



City of Denton

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

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Kenneth Hedges

DATE: July 27, 2026

SUBJECT

Consider an appeal of an administrative decision regarding the existence of nonconforming rights for the building addressed as 910 North Mayhill Road. The building is one of four structures located on an approximately 3.5-acre property located on the east side of North Mayhill Road, approximately 735 feet north of Russell Newman Boulevard, in the City of Denton, Denton County, Texas. (AA26-0003a, 910 N Mayhill Rd, Hayley Zagurski)

BACKGROUND

A full explanation of the background of this appeal request was provided as Exhibit 1 with agenda item AA26-0003 and is summarized herein.

The appellant and property owner, Pascal Mike Aghyarian of 24K Holdings, LLC, submitted a Zoning Verification Letter – Determination of Nonconforming Rights application on May 12, 2026 seeking confirmation of nonconforming rights to use the building addressed as 910 N Mayhill Rd (hereafter, “the subject building”) for a variety of commercial and light industrial uses that would fall into the defined land use categories of Outdoor Storage; Warehouse and Wholesale Facility; Low-Impact Manufacturing; and Administrative, Professional, and Government Office under the Denton Development Code (DDC). The subject building is one of four approximately 1,200-square foot buildings located on the approximately 3.5-acre subject property commonly known as 870, 890, 910, and 936 N Mayhill Rd (see Exhibit 3). Although there are four buildings on the property, the initial Zoning Verification Letter request, and therefore this appeal, are strictly related to the subject building addressed as 910 N Mayhill Rd. Subsection 1.5.3A.2 of the DDC specifies that nonconforming uses shall not be extended beyond the building the use operates within; therefore, a new Zoning Verification Letter request would be needed with additional documentation provided by the property owner in order for a determination to be made regarding the existence of nonconforming rights for each of the other three buildings.

The property is zoned Rural Residential (RR) District, which does not permit any of the land uses listed above. Based on information provided by the owner with their Zoning Verification Letter request (see Exhibit 5) and based on staff’s independent research, the Director determined that no nonconforming rights to continue to use the property for any of the above-listed uses exist for the subject building due to no use having been legally permitted within the subject building since at least 2021 (see Exhibit 6 for additional details). The appellant submitted an initial letter in appeal of this administrative decision on May 29, 2016, which was followed by submitting a complete Appeal of an Administrative Decision application and with supplemental information on June 16, 2026, which is all provided as Exhibit 4.

Staff's analysis regarding how the land use determination was made and considerations related to the appeal are provided as Exhibit 2.

Recent amendments to Section 211.010 of the Texas Local Government Code (Exhibit 8) require the Board of Adjustment to first hold a public hearing regarding the request and then to decide the outcome of the appeal at the next meeting for which notice can be provided following the hearing. In accordance with the Appeal of an Administration Decision procedures in DDC Section 2.8.4 and the Texas Local Government Code Section 211.010, the Zoning Board of Adjustment may affirm, reverse, or amend the interpretation as described below.

OPTIONS

1. Affirm the Director's determination that nonconforming rights to utilize the subject building for the proposed uses of Outdoor Storage; Warehouse and Wholesale Facility; Low-Impact Manufacturing; or Administrative, Professional, and Government Office uses do not exist, thereby requiring the owner to utilize the subject building for a use permitted within the RR District or apply to rezone the property to a district that permits the desired uses,
2. Reverse the Director's determination in whole or in part; a reversal in part should contain finding(s) of fact related to which of the proposed nonconforming uses the Board finds have legal right to continue in the subject building,
3. Amend or modify the Director's decision or interpretation regarding the existence of nonconforming rights for the subject building, and/or
4. Attach conditions of approval to ensure the health, safety, and welfare of the city.

PUBLIC OUTREACH:

The appellant/property owner was notified of the hearing date and time by email on June 30, 2026 and by certified United States mail sent to all associated addresses on June 30, 2026. No further public notification is required for an appeal of an administrative decision hearing.

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. Location Map
4. Appeal Letter and Application
5. Zoning Verification Application Materials
6. Zoning Verification Director Determination Letter
7. Historic Imagery and Final Utility Bills
8. TLGC Section 211.010 Appeal to Board

Respectfully submitted and prepared by:
Hayley Zagurski, AICP
Planning Director