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DALLAS, TEXAS



City of Dallas

Boards and Commissions Annual Report

BOARD OF ADJUSTMENT

10/01/21-09/30/22

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2023 JAN 24 PM 12: 22

CITY SECRETARY
DALLAS, TEXAS



CITY OF DALLAS

Memorandum

DATE January 24, 2023
TO City Manager
SUBJECT Board of Adjustment Annual Report FY 2021-2022

Attached for your review is our annual report, summarizing the activities of the Board of Adjustment for 2021-2022 in accordance with Chapter 8, Section 8-1.1.

The Board of Adjustment approved their FY2021-2022 Annual Report on January 18, 2023.

Thank you,

A handwritten signature in blue ink, appearing to read 'Sam Eskander'.

M. Samuel Eskander, PE, CFM, LEED AP BD+C
Assistant Director
Land Development Team
Development Services

T.C. Broadnax, City Manager
Chris Caso, City Attorney
Jon Fortune, Deputy City Manager
Kimberly Bizer Tobert, Deputy City Manager
Carl Simpson, Assistant City Manager
Majed A. Al-Ghafry, Assistant City Manager
Preston Robinson, Administrative Judge

Joey Zapata, Asst. City Manager
Mark Swann, City Auditor
Robert Perez, Assistant City Manager
Jack W. Ireland, Jr., Chief Financial Officer
Billieae Johnson, City Secretary
M. Elizabeth (Liz) Cedillo-Pereira, Assistant City Manager
Directors and Assistant Directors

Memorandum



CITY OF DALLAS

DATE January 18, 2023

TO Honorable Mayor and Members of the City Council

SUBJECT Board of Adjustment Annual Report FY 2021-2022

Attached you will find the Board of Adjustment's Annual Report for 2021-2022 adopted consistent with Chapter 8, section 8-1.1 summarizing the accomplishments, hearings, and appeals (pages 12-13) for the taxpayer/property owners within the City of Dallas.

The Board is committed to fulfilling our mission of implementing the zoning ordinance by considering special exceptions and variances in unique instances where building permits are desired but are not literally conforming to existing regulations.

The Board of Adjustment meets monthly via three panel hearings but twice annually as a full Board. On November 1, 2022, the full Board met and unanimously adopted:

- 1) Updated Rules of Procedure
- 2) 2023 Meeting calendar
- 3) Goals & Objectives for 2022-2023 (page 23)
- 4) Recommendations for City Council Action (page 25)

Respectfully submitted,



David A. Neumann
Chairman, Board of Adjustment

T.C. Broadnax, City Manager
Chris Caso, City Attorney
Jon Fortune, Deputy City Manager
Kimberly Bizer Tobert, Deputy City Manager
Carl Simpson, Assistant City Manager
Majed A. Al-Ghafry, Assistant City Manager
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Robert Perez, Assistant City Manager
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M. Elizabeth (Liz) Cedillo-Pereira, Assistant City Manager
Directors and Assistant Directors

City of Dallas BOARD OF ADJUSTMENT



ANNUAL REPORT

October 1, 2021- September 30, 2022

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BOARD OF ADJUSTMENT

2021-2022

MISSION, PURPOSE,

AUTHORITY, PROCESS

Board of Adjustment Mission Statement

The Board of Adjustment (BOA) is a quasi-judicial body, appointed by the City Council, charged with certain decision-making functions, which aim to uphold the meaning and spirit of the zoning ordinance as enacted by city ordinance or state legislation. The purpose of the Board of Adjustment is to implement the zoning ordinance and to apply discretion in exceptional instances where building permits are desired but are not literally conforming to the regulations. Primary responsibility for administration of the zoning ordinance falls on the Building Official, subject to appeals to the Board of Adjustment and ultimately to the courts.

- (1) To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of any order or ordinance pertaining to zoning.
- (2) To hear and decide special exceptions to the terms of the zoning ordinance in the manner provided.
- (3) To authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the zoning ordinance will result in unnecessary hardship, and so that the spirit of the ordinance is observed, and substantial justice done.
- (4) To regulate and discontinue nonconforming uses and structures.

Purpose

City of Dallas Board of Adjustment
Dallas Development Code, SEC 51A-4.501

The purpose of the Dallas zoning code is to promote the public health, safety and general welfare but in order for a comprehensive zoning map and ordinance to properly function in accordance with the purpose for which it is designed, it is necessary from time to time that some modification of these zoning regulations be made. The purpose of the Board of Adjustment was to implement the zoning ordinance and to apply discretion in exceptional instances where building permits are desired but are not literally conforming to the regulations. The Board of Adjustment is a governmental agency of the city and is an essential part of the administration of zoning, engaged in a delegated policy-making function (within the standards set up in the zoning ordinance), and not merely deciding private rights, as it represents the public interest.

Authority

City of Dallas Board of Adjustment
Dallas Development Code, SEC 51A-4.501

The Board of Adjustment receives its power from the enactment of State Legislation (Chapter 211 of the Texas Local Government Code): The Board of Adjustment is permitted by State Law to establish their rules and operational procedures provided that such rules are not inconsistent with the zoning ordinance or State Law. As noted in the Board's Rules of Procedures, no action of the Board of Adjustment shall set a precedent, with each case being considered and decided on its own merits and on the circumstance's attendant thereto. Also, it is the declared purpose of the zoning ordinance that nonconforming uses be eliminated and be required to conform to the regulations prescribed in the ordinance.

The Board of Adjustment receives its powers from the City of Dallas through Chapter 51, and Chapter 51A, Dallas Development Code, as amended: The powers vested in the Board of Adjustment are discretionary in the sense that it is an administrative body created for the administration of the Zoning Law, and, within the standards set by the law, its decision, if supported by substantial evidence, are not subject to being set aside, that is, they can only be set aside for a clear abuse of discretion. The Board's functions are administrative and quasi-judicial. The actions of the Board are presumed to be valid and final, and the only recourse is for the applicant to appeal the Board's decision to the District Court. An applicant appealing to the District Court by certiorari has the burden of showing that the action of the Board was arbitrary, capricious or illegal.

Pursuant to the Board's Rules of Procedure, ex parte communications with the members of the Board are prohibited. All communications to the Board, oral or written, should be directed to the Board Administrator. Failure to comply with this rule may result in criminal prosecution for improper influence, which is a Class A misdemeanor under Texas Penal Code, Section 36.04.

It requires four (4) members of the Board of Adjustment at the public hearing to constitute a quorum, and at the hearing the Board Administrator calls each appeal and gives the swearing in of the oath of truth to all persons that desire to testify in each case.

On the day of the hearing, the applicant presents his case, the opposition is then heard, and the applicant is given the opportunity for rebuttal. No rebuttal is allowed for the opposition.

The Board of Adjustment normally makes their decision known on an appeal immediately after a case has been heard, and the Board may apply any restrictive conditions when they feel it is necessary. The Board's decisions are final, and the only recourse on a Board's decision is to appeal to the District Court.

The Process of Zoning Appeals

How an Appeal Is Made

After an appeal is received in the Development Services Department from the Zoning Division of the Building Inspection's Office, the appeal is assigned a case number. A route sheet is prepared so that each section within Development Services Department and other departments in the City can make comments and present facts that could be pertinent to the decision of the Board of Adjustment. Property description and public notices are prepared for all appeals that are to be acted on by the Board. The route sheet copy of the appeal, and a copy of the public notice is sent to the GIS Section of Development Services Department to have a location map, and other appropriate graphics for the Board's docket. This section also prepares labels for the property owners to be notified for each appeal being processed for the Board of Adjustment's public hearing. The notices are mailed no later than ten (10) days prior to the Board's public hearing date to comply with state statute requirements.

All public hearings are taped, and the secretary also takes notes of the hearing. Each appeal is called and all people that testify are sworn in.

The Board of Adjustment normally makes their decisions known on an appeal immediately after a case has been heard. After the hearing, letters are written informing the applicant and other concerned parties of the Board's action. Appeals are filed with the Board Office after the hearing so that no misunderstanding will occur, and all site plans are stamped approved by the Board if the appeals are granted.

BOARD OF ADJUSTMENT

2021-2022

MEMBER ROSTER

BOARD OF ADJUSTMENT MEMBER ROSTER
2021-2022

Panel A

David A. Neumann, Chairman (appt'd 10/05/21)
Jay Narey, regular member (re-appt'd 9/01/21)
Sarah Lamb, regular member (re-appt'd 09/22/21)
Lawrence Halcomb, regular member; (re-appt'd 09/22/21)
Kathleen F. Davis, regular member (appt'd 11/16/21)
Rachel Hayden, regular member (appt'd 08/24/22)

Panel B

Cheri Gambow, Vice Chair (re-appt'd 10/27/21)
Michael Karnowski, regular member (appt'd 09/01/21)
Joseph Cannon, regular member (appt'd 09/22/21)
Matt Shouse, regular member (re-appt'd 10/13/21)
Herlinda Resendiz, regular member (app't 11/03/21)

Panel C

Robert Agnich, Vice Chair (re-appt'd: 8/25/21)
Judy Pollock, regular member (re-appt'd: 11/16/21)
Roger Sashington, regular member (re-appt'd: 12/01/21)
Rodney Milliken, regular member (appt'd: 01/05/22)
Jared Slade, regular member (appt'd to Panel C from Alt 02/02/22)

ALTERNATE MEMBERS

Nicholas Brooks (re-appt'd: 09/09/21)
Dr. Emmanuel Glover (appt'd: 09/09/21)
TC Fleming (appt'd: 09/22/21)
Todd Hill (appt'd: 09/22/21)
Andrew Finney (appt'd: 04/13/22)
Philip Sahuc (appt'd: 10/12/22)

Resignations, Forfeitures and Term Endings: 10/21- 09/22

Scott Housel: resigned 10/06/21
David Ramsour: resigned 04/11/22
Sarah Lamb: resigned 8/1/22
Herlinda Resendiz: forfeited 10/12/22

BOARD OF ADJUSTMENT

2021-2022

MEMBER ATTENDANCE

BOARD OF ADJUSTMENT ATTENDANCE 2021-2022												
PANEL C	2021	2021	2021	2022	2022	2022	2022	2022	2022	2022	2022	2022
MEETING DATES	18-Oct	15-Nov	13-Dec	No Jan	24-Feb	21-Mar	18-Apr	16-May	23-Jun	No July	15-Aug	19-Sep
Robert Agnich				RECESS	CANCELLED			A		RECESS		
Judy Pollock	A			RECESS	CANCELLED					RECESS		A
Roger Sashington				RECESS	CANCELLED					RECESS		
Rodney Milliken				RECESS	CANCELLED				A	RECESS		
Jared Slade					CANCELLED							
Scott Hounsel (resigned 10/6/21)												
PANEL A	2021	2021	2021	2022	2022	2022	2022	2022	2022	2022	2022	2022
MEETING DATES	19-Oct	16-Nov	No Dec	18-Jan	22-Feb	22-Mar	19-Apr	17-May	21-Jun	19-Jul	16-Aug	20-Sep
Dave Neumann			RECESS									
Sarah Lamb (resigned 8/2/22)			RECESS									
Jay Narey			RECESS							A		
Lawrence Halcomb			RECESS							A		
Kathleen Frankford			RECESS							A		
Rachel Hayden												
PANEL B	2021	2021	2021	2022	2022	2022	2022	2022	2022	2022	2022	2022
MEETING DATES	20-Oct	17-Nov	No Dec	19-Jan	23-Feb	23-Mar	20-Apr	18-May	22-Jun	No July	17-Aug	21-Sep
Cheri Gambow			RECESS			CANCELLED				RECESS		
Matt Shouse			RECESS			CANCELLED				RECESS		
Joseph Cannon			RECESS			CANCELLED	A			RECESS		
Michael Karnowski			RECESS			CANCELLED			A	RECESS		
Herinda Resendiz (forfeit: 10/12/22)			RECESS	A		CANCELLED			A	RECESS		A
LEGEND												
A	ABSENT											
A	GP											

BOARD OF ADJUSTMENT

2021-2022

SUMMARY OF WORK &

ACCOMPLISHMENTS

Board of Adjustment Summary of Work

<u>BOA Work Summary</u>	<u>2020-2021</u>	<u>2021-2022</u>	
	<u>10/20-09/21</u>	<u>10/21-09/22</u>	<u>Change %</u>
Total Number of Hearings	26	29	12%
Total Applications	114	156	37%
Total Requests	153	170	12%
Special Exceptions	87	99	14%
Variances	56	55	-1%
Appeal of a Building Official's Decision	2	8	300%
Fee Waivers	4	4	0%
Compliance Case(s)	4	4	0%
No. of Cases Approved	112	133	19%
No. of Cases Denied	20	37	85%
Cases Held Under Advisement	17	28	65%
Cases Withdrawn	4	2	-50%

2021-2022 Accomplishments

Qualitative Accomplishments

- Successfully considered 170 taxpayer/property owner appeals/cases representing a 12% increase from last fiscal year.
- Improved public transparency of meetings with the goal of posting full agenda/docket information seven (7) days prior to hearings and implemented initial customer service website enhancements
- Improved the professionalism and conduct of citizen led Board/Panel hearings to ensure fair, accurate and just outcome
- Instituted training of members to enhance their capacity to apply standards and criteria on appeals presented
- Board members and Alternate positions kept fully appointed/filled to ensure panel quorum thru outreach to City Councilmembers
- Met regularly with PUD and CAO staff regularly to review and propose updates to our Working Rules of Procedure
- Organized and held 2 full Board of Adjustment meetings to receive training, understand conflicts of interest, develop Board relationships and strengthen commitment to BOA

BDA CASE LOG (10/2021 to 09/2022)	Case Nos.	Address	Zoning	Council District	Case Type	Fee	Staff Recommendation	Board Action	Reg Notices Sent
October 18, 2021	BDA201-065 (holdover)	4137 Independence Dr.	MU-2	8	sp ex landscape reg	\$ 1,260.00	Denial	Denied w/o pre]	H
October 18, 2021	BDA201-078 (holdover)	4000 Stonebridge Dr.	Subdistrict R-7.5, PD No. 193	14	var frt yd setback; sp ex fnc height reg	\$ 620.00	Approval	var- denied w/ pre]; sp ex app w/cond	H
October 18, 2021	BDA201-088	1013 S. Glasgow Dr.	PD-134 (Subarea A)	2	sp ex non-conf use	\$ 910.00	No Recommendation	App w/ cons	28
October 18, 2021	BDA201-092	10645 Lennox Ln.	R-1ac(A)	13	sp ex fnc height	\$ 1,220.00	No Recommendation	Holdover	11
October 18, 2021	BDA201-095	5915 Park Ln.	R-1ac(A)	13	sp ex fnc height reg; sp ex fnc standards	\$ 1,210.00	No Recommendation	App w/ cons x2	14
October 18, 2021	BDA201-096	5923 Park Ln.	R-1ac(A)	13	sp ex fnc height reg; sp ex fnc standards; sp ex vis obst	\$ 1,810.00	No Recommendation	App w/ cons x3	13
October 19, 2021	BDA201-090	8677 Lakemont Dr.	R-10(A)	13	sp ex fnc height reg; sp ex fnc standards	\$ 1,210.00	No Recommendation	App w/ cons	15
October 19, 2021	BDA201-094	10455 N. Central Expy	MU-1, RR	11	sp ex sign reg	\$ 1,230.00	Denial	App w/ cons	292
October 19, 2021	BDA201-098	3601 Routh St.	PD-193 (MF-3)	14	var frt yd setback; var sd yd setback	\$ 1,870.00	Approval	Holdover	85
October 19, 2021	BDA201-099	6508 Ridgmont Dr.	R-7.5(A)	9	sp ex fnc height reg; sp ex fnc standards	\$ 1,220.00	No Recommendation	App w/ cons	25
October 19, 2021	BDA201-101	17776 Dallas Pkwy.	MU 1	12	AD appeal	\$ 910.00	No Recommendation	Denied w/pre]	8
October 20, 2021	BDA201-089	9646 Douglas Ave.	R-1ac(A)	13	sp ex fnc height reg; sp ex fnc standards; sp ex vis obst	\$ 1,820.00	No Recommendation	App w/ cons x2	13
October 20, 2021	BDA201-091	9823 Kilarney Dr.	CD-11	14	var ft yd setback	\$ 620.00	Approval	App w/ cons	16
October 20, 2021	BDA201-093	2013 Jackson	PD-357 (subdistrict 4A)	14	sp ex vis obst	\$ 1,245.00	No Recommendation	App w/ cons	21
October 20, 2021	BDA201-097	11410 St. Michaels Dr.	R-16(A)	11	var bidg height; var floor area ratio; var off st pkg; sp ex sf reg	\$ 2,420.00	No Rec- sp ex; Approval- variances	App w/ cons x4	13
November 15, 2021	BDA201-1001	6401 Richmond Ave.	CD-2	9	waiver of the two-year waiting period	\$ -	No Recommendation	Approval	0
November 15, 2021	BDA201-092(holdover)	10645 Lennox Ln.	R-1ac(A)	13	sp ex fnc height	\$ -	No Recommendation	App w/ cons	H
November 15, 2021	BDA201-100	1609 Houghton Rd.	R-7.5(A)	5	sp ex fnc standard	\$ 10.00	No Recommendation	App w/ cons	24
November 15, 2021	BDA201-105	5532 Park Ln.	R-1ac(A)	13	sp ex fnc height reg	\$ 610.00	No Recommendation	App w/ cons	13
November 15, 2021	BDA201-107	8656 Forest Hills Blvd.	R-7.5(A)	9	sp ex sf reg; var sd yd setback; var bidg height	\$ 1,810.00	No Rec- sp ex; Approval w/ cons- variances	App w/ cons x3	26
November 15, 2021	BDA201-111	5005 Denton Dr.	PD-193	2	var ft yd setback	\$ 620.00	App w/ cons	App w/ cons	21
November 16, 2021	BDA201-098(holdover)	3601 Routh St.	PD-193 (MF-3)	14	var frt yd setback; var sd yd setback	\$ -	Approval	App w/ cons x2	H

November 16, 2021	BDA201-104	615 S. Moore St.	R-5(A)	4	sp ex sf reg; add elec meter	\$ 1,210.00	No Recommendation	App w/ cons	33
November 16, 2021	BDA201-106	3015 Puget St.	R-5(A)	6	var ft yd setbk	\$ 620.00	App w/ cons	App w/ cons	28
November 16, 2021	BDA201-110	3860 Shorecrest Dr.	R-10(A)	13	var sd yd setbk	\$ 610.00	App w/ cons	App w/ cons	17
November 16, 2021	BDA201-112	5518 Winston Ct.	R-14c(A)	13	sp ex fnc height reg	\$ 620.00	No Recommendation	App w/ cons	14
November 16, 2021	BDA201-113	899 N. Stemmons Fwy	PD-621 (Subarea 1J)	6	AO appeal	\$ 920.00	No Recommendation	Denied w/prj	7
November 17, 2021	BDA190-090(holdover)	3016 Greenville Ave.	CD-11	14	sp ex to restore delta credits	\$ -	Approval	Holdover	H
November 17, 2021	BDA190-091(holdover)	3018 Greenville Ave.	CD-11	14	sp ex to restore delta credits	\$ -	Approval	Holdover	H
November 17, 2021	BDA190-092(holdover)	3018 Greenville Ave.	CD-11	14	AO appeal	\$ -	No Recommendation	Holdover	H
November 17, 2021	BDA190-093(holdover)	3024 Greenville Ave.	CD-11	14	sp ex to restore delta credits	\$ -	Approval	Holdover	H
November 17, 2021	BDA201-102	8000 Lake June Road	Sub 2, PD 366	5	sp ex fnc standard	\$ 1,245.00	No Recommendation	App w/ cons	16
November 17, 2021	BDA201-103	8002 Lake June Road	Sub 2, PD 366	5	sp ex fnc standard	\$ 1,235.00	No Recommendation	App w/ cons	18
November 17, 2021	BDA201-108	4511 McKinney Avenue	PD-193, LC Sub	14	var ft yd setbk	\$ 945.00	Denial	Denied w/o prj	18
November 17, 2021	BDA201-109	2051 W. Northwest Highway	IR	6	AO Appeal	\$ 930.00	No Recommendation	Denied w/prj	10
December 13, 2021	BDA201-114	1921 Greenville Ave. Ste. 200	PD-842, MD-1, SUP 1905	14	sp ex to restore delta credits	\$ 910.00	Approval	Approval	20
December 13, 2021	BDA201-115	901 Elisabeth St.	PD-160 (Tract 1C)	1	var sd yd setbk	\$ 620.00	Approval	App w/ cons	20
December 13, 2021	BDA201-116	3925/27 Prescott Ave	PD-193 (MF-1)	14	var sd yd setbk	\$ 610.00	Approval	App w/ cons	30
December 13, 2021	BDA201-117	6664 Santa Anita Dr.	R-7.5(A)	9	sp ex sf reg; var floor area ratio	\$ 1,810.00	No Rec- sp ex; Approval w/ cons-variances	Approval x2	25
December 13, 2021	BDA201-118	8115 San Benito Way	PD-575 (Subarea C)	9	sp ex sd yd setbk	\$ 610.00	App w/ cons	App w/ cons	19
December 13, 2021	BDA201-119	5302 Belmont Ave.	R-7.5(A)	2	var sd yd setbk	\$ 620.00	App w/ cons	App w/ cons	27
January 18, 2022	BDA201-121	522 S. Oak Cliff Boulevard	R-7.5(A)	1	var ft yd setbk; var sd yd setbk	\$ 1,210.00	App w/cons	App w/cons x2	24
January 18, 2022	BDA201-122	7115 Lavendale Avenue	R-16(A)	11	var bldg height; var floor area ratio	\$ 1,210.00	No Recommendation	App w/cons x2	15
January 18, 2022	BDA201-124	6407 Anita Street	R-7.5(A)	9	var off st plg	\$ 610.00	App w/cons	App w/cons	18
January 18, 2022	BDA201-125	9943 Coppedge Lane	R-7.5(A)	6	var ft yd setbk; sp ex fnc height; sp ex fnc standards; sp ex vin obstr	\$ 2,420.00	No Rec- sp ex; Approval w/ cons-variances	Holdover	27
January 19, 2022	BDA190-090(holdover)	3016 Greenville Ave.	CD-11	14	sp ex to restore delta credits	\$ -	Approval	Denied w/prj	30

January 19, 2022	BDA190-091(holdover)	3018 Greenville Ave.	CD-11	14	sp ex to restore delta credits	\$ -	Approval	Denied w/prej	16
January 19, 2022	BDA190-092(holdover)	3018 Greenville Ave.	CD-11	14	AO appeal	\$ -	No Recommendation	Affirmed AO decision, denied relief	21
January 19, 2022	BDA190-093(holdover)	3024 Greenville Ave.	CD-11	14	sp ex to restore delta credits	\$ -	Approval	Denied w/prej	13
January 19, 2022	BDA201-120	3022 W. Davis Street	PD-631 (LMU) Tract 2	1	sp ex non-conf use	\$ 1,245.00	No Recommendation	Denied w/prej	20
January 19, 2022	BDA201-123	3015 Taylor Street	PD-269 (Tract A); SUP 2408	2	sp ex vis obstr	\$ 1,245.00	No Recommendation	Denied w/o prej	19
February 22, 2022	BDA201-125 (holdover)	9943 Coppedge Lane	R-7.5(A)	6	var ft yd setbk; sp ex fnc height; sp ex fnc standards; sp ex vis obstr	\$ -	No Rec- sp ex; Approval w/ cons- variances	Holdover	H
February 22, 2022	BDA212-010	5433 Delosche Avenue	R-1ac(A)	13	sp ex fnc height; sp ex fnc standards	\$ 1,220.00	No Recommendation	App w/cons x2	10
February 22, 2022	BDA212-011	9077 Fairglen Drive	R-7.5(A), Tract 4, PD 795	10	var sd yd setbk	\$ 610.00	App w/cons	App w/cons	31
February 22, 2022	BDA212-013	1134 Mountain Lake Road	R-7.5(A)	1	var floor area ratio; sp ex f use reg	\$ 1,810.00	No Rec- sp ex; Denial- variances	Holdover	29
February 22, 2022	BDA212-018	11834 Harry Hines Boulevard, Suite 135	IR, MU-2(SAH)	6	AO appeal	\$ 950.00	No Recommendation	Holdover	9
February 23, 2022	BDA212-007	9242 Hathaway Street	R-1ac(A)	13	sp ex of use; sp ex fnc height; sp ex vis obstr	\$ 1,810.00	No Recommendation	App w/cons x2	9
February 23, 2022	BDA212-009	7019 Lovett Avenue	R-7.5(A)	5	var sd yd setbk	\$ 610.00	App w/cons	App w/cons	26
February 23, 2022	BDA212-016	119 Pittsburg Street	PD-621 (Subdistrict 1A)	5	sp ex off st parking	\$ 2,810.00	No Recommendation	App w/cons	20
Panel C Hearing Cancelled (2/24/22)									
March 21, 2022	BDA201-092(holdover)	10645 Lennox Ln.	R-1ac(A)	13	sp ex fnc height	\$ -	No Recommendation	App w/cons	H
March 21, 2022	BDA212-FW1 (Fee Waiver)	7120 Cortland St.	R-7.5(A)	2	fee waiver (sp ex fnc height; sp ex vis obstr)	\$ -	No Recommendation	Denied	D
March 21, 2022	BDA212-008	9140 Lynbrook Drive	R-7.5(A)	10	var ft yd setbk	\$ 620.00	App w/cons	App w/cons	29
March 21, 2022	BDA212-012	3900 N. Hampton Road	CR	6	var sd yd setbk; var pkg reg; sp ex landscape reg	\$ 3,695.00	App w/cons	Holdover	22
March 22, 2022	BDA212-018(holdover)	11834 Harry Hines Boulevard, Suite 135	IR, MU-2(SAH)	6	AO Appeal	\$ -	No Recommendation	Reversed AO decision, granted relief	H
March 22, 2022	BDA201-125 (holdover)	9943 Coppedge Lane	R-7.5(A)	6	var ft yd setbk; sp ex fnc height; sp ex fnc standards; sp ex vis obstr	\$ -	No Rec- sp ex; Approval w/ cons- variances	Var: app w/ cons; Sp Ex: Denied w/o prej x3	H
March 22, 2022	BDA212-017	4715 Reiger Avenue	PD-98	2	var sd yd setbk	\$ 935.00	App w/cons	Holdover	19
March 22, 2022	BDA212-019	536 W. 9th Street	PD-830 (subdistrict 3) E	1	sp ex landscape reg	\$ 1,270.00	App w/cons	Holdover	21
March 22, 2022	BDA212-020	1218 N. Clinton Avenue	CD-13 (Subarea 1)	1	var floor area ratio; var sd yd setbk	\$ 1,210.00	Denial	Holdover	23

March 22, 2022	BDA212-021	5531 Anita Street	D(A)	14	var off st parking	\$ 610.00	App w/cons	Denied w/o prej	34
March 22, 2022	BDA212-028	11411 E. Northwest Hwy., Suite 111	MC-4,RR	9	AO appeal	\$ 940.00	No Recommendation	Holdover	14
Panel B Hearing Canceled (8/28/22)									
April 18, 2022	BDA212-014	10625 Lennox Lane	R-1ac(A)	13	sp ex fnc height; sp ex fnc standards	\$ 1,220.00	No Recommendation	App w/cons x2	9
April 18, 2022	BDA212-024	7643 Rosemont Road	R-7.5(A)	5	sp ex sf use reg; var floor area ratio	\$ 10.00	No Recommendation	Denied w/o prej x2	23
April 18, 2022	BDA212-025	10039 Shadyview Drive	R-7.5(A)	10	sp ex sf use reg; var floor area ratio	\$ 1,210.00	No Recommendation- sp ex; denial- variance	Denied w/o prej x2	30
April 18, 2022	BDA212-029	6745 Country Club Circle	Tract III, CD-2	14	var ft yd setbk	\$ 610.00	App w/cons	App w/cons	15
April 18, 2022	BDA212-032	10207 N. Central Expressway	MU 2	11	sp ex parking reg	\$ 1,420.00	Approval	App w/cons	125
April 19, 2022	BDA212-013(holdover)	1134 Mountain Lake Road	R-7.5(A)	1	var floor area ratio; sp ex sf use reg	\$ 1,810.00	No Rec- sp ex; Denial- variances	Var: Denied w/o prej; Sp Ex: app w/cons	H
April 19, 2022	BDA212-017(holdover)	4715 Rejger Avenue	PD-98	2	var sd yd setbk	\$ -	App w/cons	Holdover	H
April 19, 2022	BDA212-019(holdover)	536 W. 9th Street	PD-830 (subdistrict 3) E	1	sp ex landscape reg	\$ -	App w/cons	App w/cons	H
April 19, 2022	BDA212-020(holdover)	1218 N. Clinton Avenue	CD-13 (Subarea 1)	1	var floor area ratio; var sd yd setbk	\$ -	Denial	Holdover	H
April 19, 2022	BDA212-028(holdover)	11411 E. Northwest Hwy., Suite 111	MC-4,RR	9	AO appeal	\$ -	No Recommendation	Holdover	H
April 19, 2022	BDA212-026	2603 Hondo Avenue	PD-193 (MF-2)	2	sp ex vis obstr	\$ 1,210.00	No Recommendation	App w/cons	15
April 19, 2022	BDA212-027	1822 W. 10TH ST	R-7.5(A)	1	sp ex fnc height	\$ 1,305.00	No Recommendation	App w/cons	44
April 19, 2022	BDA212-031	1805 S. Edgefield Avenue	CR	9	var off st parking reg	\$ 2,320.00	App w/cons	Holdover	23
April 19, 2022	BDA212-034	9207 Sunnybrook Lane	R-1ac(A)	13	sp ex fnc height; sp ex fnc standards; sp ex vis obstr	\$ 2,410.00	No Recommendation	fnc standard open surface- denied w/o prej; app w/ cons x3	10
April 20, 2022	BDA212-022	10007 Hollow Way Road	R-1ac(A)	13	sp ex fnc height; sp ex fnc standards	\$ 1,220.00	No Recommendation	App w/cons x2	11
April 20, 2022	BDA212-023	5253 Bonita Avenue	R-7.5(A)	2	var ft yd stbk	\$ 620.00	Denial	Holdover	31
April 20, 2022	BDA212-030	7202 La Vista Drive	R-7.5(A)	14	var ft yd stbk	\$ 620.00	App w/cons	App w/cons	29
April 20, 2022	BDA212-033	10001 Meadowbrook Drive	R-1ac(A)	13	var ft yd stbk	\$ 620.00	Denial	Holdover	11
April 20, 2022	BDA212-036	1000 Fort Worth Avenue	PD-714 (Subarea 2B)	6	var ft yd stbk	\$ 1,165.00	Denial	Holdover	39
May 16, 2022	BDA212-012(holdover)	3900 N. Hampton Road	CR	6	var sd yd setbk; var pkg reg; sp ex landscape reg	\$ -	App w/cons	Holdover	H

May 16, 2022	BDA212-039	4015 Cochran Chapel Road	R-1ac(A)	13	sp ex fnc height	\$ 610.00	No Recommendation	App w/cons	7
May 16, 2022	BDA212-040	5933 Northaven Road	R-16(A)	13	sp ex fnc height	\$ 610.00	No Recommendation	Denied w/o prej	18
May 16, 2022	BDA212-044	2711 W. 10th Street	R-7.5(A)	1	sp ex of use (add'l dwelling)	\$ 610.00	No Recommendation	App w/cons	24
May 17, 2022	BDA212-017(holdover)	4715 Reiger Avenue	PD-98	2	var sd yd setbk	\$ -	App w/cons	App w/cons	H
May 17, 2022	BDA212-020(holdover)	1218 N. Clinton Avenue	CD-13 (Subarea 1)	1	var floor area ratio; var sd yd setbk	\$ -	Denial	Holdover	H
May 17, 2022	BDA212-028(holdover)	11411 E. Northwest Hwy., Suite 111	MC-4,RR	9	AO appeal	\$ -	No Recommendation	Reversed AO decision, granted relief	H
May 18, 2022	BDA212-033(holdover)	10001 Meadowbrook Drive	R-1ac(A)	13	var ft yd stbk	\$ 620.00	Approval	App w/cons	11
May 18, 2022	BDA212-036(holdover)	1000 Fort Worth Avenue	PD-714 (Subarea 2B)	6	var ft yd stbk	\$ 1,165.00	Denial	App w/cons	H
May 18, 2022	BDA212-035	1918 Moser Avenue	MF-2(A)	2	var bldg height reg	\$ 610.00	Denial	Holdover	20
May 18, 2022	RDA212-037	2921 Sale Street	PD-193 (MF-3)	14	var ft yd stbk	\$ 610.00	App w/cons	App w/cons	25
May 18, 2022	BDA212-038	17515 River Hill Drive	R-10(A)	12	sp ex fnc height; sp ex vis obstr	\$ 1,230.00	No Recommendation	Denied w/o prej	13
May 18, 2022	BDA212-041	6806 Wander Place	R-1ac(A)	11	sp ex fnc height	\$ 630.00	No Recommendation	App w/cons	12
May 18, 2022	BDA212-042	2730 N. Henderson Avenue	PD-462 (Subarea 1)	14	var parking reg	\$ 1,920.00	Approval	Approval	26
June 21, 2022	BDA212-020(holdover)	1218 N. Clinton Avenue	CD-13 (Subarea 1)	1	var floor area ratio; var sd yd setbk	\$ -	Approval	App w/cons x2	H
June 21, 2022	BDA212-031(holdover)	1805 S. Edgefield Avenue	CR	9	var off st parking reg	\$ -	App w/cons	Holdover	H
June 21, 2022	BDA212-049	4256 Park Lane	R-10(A)	13	sp ex fnc height; sp ex fnc standards	\$ 1,210.00	No Recommendation	Holdover	15
June 21, 2022	BDA212-050	10602 Bridge Hollow Court	R-1ac(A)	13	sp ex fnc height	\$ 610.00	No Recommendation	App w/cons	11
June 22, 2022	BDA212-023(holdover)	5253 Bonita Avenue	R-7.5(A)	2	var ft yd stbk	\$ -	Denial	Denied w/o prej	H
June 22, 2022	BDA212-035(holdover)	1918 Moser Avenue	MF-2(A)	2	var bldg height reg	\$ -	Denial	Holdover	H
June 22, 2022	BDA212-045	3608 San Jacinto St.	PD No. 298, Subarea 7	14	sp ex landscape reg	\$ 1,235.00	App w/cons	App w/cons	30
June 22, 2022	BDA212-048	4686 Meadowood Rd.	R-1ac(A)	13	sp ex fnc height	\$ 630.00	No Recommendation	App w/cons	9
June 22, 2022	BDA212-065	2436 Shorecrest Dr.	IR	6	AO Appeal	\$ 910.00	No Recommendation	Reversed AO decision, granted relief	13
June 23, 2022	BDA212-FW2	7120 Cortland St.	R-7.5(A)	2	fee waiver (sp ex fnc height; sp ex vis obstr)	\$ -	No Recommendation	Denied	0
June 23, 2022	BDA212-U51	9109 John W. Carpenter Pkwy.	IR	6	AO Appeal	\$ 920.00	No Recommendation	Affirmed AO decision, denied relief	H

July 19, 2022	BDA212-011	9077 Fairglen Dr.	R-7.5(A), Tract 4, PD 795	10	Extension request to obtain building permits	\$ -	No Recommendation	Approval	0
July 19, 2022	BDA212-052	4630 Northaven Rd.	R-3/2ac(A)	13	sp ex fnc height; sp ex vis obstr	\$ 1,210.00	No Recommendation	Holdover	15
July 19, 2022	BDA212-053	3076 Samuel Blvd.	RR	2	sp ex nonconforming use	\$ 920.00	No Recommendation	App w/cons	11
July 19, 2022	BDA212-054	1106 N. Clinton Ave.	CD-13	1	sp ex sf use (add'l dwelling)	\$ 610.00	No Recommendation	App w/cons	23
July 19, 2022	BDA212-057	5821 McShann Rd.	R-16(A)	13	sp ex fnc height; sp ex vis obstr	\$ 1,210.00	No Recommendation	Holdover	117
July 19, 2022	BDA212-058	4525 McKinney Ave.	PD-193 (LC)	14	sp ex landscape reg; sp ex vis obstr; var ft yd setbk	\$ 3,410.00	Sp Ex: app w/cons; Var: Denial	Holdover	13
July 19, 2022	BDA212-059	938 N. Winnetka Ave.	CD-1	1	var ft yd stbk	\$ 620.00	Denial	Holdover	28
July 19, 2022	BDA212-060	5400 Richard Ave.	CD-15	2	sp ex fnc height; sp ex sd yd setbk	\$ 2,420.00	Sp Ex: No recommendation; Var: approval	Holdover	25
July 19, 2022	BDA212-064	743 Bizarte Ave.	R-7.5(A)	1	sp ex sf use (add'l dwelling)	\$ 610.00	No Recommendation	App w/cons	20
August 15, 2022	BDA212-012(holdover)	3900 N. Hampton Road	CR	6	var sd yd setbk; var pkg reg; sp ex landscape reg	\$ -	App w/cons	App w/cons x3	H
August 15, 2022	BDA212-055	1618 Sky High Circle	R-7.5(A)	8	sp ex sf use (handicap use dwelling); sp ex vis obstr	\$ 1,210.00	No Recommendation	App w/cons x2	26
August 15, 2022	BDA212-070	9014 Winterset Ave.	R-7.5(A)	8	sp ex sf use (add'l dwelling)	\$ 610.00	No Recommendation	App w/cons	20
August 15, 2022	BDA212-072	7835 Lee St.	TH-3(A)	14	sp ex vis obstr	\$ 620.00	No Recommendation	App w/cons	46
August 15, 2022	BDA212-076	3230 Remond Dr.	PD-1059	3	var ft yd stbk	\$ 1,195.00	Denial	App w/cons	11
August 16, 2022	BDA190-044	1108 Quaker St.	IR,MU-3	6	Parking Analysis Reassessment	\$ -	No Recommendation	Affirmed	0
August 16, 2022	BDA212-FW4	2603 Hondo Ave.	PD-193 (MF-2)	2	Approval of 4/19/22 decision to grant fee waiver	\$ -	No Recommendation	Approval	0
August 16, 2022	BDA212-031(holdover)	1805 S. Edgefield Avenue	CR	9	var off st parking reg	\$ -	App w/cons	Denied w/o prej	H
August 16, 2022	BDA212-049(holdover)	4256 Park Lane	R-10(A)	13	sp ex fnc height; sp ex fnc standards	\$ -	No Recommendation	App w/cons x2	H
August 16, 2022	BDA212-052(holdover)	4630 Northaven Rd.	R-1/2ac(A)	13	sp ex fnc height; sp ex vis obstr	\$ -	No Recommendation	App w/cons x2	H
August 16, 2022	BDA212-057(holdover)	5821 McShann Rd.	R-16(A)	13	sp ex fnc height; sp ex vis obstr	\$ -	No Recommendation	Denied w/ prej	H
August 16, 2022	BDA212-058(holdover)	4525 McKinney Ave.	PD-193 (LC)	14	sp ex landscape reg; sp ex vis obstr; var ft yd setbk	\$ -	Sp Ex: app w/cons; Var: app w/cons	App w/cons x3	H
August 16, 2022	BDA212-059(holdover)	938 N. Winnetka Ave.	CD-1	1	var ft yd stbk	\$ -	App w/cons	App w/cons	H
August 16, 2022	BDA212-060(holdover)	5400 Richard Ave.	CD-15	2	sp ex fnc height; sp ex sd yd setbk	\$ -	Sp Ex: No recommendation; Var: approval	App w/cons x2	H
August 16, 2022	BDA212-063	8928 Diceman Dr.	R-7.5(A)	9	var floor area reg	\$ 620.00	Denial	App w/cons	25

August 16, 2022	BDA212-067	7820 Glenshannon Circle	R-7.5(A)	13	var ft yd stbk; sp ex fnc height; sp ex fnc standards	\$ 1,820.00	Sp EX: No recommendation; Var: app w/ sons	App w/cons x3	22
August 16, 2022	BDA212-073	1903 Farola Dr.	R-7.5(A)	9	sp ex fnc height; sp ex fnc standards	\$ 1,220.00	No Recommendation	Holdover	29
August 16, 2022	BDA212-079	424 W. Davis St.	CD-7	1	sp ex parking reg	\$ 1,120.00	No Recommendation	Holdover	27
August 17, 2022	BDA212-035(holdover)	1918 Meser Avenue	MF-2(A)	2	var bldg height reg	\$ -	Denial	App w/cons	H
August 17, 2022	BDA212-056	2016 Kessler Parkway	CD-13	1	var ft yd stbk	\$ 610.00	Approval	App w/cons	15
August 17, 2022	BDA212-068	2022 Woody Rd.	R-10(A)	8	sp ex fnc height	\$ 610.00	No Recommendation	App w/cons	21
August 17, 2022	BDA212-071	304 S. Beacon St.	D(A)	2	var ft yd stbk	\$ 620.00	Denial	App w/cons	25
August 17, 2022	BDA212-077	11211 Straik Ln.	R-1/2ac(A), NSO 1 (Tract 1)	13	sp ex fnc height	\$ 610.00	No Recommendation	Holdover	11
September 19, 2022	BDA212-FW3	7120 Cortland St.	R-7.5(A)	2	fee waiver (sp ex fnc height; sp ex vis obstr)	\$ -	No Recommendation	Approval	0
September 19, 2022	BDA212-069	1822 Sanger Avenue	PD-595, RS-C, Tract 1	8	var sd yd stbk	\$ 610.00	App w/cons	App w/cons	17
September 19, 2022	BDA212-075	8012 Trade Village Place	PD-366, subarea 2 tract 3	5	sp ex landscape reg	\$ 1,280.00	No Recommendation	App w/cons	28
September 19, 2022	BDA212-082	10203 Hollow Way Road	R-1ac(A)	13	sp ex fnc height	\$ 610.00	No Recommendation	Denied w/o prej	14
September 19, 2022	BDA212-086	2821 Simpson Stuart Road	CR	8	sp ex fnc standards	\$ 1,235.00	No Recommendation	App w/cons	16
September 19, 2022	BDA212-091	238 Hillvale Ave.	R-7.5(A)	4	sp ex landscape reg requesting time extension	\$ 1,360.00	No Recommendation	Denied w/o prej	88
September 20, 2022	BDA212-073(holdover)	1903 Farola Drive	R-7.5(A)	9	sp ex fnc height; sp ex fnc standards	\$ -	No Recommendation	App w/cons x2	H
September 20, 2022	BDA212-079(holdover)	424 W Davis Street	CD-7	1	sp ex parking reg	\$ -	No Recommendation	App w/cons	H
September 20, 2022	BDA212-061	3115 Borger Street	R-5(A)	6	var ft yd stbk	\$ 1,255.00	Denial	Denied w/ prej	30
September 20, 2022	BDA212-083	2425 W. Northwest Highway	MU-3	6	sp ex nonconforming use	\$ 910.00	No Recommendation	App w/cons	7
September 20, 2022	BDA212-087	4186 Brookport Drive	R-16(A)	13	sp ex fnc height	\$ 620.00	No Recommendation	App w/cons	12
September 20, 2022	BDA212-089	5000 East Side Avenue	D(A)	2	var ft yd stbk	\$ 610.00	Approval	Denied w/ prej	19
September 20, 2022	BDA212-090	2420, 2414, and 2410 N. Henderson Avenue	PD-462 subarea 3	2	sp ex landscape; var parking reg	\$ 4,185.00	Var: Denial; sp EX: No Recommendation	Denied w/o prej x2	23
September 21, 2022	BDA212-077(holdover)	11211 Straik Lane	R-1/2ac(A), NSO 1 (Tract 1)	13	sp ex fnc height	\$ 610.00	No Recommendation	Denied w/o prej	H
September 21, 2022	BDA212-080	3004 and 3012 Fairmount Street	PD103, PDS 167	14	sp ex landscape	\$ 1,270.00	No Recommendation	App w/cons	17
September 21, 2022	BDA212-081	5923 Del Roy Drive	R-16(A)	13	sp ex rear yd stbk, preserve a tree	\$ 1,260.00	No Recommendation	App w/cons	14

September 21, 2022	BDA212-084	4706 Memphis Street	IR	6	sp ex vis obstr x2	\$ 2,470.00	No Recommendation	App w/cons x2	15
September 21, 2022	BDA212-085	5324 W. Northwest Highway	R-1a(c)(A)	13	terminate dead restrictions	\$ 910.00	No Recommendation	Approval	18

BOARD OF ADJUSTMENT

2022-2023

GOALS & OBJECTIVES

2022-2023 Goals & Objectives

1. Improve all (Staff, Board, Property Owner) aspects of the Board of Adjustment's Timeliness, Transparency, Accuracy, and Teamwork
2. Successfully transition city staff support to Development Services Department with new Board Administrator and Senior Planners
3. Significantly decrease days application to hearing timeline for the taxpayer/property owner
4. Significant website enhancements to increase taxpayer/property owner access and awareness of pending zoning appeals
5. Meeting agenda/dockets publicly available 7 days in advance of hearings
6. Quarterly enhanced training of members/alternates on rules, conflicts of interest, criteria for decision making and onboarding of new appointees
7. Improving surrounding property owner notification process (area of notification increased to 300 feet from 200, clarifying the format of notification, mailing days before hearing)
8. Obtain more comprehensive staff/technical report presentation for appeal hearings with enhanced photos and property comparisons

BOARD OF ADJUSTMENT

RECOMMENDATIONS TO THE **CITY COUNCIL**

Board of Adjustment Recommendations to the City Council

1. Approve the Board of Adjustment's unanimously adopted November 1, 2022, update to our Rules of Procedure
2. Amend Chapter 51A Section 4.703 (c) Notice of Hearing: Increase the Area of Notification to 300 feet (from 200 feet) for the applicant and all owners of real property for public hearings on all Board of Adjustment applications
3. Fund, direct, and provide City Council oversight on the hiring and training of Development Services additional professional and support staff: to achieve reasonable/reduced days from complete application to public hearing, a more comprehensive staff presentation, report and recommendations for BOA appeal hearings, and BOA website which increases public access and awareness of pending zoning appeals.