



# City of Denton

City Hall  
215 E. McKinney St.  
Denton, Texas 76201  
www.cityofdenton.com

## Meeting Agenda

### Zoning Board of Adjustment

Monday, December 16, 2024

5:30 PM

Development Service Center

#### **REGISTRATION GUIDELINES FOR ADDRESSING THE ZONING BOARD OF ADJUSTMENT**

Citizens will also be able to participate in the following way (NOTE: Other than public hearings, citizens are only able to comment one time per agenda item; citizens cannot use both methods to comment on a single agenda item. Public comments are not held for work session reports.):

- eComment – On December 13, 2024, the agenda was posted online at <https://tx-denton.civicplus.com/242/Public-Meetings-Agendas>. Once the agenda is posted, a link to make virtual comments using the eComment module will be made available next to the meeting listing on the Upcoming Events Calendar. Within eComment, citizens may indicate support or opposition and submit a brief comment about a specific agenda item. Comments may be submitted up until the start of the meeting at which time the ability to make an eComment will be closed. Similar to when a citizen submits a white card to indicate their position on an item, the eComments will be sent directly to members of the Zoning Board of Adjustment and recorded by the Secretary.

Members review comments received in advance of the meeting and take that public input into consideration prior to voting on an agenda item. The Chair will announce the number of Comment Cards submitted in support or opposition to an item during the public comment period. Comments will not be read during the meeting. The Secretary will reflect the number of comments submitted in favor/opposition to an item, the registrant’s name, address, and (summary of) comments within the Minutes of the Meeting, as applicable.

After determining that a quorum is present, the Zoning Board of Adjustment of the City of Denton, Texas will convene in a Regular Meeting on Monday, December 16, 2024 at 5:30 p.m. in Training Rooms 3, 4, and 5 at Development Service Center, 401 N. Elm Street, Denton, Texas at which the following items will be considered:

#### **1. PLEDGE OF ALLEGIANCE**

- A. U.S. Flag
- B. Texas Flag

“Honor the Texas Flag – I pledge allegiance to thee, Texas, one state under God, one and indivisible.”

#### **2. ITEMS FOR CONSIDERATION**

- A. [ZBA24-015](#) Consider the approval of the November 18, 2024 minutes.

*Attachments:* [Exhibit 1 - November 18, 2024 ZBA Minutes](#)

#### **3. PUBLIC HEARINGS**

- A. [V24-0131](#) 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)

Attachments:

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Staff Analysis](#)

[Exhibit 3 - Site Location Map](#)

[Exhibit 4 - High School Addition Plat](#)

[Exhibit 5 - Applicant Narrative and Proposed Draft Replat](#)

**4. CONCLUDING ITEMS**

A. Under Section 551.042 of the Texas Open Meetings Act, respond to inquiries from the Zoning Board of Adjustment or the public with specific factual information or recitation of policy, or accept a proposal to place the matter on the agenda for an upcoming meeting AND Under Section 551.0415 of the Texas Open Meetings Act, provide reports about items of community interest regarding which no action will be taken, to include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; or an announcement involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

NOTE: The Zoning Board of Adjustment reserves the right to adjourn into a Closed Meeting on any item on its Open Meeting agenda consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law.

CERTIFICATE

I certify that the above notice of meeting was posted on the official website (<https://tx-denton.civicplus.com/242/Public-Meetings-Agendas>) and bulletin board at City Hall, 215 E. McKinney Street, Denton, Texas, on December 13, 2024, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

\_\_\_\_\_  
OFFICE OF THE CITY SECRETARY

NOTE: THE CITY OF DENTON'S DESIGNATED PUBLIC MEETING FACILITIES ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE ACCOMMODATION, SUCH AS SIGN LANGUAGE INTERPRETERS FOR THE HEARING IMPAIRED, IF REQUESTED AT LEAST 48 HOURS IN ADVANCE OF THE SCHEDULED MEETING. PLEASE CALL THE CITY SECRETARY'S OFFICE AT 940-349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT REASONABLE ACCOMMODATION CAN BE ARRANGED.



# City of Denton

City Hall  
215 E. McKinney St.  
Denton, Texas 76201  
[www.cityofdenton.com](http://www.cityofdenton.com)

## Legislation Text

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**File #: ZBA24-015, Version: 1**

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### **AGENDA CAPTION**

Consider the approval of the November 18, 2024 minutes.

MINUTES  
ZONING BOARD OF ADJUSTMENT  
November 18, 2024

After determining that a quorum is present, the Zoning Board of Adjustment of the City of Denton, Texas will convene in a Regular Meeting on Monday, November 18, 2024, at 5:54 p.m. in City Council Work Session Room, at City Hall, 215 E. McKinney Street, Denton, Texas, at which the following items will be considered:

PRESENT: Chair: Jennifer Lane Members: Kate Lynass, Kristine Bray, Angela Green, Liam Gaume-Wakefield, Connor Hall, and Byron Woods

ABSENT: Kevin Blair

**REGULAR MEETING**

**1. PLEDGE OF ALLEGIANCE**

- A. U.S. Flag
- B. Texas Flag

**2. ITEMS FOR INDIVIDUAL CONSIDERATION**

**A. ZBA24-012:** Elect a Vice-Chair for the Zoning Board of Adjustment.

Member Bray moved to nominate Connor Hall as Vice-Chair. Motion seconded by Member Woods. Motion carried.

AYES (7): Chair: Jennifer Lane and Members: Kristine Bray, Kate Lynass, Angela Green, Liam Gaume-Wakefield, Connor Hall, and Byron Woods

NAYS (0): None

**B. ZBA24-010:** Consider the approval of the July 22, 2024, minutes.

Member Woods moved to approve the minutes as presented. Motion seconded by Member Wakefield. Motion carried.

AYES (7): Chair: Jennifer Lane and Members: Kristine Bray, Kate Lynass, Angela Green, Liam Gaume-Wakefield, Connor Hall, and Byron Woods

NAYS (0): None

**C. ZBA24-013:** Consider approval of the 2025 Zoning Board of Adjustment meeting calendar.

Member Wakefield mentioned likely being absent for the 2025 February meeting.

Member Woods moved to approve the calendar as presented. Motion seconded by Vice-Chair Treat. Motion carried.

AYES (7): Chair: Jennifer Lane and Members: Kristine Bray, Kate Lynass, Angela Green, Liam Gaume-Wakefield, Connor Hall, and Byron Woods

NAYS (0): None

**D. V24-0130** Consider a variance request from the Denton Development Code, Subsection 7.9.4B regarding a modification of the maximum parking requirements for an automotive fuel sales development. The variance requested is to permit the provision of additional vehicular parking spaces for a total of 41 parking spaces at an existing automotive fuel sales development, generally located at the southwest corner of West University Drive and IH-35, in the City of Denton, Denton County, Texas (V24-0130, Quick Trip 912 Parking, Mia Hines).

Chair Lane opened the public hearing at 6:16pm.

Mia Hines, Senior Planner, presented the item.

Ben Williams, 4217 Foxborough Trail, clarified specifics and answered questions as one of the item's applicants.

John Pimentel, 1308 Cheyenne Dr., also helped answer the Board's follow up question as one of the item's applicants.

Discussion between the board occurred.

With no other citizen comments Chair Lane closed the public hearing at 6:29pm.

Member Woods made a motion to approve the variance. Motion seconded by Member Wakefield. Motion carried.

AYES (7): Chair: Jennifer Lane, and Members: Kate Lynass, Kristine Bray, Liam Gaume-Wakefield, Angela Green, Connor Hall, and Byron Woods

NAYS (0): None

### **3. CONCLUDING ITEMS**

With no further business, the meeting was adjourned at 6:37 p.m.

X

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Connor Hall  
Zoning Board of Adjustments Vice-Chair

X

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Carly Blondin  
Administrative Assistant

Minutes approved on: \_\_\_\_\_



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## Legislation Text

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**File #: V24-0131, Version: 1**

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### **AGENDA CAPTION**

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)



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## 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.

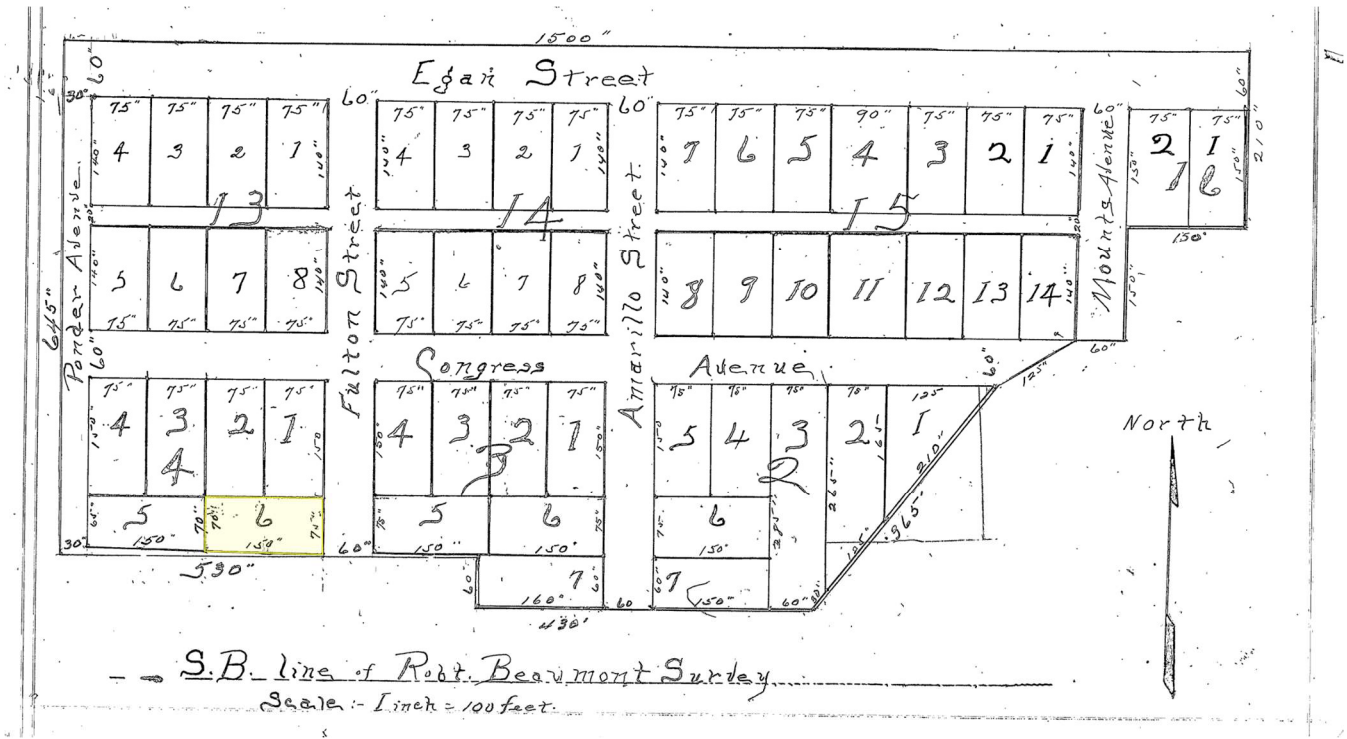
The original plat is provided as Exhibit 4, and Exhibit 5 contains the proposed replat.

*Continued on the next page.*

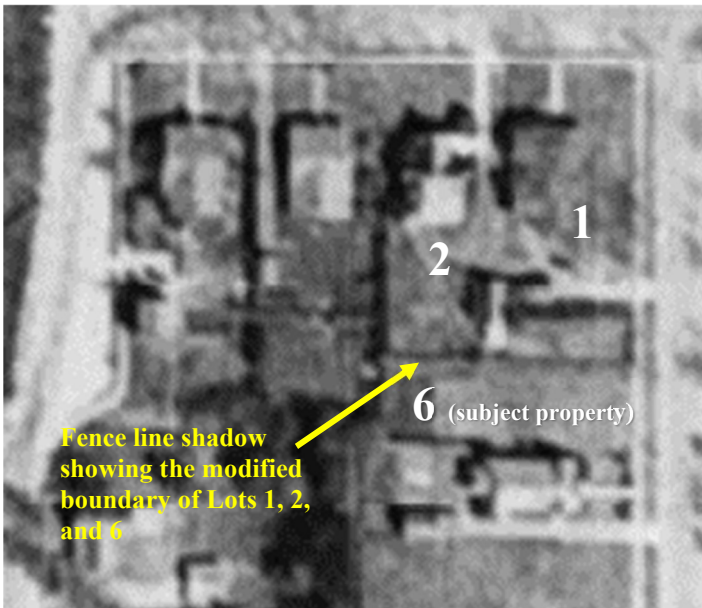


**Property History**

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

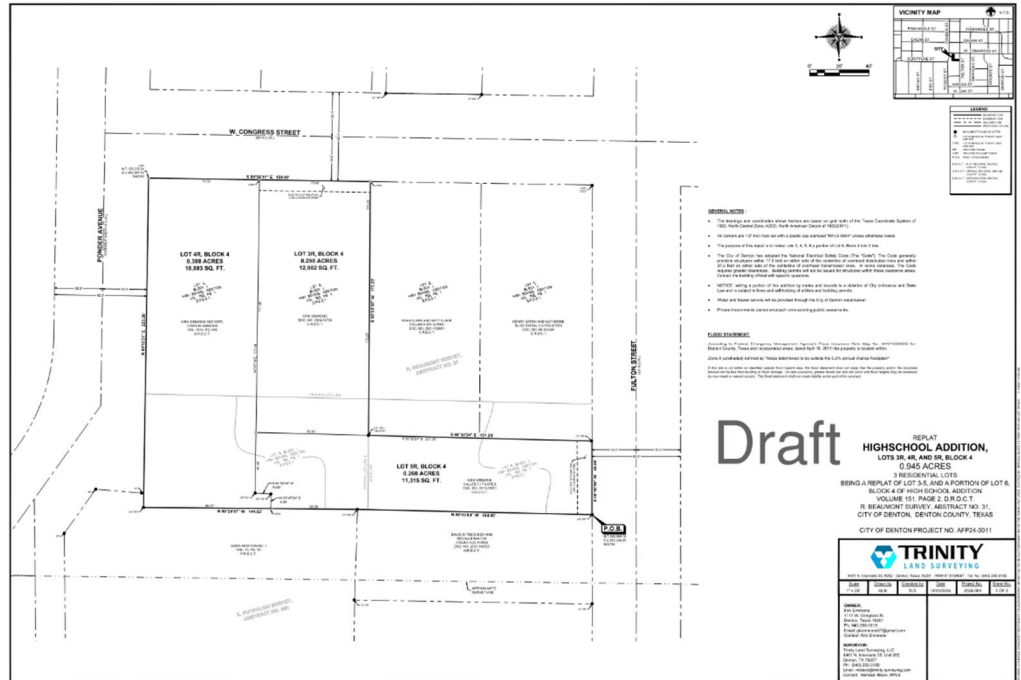


2015 Aerial Map

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

# Planning Staff Analysis

## V24-/High School Addition

### City Council District #2

#### REQUEST:

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.

#### SITE DATA:

The 7,500-square foot lot was platted in 1917 as Lot 6, Block 4 of the High School Addition (Exhibit 4). It is a rectangular lot with approximately 49 feet of frontage on Fulton Street. Current development in the general area includes single-family dwellings with detached garages, accessory dwelling units, and multifamily buildings. Although previously undeveloped, a single-family home and an accessory dwelling unit were recently constructed on Lot 6.

The subject site's boundaries to the north and south are fixed, given the adjacent lots are developed and not under common ownership. So while the owner is proposing to replat to extend the lot further to the west and meet the R3 minimum lot area, the owner is unable to modify the lot boundaries in a way that would increase the lot width to the minimum 60 feet.

#### CONSIDERATIONS:

1. The applicant is requesting a variance from Denton Development Code (DDC) Table 3.2-D to reduce the minimum lot width from 60 feet to 49 feet.
2. Section 2.8.1D states that the Board of Adjustment may grant a variance upon a finding that all of the following exist:
  - a) *Special circumstances or conditions apply to the parcel for which the variance is sought, which circumstances or conditions are peculiar to such parcel and do not apply generally to other parcels in the same district or neighborhood and that said circumstances or conditions are such that the strict application of the provisions of this DDC would deprive the applicant of the reasonable use of such parcel.*

The subject site was platted in 1917, but the property boundaries were modified by deed shortly after the original plat was filed, resulting in the current lot width of 49 linear feet. Due to the lot's age and deed history, this circumstance does not generally apply to parcels in the R3 District, as Denton's current subdivision regulations prohibit subdivision by deed (DDC Subsection 8.2.1B.3) to discourage property owners from combining lots without platting.

Furthermore, the lot boundaries at the right-of-way (where lot width is measured) are fixed and cannot change. Lot 6, Block 4 is situated between developed properties to the north and south, preventing the property owner from acquiring additional property in order to meet the minimum lot width requirements.

Finally, the purpose of the variance is to replat the property, not redevelop or change the use. Lot 6, Block 4 is currently developed with a single-family residential dwelling and accessory dwelling unit in accordance with all current standards, including setback, building height, and landscaping requirements. The existing structures are intended to remain.

The lot's age and dimensions, combined with current development conditions, create a special circumstance such that the strict application of the minimum lot width requirements prevent the owner from pursuing a replat of the lot, which would prevent the lot from being brought into conformity with the R3 District's minimum lot area standards.

- b) *The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the district or neighborhood in which the parcel is located.*

Granting of the proposed variance would not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood. Currently, the lot is developed with a single-family residential dwelling and accessory dwelling unit. If approved, the variance to reduce the minimum lot width from 60 feet to 49 feet will allow the property owner to replat the property so that the deed boundaries will correspond with the recorded plat.

- c) *The variance granted is the minimum variance that will accomplish this purpose;*

A variance from the minimum lot width would permit the property owner to replat the subject property and adjacent lots as shown in Exhibit 5. As noted above, the adjacent parcels to the north and south are developed, so acquiring additional land to increase the lot width is not feasible. Therefore, the proposed deviation is the minimum necessary to allow the proposed replat to move forward for review.

- d) *The literal enforcement and strict application of the provisions of this DDC will result in an unnecessary hardship inconsistent with the general provisions and intent of this DDC and that in granting such variance, the spirit of the DDC will be preserved and substantial justice done.*

The intent of the 60-foot minimum lot width in R3 District is to correspond with the district's purpose as a transition between large lot residential neighborhoods and medium lot residential neighborhoods. In this instance, strict application of the DDC's minimum lot width is not possible, as the subject property's boundaries have been fixed for 100 years, and the surrounding lots are developed with single-family dwellings. Requiring the applicant to try to acquire additional land area from the neighboring adjacent lots to increase the lot width an additional 11 feet to meet the 60-foot minimum would be an unnecessary hardship. Granting the requested variance will not change the residential nature of the property, maintaining the spirit of the DDC and the R3 District.

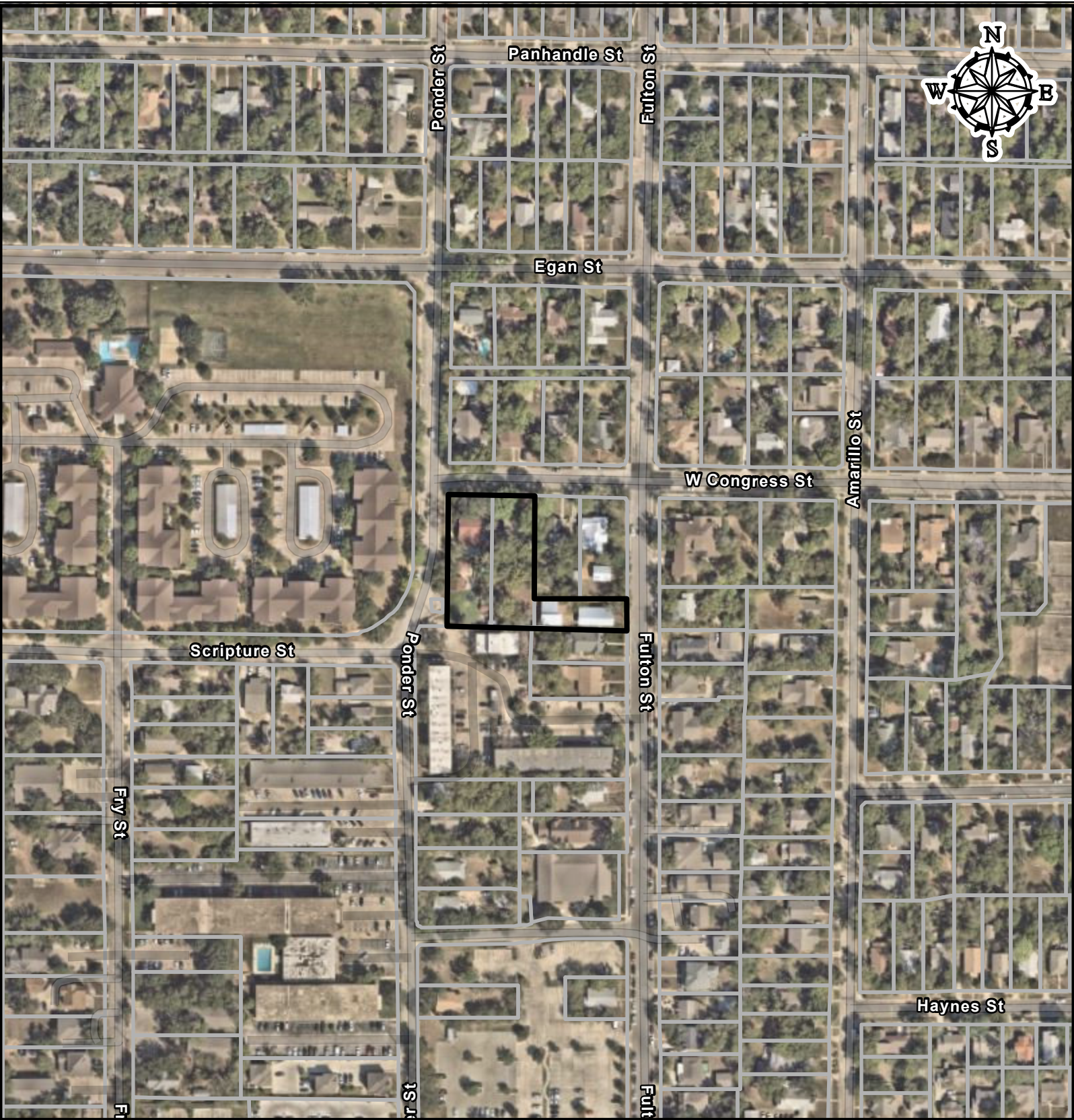
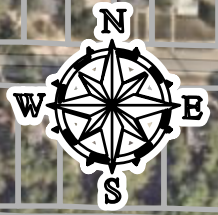
- e) *The granting of a variance is not solely for the purpose of mitigating a financial hardship; and*

The proposed variance is not for the purpose of mitigating a financial hardship.

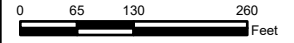
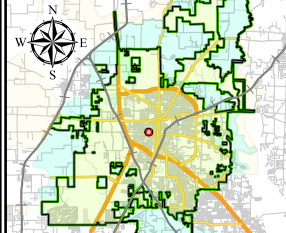
- f) *The condition or feature that creates the need for the variance did not result from the owner's actions.*

The property's boundaries were created by deed in the 1920's and have remained unchanged. This condition was not created by the property owner.

# V24-0131 Site Location



- COD
- ETJ
- ETJ 2
- NAA 8/1/20
- NAA 8/1/40



\*This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Although every effort was made to ensure the accuracy of this data, no such guarantee is given or implied. Utilization of this map indicates the understanding that there is no guarantee to the accuracy of this data.

No. 1081

THE STATE OF TEXAS )

COUNTY OF DENTON ) KNOW ALL MEN BY THESE PRESENTS:

That we, C. Lipscomb, Jr and wife Birdie Lipscomb, of Denton County, Texas, have this day filed the accompanying map of the "HIGH SCHOOL ADDITION," to the City of Denton, Texas, said addition being out of and a part of the Robert Beaumont survey in Denton County, Texas, described by metes and bounds as follows:

**BEGINNING** at the Northeast corner of that certain lot of land conveyed by C.P. Scripture to W.G. Evans, by Special Warranty Deed dated May 25th 1891; Thence West 530 feet to a stake for corner, <sup>in</sup> the center of Ponder Avenue; Thence North 645 feet to a point in the center of Ponder Avenue on the North line of Egan Street; thence East with the North line of Egan Street 1500 feet to a point on the W.B. line of that certain tract of land, a part of the R. Beaumont survey conveyed by W.H. Mounts and wife to Dwight Ripley by deed of record at page 401 of Vol "K" of the deed records of Denton County, Texas; Thence South 210 feet for corner; thence West 150 feet for corner; thence South 150 feet for corner on the N B line of Congress Avenue; thence West 60 feet for corner; thence South 30 deg West 125 feet for corner on the S B line of Congress Avenue.; thence South 55 deg West 365 feet to a point 30 feet north of the S.B. line of the Robert Beaumont survey; thence West parallel with the S B line of the Robert Beaumont survey 430 feet to the E.B. line of the tract conveyed by Scripture to Evans first herein referred to; Thence North with the E B line of same 60 feet to the place of beginning;

And for and in consideration of the sum of One Dollar to us in hand paid by S.G. Gary Mayor of the City of Denton, Texas, the receipt of which is hereby fully acknowledged we do hereby dedicate and forever convey to the City of Denton, Texas, the streets, avenues and alleys as set out and shown upon the said map for the public use and benefit as such.

IN WITNESS WHEREOF, we sign our names to this instrument for the purposes set forth this 9th day of Jan'y 1917.

C. Lipscomb Jr.

Birdie Lipscomb.

THE STATE OF TEXAS )

COUNTY OF DENTON ) BEFORE ME, the undersigned authority, in and for Denton County, Texas, on this day personally appeared C. Lipscomb, Jr and Birdie Lipscomb his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed; and the said Birdie Lipscomb, wife of C. Lipscomb Jr, having been examined by me privily and apart from her husband and having the same by me fully explained to her, she, the said Birdie Lipscomb acknowledged such instrument to be her act and deed and declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

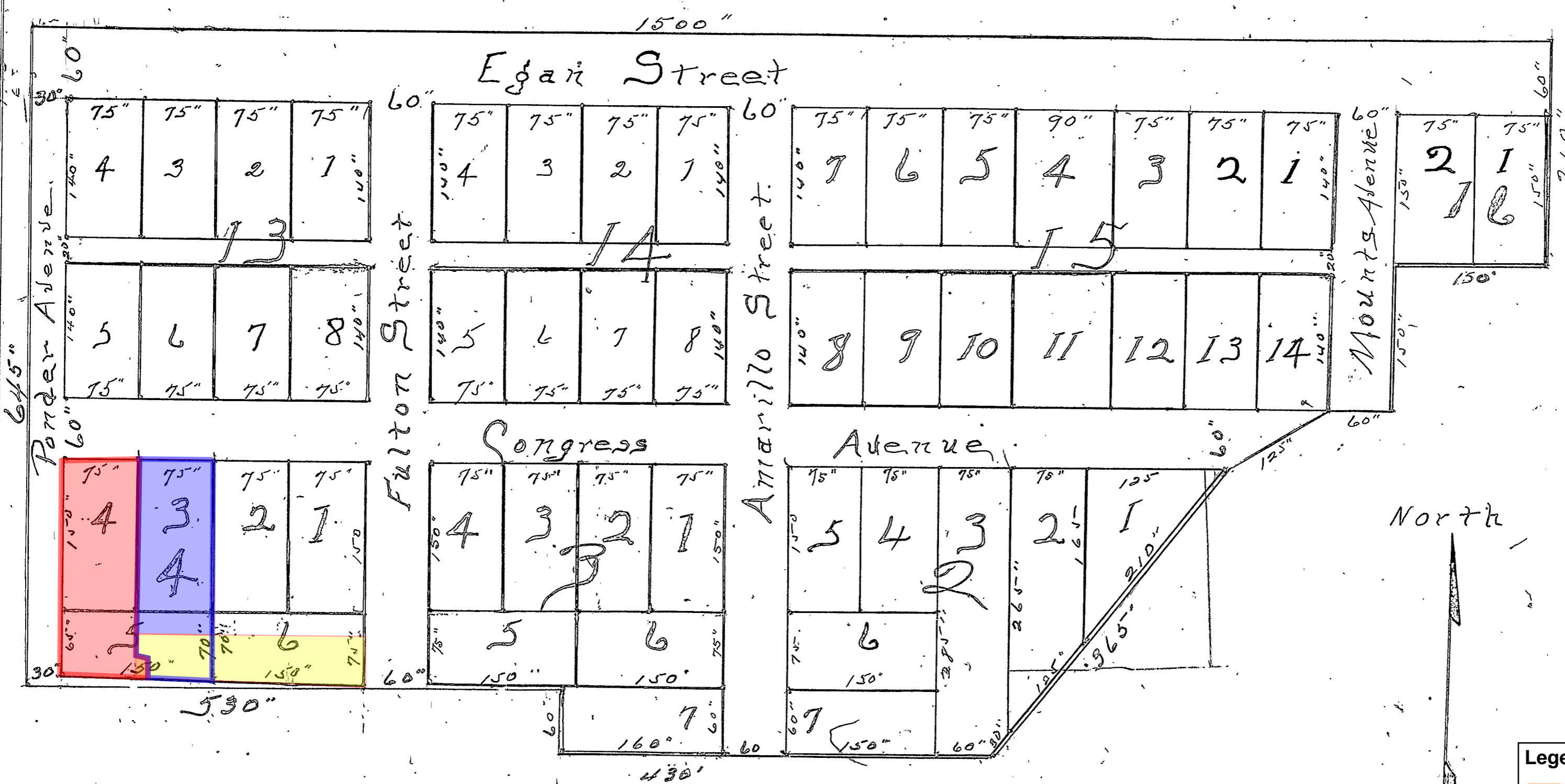
GIVEN UNDER MY HAND AND SEAL OF OFFICE this 9 day of Jan'y. A D 1917.

(SEAL)

Wylie Smith Notary Public Denton Co Texas.



DR VOL 00152 PAGE 2



S.B. line of Robt. Beaumont Survey  
 Scale: 1 inch = 100 feet.

**Legend**

- Proposed Lot 5R (Current Lot 6)
- Proposed Lot 3R (Current Lot 3)
- Proposed Lot 4R (Current Lot 4)

Filed For Record Jan 9, 1917 at 1 oclock P.M. and RECORDED Feb 13, 1917 at 11 oclock A.M.

zRoy Mays Clerk Co Court Denton Co Texas.

By R. Joe Rogers Deputy

November 4, 2024

To: City of Denton, Texas  
401 N. Elm St.  
Denton, Texas 76201  
Ph. 940-349-8600

**Re: Project Narrative**

Property Location:

The property is located at 504 Fulton St., 1117 W. Congress St., & 1113 W. Congress St., Denton, Texas 76201. This property is located within the City of Denton city limits.

Acreage:

The total acreage of this plat is 0.945 acres.

Existing Usage:

Residential (Currently Zone R3-Residential)

Proposed Usage:

Residential (No zoning change requested)  
(3 Residential Lots)

Scope of Project and reason for variance request:

The purpose of this project is to revise the lot lines of Lot 3, Block 4, 5, and a portion of Lot 6, Block 4 of High School Addition to create 3 revised lots. The existing plat was recorded on January 9<sup>th</sup>, 1917 and much of the block was sold in portions, which are out of conformance with the City of Denton's requirements today.

The reason we are requesting this variance is because the portion of Lot 6 that is under my client's ownership is less than the minimum 60 feet-wide road frontage requirement for re-platting the property. There is no way to widen this property, as the adjoining properties on either side are owned by other parties.

We respectfully request that you approve this variance, as granting this variance will, to the best of our ability, bring the majority of this block to conformance with the current standards.

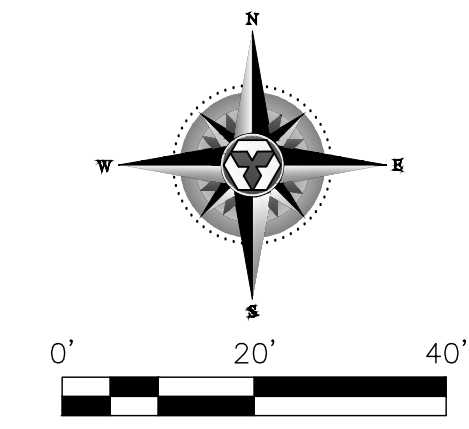
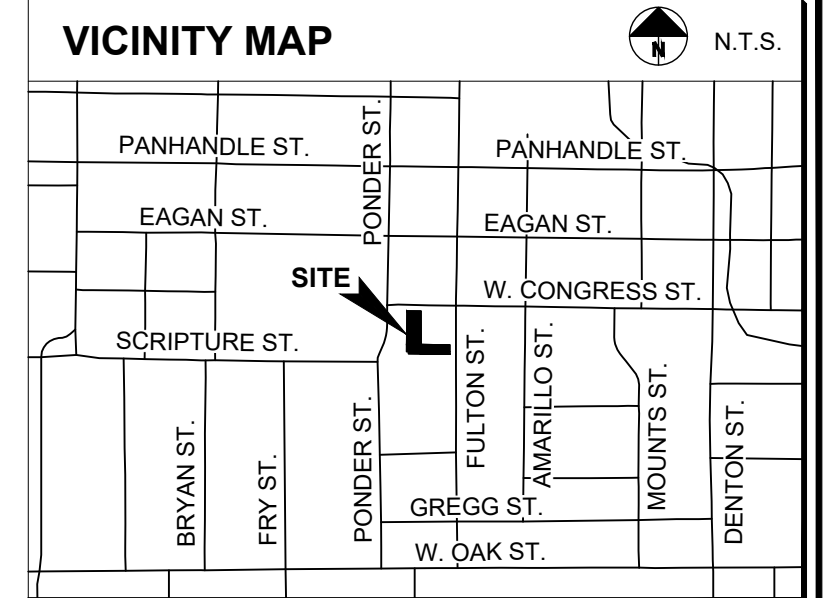
Thank you,  
Michael L. Black, RPLS #6854 (Tx) PLS #1982 (Ok)



Filed For Record Jan 9, 1917 at 1 oclock P.M. and RECORDED Feb 13, 1917 at 11 oclock A.M.

zRoy Mays Clerk Co Court Denton Co Texas.

By R. Joe Rogers Deputy



**LEGEND**

	BOUNDARY LINE
	EASEMENT LINE
	ADJOINER LINE
	PROPOSED LOT LINE
	MONUMENT FOUND AS NOTED
	1/2" IRON ROD W/ "TRINITY 6854" CAP SET
	CRS 1/2" IRON ROD W/ "TRINITY 6854" CAP SET
	IRON ROD FOUND
	IRON ROD W/ A CAP FOUND
	POINT OF BEGINNING
	P.R.D.C.T. PLAT RECORDS, DENTON COUNTY, TEXAS
	O.R.D.C.T. OFFICIAL RECORDS, DENTON COUNTY, TEXAS
	D.R.D.C.T. DEED RECORDS, DENTON COUNTY, TEXAS

**GENERAL NOTES :**

- The bearings and coordinates shown hereon are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983(2011).
- All corners are 1/2" iron rods set with a plastic cap stamped "RPLS 6854" unless otherwise noted.
- The purpose of this replat is to revise Lots 3, 4, 5, & a portion of Lot 6, Block 4 into 3 lots.
- The City of Denton has adopted the National Electrical Safety Code (The "Code"). The Code generally prohibits structures within 17.5 feet on either side of the centerline of overhead distribution lines and within 37.5 feet on either side of the centerline of overhead transmission lines. In some instances, The Code requires greater clearances. Building permits will not be issued for structures within these clearance areas. Contact the building official with specific questions.
- NOTICE: selling a portion of this addition by metes and bounds is a violation of City ordinance and State Law and is subject to fines and withholding of utilities and building permits.
- Water and Sewer service will be provided through the City of Denton water/sewer.
- Private improvements cannot encroach onto existing public easements.

**FLOOD STATEMENT:**

According to Federal Emergency Management Agency's Flood Insurance Rate Map No. 48121C0360G for Denton County, Texas and incorporated areas, dated April 18, 2011 this property is located within:

Zone X (unshaded) defined as "Areas determined to be outside the 0.2% annual chance floodplain"

If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

REPLAT  
**HIGHSCHOOL ADDITION,**  
 LOTS 3R, 4R, AND 5R, BLOCK 4  
 0.945 ACRES  
 3 RESIDENTIAL LOTS  
 BEING A REPLAT OF LOT 3-5, AND A PORTION OF LOT 6,  
 BLOCK 4 OF HIGH SCHOOL ADDITION  
 VOLUME 151, PAGE 2, D.R.D.C.T.  
 R. BEAUMONT SURVEY, ABSTRACT NO. 31,  
 CITY OF DENTON, DENTON COUNTY, TEXAS

CITY OF DENTON PROJECT NO. AFP24-0011

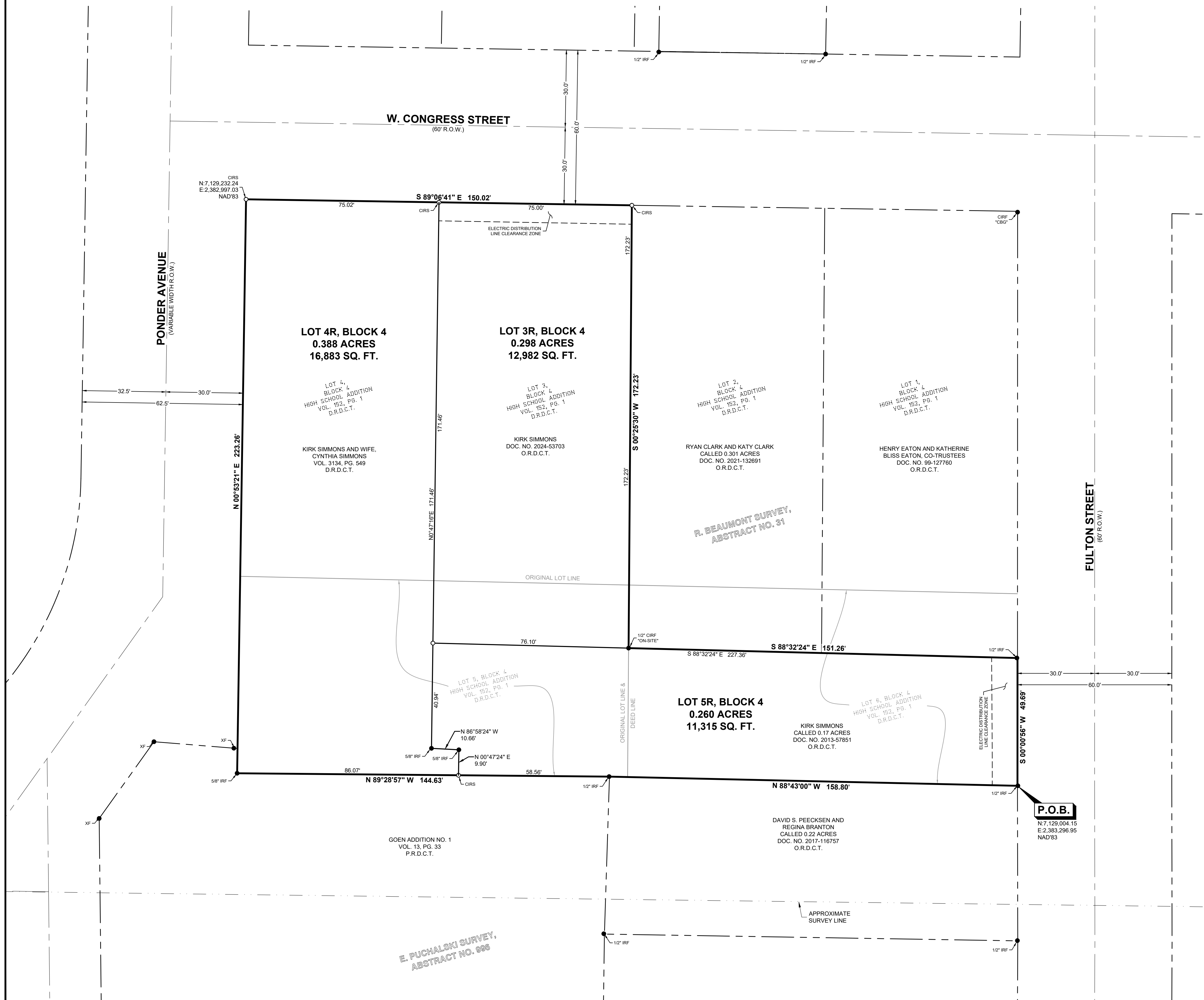


4401 N. Interstate 35, #202 Denton, Texas 76201 FIRM # 10194687 Tel. No. (940) 293-3180

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 20'	MLB	TLS	10/31/2024	2024-083	1 OF 2

**OWNER:**  
 Kirk Simmons  
 1117 W. Congress St.  
 Denton, Texas 76201  
 Ph. 940-390-1818  
 Email: gksimmons57@gmail.com  
 Contact: Kirk Simmons

**SURVEYOR:**  
 Trinity Land Surveying, LLC  
 4401 N. Interstate 35, Unit 202  
 Denton, TX 76207  
 Ph: (940) 293-3180  
 Email: mblack@trinity-surveying.com  
 Contact: Michael Black, RPLS



**OWNER'S CERTIFICATE**

STATE OF TEXAS §  
COUNTY OF DENTON §

WHEREAS Kirk Simmons, is the owner of the land shown on this plat within the area described by metes and bounds as follows:

**BEING** a tract of land situated in the R. Beaumont Survey, Abstract No. 31, in the City of Denton, Denton County, Texas and being all of Lots 3 through 5, and a portion of Lot 6, Block 4 of High School Addition, an addition to the City of Denton, according to the Plat thereof recorded in Volume 152, Page 1 of the Deed Records of said county, and being all of a tract of land described in a General Warranty Deed to Kirk Simmons, as recorded in Document No. 2024-53703 of the Official Records of said county, all of a called 0.17 acre tract of land described in a General Warranty Deed to Kirk Simmons, as recorded in Document No. 2013-57851 of said Official Records, and all of a tract of land described in a Warranty Deed to G. Kirk Simmons and wife, Cynthia Simmons, as recorded in Volume 3134, Page 549 of the Deed Records of said county, and being more particularly described by metes and bounds as follows:

**BEGINNING** at a 1/2 inch iron rod found on the westerly right-of-way line of Fulton Street, a 60 feet-wide right-of-way, for the occupied southeast corner of said Lot 6, the southeast corner of said 0.17 acre tract, and the northeast corner of a called 0.22 acre tract described in a Warranty Deed to David S. Peecksen and Regina Branton, as recorded in Document No. 2017-116757 of said Official Records;

**THENCE** North 88°43'00" West, leaving said westerly right-of-way line and partly with the occupied south line of said Lot 6, and continuing with the occupied south line of said Lot 5 for a total distance of 158.80 feet to a 1/2 inch iron rod found for the northwest corner of said 0.22 acre tract, the northeast corner of Goen Addition No. 1, an addition to the City of Denton, according to the Plat thereof recorded in Cabinet J, Page 334 (formerly Volume 13, Page 33) of the Plat Records of said county, and for an angle point in the occupied south line of said Lot 5;

**THENCE** North 89°28'57" West, continuing with the occupied south line of said Lot 5 and with the north line of said Goen Addition No. 1, a distance of 144.63 feet to a 5/8 inch iron rod found for the occupied southwest corner of said Lot 5 and an inner "L" corner of said Goen Addition No. 1;

**THENCE** North 00°53'21" East, partially with an east line of said Goen Addition and partially with the easterly right-of-way line of Ponder Avenue, a variable width right-of-way, a distance of 223.26 feet to a 1/2 inch iron rod with a yellow cap, stamped "Trinity 6854", set at the intersection of the easterly right-of-way line of said Ponder Avenue with the southerly right-of-way line of W. Congress Street, a 60 feet-wide right-of-way, for the northwest corner of the aforementioned Lot 4;

**THENCE** South 89°06'41" East, with the southerly line of said W. Congress Street, a distance of 150.02 feet to a 1/2 inch iron rod with a yellow cap, stamped "Trinity 6854", set for the northeast corner of the aforementioned Lot 3, same being the northeast corner of the aforementioned Document No. 2024-53703 and the northwest corner of a called 0.301 acre tract described in a General Warranty Deed to Ryan Clark and Katy Clark, as recorded in Document No. 2021-132691 of said Official Records;

**THENCE** South 00°25'30" West, with the common line of said Document No. 2024-53703 and said Clark tract, and partially with the easterly line of said Lot 3, a distance of 172.23 feet to a 1/2 inch iron rod with a cap, stamped "ON-SITE", found for the southwest corner of said Clark tract and the northwest corner of the aforementioned 0.17 acre tract;

**THENCE** South 88°32'24" East, with the north line of said 0.17 acre tract, partially with the south line of said Clark tract, and partially with the south line of a tract of land described in a Deed to Henry Eaton and Katherine Bliss Eaton, as recorded in Document No. 99-R0127760 of the Deed Records of said county, a distance of 151.26 feet to a 1/2 inch iron rod found on the westerly right-of-way line the aforementioned Fulton Street;

THENCE South 00°00'56" West, with said westerly right-of-way line, a distance of 49.69 feet to the **POINT OF BEGINNING** and containing 41,180 square Feet or 0.945 acres of land, more or less.

**OWNER'S DEDICATION**

STATE OF TEXAS §  
COUNTY OF DENTON §

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT Kirk Simmons, do/does hereby adopt this replat designating the hereinabove described property as **LOTS 3R, 4R, AND 5R, BLOCK 4, HIGH SCHOOL ADDITION**, being a replat of Lots 3-5, and a portion of Lot 6 of High School Addition, an addition to the City of Denton, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The easements and public use areas, as shown, are dedicated for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, or other improvements shall be constructed or placed upon, over, or across the easements as shown. The City of Denton shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs, or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Denton shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time of procuring permission from anyone.

BY: \_\_\_\_\_  
Kirk Simmons Date  
Owner

STATE OF TEXAS §  
COUNTY OF DENTON §

BEFORE ME, the undersigned authority, on this day personally appeared Kirk Simmons, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledge to me that he/she/they executed the same for the purposes and considerations therein expressed and in the capacity therein and herein set out, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

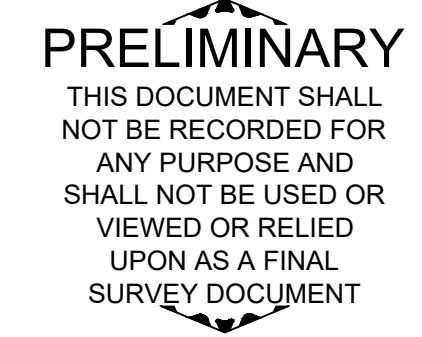
\_\_\_\_\_  
Notary Public, State of Texas  
My Commission Expires \_\_\_\_\_

**SURVEYOR'S CERTIFICATION**

KNOW ALL MEN BY THESE PRESENTS:

That I, Michael L. Black, a Registered Professional Land Surveyor of the State of Texas, do hereby certify that this subdivision is true and correct; was prepared from an actual and accurate survey of the land, according to the standards of practice of the Texas Board of Professional Land Surveyors; and that all previously existing property monuments are sufficiently described on this document as found and all set monuments meets or exceeds the requirements of section 138.87, The State of Texas, Texas Engineering and Land Surveying Practice Acts and Rules concerning Practice and Licensure.

\_\_\_\_\_  
Michael L. Black  
Registered Professional Land Surveyor No. 6854



STATE OF TEXAS §  
COUNTY OF DENTON §

BEFORE ME, the undersigned authority, on this day personally appeared Michael Black, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledge to me that he/she/they executed the same for the purposes and considerations therein expressed and in the capacity therein and herein set out, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public, State of Texas  
My Commission Expires \_\_\_\_\_

REPLAT  
**HIGHSCHOOL ADDITION,**  
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
-	MLB	TLS	10/31/2024	2024-083	2 OF 2

**OWNER:**  
Kirk Simmons  
1117 W. Congress St.  
Denton, Texas 76201  
Ph. 940-390-1818  
Email: gksimmons57@gmail.com  
Contact: Kirk Simmons

**SURVEYOR:**  
Trinity Land Surveying, LLC  
4401 N. Interstate 35, Unit 202  
Denton, TX 76207  
Ph: (940) 293-3180  
Email: mblack@trinity-surveying.com  
Contact: Michael Black, RPLS

**Administrative Approval – Minor Replat**  
This is to certify that this plat is a minor replat under the provisions of the Texas Local Government Codes Section 212.0065 and meets all the requirements of Subchapter 8 of the Development Code of the City of Denton. The City of Denton has approved and authorizes the recording of this plat this day of \_\_\_\_\_, 20\_\_.  
\_\_\_\_\_  
Director of Development Services City Secretary