



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Meeting Agenda Zoning Board of Adjustment

Monday, December 19, 2022

5:30 PM

Development Service Center

AMENDED on 12-16-2022

REGISTRATION GUIDELINES FOR ADDRESSING THE ZONING BOARD OF ADJUSTMENT

Citizens will also be able to participate in the following way (NOTE: Other than public hearings, citizens are only able to comment one time per agenda item; citizens cannot use both methods to comment on a single agenda item. Public comments are not held for work session reports.):

- eComment – On December 15, the agenda was posted online at <https://tx-denton.civicplus.com/242/Public-Meetings-Agendas>. Once the agenda is posted, a link to make virtual comments using the eComment module will be made available next to the meeting listing on the Upcoming Events Calendar. Within eComment, citizens may indicate support or opposition and submit a brief comment about a specific agenda item. Comments may be submitted up until the start of the meeting at which time the ability to make an eComment will be closed. Similar to when a citizen submits a white card to indicate their position on an item, the eComments will be sent directly to members of the Zoning Board of Adjustment and recorded by the Secretary.

Members review comments received in advance of the meeting and take that public input into consideration prior to voting on an agenda item. The Chair will announce the number of Comment Cards submitted in support or opposition to an item during the public comment period. Comments will not be read during the meeting. The Secretary will reflect the number of comments submitted in favor/opposition to an item, the registrant's name, address, and (summary of) comments within the Minutes of the Meeting, as applicable.

After determining that a quorum is present, the Zoning Board of Adjustment of the City of Denton, Texas will convene in a Regular Meeting on Monday, December 19, 2022, at 5:30 p.m. in Training Rooms 3, 4, and 5 at the Development Service Center, 401 N Elm Street, Denton, Texas, at which the following item will be considered:

1. PLEDGE OF ALLEGIANCE

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

“Honor the Texas Flag – I pledge allegiance to thee, Texas, one state under God, one and indivisible.”

2. ITEMS FOR CONSIDERATION

- A. [ZBA22-072](#) Consider and appoint a member of the Zoning Board of Adjustment as Acting Chair for the December 19, 2022 meeting.
- B. [ZBA22-071](#) Consider the approval of the November 7, 2022 minutes.

Attachments: [Exhibit 1 - November 7, 2022 ZBA Meeting Minutes](#)

- C. [V22-0008](#) Consider a zoning variance request by Mark Martin, on behalf of the property owner, from the 2019 City of Denton Development Code Section 4.5.8C.3, regarding the permitted height of a structure within the Horizontal Zone of the Airport Height Hazard District. The variance requested is to permit a monopole communications tower of no more than 150 feet in height, which would exceed the permitted height of 810 feet above mean sea level within the Horizontal Zone by no more than 61 feet, on a 4.37-acre lot, generally located south of Barcelona Street, approximately 300 feet west of the intersection of Barcelona Street and Mesa Drive, in the City of Denton, Denton County, Texas. (V22-0008, Speed of Light, Sean Jacobson)

Attachments:

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Staff Analysis](#)

[Exhibit 3 - Site Location Map](#)

[Exhibit 4 - Airport Height Hazard District Map](#)

[Exhibit 5 - Project Narrative](#)

[Exhibit 6 - Tower Elevations](#)

[Exhibit 7 - Site Plan](#)

[Exhibit 8 - Grading Plan](#)

[Exhibit 9 - FAA Determination Letter](#)

[Exhibit 10 - Ordinance S22-0003 Approving the Specific Use Permit](#)

3. CONCLUDING ITEMS

A. Under Section 551.042 of the Texas Open Meetings Act, respond to inquiries from the Zoning Board of Adjustment or the public with specific factual information or recitation of policy, or accept a proposal to place the matter on the agenda for an upcoming meeting AND Under Section 551.0415 of the Texas Open Meetings Act, provide reports about items of community interest regarding which no action will be taken, to include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; or an announcement involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

NOTE: The Zoning Board of Adjustment reserves the right to adjourn into a Closed Meeting on any item on its Open Meeting agenda consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law.

CERTIFICATE

I certify that the above amended notice of meeting was posted on the official website (<https://tx-denton.civicplus.com/242/Public-Meetings-Agendas>) and bulletin board at City Hall, 215 E. McKinney Street, Denton, Texas, on December 16, 2022, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

CITY SECRETARY

NOTE: THE CITY OF DENTON'S DESIGNATED PUBLIC MEETING FACILITIES ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE ACCOMMODATION, SUCH AS SIGN LANGUAGE INTERPRETERS FOR THE HEARING IMPAIRED, IF REQUESTED AT LEAST 48 HOURS IN ADVANCE OF THE SCHEDULED MEETING. PLEASE CALL THE CITY SECRETARY'S OFFICE AT 940-349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT REASONABLE ACCOMMODATION CAN BE ARRANGED.