

# PLANNING & ZONING COMMISSION MEETING

Wednesday, June 28, 2023 at 5:30 PM

Glen Rose City Hall, Council Chambers,  
201 NE Vernon, Glen Rose, TX 76043



## AGENDA

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City Hall will be open to the public.

Citizens can view or listen live by tuning in to the following Zoom.com webinar:

Meeting ID: 815 9719 8458 • Passcode 512097 • or dial 1-346-248-7799

### CALL TO ORDER

Pledge of Allegiance, Roll Call

### CONSENT AGENDA

1. Consider approval of minutes from May 24, 2023 P&Z Board Meeting

### PUBLIC HEARING

2. Public hearing regarding a request to rezone, Acres 0.650, Lot 5, 6, 7, 8 & 2(\$45X50), 3(\$5X50), 4(\$5X50) Blk 00010, Subd G0500, Abst A136, Glen Rose Townsite, Block 10, Lot 5, 6, 7, 8 & 2(\$45X50), 3(\$5X50), 4(\$5X50); 301 NE Barnard St +307 from B-1 (Restricted Commercial District) to B-2 (General Commercial District)
3. Public hearing regarding a request to rezone, Acres 0.290, Blk East Pt of 21, Tract 1, Subd R0100, Abst A41, Railroad, Block East Pt of 21, Tract 1, 603 Austin Rd from B-1 (Restricted Commercial District) to R-1 (Single Family District)
4. Public hearing regarding a request to rezone, Acres 2.450, Tract H6-2-2-3, Abst A39, A39 E M Gray, Tract H6-2-2-3, Acres 2.45, 915 SW Barnard St from R-1 (Single Family Residential District) to P&R (Parks & Recreation District)
5. Public hearing regarding a request to rezone, Acres 2.450, Tract H6-2-2-2, Abst A39, A39 E M Gray, Tract H6-2-2-2, Acres 2.45; 1007 SW Barnard St from R-1 (Single Family Residential District) to P&R (Parks & Recreation District)
6. Public hearing regarding recommendations for amending the City of Glen Rose Specific Use Permits Ordinance (Sec. 14.02.101)

### INDIVIDUAL ITEMS FOR CONSIDERATION

7. Discussion, consideration and possible action on appointment of Chairperson for Planning & Zoning Board
8. Discussion, consideration and possible action on appointment of Vice Chairperson for Planning & Zoning Board

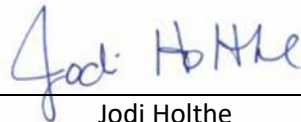
9. Discussion, consideration, and possible action regarding a request to rezone, Acres 0.650, Lot 5, 6, 7, 8 & 2(S45X50), 3(S5X50), 4(S5X50) Blk 00010, Subd G0500, Abst A136, Glen Rose Townsite, Block 10, Lot 5, 6, 7, 8 & 2(S45X50), 3(S5X50), 4(S5X50); 301 NE Barnard St +307 from B-1 (Restricted Commercial District) to B-2 (General Commercial District)
10. Discussion, consideration and possible action regarding a request to rezone, Acres 0.290, Blk East Pt of 21, Tract 1, Subd R0100, Abst A41, Railroad, Block East Pt of 21, Tract 1; 603 Austin Rd from B-1 (Restricted Commercial District) to R-1 (Single Family District)
11. Discussion, consideration and possible action regarding a request to rezone, Acres 2.450, Tract H6-2-2-3, Abst A39, A39 E M Gray, Tract H6-2-2-3, Acres 2.45, 915 SW Barnard St from R-1 (Single Family Residential District) to P&R (Parks & Recreation District)
12. Discussion, consideration and possible action regarding a request to rezone, Acres 2.450, Tract H6-2-2-2, Abst A39, A39 E M Gray, Tract H6-2-2-2, Acres 2.45; 1007 SW Barnard St from R-1 (Single Family Residential District) to P&R (Parks & Recreation District)
13. Discussion, consideration and possible action regarding recommendations for amending the City of Glen Rose Specific Use Permits Ordinance (Sec. 14.02.101)

**ADJOURNMENT**

In accordance with the Americans with Disabilities Act, persons who need accommodation to attend or participate in the is meeting should contact the City Secretary's office at (254) 897-2272 x 102 at least 48 hours prior to the meeting to request such assistance.

**CERTIFICATION**

I, the undersigned authority, do hereby certify that this NOTICE OF MEETING was posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located at the entrance of the City of Glen Rose City Hall, a place convenient and readily accessible to the general public, as well as to the City's website at [www.glenrosetexas.org](http://www.glenrosetexas.org) and said notice was posted on the following date and time: **Friday, June 23, 2023, on or before 5:00 PM** and remained posted for at least two hours after said meeting was convened.



\_\_\_\_\_  
 Jodi Holthe  
 Building, Planning Code Enforcement Department

Certification of NOTICE OF MEETING was removed on: \_\_\_\_\_ at \_\_\_\_\_ am/pm  
 by \_\_\_\_\_ . \_\_\_\_\_



# PLANNING & ZONING AGENDA ACTION FORM

<b>AGENDA DATE:</b>	6/28/23		
<b>AGENDA SUBJECT:</b>	Consider approval of minutes from May 24, 2023 P&Z Board Meeting		
<b>PREPARED BY:</b>	Building/Planning/Code Enforcement Assistant Holthe	<b>DATE SUBMITTED:</b>	6/07/23
<b>EXHIBITS:</b>			
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>		\$00.00
	<b>Amount Budgeted:</b>		\$00.00
	<b>Appropriation Required:</b>		\$00.00
<b>CITY ADMINISTRATOR APPROVAL:</b>			
<b>SUMMARY:</b>			
<b>RECOMMENDED ACTION:</b>	<p>Move to approve or deny as presented.</p>		

Meeting Minutes  
Planning & Zoning Commission – City of Glen Rose, Texas  
May 24, 2023

Item 1.

1. Call to Order
  - a. The meeting was called to order to 5:30pm by Chairperson, Pam Streeter
  - b. Pledge of Allegiance
  - c. Roll Call: Larry Cremean, William Green, Greg Clanton, and Pam Streeter were in attendance. We are down 1 commissioner due to Joe Boles stepping into the Mayor position. Additionally, Staff members Jodi Holthe and Wayne McKethan were present. A quorum was present.
  
2. Consent Agenda
  - a. Approval of Meeting Minutes from April 25, 2023 was required.
  - b. No Discussion or Changes to Minutes were needed.
  - c. The motion to approve the consent agenda was made by Larry Cremean and seconded by Greg Clanton.
  - d. Motion passed 4/0
  
3. Public Hearing opened at 5:32pm
  - a. Public hearing regarding the recommendation of Board Volunteers to the Planning and Zoning Commission.
    - i. No public comments were made

Public Hearing was closed at 5:33pm
  
4. Individual Items for Consideration
  - a. Discussion, consideration and possible action regarding the recommendation of Board Volunteers to the Planning & Zoning
    - i. Jane English Whitworth, Rex Miller and Julia Douglas submitted applications. Julia Douglas rescinded her application prior to the meeting. After hearing Ms. Whitworth & Mr. Millers' statements and credentials, a nomination was made to recommend Rex Miller to City Council. Ms. Whitworth withdrew her application after the recommendation was made, so that Rex Miller became the only individual for fulfilling Joe Boles unexpired term on P&Z.
    - ii. Motion was made by Pam Streeter and 2<sup>nd</sup> by Greg Clanton. Motion passed 4 for and 0 against.
  - b. Discussion, consideration, and possible action regarding recommendations regarding the City of Glen Rose Mobile Food Courts Ordinance; Article 4.08
    - i. This item was discussed last year, but never made it to City Council for changes.
    - ii. After reading the Food Courts Ordinance – the commissioners felt that holding to the current ordinance was the smartest course of action. This means that the need for seating area, and bathrooms, the need for a paved parking area with 2 ½ parking spaces per truck, as well as all other ordinances and rules as currently defined.
    - iii. No action was taken on this Discussion.
    - iv. HOWEVER IT IS IMPERATIVE THAT CITY COUNCIL REVIEW VARIANCES ISSUED FOR TAYLORS BURN & TURN AS THEY ARE NOT CURRENTLY PARKED IN A FOOD TRUCK MOBILE COURT AND WERE ISSUED A TEMPORARY VARIANCE TO ALLOW P&Z TO REVIEW ORDINANCES AND OPTIONS.



- v. ADDITIONALLY CITY COUNCIL SHOULD LOOK INTO THE VARIANCES GRANTED TO CHRISTINA’S FOOD TRUCK AS MOBILE FOOD COURT – THE COURT IS NOT IN COMPLIANCE WITH ORDINANCES AND ENSURE THAT THE VARIANCES GRANTED COVERS THE FOOD COURT ORDINANCES.
  - c. Discussion, consideration, and possible action regarding the City of Glen Rose Mobile Food Vendor Ordinance; Article 4.09
    - i. This item was discussed last year, but never made it to City Council for changes.
    - ii. After reading the Food Courts Ordinance – the commissioners felt that holding to the current ordinance was the smartest course of action. This means that the need for seating area, and bathrooms, the need for a paved parking area with 2 ½ parking spaces per truck, as well as all other ordinances and rules as currently defined.
    - iii. No action was taken on this Discussion.
5. WorkShop
- a. Specific Use Permits Ordinance (Sec 14.02.102)
  - b. State Law is that unless a governing agency has stated otherwise, an SUP follows the property. Most cities have provided guidance that an SUP should follow the owner.
  - c. After Discussion, P&Z commissioners feel that an SUP should follow the Owner in Residential areas and in commercial areas with the following exception:
    - i. If a commercial property is sold and the business entity is staying exactly the same, the SUP should stand with the property.
    - ii. If a commercial property is sold and the use of the property is changing then the SUP should be with the owner.
    - iii. We will have the city attorney review this policy and provide feedback before the next P&Z meeting to finalize this ordinance.
  - d. Review & discuss Sign Ordinance
    - i. It was asked of members of P&Z to review their past notes on the sign ordinance and compare the ordinance published to determine if the current ordinance meets the intent of the commission from their 2019-2020 ordinance passed by P&Z.
6. With no further business before the commission, the meeting was adjourned at 6:36pm

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Chairperson

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Jodi Holthe,  
Building & Planning Department



## CITY COUNCIL AGENDA ACTION FORM

<b>AGENDA DATE:</b>	6/28/23		
<b>AGENDA SUBJECT:</b>	Public hearing regarding a request to rezone, Acres 0.650, Lot 5, 6, 7, 8 & 2(S45X50), 3(S5X50), 4(S5X50) Blk 00010, Subd G0500, Abst A136, Glen Rose Townsite, Block 10, Lot 5, 6, 7, 8 & 2(S45X50), 3(S5X50), 4(S5X50); 301 NE Barnard St +307 from B-1 (Restricted Commercial District) to B-2 (General Commercial District).		
<b>PREPARED BY:</b>	Building/Planning/Code Enforcement Assistant Holthe	<b>DATE SUBMITTED:</b>	5/10/23
<b>EXHIBITS:</b>			
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>		\$00.00
	<b>Amount Budgeted:</b>		\$00.00
	<b>Appropriation Required:</b>		\$00.00
<b>CITY ADMINISTRATOR APPROVAL:</b>			
<b>SUMMARY:</b>			
<b>RECOMMENDED ACTION:</b>			



## CITY COUNCIL AGENDA ACTION FORM

<b>AGENDA DATE:</b>	6/28/23		
<b>AGENDA SUBJECT:</b>	Public hearing regarding a request to rezone, Acres 0.290, Blk East Pt of 21, Tract 1, Subd R0100, Abst A41, Railroad, Block East Pt of 21, Tract 1, 603 Austin Rd from B-1 (Restricted Commercial District) to R-1 (Single Family District)		
<b>PREPARED BY:</b>	Building/Planning/Code Enforcement Assistant Holthe	<b>DATE SUBMITTED:</b>	5/3/23
<b>EXHIBITS:</b>			
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>	\$00.00	
	<b>Amount Budgeted:</b>	\$00.00	
	<b>Appropriation Required:</b>	\$00.00	
<b>CITY ADMINISTRATOR APPROVAL:</b>			
<b>SUMMARY:</b>			
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## CITY COUNCIL AGENDA ACTION FORM

<b>AGENDA DATE:</b>	6/28/23		
<b>AGENDA SUBJECT:</b>	Public hearing regarding a request to rezone, Acres 2.450, Tract H6-2-2-3, Abst A39, A39 E M Gray, Tract H6-2-2-3, Acres 2.45, 915 SW Barnard St from R-1 (Single Family Residential District) to P&R (Parks & Recreation District)		
<b>PREPARED BY:</b>	Building/Planning/Code Enforcement Assistant Holthe	<b>DATE SUBMITTED:</b>	5/3/23
<b>EXHIBITS:</b>			
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>		\$00.00
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## CITY COUNCIL AGENDA ACTION FORM

<b>AGENDA DATE:</b>	6/28/23		
<b>AGENDA SUBJECT:</b>	Public hearing regarding a request to rezone, Acres 2.450, Tract H6-2-2-2, Abst A39, A39 E M Gray, Tract H6-2-2-2, Acres 2.45; 1007 SW Barnard St from R-1 (Single Family Residential District) to P&R (Parks & Recreation District)		
<b>PREPARED BY:</b>	Building/Planning/Code Enforcement Assistant Holthe	<b>DATE SUBMITTED:</b>	5/18/23
<b>EXHIBITS:</b>			
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>	\$00.00	
	<b>Amount Budgeted:</b>	\$00.00	
	<b>Appropriation Required:</b>	\$00.00	
<b>CITY ADMINISTRATOR APPROVAL:</b>			
<b>SUMMARY:</b>			
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# CITY COUNCIL AGENDA ACTION FORM

<b>AGENDA DATE:</b>	6/28/23		
<b>AGENDA SUBJECT:</b>	Public hearing regarding recommendations for amending the City of Glen Rose Specific Use Permits Ordinance (Sec. 14.02.101)		
<b>PREPARED BY:</b>	Building/Planning/Code Enforcement Assistant Holthe	<b>DATE SUBMITTED:</b>	6/07/23
<b>EXHIBITS:</b>			
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>		\$00.00
	<b>Amount Budgeted:</b>		\$00.00
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<b>CITY ADMINISTRATOR APPROVAL:</b>			
<b>SUMMARY:</b>			
<b>RECOMMENDED ACTION:</b>			



# CITY COUNCIL AGENDA ACTION FORM

<b>AGENDA DATE:</b>	06/28/2023		
<b>AGENDA SUBJECT:</b>	Discussion, consideration and possible action on appointment of Chairperson for Preservation Commission		
<b>PREPARED BY:</b>	Building/Planning/Code Enforcement Assistant Holthe	<b>DATE SUBMITTED:</b>	06/21/2023
<b>EXHIBITS:</b>			
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>		\$00.00
	<b>Amount Budgeted:</b>		\$00.00
	<b>Appropriation Required:</b>		\$00.00
<b>CITY ADMINISTRATOR APPROVAL:</b>			
<b>SUMMARY:</b>			
<b>RECOMMENDED ACTION:</b>	Move to approve or deny as presented.		



## CITY COUNCIL AGENDA ACTION FORM

<b>AGENDA DATE:</b>	06/28/2023		
<b>AGENDA SUBJECT:</b>	Discussion, consideration and possible action on appointment of Vice Chairperson for Preservation Commission		
<b>PREPARED BY:</b>	Building/Planning/Code Enforcement Assistant Holthe	<b>DATE SUBMITTED:</b>	06/21/2023
<b>EXHIBITS:</b>			
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>		\$00.00
	<b>Amount Budgeted:</b>		\$00.00
	<b>Appropriation Required:</b>		\$00.00
<b>CITY ADMINISTRATOR APPROVAL:</b>			
<b>SUMMARY:</b>			
<b>RECOMMENDED ACTION:</b>	Move to approve or deny as presented.		





# CITY COUNCIL AGENDA ACTION FORM

<b>AGENDA DATE:</b>	6/28/2023		
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<b>PREPARED BY:</b>	Building/Planning/Code Enforcement Assistant Holthe	<b>DATE SUBMITTED:</b>	5/10/23
<b>EXHIBITS:</b>	<ol style="list-style-type: none"> <li>1. New Zoning Use Application</li> <li>2. Property Notification Letter</li> <li>3. 200' Surrounding Property map</li> <li>4 Current Zoning Map.</li> </ol>	<ol style="list-style-type: none"> <li>5. Future Land Use Map</li> <li>6. B-1 Restricted Commercial District</li> <li>7. B-2 General Commercial District</li> </ol>	
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>		\$00.00
	<b>Amount Budgeted:</b>		\$00.00
	<b>Appropriation Required:</b>		\$00.00
<b>CITY ADMINISTRATOR APPROVAL:</b>			
<b>SUMMARY:</b>	<ul style="list-style-type: none"> <li>• 5/10/2023 – Zoning Change Request Application was received</li> <li>• 6/8/2023 - Notice of Public Hearing was posted in the local newspaper</li> <li>• 6/5/2023 – 24 Property owner letters were sent representing 33 properties</li> </ul> <p>16 Letters have been confirmed as received              08 Letters unconfirmed as received              00 Letters were returned              05 Favorable response has been returned              00 Opposition response has been returned</p>		
<b>RECOMMENDED ACTION:</b>	Move to approve or deny as presented.		



**Building, Planning and Code Enforcement Department**  
201 NE Vernon Street, PO Box 1949, Glen Rose, Texas 76043  
(254) 897-2272 Fax: (254) 897-7989

## NOTIFICATION

June 5, 2023

### NOTICE OF PUBLIC HEARING ON PROPERTY LOCATED AT 301 NE BARNARD ST +307

*Public hearings will be held at 5:30 p.m. at City Hall (201 NE Vernon Street, Glen Rose, Texas) on June 28, 2023 before the Planning and Zoning Commission and on July 11, 2023 before the City Council on a request by owners, Vicki Nivens, to rezone the property located at 301 NE Barnard St +307; Acres 0.650, Lot 5, 6, 7, 8, & 2(S45X50), 3(S5X50), 4(S5X50), Blk 00010, Subd G0500, Abst A136, Glen Rose Townsite, Block 10, Lot 5, 6, 7, 8 & 2(S45X50), 3(S5X50), 4(S5X50) from B-1 (Restricted Commercial District) to B-2 (General Commercial District).*

Dear Property Owner:

You are receiving this notice because our records indicate you own property within 200' of the property located referenced above. That is the subject of these hearings. Included with this letter is a Property Owner Response Form, the application for rezoning which is under consideration, and a map showing all the properties within 200' of the property referenced above. If you would like to register your opinion in favor or in opposition to granting the rezoning request, please complete the form and either mail or email it to us, or deposit it in one of the drop boxes at City Hall.

If the owners of 20% or more of the land within 200' of property referenced above provide written notice of their objection to the issuance of the rezoning request, instead of a simple majority it will require a vote of  $\frac{3}{4}$  of the City Council members present to approve the request.

You are welcome to attend and participate in either or both of the Public Hearings. If you are unable to attend, but would like to listen to the hearings, generally, those proceedings are broadcast via Zoom. Instructions for accessing those broadcasts are available in the "Latest Events" section at the bottom of the City's website at [www.glenrosetexas.org](http://www.glenrosetexas.org).

Should you have any questions, please contact us at [jodi.holthe@glenrosetexas.org](mailto:jodi.holthe@glenrosetexas.org) or at (254) 897-2272 ext. 109.

Sincerely,

Building, Planning, and Code Compliance Department

# NOTICE OF PUBLIC HEARING



City of Glen Rose, Texas

Building, Planning, Code Enforcement Department

P.O. Box 1949, Glen Rose, TX 76043

Ph: (254) 897-2272

Fax: (254) 897-7989

Email: [jodi.holthe@glenrosetexas.org](mailto:jodi.holthe@glenrosetexas.org)

**Re: Request to Rezone Property located at 301 NE Barnard +307; Acres 0.650, Lot 5, 6, 7, 8, & 2(S45X50), 3(S5X50), 4(S5X50), Blk 00010, Subd G0500, Abst A136, Glen Rose Townsite, Block 10, Lot 5, 6, 7, 8 & 2(S45X50), 3(S5X50), 4(S5X50) from B-1 (Restricted Commercial District) to B-2 (General Commercial District).**

This letter may be deposited in either of the two drop boxes located at City Hall, 201 NE Vernon Street, Glen Rose, Texas or mailed to City Hall, Attention: Planning and Zoning Department, PO Box 1949, Glen Rose, Texas 76043.

NAME: \_\_\_\_\_ DATE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

I AM ( ) IN FAVOR ( ) IN OPPOSITION TO THIS REQUEST.

Reasons/Comments:

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Building Official, Planning and Zoning (P&Z)



Building, Planning & Code Enforcement  
City of Glen Rose, Texas 76043 Tel. (254) 897-9373 Fax: (254) 897-7989

Staff use only  
Date Received 5/10/23

### New Zoning Use Application

Address of property: 307 NE BARNARD .681 ACRE

Applicant's Name: VICKI L. NIVENS Date: 5/9/23

#### Property Owner Information

Full Name: VICKI L. NIVENS

Address: 2111 W. LI. S HWY 377, GRANBURY, TX 76048

Telephone No: \_\_\_\_\_ Email: V. NIVENS@GAPPAARCHITECTS.COM

#### Applicant/Owner's Representative (if not the owner)

Full Name: BRIAN GAPPIN

Address: P.O. Box 2156, GRANBURY, TX 76048

Telephone No: 817-266-4686 Email: BGAPPIN@GAPPINARCHITECTS.COM

Present zoning at site: B-1 Requested new zoning use: B-2

Form of Ownership of the property:  Individual [ ] Partnership [ ] Corporation

Intended use of property (must be specific):

HOTEL WITHIN THE EXISTING STRUCTURES  
ON SITE.

I/We, am/are the owner(s) of the property. I/We hereby certify that all the information provided is true and correct.

Owner(s) Signature: Vicki Nivens

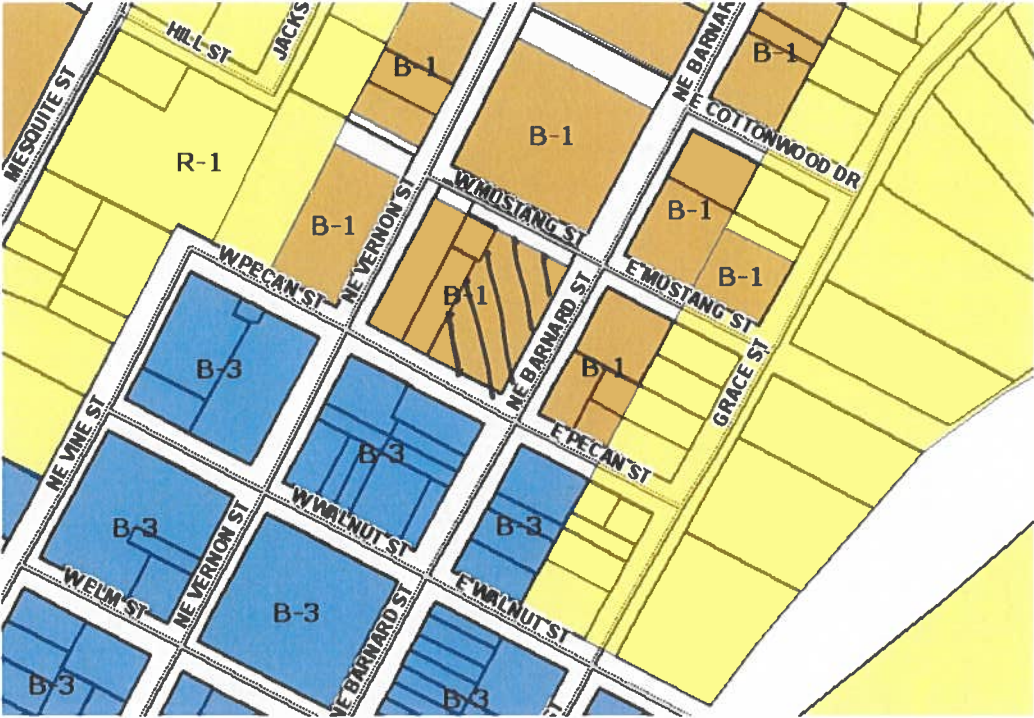
Date: 5-10-23

Fee's →



Zoning

Current Zoning




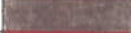
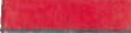
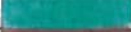

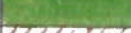





Future Zoning



Zoning

**LEGEND**

<b>Zone</b>	<b>Map Section/Area</b>	<b>Color</b>	<b>Color Name</b>
R-1	Single Family		Golden Yellow
R-2M	Single Family/Duplex/Cabin		Pink
R-3	Single/Two-Four/MH		Tan
R-4	Multi-Family		Gray
B-1	Restricted Commercial		Orange
B-2	General Commercial		Aqua Green
I	Industrial		Brown
OSP	Open Space Parks		Yellow Green
PD	Planned Development		Mahogany Overlay
PF	Public Facilities		Violet Purple Overlay
H	Historic District		Black Overlay

**14.02.047 B-1 Restricted Commercial District**

- (a) Purpose. The B-1 Restricted Commercial District has been established to limit commercial uses and operations within enclosed buildings and prohibiting the outside storage and display of goods, materials, vehicles and equipment. This district is intended to accommodate the basic shopping and service needs of residents and to provide retail and office space for merchants and financial, administrative, government and business services.
- (b) Permitted uses. The uses permitted in the B-1 district include those listed in the schedule of uses found in appendix A of this article. Any use not expressly authorized and permitted herein is expressly prohibited in this district, unless otherwise allowed in conformance with section 14.02.107 dealing with new and unlisted uses.
- (c) Specific use permit. In order to allow for certain uses which, because of their nature or unusual character, cannot be unconditionally permitted in this district, yet would or could be an appropriate or compatible use under certain controlled circumstances and locations, the planning and zoning commission shall forward its recommendations of action to the city council, after public hearing thereon. The city council shall hold a public hearing and may authorize and grant the issuance of a specific use permit for such uses allowed in the schedule of uses in appendix A of this article. The issuance of the permit by the city council shall be contingent upon reasonable and appropriate conditions and safeguards, including the length of time, so as to properly protect any adjacent property, use or neighborhood character, as well as ensure the appropriate conduct of the conditional use of the land and buildings granted.
- (d) Area, yard, height, lot coverage and building size. The requirements regulating the minimum lot size, minimum yard sizes (front, side and rear), maximum building height, maximum percentage of lot coverage by buildings and the minimum size of buildings, as pertains to this district, shall conform with the provisions of the schedule of district regulations found in section 14.02.041 and any other applicable regulations as herein provided.
- (e) Parking requirements. Off-street parking space requirements shall be in accordance with the parking schedule found in appendix A of this article and section 14.02.104. No enclosed or covered parking is specifically required.
- (f) All commercial operations and sales to be enclosed; exception. All commercial uses, operations and sales, except for off-street parking and off-street loading facilities, shall be conducted within completely enclosed buildings. However, the city council may grant a permit to businesses for sidewalk sales for a period up to 30 days.

(Ordinance 240 adopted 3/15/94; 2007 Code, sec. 155.21)

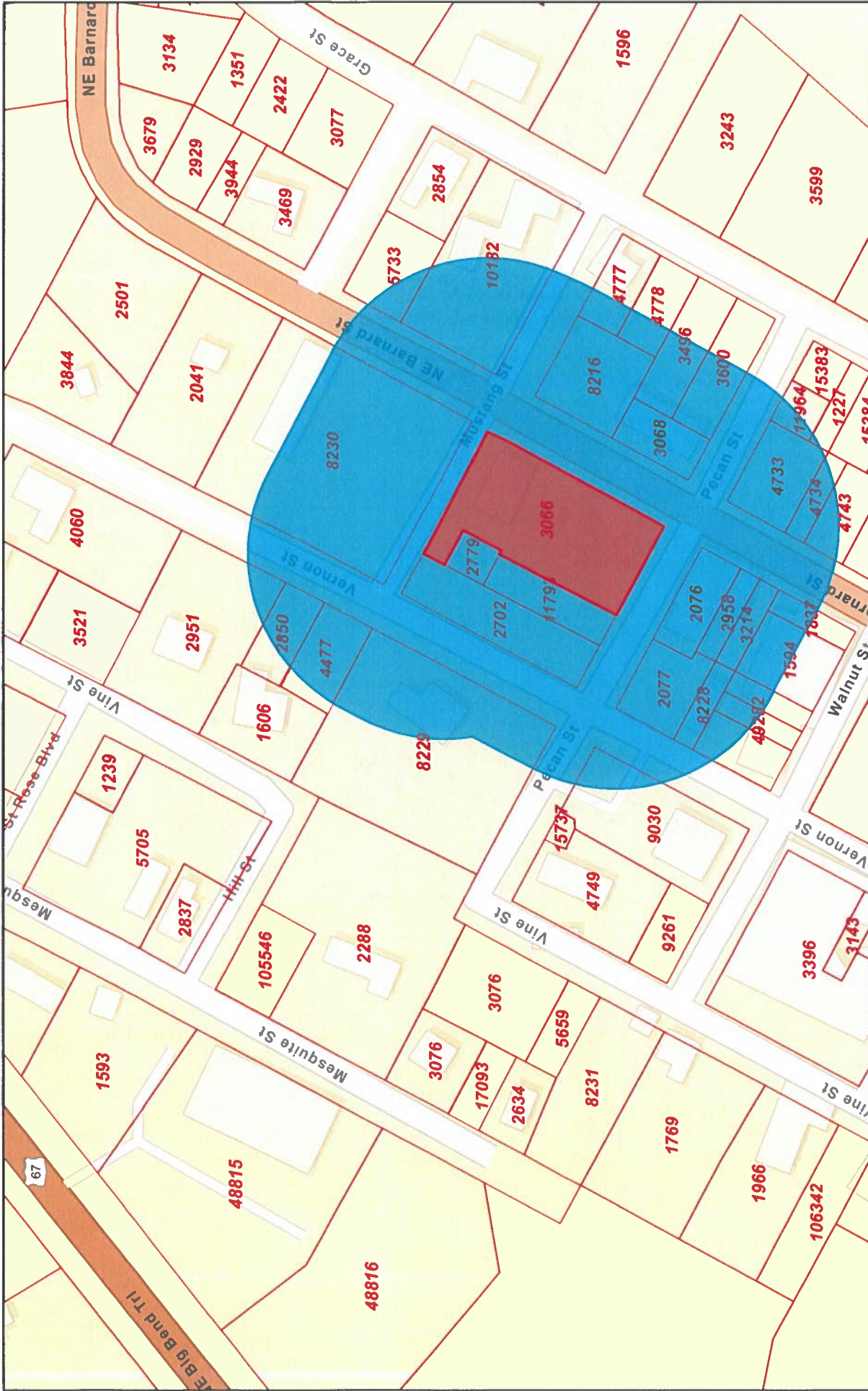
**14.02.048 B-2 General Commercial District**

- (a) Purpose. The B-2 General Commercial District is established to accommodate most commercial activities that cannot generally be accommodated in the B-1 district. This district permits the storage of goods, materials, equipment, machinery and vehicles outside of enclosed buildings.
- (b) Permitted uses. The uses permitted in the B-2 district include those listed in the schedule of uses found in appendix A of this article. Any use not expressly authorized and permitted herein is expressly prohibited in this district, unless otherwise allowed in conformance with section 14.02.107 dealing with new and unlisted uses.
- (c) Specific use permit. In order to allow for certain uses which, because of their nature or unusual character, cannot be unconditionally permitted in this district, yet would or could be an appropriate or compatible use under certain controlled circumstances and locations, the planning and zoning commission shall forward its recommendations of action to the city council, after public hearing thereon. The city council shall hold a public hearing and may authorize and grant the issuance of a specific use permit for the uses allowed in the schedule of uses in appendix A of this article. The issuance of the permit by the city council shall be contingent upon reasonable and appropriate conditions and safeguards, including the length of time, so as to properly protect any adjacent property, use or neighborhood character, as well as ensure the appropriate conduct of the conditional use of the land and buildings granted.
- (d) Area, yard, height, lot coverage and building size. The requirements regulating the minimum lot size, minimum yard sizes (front, side and rear), maximum building height, maximum percentage of lot coverage by buildings and the minimum size of buildings, as pertains to this district, shall conform with the provisions of the schedule of district regulations found in section 14.02.041 and any other applicable regulations as herein provided.
- (e) Parking requirements. Off-street parking space requirements shall be in accordance with the parking schedule found in appendix A of this article and section 14.02.104. No enclosed or covered parking is specifically required.

(Ordinance 240 adopted 3/15/94; 2007 Code, sec. 155.22)



# 307 NE Barnard - Rezone Request



5/17/2023, 10:35:04 AM

Abstracts
  Override 1
  Parcels

1:2,257

0 0.01 0.03 0.06 mi

0 0.03 0.05 0.1 k

Item 9.

Esn Community Maps Contributors, Texas Parks & Wildlife, OpenStreetMap, Microsoft, CONANP, Esri, HERE, Garmin, SafeG...  
Somervell County Appraisal District, BIS Consulting - www.bisconsulting.com

Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.

301 NE Barnard +307  
200 FT  
Mailing List

1. Brian Gaffin (**OWNER'S REPRESENTATIVE / APPLICANT**)  
PO Box 2156  
Granbury, TX 76048  
(R3066, R2779, R11793)
2. Vicki Nivens (**OWNER**)  
2111 W Hwy 377  
Granbury, TX 76048  
(R3066, R2779, R11793)
3. Pamela and Bobby Miller  
406 Jackson St  
Glen Rose, TX 76043
4. Glen Rose First Methodist Church  
PO Box 426  
Glen Rose, TX 76043  
(R2850, R4477, R8229, R8230 & R2702)
5. City of Glen Rose  
PO Box 1949  
Glen Rose, TX 76043-0087
6. Mountain Valley Child Development Center Inc  
2975 SW Wilshire Blvd  
Burlson, TX 76028
7. Russell and Barbara Eden  
401 Grace St  
Glen Rose, TX 76043
8. Lynn R & Joan Lane  
Trustees for Lane Family Trust  
408 Grace St  
Glen Rose, TX 76043  
(R8216 & R3068)

9. Johnathan Anderson  
835 Highridge Dr  
Lakewood Village, TX 75068
  
10. Kelly Michael & Norman Coppo  
11505 Chia Lane  
Atascadero, CA 93422
  
11. Lewis F Cappo III and Dina Coppo  
7050 Tecorida Ave  
Atascadero, CA 93422
  
12. Chris Bryant  
PO Box 2161  
Glen Rose, TX 76043
  
13. The Green Pickle Grill and Pub, LLC  
502 Nancy Drive  
Glen Rose, TX 76043
  
14. Jackie A Cates  
104 E Pecan St  
Glen Rose, TX 76043
  
15. Julith Elizabeth Spencer Conner  
PO Box 280  
Rainbow, TX 76077
  
16. Kim Reynolds & Shannon Hulsey  
Dba Studio 208-Hair & Nails  
7800 Ella Young Dr  
Fort Worth, TX 76135
  
17. Masonic Lodge  
PO Box 97  
Glen Rose, TX 76043-0097
  
18. Jack Bridges Jr  
PO Box 99  
Glen Rose, TX 76043

19. The Lane Family Trust Created under Probate Cause  
3131 Maple Ave, Ste 6F  
Dallas, TX 75201  
(R1594 & R3214)
  
20. Moore Family First, LLC  
PO Box 216  
Glen Rose, TX 76043  
(R2958, R2077 & R2076)
  
21. Somervell County  
PO Box 804  
Glen Rose, TX 76043-0804
  
22. Jose and Martin Torres  
PO Box 265  
Glen Rose, TX 76043
  
23. Jeff Garnett  
PO Box 3041  
Glen Rose, TX 76043
  
24. Timmy and Gaye Cecil Trust  
6213 Westover Dr  
Granbury, TX 76049



## CITY COUNCIL AGENDA ACTION FORM

<b>AGENDA DATE:</b>	6/28/2023		
<b>AGENDA SUBJECT:</b>	Discussion, consideration and possible action regarding a request to rezone, Acres 0.290, Blk East Pt of 21, Tract 1, Subd R0100, Abst A41, Railroad, Block East Pt of 21, Tract 1; 603 Austin Rd from B-1 (Restricted Commercial District) to R-1 (Single Family District)		
<b>PREPARED BY:</b>	Building/Planning/Code Enforcement Assistant Holthe	<b>DATE SUBMITTED:</b>	5/3/23
<b>EXHIBITS:</b>	1. New Zoning Use Application 2. Property Notification Letter 3. 200' Surrounding Property map 4 Current Zoning Map.	5. Future Land Use Map 6. B-1 Restricted Commercial District 7. R-1 Single Family District	
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>		\$00.00
	<b>Amount Budgeted:</b>		\$00.00
	<b>Appropriation Required:</b>		\$00.00
<b>CITY ADMINISTRATOR APPROVAL:</b>			
<b>SUMMARY:</b>	<ul style="list-style-type: none"> <li>• 5/3/2023 – Zoning Change Request Application was received</li> <li>• 6/8/2023 - Notice of Public Hearing was posted in the local newspaper</li> <li>• 6/5/2023 – 12 Property owner letters were sent representing 12 properties</li> </ul> 12 Letters have been confirmed as received 00 Letters unconfirmed as received 00 Letters were returned 01 Favorable response has been returned 00 Opposition response has been returned		
<b>RECOMMENDED ACTION:</b>	Move to approve or deny as presented.		





**Building, Planning and Code Enforcement Department**  
 201 NE Vernon Street, PO Box 1949, Glen Rose, Texas 76043  
 (254) 897-2272 Fax: (254) 897-7989

## NOTIFICATION

June 5, 2023

### NOTICE OF PUBLIC HEARING ON PROPERTY LOCATED AT 603 AUSTIN ROAD

*Public hearings will be held at 5:30 p.m. at City Hall (201 NE Vernon Street, Glen Rose, Texas) on June 28, 2023 before the Planning and Zoning Commission and on July 11, 2023 before the City Council on a request by owners, E320 Properties, LLC, to rezone the property located at 603 Austin Rd; Acres 0.290, Blk East Pt of 21, Tract 1, Subd R0100, Abst A41, Railroad, Block East Pt of 21, Tract 1, from B-1 (Restricted Commercial District) to R-1 (Single Family District).*

Dear Property Owner:

You are receiving this notice because our records indicate you own property within 200' of the property located referenced above. That is the subject of these hearings. Included with this letter is a Property Owner Response Form, the application for rezoning which is under consideration, and a map showing all the properties within 200' of the property referenced above. If you would like to register your opinion in favor or in opposition to granting the rezoning request, please complete the form and either mail or email it to us, or deposit it in one of the drop boxes at City Hall.

If the owners of 20% or more of the land within 200' of property referenced above provide written notice of their objection to the issuance of the rezoning request, instead of a simple majority it will require a vote of  $\frac{3}{4}$  of the City Council members present to approve the request.

You are welcome to attend and participate in either or both of the Public Hearings. If you are unable to attend, but would like to listen to the hearings, generally, those proceedings are broadcast via Zoom. Instructions for accessing those broadcasts are available in the "Latest Events" section at the bottom of the City's website at [www.glenrosetexas.org](http://www.glenrosetexas.org).

Should you have any questions, please contact us at [jodi.holthe@glenrosetexas.org](mailto:jodi.holthe@glenrosetexas.org) or at (254) 897-2272 ext. 109.

Sincerely,

Building, Planning, and Code Compliance Department

# NOTICE OF PUBLIC HEARING



**City of Glen Rose, Texas**

**Building, Planning, Code Enforcement Department**

**P.O. Box 1949, Glen Rose, TX 76043**

**Ph: (254) 897-2272**

**Fax: (254) 897-7989**

**Email: [jodi.holthe@glenrosetexas.org](mailto:jodi.holthe@glenrosetexas.org)**

**Re: Request to Rezone Property located at 603 Austin Rd; Acres 0.290, Blk East Pt of 21, Tract 1, Subd R0100, Abst A41, Railroad, Block East Pt of 21, Tract 1, from B-1 (Restricted Commercial District) to R-1 (Single Family District).**

This letter may be deposited in either of the two drop boxes located at City Hall, 201 NE Vernon Street, Glen Rose, Texas or mailed to City Hall, Attention: Planning and Zoning Department, PO Box 1949, Glen Rose, Texas 76043.

**NAME:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

**I AM ( ) IN FAVOR ( ) IN OPPOSITION TO THIS REQUEST.**

**Reasons/Comments:**

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**Building Official, Planning and Zoning (P&Z)**

City of Glen Rose



Dinosaur Capital of Texas

Building, Planning & Code Enforcement  
City of Glen Rose, Texas 76043 Tel: (254) 897-9373 Fax: (254) 897-7989

Staff use only  
Date Received: 5/3/23 Item 10.

### New Zoning Use Application

Address of property: 603 Austin Rd.

Applicant's Name: E320 Properties, LLC Date: 5/3/23

#### Property Owner Information

Full Name: Kristi Mann & Bernie Ball

Address: 609 Panama Ct Crawbury, TX 76048

Telephone No: \_\_\_\_\_ Email: \_\_\_\_\_

#### Applicant/Owner's Representative (if not the owner)

Full Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No: \_\_\_\_\_ Email: \_\_\_\_\_

Present zoning at site: B-1 Requested new zoning use: R-1

Form of Ownership of the property:  Individual  Partnership  Corporation

Intended use of property {must be specific):

Residential use

Long term Tenant

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

I/We, am/are the owner(s) of the property. I/We hereby certify that all the information provided is true and correct.

Owner(s) Signature: \_\_\_\_\_

[Signature]

[Signature]

Date: 5/3/23

Fee's →



**14.02.047 B-1 Restricted Commercial District**

- (a) Purpose. The B-1 Restricted Commercial District has been established to limit commercial uses and operations within enclosed buildings and prohibiting the outside storage and display of goods, materials, vehicles and equipment. This district is intended to accommodate the basic shopping and service needs of residents and to provide retail and office space for merchants and financial, administrative, government and business services.
- (b) Permitted uses. The uses permitted in the B-1 district include those listed in the schedule of uses found in appendix A of this article. Any use not expressly authorized and permitted herein is expressly prohibited in this district, unless otherwise allowed in conformance with section 14.02.107 dealing with new and unlisted uses.
- (c) Specific use permit. In order to allow for certain uses which, because of their nature or unusual character, cannot be unconditionally permitted in this district, yet would or could be an appropriate or compatible use under certain controlled circumstances and locations, the planning and zoning commission shall forward its recommendations of action to the city council, after public hearing thereon. The city council shall hold a public hearing and may authorize and grant the issuance of a specific use permit for such uses allowed in the schedule of uses in appendix A of this article. The issuance of the permit by the city council shall be contingent upon reasonable and appropriate conditions and safeguards, including the length of time, so as to properly protect any adjacent property, use or neighborhood character, as well as ensure the appropriate conduct of the conditional use of the land and buildings granted.
- (d) Area, yard, height, lot coverage and building size. The requirements regulating the minimum lot size, minimum yard sizes (front, side and rear), maximum building height, maximum percentage of lot coverage by buildings and the minimum size of buildings, as pertains to this district, shall conform with the provisions of the schedule of district regulations found in section 14.02.041 and any other applicable regulations as herein provided.
- (e) Parking requirements. Off-street parking space requirements shall be in accordance with the parking schedule found in appendix A of this article and section 14.02.104. No enclosed or covered parking is specifically required.
- (f) All commercial operations and sales to be enclosed; exception. All commercial uses, operations and sales, except for off-street parking and off-street loading facilities, shall be conducted within completely enclosed buildings. However, the city council may grant a permit to businesses for sidewalk sales for a period up to 30 days.

(Ordinance 240 adopted 3/15/94; 2007 Code, sec. 155.21)

**14.02.042 R-1 Single-Family Residential District**

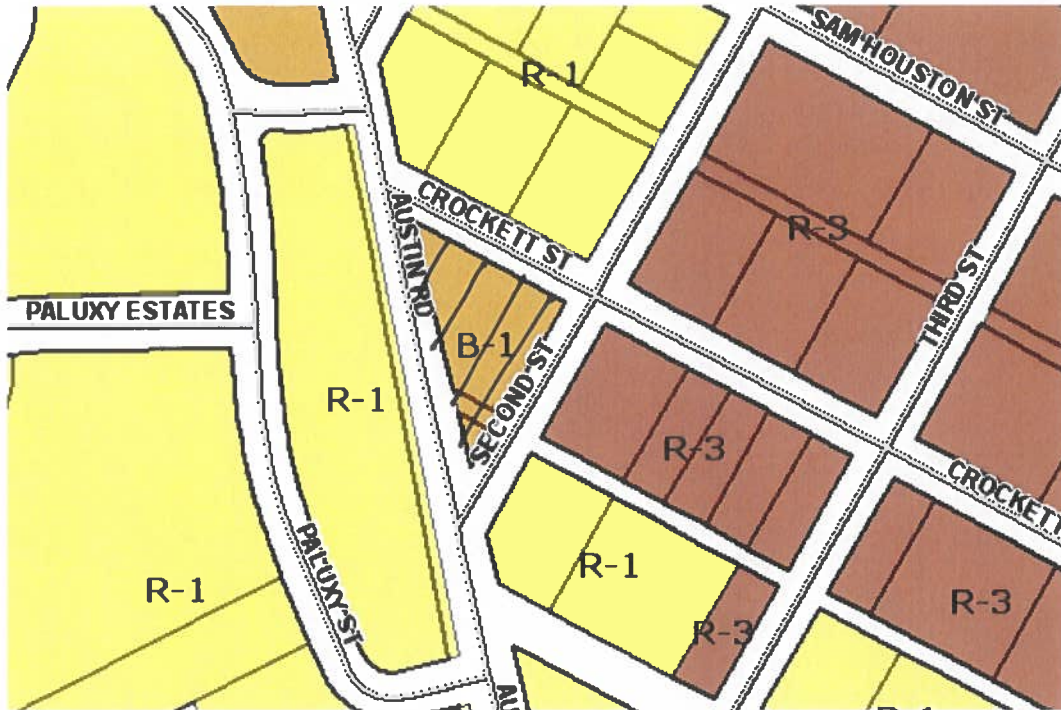
- (a) Purpose. The R-1 Single-Family Residential District is established to allow for single-family dwellings.
- (b) Permitted uses. The uses permitted in the R-1 district include those listed in the schedule of uses found in appendix A of this article. Any use not expressly authorized and permitted herein is expressly prohibited in this district, unless otherwise allowed in conformance with section 14.02.107 dealing with new and unlisted uses.
- (c) Specific use permit. In order to allow for certain uses which, because of their nature or unusual character, cannot be unconditionally permitted in this district, yet would or could be an appropriate or compatible use under certain controlled circumstances and locations, the planning and zoning commission shall forward its recommendations of action to the city council, after public hearing thereon. The city council shall hold a public hearing and may authorize and grant the issuance of a specific use permit for those uses allowed in the schedule of uses in appendix A of this article. The issuance of the permit by the city council shall be contingent upon reasonable and appropriate conditions and safeguards, including the length of time, so as to properly protect any adjacent property, use or neighborhood character, as well as ensure the appropriate conduct of the conditional use of the land and buildings granted.
- (d) Area, yard, height, lot coverage and building size. The requirements regulating the minimum lot size, minimum yard sizes (front, side and rear), maximum building height, maximum percentage of lot coverage by buildings and the minimum size of buildings, as pertains to this district, shall conform with the provisions of the schedule of district regulations found in section 14.02.041 and any other applicable regulations as herein provided.
- (e) Parking requirements. Off-street parking space requirements shall be in accordance with the parking schedule found in appendix A of this article and section 14.02.104. Parking for at least 2 motor vehicles shall be provided by an enclosed garage or carport for any single-family dwelling constructed after the date of adoption of this article.
- (f) Sales displays prohibited.
- (1) Garage sales shall be permitted in accordance with this Code of Ordinances.
  - (2) It shall be unlawful for any person to display or allow to be displayed for sale or lease at one time on any lot any motor vehicle; boat or vessel subject to registration under Texas Parks & Wildlife Code chapter 31; or camper shell designed for use on a motor vehicle unless such vehicle is owned by the actual occupant of the premises. However, no person or persons shall be permitted to display more than 2, or combination thereof, of the following: motor vehicles; boats or other similar vessels subject to registration under Texas Parks and Wildlife Code chapter 31; or camper shells per lot at any time.
- (g) Minimum setback requirements for carports and accessory buildings. Detached accessory buildings shall be located within the rear portion of the lot and shall not exceed one story in height, nor shall any structure be located closer than 3 feet to the main building nor 4 feet to a side lot line, nor closer than 5 feet to any rear lot line nor closer than 10 feet to any side street. Small structures of 200 square feet or less may be placed anywhere in the rear half of the lot.

(Ordinance 240 adopted 3/15/94; Ordinance adopted 9/9/97; 2007 Code, sec. 155.16; Ordinance 17.02.13A adopted 2/13/17)

# 603 Austin Road

## Zoning

### Current Zoning




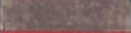
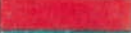
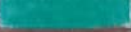
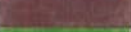






### Future Zoning



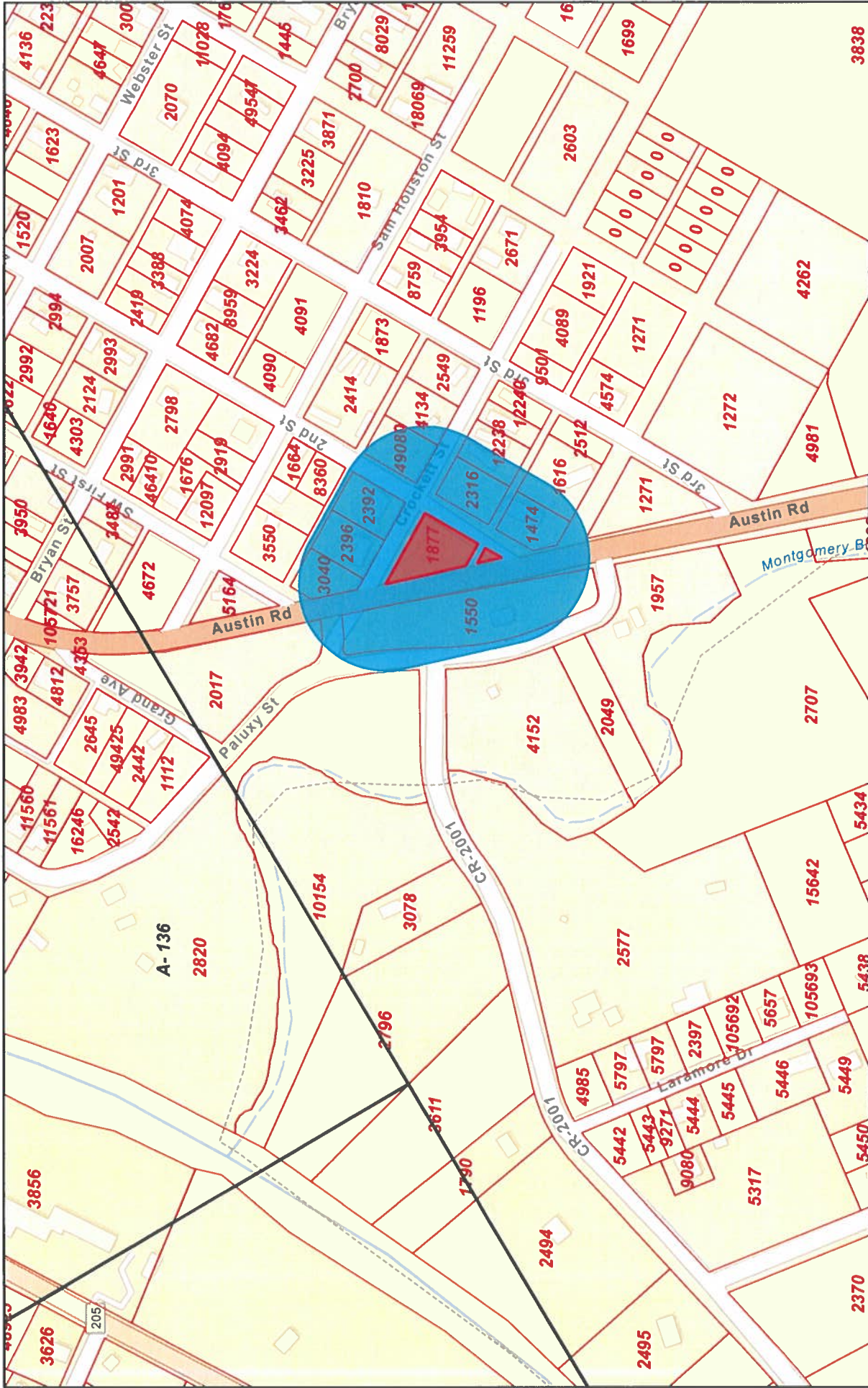
Zoning

**LEGEND**

Zone	Map Section/Area	Color	Color Name
R-1	Single Family		Golden Yellow
R-2M	Single Family/Duplex/Cabin		Pink
R-3	Single/Two-Four/MH		Tan
R-4	Multi-Family		Gray
B-1	Restricted Commercial		Orange
B-2	General Commercial		Aqua Green
I	Industrial		Brown
OSP	Open Space Parks		Yellow Green
PD	Planned Development		Mahogany Overlay
PF	Public Facilities		Violet Purple Overlay
H	Historic District		Black Overlay



# 603 Austin Rd - Rezone Request



5/17/2023, 11:57:05 AM

Abstracts
  Override 1
  Parcels

1:4,514

0 0.03 0.07 0.13 mi

Item 10.

Esri Community Maps Contributors, Texas Parks & Wildlife, OpenStreetMap, Microsoft, CONANP, Esri, HERE, Garmin, SafeGra, Somervell County Appraisal Distdct, BIS Consulting - www.bisconsulting.com

Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.

603 Austin Rd  
200 FT  
Mailing List

1. E320 Properties LLC (**OWNER / APPLICANT**)  
609 Panama Ct  
Granbury, TX 76048  
(R1877)
2. Shadowens Properties, LLC  
2633 FM 56 N  
Glen Rose, TX 76043
3. Adan and Adolfo Dereza  
PO BOX 2221  
Glen Rose, TX 76043
4. DG Glen Rose LLC  
10300 W Charleston Blvd #13-156  
Las Vegas, NV 89135
5. Realty Capital Holdings, LLC  
PO Box 2930  
Glen Rose, TX 76043
6. Lula Frances Strickland  
503 Crockett  
Glen Rose, TX 76043
7. R49080 & R2316  
Abel and Maria Arcibar  
PO Box 2334  
Glen Rose, TX 76043
8. Jimmy Edward and Michele Renee Thompson  
605 Crockett St  
Glen Rose, TX 76043
9. Karolee Wolfe  
PO Box 2340  
Glen Rose, TX 76043

10. Stephen D and Donna Kate Hightower  
415 N Patrick St  
Dublin, TX 76446

11. Charley & Tonya Livingston  
703 Austin Rd  
Glen Rose, TX 76043

12. Beverly J Wallace-Wood  
2421 CR 412  
Glen Rose, TX 76043



## CITY COUNCIL AGENDA ACTION FORM

<b>AGENDA DATE:</b>	6/28/2023		
<b>AGENDA SUBJECT:</b>	Discussion, consideration and possible action regarding a request to rezone, Acres 2.450, Tract H6-2-2-3, Abst A39, A39 E M Gray, Tract H6-2-2-3, Acres 2.45, 915 SW Barnard St from R-1 (Single Family Residential District) to P&R (Parks & Recreation District)		
<b>PREPARED BY:</b>	Building/Planning/Code Enforcement Assistant Holthe	<b>DATE SUBMITTED:</b>	5/3/23
<b>EXHIBITS:</b>	1. New Zoning Use Application 2. Property Notification Letter 3. 200' Surrounding Property map 4 Current Zoning Map.	5. Future Land Use Map 6. R-1 Single Family District 7. P&R (Parks & Recreation District)	
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>		\$00.00
	<b>Amount Budgeted:</b>		\$00.00
	<b>Appropriation Required:</b>		\$00.00
<b>CITY ADMINISTRATOR APPROVAL:</b>			
<b>SUMMARY:</b>	<ul style="list-style-type: none"> <li>• 5/3/2023 – Zoning Change Request Application was received</li> <li>• 6/8/2023 - Notice of Public Hearing was posted in the local newspaper</li> <li>• 6/5/2023 – 5 Property owner letters were sent representing 6 properties</li> </ul> 5 Letters have been confirmed as received 00 Letters unconfirmed as received 00 Letters were returned 00 Favorable response has been returned 01 Opposition response has been returned		
<b>RECOMMENDED ACTION:</b>	Move to approve or deny as presented.		





**Building, Planning and Code Enforcement Department**  
**201 NE Vernon Street, PO Box 1949, Glen Rose, Texas 76043**  
 (254) 897-2272 Fax: (254) 897-7989

## NOTIFICATION

June 5, 2023

### NOTICE OF PUBLIC HEARING ON PROPERTY LOCATED AT 915 SW BARNARD

*Public hearings will be held at 5:30 p.m. at City Hall (201 NE Vernon Street, Glen Rose, Texas) on June 28, 2023 before the Planning and Zoning Commission and on July 11, 2023 before the City Council on a request by owners, Paul & Credence Baker, to rezone the property located at 915 SW Barnard St; Acres 2.450, Tract H6-2-2-3, Abst A39, A39 E M Gray, Tract H6-2-2-3, Acres 2.45, from R-1 (Single Family Residential District) to P&R (Parks & Recreation District).*

Dear Property Owner:

You are receiving this notice because our records indicate you own property within 200' of the property located referenced above. That is the subject of these hearings. Included with this letter is a Property Owner Response Form, the application for rezoning which is under consideration, and a map showing all the properties within 200' of the property referenced above. If you would like to register your opinion in favor or in opposition to granting the rezoning request, please complete the form and either mail or email it to us, or deposit it in one of the drop boxes at City Hall.

If the owners of 20% or more of the land within 200' of property referenced above provide written notice of their objection to the issuance of the rezoning request, instead of a simple majority it will require a vote of  $\frac{3}{4}$  of the City Council members present to approve the request.

You are welcome to attend and participate in either or both of the Public Hearings. If you are unable to attend, but would like to listen to the hearings, generally, those proceedings are broadcast via Zoom. Instructions for accessing those broadcasts are available in the "Latest Events" section at the bottom of the City's website at [www.glenrosetexas.org](http://www.glenrosetexas.org).

Should you have any questions, please contact us at [jodi.holthe@glenrosetexas.org](mailto:jodi.holthe@glenrosetexas.org) or at (254) 897-2272 ext. 109.

Sincerely,

Building, Planning, and Code Compliance Department

# NOTICE OF PUBLIC HEARING



City of Glen Rose, Texas  
Building, Planning, Code Enforcement Department  
P.O. Box 1949, Glen Rose, TX 76043  
Ph: (254) 897-2272 Fax: (254) 897-7989  
Email: [jodi.holthe@glenrosetexas.org](mailto:jodi.holthe@glenrosetexas.org)

**Re: Request to Rezone Property located at 915 SW Barnard St; Acres 2.450, Tract H6-2-2-3, Abst A39, A39 E M Gray, Tract H6-2-2-3, Acres 2.45, from R-1 (Single Family Residential District) to P&R (Parks & Recreation District).**

This letter may be deposited in either of the two drop boxes located at City Hall, 201 NE Vernon Street, Glen Rose, Texas or mailed to City Hall, Attention: Planning and Zoning Department, PO Box 1949, Glen Rose, Texas 76043.

NAME: \_\_\_\_\_ DATE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

I AM ( ) IN FAVOR ( ) IN OPPOSITION TO THIS REQUEST.

Reasons/Comments:

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**Building Official, Planning and Zoning (P&Z)**



Staff use only  
Date Received: 5/18/23 Item 11.

### New Zoning Use Application

Address of property: 915 Sw Barnard St

Applicant's Name: Paul Baker Date: \_\_\_\_\_

#### Property Owner Information

Full Name: Paul + Credence Baker

Address: 104 Heritage Place

Telephone No: \_\_\_\_\_ Email: \_\_\_\_\_

#### Applicant/Owner's Representative (if not the owner)

Full Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No: \_\_\_\_\_ Email: \_\_\_\_\_

Present zoning at site: RI Requested new zoning use: P4R

Form of Ownership of the property:  Individual  Partnership  Corporation

Intended use of property {must be specific}:  
see attached

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I/We, am/are the owner(s) of the property. I/We hereby certify that all the information provided is true and correct.

Owner(s) Signature: Paul Baker Credence Baker Date: 5-17-23

Dear Members of the Zoning Board & Preservation Board,

I am writing to request a zoning change from Residential to Commercial Park for my adjoining property located at 915 SW Barnard Street and 1007 SW Barnard Street. As you may already be aware, adjacent and nearby properties along SW Barnard Street are already zoned Commercial.

After conducting thorough market research and consultations with local experts, I have identified that there is a high demand for upscale camping and glamping experiences in this area. Development of five high-end camping sites on my property will offer a small number of guests plenty of space to enjoy the outdoors and experience nature in a beautiful and comfortable setting.

I am hopeful that the Zoning Board will consider the surrounding properties that are already zoned Commercial, and see my request as a way to ensure the stretch of river-front property along SW Barnard Street retains its natural beauty. I am committed to preserving the trees and surrounding vegetation, and in order to ensure privacy for our guests, the camping sites will not be viewable from the main road.

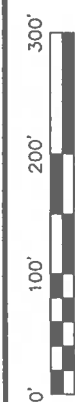
I believe that this zoning change would be in the best interest of the community in terms of boosting our local economy by meeting the tourist demand for additional camping options in Glen Rose.

I respectfully request that you consider my proposal for the change in zoning from Residential to Commercial Park, taking into account my commitment to preserving the natural beauty of the property and ensuring a high-end camping experience.

Thank you for your consideration.

Sincerely,

Paul Baker



**CURVE TABLE**

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD DISTANCE
C1	955.00'	402.20'	N 81°45'12" E (N 82°19'10" E)	399.23'
C2	3493.39'	267.90'	S 84°20'27" E (S 83°47'29" E)	267.83'

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	S 86°32'26" E	56.10'
L2	S 23°27'58" E	230.62'
L3	S 81°43'00" W	264.13'
L4	S 83°29'46" W	294.44'
L5	S 83°28'13" W	39.17'
L6	N 85°46'38" W	208.02'
L7	N 80°48'35" W	226.50'
L8	N 07°54'53" E	221.79'
L9	S 86°32'16" E	184.21'
L10	N 02°44'28" E	229.45'

**LEGEND**

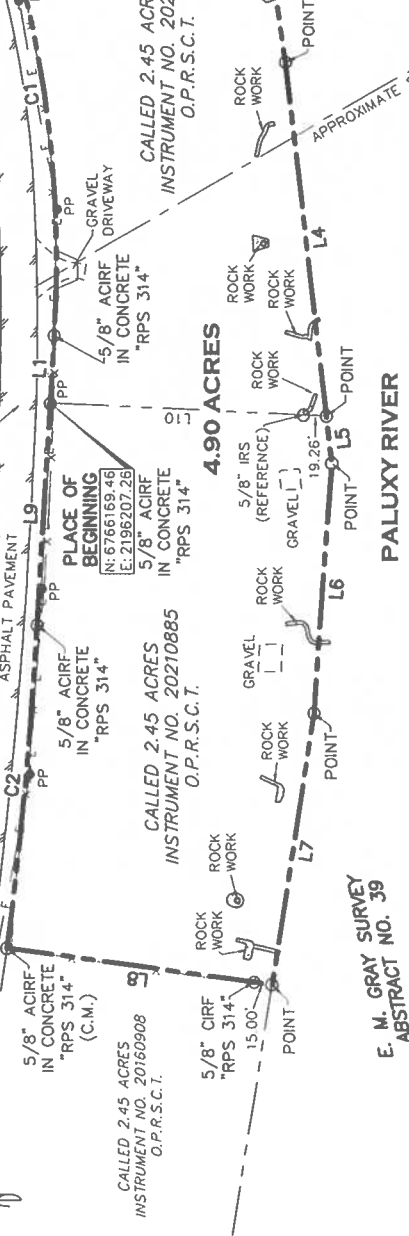
CIRF	IRON ROD FOUND WITH A PLASTIC CAP
ACIRF	IRON ROD FOUND WITH AN IRON ROD SET
IRS	IRON ROD SET WITH A RED PLASTIC CAP STAMPED "TRANS TEXAS SURVEYING"
(C.M.)	"TRANS TEXAS SURVEYING" CONTROLLING MONUMENT
PP	POWER POLE
-E-	OVERHEAD ELECTRIC LINE

**J. H. HALEY SURVEY  
ABSTRACT NO. 47**

**PROPERTY ADDRESS:  
915 & 1007 SW BERNARD STREET  
GLEN ROSE, TEXAS 76043**

**SOUTHWEST  
BERNARD STREET**  
VARIABLE WIDTH R.O.W.

**PROPERTY ADDRESS:  
915 & 1007 SW BERNARD STREET  
GLEN ROSE, TEXAS 76043**



**SURVEY MAP  
SHOWING**

**4.90 ACRES OF LAND LOCATED IN  
THE E. M. GRAY SURVEY, ABSTRACT NO. 39 AND  
THE J. H. HALEY SURVEY, ABSTRACT NO. 47  
SOMERVILLE COUNTY, TEXAS.**

**TRANS TEXAS  
SURVEYING & MAPPING**

401 N. NOLAN RIVER ROAD  
CLEBURNE, TEXAS 76033  
OFFICE: 817-556-3440  
FAX: 817-556-3545  
www.transexasurveying.com

Scale: 1"=100' Date: 05/03/23 DWG: 20230066-SURVEY-001  
Drawn: CWB Checked: RLY Job: 20230066



*Robert L. Young*

**SURVEYOR'S NOTES**

1. ALL BEARINGS AND DISTANCES SHOWN HEREON ARE CORRELATED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202), NAD83 (NAZ01). ALL DISTANCES SHOWN ARE GRID. SCALE FACTOR IS 1.000000000.
2. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
3. THE SURVEY PERFORMED ON THE GROUND OF THE SUBJECT PROPERTY AND THE PREPARATION OF A DEPICTION OF THE RESULTS THEREOF ON THIS SURVEY MAP, AND THE ACCOMPANYING PROPERTY DESCRIPTION, WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THEREFORE THERE MAY BE EASEMENTS OR OTHER MATTERS THAT COULD EXIST AND ARE NOT SHOWN.
4. SEE THE ACCOMPANYING PROPERTY DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF.
5. BASED ON THE OVERLAYING OF THE FEMA FLOOD INSURANCE RATE MAP FOR SOMERVILLE COUNTY, TEXAS, COMMUNITY PANEL NO. 490200040C, DATED APRIL 3, 1995, THIS PROPERTY APPEARS TO BE LOCATED WITHIN ZONE "A" FLOODWAY AREAS (BASE FLOOD ELEVATIONS DETERMINED). THIS SURVEYOR ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF S&D FEMA FLOOD INSURANCE RATE MAP.
6. ( ) DENOTES RECORD DATA.
7. THIS SURVEY MAP WAS PREPARED FROM A SURVEY PERFORMED ON THE GROUND UNDER THE SUPERVISION OF ROBERT L. YOUNG, R.P.L.S., 5400, ON APRIL 26, 2023 AND SHOWS THE SIGNIFICANT VISIBLE IMPROVEMENTS OBSERVED AT THE TIME OF THE SURVEY.

**PROPERTY DESCRIPTION**  
**4.90 ACRES**

**BEING A TRACT OF LAND LOCATED IN THE E. M. GRAY SURVEY, ABSTRACT NO. 39 AND THE J. H. HALEY SURVEY, ABSTRACT NO. 47, SOMERVELL COUNTY, TEXAS AND BEING ALL OF A CALLED 2.45 ACRE TRACT OF LAND AS DESCRIBED IN A DEED RECORDED IN INSTRUMENT NO. 20210885, OFFICIAL PUBLIC RECORDS, SOMERVELL COUNTY, TEXAS (O.P.R.S.C.T.) AND ALL OF A CALLED 2.45 ACRE TRACT OF LAND AS DESCRIBED IN A DEED RECORDED IN INSTRUMENT NO. 20211097, O.P.R.S.C.T. AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

ALL DISTANCES RECITED HEREIN ARE GRID. SCALE FACTOR IS 1.000000000. ALL BEARINGS RECITED HEREIN ARE CORRELATED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202), NAD83 (NA2011). SURVEYED ON THE GROUND ON APRIL 26, 2023 UNDER THE SUPERVISION OF ROBERT L. YOUNG, R.P.L.S. NO. 5400.

**BEGINNING AT A 5/8" IRON ROD WITH AN ALUMINUM CAP STAMPED "RPS 314" FOUND IN CONCRETE (N:6766169.46, E:2196207.26) IN THE SOUTHERLY LINE OF SOUTHWEST BERNARD STREET, FOR THE NORTHEASTERLY CORNER OF SAID 2.45 ACRE TRACT AS DESCRIBED IN SAID INSTRUMENT NO. 20210885, O.P.R.S.C.T. AND BEING THE NORTHWESTERLY CORNER OF SAID 2.45 ACRE TRACT AS DESCRIBED IN SAID INSTRUMENT NO. 20211097, O.P.R.S.C.T.;**

**THENCE, WITH THE SOUTHERLY LINE OF SAID SOUTHWEST BERNARD STREET, THE FOLLOWING BEARINGS AND DISTANCES:**

S 86°32'25" E, A DISTANCE OF 56.10 FEET TO A 5/8" IRON ROD WITH AN ALUMINUM CAP STAMPED "RPS 314" FOUND AT THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 955.00 FEET;

NORTHEASTERLY WITH SAID CURVE TO THE LEFT, A CHORD BEARING OF N 81°46'12" E, A CHORD DISTANCE OF 399.23 FEET AND AN ARC LENGTH OF 402.20 FEET TO A 5/8" IRON ROD WITH AN ALUMINUM CAP STAMPED "RPS 314" FOUND IN GRANITE, FOR THE NORTHEASTERLY CORNER OF SAID 2.45 ACRE TRACT AS DESCRIBED IN SAID 20211097, O.P.R.S.C.T. AND BEING THE NORTHWESTERLY CORNER OF A CALLED 12.5 ACRE TRACT OF LAND AS DESCRIBED IN A DEED RECORDED IN VOLUME 58, PAGE 95, DEED RECORDS, SOMERVELL COUNTY, TEXAS (D.R.S.C.T.);

**THENCE, S 23°27'58" E, WITH THE COMMON LINE BETWEEN SAID 2.45 ACRE TRACT AND SAID 12.5 ACRE TRACT, AT A DISTANCE OF 185.98 FEET, PASSING A 5/8" IRON ROD WITH A RED PLASTIC CAP STAMPED "TRANS TEXAS SURVEYING" SET FOR REFERENCE, CONTINUING IN ALL A TOTAL DISTANCE OF 230.62 FEET TO A POINT ON THE NORTHERLY BANK OF THE PALUXY RIVER;**

**THENCE, WITH THE NORTHERLY BANK OF SAID PALUXY RIVER, THE FOLLOWING BEARINGS AND DISTANCES:**

S 81°43'00" W, A DISTANCE OF 264.13 FEET TO A POINT;

S 83°29'46" W, A DISTANCE OF 294.44 FEET TO A POINT FOR THE COMMON CORNER OF SAID 2.45 ACRE TRACTS, FROM WHICH A 5/8" IRON ROD WITH A RED PLASTIC CAP STAMPED "TRANS TEXAS SURVEYING" SET FOR REFERENCE BEARS, N 02°44'28" E, A DISTANCE OF 19.26 FEET;

S 83°29'13" W, A DISTANCE OF 39.17 FEET TO A POINT;

N 85°46'38" W, A DISTANCE OF 208.02 FEET TO A POINT;

N 80°48'35" W, A DISTANCE OF 226.50 FEET TO A POINT FOR THE SOUTHWESTERLY CORNER OF SAID 2.45 ACRE TRACT AS DESCRIBED IN SAID INSTRUMENT NO. 20210885, O.P.R.S.C.T. AND BEING THE SOUTHEASTERLY CORNER OF A CALLED 2.45 ACRE TRACT OF LAND AS DESCRIBED IN A DEED RECORDED IN INSTRUMENT NO. 20160908, O.P.R.S.C.T.;

**THENCE**, N 07°54'53" E, WITH THE COMMON LINE BETWEEN SAID 2.45 ACRE TRACTS, AT A DISTANCE OF 15.00 FEET, PASSING A 5/8" IRON ROD WITH A PLASTIC CAP STAMPED "RPS 314", CONTINUING IN ALL A TOTAL DISTANCE OF 221.79 FEET TO A 5/8" IRON ROD WITH AN ALUMINUM CAP STAMPED "RPS 314" FOUND IN CONCRETE IN A CURVE IN THE SOUTHERLY LINE OF SAID SOUTHWEST BERNARD STREET, HAVING A RADIUS OF 3493.39 FEET, FOR THE NORTHWESTERLY CORNER OF SAID 2.45 ACRE TRACT AS DESCRIBED IN SAID INSTRUMENT NO. 20210885, O.P.R.S.C.T. AND BEING THE NORTHEASTERLY CORNER OF SAID 2.45 ACRE TRACT AS DESCRIBED IN SAID INSTRUMENT NO. 20160908, O.P.R.S.C.T.;

**THENCE**, WITH THE SOUTHERLY LINE OF SAID SOUTHWEST BERNARD STREET, THE FOLLOWING BEARINGS AND DISTANCES:

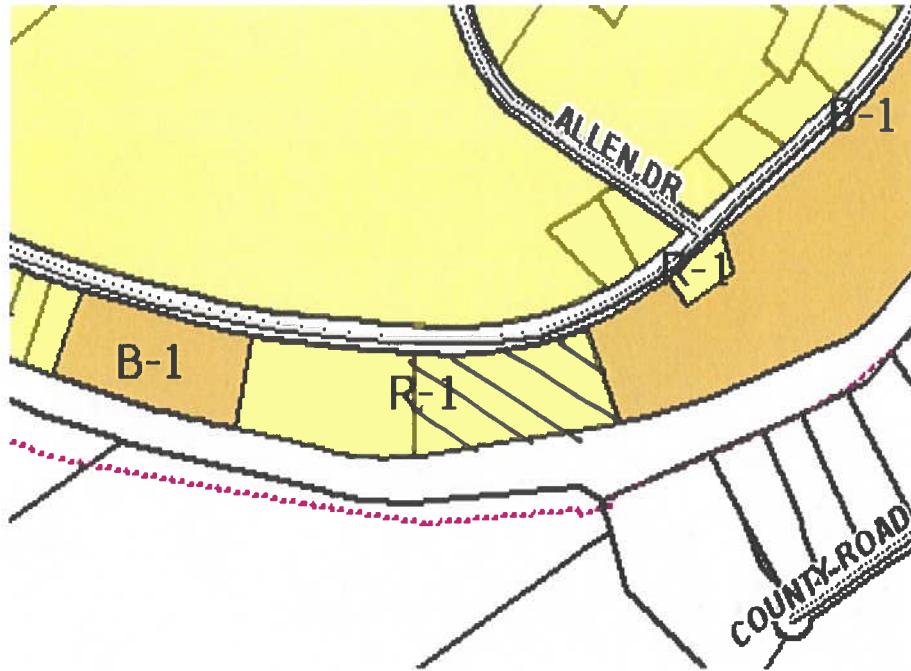
SOUTHEASTERLY WITH SAID CURVE TO THE LEFT, A CHORD BEARING OF S 84°20'27" E, A CHORD DISTANCE OF 267.83 FEET AND AN ARC LENGTH OF 267.90 FEET, TO A 5/8" IRON ROD WITH AN ALUMINUM CAP STAMPED "RPS 314" FOUND IN CONCRETE AT THE END OF SAID CURVE;

S 86°32'16" E, A DISTANCE OF 184.21 FEET TO THE **PLACE OF BEGINNING AND CONTAINING 4.90 ACRES OF LAND**. SEE THE ACCOMPANYING SURVEY MAP ATTACHED HERETO AND MADE A PART HEREOF.

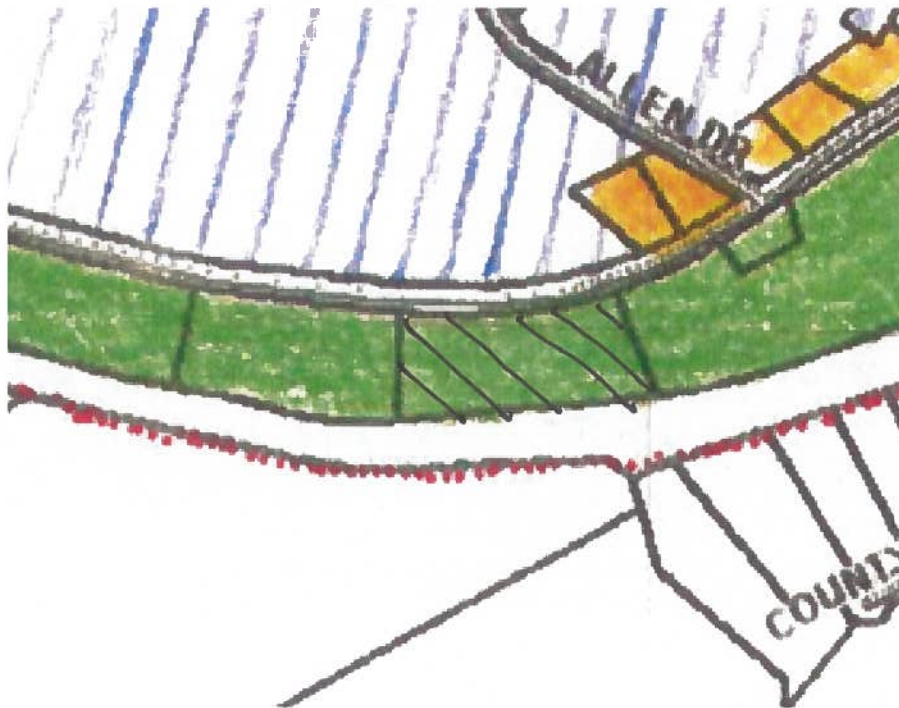
# 915 SW Barnard

## Zoning

### Current Zoning














### Future Zoning





Zoning

**LEGEND**

<b>Zone</b>	<b>Map Section/Area</b>	<b>Color</b>	<b>Color Name</b>
R-1	Single Family		Golden Yellow
R-2M	Single Family/Duplex/Cabin		Pink
R-3	Single/Two-Four/MH		Tan
R-4	Multi-Family		Gray
B-1	Restricted Commercial		Orange
B-2	General Commercial		Aqua Green
I	Industrial		Brown
OSP	Open Space Parks		Yellow Green
PD	Planned Development		Mahogany Overlay
PF	Public Facilities		Violet Purple Overlay
H	Historic District		Black Overlay

### **14.02.042 R-1 Single-Family Residential District**

- (a) Purpose. The R-1 Single-Family Residential District is established to allow for single-family dwellings.
- (b) Permitted uses. The uses permitted in the R-1 district include those listed in the schedule of uses found in appendix A of this article. Any use not expressly authorized and permitted herein is expressly prohibited in this district, unless otherwise allowed in conformance with section 14.02.107 dealing with new and unlisted uses.
- (c) Specific use permit. In order to allow for certain uses which, because of their nature or unusual character, cannot be unconditionally permitted in this district, yet would or could be an appropriate or compatible use under certain controlled circumstances and locations, the planning and zoning commission shall forward its recommendations of action to the city council, after public hearing thereon. The city council shall hold a public hearing and may authorize and grant the issuance of a specific use permit for those uses allowed in the schedule of uses in appendix A of this article. The issuance of the permit by the city council shall be contingent upon reasonable and appropriate conditions and safeguards, including the length of time, so as to properly protect any adjacent property, use or neighborhood character, as well as ensure the appropriate conduct of the conditional use of the land and buildings granted.
- (d) Area, yard, height, lot coverage and building size. The requirements regulating the minimum lot size, minimum yard sizes (front, side and rear), maximum building height, maximum percentage of lot coverage by buildings and the minimum size of buildings, as pertains to this district, shall conform with the provisions of the schedule of district regulations found in section 14.02.041 and any other applicable regulations as herein provided.
- (e) Parking requirements. Off-street parking space requirements shall be in accordance with the parking schedule found in appendix A of this article and section 14.02.104. Parking for at least 2 motor vehicles shall be provided by an enclosed garage or carport for any single-family dwelling constructed after the date of adoption of this article.
- (f) Sales displays prohibited.
- (1) Garage sales shall be permitted in accordance with this Code of Ordinances.
  - (2) It shall be unlawful for any person to display or allow to be displayed for sale or lease at one time on any lot any motor vehicle; boat or vessel subject to registration under Texas Parks & Wildlife Code chapter 31; or camper shell designed for use on a motor vehicle unless such vehicle is owned by the actual occupant of the premises. However, no person or persons shall be permitted to display more than 2, or combination thereof, of the following: motor vehicles; boats or other similar vessels subject to registration under Texas Parks and Wildlife Code chapter 31; or camper shells per lot at any time.
- (g) Minimum setback requirements for carports and accessory buildings. Detached accessory buildings shall be located within the rear portion of the lot and shall not exceed one story in height, nor shall any structure be located closer than 3 feet to the main building nor 4 feet to a side lot line, nor closer than 5 feet to any rear lot line nor closer than 10 feet to any side street. Small structures of 200 square feet or less may be placed anywhere in the rear half of the lot.

(Ordinance 240 adopted 3/15/94; Ordinance adopted 9/9/97; 2007 Code, sec. 155.16; Ordinance 17.02.13A adopted 2/13/17)

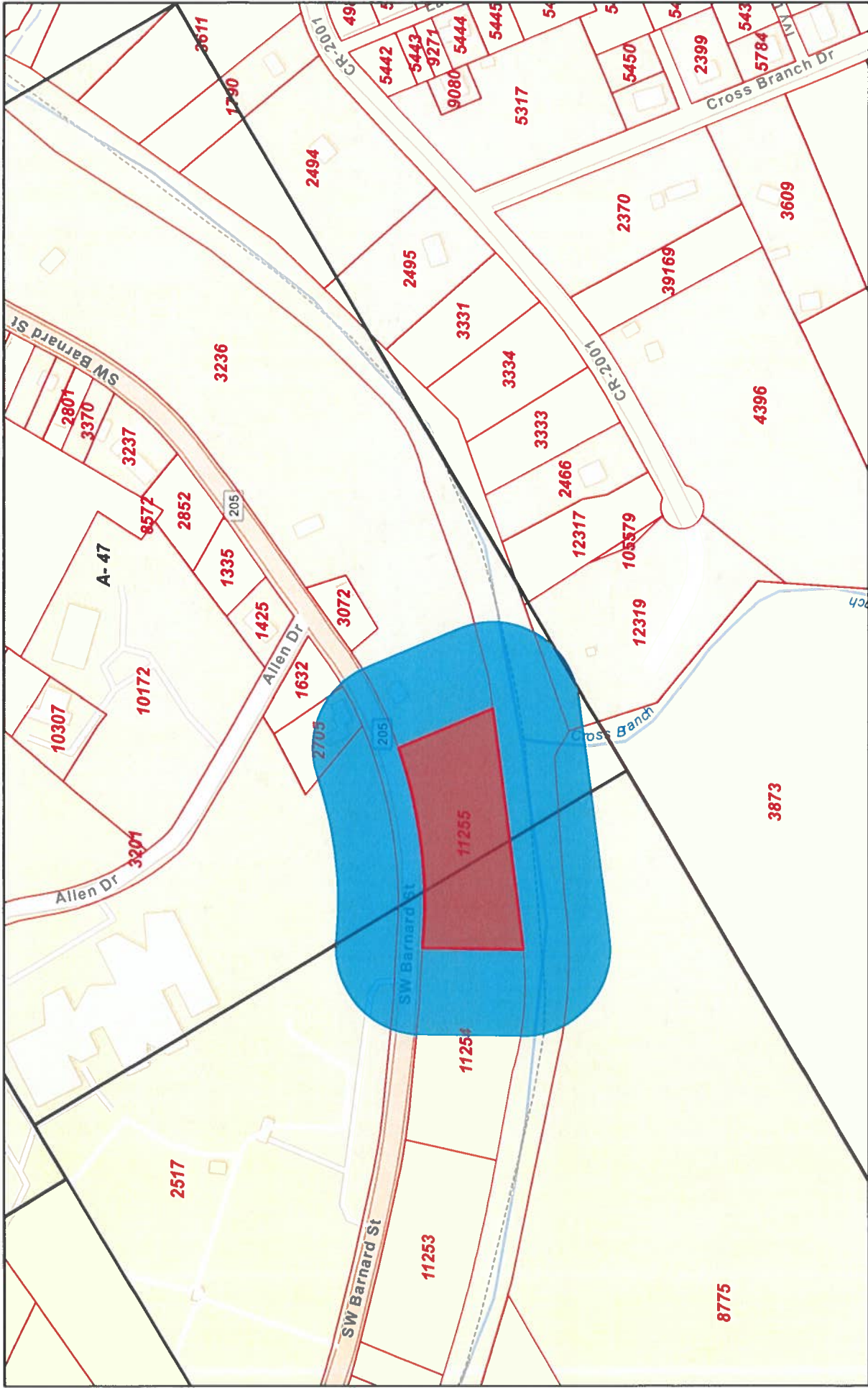
**14.02.056 PR Parks And Recreation District**

- (a) Purpose. The P&R Parks and Recreation District is established to accommodate recreational uses, both governmental and commercial. Land included in a floodplain is a good candidate for this type of zoning.
- (b) Permitted uses. The uses permitted in the P&R district include those listed in the schedule of uses found in appendix A of this article. Any use not expressly authorized and permitted here is expressly prohibited in this district, unless otherwise allowed in conformance with section 14.02.107 dealing with new and unlisted uses.
- (c) Specific use permit. In order to allow for certain uses which, because of their nature or unusual character, cannot be unconditionally permitted in this district, yet would or could be an appropriate or compatible use under certain controlled circumstances and locations, the planning and zoning commission shall forward its recommendations of action to the city council, after a public hearing thereon. The city council shall hold a public hearing and may authorize and grant the issuance of a specific use permit for the uses allowed in the schedule of uses in appendix A of this article. The issuance of the permit by the city council shall be contingent upon reasonable and appropriate conditions and safeguards, including the length of time, so as to properly protect any adjacent property, use or neighborhood character, as well as ensure the appropriate continuation of the conditional use of the land and buildings granted.
- (d) Area, yard, height, lot coverage and building size. The requirements regulating the minimum lot size, minimum yard sizes (front, side and rear), maximum building height, maximum percentage of lot coverage by buildings and the minimum size of buildings, as pertains to this district, shall conform with the provisions of the schedule of district regulations found in section 14.02.041 and any other applicable regulations as herein provided.
- (e) Parking requirements. Parking requirements shall be determined by the uses involved.

**HISTORY**

Adopted by Ord. 2021.08.10D on 8/10/2021

# 915 SW Barnard - Rezone Request



5/18/2023, 10:38:57 AM

Abstracts
  Override 1
  Parcels

1:4,514

0 0.03 0.07 0.13 mi

0 0.05 0.1 0.2 km

Esri Community Maps Contributors, Texas Parks & Wildlife, OpenStreetMap, Microsoft, CONANP, Esri, HERE, Garmin, SafeGrid, Somervell County Appraisal District, BIS Consulting - www.bisconsulting.com

Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.

915 SW Barnard  
200 FT  
Mailing List

1. Billy Paul and Credence Baker (**OWNER / APPLICANT**)  
104 Heritage Place  
Glen Rose, TX 76043  
(R11254 & R11255)
2. Dorothy Jo Osborn  
PO Box 925  
Glen Rose, TX 76043
3. Glen Rose ISD  
PO Box 2129  
Glen Rose, TX 76043
4. Stacy and Jennifer Newman  
1528 Moody Ln  
Glen Rose, TX 76043-7122
5. Billy R & Sandra I Lewis  
PO Box 7345  
Glen Rose, TX 76043



## CITY COUNCIL AGENDA ACTION FORM

<b>AGENDA DATE:</b>	6/28/2023				
<b>AGENDA SUBJECT:</b>	Discussion, consideration and possible action regarding a request to rezone, Acres 2.450, Tract H6-2-2-2, Abst A39, A39 E M Gray, Tract H6-2-2-2, Acres 2.45; 1007 SW Barnard St from R-1 (Single Family Residential District) to P&R (Parks & Recreation District)				
<b>PREPARED BY:</b>	Building/Planning/Code Enforcement Assistant Holthe	<b>DATE SUBMITTED:</b>	5/3/23		
<b>EXHIBITS:</b>	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"> <ol style="list-style-type: none"> <li>1. New Zoning Use Application</li> <li>2. Property Notification Letter</li> <li>3. 200' Surrounding Property map</li> <li>4 Current Zoning Map.</li> </ol> </td> <td style="width: 50%; border: none;"> <ol style="list-style-type: none"> <li>5. Future Land Use Map</li> <li>6. R-1 Single Family District</li> <li>7. P&amp;R (Parks &amp; Recreation District)</li> </ol> </td> </tr> </table>			<ol style="list-style-type: none"> <li>1. New Zoning Use Application</li> <li>2. Property Notification Letter</li> <li>3. 200' Surrounding Property map</li> <li>4 Current Zoning Map.</li> </ol>	<ol style="list-style-type: none"> <li>5. Future Land Use Map</li> <li>6. R-1 Single Family District</li> <li>7. P&amp;R (Parks &amp; Recreation District)</li> </ol>
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<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>	\$00.00			
	<b>Amount Budgeted:</b>	\$00.00			
	<b>Appropriation Required:</b>	\$00.00			
<b>CITY ADMINISTRATOR APPROVAL:</b>					
<b>SUMMARY:</b>					
<ul style="list-style-type: none"> <li>• 5/3/2023 – Zoning Change Request Application was received</li> <li>• 6/8/2023 - Notice of Public Hearing was posted in the local newspaper</li> <li>• 6/5/2023 – 3 Property owner letters were sent representing 4 properties</li> </ul> <p>03 Letters have been confirmed as received                  00 Letters unconfirmed as received                  00 Letters were returned                  00 Favorable response has been returned                  01 Opposition response has been returned</p>					
<b>RECOMMENDED ACTION:</b> Move to approve or deny as presented.					





**Building, Planning and Code Enforcement Department**  
**201 NE Vernon Street, PO Box 1949, Glen Rose, Texas 76043**  
 (254) 897-2272 Fax: (254) 897-7989

## NOTIFICATION

June 5, 2023

### NOTICE OF PUBLIC HEARING ON PROPERTY LOCATED AT 1007 SW BARNARD

*Public hearings will be held at 5:30 p.m. at City Hall (201 NE Vernon Street, Glen Rose, Texas) on June 28, 2023 before the Planning and Zoning Commission and on July 11, 2023 before the City Council on a request by owners, Paul & Credence Baker, to rezone the property located at 1007 SW Barnard St; Acres 2.450, Tract H6-2-2-2, Abst A39, A39 E M Gray, Tract H6-2-2-2, Acres 2.45, from R-1 (Single Family Residential District) to P&R (Parks & Recreation District).*

Dear Property Owner:

You are receiving this notice because our records indicate you own property within 200' of the property located referenced above. That is the subject of these hearings. Included with this letter is a Property Owner Response Form, the application for rezoning which is under consideration, and a map showing all the properties within 200' of the property referenced above. If you would like to register your opinion in favor or in opposition to granting the rezoning request, please complete the form and either mail or email it to us, or deposit it in one of the drop boxes at City Hall.

If the owners of 20% or more of the land within 200' of property referenced above provide written notice of their objection to the issuance of the rezoning request, instead of a simple majority it will require a vote of  $\frac{3}{4}$  of the City Council members present to approve the request.

You are welcome to attend and participate in either or both of the Public Hearings. If you are unable to attend, but would like to listen to the hearings, generally, those proceedings are broadcast via Zoom. Instructions for accessing those broadcasts are available in the "Latest Events" section at the bottom of the City's website at [www.glenrosetexas.org](http://www.glenrosetexas.org).

Should you have any questions, please contact us at [jodi.holthe@glenrosetexas.org](mailto:jodi.holthe@glenrosetexas.org) or at (254) 897-2272 ext. 109.

Sincerely,

Building, Planning, and Code Compliance Department

# NOTICE OF PUBLIC HEARING



City of Glen Rose, Texas

Building, Planning, Code Enforcement Department

P.O. Box 1949, Glen Rose, TX 76043

Ph: (254) 897-2272

Fax: (254) 897-7989

Email: [jodi.holthe@glenrosetexas.org](mailto:jodi.holthe@glenrosetexas.org)

**Re: Request to Rezone Property located at 1007 SW Barnard St; Acres 2.450, Tract H6-2-2-2, Abst A39, A39 E M Gray, Tract H6-2-2-2, Acres 2.45, from R-1 (Single Family Residential District) to P&R (Parks & Recreation District).**

This letter may be deposited in either of the two drop boxes located at City Hall, 201 NE Vernon Street, Glen Rose, Texas or mailed to City Hall, Attention: Planning and Zoning Department, PO Box 1949, Glen Rose, Texas 76043.

NAME: \_\_\_\_\_ DATE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

I AM ( ) IN FAVOR ( ) IN OPPOSITION TO THIS REQUEST.

Reasons/Comments:

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Building Official, Planning and Zoning (P&Z)





Dinosaur Capital of Texas

Building, Planning & Code Enforcement  
City of Glen Rose, Texas 76043 Tel: (254) 897-9373 Fax: (254) 897-7989

Staff use only	Item 12.
Date Received: <u>5/18/23</u>	

### New Zoning Use Application

Address of property: \_\_\_\_\_ 1007 Sw Barnard St.

Applicant's Name: Paul Baker Date: \_\_\_\_\_

**Property Owner Information**

Full Name: Paul + Credence Baker

Address: 104 Heritage Place

Telephone No.: \_\_\_\_\_ Email: \_\_\_\_\_

**Applicant/Owner's Representative (if not the owner)**

Full Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Email: \_\_\_\_\_

Present zoning at site: R1 Requested new zoning use: P4R

Form of Ownership of the property:  Individual [ ] Partnership [ ] Corporation

Intended use of property {must be specific}:  
see attached

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I/We, am/are the owner(s) of the property. I/We hereby certify that all the information provided is true and correct.

Owner(s) Signature: Paul Baker Credence Baker Date: 5-17-23

**Fee's** →

Dear Members of the Zoning Board & Preservation Board,

I am writing to request a zoning change from Residential to Commercial Park for my adjoining property located at 915 SW Barnard Street and 1007 SW Barnard Street. As you may already be aware, adjacent and nearby properties along SW Barnard Street are already zoned Commercial.

After conducting thorough market research and consultations with local experts, I have identified that there is a high demand for upscale camping and glamping experiences in this area. Development of five high-end camping sites on my property will offer a small number of guests plenty of space to enjoy the outdoors and experience nature in a beautiful and comfortable setting.

I am hopeful that the Zoning Board will consider the surrounding properties that are already zoned Commercial, and see my request as a way to ensure the stretch of river-front property along SW Barnard Street retains its natural beauty. I am committed to preserving the trees and surrounding vegetation, and in order to ensure privacy for our guests, the camping sites will not be viewable from the main road.

I believe that this zoning change would be in the best interest of the community in terms of boosting our local economy by meeting the tourist demand for additional camping options in Glen Rose.

I respectfully request that you consider my proposal for the change in zoning from Residential to Commercial Park, taking into account my commitment to preserving the natural beauty of the property and ensuring a high-end camping experience.

Thank you for your consideration.

Sincerely,

Paul Baker



**PROPERTY DESCRIPTION****4.90 ACRES**

**BEING A TRACT OF LAND LOCATED IN THE E. M. GRAY SURVEY, ABSTRACT NO. 39 AND THE J. H. HALEY SURVEY, ABSTRACT NO. 47, SOMERVELL COUNTY, TEXAS AND BEING ALL OF A CALLED 2.45 ACRE TRACT OF LAND AS DESCRIBED IN A DEED RECORDED IN INSTRUMENT NO. 20210885, OFFICIAL PUBLIC RECORDS, SOMERVELL COUNTY, TEXAS (O.P.R.S.C.T.) AND ALL OF A CALLED 2.45 ACRE TRACT OF LAND AS DESCRIBED IN A DEED RECORDED IN INSTRUMENT NO. 20211097, O.P.R.S.C.T. AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

ALL DISTANCES RECITED HEREIN ARE GRID. SCALE FACTOR IS 1.000000000. ALL BEARINGS RECITED HEREIN ARE CORRELATED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202), NAD83 (NA2011). SURVEYED ON THE GROUND ON APRIL 26, 2023 UNDER THE SUPERVISION OF ROBERT L. YOUNG, R.P.L.S. NO. 5400.

**BEGINNING AT A 5/8" IRON ROD WITH AN ALUMINUM CAP STAMPED "RPS 314" FOUND IN CONCRETE (N:6766169.46, E:2196207.26) IN THE SOUTHERLY LINE OF SOUTHWEST BERNARD STREET, FOR THE NORTHEASTERLY CORNER OF SAID 2.45 ACRE TRACT AS DESCRIBED IN SAID INSTRUMENT NO. 20210885, O.P.R.S.C.T. AND BEING THE NORTHWESTERLY CORNER OF SAID 2.45 ACRE TRACT AS DESCRIBED IN SAID INSTRUMENT NO. 20211097, O.P.R.S.C.T.;**

**THENCE, WITH THE SOUTHERLY LINE OF SAID SOUTHWEST BERNARD STREET, THE FOLLOWING BEARINGS AND DISTANCES:**

S 86°32'25" E, A DISTANCE OF 56.10 FEET TO A 5/8" IRON ROD WITH AN ALUMINUM CAP STAMPED "RPS 314" FOUND AT THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 955.00 FEET;

NORTHEASTERLY WITH SAID CURVE TO THE LEFT, A CHORD BEARING OF N 81°46'12" E, A CHORD DISTANCE OF 399.23 FEET AND AN ARC LENGTH OF 402.20 FEET TO A 5/8" IRON ROD WITH AN ALUMINUM CAP STAMPED "RPS 314" FOUND IN GRANITE, FOR THE NORTHEASTERLY CORNER OF SAID 2.45 ACRE TRACT AS DESCRIBED IN SAID 20211097, O.P.R.S.C.T. AND BEING THE NORTHWESTERLY CORNER OF A CALLED 12.5 ACRE TRACT OF LAND AS DESCRIBED IN A DEED RECORDED IN VOLUME 58, PAGE 95, DEED RECORDS, SOMERVELL COUNTY, TEXAS (D.R.S.C.T.);

**THENCE, S 23°27'58" E, WITH THE COMMON LINE BETWEEN SAID 2.45 ACRE TRACT AND SAID 12.5 ACRE TRACT, AT A DISTANCE OF 185.98 FEET, PASSING A 5/8" IRON ROD WITH A RED PLASTIC CAP STAMPED "TRANS TEXAS SURVEYING" SET FOR REFERENCE, CONTINUING IN ALL A TOTAL DISTANCE OF 230.62 FEET TO A POINT ON THE NORTHERLY BANK OF THE PALUXY RIVER;**

**THENCE, WITH THE NORTHERLY BANK OF SAID PALUXY RIVER, THE FOLLOWING BEARINGS AND DISTANCES:**

S 81°43'00" W, A DISTANCE OF 264.13 FEET TO A POINT;

S 83°29'46" W, A DISTANCE OF 294.44 FEET TO A POINT FOR THE COMMON CORNER OF SAID 2.45 ACRE TRACTS, FROM WHICH A 5/8" IRON ROD WITH A RED PLASTIC CAP STAMPED "TRANS TEXAS SURVEYING" SET FOR REFERENCE BEARS, N 02°44'28" E, A DISTANCE OF 19.26 FEET;

S 83°29'13" W, A DISTANCE OF 39.17 FEET TO A POINT;

N 85°46'38" W, A DISTANCE OF 208.02 FEET TO A POINT;

N 80°48'35" W, A DISTANCE OF 226.50 FEET TO A POINT FOR THE SOUTHWESTERLY CORNER OF SAID 2.45 ACRE TRACT AS DESCRIBED IN SAID INSTRUMENT NO. 20210885, O.P.R.S.C.T. AND BEING THE SOUTHEASTERLY CORNER OF A CALLED 2.45 ACRE TRACT OF LAND AS DESCRIBED IN A DEED RECORDED IN INSTRUMENT NO. 20160908, O.P.R.S.C.T.;

**THENCE**, N 07°54'53" E, WITH THE COMMON LINE BETWEEN SAID 2.45 ACRE TRACTS, AT A DISTANCE OF 15.00 FEET, PASSING A 5/8" IRON ROD WITH A PLASTIC CAP STAMPED "RPS 314", CONTINUING IN ALL A TOTAL DISTANCE OF 221.79 FEET TO A 5/8" IRON ROD WITH AN ALUMINUM CAP STAMPED "RPS 314" FOUND IN CONCRETE IN A CURVE IN THE SOUTHERLY LINE OF SAID SOUTHWEST BERNARD STREET, HAVING A RADIUS OF 3493.39 FEET, FOR THE NORTHWESTERLY CORNER OF SAID 2.45 ACRE TRACT AS DESCRIBED IN SAID INSTRUMENT NO. 20210885, O.P.R.S.C.T. AND BEING THE NORTHEASTERLY CORNER OF SAID 2.45 ACRE TRACT AS DESCRIBED IN SAID INSTRUMENT NO. 20160908, O.P.R.S.C.T.;

**THENCE**, WITH THE SOUTHERLY LINE OF SAID SOUTHWEST BERNARD STREET, THE FOLLOWING BEARINGS AND DISTANCES:

SOUTHEASTERLY WITH SAID CURVE TO THE LEFT, A CHORD BEARING OF S 84°20'27" E, A CHORD DISTANCE OF 267.83 FEET AND AN ARC LENGTH OF 267.90 FEET, TO A 5/8" IRON ROD WITH AN ALUMINUM CAP STAMPED "RPS 314" FOUND IN CONCRETE AT THE END OF SAID CURVE;

S 86°32'16" E, A DISTANCE OF 184.21 FEET TO THE **PLACE OF BEGINNING AND CONTAINING 4.90 ACRES OF LAND**. SEE THE ACCOMPANYING SURVEY MAP ATTACHED HERETO AND MADE A PART HEREOF.

### **14.02.042 R-1 Single-Family Residential District**

- (a) Purpose. The R-1 Single-Family Residential District is established to allow for single-family dwellings.
- (b) Permitted uses. The uses permitted in the R-1 district include those listed in the schedule of uses found in appendix A of this article. Any use not expressly authorized and permitted herein is expressly prohibited in this district, unless otherwise allowed in conformance with section 14.02.107 dealing with new and unlisted uses.
- (c) Specific use permit. In order to allow for certain uses which, because of their nature or unusual character, cannot be unconditionally permitted in this district, yet would or could be an appropriate or compatible use under certain controlled circumstances and locations, the planning and zoning commission shall forward its recommendations of action to the city council, after public hearing thereon. The city council shall hold a public hearing and may authorize and grant the issuance of a specific use permit for those uses allowed in the schedule of uses in appendix A of this article. The issuance of the permit by the city council shall be contingent upon reasonable and appropriate conditions and safeguards, including the length of time, so as to properly protect any adjacent property, use or neighborhood character, as well as ensure the appropriate conduct of the conditional use of the land and buildings granted.
- (d) Area, yard, height, lot coverage and building size. The requirements regulating the minimum lot size, minimum yard sizes (front, side and rear), maximum building height, maximum percentage of lot coverage by buildings and the minimum size of buildings, as pertains to this district, shall conform with the provisions of the schedule of district regulations found in section 14.02.041 and any other applicable regulations as herein provided.
- (e) Parking requirements. Off-street parking space requirements shall be in accordance with the parking schedule found in appendix A of this article and section 14.02.104. Parking for at least 2 motor vehicles shall be provided by an enclosed garage or carport for any single-family dwelling constructed after the date of adoption of this article.
- (f) Sales displays prohibited.
- (1) Garage sales shall be permitted in accordance with this Code of Ordinances.
  - (2) It shall be unlawful for any person to display or allow to be displayed for sale or lease at one time on any lot any motor vehicle; boat or vessel subject to registration under Texas Parks & Wildlife Code chapter 31; or camper shell designed for use on a motor vehicle unless such vehicle is owned by the actual occupant of the premises. However, no person or persons shall be permitted to display more than 2, or combination thereof, of the following: motor vehicles; boats or other similar vessels subject to registration under Texas Parks and Wildlife Code chapter 31; or camper shells per lot at any time.
- (g) Minimum setback requirements for carports and accessory buildings. Detached accessory buildings shall be located within the rear portion of the lot and shall not exceed one story in height, nor shall any structure be located closer than 3 feet to the main building nor 4 feet to a side lot line, nor closer than 5 feet to any rear lot line nor closer than 10 feet to any side street. Small structures of 200 square feet or less may be placed anywhere in the rear half of the lot.

(Ordinance 240 adopted 3/15/94; Ordinance adopted 9/9/97; 2007 Code, sec. 155.16; Ordinance 17.02.13A adopted 2/13/17)

### 14.02.056 PR Parks And Recreation District

- (a) Purpose. The P&R Parks and Recreation District is established to accommodate recreational uses, both governmental and commercial. Land included in a floodplain is a good candidate for this type of zoning.
- (b) Permitted uses. The uses permitted in the P&R district include those listed in the schedule of uses found in appendix A of this article. Any use not expressly authorized and permitted here is expressly prohibited in this district, unless otherwise allowed in conformance with section 14.02.107 dealing with new and unlisted uses.
- (c) Specific use permit. In order to allow for certain uses which, because of their nature or unusual character, cannot be unconditionally permitted in this district, yet would or could be an appropriate or compatible use under certain controlled circumstances and locations, the planning and zoning commission shall forward its recommendations of action to the city council, after a public hearing thereon. The city council shall hold a public hearing and may authorize and condition the issuance of a specific use permit for the uses allowed in the schedule of uses in appendix A of this article. The issuance of the permit by the city council shall be contingent upon reasonable and appropriate conditions and safeguards, including the length of time, so as to properly protect any adjacent property, use or neighborhood character, as well as ensure the appropriate control of the conditional use of the land and buildings granted.
- (d) Area, yard, height, lot coverage and building size. The requirements regulating the minimum lot size, minimum yard sizes (front, side and rear), maximum building height, maximum percentage of lot coverage by buildings and the minimum size of buildings, as pertains to this district, shall conform with the provisions of the schedule of district regulations found in section 14.02.041 and any other applicable regulations as herein provided.
- (e) Parking requirements. Parking requirements shall be determined by the uses involved.

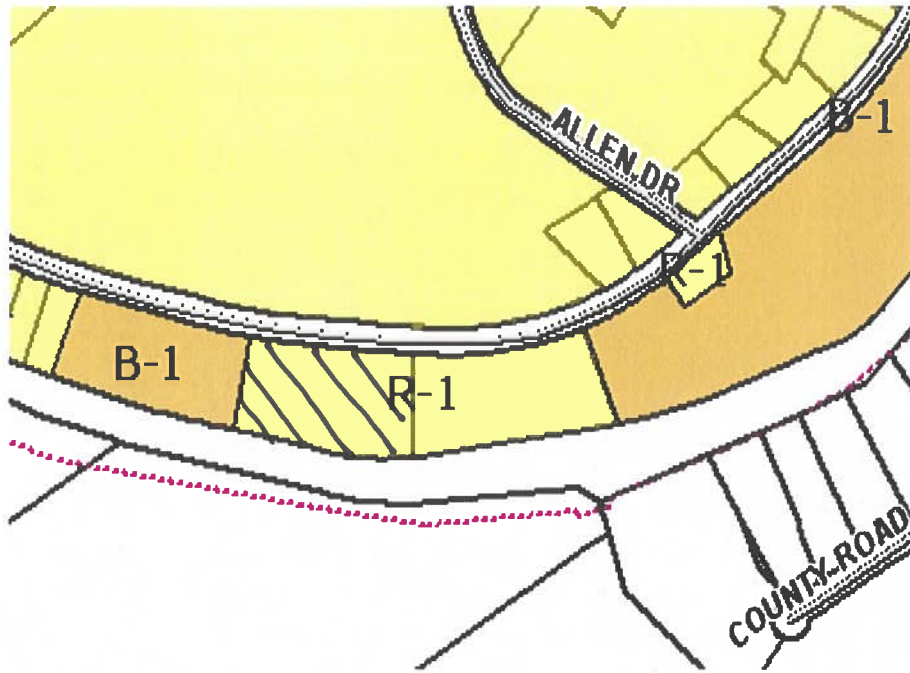
#### HISTORY

Adopted by Ord. 2021.08.10D on 8/10/2021

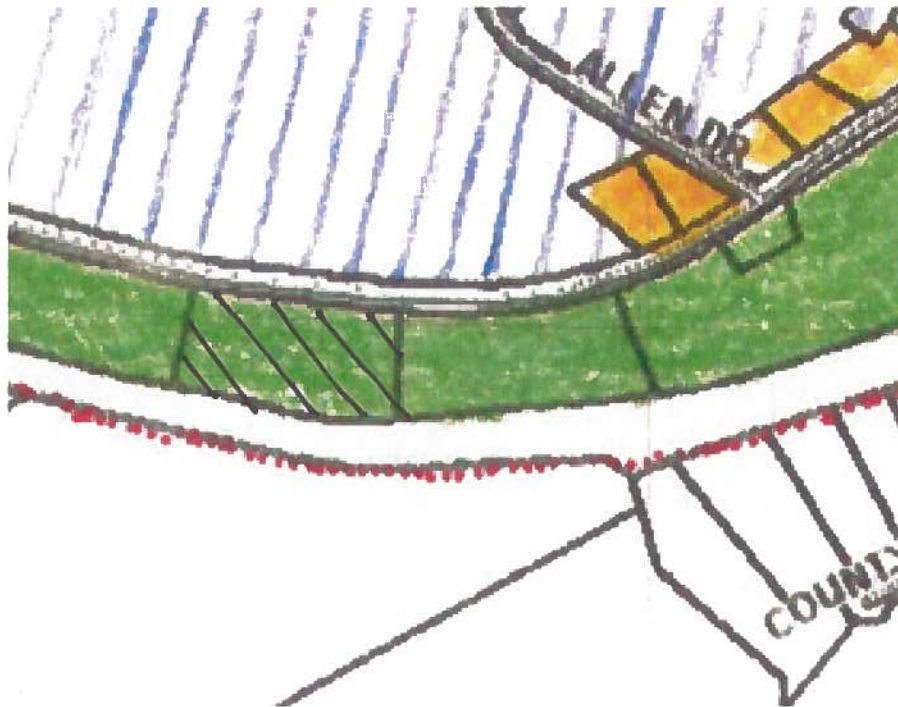


Zoning

Current Zoning














Future Zoning

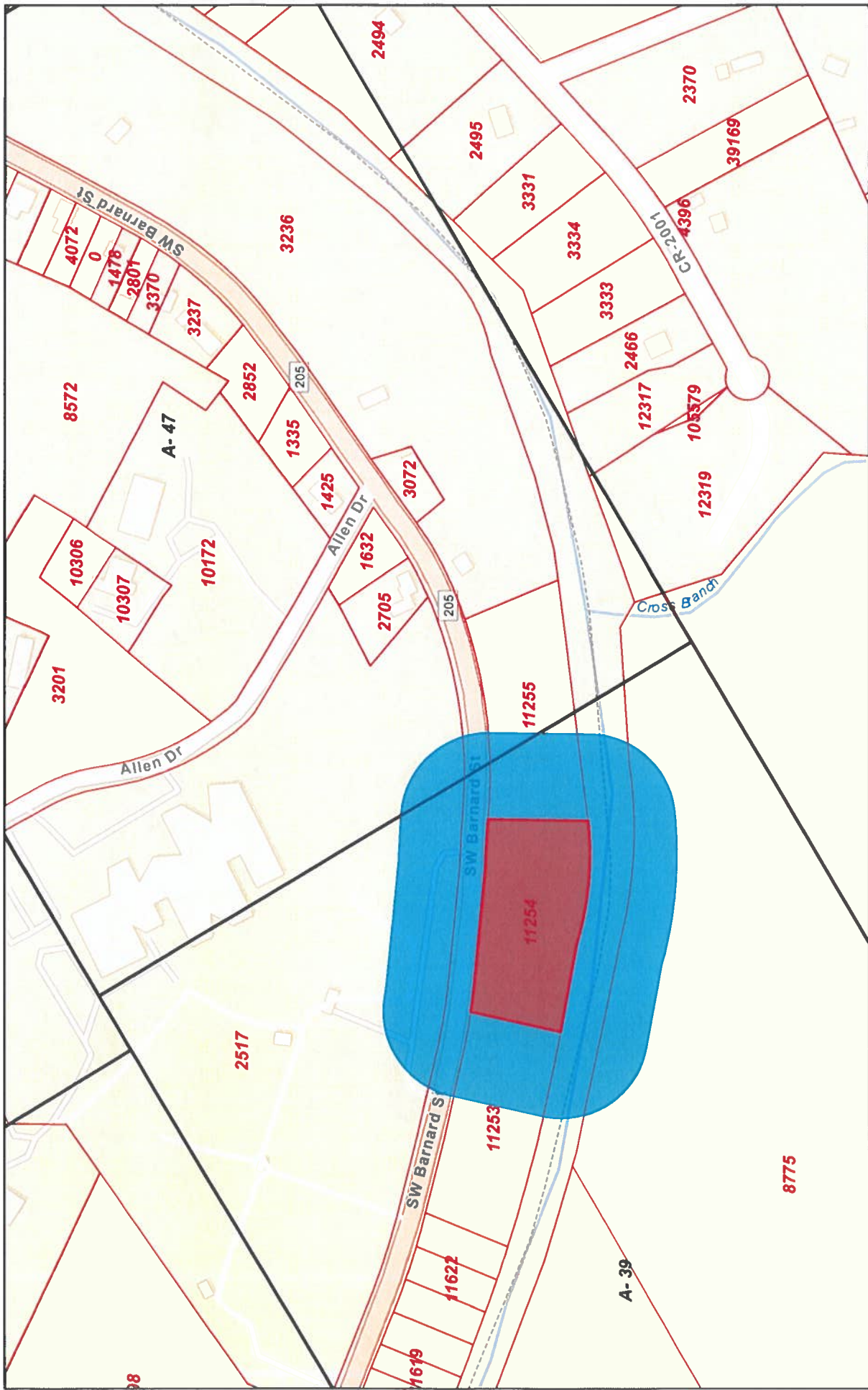


Zoning

**LEGEND**

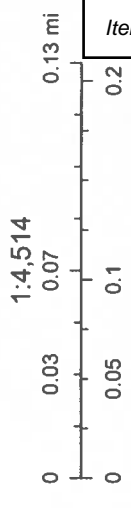
<b>Zone</b>	<b>Map Section/Area</b>	<b>Color</b>	<b>Color Name</b>
R-1	Single Family		Golden Yellow
R-2M	Single Family/Duplex/Cabin		Pink
R-3	Single/Two-Four/MH		Tan
R-4	Multi-Family		Gray
B-1	Restricted Commercial		Orange
B-2	General Commercial		Aqua Green
I	Industrial		Brown
OSP	Open Space Parks		Yellow Green
PD	Planned Development		Mahogany Overlay
PF	Public Facilities		Violet Purple Overlay
H	Historic District		Black Overlay

# 1007 SW Barnard- Rezone Request



5/18/2023, 10:37:31 AM

Abstracts █ Override 1  Parcels



Item 12.

Esri Community Maps Contributors, Texas Parks & Wildlife  
 OpenStreetMap, Microsoft, CONANP, Esri, HERE, Garmin, SafeG  
 Somervell County Appraisal District, BIS Consulting - www.bisconsulting.com

Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.

1007 SW Barnard  
200 FT  
Mailing List

1. Billy Paul and Credence Baker (**OWNER / APPLICANT**)  
104 Heritage Place  
Glen Rose, TX 76043  
(R11254 & R11255)
  
2. Jeremy Bessent  
3358 Hiawatha Trl  
Fort Worth, TX 76135-3857
  
3. Glen Rose ISD  
PO Box 2129  
Glen Rose, TX 76043



# NOTICE OF PUBLIC HEARING

Item 12.



City of Glen Rose, Texas

Building, Planning, Code Enforcement Department

P.O. Box 1949, Glen Rose, TX 76043

Ph: (254) 897-2272

Fax: (254) 897-7989

Email: [jodi.holthe@glenrosetexas.org](mailto:jodi.holthe@glenrosetexas.org)

**Re: Request to Rezone Property located at 1007 SW Barnard St; Acres 2.450, Tract H6-2-2-2, Abst A39, A39 E M Gray, Tract H6-2-2-2, Acres 2.45, from R-1 (Single Family Residential District) to P&R (Parks & Recreation District).**

This letter may be deposited in either of the two drop boxes located at City Hall, 201 NE Vernon Street, Glen Rose, Texas or mailed to City Hall, Attention: Planning and Zoning Department, PO Box 1949, Glen Rose, Texas 76043.

NAME: TRIG OVERBO - GLEN ROSE ISD DATE: 6/9/23

ADDRESS: 1102 STADIUM DRIVE

I AM ( ) IN FAVOR  IN OPPOSITION TO THIS REQUEST.

Reasons/Comments:

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Building Official, Planning and Zoning (P&Z)



## CITY COUNCIL AGENDA ACTION FORM

<b>AGENDA DATE:</b>	6/28/23		
<b>AGENDA SUBJECT:</b>	Discussion, consideration and possible action regarding recommendations for amending the City of Glen Rose Specific Use Permits Ordinance (Sec. 14.02.101)		
<b>PREPARED BY:</b>	Building/Planning/Code Enforcement Assistant Holthe	<b>DATE SUBMITTED:</b>	6/07/23
<b>EXHIBITS:</b>			
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>	\$00.00	
	<b>Amount Budgeted:</b>	\$00.00	
	<b>Appropriation Required:</b>	\$00.00	
<b>CITY ADMINISTRATOR APPROVAL:</b>			
<b>SUMMARY:</b>			
<b>RECOMMENDED ACTION:</b>	Move to approve or deny as presented.		

REPLACE 14.02.102 – Specific Use Permits



- 1) Standards: The SUP provides a means for developing certain uses in a way the specific use will be compatible with adjacent property and consistent with the character of the neighborhood.
- 2) SUP is granted to the ownership of each real property. Any change in ownership may result in a SUP no longer being valid. See paragraph 12 for exceptions.
- 3) The use regulations for each use in Division 14.02, Appendix A state whether an SUP is required for a use to be permitted in a zoning district. The SUP requirement for use in a zoning district does not constitute authorization or assurance that the use will be permitted. Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriately. Each SUP must be granted by the city council by a separate ordinance.
  - A. The city council shall not grant an SUP for use except upon a finding that the use will:
    - i) complement or be compatible with the surrounding uses and community facilities.
    - ii) contribute to, enhance, or promote the welfare of the area of request and adjacent properties.
    - iii) not be detrimental to the public health, safety, or general welfare; and
    - iv) conform in all other respects to all zoning regulations and standards.
  - B. The granting of an SUP has no effect on the uses permitted as of right and does not waive the regulations of the underlying zoning district.
  - C. The city council may impose reasonable conditions upon the granting of an SUP consistent with the purposes stated in this chapter.
  - D. The applicant shall post the SUP ordinance in a conspicuous place on the property, except where a use has no interior building space (for example, a private street or alley use).
- 4) Specific use permit procedure.
  - A. *An applicant for an SUP shall comply with the zoning amendment procedure for a change in zoning district classification. Each SUP ordinance is incorporated by reference into this chapter.*
  - B. *At the time of applying for an SUP, the applicant shall submit:*
    - i). a site plan that includes:
      - (a) the dimensions, bearings, and street frontage of the property;
      - (b) the location of buildings, structures, and uses;
      - (c) the method of ingress and egress;
      - (d) off-street parking and loading arrangements;
      - (e) screening, lighting, and landscaping, if appropriate;
      - (f) the locations, calipers, and names (both common and scientific) of all trees near proposed construction activity (trees in close proximity that all have a caliper of less than eight inches may be designated as a “group of trees” with only the number noted); and

- (g) any other information deemed necessary for a complete review of the proposed development; and
  - ii) a traffic impact analysis if the deemed that the analysis is necessary for a complete review of the impacts of the proposed development.
- 5) alter the basic relationship of the proposed development to adjacent property;
  - 6) increase the number of dwelling units shown on the original site plan by more than 10 percent;
  - 7) increase the floor area shown on the original site plan by more than five percent or 1,000 square feet, whichever is less;
  - 8) increase the height shown on the original site plan;
  - 9) decrease the number of off-street parking spaces shown on the original site plan so as to create a traffic hazard or traffic congestion or fail to provide adequate parking; or
  - 10) reduce setbacks at the boundary of the site as specified by a building or setback line shown on the original site plan.
  - 11) For purposes of this paragraph, "original site plan" means the earliest approved site plan that is still in effect, and does not mean a later amended site plan. For example, if a site plan was approved with the specific use permit and then amended through the minor amendment process, the original site plan would be the site plan approved with the specific use permit, not the site plan as amended through the minor amendment process. If, however, the site plan approved with the specific use permit was replaced through the zoning amendment process, then the replacement site plan becomes the original site plan. The purpose of this definition is to prevent the use of several sequential minor amendments to circumvent the zoning amendment process.
  - 12) An applicant or owner of real property within the notification area may appeal the decision of the city council to the board of adjustments. An appeal must be requested in writing within 10 days after the decision of the city council. Appeal to the city council is the final administrative remedy available.
    - A. A time limit may be imposed as a condition upon the granting of an SUP. If a time limit has been imposed, the SUP automatically terminates when the time limit expires. Except as otherwise provided in Subsection (c), the applicant shall go through the procedures outlined above in Paragraphs (1) and (2) to renew an SUP.

## 12. Automatic Renewals

- A. *As part of an SUP ordinance or ordinance amendment, the city council may declare that an SUP is eligible for automatic renewal pursuant to this subsection. Automatic renewal is an alternative to the standard method of renewing an SUP by amending the SUP ordinance. In order for automatic renewal to occur, the property owner or his representative must file a complete application for automatic renewal with the council after the 120th day but before the 180th day before the expiration of the current SUP time period. If a fee is required, the application is not considered "filed" until the fee is paid.*
- B. *Automatic renewal does not result in an amendment to the SUP ordinance. An applicant seeking to change the SUP conditions or to otherwise amend the SUP ordinance must go through the procedures outlined in Subsection 3.*
- C. *An application for automatic renewal must be filed with the council on a form furnished by the city for that purpose. As part of the application, the property owner or his representative shall state that all existing SUP conditions have been complied with, and that no changes to the conditions or other SUP ordinance provisions are being requested.*
- D. *Failure to timely file a complete application required under Paragraph (A) renders the SUP ineligible for automatic renewal. The city council may, however, reinstate an SUP's eligibility for future automatic renewals as part of a new SUP ordinance or ordinance amendment.*
- E. *Upon the filing of a complete application for automatic renewal, the city shall send written notice to all owners of real property lying within 200 feet of the area governed by the SUP. The notice must state that the SUP is eligible for automatic renewal and may be automatically renewed without further notice.*
- F. *If the owners of 20 percent or more of the land within 200 feet of the area governed by the SUP file a written protest against the automatic renewal in accordance with this paragraph, the city shall forward the application to the city planning and zoning commission and city council for further action. Written protests against an automatic renewal must be filed with the city before 5:00 p.m. of the 21st calendar day after the date the notice is mailed. A protest sent through the mail must be received by the city before the deadline. If the deadline falls on a Saturday, Sunday, or official city holiday, then the protests must be filed before noon of the following working day.*
- G. *After the deadline for filing written protests has passed, the director shall review the conditions of the SUP and determine whether the conditions have been met. If the director determines that the conditions have not been met, he shall forward the application to the city plan commission and city council for further action.*
- H. *Any SUP granted in a residential zone (R1, R2, R2M, R3, R4) may apply for automatic renewals with the following exceptions. SUP are granted to the owner of the property, if the property changes ownership, the new owners must apply for an SUP to continue operating the property with the specific use permit.*
- I. *Any SUP granted in a business or industrial district may apply for automatic renewals with the following exceptions, if the real property is sold and the*

intended use of the real property is to change, the SUP revoked. However if the real property is sold and the intended use of the real property is to remain AS-IS, then the SUP will be extended to the new ownership with a ownership change application that does not require a hearing before city council. (i.e. a property that currently operates as a retail store that sells clothing under store name XYZ, is sold and the new owners continue to operate the store as XYZ, the SUP in place will remain. If the new owners decide to operate a grocery store instead of the clothing store, the SUP will be cancelled.)

- J. "Further action" as that term is used in Paragraphs (F) and (G) means that the city shall schedule the application for public hearings before both the city planning and zoning commission and the city council. Notice of the public hearings must be given as would be required by law for a change in zoning district classification. The city planning and zoning commission shall make a recommendation to the city council regarding the proposed renewal based on staff reports, field inspections, and the evidence presented at its public hearing
- K. In connection with an application that has been forwarded to it by the director pursuant to Paragraph (F) or (G), the city council may
  - (a) pass an amending ordinance to repeal the SUP's eligibility for automatic renewal, or to supplement, remove, or amend any of the conditions or other provisions in the SUP ordinance; or
  - (b) take no action and thereby allow the SUP to automatically renew as a matter of law.
  - (c) No renewal or expiration of an SUP may occur while the application is pending before the city plan commission or city council. If the application is pending at the end of the current time period stated in the SUP ordinance, the time period shall be extended as a matter of law until:
    - L. the day following the next succeeding official agenda meeting of the city council after the council makes its final decision on the application; or
    - M. if the council votes to pass an amending ordinance, until the effective date of the amending ordinance.
  - (a) The renewal of an SUP eligible for automatic renewal occurs as a matter of law at the end of the current time period as stated in the SUP ordinance, or as extended pursuant to Paragraph (\_\_\_). Unless otherwise specified in the SUP ordinance, an automatic renewal is for the same time period as the immediately preceding time period [excluding, if applicable, extensions pursuant to Paragraph (\_\_\_)].
  - (b) An SUP that is automatically renewed pursuant to this subsection may continue to be automatically renewed in perpetuity so long as the owner or his representative continues to timely file the applications for automatic renewal required under Paragraph (1). Failure to timely file this application during any renewal period renders the SUP ineligible for further automatic renewal. The city council may, however, reinstate the SUP's eligibility for future automatic renewals as part of a new SUP ordinance or ordinance amendment.

- (c) This subsection does not impair the ability of the city plan commission or city council to call a public hearing on its own motion for the purpose of passing an amending ordinance to repeal an SUP's eligibility for automatic renewal, or to supplement, remove, or amend any of the conditions or other provisions in an SUP ordinance.