



# TOWN COUNCIL COMMUNICATION

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**DATE:** August 20, 2024

**FROM:** Thad Chambers, Town Administrator

**AGENDA ITEM:** Conduct a Public Hearing, discuss, and consider a Replat of a 5.002-acre parcel located on Lot 3A, Block A, Deer Hollow Subdivision, in the Town of Bartonville, Denton County, Texas. The purpose of the replat is to remove and relocate a drainage easement currently on the parcel. The subject property is located on the north side of Hat Creek Court, approximately 750 feet west of its intersection with Ginger Lane. The applicant is McAdams, representing property owner Mike Mollo Custom Homes, LLC. [Town of Bartonville File Number RP-2024-001.]

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

**Summary:** The applicant is the owner of a single parcel of land, totaling 5.002 acres, located on the north side of Hat Creek Court, approximately 760 feet east of the Ginger's Way. The legal description of the property is Deer Hollow, Block A, Lot 3. The corresponding Denton CAD parcel number is 1014252. The Deer Hollow final plat was recorded by Denton County on January 18, 2023. The applicant has applied for a replat for Lot 3, Block A (see Exhibit A) in order to vacate a drainage easement and establish a new drainage easement elsewhere on the parcel.

In accordance with Bartonville Development Ordinance Section 2.9, a replat shall be considered at a public hearing before the Town Council, unless it is determined to be a minor replat. As this application involves the vacation of a drainage easement, it is not considered a minor replat.

The subject property is part of a former agricultural tract. The property is currently undeveloped.

## *Replat*

Bartonville Development Ordinance (BDO) Section 2.6.e. lists the criteria of approval for a replat (which are the same as a final plat):

1. The plat substantially conforms with the approved preliminary plat and other studies and plans, as applicable;
2. The complete engineering/construction plans for all required public improvements and Town utilities have been submitted to the Town for review/approval by the Town's Engineer (whether specifically stated or not, final plat approval shall always be subject to any additions and/or alterations to the engineering/construction plans as deemed necessary by the Town Engineer, as needed, to ensure the safe, efficient and proper construction of public improvements within the subdivision); 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 replat application has been submitted in order to remove a drainage easement established in the original Deer Hollow subdivision plat, which was recorded in 2023. The affected Lot 3, Block A is not being reconfigured, resized, or otherwise altered other than through the drainage easement vacation and establishment of new drainage easements along the eastern and western edges of the lot. Excepting the alteration of the drainage easements, the proposed replat conforms to the recorded plat for Deer Hollow.

Preliminary engineering for the drainage easement was provided to the Town prior to submittal of the replat application. The Town Engineer has reviewed and accepted the drainage plan corresponding to the revised drainage easement configuration. The affected lot continues to conform to the RE-5 zoning standards. No changes have been made that affect the eligibility of the lot to contain and be served by an on-site sewage facility.

**Staff Recommendation:** Approve.

**Staff's Recommended Conditions of Approval:** None

**Exhibits:**

- Deer Hollow Lot 3, Block A Replat Application Packet