

Memorandum



CITY OF DALLAS

DATE February 3, 2023

Honorable Members of the City Council Economic Development Committee: Tennell
TO Atkins (Chair), Carolyn King Arnold (Vice Chair), Adam McGough, Omar Narvaez,
Jaime Resendez, Chad West, Gay Donnell Willis

SUBJECT **Adoption of Board of Adjustment Rules of Procedure Amendments**

This memorandum is to brief the Economic Development Committee of an upcoming agenda item to approve amendments to the City of Dallas Board of Adjustment Rules of Procedure. These amendments were reviewed and composed in collaboration with Board of Adjustment (BDA) Members, City Attorney's Office, Planning and Urban Design, and Development Services. The BDA Working Rules of Procedure Amendments were unanimously adopted by the Board on November 1, 2022.

The updates to the BDA Rules of Procedure most notably include a new section defining quorum, expanded taxpayer property owner accessibility to BDA Hearings, and constructing methodologies to improve timelines and information for board cases via BDA staff responsiveness and comprehensive case presentation.

The broad preparation of the Adoption of the Rules of Procedure is outlined in the chronology below:

- **January 11, 2022** – A full BDA meeting was held to provide feedback for needs to update the Rules of Procedure, hearing process, more comprehensive case presentation, public accessibility of website, meeting notifications in advance of hearings, and training.
- **February through September 2022** - David A. Neumann, BDA Chairman, Robert Agnich, BDA Vice-Chair, and Cheri Gambow, BDA Vice-Chair met regularly with City staff to propose and formulate improvements to the hearing process, rules of procedure, and website. Chairman Neumann, Vice-Chair Agnich, and Vice-Chair Gambow regularly followed up with City Council Members to ensure Board/Alternates remain fully appointed. The same Board Members also met with City Plan Commission Chairman Tony Shidid.
- **May 10, 2022** - BDA Officers met with Julia Ryan, Director of Planning and Urban Design, to make recommendations to improve timeliness, transparency, accuracy, and teamwork for all aspects of the Board of Adjustment. Board Officers stressed the importance to create a strategy to reduce the 83 days average from application to a hearing to 70 days or less compared to 60 days for Building Official appeal and 30 days for replatting.
- **August 1 & August 15, 2022** - Chairman Neumann met with Assistant City Manager Majed Al-Ghafry to review cumulative BDA recommendations.

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- **October 1, 2022** - City staff support for BDA moved to Development Services (DSD) with new leadership of Andrew Espinoza, Director, and Sam Eskander, Assistant Director.
- **October 11, 2022** - BDA Officers met with DSD leadership and discussed “Issues for Support for 2023.”
- **November 1, 2022** - Meeting Calendar for 2023 and updated Rules of Procedure were unanimously adopted by Board of Adjustment.
- **December 28, 2022** - Nikki Dunn, Chief Planner/Board Administrator for Board of Adjustment was appointed.
- **January 4, 2023** - Chairman Neumann, Steve Long, Board of Adjustment Consultant, Nikki Dunn, Sam Eskander, and Tenisha Lester, Chief Planner of Zoning (DSD) met to discuss new leadership and structure of BDA within DSD, member and staff lists, key milestones, annual report, meeting calendar and the variable filing deadlines that predicate and substantiate the timeline of application intake to hearing, updated Rules of Procedure, and January, February, and March hearings.
- **January 9, 2023** - Board of Adjustment Officers met to finalize updates to Rules of Procedure, Annual Report, and Board of Adjustment requests for Development Services.
- **January 18, 2023** - The Board of Adjustment, through its three panels, unanimously approved its Annual Report for 2021-2022.

Upon receiving Committee approval, staff will place this item on the next available City Council agenda.

Should you have questions or need additional information please contact Mina Eskander, Assistant Director of Development Services, at mina.eskander@dallas.gov or 214-948-4029 or Nikki Dunn, Chief Planner, Board Administrator of Development Services at sheniqua.dunn@dallas.gov or 214-948-4366.



Majed A. Al-Ghafry, P.E.
Assistant City Manager

c: T.C. Broadnax, City Manager
Chris Caso, City Attorney
Mark Swann, City Auditor
Billerae Johnson, City Secretary
Preston Robinson, Administrative Judge
Kimberly Bizer Tolbert, Deputy City Manager
Jon Fortune, Deputy City Manager

M. Elizabeth (Liz) Cedillo-Pereira, Assistant City Manager
Dr. Robert Perez, Assistant City Manager
Carl Simpson, Assistant City Manager
Jack Ireland, Chief Financial Officer
Genesis D. Gavino, Chief of Staff to the City Manager
Directors and Assistant Directors