



# 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, October 28, 2019

4:30 PM

City Council Work Session Room

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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, October 28, 2019 at 4:30 p.m. in the City 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. [ZBA19-037](#) Consider approval of the minutes of September 30, 2019.

Attachments: [September 30, 2019](#)

- B. [ZBA19-038](#) Receive the 2019 Zoning Board of Adjustment calendar.

Attachments: [2020 ZBA Calendar](#)

- C. [ZBA19-042](#) Receive a briefing and discuss the limitations and authority of the Board of Adjustment in hearing and ruling upon variance requests and appeals of administrative decisions.

Attachments: [Exhibit 1- Legal Orientation Guide](#)

### 3. Closed Meeting

- A. [ZBA19-041](#) Consultation with Attorneys - Under Texas Government Code Section 551.071 Consult with and provide direction to City's attorneys regarding legal issues relating to an appeal of a vested rights determination for the applicability of gas well reverse setback and separation distance requirements to a manufactured home park. The subject property is approximately 13.69 acres located on the west side of Fort Worth Drive across from the intersection of Country Club Road; where a discussion of these legal matters in an open meeting would conflict with the duty of the City's attorneys to the City of Denton, the Denton Zoning Board of Adjustments under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas.

### 4. PUBLIC HEARINGS

- A. [ZBA19-0009](#) Hold a public hearing and consider an appeal of an administrative decision regarding vested rights related to the applicability of gas well reverse setback and separation distance requirements to a mobile home park. The subject property is approximately 13.69 acres located on the west side of Fort Worth Drive across from the intersection of

Country Club Road in the City of Denton, Denton County, Texas. (ZBA19-0009, Country View Mobile Home Park)

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Appeal Application \(ZBA19-0009\)](#)  
[Exhibit 3 - Vested Rights Petition \(VR19-0001\)](#)  
[Exhibit 4 - Staff Memo to City Manager](#)  
[Exhibit 5 - Vested Rights Determination Letter](#)  
[Exhibit 6 - TLGC Section 211.010 Amendments](#)

## 5. 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 bulletin board at the City Hall of the City of Denton, Texas, on the \_\_\_\_\_ day of \_\_\_\_\_, 2019 at \_\_\_\_\_ o'clock (a.m.) (p.m.)

\_\_\_\_\_  
CITY SECRETARY

NOTE: THE CITY OF DENTON CITY COUNCIL WORK SESSION ROOM IS HANDICAP-ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE 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 349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT A SIGN LANGUAGE INTERPRETER CAN BE SCHEDULED THROUGH THE CITY SECRETARY'S OFFICE.