



BOARD OF ADJUSTMENT MEETING AGENDA

April 01, 2025 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. PUBLIC HEARINGS AND ACTION ITEMS

1. Discuss and consider approval of the December 30, 2024, Meeting Minutes.
2. Conduct a Public Hearing to hear public comment and consider a variance to regulations found in Bartonville Zoning Ordinance Section 19.4, relating to accessory building setbacks. The property subject to the variance request is located at 1672 Barrington Hills Boulevard, Bartonville, Texas. The applicants are John and Lisa Healy. [Town File No. VAR-2025-001].

- 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

E. 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: Wednesday, March 26, 2025, prior to 4:00 pm.

Agenda Removed from Town of Bartonville Bulletin Board on: _____

By: _____, *Title:* _____



BOARD OF ADJUSTMENT COMMUNICATION

DATE: April 1, 2025
FROM: Shannon Montgomery, Town Secretary
AGENDA ITEM: Discuss and consider approval of the December 30, 2024, Meeting Minutes.

SUMMARY:

The Board of Adjustment held a Meeting on December 30, 2024.

RECOMMENDED MOTION OR ACTION:

Approve the December 30, 2024, Meeting Minutes as presented.

ATTACHMENT:

- Draft December 30, 2024, Meeting Minutes.

THE TOWN OF BARTONVILLE BOARD OF ADJUSTMENT IN REGULAR SESSION ON THE 30TH DAY OF DECEMBER 2024 AT THE TOWN OF BARTONVILLE TOWN HALL, LOCATED AT 1941 E JETER ROAD, BARTONVILLE, TEXAS WITH THE FOLLOWING DIRECTORS PRESENT, CONSTITUTING A QUORUM:

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

Directors Absent:

Jim Lieber, Vice Chair
Heather Head, Alternate 2

Town Staff Present:

Kirk Riggs, Acting Town Administrator
Shannon Montgomery, Town Secretary
Ed Voss, Town Attorney
Dean Roggia, Town Attorney
Shari Borth, Permit Technician
Ryan Wells, Town Planner

A. CALL MEETING TO ORDER

Chair Baumgarner called the meeting to order at 6:00 pm.

B. PLEDGE OF ALLEGIANCE

Chair Baumgarner led the pledge.

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. PRESENTATIONS

1. Statement of Appointed Official and Oath of Office to newly reappointed Directors.

Town Secretary Montgomery administered the Statement of Appointed Official and Oath of Office to newly reappointed Directors Baumgarner, Daum, and Jenkins.

E. APPOINTMENT OF OFFICERS

1. Appointment of Chair.

Motion made by Director Daum, seconded by Director Jenkins, to appoint Director Baumgarner as Chair.

VOTE ON THE MOTION

AYES: Baumgarner, Daum, Knowler, Jenkins, and O’Brien
NAYS: None
VOTE: 5-0

2. Appointment of Vice-Chair.

Motion made by Director Daum, seconded by Director Jenkins, to appoint Director Lieber as Vice Chair.

VOTE ON THE MOTION

AYES: Baumgarner, Daum, Knowler, Jenkins, and O’Brien
NAYS: None
VOTE: 5-0

F. PUBLIC HEARINGS AND ACTION ITEMS

1. Discuss and consider approval of the July 30, 2024, Meeting Minutes.

Motion made by Director Jenkins, seconded by Director O’Brien, to **APPROVE** the July 30, 2024, Meeting Minutes as presented.

VOTE ON THE MOTION

AYES: Baumgarner, Daum, Knowler, Jenkins, and O’Brien
NAYS: None
VOTE: 5-0

2. Conduct a Public Hearing to hear public comment and consider a variance to regulations found in Bartonville Zoning Ordinance Section 19.4, relating to accessory building setbacks. The property subject to the variance request is located at 568 Wolf Run Road, Bartonville, Texas. The applicants are Steve and Leora Roepke. [Town File No. VAR-2024-008].

- 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**

Town Planner Wells provided a summary of the requested variance and addressed questions from the Board.

Applicants Steve and Leora Roepke, 568 Wolf Run Road, Bartonville, Texas 76226, explained the reason for the requested variance and addressed questions from the Board.

Chair Baumgarner opened the Public Hearing at 6:34 pm.

Town Secretary Montgomery stated the Town received an email, in favor, prior to the meeting and read the statement into the Record from Jim Morris, 577 Wolf Run, Bartonville, Texas.

After recognizing there was no one wishing to speak, Chair Baumgarner closed the Public Hearing at 6:37 pm.

Motion made by Director Jenkins, seconded by Director Daum, to **APPROVE** the requested Variance to allow the construction of a 2,400-sf accessory building approximately 25 feet from the rear property line of the subject property, otherwise subject to all other setback and dimensional standards of the RE-2 zoning district, because the variance meets the following requirement(s) under the factors in Zoning Ordinance Section A.3.D of Appendix A, Item(s) a, f, and h:

- 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;
- f. Granting the variance petition is consistent with any special criteria applicable to varying particular standards;
- 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, Jenkins, and O’Brien

NAYS: None

VOTE: 5-0

G. ADJOURNMENT

Chair Baumgarner declared the meeting adjourned at 6:44 pm.

APPROVED this the 1st day of April 2025.

APPROVED:

Donna Baumgarner,
Chair

ATTEST:

Shannon Montgomery, TRMC
Town Secretary



BOARD OF ADJUSTMENT COMMUNICATION

DATE: April 1, 2025

FROM: Ryan Wells, Town Planner

AGENDA ITEM: Conduct a Public Hearing to hear public comment and consider a variance to regulations found in Bartonville Zoning Ordinance Section 19.4, relating to accessory building setbacks. The property subject to the variance request is located at 1672 Barrington Hills Boulevard, Bartonville, Texas. The applicants are John and Lisa Healy. [Town File No. VAR-2025-001].

Applicant: John and Lisa Healy

Zoning: Agricultural (AG)

Requested Variance: To reduce the required interior side yard setback for an accessory building (proposed detached garage) from 35 feet to 25 feet in the Agricultural zoning district.

Summary: The applicant has submitted a variance request (Exhibit 1) to permit the construction of an accessory building on their residential property. Prior to constructing the building in the desired location, a variance must be granted, as the proposed location is 25 feet from the western property boundary, which is within the 35-foot interior side yard setback for the AG zoning district.

The subject property is approximately 4.7 acres in size. The accessory structure, which upon approval of the variance would be constructed in the proposed location 25 feet from the side property boundary and within the side-yard setback as shown in Exhibit 1, would otherwise remain subject to the Town's permit requirements as well as all other dimensional and use standards found in the BZO.

Criteria for Approval: In deciding the variance petition, the Board of Adjustment 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 construction of an accessory building approximately 25 feet from the western property line of the subject property, otherwise subject to all other permitting, setback, and dimensional standards of the AG zoning district.

If Denied: Denial of the variance request would mean that the accessory building would have to meet all setback requirements for the AG zone without exception, which includes a 35-foot interior side yard setback.

Exhibits:

1. Variance Application VAR-2025-001
2. Location Map
3. Notification Letter and Addresses
4. Publication Affidavit

Exhibit 1

TOWN OF BARTONVILLE
REQUEST FOR VARIANCE

Zoning Regulations (Section: _____) Subdivision Regulations (Section: _____)
 Sign Regulations (Section: _____) Other: _____

Owner's Name: John and Lisa Healy Phone: 817-781-8594 Fax: _____

Mailing Address 6674 Belle Cote Circle Argyle Tx

Legal Description: Lot _____ Block _____ Addition _____

Present Use and Improvements on Property: 1672 Barrington Hills Blvd: Future Residence,
Remodel and addition to current house and building pool house
and detached Garage.

Description of Variance or Special Exception Requested:

Proposing a 10 Ft Reduction in Side yard setback For the
detached garage building. Needing this space to be able to
pull cars in and out of Garages.

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.

Andrew Zuer
Signature

3/11/25
Date

Application complete? _____	Fee Paid: \$ _____	Date: _____
Date to appear before: P&Z _____	TC _____	BOA _____
Remarks: _____		

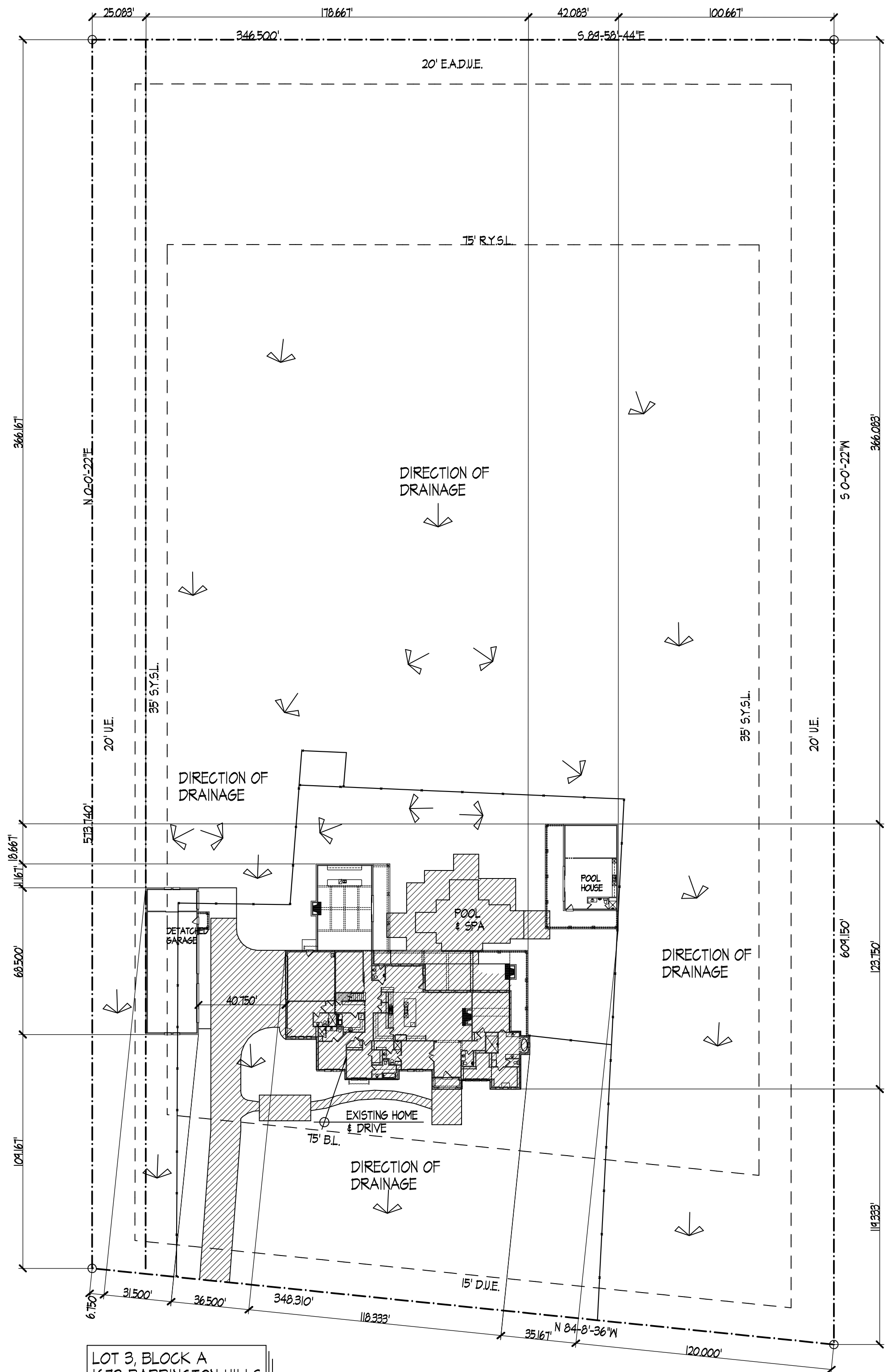
Shannon,

Please see the attached corrected request.

Written justification:

The customer wishes to reduce the side yard setback line 10 ft in order to build the proposed garage building. Customer wants this to share the same driveway as the existing and does not want a front facing garage door, therefore this placement is the only place that accommodates this well. They need the additional 10 ft to be able to pull cars in and out of each garage.

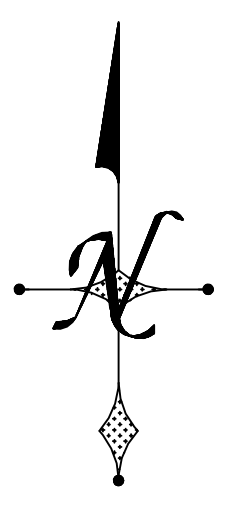
Andrew Lauer
Royal Homes of Texas



LOT 3, BLOCK A
 1672 BARRINGTON HILLS
 BARRINGTON HILLS ADD.
 TOWN OF BARTONVILLE
 DENTON COUNTY, TEXAS

PLOT PLAN

SCALE: 1:40





NOTARY FORM

Town of Bartonville

THE FOLLOWING IS TO BE COMPLETED ONLY IF A PERSON OTHER THAN THE OWNER IS MAKING THIS APPLICATION.

Dated: 3/13/25

Re: Variance Request

I, JOHN HEALY, owner of the Property located at 1672 BARRINGTON HILLS Bartonville do hereby certify that I have given my permission to ANDREW LAVER, to make this (check one):

- Variance
- Waiver
- Development Plat
- Zoning Change

Application for _____ (applicant)

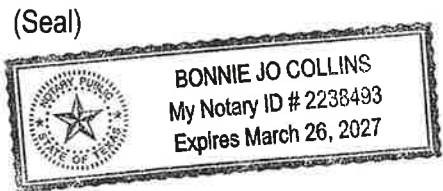
JOHN HEALY
Print Name

[Signature]
Signature of Owner

1672 BARRINGTON HILLS Bartonville TX 817-781-8599 3/12/25
Address Phone No. Date

State of Texas §
County of Dallas §

Before me, Bonnie Jo Collins, a Notary Public in and for said County and State, on this day personally appeared John Healy known to me to be the person whose name is subscribed to the foregoing certificate, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.



Bonnie Jo Collins
Notary

Exhibit 2



Exhibit 3



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

March 20, 2025

[NAME]
[ADDRESS]
[CITY], [STATE] [ZIP]

Re: Proposed Variance, 1672 Barrington Hills Boulevard

Dear [NAME],

The Board of Adjustment for the Town of Bartonville, Texas will conduct a Public Hearing at 6:00 p.m. on Tuesday, April 1, 2025, 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 19.4, relating to accessory building setbacks.

The property subject to the variance request is located at 1672 Barrington Hills Boulevard in Bartonville, Texas. The applicants, John and Lisa Healy, are requesting a 10-foot reduction to the side yard setback regulation for a proposed new detached garage. The Town of Bartonville file number for this application is VAR-2025-001.

To learn more about this project or to provide written comments, please contact Town Secretary Shannon Montgomery by calling (817) 693-5280 or at smontgomery@townofbartonville.com.

All interested parties are encouraged to attend.

Sincerely,

Kirk H. Riggs,
Acting Town Administrator / Chief of Police
Town of Bartonville

VAR-2025-001 1672 Barrington Hills Variance Request Mailing List

Item D2.

NAME	ADDRESS	CITY	ST	ZIP
WHITTECAR, BRIAN & PAIGE	842 MCMAKIN RD	BARTONVILLE	TX	76226-8407
MACKENZIE, ELIZABETH LOEB	6474 CROSS TIMBERS RD	FLOWER MOUND	TX	75022
SCHMIDT, CHRISTIAN & ULRIKE	1648 BARRINGTON HILLS BLVD	BARTONVILLE	TX	76226-8291
HEALY, JOHN & ALESIA RINEY	1672 BARRINGTON HILLS BLVD	BARTONVILLE	TX	76226-8291
BERTRAM, DEWEY JAMES	1673 BARRINGTON HILLS BLVD	BARTONVILLE	TX	76226-8291
HEAL, SCOTT BRADLEY & CHRISTI JENNIFER	1683 BARRINGTON HILLS BLVD	BARTONVILLE	TX	76226-8291

Exhibit 4

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

I, India Johnston, 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:
Mar. 15, 2025

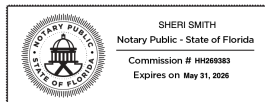
Notice ID: SzEKW63TKI0zMZiqgG1J
Notice Name: 04.01.25 BOA PH Notice for 03.15.25 pub

PUBLICATION FEE: \$43.28

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

India Johnston

Agent



VERIFICATION

State of Florida
County of Broward

Signed or attested before me on this: 03/20/2025

S. Smith

Notary Public
Notarized remotely online using communication technology via Proof.

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

The Board of Adjustment for the Town of Bartonville, Texas will conduct a Public Hearing at 6:00 p.m. on Tuesday, April 1, 2025, 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 19.4, relating to accessory building setbacks. The property subject to the variance request is located at 1672 Barrington Hills Boulevard in Bartonville, Texas. The applicants, John and Lisa Healy, are requesting a 10-foot reduction to the side yard setback regulation for a proposed new detached garage. The Town of Bartonville file number for this application is VAR-2025-001. To learn more about this project or to provide written comments, please contact the Town of Bartonville at 817-693-5280 or email Town Secretary Shannon Montgomery at smontgomery@townofbartonville.com. All interested parties are encouraged to attend.

drc 03/15/2025