

DOUBLE OAK TOWN COUNCIL  
PUBLIC NOTICE  
320 WAKETON ROAD  
December 16, 2019  
7:00 P.M.

*OUT OF RESPECT FOR ALL THOSE IN ATTENDANCE, PLEASE REFRAIN FROM TALKING TO OTHER MEMBERS OF THE AUDIENCE DURING THE MEETING*

- I. Opening:
- Call to Order
  - Roll Call
  - Invocation
  - Pledge of Allegiance – American Flag
  - Pledge of Allegiance – Texas Flag

“Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.”

II. Citizens comments

- III. Consent Agenda - All consent agenda items listed are considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Information concerning consent agenda items is available for public review.

- 1. Consideration and action on minutes of December 2, 2019

IV. Mayor, Council Members and Staff reports:

- 2. Mayor and Council
- 3. Public Works - Code Enforcement – Animal Control
- 4. Administration
- 5. Public Safety
- 6. Road and Drainage Committee

V. New business agenda (consideration and action):

- 7. Public Hearing and consideration and action on Solid Waste Collection Agreement between the Town and Republic Services to approve a 6% increase in collection fees effective January 1, 2020.

Presentation:

Jeri Harwell, Republic Services

8. Discussion on draft contract proposal with Republic Services for Solid Waste Collection.

Presentation: Jeri Harwell, Republic Services

9. Discussion, consideration and action on truck traffic and truck route prohibitions in Double Oak (Ref. existing Article 12.100(a) of our Code of Ordinances).

Presentation: Mayor Donnelly

10. Discussion, consideration and action on preparation of town zoning map.

Presentation: Town Staff  
Town Engineer

11. Discussion, consideration and action on Town Hall repairs and renovations.

Presentation: Council Member Anita Nelson  
Deputy Mayor Pro-Tem Joe Dent

12. Discussion and consideration on a new proposed ordinance regarding portable storage containers.

Presentation: Mayor Donnelly

13. Discussion and consideration on proposed amendment to the Code of Ordinance regarding accessory buildings and home additions.

Presentation: Mayor Donnelly

14. Discussion, consideration and action on an application for appointment to the Board of Adjustment

Presentation: Town Staff

15. Citizens comments

16. Council – staff announcements and comments:

- Town Hall closings for the holidays:

Christmas Eve – December 24<sup>th</sup>  
Christmas Day – December 25<sup>th</sup>  
New Year's Eve – December 31<sup>st</sup>  
New Year's Day – January 1, 2020

- May 2, 2020 municipal election day

Terms expiring are: Council Members Anita Nelson, Joe Dent, Billie Garrett and Von Beougher

First day to file for a place on the ballot is January 15, 2020  
Last day to file is February 14, 2020

17. Adjournment

As authorized by section 551.071 of the Texas Government Code, this meeting may be convened into closed executive session for the purpose of seeking confidential legal advice from the town attorney on any agenda item listed herein.

Posted this the 13<sup>th</sup> day of December at 4:00 p.m.

*Eileen Kennedy*

Town Secretary

**PUBLIC PARTICIPATION**

If you wish to address the Council, please sign the "CITIZENS WHO WISH TO SPEAK TO THE TOWN COUNCIL" sheet before the meeting begins. Pursuant to Section 551.007 of the Texas Government Code, citizens wishing to address the Council 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 Council during the Citizen Comments portion of the meeting or when the item is considered by the Town Council.

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the Town Secretary's office at 972.539.9464, fax 972.539.9613 or email to [ekennedy@double-oak.com](mailto:ekennedy@double-oak.com) for additional information.

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**UNAPPROVED-NOT FOR  
PUBLICATION**

STATE OF TEXAS  
COUNTY OF DENTON  
TOWN OF DOUBLE OAK

The Double Oak Town Council met in a regular session at 7:00 p.m. December 2, 2019 at the Double Oak Town Hall, located at 320 Waketon Road with the following members present to-wit:

Mike Donnelly	Mayor
Scott Whisenhunt	Mayor Pro-Tem
Joe Dent	Deputy Mayor Pro-Tem
Anita Nelson	Council Member
Billie Garrett	Council Member

Council Member Von Beougher was absent. Also, in attendance were Town Secretary Eileen Kennedy and Assistant Town Secretary Lynn Jones. Police Chief Derrick Watson was absent.

Mayor Donnelly called the meeting to order at 7:03 p.m.

Mayor Pro-Tem Whisenhunt gave the invocation and Mayor Donnelly led the pledge of allegiance to the American and Texas flags.

II. Citizens comments

Mr. Will Evans, 615 Cross Timbers, expressed his concerns with the amount of traffic on Cross Timbers due to the construction work at Copper Canon's Vickery Park development. Mr. Evans would like to see a town ordinance that would prohibit large truck traffic on Tanglewood and Cross Timbers.

III. Consent Agenda

1. Consideration and action on minutes of November 18, 2019

Motion Whisenhunt, Dent second to approve the consent agenda as presented.

AYE:	Garrett, Dent, Nelson, Whisenhunt
ABSTAIN:	None
NAY:	None

MOTION PASSED

IV. Mayor, Council Members and Staff reports:

2. Mayor and Council

Mayor Donnelly thanked staff and the DOWC on the Christmas Tree lighting before the Council meeting. Deputy Mayor Pro-Tem Dent commented he was still working the lights around Town Hall. Council Member Garrett mentioned the DOWC Children's event on Saturday, December 7 at Town Hall.

3. Public Works - Code Enforcement – Animal Control

None

4. Administration

None

5. Public Safety

DOVFD-Chief Scott Whisenhunt announced Santa will be making his rounds in Double Oak on December 8.

6. Road and Drainage Committee

Mayor Donnelly reported we are waiting on the crackseal company. The County is further along with gaining easements on Waketon Road for the reconstruction project. Flower Mound and Cross Timbers Water will lower water lines first.

V. New business agenda (consideration and action):

7. Discussion, consideration and action on Double Oak contract renewal proposal with Republic Services.

Jeri Harwell, Republic Services, went over the contract renewal proposal that was included in the agenda packet.

No Action was taken.

8. Discussion, consideration and action on casting three votes for the Denton Central Appraisal District Board of Directors.

Motion Nelson, second Garrett to appoint cast one vote for Tom Washington and two votes for Kelly Sayre for the Denton Central Appraisal District Board of Directors.

AYE: Dent, Whisenhunt, Nelson, Garrett

ABSTAIN: None

NAY: None

MOTION PASSED

9. Discussion, consideration and action on town council committee and liaison list.

No action taken. Item will carry over the next agenda.

10. Discussion, consideration and action on Town Hall repairs and renovations.

Council Member Nelson reported the four lobby chairs and two end tables have been ordered. It will take approximately two weeks for delivery.

11. Discussion and consideration on a new proposed ordinance regarding portable storage containers.

No action taken. Item will carry over the next agenda.

12. Discussion and consideration on proposed amendment to the Code of Ordinance regarding accessory buildings and home additions.

No action was taken. Item will carry over the next agenda.

13. Discussion, consideration and action on Waketon Road widening improvement project

Mayor Donnelly said good progress is being made on the Waketon Road Reconstruction project.

No action taken

14. Citizens comments

None

15. Council – staff announcements and comments:

- DOWC Children's Holiday event, Saturday December 7<sup>th</sup> 1:00-4:00 p.m. at Town Hall
- DOVFD Santa will begin at 12:00 p.m. on Saturday, December 8<sup>th</sup>.
- May 2, 2020 municipal election day

Terms expiring are: Council Members Anita Nelson, Joe Dent, Billie Garrett and Von Beougher

First day to file for a place on the ballot is January 15, 2020  
Last day to file is February 14, 2020

16. Adjournment

With no further business to come before Council, motion Dent, second Whisenhunt, the meeting adjourned at 7:57 p.m.

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Town Secretary

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Mayor

## **MONTHLY REPORT OCTOBER 2019**

- 10/02/19: Patrol from 11:30 until 13:30. No activity.
- 10/04/19: Patrol from 15:30 until 17:30. No activity.
- 10/06/19: Patrol from 12:00 until 14:00. No activity.
- 10/07/19: Private trap service 365 Thornhill Circle. Relocated.
- 10/08/19: Patrol from 15:30 until 17:30. No activity.
- 10/09/19: Patrol from 10:45 until 12:45. No activity.
- 10/10/19: Patrol from 11:00 until 13:00.  
Dead wildlife reported at 325 Kings Road. Removed.  
Dead wildlife initiated 407/Jernagin Rd. Removed.
- 10/15/19: Patrol from 09:00 until 11:00.  
Dead wildlife initiated 400 blk Cross Timbers Dr. Removed.  
Dead wildlife initiated 500 blk Kings Road. Removed.  
Stray dog initiated 800 blk Cross Timbers Dr. Impounded.  
Dead wildlife initiated 500 blk Kings Road. Removed.
- 10/16/19: Private trap service 120 Hollow Oak Court. Impounded.  
Private trap service 120 Hollow Oak Court. Relocated.
- 10/17/19: Patrol from 10:00 until 12:00.  
Private trap service 120 Hollow Oak Court. Relocated.
- 10/18/19: Patrol from 16:30 until 18:30.  
Private trap service 240 McMakin Road. Impounded.  
Private trap service 401 Cross Timbers Road. Impounded.  
Private trap service 120 Hollow Oak Court. Relocated.
- 10/19/19: Private trap service 120 Hollow Oak Court. Impounded.
- 10/23/19: Patrol from 15:00 until 17:00. No activity.
- 10/25/19: Patrol from 16:00 until 18:00.  
Private trap service 123 W. Caruth Lane. Impounded.
- 10/28/19: Patrol from 15:00 until 17:00. No activity.
- 10/29/19: Patrol from 14:00 until 16:00.  
Private trap service 401 Cross Timbers Drive. Impounded.



## SUMMARY

Total calls received: 16      By Double Oak residents: 11      Initiated by NTACA: 5  
Animals impounded: Dogs: 1      Puppies: 0      Cats: 0      Kittens: 0      Other: 6      Deceased: 5  
Verbal Warnings issued: 0      Written Warnings issued: 0      Citations: 0

# **MONTHLY REPORT NOVEMBER 2019**

11/02/19: Patrol from 09:40 until 11:40. No activity.

11/04/19: Private trap service 120 Hollow Oak Court. Impounded.

11/05/19: Patrol from 13:00 until 15:00. No activity.

11/07/19: Patrol from 12:00 until 14:00. No activity.

11/12/19: Patrol from 08:50 until 11:50. No activity.

11/14/19: Patrol from 17:00 to 20:00. (Most time spent on below call)  
Possible Rabies Exposure to animals at 100 Shady Oaks Lane. Report.  
Dead wildlife reported 100 Shady Oaks Lane. Removed.

11/17/19: Private trap service 240 McMakin Road. Impounded.

11/21/19: Patrol from 15:15 until 17:15.  
Dead wildlife initiated 500 blk Kings Road. Removed.

11/22/19: Patrol from 14:00 until 16:00.  
Stray animal reported 231 Cedarcrest Lane. Written Warning Letter.

11/23/19: Patrol from 12:50 until 14:50. No activity.

11/25/19: Patrol from 14:20 until 16:20. No activity.

11/27/19: Patrol from 16:30 until 17:30. No activity.

11/29/19: Patrol from 13:45 until 16:45. No activity.

## **SUMMARY**

Total calls received: 6      By Double Oak residents: 5      Initiated by NTACA: 1  
Animals impounded: Dogs: 2      Puppies: 0      Cats: 0      Kittens: 0      Other: 2      Deceased: 2  
Verbal Warnings issued: 0      Written Warnings issued: 1      Citations: 0



## Double Oak – Contract Renewal Proposal

### Residential Service Proposed

- Service day for trash and recycle – Friday
- All new Republic Services carts for both trash and recycle
- Once per week trash service – 95-gallon cart with up to 15 bags of yard waste material
- One time per month bulk collection up to 3 cubic yards or 30 bags of yard waste material. (3<sup>rd</sup> Friday)
- Once per week recycle service – 95-gallon cart – cart content only.

Proposed rates – Includes Franchise Fee

Monthly per resident trash	\$14.13
Monthly per resident recycle	\$ 5.00
Total Rate per month	\$19.13

### Additional Service Offerings – Included in rates

- Up to 15 free hauls per year of roll-off containers for community events
- Free Service at Town Facilities
- Up to 20 event boxes per year for community events
- Annual Event to Include:
  - Household Hazardous Waste Collection
  - Electronics Recycling
  - Tire Disposal (up to 4 tires per address)
  - Document Shredding
- Landfill access to residents up to 12 times per year
- New carts delivered to each residential customer for both trash and recycle, blue trash and green recycle Republic Services branded carts

### Education Opportunities Proposed

- Initial newsletter delivered with new carts outlining all services with calendar of upcoming holidays or events
- Website that includes service offerings
- Service information booth at any applicable community events
- Quarterly reports to Town Staff
- Annual presentation to Council

### Other Offerings



- Commercial and Industrial Service – tailored to individual customers' needs
- Branded Republic Services containers

### **Contract Highlights**

- Contract term 5 years with automatic renewal of 5 years unless 120-day notification of non-renewal by either party
- Annual price increase – Water/Sewer/Trash not to exceed 5% and not less than 3% or Fixed 4%
- Residents do not need to call 24 hours in advance for bulk/brush collection
- Holidays observed Thanksgiving, Christmas and New Year's Day
- Five (5) percent Franchise Fee
- Republic Services to provide billing
- Insurance and Performance Bond same as current agreement

### **Proposal Highlights**

- Residents receive new carts at time of approval
- Increase effective 1/1/20, next increase would be 10/1/21, Town has not had an increase in 2 years
- New contract signed for effective date of 10/1/20, current agreement expires 9/30/20

Article 12.100(a) of our code of ordinances says:

It shall be unlawful for any person or persons to operate, drive or use a commercial motor vehicle, truck-tractor, road tractor, trailer, semi-trailer, pole trailer, or any combination thereof, through the confines of the city limits of Double Oak, Texas, without specific business and intent conducting the following within the confines of the city limits of the Town of Double Oak, Texas, to-wit:

- (1) stopping and discharging, or stopping and picking up, passengers or goods;
- (2) performance of a business related service.

# DRAFT

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE TOWN OF DOUBLE OAK, TEXAS, AMENDING THE CODE OF ORDINANCES, TOWN OF DOUBLE OAK, TEXAS, BY AMENDING SECTION 6.302 OF ARTICLE 6.300 ("OFFENSIVE CONDITIONS ON REAL PROPERTY") OF CHAPTER 6 ("HEALTH AND SANITATION") BY ADDING A PROHIBITION ON THE PLACEMENT OF PORTABLE STORAGE CONTAINERS ON PUBLIC STREETS AND RIGHTS-OF-WAY AND TO PROHIBIT THE PLACEMENT OF PORTABLE STORAGE CONTAINERS ON REAL PROPERTY FOR PERIODS IN EXCESS OF FORTY-FIVE (45) DAYS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00); AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the Town Council of the Town of Double Oak, Texas, finds and determines that the placement of portable storage containers such as PODs, Mobile Mini, Smart Box and mini storage units has proliferated in the Town and that a number of residents are using such portable storage containers on a permanent or semi-permanent basis in lieu of accessory buildings for outdoor storage; and

**WHEREAS**, the Town Council finds and determines that the placement of portable storage containers on public streets and rights-of-way causes visual obstructions to motor vehicles, which creates traffic hazards; that long-term use of portable storage containers is unsightly and negatively affects the value of real property; that offenses under this prohibition should be strict liability; and that prohibitions on placement of portable storage containers is in the best interest of the public health, safety and welfare. Now Therefore

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DOUBLE OAK, TEXAS:**

**SECTION 1.** That the Code of Ordinances, Town of Double Oak, be and is hereby amended by amending Section 6.302 of Article 6.300, "Offensive Conditions on Real Property," of Chapter 6, "Health and Sanitation," by renumbering the existing provisions as subsection (a) without amendment to existing language, and adding a new subsection (b), such that Section 6.302 shall henceforth read in its entirety as follows [underlined language indicates additions, strike-through language indicates deletions]:

**"CHAPTER 6  
HEALTH AND SANITATION**

...

**ARTICLE 6.300      OFFENSIVE CONDITIONS ON REAL PROPERTY**

...

**Sec. 6.302      Unlawful Conditions on Real Property**

(a) The owner or occupant of any property within the corporate limits of the town, whether the same be occupied or unoccupied, shall keep such property and adjacent parkway free of any of the following conditions which hereby constitute nuisances and offensive conditions:

- (1) stagnant water;
- (2) accumulations of trash, garbage, or debris including solid waste consisting of dirt, concrete, rocks, bricks, or other similar construction or building waste materials;
- (3) filth, carrion, or other impure or unwholesome matter;
- (4) grass, weeds and vegetation growing to a height of more than ten (10) inches, excepting regularly cultivated crops not growing within a public right-of-way;
- (5) rubbish, brush, graffiti and other objectionable, unsightly, or unsanitary matter; or
- (6) any other condition found by the town's building inspector, code enforcement officer, health officer, the county health officer, state health officer, or other authorized person to be unsanitary or unwholesome or a condition that may produce disease.

(b) It shall be unlawful for any person, occupant, or owner to place on any public street or right-of-way a portable storage container or unit, including but not limited to PODs, Mobile Mini, Smart Box, and Mini Storage units. Furthermore, no such portable storage container or unit shall be caused to remain on any property for a period in excess of forty-five (45) consecutive days. In the prosecution of an offense under this section, no proof or pleading of intentional or knowing conduct shall be required, and the offense shall be deemed strict liability.

..."

**SECTION 2.** That any provisions of the ordinances of the Town of Double Oak in conflict with the provisions of this ordinance be and same are hereby repealed and any provisions not so in conflict shall remain in force and effect.

**SECTION 3.** That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

**SECTION 4.** That 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 Code of Ordinances of the Town of Double Oak, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 5.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

**DULY ADOPTED** by the Town Council of the Town of Double Oak, Texas on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
TOWN SECRETARY



APPROVED AS TO FORM:

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TOWN ATTORNEY

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE TOWN OF DOUBLE OAK, TEXAS, AMENDING THE CODE OF ORDINANCES, TOWN OF DOUBLE OAK, TEXAS, BY AMENDING SECTION 6.302 OF ARTICLE 6.300 ("OFFENSIVE CONDITIONS ON REAL PROPERTY") OF CHAPTER 6 ("HEALTH AND SANITATION") BY ADDING A PROHIBITION ON THE PLACEMENT OF PORTABLE STORAGE CONTAINERS ON PUBLIC STREETS AND RIGHTS-OF-WAY AND TO PROHIBIT THE PLACEMENT OF PORTABLE STORAGE CONTAINERS ON REAL PROPERTY FOR PERIODS IN EXCESS OF FORTY-FIVE (45) DAYS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00); AND PROVIDING AN EFFECTIVE DATE.**

**DULY PASSED** by the Town Council of the Town of Double Oak, Texas, on the \_\_\_\_ day  
of \_\_\_\_\_, 2019.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
TOWN SECRETARY

12

# DRAFT

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE TOWN OF DOUBLE OAK, TEXAS, AMENDING THE CODE OF ORDINANCES, TOWN OF DOUBLE OAK, TEXAS, BY AMENDING THE COMPREHENSIVE ZONING ORDINANCE, EXHIBIT A OF ARTICLE 14.100 ("ZONING ORDINANCE ADOPTED") OF CHAPTER 14 ("ZONING"), TO AMEND SECTION 26-1 ("DEFINITIONS") REVISING THE DEFINITION OF "ACCESSORY BUILDING OR ACCESSORY STRUCTURE," PROVIDING A DEFINITION OF "ADDITION;" PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council of the Town of Double Oak finds and determines that a proliferation of accessory structures has occurred throughout the Town in violation of the Town's Accessory Building regulations; that many property owners have avoided the Town's zoning limitations on accessory buildings by simply connecting an accessory building to the main structure by a breezeway or common roof, and that clarity in the difference between an addition to a building and an accessory structure is needed; and,

**WHEREAS**, the Planning and Zoning Commission of the Town of Double Oak and the governing body of the Town of Double Oak, in compliance with state laws with reference to amending the Comprehensive Zoning Ordinance, have given the requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners and interested persons generally, the governing body of the Town of Double Oak is of the opinion that said zoning ordinance should be amended as provided herein.

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DOUBLE OAK, TEXAS:**

**SECTION 1.** That the Code of Ordinances, Town of Double Oak, be and is hereby amended by amending Section 26-1, "Definitions," of the Comprehensive Zoning Ordinance, Exhibit "A" of Article 14.100 ("Zoning Ordinance Adopted") of Chapter 14 ("Zoning"), to revise regulations relating to accessory buildings by amending the definition of "Accessory Building or Accessory Structure," and adding a new definition of "Addition" after the definition of "Accessory Use" and before the definition of "Airport," without amendment, repeal or change to other parts of Section 26-1, such that the definitions of "Accessory Building or Accessory

Structure” and “Addition” shall henceforth read as follows [underlined language indicates additions, strike-through language indicates deletions]:

**“CHAPTER 14  
ZONING**

**ARTICLE 14.100 ZONING ORDINANCE ADOPTED**

**EXHIBIT A**

**COMPREHENSIVE ZONING ORDINANCE  
TOWN OF DOUBLE OAK, TEXAS**

...

**SECTION 26  
DEFINITIONS**

26-1 The following words, when used in this ordinance, shall have the meanings respectively ascribed to them in this section, unless such construction would be inconsistent with the manifest intent of the terms of this ordinance or where the context of this ordinance clearly indicates otherwise.

Accessory Building or Accessory Structure - shall mean a subordinate building or structure, attached to or detached from the main building, and customarily incidental to the principal building. Distinct from an “addition,” an accessory building or structure is a detached building, or a building or structure connected to the main structure by a breezeway, common roof line, common floor, or common walls. The connection of a structure by a breezeway, floor area or wall or any combination thereof shall not be deemed an addition unless fully enclosed and attached to the main structure by a common roof, floor and walls as an integral part of the main structure.

...

Addition – shall mean an extension or increase in floor area or height of a building or structure. An addition shall be compatible in appearance with the primary structure through similar or identical exterior walls and roofing.

...”

**SECTION 2.** That any provisions of the ordinances of the Town of Double Oak in conflict with the provisions of this ordinance be and same are hereby repealed and any provisions not so in conflict shall remain in force and effect.

**SECTION 3.** That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the 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.** That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

**SECTION 5.** That 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 Code of Ordinances of the Town of Double Oak, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of two-thousand dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 5.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

**DULY ADOPTED** by the Town Council of the Town of Double Oak, Texas on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
TOWN SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
TOWN ATTORNEY

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE TOWN OF DOUBLE OAK, TEXAS, AMENDING THE CODE OF ORDINANCES, TOWN OF DOUBLE OAK, TEXAS, BY AMENDING THE COMPREHENSIVE ZONING ORDINANCE, EXHIBIT A OF ARTICLE 14.100 ("ZONING ORDINANCE ADOPTED") OF CHAPTER 14 ("ZONING"), TO AMEND SECTION 26-1 ("DEFINITIONS") REVISING THE DEFINITION OF "ACCESSORY BUILDING OR ACCESSORY STRUCTURE," PROVIDING A DEFINITION OF "ADDITION;" PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE.**

**DULY PASSED** by the Town Council of the Town of Double Oak, Texas, on the \_\_\_\_ day  
of \_\_\_\_\_, 2019.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
TOWN SECRETARY

# DRAFT

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE TOWN OF DOUBLE OAK, TEXAS, AMENDING THE CODE OF ORDINANCES, TOWN OF DOUBLE OAK, TEXAS, BY AMENDING SECTION 6.302 OF ARTICLE 6.300 ("OFFENSIVE CONDITIONS ON REAL PROPERTY") OF CHAPTER 6 ("HEALTH AND SANITATION") BY ADDING A PROHIBITION ON THE PLACEMENT OF PORTABLE STORAGE CONTAINERS ON PUBLIC STREETS AND RIGHTS-OF-WAY AND TO PROHIBIT THE PLACEMENT OF PORTABLE STORAGE CONTAINERS ON REAL PROPERTY FOR PERIODS IN EXCESS OF FORTY-FIVE (45) DAYS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00); AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the Town Council of the Town of Double Oak, Texas, finds and determines that the placement of portable storage containers such as PODs, Mobile Mini, Smart Box and mini storage units has proliferated in the Town and that a number of residents are using such portable storage containers on a permanent or semi-permanent basis in lieu of accessory buildings for outdoor storage; and

**WHEREAS**, the Town Council finds and determines that the placement of portable storage containers on public streets and rights-of-way causes visual obstructions to motor vehicles, which creates traffic hazards; that long-term use of portable storage containers is unsightly and negatively affects the value of real property; that offenses under this prohibition should be strict liability; and that prohibitions on placement of portable storage containers is in the best interest of the public health, safety and welfare. Now Therefore

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DOUBLE OAK, TEXAS:**

**SECTION 1.** That the Code of Ordinances, Town of Double Oak, be and is hereby amended by amending Section 6.302 of Article 6.300, "Offensive Conditions on Real Property," of Chapter 6, "Health and Sanitation," by renumbering the existing provisions as subsection (a) without amendment to existing language, and adding a new subsection (b), such that Section 6.302 shall henceforth read in its entirety as follows [underlined language indicates additions, strike-through language indicates deletions]:



**"CHAPTER 6  
HEALTH AND SANITATION**

...

**ARTICLE 6.300      OFFENSIVE CONDITIONS ON REAL PROPERTY**

...

**Sec. 6.302      Unlawful Conditions on Real Property**

(a) The owner or occupant of any property within the corporate limits of the town, whether the same be occupied or unoccupied, shall keep such property and adjacent parkway free of any of the following conditions which hereby constitute nuisances and offensive conditions:

- (1) stagnant water;
- (2) accumulations of trash, garbage, or debris including solid waste consisting of dirt, concrete, rocks, bricks, or other similar construction or building waste materials;
- (3) filth, carrion, or other impure or unwholesome matter;
- (4) grass, weeds and vegetation growing to a height of more than ten (10) inches, excepting regularly cultivated crops not growing within a public right-of-way;
- (5) rubbish, brush, graffiti and other objectionable, unsightly, or unsanitary matter; or
- (6) any other condition found by the town's building inspector, code enforcement officer, health officer, the county health officer, state health officer, or other authorized person to be unsanitary or unwholesome or a condition that may produce disease.

(b) It shall be unlawful for any person, occupant, or owner to place on any public street or right-of-way a portable storage container or unit, including but not limited to PODs, Mobile Mini, Smart Box, and Mini Storage units. Furthermore, no such portable storage container or unit shall be caused to remain on any property for a period in excess of forty-five (45) consecutive days. In the prosecution of an offense under this section, no proof or pleading of intentional or knowing conduct shall be required, and the offense shall be deemed strict liability.

...”

**SECTION 2.** That any provisions of the ordinances of the Town of Double Oak in conflict with the provisions of this ordinance be and same are hereby repealed and any provisions not so in conflict shall remain in force and effect.

**SECTION 3.** That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

**SECTION 4.** That 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 Code of Ordinances of the Town of Double Oak, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 5.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

**DULY ADOPTED** by the Town Council of the Town of Double Oak, Texas on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
TOWN SECRETARY

APPROVED AS TO FORM:

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TOWN ATTORNEY

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE TOWN OF DOUBLE OAK, TEXAS, AMENDING THE CODE OF ORDINANCES, TOWN OF DOUBLE OAK, TEXAS, BY AMENDING SECTION 6.302 OF ARTICLE 6.300 ("OFFENSIVE CONDITIONS ON REAL PROPERTY") OF CHAPTER 6 ("HEALTH AND SANITATION") BY ADDING A PROHIBITION ON THE PLACEMENT OF PORTABLE STORAGE CONTAINERS ON PUBLIC STREETS AND RIGHTS-OF-WAY AND TO PROHIBIT THE PLACEMENT OF PORTABLE STORAGE CONTAINERS ON REAL PROPERTY FOR PERIODS IN EXCESS OF FORTY-FIVE (45) DAYS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00); AND PROVIDING AN EFFECTIVE DATE.**

**DULY PASSED** by the Town Council of the Town of Double Oak, Texas, on the \_\_\_\_ day  
of \_\_\_\_\_, 2019.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
TOWN SECRETARY

12

# DRAFT

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE TOWN OF DOUBLE OAK, TEXAS, AMENDING THE CODE OF ORDINANCES, TOWN OF DOUBLE OAK, TEXAS, BY AMENDING THE COMPREHENSIVE ZONING ORDINANCE, EXHIBIT A OF ARTICLE 14.100 ("ZONING ORDINANCE ADOPTED") OF CHAPTER 14 ("ZONING"), TO AMEND SECTION 26-1 ("DEFINITIONS") REVISING THE DEFINITION OF "ACCESSORY BUILDING OR ACCESSORY STRUCTURE," PROVIDING A DEFINITION OF "ADDITION;" PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council of the Town of Double Oak finds and determines that a proliferation of accessory structures has occurred throughout the Town in violation of the Town's Accessory Building regulations; that many property owners have avoided the Town's zoning limitations on accessory buildings by simply connecting an accessory building to the main structure by a breezeway or common roof, and that clarity in the difference between an addition to a building and an accessory structure is needed; and,

**WHEREAS**, the Planning and Zoning Commission of the Town of Double Oak and the governing body of the Town of Double Oak, in compliance with state laws with reference to amending the Comprehensive Zoning Ordinance, have given the requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners and interested persons generally, the governing body of the Town of Double Oak is of the opinion that said zoning ordinance should be amended as provided herein.

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DOUBLE OAK, TEXAS:**

**SECTION 1.** That the Code of Ordinances, Town of Double Oak, be and is hereby amended by amending Section 26-1, "Definitions," of the Comprehensive Zoning Ordinance, Exhibit "A" of Article 14.100 ("Zoning Ordinance Adopted") of Chapter 14 ("Zoning"), to revise regulations relating to accessory buildings by amending the definition of "Accessory Building or Accessory Structure," and adding a new definition of "Addition" after the definition of "Accessory Use" and before the definition of "Airport," without amendment, repeal or change to other parts of Section 26-1, such that the definitions of "Accessory Building or Accessory

Structure” and “Addition” shall henceforth read as follows [underlined language indicates additions, strike-through language indicates deletions]:

**“CHAPTER 14  
ZONING**

**ARTICLE 14.100 ZONING ORDINANCE ADOPTED**

**EXHIBIT A**

**COMPREHENSIVE ZONING ORDINANCE  
TOWN OF DOUBLE OAK, TEXAS**

...

**SECTION 26  
DEFINITIONS**

26-1 The following words, when used in this ordinance, shall have the meanings respectively ascribed to them in this section, unless such construction would be inconsistent with the manifest intent of the terms of this ordinance or where the context of this ordinance clearly indicates otherwise.

Accessory Building or Accessory Structure - shall mean a subordinate building or structure, attached to or detached from the main building, and customarily incidental to the principal building. Distinct from an “addition,” an accessory building or structure is a detached building, or a building or structure connected to the main structure by a breezeway, common roof line, common floor, or common walls. The connection of a structure by a breezeway, floor area or wall or any combination thereof shall not be deemed an addition unless fully enclosed and attached to the main structure by a common roof, floor and walls as an integral part of the main structure.

...

Addition – shall mean an extension or increase in floor area or height of a building or structure. An addition shall be compatible in appearance with the primary structure through similar or identical exterior walls and roofing.

...”

**SECTION 2.** That any provisions of the ordinances of the Town of Double Oak in conflict with the provisions of this ordinance be and same are hereby repealed and any provisions not so in conflict shall remain in force and effect.

**SECTION 3.** That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the 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.** That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

**SECTION 5.** That 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 Code of Ordinances of the Town of Double Oak, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of two-thousand dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 5.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

**DULY ADOPTED** by the Town Council of the Town of Double Oak, Texas on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

---

TOWN SECRETARY

APPROVED AS TO FORM:

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TOWN ATTORNEY



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE TOWN OF DOUBLE OAK, TEXAS, AMENDING THE CODE OF ORDINANCES, TOWN OF DOUBLE OAK, TEXAS, BY AMENDING THE COMPREHENSIVE ZONING ORDINANCE, EXHIBIT A OF ARTICLE 14.100 ("ZONING ORDINANCE ADOPTED") OF CHAPTER 14 ("ZONING"), TO AMEND SECTION 26-1 ("DEFINITIONS") REVISING THE DEFINITION OF "ACCESSORY BUILDING OR ACCESSORY STRUCTURE," PROVIDING A DEFINITION OF "ADDITION;" PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE.**

**DULY PASSED** by the Town Council of the Town of Double Oak, Texas, on the \_\_\_\_ day  
of \_\_\_\_\_, 2019.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
TOWN SECRETARY



DATE: 12-10-2019 14

TOWN OF DOUBLE OAK  
320 WAKETON ROAD  
DOUBLE OAK, TEXAS 75077  
(972) 539-9464

**RECEIVED**

DEC 11 2019

### APPLICATION FOR BOARDS/COMMISSIONS

As an applicant for a Board, Commission or Committee, your name, address and telephone number will be available to the press and the public if you elect to disclose this information. All other information will remain confidential.

NAME: Curtis Glover

ADDRESS: 170 Double Oaks Dr.

CONTACT PHONE: \_\_\_\_\_ EMAIL: curtis.glover@verizon.net

OCCUPATION: (If retired, please indicate former occupation or profession)

IT Sourcing Manager

PROFESSIONAL AND/OR COMMUNITY ACTIVITIES: \_\_\_\_\_

Parking Greeter at Denton Bible Church

Past deacon at Crossroads Bible Church

LIST QUALIFICATIONS YOU FEEL MAKE YOU A GOOD CANDIDATE FOR THIS POSITION AND INCLUDE PREVIOUS VOLUNTEER POSITIONS:

Held Texas Real Estate license and was active member of Keller Williams. Also have ran my own real estate company.

REFERENCES: Norm Jones 817-430-3549

BOARDS/COMMISSIONS/COMMITTEES OF INTEREST: Check Interest

☒ Board of Adjustments

☐ Planning and Zoning

MAIL COMPLETED FORM TO:

TOWN OF DOUBLE OAK  
TOWN SECRETARY  
320 WAKETON ROAD  
DOUBLE OAK, TEXAS 75077

OR FAX / E-MAIL TO:

FAX (972) 539-9613  
EMAIL: [ckennedy@double-oak.com](mailto:ckennedy@double-oak.com) or  
[ljones@double-oak.com](mailto:ljones@double-oak.com)