

MINUTES  
Zoning Board of Adjustment  
July 30, 2018

After determining that a quorum was present, the Zoning Board of Adjustment of the City of Denton, Texas convened in a Regular Meeting on Monday, July 30, 2018 at 4:00 p.m. in the City Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas at which the following items were considered:

**PRESENT:** Chair Amber Briggie, Vice Chair Marshall Surratt, Board Members: David Higgins, Jason Cole, William House, Greg Sawko, and Connie Baker.

**STAFF:** Jerry Drake, Scott McDonald, Ron Menguita, Athenia Green, Selina Dillard, Monica Salcedo, and Cindy Jackson.

**ABSENT:** None.

Chair Briggie called the Regular Meeting to order at 4:04 p.m.

1. PLEDGE OF ALLEGIANCE

A. U.S. Flag B. Texas Flag

2. ITEMS FOR CONSIDERATION

A. Consider approval of the Zoning Board of Adjustment meeting minutes.

Board Member Greg Sawko motioned, Board Member Marshall Surratt seconded to approve the October 31, 2017 meeting minutes. Motion approved (7-0) Chair Briggie, “aye”, Board Member Higgins, “aye”, Board Member Cole, “aye”, Board Member Surratt, “aye”, Board Member Baker, “aye”, and Board Member House, “aye” and Board Member Sawko “aye”.

3. PUBLIC HEARINGS

A. Hold a public hearing and consider approval of a variance from Denton Development Code Section 35.5.3.3, General Regulations, relating to the minimum rear yard setback and minimum lot depth. The 0.18 acre lot is generally located on the south side of Withers Street, approximately 237 feet east of North Bell Avenue. This site is located within a Downtown Residential 2 (DR-2) zoning district (ZBA18-0002, Calderon Addition, Cindy Jackson).

Chair Briggie opened the Public Hearing.

Cindy Jackson, Senior Planner, presented Public Hearing 3A. Jackson stated the applicant is required to dedicate 5 feet of right-of-way along Withers street. The applicant is proposing a two-story unit. The lot will not be developable in its current status. Staff recommends approval of the request for a variance from the lot depth and rear setback requirements found in Section 35.5.3.3 of the Denton Development Code (DDC), as it complies with the requirements for approval of a variance in Section 35.3.6.B.2.

Board Member Surratt questioned does the property owner own the right-a way for Vine Street if it is not developed. Jackson stated the city owns it right now, if abandoned half will go to this property and half to the property owner on the other side.

Chair Briggie, questioned in order to develop the property in question this request is required. Jackson stated that is correct.

Board Member Sawko stated the setbacks would be consistent with what occurred in 1992. Jackson stated it should, but it might be closer because of the right-of-way dedication that would be required.

Chair Briggie swore in the following individual:

Yolanda Calderon, 2221 Bowling Green Street, Denton, Texas 76201. Supports this request.

Chair Briggie closed the Public Hearing.

Board Member Greg Sawko motioned, Board Member Jason Cole seconded to approve Public Hearing item 3A. Motion approved (7-0) Chair Briggie, “aye”, Board Member Higgins, “aye”, Board Member Cole, “aye”, Board Member Surratt, “aye”, Board Member Baker, “aye”, and Board Member House, “aye” and Board Member Sawko “aye”.

#### 4. CONCLUDING ITEMS

Board Member Surratt stated he did not reply to the Board next year, he has observed many people waiting to serve. Board Member Surratt thanked the other Board Members.

Chair Briggie stated she missed the ethics training and requested staff to send out the link for the training. Ron Menguita, Principal Planner, stated he would send out the link to the Board Members that missed the training.

Chair Briggie requested a training before the Zoning Board of Adjustment meeting. Scott McDonald, Director of Development Services, requested the Board to choose a date for staff to provide an update to the development code, and downtown standards. McDonald stated instead of going months without a meeting there maybe value to have quarterly meetings.

Chair Briggie adjourned the meets at 4:37 p.m.