

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS, REGARDING A CHANGE IN THE ZONING DISTRICT AND USE CLASSIFICATION FROM A RESIDENTIAL RURAL (RR) DISTRICT TO A RESIDENTIAL 1 (R1) DISTRICT ON APPROXIMATELY 3.3 ACRES OF LAND GENERALLY LOCATED ON THE NORTH SIDE OF CHINN ROAD, APPROXIMATELY 1,180 FEET EAST OF GANZER ROAD IN THE CITY OF DENTON, DENTON COUNTY, TEXAS; ADOPTING AN AMENDMENT TO THE CITY'S OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY IN THE MAXIMUM AMOUNT OF \$2,000.00 FOR VIOLATIONS THEREOF; PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE. (Z26-0004a)

WHEREAS, Nick Johnson and Joann Madrie requested to rezone approximately 3.3 acres of land from Residential Rural (RR) District to Residential 1 (R1) District, legally described in Exhibit "A", attached hereto and incorporated herein by reference (hereinafter, the "Property"); and

WHEREAS, on April 29, 2026, the Planning and Zoning Commission, in compliance with the laws of the State of Texas, have given the requisite notices by publication and otherwise, and have held due hearings and afforded full and fair hearings to all property owners interested in this regard, and have recommended approval (5-0) of the request; and

WHEREAS, on May 19, 2026, the City Council likewise conducted a public hearing as required by law, and finds that the request meets and complies with all substantive and procedural standards set forth in Section 2.7.2 of the Denton Development Code, and is consistent with the Denton 2040 Comprehensive Plan and the Denton Development Code; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Denton, in considering the application for establishing a zoning district change for the Property, have determined that the proposed use is in the best interest of the health, safety, morals, and general welfare of the City of Denton, and accordingly, the City Council of the City of Denton is of the opinion and finds that said zoning change is in the public interest and should be granted as set forth herein; NOW THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The findings and recitations contained in the preamble of this ordinance are incorporated herein by reference and found to be true.

SECTION 2. The zoning district and use classification for the Property is hereby changed to Residential 1 (R1) District.

SECTION 3. The City's official zoning map is hereby amended to show the established zoning district and use classification.

SECTION 4. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid by any court, such invalidity shall not affect the validity of the provisions or applications, and to this end the provisions of this ordinance are severable.

SECTION 5. Any person, firm, partnership or corporation violating any provision of this ordinance shall, upon conviction, be deemed guilty of a misdemeanor and shall be punished by fine in a sum not exceeding \$2,000.00 for each offense. Each day that a provision of this ordinance is violated shall constitute a separate and distinct offense.

SECTION 6. In compliance with Section 2.09(c) of the Denton Charter, this ordinance shall become effective fourteen (14) days from the date of its passage, and the City Secretary is hereby directed to cause the caption of this ordinance to be published twice in the Denton Record-Chronicle, a daily newspaper published in the City of Denton, Texas, within ten (10) days of the date of its passage.

The motion to approve this ordinance was made by _____ and seconded by _____, the ordinance was passed and approved by the following vote [___ - ___]:

	Aye	Nay	Abstain	Absent
Mayor Gerard Hudspeth:	_____	_____	_____	_____
Jordan Villarreal, District 1:	_____	_____	_____	_____
Nick Stevens, District 2:	_____	_____	_____	_____
Suzi Rumohr, District 3:	_____	_____	_____	_____
Joe Holland, District 4:	_____	_____	_____	_____
Brandon Chase McGee, At Large Place 5:	_____	_____	_____	_____
Jill Jester, At Large Place 6:	_____	_____	_____	_____

PASSED AND APPROVED this the _____ day of _____, 2026.

GERARD HUDSPETH, MAYOR

ATTEST:
KRISTI FOGLE, INTERIM CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
MACK REINWAND, CITY ATTORNEY

BY:  _____

Exhibit A Legal Description

Being all that certain tract of land situated in the J. McNeil Survey, Abstract Number 1150, Denton County, Texas and being all of a tract of land described in the deed from Bobby R. Mitchell and wife, Virginia Corine Mitchell to William Scott Rowe and wife, Keena Ann Rowe as recorded in Volume 2142, Page 866 of the Real Property Records of said County; the subject tract being more particularly described as follows:

BEGINNING at a capped iron rod stamped "KAZ set in the North line of Chinn Road for the Southeast corner of said Rowe tract and the Southwest corner of a tract of land described in the deed to Derek Hook and wife, Cindy Hook as recorded in Document Number 2009-80411 of said Records from which a 1/2" square tube found for the Southeast corner thereof bears South 89 degrees 17 minutes 09 seconds East a distance of 213.84 feet;

Thence North 89 degrees 28 minutes 02 seconds West with the South line of said Rowe tract and the North line of said Road a distance of 214.01 feet to a capped iron rod stamped "KAZ" set for the Southwest corner thereof and the Southeast corner of a tract of land described in the deed to Gene A. Gohlke and wife, Judith C. Gohlke as recorded in Document Number 2001 -47679 of said Records;

Thence North 00 degrees 08 minutes 24 seconds East with said common line along and near a fence a distance of 670.20 feet to a capped iron stamped "KAZ" set for the Northeast corner of said Gohlke tract, the Southeast corner of a tract of land described in the deed to Laura Mauelshagen and Chris Considine as recorded in Document Number 2013-17484 of said Records, the Southwest corner of a tract of land described in the deed to Gordon G. Smith as recorded in Document Number 98-R0066783 of said Records and the Northwest corner of said Rowe tract;

Thence South 89 degrees 56 minutes 35 seconds East with said common line along and near a fence a distance of 214.01 feet to a 5/8" iron rod found for the Southeast corner of said Smith tract and the Northeast corner of said Rowe tract and in the West line of said Hook tract;

Thence South 00 degrees 08 minutes 24 seconds West with said common line along and near a fence a distance of 671.98 feet to the PLACE OF BEGINNING and enclosing 3.30 acres of land more or less.