

**TOWN OF BARTONVILLE  
ORDINANCE NO. 643-18**

**AN ORDINANCE OF THE TOWN OF BARTONVILLE, TEXAS, GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR THE OPERATION OF AN EQUESTRIAN CENTER (TRAINING FACILITY) LOCATED AT 1200 ROCKGATE 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) located at 1200 Rockgate 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. Soil in the equestrian arenas be kept in a dust free condition.
2. Lights in the equestrian arenas and all outside equestrian operations will cease at 10:00 p.m. nightly.

3. All amplified sound in any equestrian accessory building or outdoor equestrian arena shall comply with the Town's noise ordinance, as amended, or the terms of this Ordinance, whichever is more restrictive. Any amplified sound in any equestrian accessory building or outdoor equestrian arena shall comply with the following sound level when measured at the property boundary of the receiving land: 62 decibels as measured on a sound level meter using the A-weighting network. Notwithstanding any provision herein, any amplified sound in any equestrian accessory building or outdoor equestrian arena shall not unreasonably disturb or interfere with the peace, comfort and repose of neighboring persons of ordinary sensibilities. This provision applies between the hours of 8:00AM to 7:00PM. Amplified sound in an equestrian accessory building or outdoor equestrian arena outside of stated hours is prohibited.
4. Equestrian arenas may not be located within 250 feet of the eastern property line. Equestrian accessory buildings and/or equestrian arenas shall not be located within 250 feet of Rockgate Road.
5. Driveways must meet the turn radius for a fire truck as approved by the Argyle Fire Department and Town Engineer.
6. There shall be no more than 6 horse training clinics per year, and no more than 4 horse show events and/or additional horse training clinics per year, at a rate of no more than 2 of such events per month and events may not occur on consecutive weekends. A horse training clinic shall include no more than 30 participants per day not to exceed 2 days. A horse show event is defined as including more than 30 participants per day not to exceed 2 days.
7. All manure must be contained in a compost structure west of the covered equestrian arena until composted.

## **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.

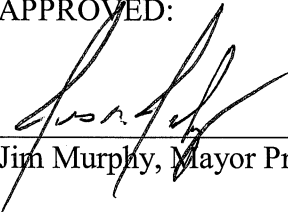
**SECTION 8.  
EFFECTIVE DATE**

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.**

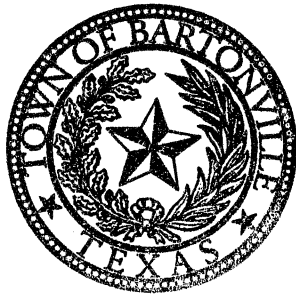
**DULY PASSED AND APPROVED** by the Town Council of the Town of Bartonville, Texas, on the 26th day of September, 2018.

APPROVED:

  
\_\_\_\_\_  
Jim Murphy, Mayor Pro Tem

ATTEST:

  
\_\_\_\_\_  
Tammy Dixon, Town Secretary



**Submitted by Sherry Pound and Jim Fay**

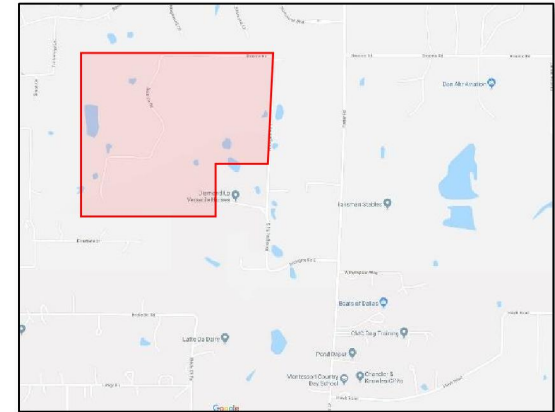
**Introduction :** My husband, Jim, and I are Bartonville residents, living at 1672 Barrington Hills Blvd, and have recently purchased the 79 acres located at 1030 Rockgate Rd (Rockgate and Broome Rd) with the intention of building our new home and equestrian center on the property. We've lived in Bartonville since 2015 and love the rural feel of the town and especially the horse community that is at the heart of this community. It's been our dream to own land and have an equestrian facility of our own. We love Bartonville and think this is the perfect spot to live and make our dream come true.

By the way, the word "Yarraman" is the aboriginal word for "Horse", so, thus naming the property celebrates both our love for horses as well as my Australian heritage.

**Requested Property Use:** It's our intention to build and operate a commercial equestrian center at 1030 Rockgate Rd., Bartonville, Texas. The facility would be a class A affair similar to several other equestrian centers in Bartonville and the surrounding communities. Our intention is to sell 3, 2 acre lots along Rockgate Rd. which would add to the existing neighborhood feel and provide a buffer to the equestrian center.

**Equestrian Components:** The equestrian facilities, as shown on the accompanying site plan would be composed of the following:

- Main entry gate
- Client parking
- Barn – 24 stalls
- Covered arena
- Outdoor arena
- Covered walker & round pin
- Client trailer parking
- Turnouts
- Grass arena
- Wash racks
- Equipment & Hay shed
- Manure shed
- Well & pump house

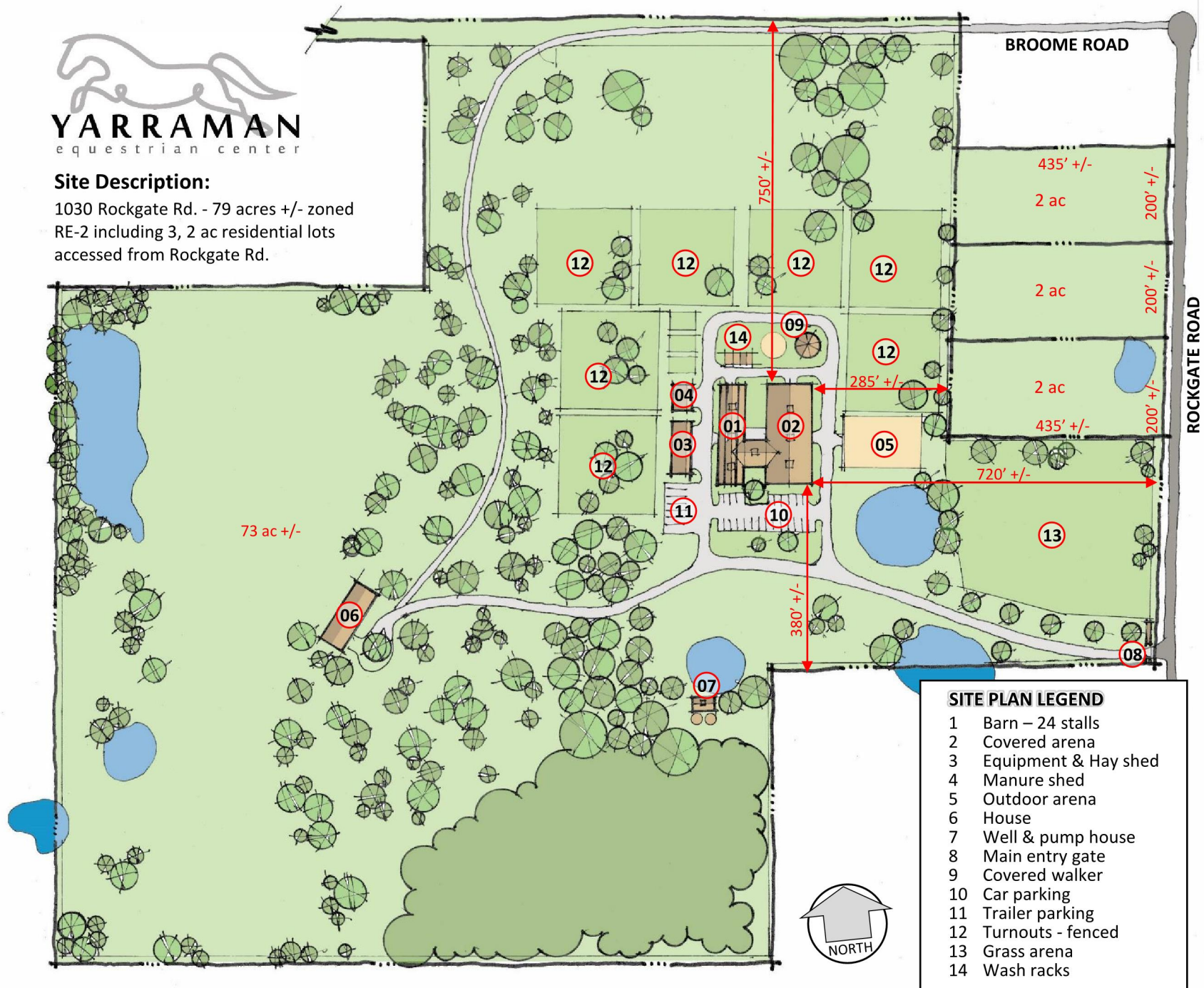


Care has been taken in the layout of the center to segregate the public, worker and equine traffic in order to minimize potential conflicts. We've also gone to great lengths to position the "none public" elements behind the arena and barn. This effectively screens these uses from street and public view as well as mitigating sound, light and odors from any neighbors and roadways adjacent to the property.



### Site Description:

1030 Rockgate Rd. - 79 acres +/- zoned RE-2 including 3, 2 ac residential lots accessed from Rockgate Rd.



### SITE PLAN LEGEND

- 1 Barn - 24 stalls
- 2 Covered arena
- 3 Equipment & Hay shed
- 4 Manure shed
- 5 Outdoor arena
- 6 House
- 7 Well & pump house
- 8 Main entry gate
- 9 Covered walker
- 10 Car parking
- 11 Trailer parking
- 12 Turnouts - fenced
- 13 Grass arena
- 14 Wash racks



