

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS, REGARDING A CHANGE IN THE ZONING DISTRICT AND USE CLASSIFICATION FROM RESIDENTIAL 3 (R3) DISTRICT TO RESIDENTIAL 7 (R7) DISTRICT ON APPROXIMATELY 0.74 ACRES OF LAND GENERALLY LOCATED ON THE NORTHEAST CORNER OF BOLIVAR STREET AND TALIAFERRO STREET, APPROXIMATELY 155 FEET WEST OF NORTH ELM STREET 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. (Z25-0018b)

WHEREAS, Candy Whitaker of McAdams, on behalf of the property owner, requested to rezone approximately 0.74 acres of land from Residential 3 (R3) District to Residential 7 (R7) District, legally described in Exhibit "A", attached hereto and incorporated herein by reference (hereinafter, the "Property"); and

WHEREAS, on January 14, 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 [5-1] of the request; and

WHEREAS, on May 5, 2026, the City Council conducted a public hearing as required by law and voted [7-0] to continue the item until such time the applicant could bring forward requested information relating to affordability of the project; and

WHEREAS, on July 14, 2026, the City Council 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 7 (R7) 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
Chris Watts, Mayor:	_____	_____	_____	_____
Jordan Villarreal, District 1:	_____	_____	_____	_____
Nick Stevens, District 2:	_____	_____	_____	_____
Suzi Rumohr, District 3:	_____	_____	_____	_____
Joe Holland, District 4:	_____	_____	_____	_____
George Ferrie, At Large Place 5:	_____	_____	_____	_____
Jill Jester, At Large Place 6:	_____	_____	_____	_____

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

CHRIS WATTS, 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 lot, tract or parcel of land lying and being situated in the Count of Denton, State of Texas, out of the N.H. Meisenheimer Survey, Abst. No. 811, in the City of Denton, Texas, being a part of a certain three acre tract out of said survey conveyed by C. M. Williams and wife, Fay Williams, to W. P. Bell, by deed recorded in Volume 240, page 187, Deed Records of Denton County, Texas, and more particularly described by metes and bounds as follows:

BEGINNING at the southwest corner of said lot, same being in the north line of Taliaferro Street, same being in the east line of Bolivar Street;

THENCE North along the east line of Bolivar Street, same being the west line of said lot, 150 feet to a stake for the the northwest corner of said lot;

THENCE East along the north line of said lot, 215 feet, a stake for the northeast corner;

THENCE South 2 deg. 17' west 150 feet, a stake for the SE corner, same being in the north line of Taliaferro Street;

THENCE West along the north line of Taliaferro Street, 209 feet to the point of beginning;

and being the same tract conveyed by Jack Stephens et ux to S. Clyde Carpenter, by deed dated July 2, 1954, recorded in Volume 396, page 423, Deed Records of Denton County, Texa