



**TOWN OF SHADY SHORES
PLANNING AND ZONING COMMISSION
SPECIAL CALLED MEETING
SEPTEMBER 5, 2024; 6:30 PM
SHADY SHORES COMMUNITY CENTER
101 S. SHADY SHORES ROAD
SHADY SHORES, TX 76208**

AGENDA

TO VIEW THE MEETING LIVE: <https://shadyshorestx.civicclerk.com/>

1. CALL TO ORDER
2. ROLL CALL
 Establish a quorum
3. REGULAR BUSINESS
 1. Minutes- Consider and act upon approval of the August 8, 2024 meeting minutes.
 2. Public Hearing-Revision of the comprehensive planning map provisions for the Historical Zoning District
 - A) Staff Presentation
 - B) Open Public Hearing
 - C) Public Comment
 - D) Close Public Hearing
 3. Public Hearing-Revision of the Comprehensive Zoning Ordinance regarding the Historical Zoning District
 - A) Staff Presentation
 - B) Open Public Hearing
 - C) Public Comment
 - D) Close Public Hearing
 4. Consider and Act upon a revision of the comprehensive planning map positions for the Historical Zoning District.
 5. Consider and Act upon a revision of the Comprehensive Zoning ordinance regarding the Historical Zoning District.
4. WORKSESSION
5. FUTURE AGENDA ITEMS
6. ADJOURN

I, _____, _____ of the Town of Shady Shores do hereby certify that the above notice of the Planning and Zoning Commission was posted on the bulletin board at the Community Center, 101 S. Shady Shores

Road, Shady Shores, Texas on _____ Day of _____, _____, at _____ .M.

IN ADDITION, A QUORUM OF CITY COUNCIL MEMBERS MAY CHOOSE TO ATTEND THE PLANNING AND ZONING MEETING POSTED ABOVE. THEREFORE, THIS IS NOTICE OF A CITY COUNCIL MEETING AT THE SAME TIME AND PLACE, WITH THE SAME AGENDA AS THE P&Z MEETING. IN THE EVENT A QUORUM OF COUNCIL IS PRESENT AT THE MEETING, NO ACTION OF THE COUNCIL WILL BE TAKEN. THIS NOTICE IS POSTED AT THE TIME STATED ABOVE.

Amber Schuler, Deputy Town Secretary



SHADY SHORES PLANNING AND ZONING COMMISSION
AUGUST 8, 2024; 6:30 PM
SHADY SHORES COMMUNITY CENTER
101 S. SHADY SHORES ROAD
SHADY SHORES, TX 76208

MINUTES

Allen Lea	Chair	Present
Paul Brown	Vice- Chair	Present
Don Caver	Commissioner	Present
Nathan Abato	Commissioner	Absent
Frank Graham	Commissioner	Present
Michael Young	Commissioner- Alternate	Present-voting
Randal DuPape	Commissioner- Alternate	Absent

Staff Present: Amber Schuler, Deputy Town Secretary; Joan Davis, Permit Tech; David Francis, Town Engineer.

1. CALL TO ORDER

Chairman Lea called the meeting to order at 6:31 P.M.

2. ROLL CALL

Establish a quorum

Chairman Lea called the role and established a quorum.

3. REGULAR BUSINESS

1. Minutes-Consider and act upon approval of the June 13, 2024, meeting minutes

Commissioner Brown made a motion to approve the June 13, 2024, meeting minutes. Commissioner Young seconded the motion, and the motion carried.

2. Zoning Change Request. Consider and act upon a request made by Quest Trust Company FBO Rudy Susantio IRA 33776-11 for a Zoning Change of the property legally known as Keating Kove Acres Lot 4. The total acreage is 0.1446 and the proposed zoning change contains one, single family homesite. The zoning request is to change the zoning of the lot to the H-1200-4300 Historical District.

Commissioner Young made a motion to approve the zoning change request. Commissioner Graham seconded the motion. The motion carried.

3. Replat request. Consider and act upon a request made by Quest Trust Company FBO Rudy Susantio IRA 33776-11 for a Replat of the property legally known as Keating Kove Acres Lot 4. The total acreage is 0.1446 and the proposed replat contains one, single family homesite.

Commissioner Caver made a motion to approve the replat request. Commissioner Young seconded the motion, and the motion carried.

4. FUTURE AGENDA ITEMS

No future agenda items were discussed.

5. ADJOURN

Commissioner Young made a motion to adjourn, and Commissioner Graham seconded the motion. The motion carried, and the meeting was adjourned at 6:45 p.m.

Passed and approved this ____ day of _____, 2024

Allen Lea, Chairman

Attest:

Amber Schuler, Deputy Town Secretary

DENTON COUNTY

Shady Shores - Zoning Map



All properties located within the limits of the Town of Shady Shores, Texas are zoned R-2000-1/2 unless otherwise indicated

Indicates areas eligible to be zoned: H-1200-4300

Zoning Districts:

- R 1350-1
- R 1500-3/4
- R 1800-1/2
- R 2000-1/2
- H 1200-4300
- Planned Development

On the 13th Day of August In The Year 2018 This Document Was Approved As The Official Zoning Map of The Town of Shady Shores by These Representatives.

TOWN OFFICIALS

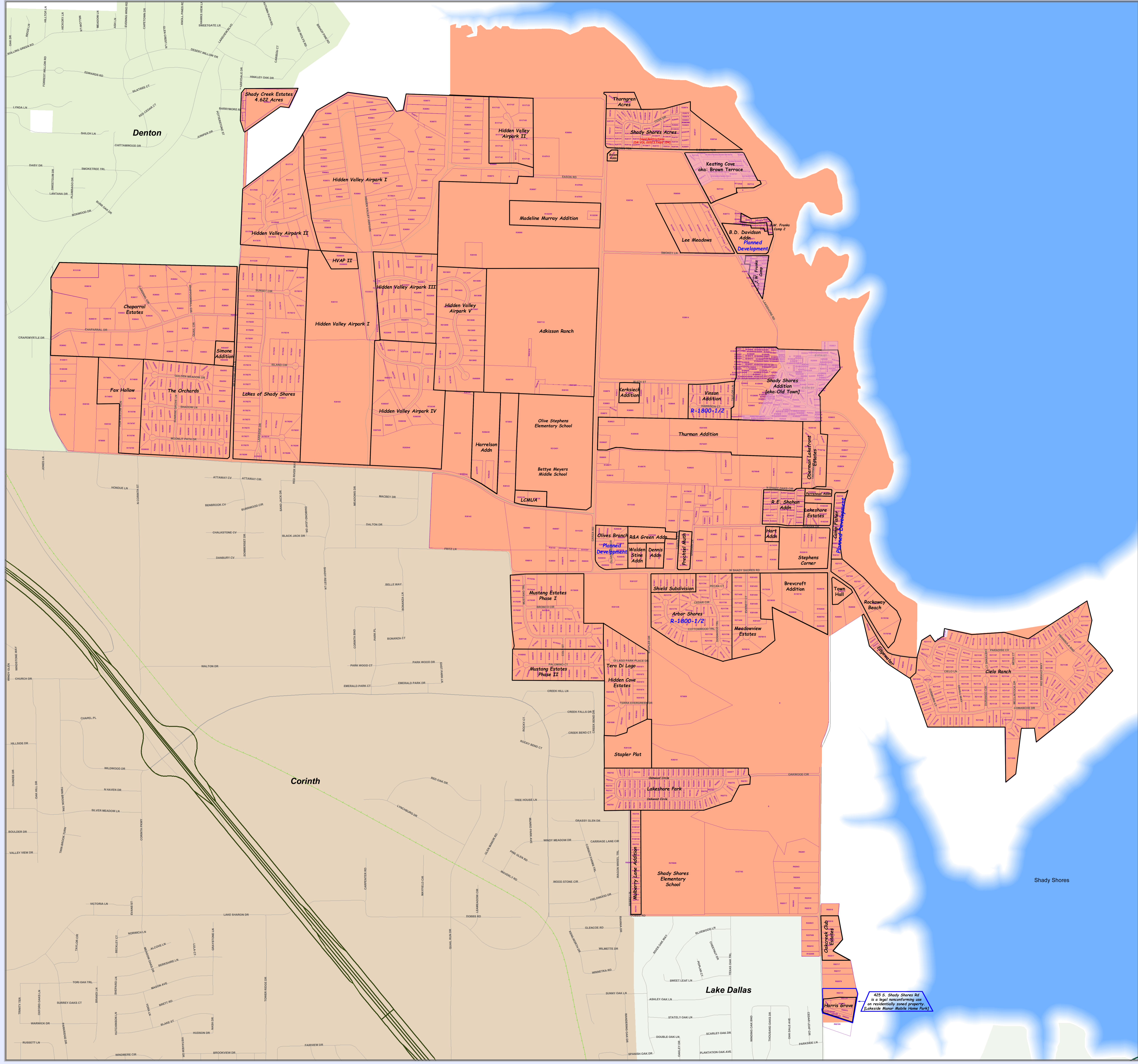
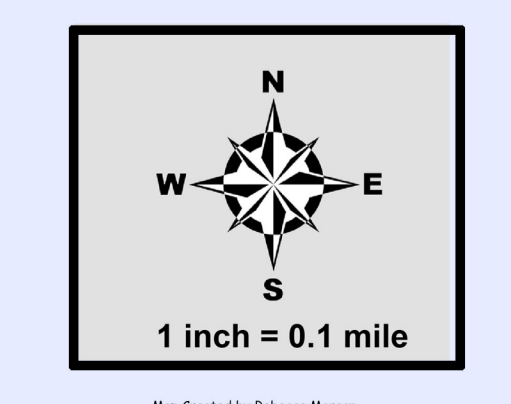
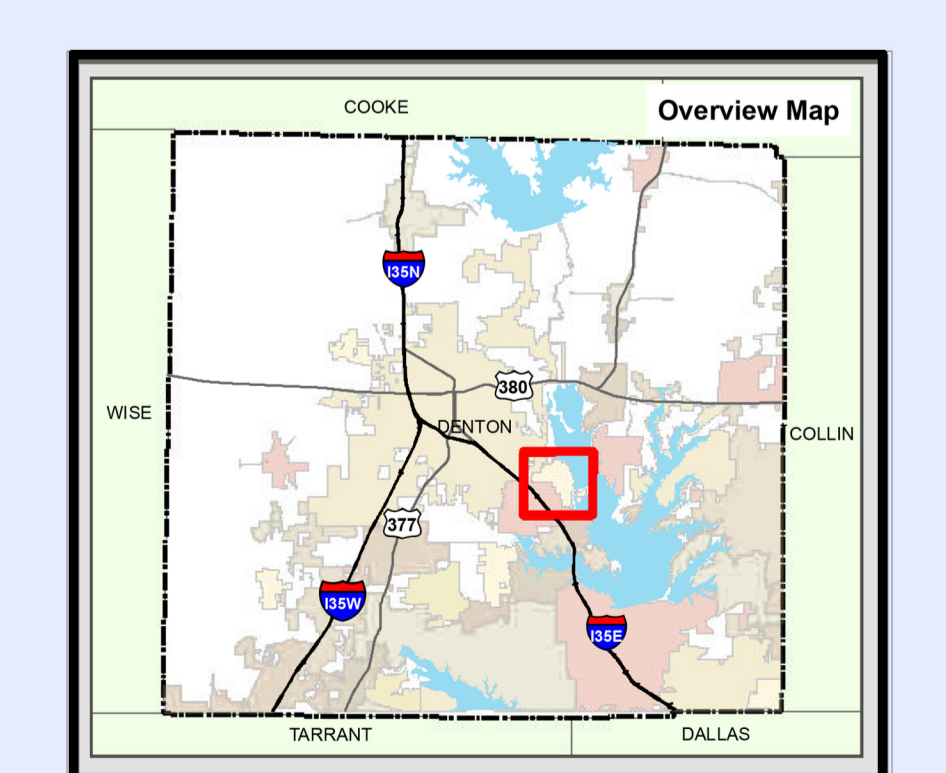
- Cindy Aughinbaugh, Mayor
- Paula Woolworth, Mayor Pro-tem, Alderman Place 2
- Matthew Haines, Alderman Place 1
- Tom Newell, Alderman Place 3
- Jack Nelson, Alderman Place 4
- Charles Grimes, Alderman Place 5
- Wendy Withers, Town Secretary
- Jim Shepherd, Town Attorney

PLANNING & ZONING COMMISSIONERS

- Allen Lea, Chairman, Place 4
- Rebecca Morgan, Vice Chairman, Place 2
- Paul Brown, Place 1
- Tom Spencer, Place 3
- Tillman Strahan, Place 5
- Linda Winter, Alternate

ANNEXATION ORDINANCES

- # 3 (11-08-1960)
- #22 (10-13-1970)
- #26 (05-11-1971)
- #27 (06-08-1971)
- #28 (06-28-1971)
- #29 (10-17-1971)
- #31 (12-14-1971)
- #33 (06-12-1973)
- #36 (08-14-1973)
- #39 (11-18-1974)
- #74 (10-17-1983)
- #122-98-24 (01-24-1998)
- #125-99 (08-11-1999)
- #126-8-99 (08-11-1999)
- #145-10-2002 (10-07-2002)



429 S. Shady Shores Rd. is a legal nonconforming use on residentially zoned property. (Lakeside Manor Mobile Home Park)

ORDINANCE NO. _____ 2024
(Revised Comprehensive Zoning Ordinance
-Historical Zoning)

AN ORDINANCE OF THE TOWN OF SHADY SHORES, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF SHADY SHORES AS HERETOFORE AMENDED, BY AMENDING AND PROVIDING REGULATIONS FOR THE HISTORICAL ZONING DISTRICT AS SET FORTH HEREIN; MODIFYING THE COMPREHENSIVE PLANNING MAP TO BE CONSISTENT WITH THE NEW HISTORICAL DISTRICT REGULATIONS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF \$2,000.00 FOR EACH OFFENSE; PROVIDING A PUBLICATION CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Shady Shores Planning and Zoning Commission and the governing body of the Town of Shady Shores, in compliance with the laws of the State of Texas and the ordinances of the Town of Shady Shores 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 in and situated in the affected area and in the vicinity thereof, and in the exercise of its legislative discretion have concluded that the Comprehensive Zoning Ordinance and the Comprehensive Planning Map of the Town of Shady Shores shall be amended as described herein; and

WHEREAS, during the years that the Historical District Zoning has been available for application by zoning change in certain defined areas of Shady Shores, only three property owners have requested such zoning change for their property, and state law has changed to make the requested dedication of additional right of way to be dedicated to the Town as part of the required amended plats of Historical District zoning as not enforceable, the planned benefits of Historical District zoning have been curtailed;

NOW, THEREFORE, be it ordained by the Town Council of the Town of Shady Shores, Denton County, Texas:

ARTICLE 1.1 DEFINITIONS

Certain words used in this Ordinance are defined as follows:

Words used in the present tense include the future tense; words in the singular number include the plural number, and words in the plural number include the singular. The word "shall" is mandatory and not discretionary.

ARTICLE 1.2 HISTORICAL DISTRICT REVISIONS

1. THE CURRENT WORDING OF SECTION 2.7.001 (a) OF THE COMPREHENSIVE ZONING ORDINANCE SET FORTH BELOW IS REVOKED:

(a) “Use Regulations:

In a H-1200-4300 HISTORICAL DISTRICT, no land shall be used and no building erected or converted to any other use than permitted in ARTICLE 3.2. The Historical district zoning is only available in those portions of the Town of Shady Shores designated on the Comprehensive Plan for that Zoning, which are areas of the Town developed prior to the incorporation of the Town, or since, in small lots in the subdivision averaging 1,500 square feet or less; on right of ways or prescriptive easements of less than 20 feet in width. No other vacant or developed areas of Shady Shores are to be rezoned as H-1200-4300. Areas rezoned to H-1200-4300 will be required to replat the existing lot or lots to comply with the new zoning. Lots located on rights-of-way of less than 20 feet in width will be required to dedicate up to five feet of the lot to the city for additional right-of-way as a part of the zoning and replat required of the property.”

2. THE REVISED PROVISIONS OF THE HISTORICAL DISTRICT ARE AS FOLLOWS:

(a)“Use Regulations:

In a H-1200-4300 HISTORICAL DISTRICT, no land shall be used and no building erected or converted to any other use than permitted in ARTICLE 3.2. The Historical district zoning is only valid on those properties in the Town of Shady Shores which have been zoned Historical District prior to the effective date of this ordinance,. The lots zoned as Historical District continue to be zoned as they were prior to this amendment. No other areas of the Town which are not zoned as Historical District prior to the effective date of this ordinance are approved to request such zoning.

The comprehensive planning map of future zoning shall be amended to remove all areas which had shown areas where Historical District zoning could be requested prior to the effective date of this ordinance. Only those properties which have actually applied for and been zoned by ordinance as Historical District properties will remain on the map as currently zoned as Historical District property.”

ARTICLE 1.3 REVISIONS TO COMPREHENSIVE PLAN

1. **The Comprehensive Planning Map of the Town shall be revised to show existing lots with Historical District Zoning, and shall remove all other areas shown on the map as being areas where Historical District zoning could be applied for. No change to the existing zoning on the property occurs, leaving it as R-2000-1/2.**

PENALTY FOR VIOLATIONS

(a) **Violations:** Any person, association of persons, firm or corporation violating any of the provisions of this ordinance or failing to comply therewith, or with any of the requirements thereof, shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined any sum not more than Two Thousand (\$2,000.00) dollars. Each and every day any such violation continues shall constitute a separate offense.

(b) **Persons Responsible for Violations:** The owner or owners of any building, structure or premises, or part thereof, where anything in violation of this ordinance shall be placed or shall exist, and the architect, builder, contractor, agent, person, firm, or corporation employed in connection therewith, and who assisted in the commission of any such violation, shall each be guilty of a separate offense, and upon conviction thereof, shall be fined as provided in subsection (a) of this Article.

VI. SEVERABILITY CLAUSE

If for any reason any section, paragraph, subdivision, word, phrase, clause or provision of this Ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, word, phrase, clause or provision of this Ordinance. For it is the definite intent of this Town Council that every section, paragraph, subdivision, word, phrase, clause or provision of this Ordinance be given full force and effect for its purpose.

VII. REPEALING CLAUSE

All provisions of the ordinances of the Town of Shady Shores in conflict with the provisions of this ordinance are hereby, repealed, and all other provisions of the ordinances of the Town of Shady Shores not in conflict with the provisions of this ordinance shall remain in full force and effect.

WHEREAS it appears that this Ordinance needs to be adopted in order to protect the public interest, comfort, and general welfare and development of the Town of Shady Shores, Texas, creates an emergency for the preservation of the public health, safety and welfare, and requires that this Ordinance shall take effect immediately from and after its passage and the publication of the caption of said Ordinance, as the law in such cases provides.

PASSED AND APPROVED this the _____ day of _____, 2024 A.D. by the Town Council of the Town of Shady Shores, Denton County, Texas.

Town of Shady Shores, Texas:

Cindy Aughinbaugh, Mayor

ATTEST:

Wendy Withers, Town Secretary

APPROVED AS TO FORM:

James E. Shepherd, Town Attorney