBLICATION FEE:** \$45.04

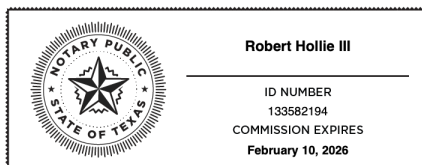
I declare under penalty of perjury that the foregoing is true and correct.

*Justin Mattos*

Agent

**VERIFICATION**

State of Texas  
County of Bexar



Signed or attested before me on this: 07/16/2024

Notary Public  
Electronically signed and notarized online using the Proof platform.

**TOWN OF BARTONVILLE  
BOARD OF ADJUSTMENT  
NOTICE OF PUBLIC  
HEARINGS**

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All interested parties are encouraged to attend.

drc 07/13/2024