

**TOWN OF BARTONVILLE
ORDINANCE NO. 692-20**

AN ORDINANCE OF THE TOWN OF BARTONVILLE, TEXAS, GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR THE OPERATION OF AN EQUESTRAIN CENTER (TRAINING FACILITY) WITH ANIMAL ASSISTED THERAPY LOCATED AT 875 PORTER ROAD, BARTONVILLE, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR NO VESTED RIGHTS; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING FOR 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, as a general law municipality, is 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, the Planning and Zoning Commission of the Town of Bartonville and the Town Council of the Town of Bartonville, in compliance with state law with reference to amending the Zoning Ordinance, have given the requisite notice by publication and otherwise, and after holding due public hearings and affording full and fair hearings to all property owners generally, the Town Council of the Town of Bartonville, Texas, is of the opinion that said zoning ordinance should be amended as provided herein.

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

**SECTION 1.
CUP GRANTED**

The Zoning Ordinance for the Town of Bartonville, Texas, as amended, is hereby amended by granting a Conditional Use Permit (CUP) to allow for the operation of an Equestrian Center (training facility) with Animal Assisted Therapy located at 875 Porter Road, Bartonville, Texas. The official zoning map of the Town of Bartonville, Texas, shall be amended to reflect the CUP granted by this Ordinance with the following conditions:

1. Arena not to exceed the minimum 50' rear setback and the 20' side yard setback.
2. The eastern portion of the existing gravel loop drive to be relocated to the east of the new covered arena.

3. Driveway reconfiguration to continue to meet the turn radius for a fire truck and applicant shall obtain Fire Department approval.
4. Soil in the arena to be kept in a dust free condition.
5. LED lights in the arena to be directed downward and cease before 9:00 pm
6. No amplified sound to be installed in the arena.
7. No horse shows or outside events that will bring outside participation or visitors other than current users or client base is permitted.
8. An updated site plan must be submitted that shows driveway reconfiguration

SECTION 2. SEVERABILITY

It is hereby declared to be the intention of the Town Council of the Town of Bartonville, Texas, 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 such unconstitutional phrases, clause, sentence, paragraph, or section.

SECTION 3. SAVINGS

An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Town of Bartonville Code of Ordinances, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 4. ENGROSS AND ENROLL

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 5
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 and the Effective Date of this Ordinance for two (2) days.

**SECTION 6.
PUNISHMENT**

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 Bartonville Zoning Ordinance as previously amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense.

**SECTION 7.
NO VESTED RIGHTS**

No person or entity shall acquire any vested rights in this Ordinance or any specific regulations contained herein. This Ordinance and any regulations may be amended or repealed by the Town Council of the Town of Bartonville, Texas, in the manner provided by law.

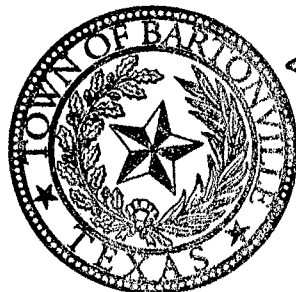
**SECTION 8.
EFFECTIVE DATE**

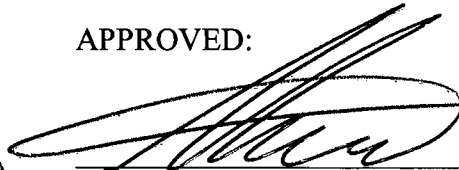
This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such case provides.

AND IT SO ORDAINED.

DULY PASSED AND APPROVED by the Town Council of the Town of Bartonville, Texas, on the 21ST day of July, 2020.

APPROVED:

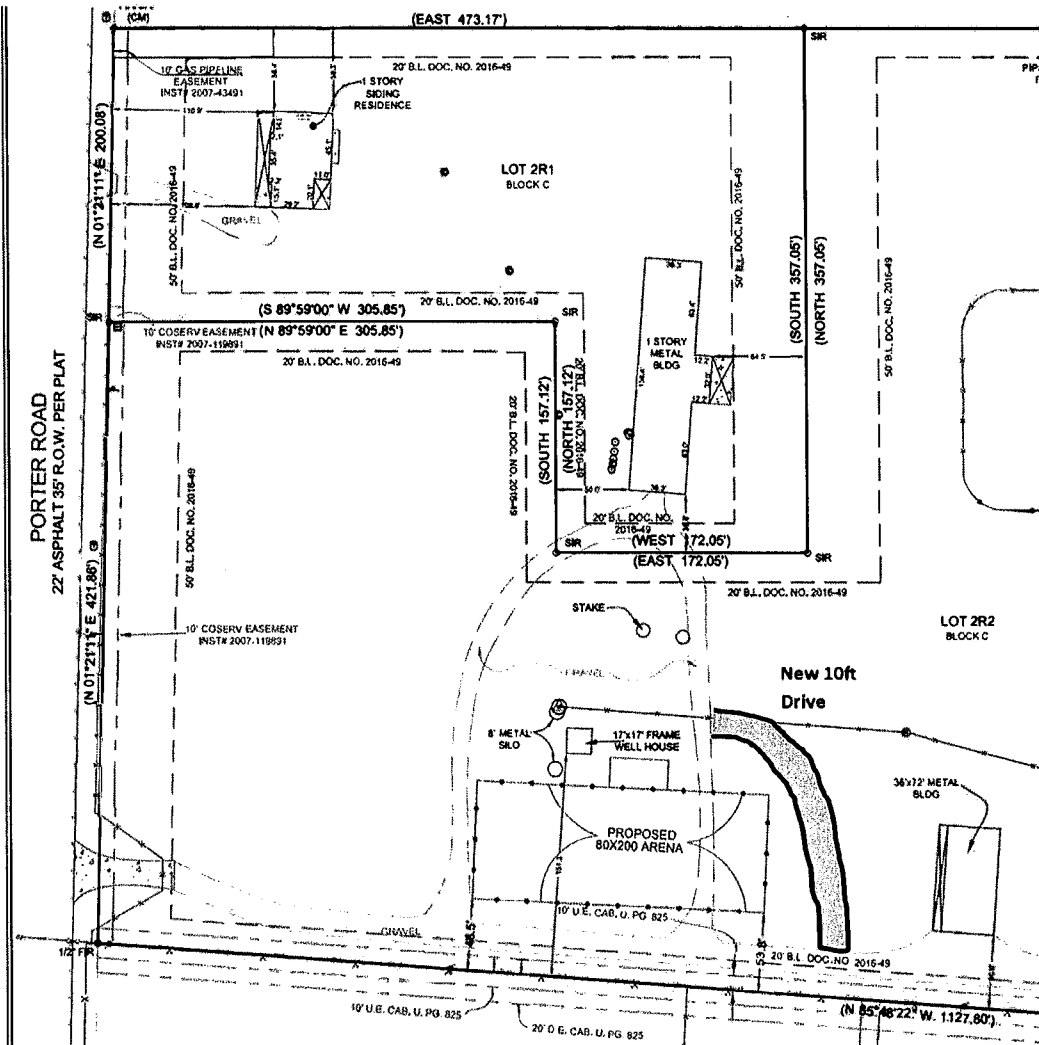



Bill Scherer, Mayor

ATTEST:


Tammy Dixon, Town Secretary

Revised Site Plan with Driveway Configuration 7/16/2020



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PROOF OF PUBLICATION

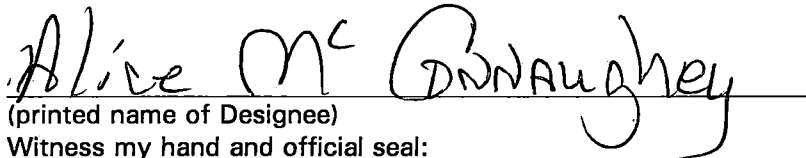
Being duly sworn (s)he is the Publisher/authorized designee of Denton Record-Chronicle, in City of Denton/surrounding areas in Denton County; Newspaper of general circulation which has been continuously and regularly published for a period of not less than one year preceding the date of the attached notice, and that the said notice was published in said newspaper Denton Record-Chronicle on the following dates below:

07/26/2020 07/27/2020



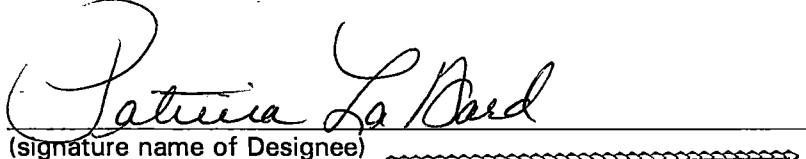
(signature of Authorized Designee)

Subscribed and sworn to before me
this 27th day of July, 2020 by



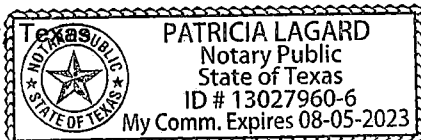
(printed name of Designee)

Witness my hand and official seal:



(signature name of Designee)

Notary Public, Denton County



BARTONVILLE TOWN OF
1941 EAST JETER ROAD
ARGYLE TX 76226

Ad Number: 28676

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Effective Date: Upon its passage and publication
Adopted: July 21, 2020
Approved: Bill Scherer, Mayor
Attest: Tammy Dixon, Town Secretary

drc 07/26/2020 & 07/27/2020

Ad Copy:

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