



Department of Development Services / Planning Division

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

May 27, 2026

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

RE: ZV26-0032 Determination of Nonconforming Rights, 910 N Mayhill Rd.

Mr. Aghyarian:

This letter is intended to serve as a determination regarding the existence of nonconforming rights in accordance with Denton Development Code (DDC) Subsection 1.5.2B for the building addressed as 910 N Mayhill Rd. The subject building is one of four non-residential buildings located on an approximately 3.5-acre property commonly known as 870, 890, 910, and 936 N Mayhill Rd., Denton, Texas. The subject property is zoned Rural Residential (RR) District. In accordance with the submitted Letter of Intent and in keeping with the limitations in DDC Subsection 1.5.3 regarding nonconforming uses not being expanded into additional structures, this determination letter is solely the building addressed as 910 N Mayhill Rd., and this letter should not be construed to apply to the other buildings addressed as 870, 890, and 936 N Mayhill Rd.

Based on the provided Letter of Intent, the intended use for the property is contractor services, equipment and material storage, warehouse, office, and related light industrial activities. These uses most closely align with the defined uses of Outdoor Storage; Warehouse and Wholesale Facility; Low-Impact Manufacturing; and Administrative, Professional, and Government Office in the DDC, none of which are permitted in the RR District and any of which could only be permitted to occur on the property if nonconforming rights are established or a change in zoning occurs as discussed below. As explained below, this letter concludes that non-conforming rights to use the property for any of the above-listed uses do not exist for the building addressed as 910 N Mayhill Rd on the subject property.

The following background information, sourced from Staff research and provided in your application was utilized to analyze the existence of the use and the date the use ceased on the subject property:

- Denton County Appraisal District records indicate that the building addressed as 910 N Mayhill Rd and the other three buildings on site were built in approximately 2009.
- Historical aerial imagery from prior to annexation in 2013 indicates the following:
 - The buildings addressed as 890 and 910 N Mayhill Rd were constructed on the property as of February of 2010.
 - The buildings addressed as 870 and 936 N Mayhill Rd were constructed on the property as of February of 2011.
 - In both January and September of 2013 imagery reflected a variety of vehicles present in the front yard of the property, and a variety of trailers and materials were visible in the rear yard behind the buildings addressed as 890 and 910 N Mayhill Rd. Although the uses appear to be related to building materials storage, no business names or records were available to verify the nature of these operations.

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- Historical aerial imagery from after annexation indicates the following:
 - Imagery from January of 2015 through March of 2021 show vehicular traffic and storage of materials outside of the building addressed as 910 N Mayhill Rd.
 - Imagery from November of 2022 through the present reflect the previous materials stored in the rear yard being removed, modifications to the property to add fencing between buildings, and little to no vehicular presence at the building addressed as 910 N Mayhill Rd.
- City utility billing records reflected a total of 3 different active accounts for the building addressed as 910 N Mayhill Rd.:
 - An account under the name of Michael L. Doyle was active between 2011 and 2018 with a final bill issued in June of 2018.
 - An account under the name of Pegasus Investors LLC was active between 2018 and 2020, with a final bill issued in August of 2020.
 - An account under the name of Pegasus Investors LLC was active between 2020 and 2021 with a final bill issued in April of 2021.
 - No utility account has been active for the building since 2021, which is consistent with the historical imagery discussed above that indicates commercial activity was not routinely occurring at the building from 2022 onward.
- City records indicate that the property was annexed into the City of Denton in 2013. At that time the property was assigned the placeholder zoning designation of Rural Residential (RD-5x), and this zoning transitioned to Rural Residential (RR) with the adoption of the current DDC in 2019. Since annexation, no applications have been submitted to rezone the property.
- City records indicate that no Certificates of Occupancy (CO) have been issued for the building addressed as 910 N Mayhill Rd.
- Records that were provided as part of the Zoning Verification application included the following:
 - A copy of the commercial lease with Esparza Custom Cabinets for the buildings addressed as 870 (920) and 890 N Mayhill Rd. that had a term of January 1, 2020 through December 31, 2020;
 - Historical tax records and an ownership deed from the most recent purchase in 2021;
 - A copy of the Multiple Listing Service (MLS) record showing the property, which includes all four buildings and has a listing date of March 20, 2024 and expiration date of November 30, 2026; and
 - Imagery from Google Street View from 2013 to 2024 that show various levels of vehicular activity each year. Images from 2023 and 2024 reflect previously stored materials around the 910 N Mayhill Rd building being removed and no visible business signage on the building, which is consistent with the historical imagery and utility billing records discussed above that indicated use of this building had ceased by this time.
- A Letter of Intent describing the nature of the proposed use of the building and explaining that Esparza Custom Millwork (presumed to be the same business as Esparza Custom Cabinets), which previously occupied buildings addressed as 870 (also referred to as 920) and 890 N Mayhill Rd., moved operations from 890 to 910 N Mayhill Rd. in 2023 and occupied the building until January of 2026.

Based on the information above, it is determined that nonconforming rights to use the property for Outdoor Storage; Warehouse and Wholesale Facility; Low-Impact Manufacturing; or Administrative, Professional, and Government Office uses do not exist for the building addressed as 910 N Mayhill Rd. Although the Letter of Intent indicates that the building was utilized through January of 2026 by Esparza Custom Millwork, no record of that use having legally existed in the building prior to annexation has been shown, and no evidence was provided or located that Esparza Custom Millwork, the last possible user of the building, ever legally operated from 910 N Mayhill Rd. Staff finds that the use has been discontinued since at least April of 2021 when utility service to the building ceased. The nonconforming rights therefore expired one year from the date of discontinuance, or in April of 2022, in accordance with DDC Subsection

1.5.2F.1. As a result, the above-listed uses may not be reestablished or introduced in the subject building. The use of the building must be in accordance with the uses permitted in the RR Zoning District as listed in Table 5.2-A of the DDC.

If you disagree with this determination, you may submit an appeal of an administrative decision in accordance with DDC Section 2.8.3 and Texas Local Government Code Section 211.010. Please note that the appeal must be received in writing within 20 calendar days of the date of this letter.

Alternatively, you may apply for a zoning change if you wish to change the zoning of the property to a district that permits the desired mix of uses. Districts where the above-listed uses are permitted by right can be found in DDC Table 5.2-A, and Subsection 2.7.2 outlines the zoning change process and the criteria that must be met in order for the Council to approve a zoning change.

Thank you,

A handwritten signature in black ink, appearing to read 'Hayley Zagurski', written in a cursive style.

Hayley Zagurski, AICP
Planning Director
Development Services Department
Hayley.Zagurski@cityofdenton.com