



TOWN COUNCIL COMMUNICATION

DATE: April 21, 2026

FROM: Marcy Ratcliff, Town Planning Consultant

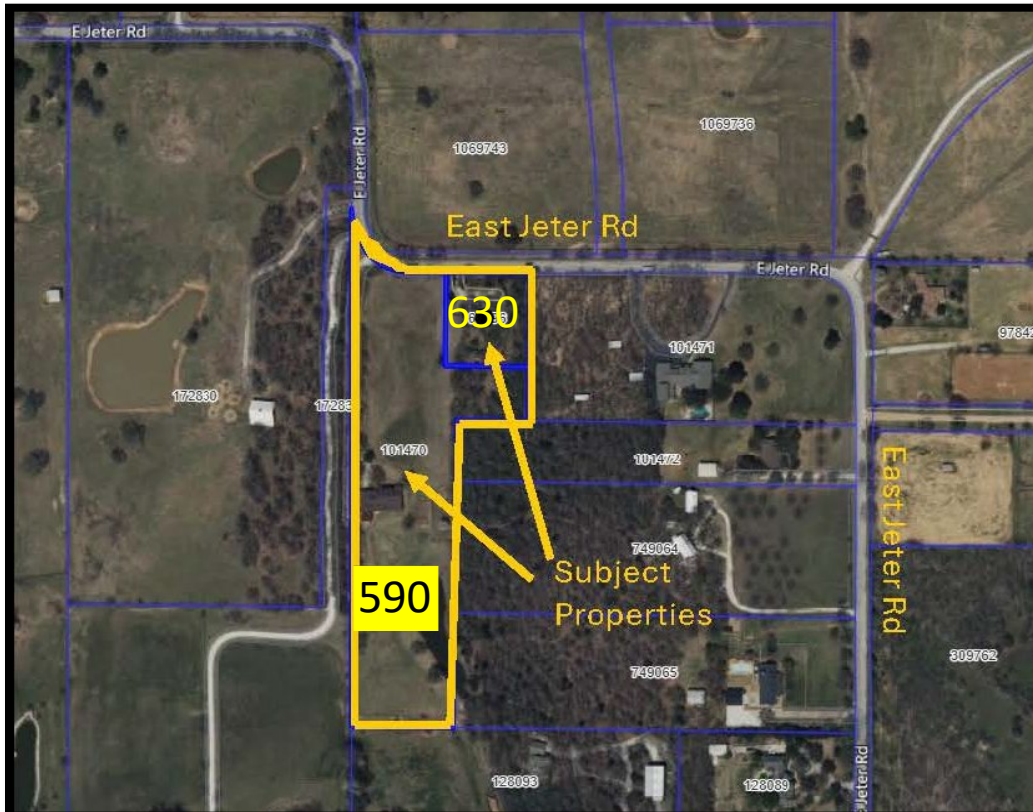
AGENDA ITEM: Hold Public Hearing, discuss, and consider a request to rezone two tracts of land containing approximately 7-acres from Agricultural District (AG) to Residential Estates 5 (RE-5), legally described as Tract 1 and Tract 4 of the Virginia Morrison Subdivision, out of the A.M. Feltus Survey, Abstract No. 1594, Town of Bartonville, Denton County, Texas, and addressed as 590 and 630 E Jeter Road, Bartonville, Texas 76226. The properties are generally located south and west of East Jeter Road and east of Gibbons Road. Denton County property ID 101470 and 65096. [Case # **ZON-2026-001**] (*Planning and Zoning Commission recommended approval by vote of 5-0 at its' April 1, 2026 meeting*)

Applicant: Mr. Clayton J. Sams

Existing Zoning: Agricultural District (AG)

Proposed Zoning: Residential Estates-5 (RE-5)

Property Location:

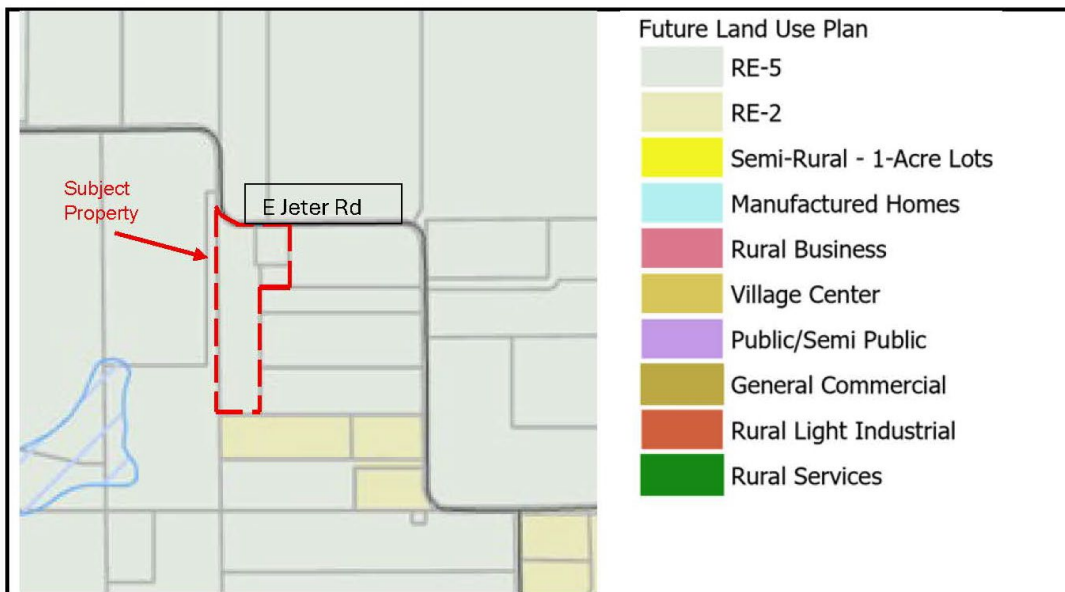


Summary of Zoning Change Request: The applicant has applied for rezoning of the property from the Agricultural (AG) zoning district to Residential Estates 5 (RE-5) district. The AG District requires a minimum lot size of 10 acres and the RE-5 requires a minimum lot size of five (5) acres. The property includes two (2) lots, 5.85-acre (590 E. Jeter - PID 101470) and 1-acre (630 E. Jeter - PID 65096). The applicant has applied to rezone both non-conforming lots (less than the 10-acre minimum) for the purpose of replating. The future replat will reduce the 5.85-acre lot to 5-acres and increase the 1-acre lot by 0.85-acre.

The Rezoning request (Case # ZON-2026-001), if approved, will bring the lot addressed as 590 E. Jeter Road into conformance with the minimum 5-acre lot size. The lot addressed as 630 E. Jeter Road will become closer to conforming to the minimum 5-acre lot size requirement. The Board of Adjustment (BOA), on December 2, 2025 approved (Case # VAR-2025-005) variances on the 630 E. Jeter Road lot for a 30-foot variance to the Agricultural District’s (AG) minimum 50-foot rear yard setback, allowing for a 20-foot rear yard setback for a future accessory building. If the rezoning is approved, the applicant will reapply to the BOA for variances on the 630 E. Jeter Road lot for the Residential Estate-5’s (RE-5) minimum lot size and rear yard setback. If the variances are approved, the applicant will then submit the Minor Replat request. Approval of the rezoning to RE-5 is necessary for the Minor Replat to be administratively approved.

The property includes residential homes, barns, and other various accessory structures.

Comprehensive Plan: The application request is consistent with the Bartonville Comprehensive Plan recommended Land Use of RE-5.



The RE-5 Land Use Description per the Comprehensive Plan.

RE-5

Maximum Density: 5-Acre Minimum Lot Size

RE-5 – uses are located primarily within the central portion of the planning area. As shown, the *RE-5* land use category is a predominant feature of the Land Use Plan. These areas have been established to protect existing areas where lot sizes start at a 5-acre minimum. Development within these areas is intended to be low-density, large-lot residential. Additionally, many of these areas have been impacted by natural gas drilling, thereby making it more desirable to have larger lots spaced a great distance from the well sites. Lots must contain at least five acres. These areas are intended for residential and related uses, with some limited agricultural uses pertaining to the keeping of animals and livestock for personal use and enjoyment. A rural atmosphere should be maintained within these areas and street cross sections that provide for a “country” feel is encouraged for local streets. These areas are also located with respect to the physical features of the planning area, and to preserve existing pockets of low-density residential developments.

These uses should be buffered from higher intensity residential and non-residential land uses via major natural and man-made physical features and/or transitional land uses. The land use pattern has been designed to minimize situations where *RE-5* uses directly abut major thoroughfares as well as higher intensity uses. However, it is extremely difficult to eliminate all such situations and, where appropriate, these other potentially incompatible land use situations should be addressed through appropriate subdivision design in order to minimize negative impacts.

Criteria for Zone Change Approval: The Bartonville Zoning Ordinance provides criteria for the Planning & Zoning Commission and Town Council to utilize in reviewing rezoning applications and may consider the following factors:

1. Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land Use Map and any other incorporated plan maps;
2. Whether the proposed zoning map amendment is consistent with an annexation or development agreement in effect;
3. Whether the uses permitted by the proposed change in zoning district classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified;
4. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area; and
5. Any other factors which will substantially affect the public health, safety, morals, or general welfare.

Criteria Response:

1. The application is consistent with the Comprehensive Plan;
2. There is not a development agreement associated with this property;
3. The proposed zoning is appropriate for this tract of land;
4. There are no plans for additional schools or streets and the utilities are in place to support the development; and

5. No other factors substantially affect the property.

Should the rezoning be approved, the development standards for the RE-5 District, Bartonville Zoning Ordinance, Bartonville Subdivision Ordinance, and Bartonville Development Ordinance shall apply to the property.

Public Notifications: Notification as required by Texas Local Government Code and the Town's Zoning Ordinance have been provided as required.

Planning and Zoning Commission Recommendation: Approval by a vote of 5-0 rezoning approximately 7 acres from the AG District to the RE-5 District with no conditions.

Exhibits:

1. Notification Maps (2),
2. Letter mailed to property owners
3. List of notified property owners
4. DRAFT Ordinance