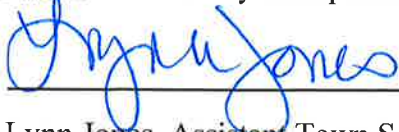


Town Of Double Oak
Planning And Zoning Commission Agenda
Double Oak Town Hall
September 30, 2021
7:00 PM

- 1) Call to order
Roll call
Establish a quorum
Opening announcements and comments
- 2) Citizens Comments
- 3) Consideration and action on the minutes of April 6, 2021
- 4) Public hearing: on a request to change the zoning from Agriculture 1 to Agriculture 2 on a tract of land located at Kings Manor Lot 1 Block A or more generally known as 200 Kings Road, Double Oak Texas.
 - i. Opening of public hearing
 - ii. Closing of public hearing
- 5) Consider and act: on a recommendation to the Town Council for a request to change the zoning from Agriculture 1 to Agriculture 2 on a tract of land located at Kings Manor Lot 1 Block A or more generally known as 200 Kings Road, Double Oak Texas.
- 6) Consider and act: on a recommendation to the Town Council for approval of a site plan for Braum's located at Lot 5 Block A of the Crossroads Bible Church Addition.
- 7) Adjourn

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 21st day of September 2021 at 2:00 p.m.



Lynn Jones, Assistant Town Secretary

PUBLIC PARTICIPATION

If you wish to address the Planning and Zoning Commission please sign the sign in sheet before the meeting begins. Pursuant to Section 551.007 of the Texas Government Code, citizens wishing to address the Planning and Zoning Commission 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 Planning and Zoning Commission during the Citizen Comments portion of the meeting or when the item is considered by the Planning and Zoning Commission.

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior meeting. Please contact the town secretary's office at 972.539.9464 or fax 972.539.9613 for additional information.

STATE OF TEXAS
COUNTY OF DENTON
TOWN OF DOUBLE OAK

The Double Oak Planning and Zoning Commission met at 7:00 p.m. April 6, 2021 at the Double Oak Town Hall, located at 320 Waketon Road with the following members present to-wit:

Andrew Weaver	Vice Chairman
Gary Goodman	Commission Member
Martha Holman	Commission Member
Georgette Cook	Commission Member
Wayne Atkins	Commission Member
Bonnie Morrow	Alternate Commission Member
Kristin Harris	Alternate Commission Member

constituting a quorum. Alternate Commission member Patrick Johnson was present. Commission member Donna Gilliam and Mike Fickling was absent. Assistant Town Secretary Lynn Jones was also present.

Vice Chairman Weaver called the meeting to order at 7:00 p.m.

2) Citizens Comments

There were no comments.

3) Consideration and action on the minutes of November 10, 2020

Motion Hollman, second Goodman to approve the November 10, 2020 minutes.

AYE: Morrow, Harris, Holman, Atkins and Weaver

NAY: None

ABSTAIN: Goodman and Cook

Motion Carried

4) Consideration and action on selection of a Chairperson for the Planning and Zoning Commission.

Motion Goodman, second Cook to have Andrew Weaver be the Chairperson for the Planning and Zoning Commission.

AYE: Cook, Goodman, Holman, Morrow, Atkins and Harris

NAY: None

ABSTAIN: Weaver

Motion Carried

5) Consideration and action on selection of a Vice Chairperson for the Planning and Zoning Commission.

Motion Cook, second Goodman to have Wayne Atkins be the Vice Chairperson for the Planning and Zoning Commission.

AYE: Cook, Goodman, Holman, Weaver, Morrow and Harris

NAY: None

ABSTAIN: Atkins

Motion Carried

6) Public hearing on a request from Grayson Ceballos to replat 6000 Pepperport Lane, Tract 5 of the North Shiloh Addition and 5801 Pepperport Court, Block A Lot 7 of the Estates of Pepperport Addition.

Chairman Weaver opened the public hearing at 7:07 p.m.

Chad Odem from Windrose spoke

Chairman Weaver closed the public hearing at 7:08 p.m.

7) Consider and act on a recommendation to the Double Oak Town Council on a request from Grayson Ceballos to replat 6000 Pepperport Lane, Tract 5 of the North Shiloh Addition and 5801 Pepperport Court, Block A Lot 7 of the Estates of Pepperport Addition

Motion Atkins, seconded Morrow to recommend approval of the replat to the Town Council with the revisions that Halff Associates made.

AYE: Cook, Goodman, Holman, Morrow, Atkins, Harris and Weaver

ABSTAIN: None

NAY: None

Motion Carried

8) Comments

None

9) Adjourn

Motion Holman, seconded Goodman to adjourn the meeting.

With no further business to come before the Planning and Zoning Commission, the meeting was adjourned at 7:12 p.m.

Lynn Jones, Assistant Town Secretary

Andrew Weaver, P&Z Chairman



TOWN OF DOUBLE OAK
320 Waketon Road
Double Oak, Texas 75077
P: 972-539-9464 F: 972-539-9613
permits@doubleoak.texas.gov

Zoning Application

Type of Application (check the appropriate box)

- Rezoning / Initial Zoning Specific Use Permit

Property Owner and Authorization (sign and notarize)

McKenzie Design Build		david@mckenzieadb.com	
<small>(Company Name)</small>		<small>(Email)</small>	
605 W LD Lockett	Colleyville	TX	76034
<small>(Physical Address)</small>	<small>(City)</small>	<small>(State)</small>	<small>(Zip Code)</small>
<small>(Mailing Address)</small>	<small>(City)</small>	<small>(State)</small>	<small>(Zip Code)</small>
Andrew and Amanda Bruce	(832) 946-2771		
<small>(Property Owner Name)</small>	<small>(Phone)</small>		<small>(Fax)</small>

General Description of Request (complete the following)

Request for rezoning from AG1 to AG 2 to allow home construction on a 3.38 ac tract.

(Existing Z)

Subject Property Information: (complete the following)

200 Kings Road , Double Oak , TX

(General location, street address if known; if not known, provide name of street fronting property and name and distance to nearest cross street)

Kings Manor	1 and part of lot 2	A
<small>(Subdivision Name)</small>	<small>(Lot #)</small>	<small>(Block #)</small>
AG 1	AG 2	
<small>(Existing Zoning)</small>	<small>(Proposed Zoning)</small>	

Items Required with Submittal (please check the boxes to indicate items submitted with the application)

- 1) Attach a site plan, maps, designs or any other documents deemed necessary.
(Please include 10 copies of any information that is submitted, any digital versions can be sent to permits@doubleoak.texas.gov)
- 2) Submit Application Fee (\$150)

Engineering fees will be billed separate from the application fee.
Applicant or their designated representative will be responsible for all engineering fees.

I certify that I am the legal owner or record of the property or that I have secured the property owner's permission as shown on the attached affidavit and that the information concerning this request for variance is true and correct.

	9/9/21
APPLICANT'S SIGNATURE	DATE
	9/13/21
RECEIVED BY	DATE RECEIVED

***** For Office Use Only *****			
Paid: \$ 150.00	Receipt #: TP. Com	Date: Sept 13 2021	
Application Complete: <input checked="" type="radio"/> Y <input type="radio"/> N			
Date to appear before:	P&Z: Sept 30, 21	TC: Oct 4, 2021	BOA:



Town of Double Oak
 320 Waketon Road
 Double Oak, Texas 75077
 Phone 972-539-9464
 Fax 972-539-9613

PROPERTY OWNER AFFIDAVIT

I, Andrew Bruce, owner of 200 Kings Rd , Double Oak TX
(Property Owner) (Property Address)
 give Mckenzie Design Buld permission to Rezone
(Company Name or Agent) (Service to be used)
 my property.

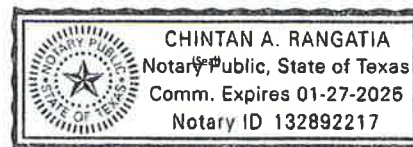
State of Texas
 County of Fort Bend

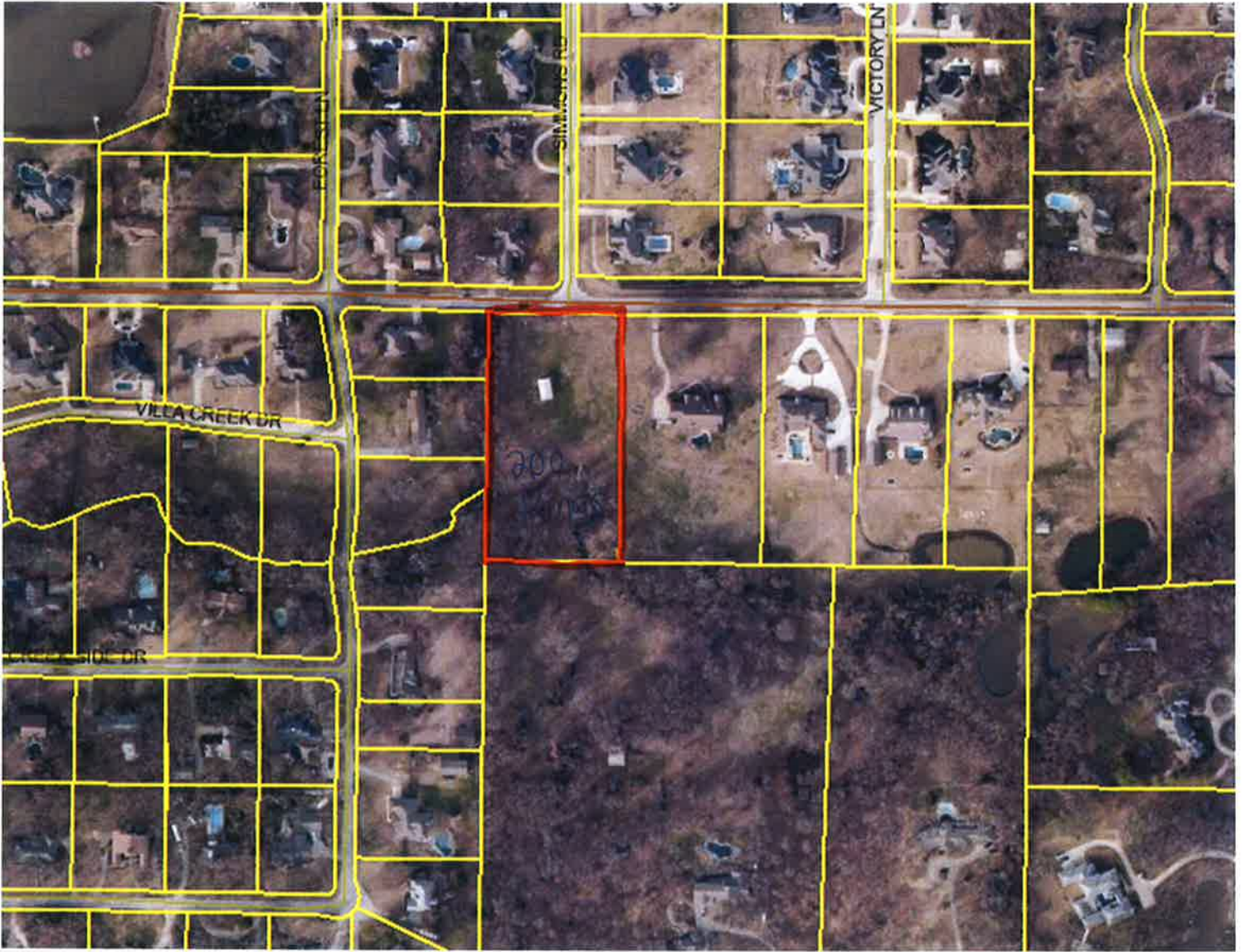
On this, the 9th day of September, 2021 before me a notary public, the
(day) (month) (year)
 undersigned officer, personally appeared ANDREW BRUCE, known to me to
(Property Owner)

be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

In witness hereof, I hereunto set my hand and official seal.


(Signature of Notary Public)







SECTION 8
"AG-1" AGRICULTURAL DISTRICT

8-1 General Purpose and Description: This district classification serves as a temporary classification for areas of undeveloped land of less than 3 acres on which farming and raising of cows and/or horses may be conducted until given a permanent classification.

8-2 Use Regulations: The land or premise shall be used only for the following purposes:

(1) Agricultural Use:

Temporary farming and raising of cows and/or horses. Upon compliance with all other ordinances and laws, one animal may be kept on the first acre. For each additional adjoining half-acre, one additional such animal may be kept.

- a. The agricultural use must not cause a hazard to health by reason of unsanitary conditions; must not be offensive by reason of odors, dust, fumes, or noise; and must not otherwise be detrimental to the public welfare.
- b. The agricultural use may include the construction and use of barns, private stables and loafing sheds as accessory buildings meeting the requirements of this Section.
- c. A permanent classification must be obtained before any structure other than barns, private stables or loafing sheds may be constructed. All existing structures are grandfathered.

(2) Other Uses:

- a. Any other use as may be permitted with a Specific Use Permit.
- b. Temporary buildings require a Specific Use Permit, with a one (1) year maximum with no option for renewal.
- c. No person shall construct or occupy any dwelling or use any structure within the AG-1 Agricultural District as a permanent residence.

(3) Accessory Building Regulations:

Type: Barns, private stables and/or loafing sheds.

Maximum Number: Barn: one.

Stable: one.

Loafing shed: one.

Maximum Height: One Story.

Location: Located at least 30 feet from any property line of an adjacent owner, at least 40 feet from any dwelling on any adjacent property, and at least 40 feet from any road.

NOTICE: Barns, stables or loafing sheds shall not be permitted to remain as nonconforming structures if after construction of a dwelling they will not conform to all regulations of the particular zoning district. Therefore, if barns, stables, or loafing sheds are to be used on property that may later be considered for any other zoning classification which would permit a single-family dwelling, careful consideration of the location of these structures on the property in relation to the possible future location of a dwelling should be made. For example, barns are not permitted in other residential classifications, and stables and loafing sheds are permitted only behind the rear line of the dwelling, with specific side and rear yard setbacks.

SECTION 9
"AG-2" AGRICULTURAL DISTRICT

9-1 General Purpose and Description: This district classification serves as a permanent classification for areas of undeveloped or developed land containing 3 acres or more on which farming and raising of cows and/or horses may be conducted and on which a single family dwelling of at least 2,300 square feet may be constructed.

9-2 Use Regulations: The land or premise shall be used only for the following purposes:

(1) Agricultural Use:

Agriculture, including any customary agricultural building and structure, and such uses as livestock ranges, general ranching, farming, the raising of crops, fruit, and vegetables, horses, cattle, or poultry, on a commercial or business basis and upon compliance with all other ordinances and laws. One cow or horse may be kept on the first acre. For each additional adjoining half-acre, one additional such animal may be kept. For any other animal, a permit must be approved by the Town Council.

a. The agricultural use must not cause a hazard to health by reason of unsanitary conditions; must not be offensive by reason of odors, dust, fumes, or noise; and must not otherwise be detrimental to the public welfare.

b. The agricultural use may include the construction and use of barns, private stables and loafing sheds as accessory buildings meeting the requirements of this Section.

c. All existing structures are grandfathered.

(2) Other Uses:

a. Parks, playgrounds, community buildings, museums and other public recreational facilities, owned and/or operated by the municipality or other public agency; and privately owned and maintained playgrounds and like recreation areas.

b. Public buildings, including libraries, museums, police and fire stations, and similar public uses or facilities.

c. Temporary buildings for uses incidental to construction work on the premises, which said buildings shall be removed upon the completion or abandonment of construction work, one year maximum with no option for renewal. A permit shall be required.

d. Churches and Public Schools (kindergarten through high school), shall be considered a permitted use, however, a specific use permit zoning change must be applied for and granted pursuant to the Specific Use Section of this ordinance in order to provide conditions to protect health, provide safety and regulate traffic as related to these uses.

e. Such other uses as may be permitted with a Specific Use Permit.

9-3 Principal Building (Dwelling or Structure): All single family dwellings must meet the following requirements:

Minimum Building Size: 2,300 square feet, exclusive of garages, breezeways and porches.

Maximum Height: 30 feet or not more than two and one-half (2-1/2) stories.

Maximum Lot Coverage: Principal Building not to exceed 10% of total area.

Exterior Construction: At least 70% of the exterior walls of the first floor of all structures, including frame work surrounding all doors and windows, shall be of masonry construction, exclusive of doors, windows, the area above the top plate line, gables and roofs. The 70% masonry requirement shall also apply to all additions or modifications to the Principal Building and to all attached garages.

Front Yard: Minimum depth from edge of road easement to front of principal building shall be at least 45 feet.

Side Yard: Setback of at least 20 feet from any property line or road easement, whichever is closer.

Rear Yard: Setback of at least 35 feet from the rear property line.

9-4 Accessory Building Regulations

(1) Classifications. All accessory buildings must be of one of the following types.

a. Type 1: This type or class of accessory building consists of accessory buildings that support the agricultural use of the property as defined or permitted in Section 9-2(1), such as barns, loafing sheds, private stables or tool/equipment sheds. Electricity and water connections are permitted. Use as additional living quarters is prohibited.

b. Type 2: This type or class of accessory building consists of accessory buildings that are not used for the support of livestock or crops or other agricultural use. Shop or recreation building, swimming pool cabana, boat storage, detached garage for boat, recreational vehicle and motor vehicle storage, home office, or stable are permissible. Major accessory buildings shall not be used as rental property, guest houses or servant's quarters. If toilet and/or shower facilities are provided, adequate wastewater disposal must be provided and approved by the appropriate Town representative. Major accessory buildings may not be used for commercial purposes and may not be used as rental property. No Type 2 accessory building will be permitted unless there is a principal residential dwelling on the property. No carports or other exterior structures designed or intended for the storage of vehicles or boats, whether attached or free-standing, shall be allowed and are expressly prohibited; provided, however, that a porte-cochere for the main entrance of the residential dwelling may be permitted.

(2) Major Accessory Buildings: A building permit is required for all major accessory buildings prior to the commencement of construction.

a. Type 1 Major Accessory Buildings

Location: Located at least 30 feet from any property line of an adjacent owner, at least 40 feet from any dwelling on any adjacent property and at least 40 feet from any road.

Type of Exterior

Construction: The building's construction materials may be of wood, brick, simulated wood, vinyl, painted aluminum, or corrugated, galvanized sheet metal.

b. Type 2 Major Accessory Buildings

Maximum Size: 1,000 square feet of usable enclosed area. As an exception to the foregoing maximum size requirement, a Type 2 major accessory building may not exceed 1,200 square feet of usable enclosed area if there is no minor accessory building. If two (2) stories the footprint of the accessory building is to be reduced in proportion, so that the total usable space does not exceed the maximum size requirement. Porch areas may not exceed an additional 20% of the total usable enclosed area.

Maximum Height: Two (2) stories or 30 feet to roof peak. Total height may not exceed that of the principal dwelling.

Location: Must be located completely behind the rear line of the residential building. Setback shall be at least 15 feet from any property line or road easement, whichever is closer.

Door: One (1) 12 feet wide by 14 feet high maximum size door which may face the front and one (1) entry type door which may not exceed 48 inches in width. For safety purposes, a minimum of two (2) openings is required.

Exception: It shall be an exception to the foregoing requirement if the structure has one (1) 16 foot by 10 foot door or two (2) 9 foot by 10 foot doors, provided that they may not face the front of the structure or any public street and that the construction of the building must be 70% brick or masonry construction substantially similar in color, composition and design as the main residential building. At least two (2) openings shall be required.

Type of Exterior

Construction: The building's construction materials must be substantially similar in color, composition and design as that of the residential building, and at least 70% of the structure must be brick or masonry and generally meet the requirements for the principal residential building. Sheet metal siding is expressly prohibited. Roofing material must also be substantially similar in color, composition and design as that of the residential building and comply with the Town's Roofing ordinance. A major accessory building which is 500 square feet or less of usable space is exempted from the foregoing 70% brick or masonry requirement but must be substantially similar in color, composition and design of the principal dwelling and generally meet the requirements for the principal residential building.

Foundation: A concrete foundation is required for all Type 2 major accessory buildings.

(3) Minor Accessory Building (including pre-fabricated buildings and buildings on skids).

a. Type 2 Minor Accessory Building: Storage for tools, lawn care equipment etc., will be permitted only in connection with the residential dwelling on the property.

Maximum Size: 200 square feet footprint.

Maximum Height: One story, not to exceed 18 feet to roof peak.

Location: Must be located behind the rear line of the residential dwelling and at least 8 feet from the property line or road easement, whichever is closer.

Type of Exterior

Construction: The building's construction material must be substantially similar in color, composition and design as that of the residential building, be of wood, brick, simulated wood, vinyl or factory painted aluminum. Sheet metal siding is expressly prohibited. Roofing materials must also be substantially similar in color, composition and design as that of the residential building and comply with the Town's Roofing ordinance. Greenhouses may be made of glass or like products.

9-5 Driveways. The construction of a driveway shall require a separate permit.

9-6 Private Swimming Pool.

A private swimming pool will be permitted only in connection with a residential dwelling. Both in-ground and above-ground pools require a fence at least 4 feet in height with no gaps or openings larger than 4 inches and with all gates to be self-latching and self closing. Any pool must be located at least 4 feet from the property line or road easement, measured from water's edge.

9-7 Fences.

Wood, plastic, metal or wire may be used to corral animals. Barbed wire and electric fences are permitted.

NOTICE: If a different zoning classification is later sought or imposed on the property, barns, stables or loafing sheds shall not be permitted to remain as nonconforming structures if after construction of a dwelling they will not conform to all regulations of the particular zoning district. Therefore, if barns, stables, or loafing sheds are to be used on property that may later be considered for any other zoning classification which would permit a single-family dwelling, careful consideration of the location of these structures on the property in relation to the possible future location of a dwelling should be made. For example, barns are not permitted in other residential classifications, and stables and loafing sheds are permitted only behind the rear line of a dwelling, with specific side and rear yard setbacks.

In addition to the foregoing, fences will have to conform to specifications for residential classifications where barbed wire is expressly prohibited. New driveways will have to be constructed of asphalt, concrete, paving bricks or gravel. However, driveways made of gravel will have to be paved with asphalt, concrete, paving bricks or other approved surfacing material when a new zoning classification is later sought.