



City of Denton

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

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

DCM: Cassey Ogden

DATE: April 24, 2024

SUBJECT

Consider a subdivision variance request by CB Green Investments, LLC from the 2019 City of Denton Development Code, Section 8.3.2.E.3 regarding the length of a flagpole portion of a lot. The variance will allow for a flag drive that is 600 feet in length. The approximately 10-acre site is generally located on the West side of Hilltop Road, approximately 740 feet north of E. Hickory Hill Road, in Denton County, Texas, within the City of Denton Division 1 Extraterritorial Jurisdiction (ETJ). (V24-0001, Areloegbe World, Bryce Van Arsdale).

BACKGROUND

CBB Green Investments, LLC, property owners, are requesting a variance from Section 8.3.2.E.3 of the Denton Development Code, which states: "The length of the flagpole portion of the lot shall not exceed 300 feet and shall comply with all other standards and measurements of this DDC and other regulating agencies." The subject property is comprised of approximately 10 acres currently platted as a single lot and located in the southern portion of the City's ETJ off of Hilltop Road.

The requested variance is not associated with a plat as the applicant would like to acquire approval of this variance prior to applying for a replat of the property. Should the variance request be approved, the applicant intends to apply for a replat to subdivide the subject property into two lots, separating an existing church (located on proposed Lot 1R-1) from property that is currently used for the storage of recreational vehicles. Exhibit 4 shows the proposed lot configuration if the site is able to be replatted, with the flag pole portion called out in red. The applicant has configured the property in a manner which allows for access to the proposed Lot 1R-2 from Hilltop Drive via a flag drive. The property is bordered to the north and west by rural single-family land uses and to the south by industrial uses. The proposed layout of the lot meets all dimensional access requirements as set out in the DDC.

As part of the City of Denton's Division 1 Extraterritorial Jurisdiction the subject property is not subject to zoning regulations but is required to comply with DDC Subchapter 8, Subdivisions, which is applicable to land subdivision and platting. The proposed flagpole portion of the subject property takes access from Hilltop Road and is 75 feet wide. The lot configuration proposes a flagpole length of approximately 600 feet. DDC 8.3.2.E.3. requires the flagpole portion not exceed 300 feet and requires that the length is able to meet all requirements of regulating agencies.

Pursuant to DDC Section 2.8.7.B., the applicant has requested a variance from DDC Sections 8.3.2.E.3 as described above due to the conditions on the property.

A full Staff Analysis is provided in Exhibit 2.

OPTIONS

1. Approve as submitted.
2. Approve subject to conditions.
3. Deny with reasons.

RECOMMENDATION

Staff recommends approval of this request as it meets the established requirements.

PUBLIC OUTREACH:

Public outreach is not required for this variance request.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

No prior action/review has been done by Council, a Board, or a Commission related to this variance request.

DEVELOPER ENGAGEMENT

No developer contact and/or meeting disclosures have been provided to staff as of the issuance of this report.

EXHIBITS

1. Agenda Information Sheet
2. Staff Analysis
3. Site Location Map
4. Variance Exhibit
5. LLC Members List

Respectfully submitted:
Tina Firgens, AICP
Deputy Director of Development Services/
Planning Director

Prepared by:
Bryce Van Arsdale
Assistant Planner