

February 9, 2026

Richard Stroup
7400 N. Locust Street
Denton, Texas 76207

City of Denton Planning Department
Department of Development Services
401 North Elm Street
Denton, Texas 76201

REQUEST FOR VARIANCE

**Re: Variance from Denton Development Code Section 8.3.2.C.2.a.
7400 N. Locust Street (Property ID: 701149)
Triptych Addition – ETJ of the City of Denton**

Dear Planning Department and Members of the Planning and Zoning Commission,

With respect to the above-referenced subdivision lot(s), the undersigned applicant, Richard Stroup, respectfully requests approval from the City of Denton Planning Department for a subdivision variance from the 2019 Denton Development Code (DDC), specifically Subsection 8.3.2.C.2.a., which limits the maximum number of residential lots permitted to take access from a private access easement. The requested variance would allow the subject property to continue to utilize an existing private access easement that currently serves more than the number of residential lots permitted by Code. If approved, I am also requesting approval of the Final Plat, attached hereto as **Exhibit A**, as said Plat would meet the established criteria for approval.

This variance is requested pursuant to DDC Section 2.8.7, which authorizes hardship variances when strict compliance with subdivision regulations would result in unreasonable hardship and when the intent and purpose of the regulations are otherwise met. Approval of the variance will allow reasonable use of the property while maintaining consistency with adopted plans and established access conditions.

I. Subject Property

The subject property associated with this driveway variance request is owned by Richard Stroup and is commonly known as 7400 N. Locust Street (Property ID No. 701149). The property is located in the V.E. Gailor Survey, Abstract No. 452, Denton County, Texas, and consists of all of Lot 1, Block A of the Triptych Addition in the Extraterritorial Jurisdiction (ETJ) of the City of Denton, as shown by the Plat of Record in Document No. 2017-109, Plat Records of Denton County, Texas.

The original plat comprises a 9.872-acre tract located at the southeast corner of F.M. 2164 (North Locust Street) and Pecan Creek Road, approximately 5,100 feet north of Loop 288, within Extraterritorial Jurisdiction Division 1 of the City of Denton. *See* **Exhibit B**.

II. Existing Access Conditions

The tract currently accesses F.M. 2164 by means of an existing private access easement that includes a gravel drive commonly known as Pecan Creek Drive. This private road is approximately one-half mile in length and currently serves fifteen (15) properties (see **Figure 1** below). This private access easement is the sole means of vehicular access to the subject property. Existing development patterns in the surrounding area preclude the creation of any alternative public roadway access, effectively landlocking the property from any other feasible point of ingress or egress.

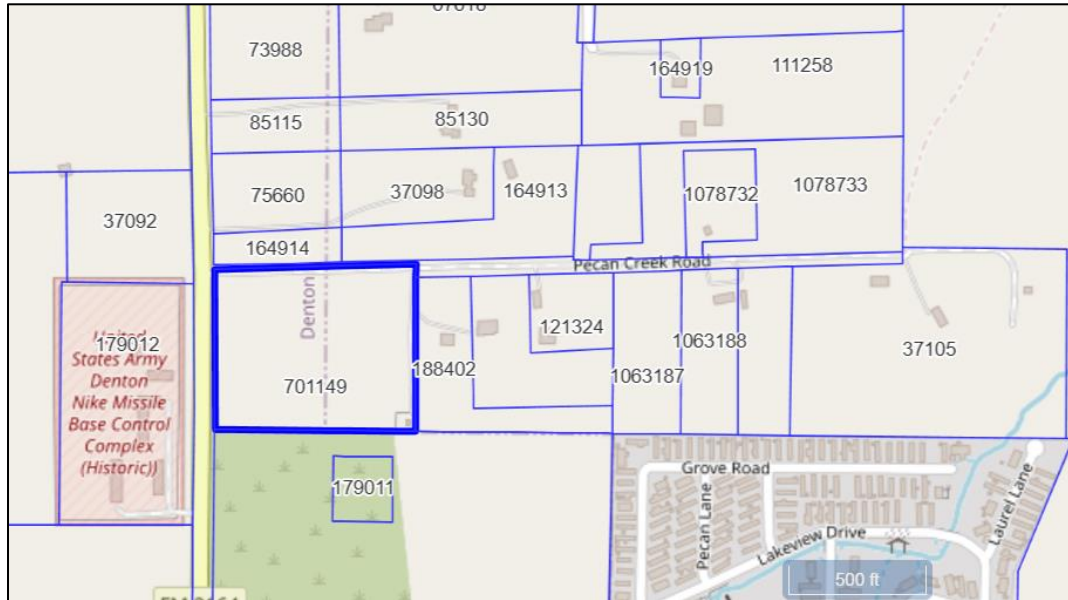


Figure 1

III. Proposed Subdivision

The submitted Plat (see **Figure 2** below) proposes to subdivide the subject tract into two (2) lots:

- One lot (Lot 1R-1, containing 5.389 acres) intended for single-family residential and agricultural uses (currently undeveloped), and
- One lot (Lot 1R-2, containing 4.484 acres) contains a single-family residence and agricultural uses.

See **Exhibit A**. Both lots would continue to access a public roadway via the existing private access easement. Parcel 1R-2 is served by a permitted-private water well, and wastewater service is provided through a permitted-private, on-site septic system. Parcel 1R-1 has no permanent structures, and is not currently served by water, sewer or septic. If and when it is developed, those services will comply with the City's then permitting process.

The proposed subdivision complies with all applicable provisions of the Denton Development Code except for the limitation on the number of residential lots accessing a public roadway via a private access easement.



Figure 2

IV. Basis for Variance Request

Pursuant to DDC Subsection 2.8.7.B., a property owner may request a subdivision variance from standards contained within Subchapters 7 and 8 when such variance meets the approval criteria outlined in Subsection 2.8.7.D. Subdivision variances are considered hardship variances and may be granted where unreasonable hardships would result from strict compliance with the Code or where the purposes of the regulations may be better served by an alternative proposal. A variance may be approved when substantial justice is achieved, the public interest is secured, and the intent and purpose of the subdivision regulations are not nullified.

We believe the requested variance satisfies all required approval criteria, as outlined below:

1. **No Detriment to Public Safety, Health, or Welfare.** Approval of the requested variance will not be detrimental to public safety, health, or welfare, nor will it be injurious to other property. The private access easement exists in its current configuration, and the proposed subdivision will not materially increase traffic on F.M. 2164. Traffic impacts associated with two single-family residences are minimal.

2. Existence of a Unique Hardship. Due to the unique physical surroundings and historical development patterns in the area, strict application of the subdivision regulations would result in a particular hardship to the property owner rather than a mere inconvenience. The Code limits the number of residential lots that may access a public road via a private access easement to three (3). However, the existing development pattern already includes nine or more residential properties utilizing the same private access easement, rendering the subject tract unable to subdivide or reasonably develop under strict compliance (*see Figure 1* above).

3. Consistency with the Comprehensive Plan and Development Code. Approval of the variance will not vary or conflict with the Denton 2040 Comprehensive Plan, Denton Mobility Plan, or Denton Development Code, except for the specific standard identified herein, which is eligible for variance pursuant to DDC Subsection 2.8.7. The submitted Plat complies with all applicable provisions of the Denton Development Code except for the requested variance.

4. Conditions Not Self-Created. The special conditions upon which this variance request is based were not created by the current owner or any prior owner after adoption of the applicable regulations. The private access configuration serving nine or more properties has existed since at least 1987, as shown in the V.E. Gailor Survey recorded with Denton County. *See Exhibit C.* Multiple neighboring properties along the easement are already developed with existing residences, and the number of lots utilizing the easement exceeded current Code limits well before this variance request was initiated.

Additionally, the Planning and Zoning Commission has previously approved similar subdivision variance requests for relief from DDC Subsection 8.3.2.C.2.a., including:

- The Pecan Creek Variance (V25-0061/697), approved September 24, 2025; and
- The PLR Addition Final Plat (FP25-0006), approved March 19, 2025.

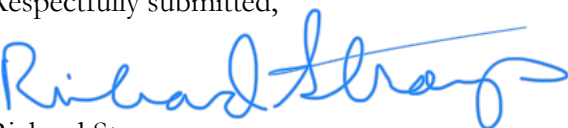
V. Conclusion

For the reasons stated above, we respectfully request approval of the proposed subdivision variance. The request is not detrimental to the public welfare, is consistent with the overall goals and intent of the Denton Development Code, satisfies the approval criteria set forth in DDC Section 2.8.7, the spirit of those rules and regulations would be preserved in granting such a variance, and, finally, substantial justice would be served in doing so.

* * *

Thank you for your consideration. Please do not hesitate to contact me should you require any additional information.

Respectfully submitted,



Richard Stroup

Property Owner-Applicant