Notice of Public Meeting
Denton County Development Support Committee
Morse Street Facility
Via Videoconference
3900 Morse Street, 2nd Floor, Denton, TX 76208
March 17, 2021
9:00 A.M.

Effective March 16, 2020, Texas Governor Abbott suspended certain Open Meeting rules to allow
telephonic or videoconference meetings of government bodies that are accessible to the public to
decrease large groups of people from assembling. The suspension temporarily removes the
requirement that government officials and members of the public be physically present at a meeting
location. Development Services will hold the Development Support Committee (DSC) meetings
temporarily via videoconference and will not be held at the Mary & Jim Horn Government Building in the
Public Works Conference Room.

*** For information on how to watch or participate remotely from a computer or smartphone, visit
https://dentoncounty.gov/remote ***

*** To listen to the meeting live from a telephone, call 1-346-248-7799, for meeting ID press 861
1540 3634#, for participant ID press #, and for meeting password press 113190***

The following items may come before the Development Support Committee for discussion and/or possible
action:

I.  Call to order.

II. Consider, discuss, approve and/or take any appropriate action on preliminary and proposed plats and/or plans:
   • None

III. Consider, discuss, approve and/or take any appropriate action on final plats, replats and other plats:
     • None

IV. Consider, discuss, approve and/or take any appropriate action on variance requests:
     • Pecan Creek Acres – Variance Request #1 (Divide one lot into two on a Private Road)
       Commissioner Precinct 1
     • Pecan Creek Acres – Variance Request #2 (Bring Private Road to County Standards)
       Commissioner Precinct 1

V. Consider, discuss, approve and/or take any appropriate action on proposed infrastructure
development plans, surveys and engineering plans:
   • None

VI. Adjournment
Subdivision Rules & Regulations

Variance Request

Subdivision: Pecan Creek Acres Subdivision  R#  Fee Paid: $ 400.00

Property Description / Survey Name: Jason Smith Survey

Abstract No. 1147  Tract
Phase Section Two  Lot 10R  Block  ETJ

Name of Property Owner: Robby Dale Ritchey and Stephanie Ritchey

Mailing Address: 10342 Bobbie Lane, Pilot Point, Texas 76258

Phone Number(s): (940) 736-3020

Name of Applicant or Corporate Officer: Robby Dale Ritchey c/o Alan Ritchey, Inc.

Mailing Address: 740 S. Frontage Road Valley View, Texas 76272

Phone Number(s): (940) 736-3020

State exactly what is intended to be done with the property which would not conform to the Ordinance.

Please see attached letter and referenced exhibits.

In sum, we are respectively requesting approval from the Commissioner’s Court for the following two variances from the County’s Subdivision Rules and Regulations:

(1) To replat Lot 10R, which is located on a private road, so same is subdivided into two separate lots; and

(2) If approved, to be released from the requirement to bring the existing private road—Bobbie Lane—into conformance with the same construction standards and specifications as public roads.

Updated 01/04/2019
Please state the reasons for requesting the Variance.
Please see attached letter and referenced exhibits.

Our objective with these variance requests is approval to replat Lot 10R, dividing it into two tracts: (1) a 5-acre lot with a home; and, (2) a 7.86-acre lot with a barn. We believe that, in doing so, the lots would conform more with the existing and long-standing makeup of the subdivision as it was originally intended by the developer and previously approved by the County. Pecan Creek Acres Subdivision was originally subdivided into roughly 5-acre parcels. For this reason, granting such a variance would not be detrimental to the public welfare or injurious to the property or improvements in the district or neighborhood in which the property is located because it was previously platted in a similar manner and most of the neighboring lots are similarly situated—the majority being 5-acre lots. In fact, larger lots, such as Lot 10R, are unusual for the neighborhood.

ATTACH ANY OTHER DOCUMENTS WHICH MAY BE REQUIRED, OR WHICH YOU CONSIDER IMPORTANT TO YOUR REQUEST.

Applicant Signature: [Signature]
Date: 2/10/2016

Updated 01/04/2019
February 8, 2021

Delivered via Email Transmission: developmentpermits@dentoncounty.gov
Development Services
DENTON COUNTY
3900 Morse Street, 2nd Floor
Denton, Texas 76208

REQUESTS FOR VARIANCE

Re: Subdivision: Pecan Creek Acres Subdivision, Section Two
Lot: 10R (formally Lots 9, 10 and 11).
Survey Name: Jeremiah W. Simpson Survey, Abstract No. 1140
Cabinet M, Page 334, Denton County Plat Records
Jason Smith Survey, Abstract No. 1147
Cabinet U, Slide 285, Denton County Plat Records

Property Owners: Robby Dale Ritchey and Stephanie Ritchey
10342 Bobbie Lane
Pilot Point, Texas 76258

Dear Commissioners:

With respect to the above-mentioned subdivision lot(s), we are respectively requesting approval from the Commissioner’s Court for the following two variances from Denton County’s Subdivision Rules and Regulations:

(1) To replat Lot 10R, shown in Figure 1, which is located on a private road, so same is subdivided into two separate lots as shown in Figure 2 below; and

(2) If approved, to be released from the requirement to bring the existing private road—Bobbie Lane—into conformance with the same construction standards and specifications as public roads and streets.

As mentioned above, the subject property is located in Abstract No. 1147, Jason Smith Survey, Tract 10R, 15.47 acres, Commissioner Precinct One. The parcel is currently zoned for residential use. By way of background, the Ritchey family are 14-year residents of Pecan Creek Acres, a subdivision located near Pilot Point, Texas, in the unincorporated portion of Denton County. The Ritcheys purchased Lot 10R in 2007 and have resided
there since that time. As shown in Figure 3 below, Lot 10R (formally Lots 10, 11 and a portion of lot 9) were originally platted in 1996 as follows: Lot 10 is a 5-acre track; Lot 11 is a 7.979-acre track, and Lot 9 is a 5-acre track that was partitioned, the Ritchey’s acquiring the eastern half of that lot. In large part, the subdivision was platted in 5-acre lot sizes, though some lots are as small as 2.462 acres and other are larger, having later been consolidated and re-platted. See Figure 3. Similarly, those above-mentioned lots (Lots 9, 10 & 11) were re-platted in or around 2001 and consolidated into one larger lot—Lot 10R, now a 15.47-acre tract. See Figure 1.

Figure 1: 2001 Replat, showing Lots 9, 10 & 11 consolidated into Lot 10R.

Again, our objective with this variance request is approval to replat Lot 10R, dividing it into two tracts: (1) a 5-acre lot with a home; and, (2) a 7.86-acre lot with a barn. We believe that, in doing so, the lots would conform more with the existing and longstanding makeup of the subdivision as it was originally intended by the developer and previously approved by the County. As shown in Figure 3, Pecan Creek Acres Subdivision was originally subdivided into roughly 5-acre parcels. Some landowners purchased several lots and consolidated them into larger lots. We are simply asking the Commissioners to permit us to bring the property back, though varying slightly, to the intent of that original layout. For this reason, granting such a variance would not be detrimental to the public welfare or injurious to the property or improvements in the district or neighborhood in which the property is located because it was previously platted in a similar manner and most of the neighboring lots are similarly situated—the
majority being 5-acre lots. In fact, larger lots, such as Lot 10R, are unusual for the neighborhood.

**Figure 2: Proposed Replat**

Consistent with the foregoing, on September 1, 2020, the Commissioners approved an identical variance request regarding a 10-acre tract that actually shares a property line with Lot 10R. Lots 1 and 2 of the Pecan Creek Acres Subdivision, Section Two, were subdivided from a 10-acre lot back down to two lots: (1) a 4.855-acre lot; and, (2) a 5.544-acre lot. This tract was originally two separate lots in the 1996 plat and, like the subject property (Lot 10R), it was re-platted into a larger lot before being, again, re-platted back into two smaller lots (the sizes now vary, slightly, from the original plat). The Commissioners granted that landowner, Mrs. Carol Plybon, approval to both subdivide
the larger lot into two smaller lots and also released her from the requirement to bring the private road, in that case Mohon Lane (Bobbie Lane turns into Mohon Lane), in compliance with the County's public road construction standards and specifications. We are kindly asking for the same variance approvals from the Commissioners.

Figure 3: 1996 Plat, showing original makeup of the subdivision and subject lots.

We also believe granting the variance is necessary for the reasonable use of the land and is the minimum variance that will accomplish this purpose. The subdivision has deed restrictions which preclude any lot from being subdivided below a 5-acre parcel if a home is situated thereon. In conformance with that deed restriction, the survey shown in Figure 2 above carves out a minimum of 5-acres where the home is situated and includes the driveway to said home. It has become necessary to request such a replat.
as the property has become difficult to sell in its entirety, having been on the market for almost two years, and doing otherwise will create a substantial hardship.

Given the property’s history and the circumstances outlined herein, we believe that granting the two variances requested herein is consistent with Pecan Creek Acres Subdivision’s long-standing appearance, is not inconsistent with the intent of the County’s Subdivision Rules and Regulations but, rather, the spirit of those rules and regulations would be preserved in granting such variances, and, finally, substantial justice would be done in doing so.

For the foregoing reasons, we kindly ask that the Commissioner’s consider and approve our requests for said variances.

Respectfully submitted,

[Signature]

ROBBY DALE RITCHEY, Applicant

2-10-21

Date

STATE OF TEXAS §

§

COUNTY OF DENTON §

Before me, the undersigned notary public, on this day personally appeared ROBBY DALE RITCHEY, and first being duly sworn, declared that he signed this application in the capacity designated, if any, and further stated that he has read the above and attached application, and the statements contained therein are true.

Subscribed and sworn to before me this 10th day of February, 2021.

[Signature]

NOTARY PUBLIC

Enclosures
Figure 4: 2020 Replat, showing neighboring property approved for variance to replat and release from the requirements for private road to comply with public road construction standards and specifications.
EXHIBIT A

Figure 1
EXHIBIT B

Figure 2
EXHIBIT C

Figure 3
EXHIBIT D

Figure 4