

**TOWN OF BARTONVILLE, TEXAS  
ORDINANCE NO. 801-26**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS AMENDING EXHIBIT 14A, "ZONING ORDINANCE," IN CHAPTER 14, "ZONING", THE "ZONING ORDINANCE OF THE TOWN OF BARTONVILLE", AS AMENDED, TO REZONE APPROXIMATELY SEVEN ACRES OF LAND, CONSISTING OF TRACT 4 OF THE A.M. FELTUS SURVEY, ABSTRACT NO. 1594 (DCAD ID 65096) AND TRACT 1 OF THE VIRGINIA MORRISON ADDITION (DCAD ID 101470), TOWN OF BARTONVILLE, DENTON COUNTY TEXAS, ADDRESSED RESPECTIVELY AS 630 AND 590 EAST JETER ROAD, AS MORE PARTICULARLY DESCRIBED AND DEPICTED IN EXHIBIT "A" ATTACHED HERETO, FROM A ZONING DESIGNATION OF AGRICULTURAL DISTRICT (AG) TO A ZONING DESIGNATION OF RESIDENTIAL ESTATES 5 (RE-5), AND BY AMENDING THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGE; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Bartonville, Texas, is a Type A General Law Municipality located in Denton County, Texas, created in accordance with provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, the Town of Bartonville, Texas, is a general law municipality empowered under the Texas Local Government Code, Section 51.001, to adopt an ordinance or rule that is for the good government of the Town; and

**WHEREAS**, pursuant to Chapter 211 of the Local Government Code, the Town has the authority to adopt a comprehensive zoning ordinance and map regulating the location and use of buildings, other structures and land for business, industrial, residential or other purposes, and to amend said ordinance and map for the purpose of promoting the public health, safety, morals and general welfare; and

**WHEREAS**, the owner of two tracts of land, totaling approximately seven (7) acres, addressed as 590 East Jeter Road (DCAD ID 101470) and 630 East Jeter Road (DCAD ID 65096), in Bartonville, Texas, as more specifically described in **Exhibit "A"** hereto (the "Property"), has initiated an application on the hereinafter described Property to rezone same; and

**WHEREAS**, at its regular meeting held on the 1st day of April 2026, the Planning and Zoning Commission of the Town of Bartonville, after holding a public hearing, did consider and make a recommendation to the Town Council of the Town of Bartonville by a vote of 5-0 for approval of Case # ZON-2026-001 to rezone the Property, and

**WHEREAS**, at its regular meeting duly held by the Town Council of the Town of Bartonville on the 21st day of April 2026, approved Case # ZON-2026-001 by a vote of \_\_\_ - \_\_\_ after holding a public hearing to consider rezoning the Property from Agricultural District (AG) to Residential Estate-5 (RE-5) as described above and: (1) determined that all legal requirements of notice and hearings were met; (2) considered the recommendations of the Planning and Zoning Commission; (3) provided the public an opportunity to provide input; (4) considered public input; (5) considered the compatibility of the proposed rezoning with surrounding properties and the goals and objectives of the Comprehensive Zoning Ordinance and Zoning Map of the Town; and (6) determined that the proposed amendment to the Zoning Ordinance and Zoning Map of the Town set forth herein below is consistent with the goals of land development as set forth in the Comprehensive Plan of the Town, would allow orderly development of the Property which would serve the best interest of the health safety, and general welfare of the public; and

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS:**

**SECTION 1.  
INCORPORATION OF PREMISES**

The above and foregoing premises are true and correct legislative determinations and are incorporated herein and made a part hereof for all purposes

**SECTION 2.  
AMENDMENT**

The Comprehensive Zoning Ordinance of the Town of Bartonville, Chapter 14, "Zoning" of the Code of Ordinances of the Town, as amended, is hereby amended granting Case # ZON-2026-001, to reflect a change to the zoning designation from Agricultural District (AG) to Residential Estates 5 (RE-5) on an approximate seven (7) acres of land situated in the A.M. Feltus Survey, Abstract Number 1594, Tract 4 (DCAD ID 65096) Town of Bartonville, Denton County Texas, all of Tract 1, Virginia Morrison Subdivision (DCAD ID 101470), an addition to the Town of Bartonville, Denton County, Texas and addressed respectively as 630 and 590 East Jeter Road, as more particularly described and depicted in **Exhibit "A"** attached hereto and incorporated herein for all purposes (the "Property").

**SECTION 3.  
OFFICIAL ZONING MAP AMENDED**

The Official Zoning Map of the Town is hereby amended to reflect the change in zoning designation for the Property described hereinabove, and the Town Secretary is hereby directed to amend the Official Zoning Map of the Town to reflect the change in the zoning classification of the Property from Agricultural District (AG) to Residential Estates-5 (RE-5) .

**SECTION 4.  
LAND USE REGULATIONS**

The regulations contained in the Town's Comprehensive Zoning Ordinance, as amended, shall control.

**SECTION 5  
CUMULATIVE REPEALER CLAUSE**

This Ordinance shall be cumulative of all other ordinances of the Town and shall not repeal any of the provisions of such ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances, or parts thereof, in force at the time this Ordinance shall take effect, and those that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such other ordinances on this date of adoption of this Ordinance shall continue to be governed by the provisions of such ordinance and for that purpose the ordinance shall remain in full force and effect.

**SECTION 6.  
SEVERABILITY**

It is hereby declared to be the intention of the Town Council of The Town of Bartonville that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the Town Council without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

**SECTION 7.  
SAVINGS**

All rights and remedies of the Town of Bartonville are expressly saved as to any and all violations of the provisions of any Ordinances affecting zoning classifications or changes in zoning classifications, which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 8.  
ENGROSSMENT AND ENROLLMENT**

The Town Secretary of the Town of Bartonville is hereby directed to engross and enroll this Ordinance by copying the exact Caption and the Effective Date clause in the minutes of the Town Council of the Town of Bartonville and by filing this Ordinance in the Ordinance records of the Town.

**SECTION 9.  
PUBLICATION**

The Town Secretary of the Town of Bartonville is hereby directed to publish in the Official Newspaper of the Town of Bartonville the Caption, Penalty Clause, and the Effective Date of this Ordinance for two (2) days.

**SECTION 10.  
PENALTY**

Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the Town of Bartonville, Texas, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and each and every day or part of a day such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 11.  
EFFECTIVE DATE**

This Ordinance shall take effect immediately from and after its passage and publication, as the law provides.

**DULY PASSED AND APPROVED** by the Town Council of the Town of Bartonville, Texas, on the 21st day of April, 2026.

**APPROVED:**

---

Jaclyn Carrington,  
Mayor

**ATTEST:**

---

Shannon Montgomery, TRMC  
Town Secretary

**Exhibit "A"**  
**Legal Description**

**Tract 1, Virginia Morrison Addition**  
**Town of Bartonville, Denton County, Texas**  
**5.85 acres – DCAD ID 101470 590 East Jeter Road**

All that certain lot, tract or parcel of land situated in Bartonville, Denton County, Texas, part of the A. M. FELTUS SURVEY, Abstract No. 1954, being a 6.00 acre tract out of the called 40 acre tract described in a deed from Weldon Brown and wife, Rosa Lee Brown, to Walter W. Morrison and wife, Virginia Morrison, dated June 14, 1944, and recorded in Volume 307, page 157, of the Deed Records of Denton County, Texas, and said 6.00 acres being more particularly described as follows:

BEGINNING at a ½" iron rod found for the original Northwest corner of said Morrison's celled 40 acre tract;

THENCE N 89° 38' 23" E, along the original North line of same 40 acre tract, and the center line of Jeter Road, 214.14 ft. to a point for corner;

THENCE S 00° 20' 49" W, passing an ½" iron rod for witness corner at 22.78 ft. , and continuing along fence line a total distance of 234.60 ft. to an ½" iron rod for corner;

THENCE S 89° 44' 54" E, along the fence line of same, 188.59 ft. to an ½" iron rod for corner in the West line of Charles V. Hawkins 5.642 acre tract;

THENCE S 00° 32' 20" W, along the fence line of same 125.76 ft. to an ½" iron rod for Hawkins' s Southwest corner;

THENCE N 89° 39' 17" W, a distance of 163.83 ft. to an ½" iron rod for corner;

THENCE S 00° 22' 05" E, parallel to the West line of Morrison's called 40 acre tract a distance of 691.01 ft. to an ½" iron rod for corner;

THENCE N 89° 39' 17" W, distance of 234.00 ft. to an ½" iron rod for corner in the West line of same called 40 acre tract;

THENCE N 00° 22' 05" W, along the West line of same, 1,048.46 ft. to the Place of Beginning, containing 6.00 acres of land as surveyed by Ruben Fletes Registered Public Surveyor for the State of Texas in December of 1982.

TOGETHER WITH, and there is also conveyed hereby, an easement for water purposes over and across Grantor's remaining property as follows:

Being a strip of land fifteen feet in width described as follows:

BEGINNING at a point at the Southwest corner of a 5.642 acre tract of land out of the A.M. Feltus Survey, Abstract 1594, currently owned by Charles V. Hawkins;

THENCE S 89° 39' 17" E, along Hawkinses South line, a distance of 739.32 feet to the West line of Jeter Road;

THENCE S 00° 27' 39" E, with the West line of Jeter Road, a distance of 15.00 feet to a point for corner;

THENCE N 89° 39' 17" W, a distance of 903.15 feet to a point for corner in the East line of the above described 6.00 acre tract;

THENCE N 00° 22' 05" W, with the East line of said 6.00 acre tract a distance of 15.00 feet to a point for corner;

THENCE S 89° 39' 17" E, a distance of 163.83 feet to the Place of Beginning.

DRAFT

**Exhibit "A"**  
**Legal Description**

**Tract 4, A.M. Feltus Survey, Abstract 1954**  
**Town of Bartonville, Denton County, Texas**  
**1 Acre – DCAD ID 65096 630 East Jeter Road**

All that certain lot, parcel of land lying and being situated in the County of Denton, State of Texas, and being a part of a 40 acre tract as conveyed by Deed dated June 14, 1944, from Weldon Brown and wife, Rosa Lee Brown, to Walter W. Morrison and wife, Virginia Morrison, as shown of record in Volume 307, page 157, of the Deed Records of Denton County, Texas; being out of the A.M. Feltus Survey, Abstract No. 1954, and being more particularly described as follows:

BEGINNING at a 60-penny nail in the centerline of an East and West public road whose width is 47 feet, and being North, 89° 27' 40" East, 214.7 feet from the Northwest corner of the above mentioned 40 acre tract;

THENCE North 89° 27' 40" East along the centerline of the above mentioned public road and the North boundary line of said 40 acre tract, 189 .4 feet, to a 60 penny nail for the Northeast corner of tract herein described;

THENCE South and parallel with the West boundary line of the past mentioned 40 acre tract, and passing 23.5 feet a steel pin in the South boundary line of a public road; continuing on said course a total distance of 230.00 feet, to a steel pin for the Southeast corner of tract herein described;

THENCE South 89° 27' 40" West and parallel with the North boundary line of the past mentioned 40 acre tract, 189 .4 feet to a steel pin for the Southwest corner of tract herein described;

THENCE North and parallel with the West boundary line of the past mentioned 40 acre tract, 230.00 feet to Point of Beginning and containing one (1) acre of land.

**Exhibit "A"**  
**Location Map of Case # ZON-2026-001**

