

**TOWN OF ARGYLE, TEXAS  
ORDINANCE NO. 2019-05**

**AN ORDINANCE OF THE TOWN OF ARGYLE, TEXAS, AMENDING THE TOWN DEVELOPMENT STANDARDS AS HERETOFORE AMENDED; BY APPROVING AN AMENDED SPECIFIC USE PERMIT (SUP-19-001) FOR ARGYLE VET CLINIC, A PROPOSED VETERINARY CLINIC EXPANSION TO BE LOCATED AT 410 E FM 407, BEING LEGALLY DESCRIBED AS A 1.881-ACRE TRACT OF LAND SITUATED WITHIN THE S.A. CHAMBERS SURVEY, ABSTRACT NO. 308; IN THE TOWN OF ARGYLE, DENTON COUNTY, TEXAS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVING CLAUSE; PROVIDING INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, John F. Bitter, applicant and owner, has submitted an Amended Specific Use Permit application to the Town of Argyle for the purpose of expanding the Argyle Vet Clinic, a proposed veterinary clinic expansion to be located at 410 E FM 407, being legally described as a 1.881-acre tract of land situated within the S.A. Chambers Survey, Abstract No. 308; and

**WHEREAS**, the Town Council has appointed a Planning and Zoning Commission to consider and recommend modifications to the boundaries of the various original zoning districts and appropriate use regulations being enforced therein; and

**WHEREAS**, the Planning and Zoning Commission has given reasonable consideration to, among other things, the character of the districts and their suitability for particular uses and standards, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the Town; and

**WHEREAS**, on March 5, 2019, the Planning and Zoning Commission of the Town of Argyle, in compliance with state law with reference to granting of zoning changes under the Town Development Standards of the Town of Argyle, and with the requisite notices by publication and otherwise, afforded a full and fair hearing to all the property owners interested and situated in the affected area and in the vicinity thereof; and

**WHEREAS**, the Town Council of the Town of Argyle deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the Town, to enact said Town Development Standards; and

**WHEREAS**, the Argyle Town Council, in compliance with State Law with reference to changes to zoning classifications and development regulations under the Town Development Standards, having given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof; the governing body of the Town of Argyle deems it to be in the best interest and welfare of the Town that said Amended Specific Use Permit should be approved as submitted.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ARGYLE, TEXAS:**

**SECTION 1:** That all matters stated hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

**SECTION 2:** That the Town Development Standards of the Town of Argyle, Texas, is hereby amended by approving an Amended Specific Use Permit for the purpose of expanding the Argyle Vet Clinic, a proposed veterinary clinic expansion to be located at 410 E FM 407, being legally described as a 1.881-acre tract of land situated within the S.A. Chambers Survey, Abstract No. 308 and zoned OR (Office Retail) in the Town of Argyle, Denton County, Texas, as submitted.

**SECTION 3.** That all building standards authorized by the Specific Use Permit shall conform to the specifications as shown in Exhibit "A".

**SECTION 4.** That the above described lot shall be used only in the manner and for the purpose provided by the Town Development Standards of the Town of Argyle as heretofore amended, and as amended herein.

**SECTION 5.** That any person, firm, or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Town Development Standards of the Town of Argyle, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

**SECTION 6.** If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part or portion thereof, other than that portion so decided to be invalid or unconstitutional.

**SECTION 7.** Injunctive Relief. In addition to and accumulative of all other penalties, the Town of Argyle shall have the right to seek injunctive relief for any and all violations of this ordinance.

**SECTION 8.** Whereas, it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development, and in order to protect the public interest, comfort and general welfare, this ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance, as the law in such case provides.

PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF ARGYLE, TEXAS on this the 26<sup>th</sup> day of March 2019.

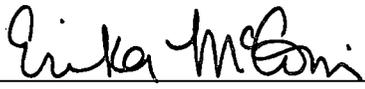
APPROVED:

  
Donald Moser, Mayor

APPROVED AS TO FORM:

  
Robert Hager, Town Attorney

ATTEST:

  
Erika McComis, Town Secretary





January 18, 2019

Angie Manglaris  
Development Coordinator  
308 Denton St  
P.O. Box 609  
Argyle, TX 76226

RE: Argyle Vet Hospital Amended Plat, Amended SUP, & Site Plan

Dear Angie,

On behalf of the owner, Dr. John Bitter, we submit the Amended Plat, Amended SUP, & Site Plan applications for Lot 1, Block A of Argyle Vet Clinic. As Dr. Bitter's practice has grown he has found the need to expand his existing facility to accommodate the demands. The existing site consists of two buildings and the proposed improvements include a new building that will connect the other two to create one building that houses all of his veterinary needs. The proposed improvements will create a building that is approximately 14,600 square feet in size that consists of 12,130 square feet of clinic space and 2,470 square feet of horse stalls.

The previous building expansion in 2005 included the expansion of his two existing buildings. The Site Plan and SUP applications in 2005 included approved variances that will be continued through with the new expansion.

The variances pertaining to the site include:

1. Requiring a landscape buffer only on the north line along FM 407 and a row of evergreen shrubs along the east and west property lines from the front of the building to the rear of the building. (Approved April 19, 2005).
2. The existing north building is 42-43 feet from the east property line. Therefore a variance request to the 50' side yard on the east property line to plus/minus 43 feet is requested, being that the location of the existing building is an existing condition. (Approved April 19, 2005). The expansion awning on the east side of the building will continue to the south along the same line as the existing north building's east edge. The existing south building to the west property line is 38 feet from the west property line. Therefore a request to the 50' side yard on the west property line is requested, being that the location of the building is an existing condition.
3. The sidewalk along FM 407 shall be installed at such time as the adjacent properties develop. (Approved May 24, 2005).

The variances pertaining to the architectural elements include:

1. To allow E.I.F.S.; To allow plaster on the existing center block walls; To allow the existing 1-11 siding and wood porch to be painted; To allow new wood shutters to match existing shutters; To allow split-face block and rough cedar for the large animal building; To allow metal panels on south side of large animal building to match existing building. (Approved May 24, 2005)



COVER LETTER > CLIENT NAME

2. To retain the existing 5/12 roof slope on the existing office building. To allow a white metal panel roof with a 1/12 slope on the proposed expansion to the large animal building.

We appreciate the opportunity to submit these applications and we appreciate your consideration. If you have any questions or need anything further please let us know.

Sincerely,

**G&A | MCADAMS**

Justin L. Lansdowne, PE  
Project Manager