



# TOWN COUNCIL COMMUNICATION

---

**DATE** December 19, 2023

**FROM:** Thad Chambers, Town Administrator

**AGENDA ITEM:** Discuss, consider, and take any necessary action on a Preliminary Plat for an 81.789-acre tract of land situated in the A.M. Feltus Survey, Abstract Number 1594, and the Daniel Cook Survey, Abstract No. 230, in the Town of Bartonville, Denton County, Texas. The tract of land is located on the north side of E Jeter Road, approximately 2,063 feet north of its intersection with Porter Road, in Bartonville, Texas. The applicant is Mycoskie Associates, Inc., on behalf of Rob Knight. *(The Planning & Zoning Commission recommended approval by a vote of 5-0 at its December 6, 2023, meeting.)*

---

**Land Use and Zoning:** Current land use category is Residential Estates – 5 Acre Lots (RE-5). Current zoning is Agricultural (AG).

**Summary:** The applicant is the owner of one tract of land, totaling 81.789 acres, located on the north side of E Jeter Road, approximately 2,063 feet north of its intersection with Porter Road. The legal description of the property is A1594A, A.M. Feltus, TR 1, 78.763 Acres, Old DCAD TR #2. The corresponding Denton CAD parcel number is 65110. The applicant has applied for a preliminary plat (see Exhibit A) in order to facilitate large lot residential development.

The subject property is part of a former agricultural tract. There are multiple agricultural buildings and outbuildings, residences, and cross-fencing on the property.

### *Preliminary Plat*

Bartonville Development Ordinance (BDO) Section 2.5.g lists the criteria of approval for a preliminary plat:

1. The plat substantially conforms with the approved land study or other studies and plans, as applicable;
2. The preliminary layouts of required public improvements and Town utilities have been approved by the Town Engineer; and
3. The plat conforms to applicable zoning and other regulations.
4. The plat has been approved by the Permitting Authority, as defined in Chapter 285 of the Texas Administrative Code, in accordance with Title 30, Texas Administrative Code, Chapter 285, Section 285.4(c) relating to the review of subdivision plans prior to the application for a permit for an on-site sewage facility.

The submitted preliminary plat is designed to create four legal lots totaling 81.789 acres. The resulting lots will range from 11.180 to 38.476 acres. The subject property is located on East Jeter Road, which is designated as a "Minor Collector" on the Town of Bartonville's Thoroughfare Plan. The applicant shows a proposed private road serving all four lots from East Jeter Road. There will also be a public water line easement that will be used to serve all four lots with a 6-inch public water line. The Town Engineer will review construction plans for all proposed improvements concurrent with the final plat submittal; see the proposed conditions of approval. The zoning district for the subject property is Agricultural (AG), which has a 10-acre minimum lot size. The proposed resulting lots will meet the zoning district standards.

**Planning & Zoning Commission Recommendation:** Approve with Conditions.

**Planning & Zoning Commission Conditions of Approval:**

1. Prior to recordation of the final plat, the two "Offsite Drainage Easements" depicted on the Preliminary Utility Plan shall be recorded as separate instruments.
2. Prior to recordation of the final plat, all easements to be established via the plat shall be labeled "by this plat."
3. Prior to recordation of the final plat, the front, side, and rear yard setbacks (building lines) shall be set at 50 feet, as established by Chart 4.2 of the Bartonville Zoning Ordinance. These setbacks shall apply to all property lines of each lot, including both portions of Lot 3.
4. Prior to recordation of the final plat, any existing buildings located within a regulatory setback shall be removed or relocated such that no existing buildings are located within any new yard setbacks to be established by the plat.
5. The final plat shall include an approval block as depicted in Section 2.7.c. of the Bartonville Development Ordinance.
6. Prior to submittal of a final plat, the proposed location and design of the on-site septic facilities (OSSF) for each proposed lot shall be approved by the Town of Bartonville, in accordance with Bartonville Development Ordinance Section 2.6.c.
7. A complete engineering/construction plan set shall accompany the final plat application, in accordance with Bartonville Development Ordinance Section 2.7.d.
8. The final plat shall depict a 10-foot-wide utility easement along one side and along the entire length of the private road.

**Financial Information:** The establishment of four new estate residences will generate additional ad valorem property taxes for the Town of Bartonville, based on the future assessed value of the homes and properties and the Town's property tax rate. The Town can anticipate some minor expenses associated with serving the future residences with public safety and general governance services. Given that the future road will be privately owned and maintained, the Town will not be responsible for the costs to maintain the road.

**Exhibits:**

1. Preliminary Plat Application Packet