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City of Denton

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RE: 9651 FM 2151 Denton Tx – Rezoning Application

On behalf of Joel Rifkin, please accept this letter as the formal explanation of our proposed Zoning Change Application for approximately 9.487 acres located along Farm to Market Road 2153 in the City of Denton, Denton County, Texas (parcels 58842, 465739, 1008374, 1059670)

PROJECT DESCRIPTION

The subject property is located at 9651 FM 2153 in Aubrey, Texas, and lies within Denton’s ETJ. The site consists of approximately 9.487 acres (per deed records) and is currently zoned Rural Residential (RR) with an agricultural land use designation.

The property owner is requesting to rezone the property from Rural Residential (RR) to Residential 1 (R1) to allow for two (2) single-family homes for his family. One residence currently exists on the property and is situated directly off FM 2153. The second residence is proposed to be located on the rear portion of the site.

The owner intends to replat the property into two approximately five-acre lots. However, because the total acreage falls slightly below the minimum lot size requirement under the Rural Residential (RR) zoning district, a rezoning to Residential 1 (R1) is being requested to accommodate the proposed development.

CRITERIA FOR APPROVAL: GENERAL CRITERIA

1. The proposed development is consistent with the terms and conditions of any prior land use approval, plan, development agreement, or plat approval that is in effect and not proposed to be changed. This includes an approved phasing plan for development and installation of public improvements and amenities.

Answer: N/A



2. The proposed development is consistent with the Comprehensive Plan and any applicable plans. If development does not match the future land use designation in the Comprehensive Plan, an application may still be approved if it is determined by the approving body to meet the overall goals of the Comprehensive Plan.

Answer: The proposed development is consistent with the comprehensive plan.

3. The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified.

Answer: Future development shall comply with the DDC.

4. The proposed development shall be consistent with any adopted interlocal and applicable development agreements and comply with the terms and conditions of any such agreements incorporated by reference into this DDC.

Answer: N/A

5. The proposed development should be designed to minimize negative environmental impacts and should not cause significant adverse impacts on the natural environment.

Answer: There will be no, or very minimal, negative environmental impacts with this development.

6. The proposed development should not cause significant adverse impacts on surrounding properties.

Answer: The proposed development will not cause significant adverse impacts on surrounding properties.

7. The proposed development should not result in significant adverse fiscal impacts on the city.

Answer: The proposed rezoning from RR to R1 will not result in significant adverse fiscal impacts on the City.

8. As applicable, the proposed development shall comply with federal, state, county, service district, city and other regulatory authority standards, and design/construction specifications for roads, access, drainage, water, sewer, schools, emergency/fire protection, and similar standards.

Answer: The property owner shall comply with all regulatory requirements.

9. Adequate road capacity shall exist to serve the uses permitted under the proposed development, and the proposed uses shall be designed to ensure safe ingress and egress onto the site and safe road conditions around the site, including for emergency services.

Answer: There will be adequate road capacity to serve the two single family homes.

10. Adequate public service and facility capacity shall exist to accommodate uses permitted under the proposed development at the time the needs or demands arise, while maintaining adequate levels of service to existing development.

Answer: There is adequate public service and facility capacity to serve the two homes.

CRITERIA FOR APPROVAL: SPECIFIC CRITERIA

1. The proposed rezoning is consistent with the Comprehensive Plan

Answer: Yes.

2. The proposed rezoning is consistent with relevant Small Area Plan(s)

Answer: Yes.

3. The proposed rezoning is consistent with the purpose statement of the proposed zoning district, as provided in Subchapter 3: Zoning Districts

Answer: Yes.

4. Have there been significant changes in the area to warrant a zoning change

Answer: No, rezoning is only intended to add one more single family residents to the property and replat into two separate 5 acre lots.

5. The intensity of development in the new zoning district is not expected to create significantly adverse impacts to surrounding properties or the neighborhood;

Answer: No.

6. Public facilities and services are available to adequately serve the subject property while maintaining adequate level of service to existing development; and/or:

Answer: Yes.

7. There was an error in establishing the current zoning.

Answer: There was no error in establishing the current zoning.

CONCLUSION

We are pleased to bring you this application and respectfully request your support for this rezoning application for 9651 FM 2153 property. Thank you in advance for your consideration. Please do not hesitate to contact me with any questions or comments regarding this application.

Sincerely,

MCADAMS



Hannah Haber, AICP
Planning + Entitlement