

Memorandum

RECEIVED

2024 NOV 12 PM 4: 22

CITY SECRETARY
DALLAS, TEXAS



CITY OF DALLAS

DATE November 6, 2024
TO City Manager
SUBJECT Board of Adjustment Annual Report FY 2023-2024

Attached for your review is our annual report, summarizing the activities of the Board of Adjustment for 2023-2024 in accordance with Chapter 8, Section 8-1.1.

The Board of Adjustment approved their FY2023-2024 Annual Report on October 29th, 2024.

Thank you,

ANDREEA UDREA

Andreea Udrea, PhD, AICP
Deputy Director
Planning & Development Department

Kimberly Tolbert, City Manager (I)
Tammy Palomino, City Attorney
Mark Swann, City Auditor
Billierae Johnson, City Secretary
Preston Robinson, Administrative Judge
Dev Rastogi, Assistant city Manager
M. Elizabeth (Liz) Cedillo-Pereira, Assistant City Manager

Alina Ciocan, Assistant City Manager
Donzell Gipson, Assistant City Manager (I)
Robyn Bentley, Assistant City Manager (I)
Jack Ireland, Chief Financial Officer
Elizabeth Saab, Chief of Strategy, Engagement, and Alignment (I)
Directors and Assistant Directors

Memorandum



CITY OF DALLAS

DATE November 4, 2024

TO Honorable Mayor and Members of the City Council

SUBJECT Board of Adjustment Annual Report FY 2023-2024

Consistent with Chapter 8, Section 8-1.1, please find attached the Board of Adjustment's Annual Report for 2023-2024 as adopted on October 29, 2024.

The Board is committed to fulfilling our mission of implementing the zoning ordinance by considering, in a quasi-judicial process, requests from taxpayer/property owners for special exceptions, variances, and appeals of administrative official's decisions 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 and twice annually as a full Board. On October 29, 2024, the full Board met and:

- 1) Received feedback and Public Testimony on process improvements,
- 2) Adopted its Accomplishments and Work summary for 2023-2024,
- 3) Adopted 2025 Meeting/Hearing calendar,
- 4) Adopted Goals & Objectives for 2024-2025,
- 5) Adopted amendments to our Rules of Procedure, and
- 6) Adopted Recommendations for City Council action.

Respectfully submitted,

A handwritten signature in black ink that reads "David A. Neumann".

David A. Neumann
Chairman, Board of Adjustment

Kimberly Tolbert, City Manager (I)
Tammy Palomino, City Attorney
Mark Swann, City Auditor
Billierae Johnson, City Secretary
Preston Robinson, Administrative Judge
Dev Rastogi, Assistant City Manager
M, Elizabeth (Liz) Cedillo-Pereira, Assistant City Manager

Alina Ciocan, Assistant City Manager
Donzell Gipson, Assistant City Manager (I)
Robyn Bentley, Assistant City Manager (I)
Jack Ireland, Chief Financial Officer
Elizabeth Saab, Chief of Strategy, Engagement, and Alignment (I)
Directors and Assistant Directors

City of Dallas BOARD OF ADJUSTMENT



ANNUAL REPORT

October 1, 2023- September 30, 2024

Table of Contents

Mission, Purpose, Authority, Process.....	3
Member Roster	7
Member Attendance	9
Summary of Work & Accomplishments..	11
2024-2025 Goals & Objectives	25
Recommendations to the City Council ...	27

BOARD OF ADJUSTMENT

2023-2024

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.

The Board of Adjustment is composed of 15 Members and 6 Alternates appointed by the Dallas City Council. The Board is divided into 3 Hearing Panels composed of 5 Members each. The Mayor appoints a Board Chairman and 2 Vice Chairs to act as Presiding Officers of the 3 panels. 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 Hearing Panel 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.

An affirmative vote of at least 4 of 5 Members of a Hearing Panel is required to approve a Variance, Special Exception, regulate-discontinue a Non-Conforming use or Reverse the decision of an Administrative Official of the City. 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 Planning & Development 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 Planning & Development 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 Planning & Development Department to have a location map, and other appropriate graphics for the Board's docket. This section also prepares labels for the property owners within 200-feet, 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

2023-2024

MEMBER ROSTER

BOARD OF ADJUSTMENT MEMBER ROSTER
2023-2025

Panel A

David A. Neumann, Chairman (appt'd: 10/5/2021, re-appt'd: 10/11/23)
Jay Narey, regular member (appt'd: 08/30/2017, re-appt'd: 9/20/23)
Kathleen F. Davis, regular member (appt'd: 11/16/2021, re-appt'd: 10/11/23)
Rachel Hayden, regular member (appt'd: 8/24/2022, re-appt'd: 10/11/23)
Michael Hopkovitz, regular member (appt'd: 10/11/2023)

Panel B

Cheri Gambow, Vice Chair (appt'd: 11/1/2016, re-appt'd: 09/13/23)
Joseph Cannon, regular member (appt'd: 09/22/2021, re-appt'd: 09/27/23)
Sarah Lamb, regular member (appt'd: 03/08/23)
Michael Karnowski, regular member (appt'd: 09/01/2021 – Resigned: 08/14/2024)
Derrick Nutall, regular member (appt'd: 06/14/23 – Resigned: 08/20/2024)

Panel C

Robert Agnich, Vice Chair (appt'd: 9/23/2017, re-appt'd: 8/23/23)
Judy Pollock, regular member (appt'd: 04/08/2019)
Roger Sashington, regular member (appt'd: 07/05/2019)
Rodney Milliken, regular member (appt'd: 01/05/22)
Jared Slade, regular member (appt'd 2/2/2022, re-appt'd: 10/11/23)

ALTERNATE MEMBERS

Nicholas Brooks (appt'd: 09/09/2021, re-appt'd: 09/06/23)
Dr. Emmanuel Glover (appt'd: 09/09/2021, re-appt'd: 09/20/23)
TC Fleming (appt'd: 09/22/2021, re-appt'd: 09/13/23)
Andrew Finney (appt'd: 09/22/2021, re-appt'd: 09/06/23)
Philip Sahuc (appt'd: 10/22/2021, re-appt'd: 09/13/23)

Resignations, Forfeitures and Term Endings: 10/23- 09/24

Michael Karnowski, regular member (appt'd 09/01/21 – Resigned 08/14/2024)
Derrick Nutall, regular member (appt'd 06/14/23 – Resigned 08/20/2024)

BOARD OF ADJUSTMENT

2023-2024

MEMBER ATTENDANCE

BOARD OF ADJUSTMENT

2023-2024

SUMMARY OF WORK &

ACCOMPLISHMENTS

City of Dallas
Board of Adjustment
October 29, 2024

2023 – 2024 Accomplishments

1. GOAL: Ensure Fairness to every property owner appeal to the Board of Adjustment (BOA) through Timeliness and Accuracy for a hearing, and Transparency to the public. Strive to consistently provide a fair and complete evaluation of all relevant facts from applicant and staff on each appeal as they apply to a predefined standard.

RESULT: Much improved. Need to streamline the entire application to hearing process and paper flow to make more user friendly to the taxpayer.

2. Staff and Board to provide a public hearing for property owner appeals to BOA within 60 days on average from taxpayer application. Streamline staff processing and potentially modify BOA Panel hearing calendar to accomplish. Create a verifiable predefined consistent measurement of days from application to Hearing, (State law requires a hearing within 60 days for a Building Administrative Official appeal and 30 days for Plats)

RESULT: SUCCESS! Average days between Application to Hearing reduced from 74 to 61.

3. Staff to prepare a more comprehensive and technical analysis for appeal hearings with enhanced photos and property comparisons to include the surrounding properties within 200 feet of the appeal location.

RESULT: Significant Improvement. The 360-video tour of the property and 200 feet surrounding area very impactful. Enhanced case analysis is noted. Need more comparable analysis of the surrounding properties and their use in contrast to subject request.

4. Significant website enhancements to include a single/linked online accurate source of information for BOA, updated regularly to increase taxpayer/property owner understanding and awareness of all pending zoning appeals to include pending case look up and application flowchart/process.

RESULT: Improvement. Case look-up an essential tool. Need to further unclutter the website to maximize the user friendliness to property owners. Highlight key areas. Timely updating of case logs, member listings, data is important. Orientate for an uninformed property owner seeking information.

5. Quarterly enhanced training of members/alternates on rules, conflicts of interest, criteria for decision making and onboarding of new appointees.

RESULT: Conducted only 1 session. Need to prioritize more interactive topic driven training and onboarding for new members.

Board of Adjustment Summary of Work

BOA Work Summary	<u>2022-2023</u>	<u>2023-2024</u>	
	<u>10/22-09/23</u>	<u>10/23-09/24</u>	<u>Change %</u>
Total Number of Hearings	23	30	+30%
Total Applications	111	133	+20%
Total Requests	199	200	+1%
Special Exceptions	127	121	-5%
Variances	52	65	+25%
Appeal of a Building Official's Decision	4	5	+25%
Fee Waivers	0	4	+400%
Holdovers	16	5	-69%
Compliance Case(s)	0	0	---
No. of Cases Approved	150	163	+9%
No. of Cases Denied	29	32	+11%
Cases Held Under Advisement	20	5	-75%
Cases Withdrawn	0	5	---

BDA CASE LOG (10/2023 to 09/2024)	Case Nos.	Address	Zoning	Council District	Case Type	Board Action	Reg Notices Sent
<i>October 16, 2023 Cancelled Per Chairman (Panel C)</i>				<i>October 16, 2023 Cancelled Per Chairman (Panel B)</i>			
<i>October 17, 2023 Cancelled Per Chairman (Panel A)</i>				<i>October 17, 2023 Cancelled Per Chairman (Panel A)</i>			
Panel B							
10/18/2023 Special Meeting	BDA223-074(holdover)	5505 Chatham Hill	R-1ac(A)	13	1-sp ex fnc height	Holdover	
October 18, 2023	BDA223-101	3528 Colonial Avenue	PD 595, MF-2	7	Administrative Official Appeal	Reversed and grant	23
Panel C							
November 13, 2023	BDA223-086	3344 Topeka Avenue	R-5(A)	6	1-variance to front yard	Approved with conditions	29
November 13, 2023	BDA223-087	5327 Richard Avenue	CD-15	2	1-variance to side yard	Approved with conditions	29
November 13, 2023	BDA223-088	12100 Preston Road	PD-100, PD-68	11	1-special exception to the landscaping and tree mitigation	Approved with conditions	47
November 13, 2023	BDA223-089	2622 Madera Street	R-7.5(A)	2	1-variance to front yard, 2-spec exemption to fence height, 3-special exception to opacity regulations	Approved with conditions	34
November 13, 2023	BDA223-090	2504 Maple Avenue	PD-193	14	1-variance to parking regulations	Approved with conditions	15
Panel A							
November 14, 2023	BDA212-078	5526 E.R.L Thornton Expressway	CR	2	1-variance on parking regulations, 2-special exception to the landscaping and tree preservation, 3-a variance to the side yard	Holdover to January 16, 2024	16
November 14, 2023	BDA223-083	9122 Inwood Road			1-special exception to the fence height, 2-a special exception to the fence standards	Approved with conditions	
November 14, 2023	BDA223-095	4707 Allencrest Lane	R-16	13	1-special exception to the side yard setbacks	Denied without prejudice	18
November 14, 2023	BDA223-096	4515 Harry's Lane	R-1ac(A)	13	1-special exception to the fence height	Denied without prejudice	13

BDA CASE LOG (10/2023 to 09/2024)	Case Nos.	Address	Zoning	Council District	Case Type	Board Action	Reg Notices Sent
November 14, 2023	BDA223-097	2764 Catherine Street	CD-8	1	1-special exception to the fence height, 2-special exception to the 20-foot visibility obstruction, 3-a special exception to the 20-foot visibility	Holdover to January 16, 2024	32
November 14, 2023	BDA223-102	5434 Ross Avenue	PD-842	2	1-variance to the front yard, variance front yard	Denied without prejudice	14
November 14, 2023	BDA223-107	5524 Vickery Boulevard	CD-15	14	Appeal the administration official decision of denial	Affirmed to Deny	29
Panel B							
November 15, 2023	BDA223-074(holdover)	5505 Chatham Hill	R-1ac(A)	13	1-sp ex fnc height	Approved with conditions	
November 15, 2023	BDA223-092	2851 W. Jefferson Boulevard	R-7.5(A)	1	1-var front yard, 2-var building height	Approved with conditions	22
November 15, 2023	BDA223-093	4200 Duncanville Road	IR	2	1-spec exc landscaping	Approved with conditions	10
November 15, 2023	BDA223-094	5540 N. Forty Place	R-1/2ac(A), R-1ac(A)	12	1-Additional meter	Holdover until December 13, 2023	10
November 15, 2023	BDA223-098	4104 Saranac Drive	R-7.5(A)	6	1-spec exc fence height, 2-spec exc fence standards	Approved with conditions	31
November 15, 2023	BDA223-099	4211 Irving Boulevard	IM, IR	6	1-spec exc landscaping	Approved with conditions	17
November 15, 2023	BDA223-100	1057 Kessler Prwy	R-7.5(A)	1	1-var front yard, 2-var building height	Approved with conditions	10
Panel C							
December 11, 2023	BDA223-103	5829 Joyce Way	R-1ac(A)	13	1- a var to side yard	Approved with conditions	19
December 11, 2023	BDA223-104	5711 Mercedes Ave	CD-11	14			WITHDRAWN
December 11, 2023	BDA223-105	915 Monte Vista Dr	CD-6	14	Appeal the administration official decision of denial	Denied without prejudice	26
December 11, 2023	BDA223-108	2518 N. Garrett Ave	MF-2(A)	14	1- a var to off-street parking	Approved with conditions	18
December 11, 2023	BDA223-109	3919 Furey St	R-5(A)	6	1- a var to front yard	Approved with conditions	18
December 11, 2023	BDA223-115	2820 Gooch St	R-7.5(A)	8	1- a var to the front yard	Approved with conditions	20
Panel B							
December 13, 2023	BDA223-094	5540 N. Forty Place	R-1/2ac(A), R-1ac(A)	12	1-Additional meter	Approved with conditions	

BDA CASE LOG (10/2023 to 09/2024)	Case Nos.	Address	Zoning	Council District	Case Type	Board Action	Reg Notices Sent
December 13, 2023	BDA223-106	5924 McCommas Blvd	14	14	1-a var to front yard	Approved with conditions	25
December 13, 2023	BDA223-110	835 Thomasson dr	CD-13	1	1- a var to side yard	Approved with conditions	19
December 13, 2023	BDA223-111	9341 Creel Creek Dr	R-7.5(A)	9	1- a spc exc single family, 2- a var to FAR	Approved with conditions	18
December 13, 2023	BDA223-112	1914 Ashby St	MF-2(A)	2	1-a var to side yard	Hold to 1/17/24	37
December 13, 2023	BDA223-113	107 Pittsburg St	PD-621	6			POSTPONED
December 13, 2023	BDA223-114	6045 Velasco Ave	CD-12	14	1- var to lot coverage of 45%, 2- a var to side yard, 3- a var to side yard	1-denied, 2-approved w/ cond, 3- approved w/ cond	27
Panel A							
January 16th, 2024	BDA223-097 (HOLDOVER)	2764 Catherine Street	CD-8	1	1-special exception to the fence height, 2-special exception to the 20-foot visibility obstruction, 3- a special exception to the 20-foot visibility	Holdover to February 20, 2024	32
January 16th, 2024	BDA212-078 (HOLDOVER)	5526 E.R.L. Thorton Expwy	CR	2	1-variance on parking regulations, 2-special exception to the landscaping and tree preservation	1-approved w/ cond, 2- Approved w/ cond	16
January 16th, 2024	BDA234-003	715 W. Redbird Ln.	R-7.5(A)	4	1- a var to side yard setback	1-Approved w/ cond	19
January 16th, 2024	BDA234-005	4701 S. Denley Dr.	R-7.5(A)	3	1- a var to front yard setback reg	1-Approved w/cond	16
January 16th, 2024	BDA234-006	2000 Euclid St.	R-7.5(A)	2	1- a var to front yard, 2- a spec exc to the fence height, 3- a spec exc to fence standards, 4- a spec exc to vis obstr reg	1-Approved w/ cond, 2- denied without prej, 3- denied without prej, 4- denied without prej	37
January 16th, 2024	BDA234-008	5433 E. Grand Ave Ste B	RR	2	1- a var to parking regulations	1- Approved w/ cond	21
January 16th, 2024	BDA234-009	909 S. Corinth Street Rd	RR	4	1- a variance to front yard regulations	1-denied without prejudice	23
January 16th, 2024	BDA234-012	3010 Citation Dr.	R-10(A)	13	1- a spec exc to the fence height reg, 2- a spec exc to the fence standards	1-Approved w/cond, 2- Approved w/cond	13

BDA CASE LOG (10/2023 to 09/2024)	Case Nos.	Address	Zoning	Council District	Case Type	Board Action	Reg Notices Sent
Panel B							
January 17th, 2024	BDA223-112 (HOLDOVER)	1914 Ashby St	MF-2(A)	2	1-a var to side yard	1- Approved w/ cond	
January 17th, 2024	BDA234-001	1020 Comal St	PD-571	4	1- spec exc to front yard	1- Approved w/ cond	21
January 17th, 2024	BDA234-002	4205 Duncanville Rd	IR	3	1- a spec exc to landscape reg	1- Approved w/ cond	9
January 17th, 2024	BDA234-004	1930 Hi Line Dr	PD-621	6	1- a spec exc to parking regulations	Hold until 2/21/24	13
January 17th, 2024	BDA234-007	10940 Spangler Rd	IM, IR	6	1- a spec exc to non conforming use	1- Approved w/ cond	6
January 17th, 2024	BDA234-010	4811 Kelsey Rd	R-1ac(A)	13	1- spec exc to fence reg, 2- spec exc to fence reg	Hold until 2/21/24	11
January 17th, 2024	BDA234-011	1874 temper Rd	MH(A), R-10(A), R-7.5(A)	8	1- a var to front yard setbacks	1- Denied without prej	7
January 17th, 2024	BDA234-018	7217 Brookshire Dr	R-16	11	Appeal the administration official decision of denial	Hold until 2/21/24	16
PANEL A							
February 20, 2024	BDA223-097 (HOLDOVER)	2764 Catherine Street	CD-8	1	1-special exception to the fence height, 2-special exception to the 20-foot visibility obstruction, 3-a special exception to the 20-foot visibility	1 - Denied without Prej; 2 - Denied without Prej; 3 - Denied without prej	
February 20, 2024	BDA234-013	1717 Jeffries Street	PD-346	7	1 - Spec exc to landscaping and tree mitigation	1- Approved w/ cond	28
February 20, 2024	BDA234-014	4468 Twin Post Road	R-16(A)	13	1 - spec exc to the 20-foot visibility obstruction	1- Approved w/ cond	17
February 20, 2024	BDA234-016	2511 Jordan Valley Road	R-10(A)	8	1 - spec exc to the fence height	Holdover to 3/19/24	12
February 20, 2024	BDA234-019	8343 Douglas Ave	PD-314	13	1 - spec exc to the sign regulations	1- Approved w/ cond	122
February 20, 2024	BDA234-021	3110 E. Ledbetter Dr.	CR	4	1 - spec exc to the landscaping regulations	1- Approved w/ cond	14
February 20, 2024	BDA234-025	4625 Walnut Hill Ln.	R-1ac(A)	13	1 - spec exc to fence height; 2 - spec exc to fence stand; 3 - spec exc to 20-foot visibility	Holdover to 3/19/24	11

BDA CASE LOG (10/2023 to 09/2024)	Case Nos.	Address	Zoning	Council District	Case Type	Board Action	Reg Notices Sent
PANEL B							
February 21, 2024	BDA234-004 (HOLDOVER)	1930 Hi Line Dr	PD-621	6	1 - a spec exc to parking regulations	1 - Approved w/ cond	
February 21, 2024	BDA234-010 (HOLDOVER)	4811 Kelsey Rd	R-1ac(A)	13	1- spec exc to fence reg; 2- spec exc to fence reg	1 - Approved w/ cond	
February 21, 2024	BDA234-018 (HOLDOVER)	7217 Brookshire Dr	R-16	11	Appeal the administration official decision of denial	Holdover to 5/22/24	
PANEL C							
February 22, 2024	BDA234-015	4859 Corrigan Dr.	R-7.5(A)	4	1 - var to front yard setback	1 - Approved w/ cond	20
February 22, 2024	BDA234-017	6030 S. Cochrell Rd.	R-10(A)	3	1 - spec exc single fam reg; 2 - var to FAR	1 - Approved w/ cond; 2- Denied without prej	14
February 22, 2024	BDA234-020	3321 Coronet Blvd.	R-5(A)	6	1 - spec exc fence height; 2- spec exc to 20-foot visibility reg	1 - Approved w/ cond; 2 - Approved w/cond	27
February 22, 2024	BDA234-022	4711 N. Lindhurst Ave	R-1ac(A)	13	1 - var to front yard setback; 2 - spec exc to fence stand	1 - Approved w/ cond	11
February 22, 2024	BDA234-023	5504 W. University Blvd	CD-10	13	1 - var to side yard reg	1 - Approved w/ cond	20
February 22, 2024	BDA234-024	4204 Glenwood Ave.	PD-193	14	1 - var to front yard reg	1 - Approved w/ cond	35
PANEL C							
March 18, 2024	BDA234-026	1902 Lakeland Drive			1 - spec exc to fence h; 2 - spec exc to fence stand	Postponed to April	
March 18, 2024	BDA234-032	1426 Morrell Avenue	R-5(A)	4	1 - var to side yard setbck	HOLDOVER to 4/15/2024	30
March 18, 2024	BDA234-035	4447 Brookview Drive	R-10(A)	13	1 - spec exc to fence height	1 - Approved w/ cond	15
March 18, 2024	BDA234-038	11601 Liberty Commons Court	CR, PD-978, TH-2(A)	13	1 - spec exc to fence h; 2 - spec exc to fence stand	1 - Approved w/ cond 2 - Approved w/cond	20
PANEL A							
March 19, 2024	BDA234-016	2511 Jordan Valley Road	R-10(A)	8	1 - spec exc to the fence height	1 - Approved w/ cond	12
March 19, 2024	BDA234-025	4625 Walnut Hill Ln.	R-1ac(A)	13	1 - spec exc to fence height; 2 - spec exc to fence stand; 3 - spec exc to 20-foot visibility	1 - Approved w/ cond 2 - Approved w/cond 3 - Approved w/ cond	11
March 19, 2024	BDA234-028	4823 Gurley Avenue	O(A)	2	1 - var to FY setback	1 - Approved w/ cond	27
March 19, 2024	BDA234-029	3500 Latimer Street	PD-595	7	1 - var to FY setback	1 - Approved w/ cond	33

BDA CASE LOG (10/2023 to 09/2024)	Case Nos.	Address	Zoning	Council District	Case Type	Board Action	Reg Notices Sent
March 19, 2024	BDA234-033	3216 Peoria Avenue	CS, R-5(A)	6	1 - spec exc to fence height	HOLDOVER to 4/16/2024	18
March 19, 2024	BDA234-036	2105 W Northwest Hwy.	IR	6	1 - var to FY setback	1 - Approved w/ cond	10
March 19, 2024	BDA234-037	6231 Llano Avenue	R-7.5(A)	14	1 - ADU (FAR)	1 - Denied without Prejudice	26
March 19, 2024	BDA234-050	909 S. Corinth Street Rd	RR	4	1- a variance to front yard regulations	1 - Approved w/ cond	23
PANEL B							
March 20, 2024	BDA234-027	718 S. Rosemont	R-7.5(A)	1	1 - var FAR	1 - Approved w/ cond	25
March 20, 2024	BDA234-030	4320 Blackheath Road	R-7.5(A)	7	1 - spec exc - ADU	1 - Approved w/ cond	26
March 20, 2024	BDA234-031	5820 Palo Pinto Avenue	CD-12	14	1 - var to RY setback	1 - Approved w/ cond	29
March 20, 2024	BDA234-034	4722 S Lindhurst Avenue	R-1ac(A)	13	1 - spec exc to fence height; 2 - spec exc to fence stand 3 - spec exc to vis obstr	1 - Approved w/cond 2 - Approved w/cond 3 - Denied without prej	10
March 20, 2024	BDA234-039	9241 Midway Road	R-10(A)	6	1 - spec exc to fence height; 2 - spec exc to fence stand 3 - spec exc to fence stand 4 - var to front yard	1 - Approved w/ cond 2 - Approved w/cond 3 - Approved w/cond 4 - Approved w/cond	13
PANEL C							
April 15, 2024	BDA234-026	1902 Lakeland Drive	R-7.5(A)	9	1 - spec exc to fence h; 2 - spec exc to fence stand	1 - Denied without prej 2 - Denied without prej	22
April 15, 2024	BDA234-032(HER)	1426 Morrell Avenue	R-5(A)	4	1 - var to side yard setbck; 2 - var off street parking; 3 - spec exc vis obstr	1 - Denied without prej 2 - Denied without prej 3 - Denied without prej	30
April 15, 2024	BDA234-042	5511 Park Lane	R-1ac(A)	13	1 - spec exc to fence height	1 - Approved w/conditions	11
April 15, 2024	BDA234-043	6242 Walnut Hill Lane	R-10(A)	13	1 - spec exc to fence height 2 - spec exc opacity	1 - Approved w / cond 2 - Approved w / cond	18
April 15, 2024	BDA234-046	310 Canada Drive	R-5(A)	6	1 - var to front yard 2 - var off-street parking	1 - Approved w/cond 2 - Approved w/cond	20
PANEL A							
April 16, 2024	BDA234-033	3216 Peoria Avenue	CS, R-5(A)	6	1 - spec exc to fence height ; 2 - spec exc opacity; 3 - spec exc vis obstr	1 - Denied without prej 2 - Denied without prej 3 - Denied without prej	18
April 16, 2024	BDA234-041	2626 Burger Avenue	PD-595	7	1 - var to front yard	1 - Approved w/cond	41
April 16, 2024	BDA234-044	205 S. Windomere Avenue	PD-87	1	1 - var to side yard	1 - Approved w/cond	19

BDA CASE LOG (10/2023 to 09/2024)	Case Nos.	Address	Zoning	Council District	Case Type	Board Action	Reg Notices Sent
April 16, 2024	BDA234-048	8138 Rayville drive	R-7.5(A)	5	1 - var to side yard	1 - Denied without prej	27
April 16, 2024	BDA234-051	4033 Ivanhoe Lane	R-5(A)	6		WITHDRAWN	21
PANEL B							
April 17, 2024	BDA234-040	4906 Deloache Avenue	R-1ac(A)	13	1 - spec exc to fence height; 2 - spec exc fence opacity; 3 - spec exc vis obstr; 4 - var to front yard	1 - Approved w/cond 2 - Approved w/cond 3 Approved w/cond 4 - Approved w/cond	12
April 17, 2024	BDA234-045	7021 Creek Bend Road	PD-106	12	1 - esp exc to fence height	1 - Approved w/cond	18
April 17, 2024	BDA234-049	7307 Robin Road	PD-67	2	1 - var to building height	1 - Approved w/cond	31
Panel C							
May 20, 2024	BDA234-054	6335 Brookshire Dr	R-16(A)	13	1 - spec exc fence height; 2- spec exc to 20-foot visibility reg	1 - Approved w/cond 2 - Approved w/cond	19
May 20, 2024	BDA234-059	10802 Strait Lane	R-1ac(A)	13	1 - spec exc fence height; 2- spec exc to visibility reg	HOLDOVER until 6/17/2024	11
May 20, 2024	BDA234-063	8518 Inwood Rd	R-16(A), R-7.5(A)	13	1 - spec exc fence height; 2- spec exc to visibility reg	1 - Approved w/cond 2 - Approved w/cond	22
May 20, 2024	BDA234-065	17805 Windpiper	PD-106	12	1 - var to side yard reg; 2 var to side yard reg	1 - Approved w/cond 2 - Approved w/cond	16
Panel A							
May 21, 2024	BDA234-052	2514 Hillside Dr	CD-2	9	1 - var to off-street parking	1 - Approved w/ cond	27
May 21, 2024	BDA234-053	3138 McDermott Ave	PD-595	7	1 - var to side yard reg	1 - Approved w/ cond	39
May 21, 2024	BDA234-055	3601 W. Lawther Dr	R-1ac(A)	9	1 - spec exc single-family reg	1 - Approved w/ cond	6
May 21, 2024	BDA234-056	82063 Inwood Rd	R-16(A), R-7.5(A)	13	1 - spec exc to fence height	1 - Approved w/ cond	23
May 21, 2024	BDA234-058	5717 Walnut Hill Ln	R-10(A)	13	1 - spec exc to fence height	1 - Approved w/ cond	11
May 21, 2024	BDA234-061	1931 Danube Dr	R-7.5(A)	4	1 - var to front-yard setback reg	1 - Approved w/ cond	11
May 21, 2024	BDA234-067	7023 Oriole Dr	PD-67	2	1 - var to front yard setback; 2 - spec exc to fence stand reg; 3- spec exc to fence height reg	1 - Approved w/ cond; 2 Approved w / cond; 3 - Approved w/ cond	28

BDA CASE LOG (10/2023 to 09/2024)	Case Nos.	Address	Zoning	Council District	Case Type	Board Action	Reg Notices Sent
PANEL B							
May 22, 2024	BDA234-018	7217 Brookshire Drive	R-16(A)	11	Appeal the administration official decision of denial	Reverse AO Decision	16
May 22, 2024	BDA234-060	2323 N. Carroll Ave	MF-2(A)	2	1 - spec exc to fence height; 2 - spec exc to 20 foot vis obstr; 3 - spec exc to 45-foot vis obstr	1 - Denied without Prej; 2 - Approved w/cond; 3 - Denied without prejudice	64
May 22, 2024	BDA234-062	10576 Shiloh Rd	R-7.5(A)	9	1 - spec exc to fence height; 2 - spec exc to fence stand	1 - Approved w/ cond; 2 - Approved w/ cond	18
May 22, 2024	BDA234-064	6131 Churchill Way	PD-123, R-16(A)	11	1 - spec exc to fence height reg	1 - Approved w/ cond	18
May 22, 2024	BDA234-068	6919 Oriole Dr	PD-67	2	1 - var to front yar reg; 2 - spec exc to fence height reg	1 - Denied without prejudice ; 2 - Approved w / cond	28
May 22, 2024	BDA234-069	2912 Maple Ave	PD-193	14	1 - var to off-street parking	1 - Denied without prejudice	79
PANEL C							
June 17, 2024	BDA234-057	1433 N. Westmoreland Rd	IR, PD-811	3			7
June 17, 2024	BDA234-059	10802 Strait Lane	R-1ac(A)	13	1 - spec exc fence height; 2 - spec exc to visibility reg	1 - Approved w/cond; 2 - Approved w/cond	11
June 17, 2024	BDA234-072	4337 Park lane	R-10(A)	13	1 - spec exc fence height; 2 - spec exc fence stands	1 - Approved w/cond; 2 - Approved w/cond	11
June 17, 2024	BDA234-074	5404 Falls Rd	R-1ac(A)	13	1 - spec exc fence height	1 - Approved w/cond	12
June 17, 2024	BDA234-075	6802 Forest Lane	R-1ac(A)	11	1 - spec exc fence height; 2 - spec exc fence stands	1 - Approved w/cond; 2 - Approved w/cond	13
June 17, 2024	BDA234-079	9334 R.L. Thornton Freeway	RR	7	1 - spec exc parking	HOLDOVER until 7/18/2024	5
PANEL A							
June 18, 2024	BDA234-071	607 W. Davis	PD-830	1	1 - spec exc landscaping	HOLDOVER until 8/20/2024	27
June 18, 2024	BDA234-073	2112 Bothan Jean Blvd	PD-317	2	1 - spec exc landscaping	1 - Approved w/ cond	14
June 18, 2024	BDA234-076	5503 Monticello	CD-9	14	1 - spec exc visibility triangle; 2 - spec exc visibility triangle	1 - Approved w/ cond; 2 - Approved w/ cond	29
June 18, 2024	BDA234-077	3216 Peoria Avenue	CS, R-5(A)	6	1 - spec exc fence height	HOLDOVER until 8/20/2024	18
June 18, 2024	BDA234-078	8334 Plainview	A(A), IR	8	1 - var lot coverage	1 - Approved w/ cond	14
June 18, 2024	BDA234-080	5419 E. Grand Ave	RR	2	1 - spec exc parking	1 - Denied without prejudice	12

BDA CASE LOG (10/2023 to 09/2024)	Case Nos.	Address	Zoning	Council District	Case Type	Board Action	Reg Notices Sent
<i>June 19, 2024 Cancelled Per Chairman (Panel B)</i>				<i>June 19, 2024 Cancelled Per Chairman (Panel B)</i>			
PANEL A							
July 16, 2024	BDA234-076_FR1	5503 Monticello Avenue	CD-9	14	Fee Reimbursement	1 - Approved	0
July 16, 2024	BDA234-081	5711 Deloache Avenue	R-1ac(A)	13	1 - spec exc fence height 2 - spec exc opacity 3 - spec exc fence reg	1 - Approved w/cond 2 Approved w/ cond 3 - Approved w/cond	10
July 16, 2024	BDA234-082	7117 Churchill Way	R-1/2ac(A)	11	1 - spec exc fence height	1 - Denied without prejudice	19
July 16, 2024	BDA234-086	9040 Mercer Drive	R-7.5(A)	9	1 - spec exc fence height 2 - spec exc opacity	1 - Approved w/cond 2 Approved w/ cond	19
July 16, 2024	BDA234-089	938 N. Clinton Ave	CD-1	1	1 - spec exc visibility triangle	1 - Approved w/cond	27
July 16, 2024	BDA234-090	10660 Strait Ln	R-1ac(A)	13	1 - spec exc fence height 2 - spec exc opacity 3 - spec exc fence reg	1 - Approved w/cond 2 Approved w/ cond 3 - Approved w/cond	13
July 16, 2024	BDA234-092	8306 Midway Rd	R-10(A)	13	1 - spec exc fence height 2 - spec exc opacity	1 - Approved w/cond 2 Approved w/ cond	25
<i>July 17, 2024 Cancelled Per Chairman (Panel B)</i>				<i>July 17, 2024 Cancelled Per Chairman (Panel B)</i>			
<i>July 18, 2024 Cancelled Per Chairman (Panel C)</i>				<i>July 18, 2024 Cancelled Per Chairman (Panel C)</i>			
PANEL C							
August 19, 2024	BDA234-079	9334 R.L. Thornton Freeway	RR	7	1 - spec exc parking	HOLDOVER until 10/21/2024	5
August 19, 2024	BDA234-083	10010 Strait Lane	R-1ac(A)	13	1 - spec exc fence height 2 - spec exc opacity 3 - spec exc opacity 4 - spec exc fence height	1 -approved w/ cond 2- Approved w/ cond 3- Approved w/cond 4 - Approved w/cond	13
August 19, 2024	BDA234-084	2626 W. Mockingbird Ln	IR	2	1 - Spec exc landscaping	1- Approved w/ cond	14
August 19, 2024	BDA234-085	402 S. Beacon Street	PD-134	2	1 - spec exc fence height 2 - spec exc visibility obstr 3 - spec exc visibility obst 4 - spec visibility obstr 5 - spec exc fence height	1 -approved w/ cond 2- Approved w/ cond 3- Approved w/cond 4 - Approved w/cond 5 - Approved w/cond	22
August 19, 2024	BDA234-087	8703 Angora Street	R-7.5(A)	9	1 - spec exc single family reg 2 - var far	1- Approved w/ cond 2/ Approved w/ cond	21
August 19, 2024	BDA234-088	507 Exposition Ave	PD-269	2	1 - var parking	HOLDOVER until 10/21/2024	31
August 19, 2024	BDA234-091	1444 Oak Lawn Avenue	PD-621	6	1 - var parking	1- Approved w/ cond	21

BDA CASE LOG (10/2023 to 09/2024)	Case Nos.	Address	Zoning	Council District	Case Type	Board Action	Reg Notices Sent
PANEL A							
August 20, 2024	BDA234-071	607 W. Davis	PD-830	1	1 - spec exc landscaping	1- Approved w/ cond	27
August 20, 2024	BDA234-077	3216 Peoria Avenue	CS, R-5(A)	6	1 - spec exc fence height	1- Approved w/ cond	18
August 20, 2024	BDA234-093	325 N. Moore Street	PD-1052	4	1 - var to front yard setback	1- Approved w/ cond	45
August 20, 2024	BDA234-095	6130 Royalton Drive	R-16(A)	11	1 - var to FY setback - var to off-street park	1- Approved w/ cond 2 - Approved w/ cond	19
August 20, 2024	BDA234-100	630 S. Buckner Boulevard	PD-67	2	POSTPONED		
August 20, 2024	BDA234-101	6801-6803 Tyree Street	PD-67	2	Administrative Official Appeal	HOLDOVER until 9/17/2024	23
PANEL B							
August 21, 2024	BDA234-094	2706 Turtle Creek Circle	PD-193	14	1 - spec exc landscaping	1- Approved w/ cond	92
August 21, 2024	BDA234-096	5325 Kelsey Road	R-1ac(A)	13	1 - spec exc fence height spec exc vis obst spec exc vis obst	2- 3- HOLDOVER until 9/18/2024	13
August 21, 2024	BDA234-097	6121 E. Lovers Lane	PD-1053	14	Administrative Official Appeal	Affirm the AO decision	42
August 21, 2024	BDA234-098	5322 Kelsey Road	R-1ac(A)	13	1 - spec exc fence height	HOLDOVER until 9/18/2024	12
August 21, 2024	BDA234-099	3306 Hamilton Avenue			POSTPONED		
August 21, 2024	BDA234-102	5311 Edlen Drive	R-1ac(A)	13	1 - spec exc fence height	1 - Approved w/ cond	13
PANEL A							
September 17, 2024	BDA234-101	6801-6803 Tyree Street	PD-67	2	Administrative Official Appeal	HOLDOVER	23
September 18, 2024	BDA234-111	6529 Victoria Avenue	PD-67	2	Administrative Official Appeal	HOLDOVER	27
September 17, 2024	BDA234-105	8340 Plainview drive	A(A)	8	1 - Var - SY setback - Var - RY setback Var - lot coverage	2 3 - 1 - Approved w/cond 2 - Approved w/cond 3 - Approved w/cond	15
September 17, 2024	BDA234-108	5601 Ursula Lane	R-1/2ac(A)	13	1 - var front yard setback	1 - Denied without prejudice	13
September 17, 2024	BDA234-109	10335 Lennox Lane	R-1ac(A)	13	1 - spec exc fence height	1 - Approved w/cond	13

BDA CASE LOG (10/2023 to 09/2024)	Case Nos.	Address	Zoning	Council District	Case Type	Board Action	Reg Notices Sent
September 17, 2024	BDA234-110	1710 Morrell Avenue	CR, MF-2(A)	4	1 - spec exc tree conservation	1 - Approved w/cond	18
PANEL B							
September 18, 2024	BDA234-096	5325 Kelsey Road	R-1ac(A)	13	1 - spec exc fence height spec exc vis obst	HOLDOVER	13
September 18, 2024	BDA234-098	5322 Kelsey Road	R-1ac(A)	13	1- spec exc fence height	HOLDOVER	12
September 18, 2024	BDA234-103	2323 N. Carroll Avenue	MF-2(A)	2	1 - spec exc vis obst 2- spec exc vis obst	1 - Approved w/cond 2 - Approved w/cond	67
September 18, 2024	BDA234-107	8510 Military Parkway	R-7.5(A)	7	1 - spec exc fence height	1 - Approved w/cond	56

BOARD OF ADJUSTMENT

2024-2025

GOALS & OBJECTIVES

City of Dallas
Board of Adjustment
October 29, 2024

2024 - 2025 Goals & Objectives

1. Ensure Fairness to every property owner appeal to the Board of Adjustment (BOA) through Timeliness and Accuracy for a hearing, and Transparency to the public. Strive to consistently provide a fair and complete evaluation of all relevant facts from applicant and staff on each appeal as they apply to a predefined standard.
2. Staff and Board to provide a public hearing for property owner appeals to BOA within 60 days on average from taxpayer application. Potentially modify BOA Panel hearing caseload management in extraordinary circumstances. Continue to use a verifiable predefined consistent measurement of days from application to Hearing, (State law requires a hearing within 60 days for an Administrative Official appeal and 30 days for Plats)
3. Process Improvement: Review the appeals process for opportunities to streamline processes and to remove unnecessary steps. Identify ways to make the application process more accessible to “non-professional” users and applicants. Panel hearings to be 100% attended by Members or Alternates (5 of 5) to ensure a full panel’s deliberation for the applicant.
4. Staff’s comprehensive and technical analysis for appeal hearings utilizes current maps and information with enhanced photos and property comparisons to include the surrounding properties within 200 feet of the appeal location. Supplement with readily available technology for the Board. Staff to proofread all presentations to ensure improved accuracy.
5. Website enhancements to include an interactive map and case lookup, adapted from the “pending cases” section of the website for cases current and past that allow a user to find the case of their interest and immediately see filings, status and contact information about the case. Create a user friendly application flowchart/process to guide a property owner start to finish.
6. Quarterly enhanced training of members/alternates on rules, conflicts of interest, criteria for decision making and onboarding of new appointees.

BOARD OF ADJUSTMENT

RECOMMENDATIONS TO THE
CITY COUNCIL

City of Dallas
Board of Adjustment
Recommendations to City Council
October 29, 2024

1. Request City Council oversight of the new Planning & Development Department to ensure their support of Timeliness, Accuracy, Transparency, and Fairness for all phases of a Board of Adjustment appeal by a taxpayer/property owner.
2. Request City Council oversight on permitting process and personnel to reduce permitting errors which have led to undue financial cost, delay, and unfairness to all involved: homeowners, developers and neighborhoods.
3. Approve the proposed amendments to the Board of Adjustment's Rules of Procedure.