



City of Denton

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

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Cassey Ogden

DATE: December 16, 2024

SUBJECT

Hold a public hearing and consider approval of a variance from the Residential 3 (R3) District Dimensional Standards, specifically Denton Development Code Table 3.2-D as it relates to the minimum lot width of 60 feet. The subject property is generally located on the west side of Fulton Street, approximately 180 feet south of West Congress Street. (V24-0131, High School Addition, Julie Wyatt)

BACKGROUND AND PROPERTY HISTORY

The property owner is requesting a variance from the Residential 3 (R3) District's required minimum lot width of 60 feet. Originally platted over 100 years ago then further subdivided by deed, the current width of the subject property is 49 feet along Fulton Street, 11 feet shorter than required by today's regulations.

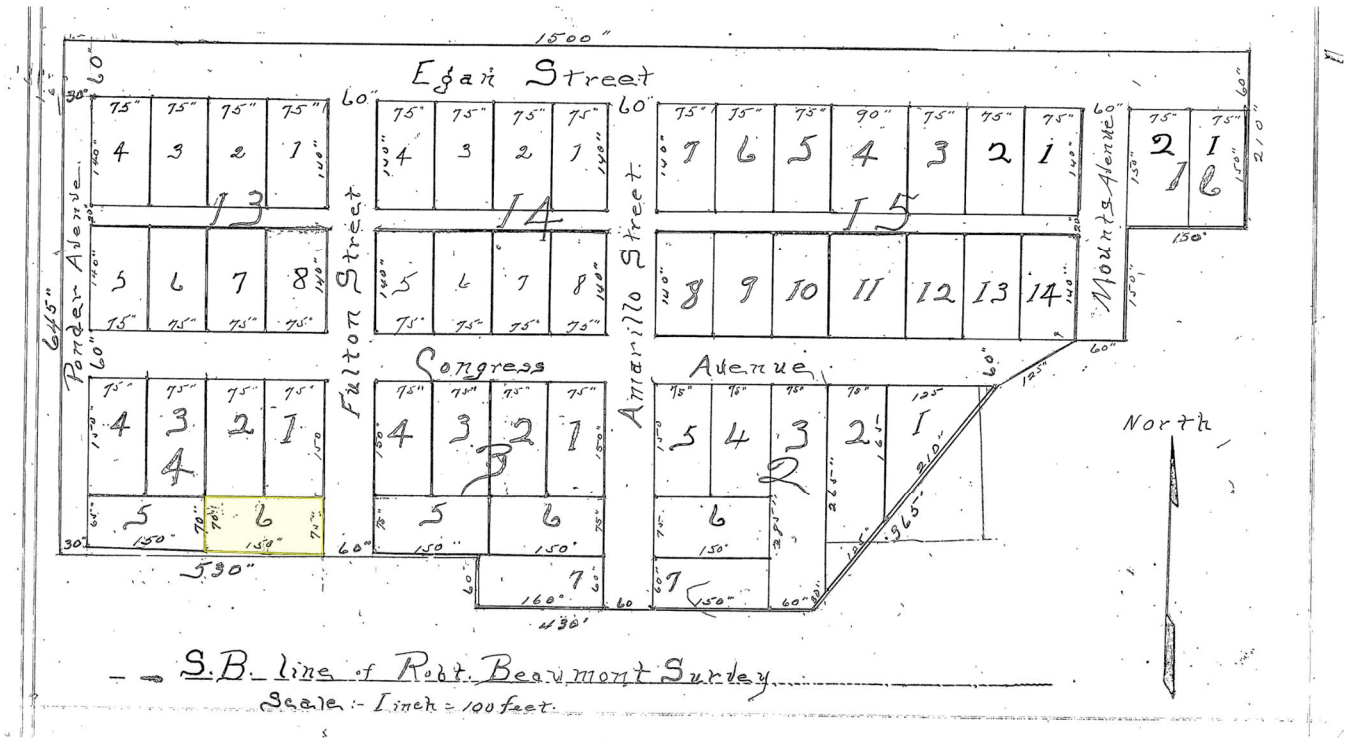
The applicant is seeking a variance in order to replat the subject property along with the three additional lots located to the west and northwest. This replat will update the lot boundaries and increase the platted lot size of the subject property. It should also be noted that the proposed replat is not required to develop the subject property, as it currently contains a single-family dwelling which was recently constructed. However, the replat will revise the property lines to correct the legal boundaries which were previously modified as discussed in the property history below.

The original plat is provided as Exhibit 4, and Exhibit 5 contains the proposed replat.

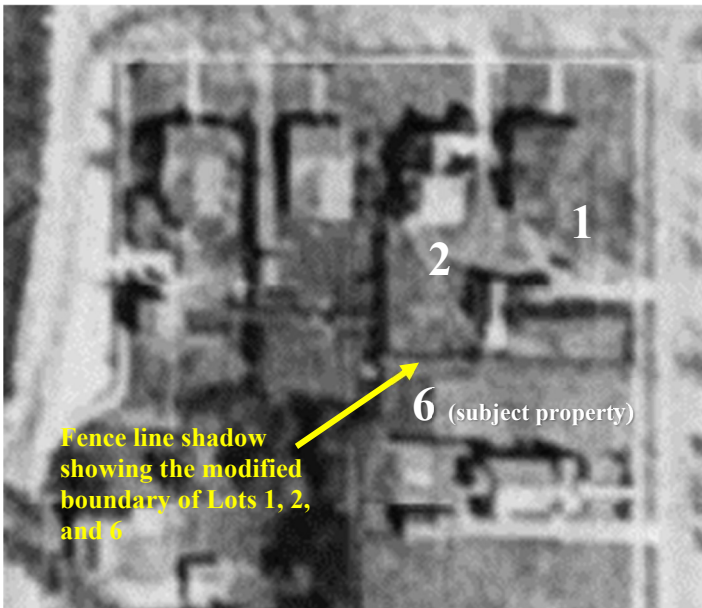
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Property History

The subject property was platted in 1917 as Lot 6, Block 4 of the High School Addition (Exhibit 4). The original rectangular lot was 75 feet wide at the right-of-way, 150 feet deep, and contained approximately 10,900 square feet, as shown in the plat below (Lot 6 shown in yellow).



According to the Denton County Real Property Records, the boundaries of Lots 1, 2, and 6, Block 4 have been modified since the plat was originally recorded. Deeds executed in the 1920s conveyed the north third of Lot 6 as part of Lots 1 and 2, thereby increasing the length and area of Lots 1 and 2 and reducing the width and area of Lot 6. **This reduced size of Lot 6, Block 4 (approximately 7,500 square feet in area and 49 feet wide) has continued to today and is shown in both aerial maps below.**



1942 Aerial Map

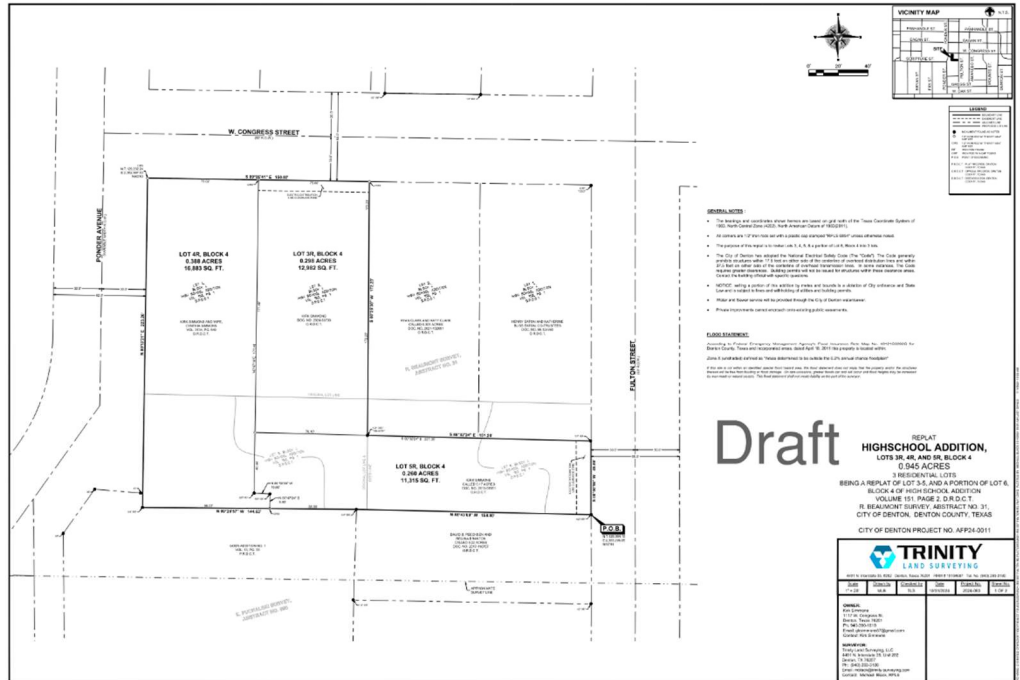


2015 Aerial Map

With its current dimensions, Lot 6, Block 4 does not meet the minimum lot area or width for the property's Residential 3 (R3) District zoning:

- Table 3.2-D, *R3 District Dimensional Standards*, of the Denton Development Code (DDC):
 - Minimum lot width of 60 feet (measured adjacent to the right-of-way)
 - Minimum lot area of 10,000 square feet

Since the deed changes to the property's platted boundaries occurred prior to the City's adoption of subdivision regulations in 1960, the property could continue to be utilized in its current configuration. However, the property owner recently constructed a single-family dwelling with an accessory dwelling unit on the subject property and has acquired Lots 3, 4, 5, Block 4, which are also developed with single-family dwellings. At this time, the owner has approached the City to replat the property to extend Lot 6 to the east, enlarging Lot 6 by taking in a portion of Lot 5 (See Exhibit 5 and draft replat, above).



In accordance with DDC Subsection 8.3.2A.1, all lots created through the platting process must conform to the minimum zoning standards. Since Lot 6 does not meet the minimum lot width for R3 District, prior to replatting, the property owner must first obtain a variance from DDC Table 3.2-D, *R3 District Dimensional Standards* to reduce the minimum lot width from 60 feet to 49 feet.

It should also be noted that a replat would also address two issues associated with Block 4 of the High School Addition:

1. Because of the deed modifications to the property boundaries, no current lot boundaries within Block 4 of the High School Addition are consistent with the lot boundaries established by the 1917 plat. The replat would update the property lines to correct the legal boundaries for Lots 3, 4, 5, and 6, which would clean up the public records for all future property transactions and permitting for these lots.
2. The extension of the current Lot 6 (Lot 5-R on the draft replat) boundaries to the west would increase the size of the lot so that it will conform to the R3 District minimum lot area of 10,000 square feet.

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 lot width from 60 feet to 49 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
1917		Final Plat for High School Addition	Plat Filed of Record
October 2019	City Council	Implementation of the 2019 Denton Development Code	Transition from NR-4 District to R4 District

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. High School Addition Plat
5. Applicant Narrative and Proposed Draft Replat

Respectfully submitted:
Tina Firgens, AICP
Deputy Director of Development Services/Planning Director

Prepared by:
Julie Wyatt, AICP
Principal Planner