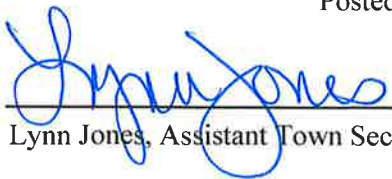


Public Notice
Town Of Double Oak
Planning And Zoning
Double Oak Town Hall
May 25, 2022
7:00 PM

- 1) Call to order
Roll call
Establish a quorum
Opening announcements and comments-a quorum of council members may be present at this meeting
- 2) Citizens Comments
- 3) Consideration and action on the minutes of November 10, 2021
- 4) Public hearing on a request from Jacqui and Mark Howard to change the zoning from Agriculture 1 to Agriculture 2 on land situated in the Town of Double Oak, Denton County, Texas being known and described as North Shiloh Addition, Block TR 3 (NE Corn) or 5807 Pepperport Lane.
 - i. Opening of public hearing
 - ii. Closing of public hearing
- 5) Consideration and action by Planning and Zoning Commission on agenda item 4 for recommendation to the town council.
- 6) Comments
- 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 17 day of May 2022 at 11:00 a.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. November 10, 2021 at the Double Oak Town Hall, located at 320 Waketon Road with the following members present to-wit:

Andrew Weaver	Chairman
Wayne Atkins	Vice Chair
Gary Goodman	Commission Member
Bonnie Morrow	Commission Member
Donna Gilliam	Commission Member
Patrick Johnson	Alternate Commission Member

constituting a quorum. Commission members Georgette Cook and Kristin Harris were absent. Town attorney David Berman and Assistant Town Secretary Lynn Jones were also present.

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

2) Citizens Comments

No one signed up to speak

3) Consideration and action on the minutes of September 30, 2021

Motion Atkins, second Gilliam to approve the September 30, 2021 minutes.

AYE: Morrow, Johnson, Atkins, Weaver, Gilliam and Goodman

NAY: None

ABSTAIN: None

Motion Carried

4) Swearing in of Planning and Zoning Commission Members

Assistant Town Secretary Lynn Jones swore in Mr. Weaver and Dr. Goodman

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

Motion Morrow to keep Weaver as the Chairperson for the Planning and Zoning Commission. Second Goodman.

AYE: Goodman, Atkins, Gilliam, Morrow and Johnson

NAY: None

ABSTAIN: Weaver

Motion Carried

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

Motion Morrow to keep Atkins as the Vice Chairperson for the Planning and Zoning Commission. Second Goodman.

AYE: Gilliam, Goodman, Weaver, Morrow and Johnson

NAY: None

ABSTAIN: Atkins

Motion Carried

The Planning and Zoning members went into executive session at 7:06 pm for consultation with the Town Attorney.

The Planning and Zoning members reconvened in regular session at 7:40 pm.

- 7) Consideration and action on a recommendation to the Town Council for approval of a site plan for Braum's located at Block A Lot 5 of the Crossroads Bible Church Addition.

Motion Atkins to recommend approval of the final site plan for Braum's to the Town Council, Morrow seconded.

AYE: Goodman, Atkins, Weaver, Gilliam, Morrow and Johnson

NAY: None

ABSTAIN: None

Motion Carried

- 8) Adjourn

With no further business to come before the Planning and Zoning Commission, the meeting was adjourned at 7:57 p.m.

Lynn Jones, Assistant Town Secretary

Andrew Weaver, P&Z Chairman



PLANNING AND ZONING
May 25, 2022

PUBLIC HEARING: Public hearing on a request from Jacqui and Mark Howard to change the zoning from Agriculture 1 to Agriculture 2 on land situated in the Town of Double Oak, Denton County, Texas being known and described as North Shiloh Addition, Block TR 3 (NE Corn) or 5807 Pepperport Lane.

AGENDA ITEM: Consideration and action on a request from Jacqui and Mark Howard to change the zoning from Agriculture 1 to Agriculture 2 on land situated in the Town of Double Oak, Denton County, Texas being known and described as North Shiloh Addition, Block TR 3 (NE Corn) or 5807 Pepperport Lane.

STAFF CONTACT: Lynn

DESCRIPTION: - The Howards are requesting that their property zoning be changed from Agriculture 1 to Agriculture 2.

ATTACHMENTS: Application for zoning change
Letter of request from the Howards
Map showing the location of the property
Agriculture 1 and Agriculture 2 zoning districts
Letters to property owners within 200 feet of the requested rezone
Legal Ad of public hearing notice



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)

(Company Name) _____ (Email) jacqui.howard@hotmail.com
5807 PEPPERPORT LN (Physical Address) DOUBLE OAK (City) TX (State) 75022 (Zip Code)
SAME (Mailing Address) _____ (City) _____ (State) _____ (Zip Code)
MARK AND JACQUELINE HOWARD (Property Owner Name) 214-493-0755 (Phone) _____ (Fax)

General Description of Request (complete the following)

(Existing Z) PROPERTY HAS TEMPORARY ZONING, CHANGING TO PERMANENT AS NOT ABLE TO DO REMODEL/ADDITION ON EXISTING HOUSE WITH TEMP ZONING
 Subject Property Information: (complete the following)
5807 PEPPERPORT LN DOUBLE OAK 75022
 (General location, street address if known; if not known, provide name of street fronting property and name and distance to nearest cross street)

NORTH SHILOH ADDN (Subdivision Name) _____ (Lot #) BK TR3 (Block #)
AG1 (TEMPORARY ZONING) (Existing Zoning) AG2 (Proposed Zoning)

- 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.

 APPLICANT'S SIGNATURE _____ DATE 2022
Jacqueline Howard
 RECEIVED BY _____ DATE RECEIVED 4/22/22

***** For Office Use Only *****			
Paid: \$ <u>250</u>	Receipt #:	Date: <u>4/22/22</u>	
Application Complete: <u>Y/N</u>			
Date to appear before:	P&Z: <u>5/25/22</u>	TC: <u>6/6/22</u>	BOA: <u>—</u>

PLEASE COMPLETE THE INFORMATION REQUIRED FOR THE PERMIT REQUESTED
 Visit <http://www.double-oak.com> for ordinance information.

Mark and Jacqueline Howard
5807 Pepperport Ln
Double Oak, TX
75022

Town of Double Oak
320 Waketon Road
Double Oak, TX
75022

To whom it may concern

RE Rezoning our property at 5807 Pepperport In Double Oak from AG1 to AG2

We have been advised that our property is currently zoned AG1, which is a temporary zoning for properties under 3 acres with no residences allowed. I am not sure how the property received this zoning as I sure it was done in error as our property is over 10 acres and has a 4700sqft residence which was built in 1976. We made enquiries as we would like to remodel and add onto the existing house and were informed that we would not be able to submit plans as the property has a temporary zoning which does not allow residences.

As you can see there is a bit of a situation as the property already has a residence. That being said, we would like to resolve this problem, we have thus submitted a rezoning request to rezone to AG2, which we have been advised is for Agriculture properties over 3 acres with a residence.

If you have any further questions or advice, I can be contacted on 214-493-0755 or 214-529-0755

Kind Regards



Jacqui and Mark Howard



Property ID: 6575

NORTH SHILOH ADDN BLK TR 3(NE CORN), 4 ACRES 10.08

[View Detailed Property Information](#)
[View Plat](#)

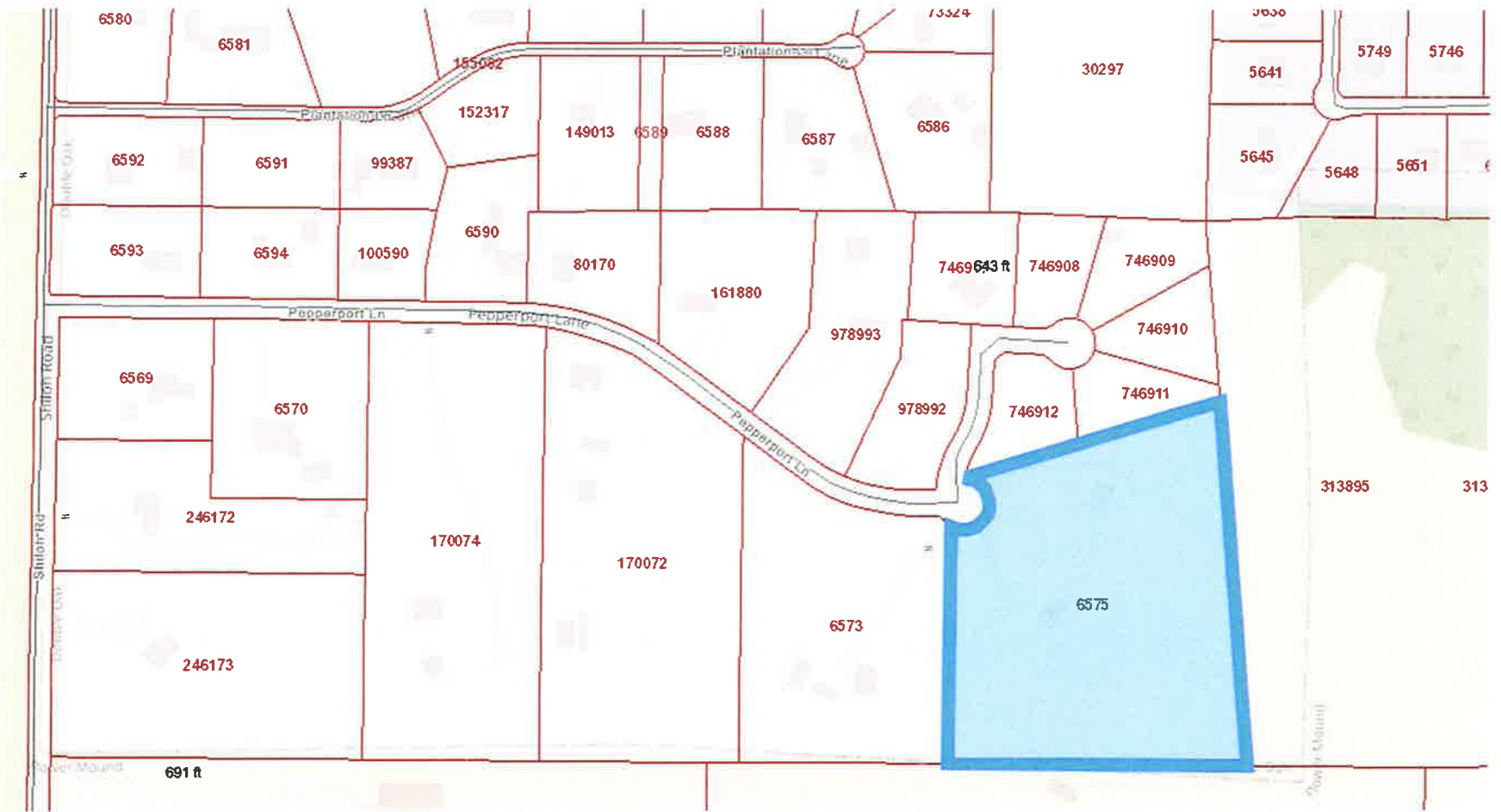
Property Address

5807 PEPPERPORT LN
DOUBLE OAK, TX 75022-3166

Ownership Information

HOWARD, MARK & JACQUELINE
REVOCABLE TRUST
5807 PEPPERPORT LN,
FLOWER MOUND, TX, 75022-3166

[Zoom to](#)



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.



Town of Double Oak

320 Waketon Road
Double Oak, Texas 75077
Phone: (972)539-9464



The Manns
2406 Mona Vale Road
Roanoke TX 76262

Notice of Public Hearing Town of Double Oak

The Planning and Zoning Commission for the Town of Double Oak will conduct a public hearing at 7:00 p.m. on May 25, 2022 at Double Oak Town Hall, 320 Waketon Road to hear public comment regarding a request to change the zoning from Agriculture 1 to Agriculture 2 on land situated in the Town of Double Oak, Denton County, Texas and being known and described as North Shiloh Addition, Block TR 3 (NE Corn) or 5807 Pepperport Lane.

A second public hearing will be held at Double Oak Town Hall by the Town Council at 7:00 p.m. on June 6, 2022 to hear public comment regarding the zoning change request.

All interested parties are encouraged to attend.

Lynn Jones
Assistant Town Secretary



Town of Double Oak

320 Waketon Road
Double Oak, Texas 75077
Phone: (972)539-9464



Andrew & Tiffany Walling
5804 Pepperport Court
Flower Mound TX 75022

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Lynn Jones
Assistant Town Secretary



Town of Double Oak

320 Waketon Road
Double Oak, Texas 75077
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Reid & Alexi Bassinger
5805 Pepperport Court
Flower Mound TX 75022

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Lynn Jones
Assistant Town Secretary



Town of Double Oak

320 Waketon Road
Double Oak, Texas 75077
Phone: (972)539-9464



Steve Armstrong
PO Box 1195
Argyle TX 76226

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Lynn Jones
Assistant Town Secretary



Town of Double Oak

320 Waketon Road
Double Oak, Texas 75077
Phone: (972)539-9464



Gary & Victoria Hayes
5907 Pepperport Lane
Flower Mound TX 75022

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Lynn Jones
Assistant Town Secretary



Town of Double Oak

320 Waketon Road
Double Oak, Texas 75077
Phone: (972)539-9464



Mark & Jacqueline Howard
5807 Pepperport Lane
Flower Mound TX 75022

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All interested parties are encouraged to attend.

Lynn Jones
Assistant Town Secretary

DENTON RECORD-CHRONICLE
P.O. BOX 369
DENTON TX 76202
(940)566-6800

ORDER CONFIRMATION

Salesperson: Legals Denton

Printed at 05/02/22 13:13 by plaga-dm

Acct #: 18211

Ad #: 44695

Status: New WHOLD

DOUBLE OAK TOWN OF
TOWN HALL
320 WAKETON ROAD
LEWISVILLE TX 75077

Start: 05/06/2022 Stop: 05/06/2022
Times Ord: 1 Times Run: ***
STD9 1.00 X 33.00 Words: 132
Total STD9 33.00
Class: 9005 DP LG LEGALS
Rate: CLLLG Cost: 29.10
Affidavits: 1

Contact:

Phone: (972)539-9464

Fax#:

Email: lynn.jones@doubleoak.texas.g

Agency:

Ad Descrpt: NOTICE OF PUBLIC HEARING
Given by:

P.O. #: LYNN JONES

Created: plaga 05/02/22 13:11

Last Changed: plaga 05/02/22 13:13

URL: _____

Source: _____

Camera Ready: N

Misc: _____

Color: _____

Proof: _____

Delivery Instr: _____

Changes: None ___ Copy ___ Art ___ Size ___ Copy Chg Every Run ___

Coupon: _____

Ad Copy Method: _____

Special Instr: _____

Section: CLASSIFIED Page: ___
Group: _____ AdType: CLASS

Pickup Date: _____ Ad#: _____

Pickup Src: _____

Gang Ad #: _____

COMMENTS:

LGL - Notice of Public Hearing

PUB ZONE EDT TP RUN DATES

DRMC A 95 S 05/06

DWRC A 84 S 05/06

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Name (print or type)

Name (signature)

(CONTINUED ON NEXT PAGE)

DENTON RECORD-CHRONICLE
P.O. BOX 369
DENTON TX 76202
(940) 566-6800

ORDER CONFIRMATION (CONTINUED)

Salesperson: Legals Denton

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Status: New WHOLD WHOI

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Town of Double Oak**

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Assistant Town Secretary

drc 05/06/2022