



AGENDA

PLANNING AND ZONING AUGUST 22, 2019 @ 7:00 P.M.

Notice is hereby given; the Planning and Zoning Commission for the City of Parker will hold a Regular Meeting on Thursday, August 22, 2019 at 7:00 P.M. at Parker City Hall, 5700 E. Parker Road, Parker, Texas 75002.

CALL TO ORDER – Roll Call and Determination of a Quorum

PLEDGE OF ALLEGIANCE

AMERICAN PLEDGE: I pledge allegiance to the flag of the United States of America; and to the republic for which it stands, one nation under God, indivisible with liberty and justice for all.

TEXAS PLEDGE: Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

PUBLIC COMMENTS The Commission invites any person with business before the Commission to speak. No formal action may be taken on these items at this meeting. Please keep comments to 3 minutes.

INDIVIDUAL CONSIDERATION ITEMS

1. PUBLIC HEARING FOR A SPECIAL USE PERMIT FOR THE PROPERTY LOCATED AT 5508 GREGORY LANE IN THE 5500 BLOCK OF GREGORY FOR STEVE AND LINDA LOOP.
2. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON A SPECIAL USE PERMIT FOR THE PROPERTY LOCATED AT 5508 GREGORY LANE IN THE 5500 BLOCK OF GREGORY FOR STEVE AND LINDA LOOP.

ROUTINE ITEMS

3. FUTURE AGENDA ITEMS
4. ADJOURN

In addition to any specifically identified Executive Sessions, the Planning and Zoning Commission may convene into Executive Session at any point during the open meeting to discuss any item posted on this Agenda. The Open Meetings Act provides specific exceptions that require that a meeting be open. Should Commission elect to convene into Executive Session, those exceptions will be specifically identified and announced. Any subsequent action, as a result of this Executive Session, will be taken and recorded in open session.

I certify that this Notice of Meeting was posted on or before August 16, 2019 by 5:00 p.m. at the Parker City Hall.

Date Notice Removed

Patti Scott Grey, City Secretary

The Parker City Hall is Wheelchair accessible. Sign interpretations or other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Secretary's Office at 972-442-6811.



Agenda Item

Item 1 & 2
C/Sec Use Only

Budget Account Code:	Meeting Date: August 22, 2019
Budgeted Amount:	Department/ Requestor: P&Z Commission
Fund Balance-before expenditure:	Prepared by: ACA/CS Scott Grey Public Works Director Machado
Estimated Cost:	Date Prepared: August 9, 2019
Exhibits:	<ul style="list-style-type: none">1. Special Use Permit Application and Map2. Code of Ordinances §156.31 Agricultural. Open Space District.3. Previous SUP – Ord. No. 704, December 3, 20134. Public Hearing Notice, Collin County CAD map, and Verified list of residents

AGENDA SUBJECT

1. PUBLIC HEARING FOR A SPECIAL USE PERMIT FOR THE PROPERTY LOCATED AT 5508 GREGORY LANE IN THE 5500 BLOCK OF GREGORY FOR STEVE AND LINDA LOOP.
2. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON A SPECIAL USE PERMIT FOR THE PROPERTY LOCATED AT 5508 GREGORY LANE IN THE 5500 BLOCK OF GREGORY FOR STEVE AND LINDA LOOP.

SUMMARY

Please review the information provided.

POSSIBLE ACTION

Planning and Zoning (P&Z) Commission may direct staff to take appropriate action.

Inter - Office Use			
Approved by:			
Department Head/ Requestor:	<i>Patti Scott Grey</i>	Date:	08/15/2019
City Attorney:	<i>Brandon S. Shelby</i>	Date:	08/15/2019 via email
City Administrator:	<i>Gary Machado</i>	Date:	08/16/2019



PLEASE PRINT

RECEIVED

AUG 01 2019

CITY OF PARKER

City Received Date Stamp

APPLICATION FOR A SPECIAL USE PERMIT

The undersigned owner (contract owner) of property herein described hereby applies for a special use permit for the following described property:

- (1) Location of Property or Street Address:

5508 Gregor Lane

Existing Zoning: A - O

- (2) Legal Description of Property:

Property ID 2648688

Ryan Place, Lot 3D; Amended

D2 (Farm & Ranch Imps on Qualified Ag Land)

- (3) Proposed Use of Property:

Common Stables

Riding Academy (Private)

(Ord. 156.3 Per section 2, F+G)

- (4) Development Schedule: Existing - Continuance

- (5) Desired Duration: Indefinitely

- (6) Attached are the checklist, plans, and LETTER OF INTENT: Yes No

No application for a special use shall be granted by the City of Parker unless the City Council shall find all of the following conditions are present:

1. That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.
2. That the uses, values, and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance, or operation of the special use.
3. That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. That adequate utilities, access roads, drainage, and other necessary site improvements have been or are being provided.
5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
6. That the special use shall conform to all applicable regulations of the district in which it is located.

I own X lease this property.

I, the undersigned applicant, have reviewed the above standards and to the best of my knowledge this proposed special use complies with the standards for special use.

Respectfully submitted,

Steve + Linda Loop
D.B.A. Rim Rock Stables, LLC



Applicant Signature

Steve Loop

Printed Name


Applicant Signature

Linda Loop

Printed Name

Address: 5508 Gregory Ln

PARKER TX 75002

Phone: 210 287 5667

ADDITIONAL REQUIREMENTS:

Attach 12 copies of plat for the property containing the following information:

- a. North point, scale, and date
- b. Name and address of applicant, engineer, or surveyor
- c. Survey and abstract with tract designation
- d. Location of major and/or secondary thoroughfares located with or adjacent to property
- e. Location of existing or platted streets within and adjacent to property
- f. Location of existing rights-of-way, utility/drainage easements

Fees:

- a. The fee for a Special Use Permit before the Planning & Zoning Commission is (See Fee Schedule).
- b. The fee for a Special Use Permit before The City Council is (See Fee Schedule).

FEES ARE NON-REFUNDABLE, IN THE EVENT THE APPLICATION FOR SPECIAL USE PERMIT IS DENIED.

Timing:

Within twenty days of receipt of completed application and appropriate fee, a public hearing will be scheduled before the Planning and Zoning Commission, after notification of all property owners within 200 feet of the property has been duly accomplished. Additional notifications may be made at the discretion of the City Administrator.

The Planning and Zoning Commission will make a recommendation to the City Council for either approval, approval with conditions, or denial.

Applications that receive a recommendation for approval, or approval with conditions by the Planning and Zoning Commission, will then be scheduled for a Public Hearing before the Parker City Council, after notification of all property owners within 200 feet of the property has been duly accomplished. Additional notifications may be made at the discretion of the City Administrator.

The final authority for approval is with the City Council of the City of Parker.

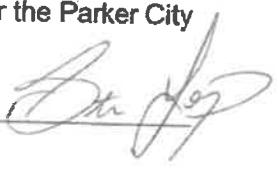
Applications that have been denied by the Planning and Zoning Commission may be appealed to the Parker City Council.

The Special Use Permit is not permanent zoning, and may be brought before the governing body of the city for a compliance review at any time.

The City may seek the issuance of an administrative search warrant in the event probable cause exists to review compliance with the city ordinances and the requirements of the SUP. Such warrants may be issued in the discretion of the court after a review of the evidence."

NO HEARING WILL BE SCHEDULED UNTIL APPROPRIATE FEES HAVE BEEN PAID.

All the requirements and fees of this application are hereby submitted to the City Secretary, City of Parker, Texas, as required for a Special Use Permit. I (we) understand that in the event this application is denied by either the Parker Planning and Zoning Commission or the Parker City Council, the fees submitted herewith are not to be refunded.

7/31 Steve Loop - DBA Rim Rock Stables, LLC 
DATE APPLICANT

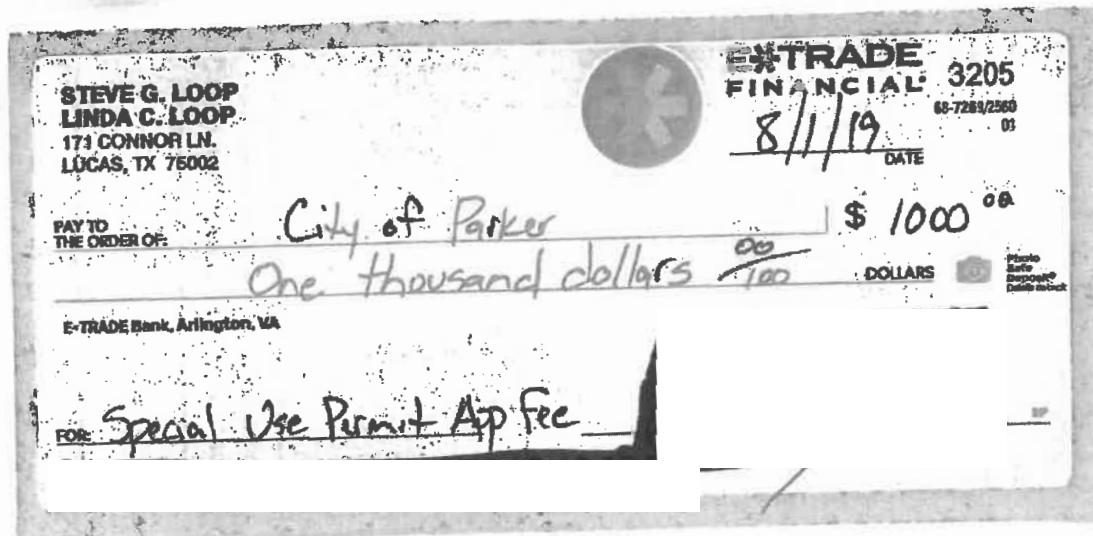
7/31 Linda Loop - DBA Rim Rock Stables, LLC 
DATE APPLICANT

DATE RECEIVED

CITY OF PARKER

\$1000 Vicky Ganger 8/1/19
AMOUNT OF FEE RECEIVED WITH INITIAL
APPLICATION

Redact



City of Parker
Cashier asystadmin
At Front Desk

8/1/19 9:01am 28288

From: STEVE LOOP
171 CONNOR LN
LUCAS
TX, 75002

CR 5508 GREGORY L 1000.00
STEVE LOOP

Receipt total 1000.00

CHECK 3205 1000.00

Change Due 0.00

Thank You and Have a Nice
Day

NAMES AND ADDRESSES OF ALL ADJACENT PROPERTY OWNERS (IN EVERY DIRECTION) WITHIN 200 FEET OF THE PROPERTY:

IMPORTANT NOTE: IT IS THE RESPONSIBILITY OF THE APPLICANT TO PROVIDE COMPLETE AND TOTAL NAME AND ADDRESSES TO THE CITY ADMINISTRATOR.

THIS INFORMATION IS A PART OF THE APPLICATION FOR A SPECIAL USE PERMIT.

FAILURE TO COMPLETE THIS PORTION OF THE APPLICATION WILL RESULT IN THE APPLICATION BEING RETURNED AS INCOMPLETE.

1. Alicia + Esmail Porsa 5510 Gregory Ln - Lot 3A
2. Joe + Jeanne Vielock 5504 Gregory Ln
3. Trejo + Mayra Valentin 5600 Gregory Ln
4. 38 Champs LLC 1412 Sussex Dr, Plano 75075
↳ 13.21 Acres North side of Gregory Ln. Property ID. Z120469
6. HARRINGTON / TURNER Enterprises Hogg Rd Parker, TX 75002
7. Property to the south. Tract 12, 40.477 acres
- 8.
- 9.
- 10.
- 11.
- 12.
- 13.
- 14.
- 15.
- 16.
- 17.
- 18.
- 19.
- 20.

**CITY OF PARKER
SPECIAL USE PERMIT**

The City Council of the City of Parker hereby grants a Special Use Permit as follows:

APPLICANT: _____

PROPERTY: _____

USE PERMITTED: _____

EFFECTIVE DATE: _____ DURATION: _____

This permit is granted subject to the representations of applicant as presented in the application and letter of intent filed by applicant and attached hereto for all purposes, subject to the rules, regulations, and ordinances of the City of Parker and subject to the following special conditions:

The City of Parker reserves the right to cancel, modify, or suspend the permit granted herein should the City Council determine: (1) that any of the representations contained in the applicant's application or letter of intent are false, (2) that applicant has not timely performed applicant's obligations as represented in the application, letter of intent, or as contained in the special conditions, or (3) that applicant has been found to be in violation of the ordinances of the City of Parker or any county, state, or federal regulations applicable to the subject property, applicant, or the activity conducted.

CITY OF PARKER

ATTEST:

Mayor

City Secretary

City of Parker

Special Use Permit Application – 5508 Gregory Lane Lot 3B

Submitted by Steve and Linda Loop, DBA Rim Rock Stables, LLC

New Owners effective 6/3/2019

Lease back to previous owner completed 7/21/2019

INDEX

1. Executive Summary
2. Horse Facilities and Usage
3. Homesite Location (for context only)

1) Executive Summary:

Thank you to the City of Parker and the Planning and Zoning Commission for review and consideration of our Special Use Permit application for 5508 Gregory Lane. Every effort was made in advance of this application to research the ordinances, policies, history, and required process to provide a comprehensive and transparent application to the City. During our early consideration to purchase the property, I was able to pre-socialize our plans in February with Building Planner, Gary Machado. Upon this favorable and non-binding review, we proceeded with our purchase.

We (Steve and Linda) moved to North Texas in 2008 from San Antonio as part of a relocation with AT&T. We have raised our 3 children during that time in Lucas, graduating 2 from college since then and our youngest ready to finish his senior year at LoveJoy High School. We have been horse owners for over 15 years which has been a life passion for Linda along side her successful nursing career. Our church, friends, careers, and love for this horse-friendly community are the primary factors for this long-term investment in Parker. When we found 5508 Gregory for sale in Parker less than 3 miles from our current homes in Lucas, we fully committed. We secured a contract for Gregory Lane, immediately sold both our primary residence as well as our separate rental house / horse property. We have moved into a rental home in Lucas while we build, extremely motivated to consolidate our house and horse dreams to one location in Parker, Texas!

This Special Use Permit request addresses our intent to continue the Horse activities which have been underway on the property. In parallel, we are submitting a New Home application in August to establish our homestead. We express our commitment to the following principles in which this SUP request is anchored:

- Compliance and Alignment with City of Parker, TX because of its self-stated commitment to fine “country living” and “farming and animal husbandry roots”.
- Continued Investment, Maintenance, and Aesthetic improvements which are critical to improving personal and community property values
- Mutual Respect of community and neighbors, right to privacy, with minimal imposition
- Positive contribution to the history of Parker and surrounding horse communities

2) Horse Facilities and Usage:

This SUP request reflects our intended use of the property which includes:

- a) personal enjoyment and care of our horses
- b) Horse breeding, raising, training, sale activities for compliance with Collin County Ag Exemption requirements
- c) Small-scale boarding (Common Stables) and facilities use (Riding Academy (Private)) to other private horse owners (156.31, section 2, F & G.)

Our primary focus is the personal enjoyment of our horses, the facilities, and new home on the property. The following content is to demonstrate our understanding and compliance with City ordinances and sensitivity to the neighboring community.

(2) *The minimum lot size for large animals is 1.8 net acres. For each lot, the portion of the lot in excess of one-half acre is determined to be the net grazing area. A person may keep large animals in accordance with the following:*

(a) *One large animal per one-half acre of net grazing area, when each animal is provided a fully enclosed stall inside a barn, suitable for the large animal's care and feeding, accessible by the animal and not used for storage or other use.*

- 1) The net grazing area of our 7.35 acre lot is 6.85 acres. That provides a maximum large animal capacity of 13 horses. The barn has 19 fully enclosed stalls which exceeds required capacity for keeping 13 horses.
- 2) We have taken appropriate measures upon ownership of the property to reduce the number of horses to compliant levels.
- 3) Manure control will be aggressively handled with a combination of
 - a. Regular deployment of Fly Predators which feed on fly larvae
 - b. Haul-off as required
 - c. Proper use of manure spreader for composting of soil.

3. Homesite (See Diagram 1 in the appendix for support)

New home application will be submitted separately this August. Homesite location on (Lot 3B) will have ample separation from the neighbors directly in front of us (Lot 3A). There would be a minimum of 550 feet of separation between the back of their home and the front of ours. A setback variance will be requested from the west-property line to the house location. This will be requested in the home application.

(C) *Building setbacks; A-O. No structure shall be constructed within 100 feet of any property line.*

The purpose of placing the homesite here is to:

- 1) Minimize the impact on usable horse property.
- 2) Improve aesthetics from the road by partially blocking view of horse facilities with an attractive home elevation
- 3) Provide optimal ingress/egress to residence's side-entry garage from driveway.

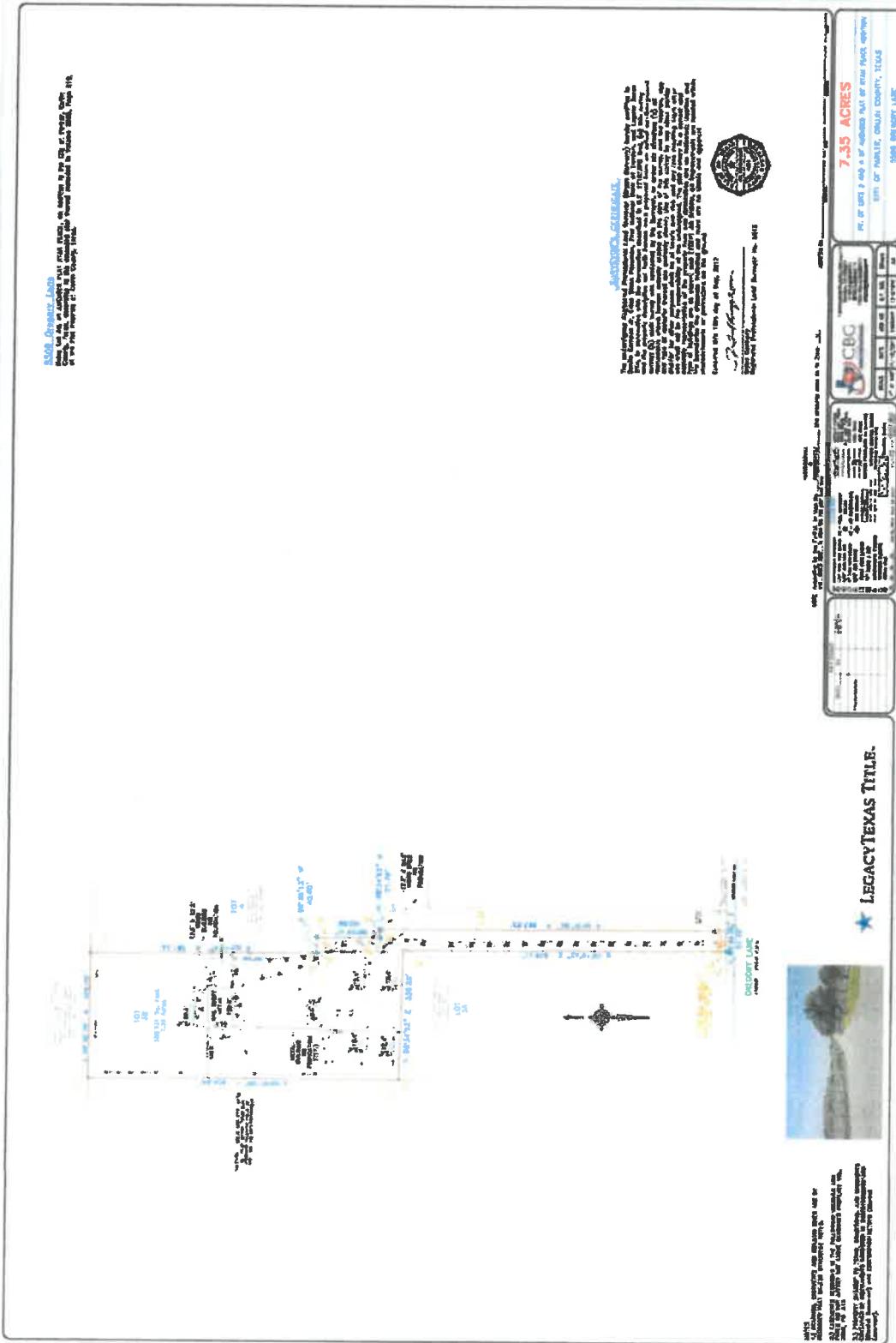
Close date on the property was June 3, 2019 and lease-back to previous owners terminated on July 21st.. We have contracted with a builder (Texas Vinyard Homes) and selected final house plans. The home will be 3500 sq ft. All of the formal building applications, plan submissions, and permits will be secured this August, targeting early spring of 2020 for home completion.

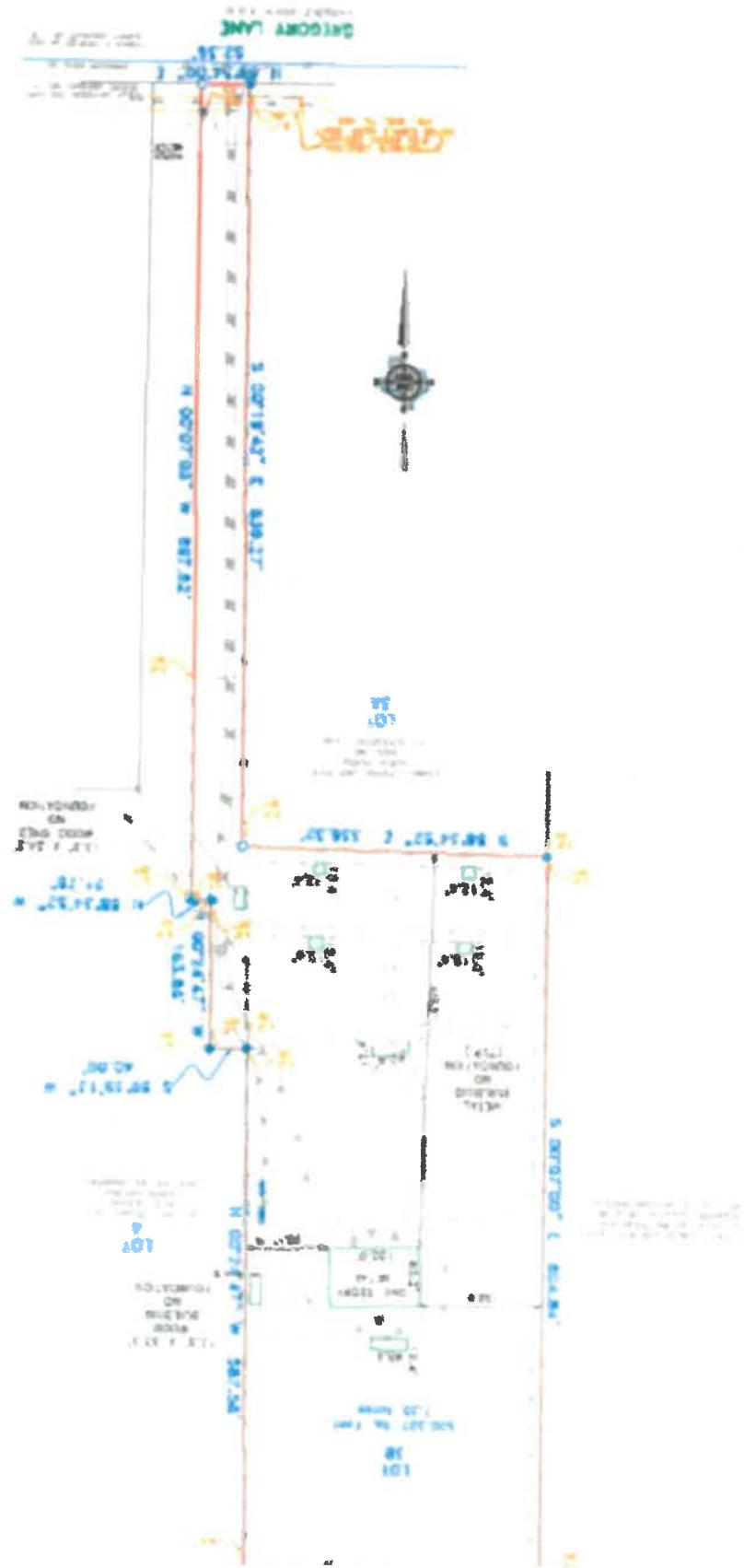
Thank you for your consideration of our request!

Steve and Linda Loop

Steve and Linda Loop
DBA Rim Rock Stables, LLC
5508 Gregory Lane
SUP Proposal

Aug 1, 2019

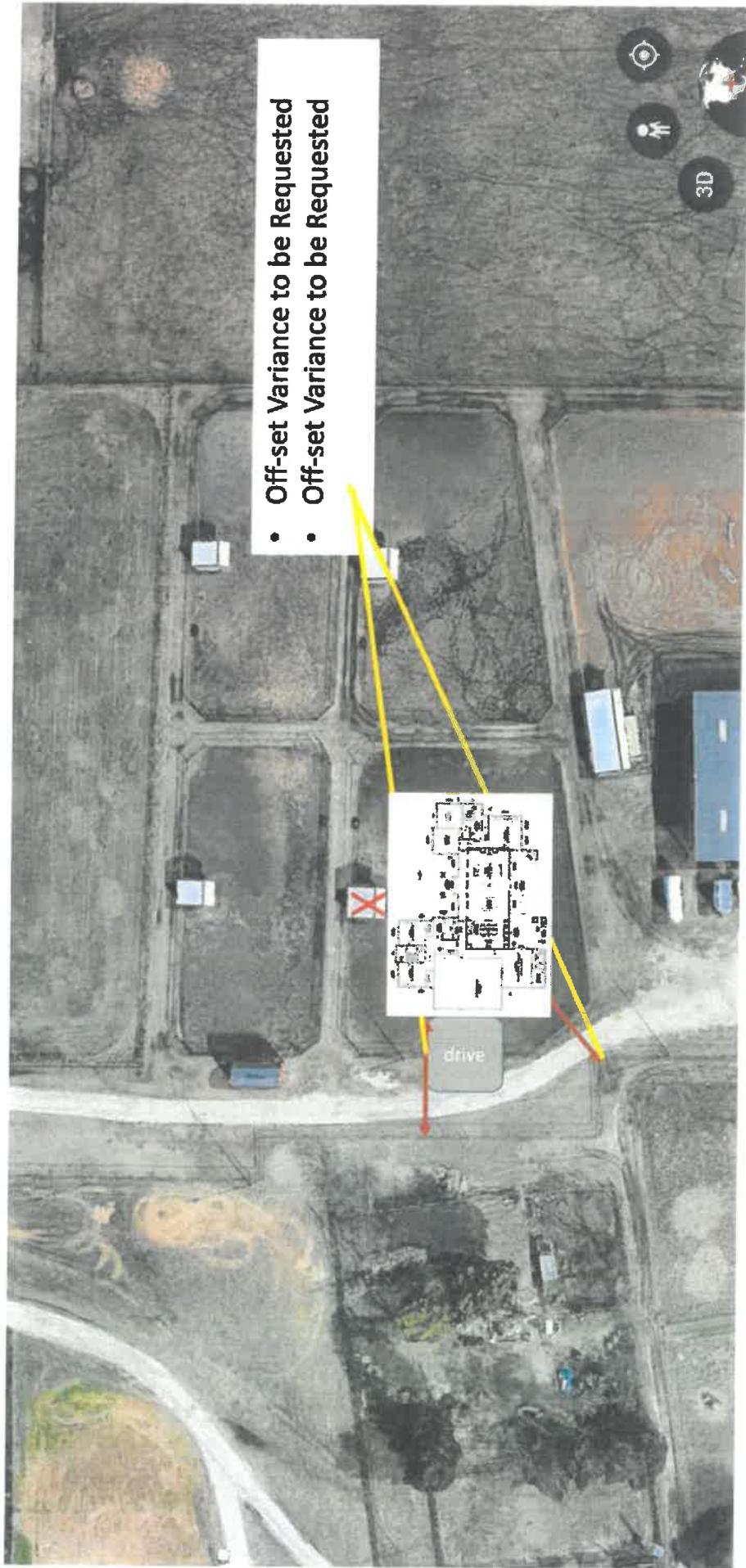




5508 Gregory Lane: Currently

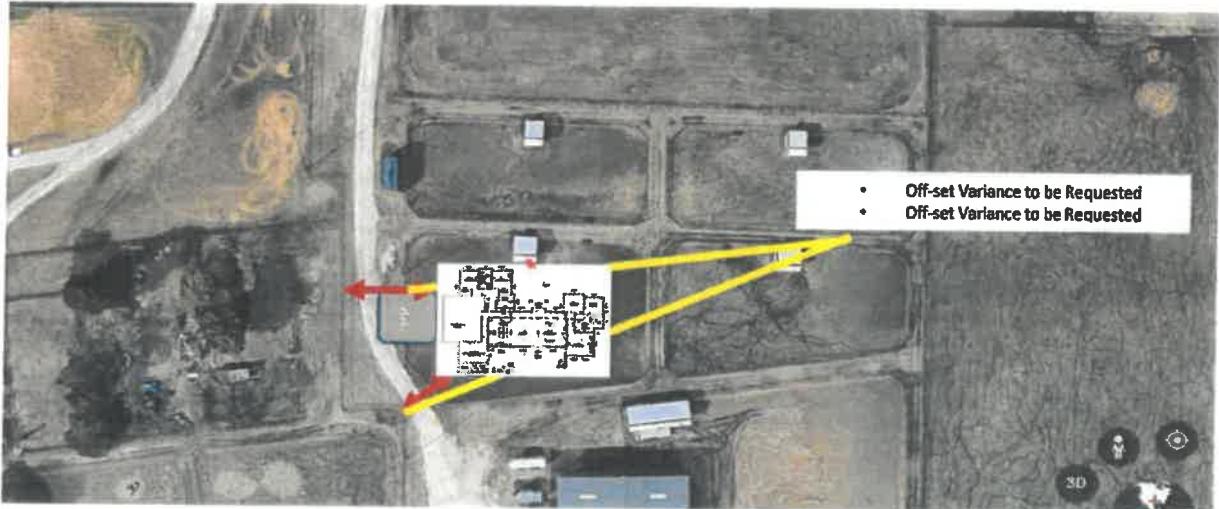


Homesite and Off-set Variance



Appendix:

DIAGRAM 1



§ 156.31 AGRICULTURAL-OPEN SPACE DISTRICT.

(A) *Purpose; A-O.* The agricultural-open space (A-O) use district includes lands within the corporate limits of the city which are not subdivided and are relatively undeveloped. This use district is designed to promote continued agricultural activities and to provide open space.

(B) *Uses; A-O.*

(1) *Permitted uses.*

- (a) Barn or stable for keeping private animal stock;
- (b) Agriculture;
- (c) Farm;
- (d) Pasturage;
- (e) Single-family residence;
- (f) Home occupation; and
- (g) Accessory buildings.

(2) *Conditional uses; special use permit required.* The following uses may be applied for by filing a request for a special use permit and upon notice of hearing and receiving approval of the Council in its discretion:

- (a) Tower structures exceeding 25 feet in height;
- (b) Golf course;
- (c) Accessory dwelling;
- (d) Rodeo;
- (e) Grain elevator;
- (f) Common stables; and
- (g) Riding academy (private).

(C) *Building setbacks; A-O.* No structure shall be constructed within 100 feet of any property line.

(D) *Special requirements; A-O.* Any single building constructed within this A-O district shall conform to all area requirements and building regulations as required by the single-family residential district (SF), unless otherwise specified in this classification.

(1) No mobile homes or HUD-Code manufactured homes shall be permitted.

(2) No property qualifies for A-O district unless it has 5 acres in contiguous tracts under single ownership.

(Ord. 483, passed 6-6-2000) [Penalty, see § 156.99](#)

§ 156.32 SINGLE-FAMILY RESIDENTIAL DISTRICT.

(A) *Purpose; SF.* The purpose of this classification is to provide for single-family residential development that is most consistent with the general desires of the community.

(B) *Uses; SF.*

(1) *Permitted uses.*

- (a) Single-family residence;
- (b) Accessory buildings; and
- (c) Home occupation.

(2) *Conditional uses; special use permit required.* The following uses may be applied for by filing a request for a special use permit and upon notice of hearing and receiving approval of the Council in its discretion:

- (a) Accessory dwelling;
- (b) Large animal activities; and
- (c) Large animals other than horses or cattle on the premises.

(C) *Lot size requirements; SF.*

(1) *Minimum lot size.* The minimum lot size shall be 2.0 acres net (87,120 square feet).

(2) *Maximum lot coverage.* The maximum lot coverage shall be no more than 20%. This is inclusive of all structures. For a 2-acre lot, this is a maximum of 17,424 square feet.

(3) *Nonresidential structures; maximum lot coverage.* No more than 10% of the total lot area may be accessory buildings.

(4) *Minimum lot width at front lot line.* The minimum lot width at the street frontage of any lot shall be 200 feet for straight streets. On curved streets and cul-de-sacs, the minimum lot width at the front lot line is determined by the effective radius of curvature, R, measured in feet, of the right-of-way boundary as follows. The width (W) shall be at least:

$$W = 70 - (400 / R) \text{ feet}$$

In this formula, R shall be no less than 40 feet.

(5) *Minimum lot depth.* The minimum lot depth shall be 300 feet measured from the closest straight line distance between the front property line and the rear property line.

(D) *Bufferyards; SF.* Bufferyards are not required for the single-family zoning classification. If a bufferyard is to be incorporated into the development, the following conditions shall apply.

(1) The bufferyard setback shall contain at least 1 tree per 20 linear feet in order to calculate the total number of trees. If hardy native or adapted trees currently are growing in the area of this bufferyard setback, retention of these trees is preferred over transplanting new trees in the bufferyard. Each planted tree shall be a native or adapted species and of a variety normally

considered hardy for the type of soil contained in the bufferyard. Naturally grouped plantings are recommended. New trees shall be from the required tree list. Tree plantings must be completed and established prior to the city's issuance of a certificate of occupancy.

(2) The bufferyard shall be included as a part of the property to be maintained by the homeowners association, or owner of the lot.

(E) *Building setbacks; SF.* The following setbacks are the minimum requirements. Distances indicated are exclusive of public or private motor vehicle easements or rights-of-way.

(1) *Front setback.* The minimum front setback for any structures on the lot shall be 100 feet from the closest point of the front property line. No 2 adjacent houses shall have the same front building line. The front building line of all adjacent houses shall vary by at least 5 feet.

(2) *Side setback.* The minimum side setback shall be 40 feet from the closest point of the side property line.

(3) *Side setback at corner.* The minimum side setback for any structures on a lot located on a corner shall be the same as the front setback on the side closest to the adjacent street. 2-acre lots: 100 feet.

(4) *Rear setback.* The minimum rear setback for any structures on the lot located on a corner lot shall be 50 feet from the closest point of the rear property line.

(F) *Building regulations; SF.*

(1) *Single-family residence.*

(a) *Minimum living space.* There shall be a minimum of 2,500 square feet of air-conditioned living space.

(b) *Building materials.*

1. *First floor elevation.* Not less than 90% of the exterior materials used on the first floor elevation shall be brick or stone, exclusive of doors and windows.

2. *Total elevation.* Not less than 75% of the exterior materials used on the entire elevation, including the first floor elevation, shall be brick or stone, excluding doors and windows.

3. *Brick or stone; alternatives.* Portland cement, plaster, or exposed aggregate plaster type finish material for elevations may be permitted in lieu of brick or stone, with the approval of the Building Official that these materials and their application conform to the requirements of the Uniform Building Code, Building Code Handbook, and other pertinent ordinances in the city.

(c) *Maximum height.*

1. The maximum height for the primary residence shall be 2 stories above ground level, not to exceed 35 feet above finished floor elevation, excluding architectural treatment elements.

2. Architectural treatment elements are not to exceed 40 feet above finished floor elevation.

(2) *Accessory buildings.* Refer to § [156.37\(N\)](#).

(3) *Accessory dwellings.* Accessory buildings to be used for living purposes may be constructed only after the issuance of a special use permit.

(a) *Minimum living space.* There is no minimum living space requirement.

(b) *Building materials.*

1. *First floor elevation.* Not less than 90% of the exterior materials used on the first floor elevation shall be brick or stone, exclusive of doors and windows.

2. *Total elevation.* Not less than 75% of the exterior materials used on the entire elevation, including the first floor elevation, shall be brick or stone, excluding doors and windows.

3. *Brick or stone; alternatives.* Portland cement, plaster, or exposed aggregate plaster type finish material for elevations may be permitted in lieu of brick or stone, with the approval of the Building Official that these materials and their application conform to the requirements of the Uniform Building Code, Building Code Handbook, and other pertinent ordinances in the city.

(c) *Maximum height.* The maximum height for any accessory buildings shall be 2 stories above ground level, not to exceed the height of the primary residence.

(G) *Garages; SF.* No garage shall open to the front of a lot or to the side street in a corner lot.

(H) *Trees and drainage; SF.*

(1) *Existing trees and drainage.* All existing trees and drainage ways shall be noted on the conceptual site plan submitted with the zoning application. Trees to be added or removed shall be designated on the site plan. A separate landscaping plan may be submitted with this conceptual plan.

(2) *Tree plantings.* All streets shall have rows of trees, of approved species, planted along street sides outside of the right-of-way, at an average of 50 feet on center. Non-uniform planting of trees is encouraged.

(I) *Fences; SF.*

(1) *General restrictions.*

(a) No fences shall be permitted in front yard areas and side yards extending beyond the house facade on developments in the SF areas, except for lots of 2 acres or more.

(b) Fencing in side yard or back yard areas shall not exceed 6 feet, 0 inches in height. All fences shall be of open construction and not solid or near-solid fabric or surfacing. Open construction shall mean that each fence panel, when viewed from an elevation perspective at a perpendicular to that elevation, shall be constructed of materials that allow at least 50% of the surface area of each panel to provide for an open unobstructed view.

(c) The 50% open construction requirement for each fence panel is exclusive of columns and posts, which may be constructed of solid material including masonry or metal.

(d) Fencing columns, if used, shall not be more than 2 feet square on base, and not more than 6 feet in height. The columns shall not be closer together than 6 feet center to center.

(2) *Chain link fencing.* Chain link fences may not be used in the front yard. They cannot extend beyond the front building line of the primary dwelling on the lot. They cannot extend into the side setback on the street side of a corner lot. It is preferred that chain link fence be black or green vinyl coated rather than galvanized.

(3) *Privacy fencing.* Privacy fences are permitted around swimming pool areas, subject to the following:

(a) The fence must be built with the finished side facing the exterior of the lot; and

(b) The privacy fence must not be built farther than 30 feet from the side of the pool. The side of the pool is defined as where the water's edge meets the side of the pool, not the outside edge of the pool decking, if any.

(4) *Inspection and maintenance.* When any fence is completed, it must be inspected. The Building Inspection Department shall be notified upon completion of the fence. The Chief Building Official will issue a card of acceptance if the fence complies with the provisions of this section, or it will be rejected. All fences constructed under the provisions of this section shall be maintained so as to comply with the requirements of this section at all times. Fences shall be maintained by the owner or person in charge of the property in as near as possible the condition of the fence when installed and accepted as provided herein, and shall be maintained as follows:

(a) The fence shall not be out of vertical alignment more than 20%; and

(b) All damaged, removed, or missing portions of the fence shall be replaced or repaired with comparable materials of a comparable color to the remaining portions of the fence.

(5) *Materials.*

(a) *Permitted materials.* Materials permitted are wood, concrete, masonry, chain link, wrought iron, metal tubing, vinyl, fiberglass composite, barbed wire, or other materials approved by the Building Official for exterior exposure as fence material.

(b) *Prohibited materials.* Materials prohibited are razor ribbon, sheet metal, corrugated steel and fiberglass panel, plywood, or any other similar material manufactured for other uses.

(6) *Certain locations, construction prohibited.*

(a) *Within easements.* No fence shall be located within any easement except by prior written approval of those agencies having interest in that easement.

(b) *Electric fences.* No fence erected shall be electrically charged in a manner to be dangerous to humans.

(7) *Swimming pool enclosures.* A building permit is required for the construction of all swimming pools, and all pools and their associated safety fences shall be built according to the building code.

(Ord. 483, passed 6-6-2000; Am. Ord. 508, passed 7-10-2001; Am. Ord. 697, passed 8-6-2013) Penalty, see § [156.99](#)

ORDINANCE NO. 704
(Special Use Permit – Riding Academy (Private) – 5508 Gregory Lane)

AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE BY GRANTING A CHANGE IN ZONING TO GRANT A SPECIAL USE PERMIT FOR A RIDING ACADEMY (PRIVATE) IN AN AGRICULTURAL-OPEN SPACE DISTRICT (A-O) , IN THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AND BEING LOCATED AS SHOWN ON EXHIBIT “A” ATTACHED HERETO AND MADE A PART HEREOF, COMMONLY KNOWN AS 5508 GREGORY LANE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, In the year 2008, the City Planning Commission of the City of Parker and the governing body of the City of Parker, in compliance with the laws of the State of Texas and the ordinances of the City of Parker, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, the governing body, in the exercise of its legislative discretion, has concluded that the Comprehensive Zoning Ordinance and Map should be amended; and

WHEREAS, failure to follow the provisions of this Special Use Permit (“SUP”), and/or the applicable provisions of the City of Parker, Texas Code of Ordinances, may result in the termination of this SUP;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS:

SECTION 1. PROPERTY The zoning procedures for this accessory building originally took place in 2008, resulting in approval of a riding academy (private), as specifically proposed by the applicant, Jimmy Stockton. The original application was for a barn and a private riding arena. The facts and circumstances regarding the facilities since 2008 have been evaluated by the city council. It is the council’s determination that this Ordinance establishing conditions for this SUP effective the date of this Ordinance should be issued.

SECTION 2. SPECIAL USE PROVISIONS No application for, or permission has been granted for commercial activity on the property. The Council finds the base zoning of, Agricultural-Open Space (A-O), is still in effect for the property, subject to the terms of this Special Use Permit Ordinance. The Special Use Permit issued to the Applicant, Jimmy Stockton, does not run with the land, and may be terminated by the City Council after due notice and hearing upon any of the following:

A. Transfer of ownership or lease of all or any portion of the property described in Section 3 below, the “Property” to any other person.

B. Failure to comply with all applicable nuisance, health and safety, zoning and other applicable ordinances of the City combined with the failure to correct non compliance on 10 days notice from the City, or within 10 days of a finding of a violation of municipal ordinance by the Parker Municipal court.

SECTION 3. ZONING The Comprehensive Zoning Ordinance of the City of Parker, Texas, as heretofore amended, be, and the same is hereby amended to grant a change in zoning to grant an SUP for a "Riding Academy (private)", located at 5508 Gregory Lane, City of Parker, Collin County, Texas, and being located as shown on Exhibit "A", attached hereto and made a part hereof. The land is zoned of Agricultural-Open Space (A-O), as modified by this Special Use Permit.

SECTION 4. REPEALING CLAUSE With respect to the property described in Section 3, above, all provisions of the ordinances of the City of Parker, Collin County, Texas in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Parker not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 5. SEVERABILITY Should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudicated 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 thereof 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.

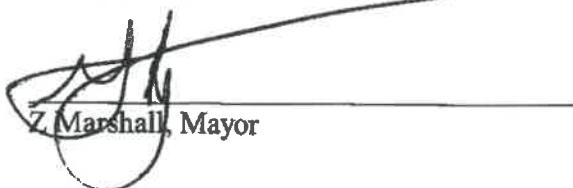
SECTION 6. PENALTY CLAUSE Any offense committed before the effective date of this Ordinance is governed by the prior law and provisions of the Code of Ordinances as amended, in effect when the offense was committed and the former laws continued in effect for this purpose. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Parker, 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 and constitute a separate offense.

SECTION 7. EFFECTIVE DATE This Ordinance shall take effect immediately from and after its passage and the publication of caption, as the law provides.

DULY PASSED by the City Council of the City of Parker, Texas, on the 27th day of October 2008, and having been reconsidered, and issued by Ordinance on this 2nd day of December, 2013.



APPROVED:


Z. Marshall, Mayor

ATTESTED:



Carrie Smith

Carrie Smith, City Secretary

APPROVED AS TO FORM:



James E. Shepherd

James E. Shepherd, City Attorney

Ordinance No. 704

(Special Use Permit – Riding Academy (Private) – 5508 Gregory Lane)

Attachment

Exhibit A: Application for Special Use Permit and legal description.



RECEIVED

SEP 24 2008

CITY OF PARKER

APPLICATION FOR A CONDITIONAL USE (SPECIFIC USE) PERMIT

DATE: 9-24-08

FEES PAID: \$300

Check #2093

The undersigned owner (contract owner) of property herein described hereby applies for a conditional use permit for the following described property:

(1) Location of Property or Street Address:

5508 Gregory Lane

Existing Zoning: A-O

(2) Legal Description of Property:

(3) Proposed Use of Property:

Barn & Riding Arena Private

(4) Development Schedule: ASAP

(5) Desired Duration: Indefinitely

(6) Attached is the checklist, plans, and LETTER OF INTENT:
✓ Yes No

No application for a conditional use shall be granted by the City of Parker unless the City Council shall find all of the following conditions are present:

1. That the establishment, maintenance, or operation of the conditional use will not be decremental to or endanger the public health, safety, morals, comfort, or general welfare.
2. That the uses, values, and enjoyment of other property in the

forseeable manner substantially impaired or diminished by the establishment, maintenance, or operation of the conditional use.

3. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. That adequate utilities, access roads, drainage, and other necessary site improvements have been or are being provided.
5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

I own lease this property.

I, the undersigned applicant, have reviewed the above standards and to the best of my knowledge this proposed conditional use complies with the standards for conditional use.

Respectfully submitted,

Applicant

Jimmy Stockton
Printed Name: Jimmy Stockton
Address: 10450 E. Summerlin Dr.
City: Concord Zip: 11730
Phone: 719 562 1637

ADDITIONAL REQUIREMENTS:

Attach 6 copies of plat for the property containing the following information:

- a. North point, scale, and date
- b. Name and address of applicant, engineer, or surveyor
- c. Survey and abstract with tract designation
- d. Location of major and/or secondary thoroughfares located with or adjacent to property
- e. Location of existing or platted streets within and adjacent to property
- f. Location of existing rights-of-way, utility/drainage easements

Fees:

- a. The fee for a Specific Use/CONDITIONAL USE BEFORE THE PLANNING & Zoning Commission is \$300.00.
- b. The fee for a Specific Use/CONDITIONAL USE BEFORE THE CITY COUNCIL is \$300.00.

FEES ARE NON-REFUNDABLE IN THE EVENT THE APPLICATION FOR SPECIFIC USE PERMIT IS DENIED.

Timing:

Within ten days of receipt of completed application and appropriate fee, a public hearing will be scheduled before the Planning and Zoning Commission, after notification of all property owners within 200 feet of the property has been duly accomplished. Additional notifications may be made at the discretion of the City Administrator.

The Planning and Zoning Commission will make a recommendation to the City Council for either approval, approval with conditions, or denial.

Applications that receive a recommendation for approval, or approval with conditions by the Planning and Zoning Commission, will then be scheduled for a Public Hearing before the Parker City Council, after notification of all property owners within 200 feet of the property has been duly accomplished. Additional notifications may be made at the discretion of the City Administrator.

The final authority for approval is with the City Council of the City of Parker.

Applications that have been denied by the Planning and Zoning Commission may be appealed to the Parker City Council.

NO HEARING WILL BE SCHEDULED UNTIL APPROPRIATE FEES HAVE BEEN PAID.

All the requirements and fees of this application are hereby submitted to the City Secretary, City of Parker, Texas, as required for a Specific Use/Conditional Use. I (we) understand that in the event this application is denied by either the Parker Planning and Zoning Commission or the Parker City Council, the fees submitted herewith are not to be refunded.

9-23-08

DATE

Ginni D. Stockton
APPLICANT

9-24-08

DATE RECEIVED

Victor Hargrave
CITY OF PARKER

ATTACHMENT (1)

AMOUNT OF FEE RECEIVED WITH INITIAL
APPLICATION

2531222

NAMES AND ADDRESSES OF ALL ADJACENT PROPERTY OWNERS (IN EVERY DIRECTION) WITHIN 200 FEET OF THE PROPERTY:

IMPORTANT NOTE: IT IS THE RESPONSIBILITY OF THE APPLICANT TO PROVIDE COMPLETE AND TOTAL NAME AND ADDRESSES TO THE CITY ADMINISTRATOR.

THIS INFORMATION IS A PART OF THE APPLICATION FOR A SPECIFIC/CONDITIONAL USE PERMIT.

FAILURE TO COMPLETE THIS PORTION OF THE APPLICATION WILL RESULT IN THE APPLICATION BEING RETURNED AS INCOMPLETE.

1. John & Cynthia Pratt 5600 Gregory Lane
2. Joe & Jeanne Vielock 5504 Gregory Lane
3. David & Margaret Henry 5408 Gregory Lane
4. Margaret Dinapoli P.O. Box 732, Sadler TX 76264
5. Mike Hall ?
6. LeeN. Hall & Brenda G 5400 Gregory Ln.
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____

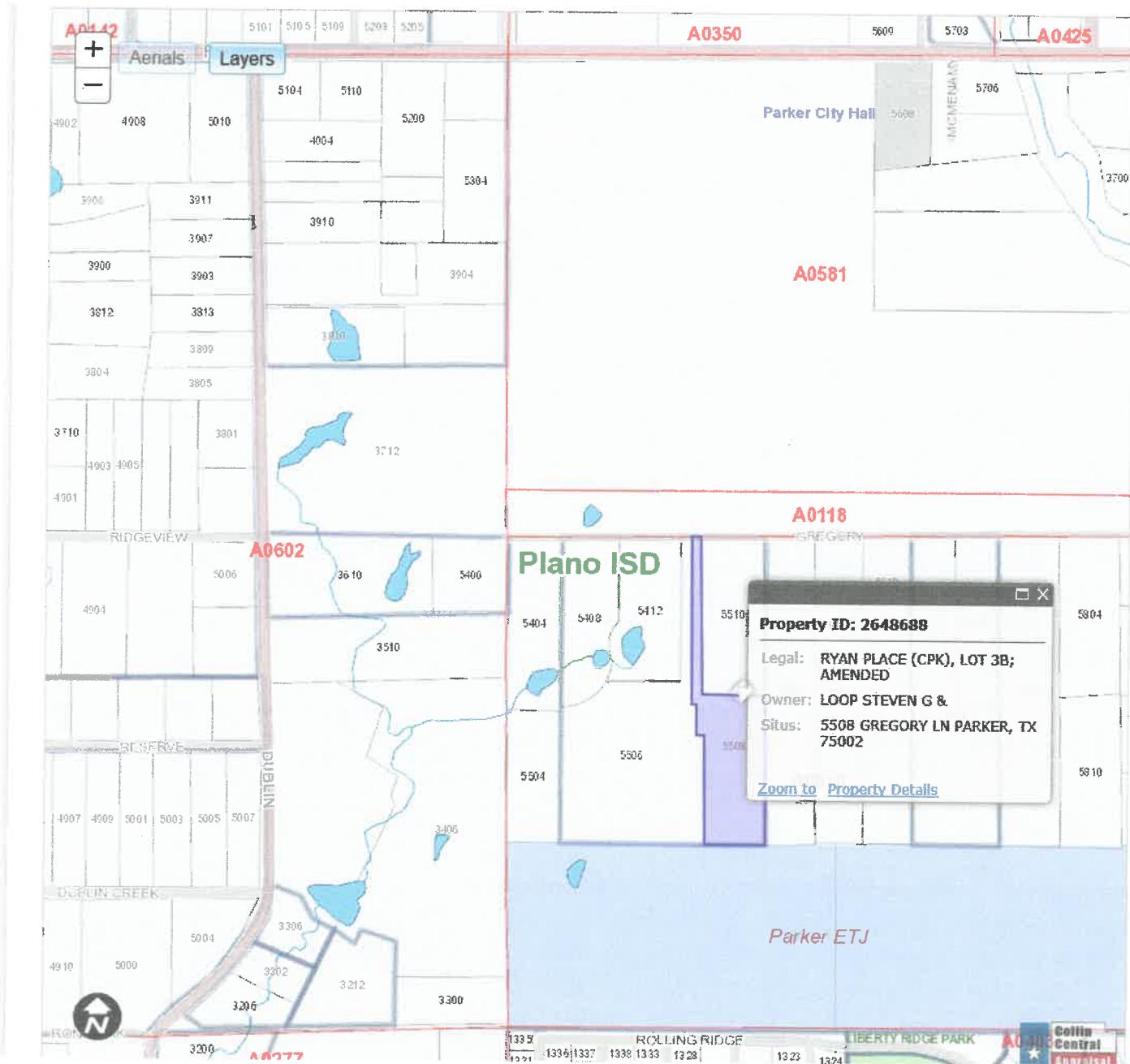
NOTICE OF PUBLIC HEARINGS

THE PLANNING AND ZONING COMMISSION FOR THE CITY OF PARKER WILL HOLD PUBLIC HEARINGS ON THURSDAY, AUGUST 22, 2019 AT 7:00 P.M. THE HEARINGS WILL BE HELD AT THE PARKER CITY HALL, 5700 E. PARKER ROAD, PARKER, TEXAS 75002.

THE PURPOSE OF THIS HEARING WILL BE TO CONSIDER A REQUEST FOR A SPECIFIC USE PERMIT TO ALLOW FOR COMMON STABLES/RIDING ACADEMY (PRIVATE) IN AGRICULTURAL AND OPEN SPACE ZONING DISTRICT TO BE LOCATED AT 5508 GREGORY LANE, AS REQUESTED BY THE PROPERTY OWNERS, STEVE AND LINDA LOOP.

ALL INTERESTED PARTIES ARE INVITED TO ATTEND THESE HEARINGS AND EXPRESS THEIR COMMENTS CONCERNING THIS REQUEST. WRITTEN COMMENTS MAY BE MAILED TO PATTI SCOTT GREY, CITY OF PARKER, 5700 E. PARKER ROAD, PARKER, TEXAS 75002 OR EMAIL pgrey@parkertexas.us.

PATTI SCOTT GREY
CITY SECRETARY





NAMES AND ADDRESSES OF ALL ADJACENT PROPERTY OWNERS (IN EVERY DIRECTION) WITHIN 200 FEET OF THE PROPERTY:

IMPORTANT NOTE: IT IS THE RESPONSIBILITY OF THE APPLICANT TO PROVIDE COMPLETE AND TOTAL NAME AND ADDRESSES TO THE CITY ADMINISTRATOR.

THIS INFORMATION IS A PART OF THE APPLICATION FOR A SPECIAL USE PERMIT.

FAILURE TO COMPLETE THIS PORTION OF THE APPLICATION WILL RESULT IN THE APPLICATION BEING RETURNED AS INCOMPLETE.

1. Alicia + Esmacil Porsa 5510 Gregory Ln - Lot 3A
2. Joe + Jeanne Vielock 5506 Gregory Ln
3. Trejo + Mayra Valentin 5600 Gregory Ln
4. 38 Champs LLC 1412 Sussex Dr, Plano 75075
 ↳ 13.21 Acres North side of Gregory Ln. Property ID. 2120469
5. Harrington TURNER Enterprises Hedge Rd Parker, TX 75002
 ↳ Property to the south. Tract 12, 40.477 acres
- 6.
- 7.
- 8.
- 9.
10. 5412 Gregory Ln Maureen & Festus Machabuile
11. 5504 Gregory Ln Joe & Jeanne Vielock
12. 1412 Sussex Dr. Plano, TX. 75075 38 Champs LLC
13. 5510 Gregory Ln Esmacil & Alicia Porsa
14. 5600 Gregory Ln Valentin Jr. & Mayra Trejo
15. 3510 Dublin Rd. Harrington/Turner Enterprises LP
- 16.
- 17.
- 18.
- 19.
- 20.