



# City of Denton

City Hall  
215 E. McKinney St.  
Denton, Texas 76201  
[www.cityofdenton.com](http://www.cityofdenton.com)

## Meeting Agenda Zoning Board of Adjustment

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Monday, December 18, 2023

5:30 PM

Council Work Session Room

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### Regular Meeting - 1 of 2

#### **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 18, 2023 at 5:30 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas at which the following items 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. [ZBA23-009](#) Elect an acting Chair for the Zoning Board of Adjustment's December 18, 2023 meetings.
- B. [ZBA23-010](#) Consider the approval of the November 27, 2023 minutes.

**Attachments:**      [Exhibit 1 - November 27, 2023 ZBA Meeting Minutes](#)

### 3. PUBLIC HEARINGS

- A. [AA23-0003a](#) Hold a public hearing and consider an appeal of an administrative decision regarding the use determination of High-Impact Manufacturing Use for CUA Pools located at 2717 North Elm Street. The approximately 0.20-acre property is located on the west side of North Elm Street, approximately 160 feet south of Orr Street in the City of Denton, Denton County, Texas. (AA23-0003a, CUA Pools - High Impact Manufacturing, Hayley Zagurski)

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                              [Exhibit 2 - Staff Analysis](#)  
                              [Exhibit 3 - Location Map](#)  
                              [Exhibit 4 - Appeal Letter and Application](#)  
                              [Exhibit 5 - Use Determination Email October 27, 2023](#)  
                              [Exhibit 6 - Fire Department Incident Reports and Code Check](#)  
                              [Exhibit 7 - Existing Certificate of Occupancy](#)  
                              [Exhibit 8 - TLGC Section 211.010 Amendments](#)

### 4. 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 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 15, 2023, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

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OFFICE OF THE 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.