

THE TOWN OF BARTONVILLE BOARD OF ADJUSTMENT MET IN REGULAR SESSION ON THE 30TH DAY OF APRIL 2025 AT THE TOWN OF BARTONVILLE TOWN HALL, LOCATED AT 1941 E JETER ROAD, BARTONVILLE, TEXAS WITH THE FOLLOWING DIRECTORS PRESENT, CONSTITUTING A QUORUM:

Donna Baumgarner, Chair
Jim Lieber, Vice Chair
Del Knowler, Director
Siobhan O'Brien, Director
Rebecca Jenkins, Alternate 1
Heather Head, Alternate 2

Directors Absent:

Kathy Daum, Director

Town Staff Present:

Shannon Montgomery, Town Secretary
Annabelle Ackling, Town Attorney
Shari Borth, Permit Technician
Ryan Wells, Town Planner

A. CALL MEETING TO ORDER

Chair Baumgarner called the meeting to order at 6:00 pm.

B. PLEDGE OF ALLEGIANCE

Chair Baumgarner led the pledge.

C. PUBLIC PARTICIPATION

If you wish to address the Board, please fill out a "Public Meeting Appearance Card" and present it to the Town Secretary, preferably before the meeting begins. Pursuant to Section 551.007 of the Texas Government Code, citizens wishing to address the Board for items listed as public hearings will be recognized when the public hearing is opened. For citizens wishing to speak on a non-public hearing item, they may either address the Board during the Public Participation portion of the meeting or when the item is considered by the Board of Adjustment.

There was no Public Participation.

D. PUBLIC HEARINGS AND ACTION ITEMS

1. Discuss and consider approval of the April 1, 2025, Board of Adjustment Meeting Minutes.

Motion made by Director Lieber, seconded by Director Knowler, to **APPROVE** the April 1, 2025, Meeting Minutes as presented.

VOTE ON THE MOTION

AYES: Baumgarner, Jenkins, Knowler, Lieber, and O'Brien

NAYS: None

VOTE: 5-0

2. **Conduct a Public Hearing to hear public comment and consider a variance to Bartonville Zoning Ordinance Section 19.4, relating to accessory building setbacks. The property subject to the variance request is located at 1032 Roadrunner Road in Bartonville, Texas. The applicants are requesting a 15-foot reduction to the interior side yard setback for a proposed new detached accessory structure. The applicants are Alan and Kim Griggs. [Town File No. VAR-2025-002].**

Chair Baumgarner opened the Public Hearing at 6:13 pm, and Town Secretary Montgomery read a statement from:

- David and Brandi Stanford, 1000 Roadrunner Road, Bartonville

After recognizing there was no one else wishing to speak, Chair Baumgarner closed the Public Hearing at 6:14 pm.

Motion made by Director Jenkins, seconded by Director Lieber, to **APPROVE**, the requested Variance to allow the construction of an accessory building approximately 35 feet from the western property line of the subject property, otherwise subject to all other permitting, setback and dimensional standards of the RE-5 zoning district, because the variance meets the following requirement(s) under the factors in Zoning Ordinance Section A.3.D of Appendix A, Item(s):

- A. There are special circumstances or conditions arising from the physical surroundings, shape, topography or other feature affecting the land subject to the variance petition, such that the strict application of the provisions of this Zoning Ordinance to the development application would create an unnecessary hardship or inequity upon or for the petitioner, as distinguished from a mere inconvenience, in developing the land or deprive the petitioner of the reasonable and beneficial use of the land;
- E. Granting the variance petition will not have the effect of preventing the orderly use and enjoyment of other land within the area in accordance with the provisions of this Ordinance, or adversely affect the rights of owners or residents of surrounding property;
- H. The request for a variance is not based exclusively upon a desire from the petitioner for increased financial gain from the property, or to reduce an existing financial hardship.

VOTE ON THE MOTION

AYES: Baumgarner, Jenkins, Knowler, Lieber, and O'Brien

NAYS: None

VOTE: 5-0

3. **Conduct a Public Hearing to hear public comment and consider a variance to Bartonville Development Ordinance Section 3.5, relating to flag lots, and Bartonville Zoning Ordinance Section 4.8, relating to residential development standards. The property subject to the variance request is located at 1288 Porter Road in Bartonville, Texas. The applicant is requesting a reduction of the public road frontage and authorization to construct a flag lot on one of seven proposed parcels. The applicant is Jeff Wawro. [Town File No. VAR-2025-003].**

Chair Baumgarner opened the Public Hearing at 6:59 pm, and Town Secretary Montgomery read statements from:

- Kathy Morales, 1288 Porter Road, Bartonville
- Elizabeth and Greg DelCid, 1234 Porter Road, Bartonville
- Cassidi McCollum, 800 Rockgate Road, Bartonville
- Deborah Campbell, 790 Rockgate Road, Bartonville

The following spoke in front of the Board:

- Thomas Hofmann, 790 Rockgate Road, Bartonville
- Cassidi McCollum, 800 Rockgate Road, Bartonville
- Katrina Frank, 1254 Bridle Bit Road, Bartonville
- Kim Lamb, 1204 Bridle Bit Road, Bartonville

Chair Baumgarner closed the Public Hearing at 7:25 pm.

Motion made by Director Knowler, seconded by Director Head, to convene into Closed Session to receive legal advice from the Town Attorney.

VOTE ON THE MOTION

AYES: Baumgarner, Jenkins, Knowler, Lieber, and O'Brien

NAYS: None

VOTE: 5-0

Chair Baumgarner stated pursuant to the Open Meetings Act, Chapter 551, the Board of Adjustment will convene in a Closed Executive Session in accordance with the Texas Government Code Section 551.071 Consultation with Town Attorney to seek legal advice of its attorney concerning agenda item # D.3 and convened the Board of Adjustment into Closed Session at 7:30 pm.

Chair Baumgarner reconvened the Board of Adjustment into Regular Session at 7:47 pm.

Motion made by Director Knowler, seconded by Director Jenkins, to **DENY** the requested Variance to allow the creation of a seven-lot subdivision where one of the parcels would be flag lot with a street frontage of approximately 109 feet; the subdivision will have to meet all requirements for the RE-2 zone without exception, which includes the prohibition of flag lots and a minimum road frontage of 200 feet, because the variance does not meet the requirement(s) under the factors in Zoning Ordinance Section A.3.D of Appendix A, Item(s):

G. The hardship or inequity suffered by petitioner is self-induced;

H. The request for a variance is based exclusively upon a desire from the petitioner for increased financial gain from the property.

VOTE ON THE MOTION

AYES: Baumgarner, Jenkins, Knowler, Lieber, and O'Brien

NAYS: None

VOTE: 5-0

E. ADJOURNMENT

Chair Baumgarner declared the meeting adjourned at 7:52 pm.

APPROVED this the 12th day of November 2025.

APPROVED:

Kathy Daum,
Chair

ATTEST:

Shannon Montgomery, TRMC
Town Secretary