



# City of Denton

City Hall  
215 E. McKinney Street  
Denton, Texas  
www.cityofdenton.com

## AGENDA INFORMATION SHEET

**DEPARTMENT:** Department of Development Services

**DCM:** Cassey Ogden

**DATE:** May 19, 2025

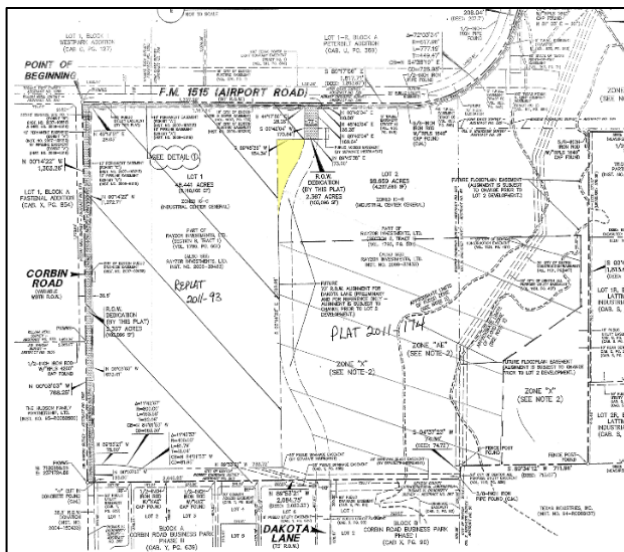
### SUBJECT

Hold a public hearing and consider approval of a variance from the Heavy Industrial (HI) District Dimensional Standards, specifically Denton Development Code Table 3.5-C as it relates to the minimum lot depth of 200 feet. The subject property is generally located on the west side of Dakota Lane approximately 195 ft south of Airport Road in the City of Denton, Denton County, Texas. (V25-0051, Dakota Lane C-Store, Matt Bodine)

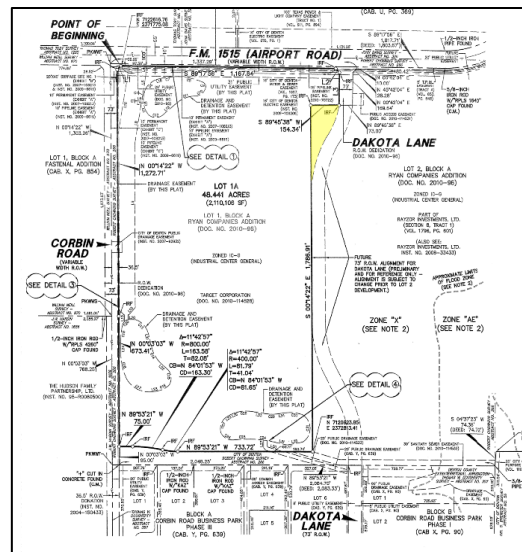
### BACKGROUND

The subject property is a 0.857-acre vacant lot generally located west of Dakota Lane and approximately 195 ft south of Airport Road in a primarily industrial sector of the City. The property owner is requesting a variance from the Heavy Industrial (HI) District's required minimum lot depth of 200 ft in order to plat and develop the property. According to the Denton Development Code (DDC) Subchapter 9.2: Definitions, lot depth is measured as the horizontal distance from the midpoint of the rear lot line to the midpoint of the front lot line. Based on the definition, this property has a lot depth of approximately 73 ft, which is 127 feet shorter than today's regulations. The subject property meets the dimensional standards for minimum lot size and minimum width.

The subject property's current irregular shape and dimensions are the result of multiple subdivisions recorded by plat. The property was part of a much larger lot recorded by a conveyance plat in 2010. This plat also dedicated and reserved public right-of-way for Dakota Lane which determined the subject



2010 Conveyance Plat



2011 Final Plat

property's current eastern and southern property lines. The larger, adjacent lot to the west and north was replatted in 2011 as a final plat, which followed the lot boundaries previously shown on the conveyance plan and left out the subject property and thus established the property's north and west property lines (subject property shown above in yellow). The conveyance plat and final plat are provided as Exhibits 6 & 7, respectively.

The subject property has been recorded by plat through the 2010 conveyance plat; however, a conveyance plat is an interim plat for the purposes of defining a lot's boundaries and does not grant development rights. Any proposal to develop the property would require a final plat demonstrating compliance with the current zoning district's dimensional standards. As noted above, the HI zoning district requires a minimum lot depth of 200 feet, measured between the midpoints of the front and rear property lines. Based on these requirements, City staff would have to deny a plat of the property unless relief from this standard is achieved through the variance process described in DDC Section 2.8.1D.

It would not be feasible for the owner to resolve the lot depth issue through alternatives to the variance process. First, staff would not be able to support a rezoning of the property to a zoning district with less stringent dimensional standards. The current zoning district permits the applicant's proposed use of gas station (see Exhibit 4), aligns with the Future Land Use Map in the Denton 2040 Comprehensive Plan, and is consistent with zoning in the surrounding area. Furthermore, rezoning the property could be construed as spot zoning, a practice that staff strongly advises against. Second, purchasing additional property to become compliant with the dimensional standards would be difficult to accomplish. The lot is situated between existing right-of-way for Dakota Lane to the east and south, and a developed industrial use to the north, west, and southwest. Acquisition of additional land area from the developed industrial site would require the subject property to incorporate site improvements necessary for that development's operations and required by the DDC, including a drive aisle for a second point of access and a stormwater detention pond (see Exhibit 3).



A full Staff Analysis is provided in Exhibit 2.

### **OPTIONS**

1. Approve as submitted
2. Approve subject to conditions
3. Deny
4. Table item

### **RECOMMENDATION**

Staff recommends approval of the variance to reduce the minimum lot depth from 200 feet to 73 feet, as it meets the criteria for approval in DDC Section 2.8.1D.

### **PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

Date	Council, Board, Commission	Request	Action
May 12, 2010	Planning & Zoning Commission	Conveyance Plat (CV10-0001)	Approved

March 9, 2011	Planning & Zoning Commission	Final Plat (FP10-0022)	Approved
October 1, 2019	City Council	New Zoning Code and City-wide zoning district transition (subject property transitioned from IC-G to HI District)	Approved

**PUBLIC OUTREACH:**

Public outreach is not required for a variance request.

**DEVELOPER ENGAGEMENT DISCLOSURES**

No developer contact disclosures have been provided to staff from members of this body as of the issuance of this report.

**EXHIBITS**

1. Agenda Information Sheet
2. Staff Analysis
3. Site Location Map
4. Project Narrative
5. Survey of Subject Property
6. 2010 Conveyance Plat
7. 2011 Final Plat

Respectfully submitted:

Tina Firgens, AICP

Deputy Director of Development Services/Planning Director

Prepared by:

Matt Bodine

Assistant Planner