Stephen McFayden
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Development Services

401 N. Elm St., Denton, TX 76201 (940)349-8600

Owner Authorization

Name: Mike Aghyarian

Company Name: 24K Holdings, LLC

Address: 4305 Belle Drive; Flower Mound, TX 75022

Telephone: 972-400-0944 Email: pascal@24kholdings.com

CHECK ONE OF THE FOLLOWING:

- ☐ I will represent the application myself; or
- ☑ I hereby designate Stephen McFayden (name of project representative) to act in the capacity as my agent for submittal, processing, representation, and/or presentation of this development application. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this application.

I am the owner of the property and further confirm that the information provided on this form is true and correct. By signing below, I agree that the City of Denton (the "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any information submitted in connection with the application, if such reproduction is associated with the application in response to a Public Information Request. By signing this application, staff is granted access to your property to perform work related to your case.

Owner's Signature: DocuSigned by: Mike Aghyarian 10AC8C24D7EA4A4... Date: 6/16/2026

Appeal of Administrative Decision – ZV26-0032

May 27, 2026

City of Denton
Development Services Department
Planning Division
401 N. Elm Street
Denton, TX 76201

RE: Appeal of Administrative Decision – ZV26-0032
Property Address: 910 N Mayhill Rd., Denton, Texas

To Whom It May Concern:

This letter serves as a formal appeal of the administrative determination issued on May 27, 2026, regarding ZV26-0032 and the alleged expiration of nonconforming use rights for the property located at 910 N Mayhill Rd., Denton, Texas.

The determination concludes that nonconforming rights for commercial and light industrial uses do not exist and further alleges that such rights expired due to discontinuance of use. The property owner respectfully disputes these findings and requests that the decision be overturned.

The property in question contains multiple non-residential buildings that were constructed and actively utilized for commercial-related operations prior to annexation by the City of Denton in 2013. The historical use of the property included contractor services, storage, warehouse activities, material storage, and related operational uses consistent with the character of the improvements constructed on the site. The City's own findings acknowledge the presence of commercial activity, storage operations, trailers, equipment, and vehicular activity dating back many years prior to annexation.

The determination improperly concludes that nonconforming rights were lost due to alleged discontinuance. However, temporary reductions in activity, tenant turnover, vacancies, utility interruptions, operational transitions, or fluctuations in business operations do not necessarily constitute abandonment or legal discontinuance under Texas law. At no point did the property owner demonstrate intent to abandon the commercial character or historical use of the property.

Additionally, the property has continuously maintained improvements specifically designed and configured for commercial and contractor-related operations. The economic realities of the property, the nature of the existing structures, and the historical use of the site support the continuation of vested and nonconforming use rights.

The determination also appears to rely heavily upon the absence of Certificates of Occupancy and utility billing records. However, the absence of utility service alone does not establish legal abandonment of nonconforming rights, particularly where the physical improvements remained intact and the property continued to maintain its commercial character and operational capability.

Further, the property owner reserves all rights under: Texas Local Government Code Chapter 211; Texas Chapter 245 vested rights protections; The Texas Constitution; The United States Constitution; and Any and all applicable statutory and common law protections related to vested property rights, inverse condemnation, regulatory takings, and due process. The property owner respectfully requests: Reversal of the administrative determination; Recognition of the property's lawful nonconforming use rights; Authorization for continued commercial occupancy and leasing of the existing structures; and Any additional relief deemed appropriate. Please accept this correspondence as a timely appeal of the administrative determination pursuant to Denton Development Code Section 2.8.3 and Texas Local Government Code Section 211.010.

The property owner further reserves the right to supplement this appeal with additional documentation, witness testimony, historical operational records, aerial imagery, lease agreements, tax records, photographs, and legal arguments as this matter proceeds.

Sincerely,

Pascal Mike Aghyarian
24K Holdings, LLC
4305 Belle Drive
Flower Mound, TX 75022

24K HOLDINGS, LLC
4305 Belle Drive, Flower Mound, TX 75022

June 16, 2026

City of Denton
Development Services Department – Planning Division
Attn: Board of Adjustment / Hearing Body
401 N. Elm Street
Denton, TX 76201

RE: Supplement to Appeal of Administrative Decision – ZV26-0032
Property: 910 N Mayhill Rd., Denton, TX 76208
Owner: 24K Holdings, LLC
Tax ID: R126411

To the Board of Adjustment / Hearing Body:

24K Holdings, LLC submits this supplement to its timely appeal (filed May 29, 2026) of the May 27, 2026 administrative determination that no nonconforming use rights exist for the building addressed as 910 N Mayhill Rd. The owner respectfully requests that the determination be reversed, or in the alternative, that the determination of discontinued status be delayed pursuant to DDC Subsection 1.5.2(F).

1. **The applicable standard.** The burden is on the owner to establish (a) that a nonconforming use lawfully existed at the time the property became subject to RR zoning, and (b) that the use has not been discontinued for one year or more (DDC Subsection 1.5.2). The owner addresses each requirement below specifically as to Building 910.

2. **Lawful pre-existing use.** The property was annexed into the City of Denton in 2013. The City's own findings confirm commercial and storage activity — including a variety of vehicles, trailers, and materials — on the property in both the January and September 2013 aerial imagery, in the yards behind the buildings addressed 890 and 910 N Mayhill Rd. Dated Google Street View imagery spanning 2013 through 2024, included in the owner's verification package, corroborates continuous vehicular and storage activity at the site. The four non-residential metal buildings were constructed in 2009–2011 with overhead doors and fenced yard storage — improvements with no residential utility — confirming the established commercial and light-industrial character of the property prior to annexation.

3. **Continuity of use at Building 910.** Esparza (operating as Esparza Custom Cabinets and later Esparza Custom Millwork) maintained documented occupancy on the property from 2019 forward. The tenant relocated its operations into Building 910 in 2023 under a written commercial lease and continued to occupy and operate from Building 910 through January 2026 under a month-to-month holdover tenancy. No twelve-consecutive-month period of discontinuance has occurred.

4. **Utility records do not establish abandonment.** The determination rests its finding of discontinuance principally on the closure of a utility account in 2021. Under Texas law, the loss or

interruption of utility service does not, standing alone, establish legal abandonment of a nonconforming use absent evidence of an intent to abandon. The physical improvements remained intact and in use, the site continued in commercial operation, and the owner continuously marketed the property for lease (MLS active since March 20, 2024; CoStar). At no point did the owner take any action, or form any intent, to abandon the commercial character of Building 910.

5. **Alternative request — delay of discontinued status (DDC 1.5.2(F)).** To the extent any discontinuance is found, the owner requests that the determination of discontinued status be delayed for up to one year. The property has been actively marketed for lease well in excess of the six-month threshold required under DDC Subsection 1.5.2(F), as shown by the enclosed MLS and CoStar marketing records.

6. **Reservation of rights.** The owner expressly reserves all rights under Texas Local Government Code Chapter 211 and Chapter 245, the Texas Constitution, the United States Constitution, and all applicable statutory and common-law protections related to vested rights, regulatory takings, inverse condemnation, and due process.

For the foregoing reasons, the owner respectfully requests reversal of the administrative determination, recognition of Building 910's lawful nonconforming use rights, and authorization for continued commercial occupancy and leasing of the existing structure. The owner is prepared to supplement this appeal with additional executed leases, affidavits, historical tax records, and dated imagery, and to appear and present testimony at hearing.

Respectfully submitted,

Stephen McFayden
General Counsel, 24K Holdings, LLC
Pascal Mike Aghyarian
Owner / President, 24K Holdings, LLC

Enclosures:
2023 executed commercial lease for Building 910; affidavit of continuous occupancy; MLS and CoStar marketing records; historical tax records; dated photographic and aerial imagery.

BEFORE THE CITY OF DENTON
DEVELOPMENT SERVICES – PLANNING DIVISION
DENTON, TEXAS

AFFIDAVIT OF MIKE AGHYARIAN IN SUPPORT OF ZONING VERIFICATION AND DETERMINATION OF NONCONFORMING RIGHTS (Project No. AA26-0003)

Property:910 N Mayhill Rd, Denton, Texas 76208
Owner:24K Holdings, LLC
Tax ID / R#:R126411

THE STATE OF TEXAS§

§ KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF DENTON§

BEFORE ME, the undersigned authority, on this day personally appeared Mike Aghyarian, who, being by me duly sworn, deposed and stated upon his oath as follows:

1. My name is Mike Aghyarian. I am over the age of eighteen (18) years, am of sound mind, am fully competent to make this affidavit, and have never been convicted of a felony or any crime involving moral turpitude. I have personal knowledge of each of the facts stated in this affidavit, and each such fact is true and correct.

2. I am the Owner and President of 24K Holdings, LLC ("24K Holdings"), a Texas limited liability company. In that capacity I am authorized to make this affidavit on behalf of 24K Holdings, and I have direct, personal knowledge of the ownership, occupancy, leasing, and operation of the property located at 910 N Mayhill Rd, Denton, Texas 76208 (the "Property"), which is part of the larger tract identified as Denton County Tax ID R126411.

3. 24K Holdings acquired the larger tract that includes the Property by Special Warranty Deed with Vendor's Lien recorded February 2, 2021, as Instrument Number 19304 in the Official Public Records of Denton County, Texas. 24K Holdings has continuously owned the Property since that date.

4. The tract consists of multiple metal buildings used for commercial and light-industrial purposes, individually identified by address as 890, 910, 920, and 936 N Mayhill Rd,

situated on a single tax parcel that is commonly identified for appraisal and taxation purposes as 870 N Mayhill Rd. The buildings have been used for commercial and light-industrial purposes, including cabinet manufacturing, woodworking, contractor operations, equipment and vehicle storage, and related activities, for many years preceding 24K Holdings' acquisition and continuing throughout its ownership.

5. Esparza Custom Cabinets (later operating as Esparza Custom Millwork, collectively "Esparza") occupied space on the tract beginning in approximately November 2019 under a written commercial lease entered with the prior owner, Pegasus Investors, LLC. That written lease covered Buildings 890 and 920 and ran from January 1, 2020 through December 31, 2020. When 24K Holdings acquired the tract in February 2021, Esparza remained in occupancy as a month-to-month tenant following expiration of the written lease term, and 24K Holdings, as successor landlord, continued that tenancy on the same essential terms.

6. In 2023, Esparza requested to relocate its operations from Building 890 into Building 910. 24K Holdings agreed, and Esparza took possession of and relocated its operations into Building 910. From that point forward, Esparza occupied and actively used Building 910 for its millwork and woodworking business.

7. Esparza's occupancy of Building 910 was a month-to-month tenancy. The parties did not execute a separate written lease specific to Building 910; the tenancy continued on a month-to-month basis on the same essential terms as the prior written lease, with rent paid to 24K Holdings. A month-to-month tenancy of this kind is a lawful and continuing tenancy under Texas law, and Esparza's actual, physical occupancy and active use of Building 910 are matters of my personal knowledge as Owner of the Property.

8. Esparza continuously occupied and operated from Building 910 from 2023 until it vacated in January 2026. Accordingly, Building 910 was actively occupied and used for commercial and light-industrial operations through January 2026.

9. At no time during 24K Holdings' ownership has the commercial and light-industrial use of Building 910, or of the Property as a whole, been discontinued or abandoned for a period of one (1) year or more. The use has been continuous.

10. Throughout 24K Holdings' ownership, including during any periods of vacancy, the Property and Building 910 have been continuously and actively marketed for lease. Marketing has been conducted through the MLS, CoStar, brokerage advertising, and other commercial leasing channels. The Property has been the subject of an active MLS listing (MLS No. 20565464) marketed for lease since at least March 20, 2024, and that listing remains active. The Property was marketed as a multi-building contractor-yard and warehouse property to simplify leasing administration and tenant placement, rather than as separate standalone single-building listings.

11. The continuous commercial and light-industrial use and active marketing of the Property are further corroborated by the ad valorem tax records for tax years 2021 through 2025, by dated photographic evidence, and by historical Google Street View imagery dated September 2013, May 2016, November 2018, March 2021, November 2022, April 2023, and September 2024, each of which depicts active commercial and light-industrial use of the Property, including the storage and staging of vehicles, trailers, equipment, and materials.

12. The application materials previously submitted referenced a written lease for Building 910 that has not been located and, to my knowledge, was not executed as a separate writing because the occupancy proceeded on a month-to-month basis as described above. I make this affidavit to set forth the true facts of occupancy from my personal knowledge. To the extent the Director requires additional documentation, 24K Holdings will supplement the record as such documentation is located.

13. Without waiving and expressly subject to the foregoing, and solely in the alternative, in the event the Director determines that the nonconforming use was discontinued, 24K Holdings respectfully requests under Section 1.5.2(F) of the Denton Development Code that the determination of discontinued status be delayed for up to one (1) year. As set forth above and in the accompanying records, the Property has been actively marketed for lease for well in excess of six (6) months during the relevant period. This alternative request does not constitute, and shall not be construed as, an admission or concession that the use has in fact been discontinued.

14. I make this affidavit in support of the Zoning Verification and Determination of Nonconforming Rights application for the Property (Project No. AA26-0003) and request that the City of Denton confirm the continued legal nonconforming use status of Building 910 and the Property.

Further affiant sayeth not.

Mike Aghyarian
Owner / President, 24K Holdings, LLC

THE STATE OF TEXAS§

§
COUNTY OF Collin §

SUBSCRIBED AND SWORN TO before me by Mike Aghyarian on this 22 day of June, 2026, to certify which witness my hand and official seal.

Notary Public, State of Texas
My commission expires: 01/23/2030

NOTARY PUBLIC
Aby Davina Moriarty
Exp. 1/23/2030
ID No. 135546170
STATE OF TEXAS