

MINUTES  
ZONING BOARD OF ADJUSTMENT  
May 16, 2022

After determining that a quorum was present, the Zoning Board of Adjustment of the City of Denton, Texas convened in the first of two Special Called Meetings on Monday, May 16, 2022, at 5:34 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Chair Amber Briggie, Vice Chair Jennifer Lane, and Members Candi Harris, Lauren Fischer, Princewill Njoku Jr. and Kate Lynass

ABSENT: Commissioner Michael Redwine

**REGULAR MEETING**

**1. PLEDGE OF ALLEGIANCE**

- A. U.S. Flag
- B. Texas Flag

**2. ITEMS FOR INDIVIDUAL CONSIDERATION**

**A. ZBA22-014:** Consider the approval of the February 28, 2022 minutes.

Correction of Member Lauren Fischer last name was made.

Vice-Chair Lane moved to approve the amended minutes. Motion seconded by Commissioner Njoku Jr. Motion carried.

AYES (6): Chair Briggie, Vice Chair Lane, Members Harris, Fischer, Njoku Jr. and Lynass

**B. ZBA22-015:** Election of Chair and Vice-Chair positions for the Zoning Board of Adjustment.

Member Lynass motioned to nominate Amber Briggie for the Chair position. Motion seconded by Vice Chair Lane. Motion carried.

AYES (6): Chair Briggie, Vice Chair Lane, Members Harris, Fischer, Njoku Jr. and Lynass

Member Lynas motioned to nominate Jennifer Lane for the Vice-Chair position. Motion seconded by Member Harris. Motion carried.

AYES (6): Chair Briggie, Vice Chair Lane, Members Harris, Fischer, Njoku Jr. and Lynass

### **3. PUBLIC HEARINGS**

**A. AA22-0002:** Hold a public hearing and consider an appeal of an administrative decision regarding the interpretation of the Definition for an Automotive Repair Shop, Minor, for a property located at 709 South Elm Street. The approximately 0.26-acre property is located on the east side of South Elm, approximately 75 feet south of Maple Street in the City of Denton, Denton County, Texas. (AA22-0002, Tint World, Julie Wyatt)

Chair Briggie opened the public hearing at 5:41 p.m.

Julie Wyatt, Senior Planner, presented the item and a discussion followed.

Jeff Stark, Chief Operating Officer of Tint World, spoke on the item.

John Withers, 9501 David Fort Rd. Argyle, TX 76226, Property Partner, spoke on the item.

Brent Pounders, 1310 Circle J Trl Prosper, TX 75078, Franchise Owner of location, spoke on the item.

Tina Firgens, Deputy Director of Development Services/Planning Director, spoke on the item and explained the difference between automotive repair minor and automotive repair major. Firgens also went over codes, application processes, City Council policies and applicable procedures, and State Law requirements staff has to follow.

Jeff Stark, Applicant, spoke on the item and addressed that the category that staff provided for his business is not correct based on the services they provide. Stark explained not all stores offer the same services. 13% of 100 stores are in traditional automotive spaces, with no modifications needed to the building. 12% of the stores have needed a Specific Use Permit (SUP) to get approved, mostly to convert buildings for automotive spaces because they have been a retail strip center with no overhead doors to bring in vehicles to provide services.

Stark mentioned that they think the SUP should not be required based on the services they plan to provide. The services they provide are auto detailing (tinting, paint protection films/wraps, audio/electronics-quick replacement/repairs). Customers would also be able to purchase products and take home to apply to vehicles. The cost of the SUP and the process is longer in the City of Denton than anywhere else.

Member Njoku, inquired to determine what classification for their business are they wanting. Stark mentioned retail but indicated he does not have much knowledge of the codes or other classifications Tint World could fall under. Stark added he is appealing the administrative decision because the current category staff provided for his business, which is automotive repair minor, does not apply at all to the business they conduct.

Chair Briggie inquired if the use is upheld or does not get 6 votes, will a SUP be required? Yes, it will.

Chair Briggie closed the public hearing at 6:46 p.m.

**4. CONCLUDING ITEMS**

With no further business, the meeting was adjourned at 6:47 p.m.

X

Amber Briggie  
Zoning Board of Adjustment Chair

X

Monica Salcedo  
Administrative Assistant

MINUTES  
ZONING BOARD OF ADJUSTMENT  
May 16, 2022

After determining that a quorum was present, the Zoning Board of Adjustment of the City of Denton, Texas convened in the second of two Special Called Meetings on Monday, May 16, 2022, at 6:46 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Chair Amber Briggie, Vice Chair Jennifer Lane, and Members Candi Harris, Lauren Fischer, Princewill Njoku Jr. and Kate Lynass

ABSENT: Commissioner Michael Redwine

**REGULAR MEETING**

**1. PLEDGE OF ALLEGIANCE**

- A. U.S. Flag
- B. Texas Flag

**2. ITEMS FOR CONSIDERATION**

**A. A22-0002a:** Consider an appeal of an administrative decision regarding the interpretation of the Definition for an Automotive Repair Shop, Minor, for a property located at 709 South Elm Street. The approximately 0.26-acre property is located on the east side of South Elm, approximately 75 feet south of Maple Street in the City of Denton, Denton County, Texas. (AA22-0002a, Tint World, Julie Wyatt)

Member Harris discussed that she finds the use to be auto-related, but not auto repair.

Member Lynass and Chair Briggie discussed that their decision should align with the Comprehensive Plan's goals for the area, and Member Fischer discussed that the use may not be consistent with the Comprehensive Plan goals for a neighborhood services area.

Member Harris moved to reverse the administrative decision regarding the interpretation of the Definition for the Automotive Repair Shop, Minor, located at 709 South Elm Street. Motion seconded by Member Njoku. After discussion, Member Harris withdrew the motion.

Member Njoku moved to amend or modify the administrative decision of the use being automotive repair shop. After discussion, Member Njoku withdrew the motion.

Chair Briggie moved to reverse the administrative decision, in part to allow the retail aspects of the use. After discussion, the Chair withdrew the motion

Member Lynass moved to affirm the administrative decision regarding the interpretation of the Definition for the Automotive Repair Shop, Minor, located at 709 South Elm Street. Motion seconded by Vice Chair Lane. Motion carried.

Chair Lane suggested staff review and look into amending the DDC to clarify uses and to help possibly avoid SUP's, and also remove "repair" for business similar to this application.

AYES (4): Chair Briggie, Vice Chair Lane, Members Fischer and Lynass

NAYS (2): Members Harris, and Njoku Jr.

### 3. CONCLUDING ITEMS

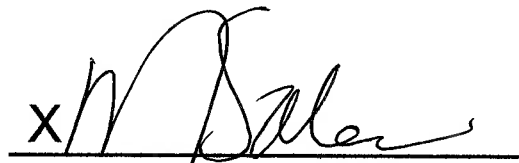
With no further business, the meeting was adjourned at 7:47 p.m.

X



Amber Briggie  
Zoning Board of Adjustment Chair

X



Monica Salcedo  
Administrative Assistant