

February 26, 2020

WHEREAS, Dallas Development Code Section 51A-1.104.1 prohibits the processing of a zoning application for properties with delinquent taxes or other city fees, fines, or penalties; and

WHEREAS, an applicant for rezoning must submit proof, such as a tax certificate, that property taxes and any city fees, fines, or penalties are not delinquent on the subject property; and

WHEREAS, a waiver of the requirement may be granted by a two-thirds vote of the City Council if: (1) a waiver will facilitate urban redevelopment, historic conservation, or an important planning objective; (2) a pending sale of the property is contingent on the application, and the applicant can supply evidence, such as a contract of sale, that the taxes and any city fees, fines, or penalties will be paid at closing; or (3) the applicant can demonstrate financial hardship that makes payment of taxes impossible, and approval of a waiver will improve the applicant's ability to pay the taxes and any city fees, fines, or penalties; and

WHEREAS, application has been made for a waiver for the property located at 5713 and 5715 Sadler Court; and

WHEREAS, the applicant, Ced Rudy, has indicated that a waiver will facilitate urban redevelopment, historic conservation, or an important planning objective and that a pending sale of the property is contingent on the zoning change application and that taxes and any city fees, fines, or penalties would be paid upon closing.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That, as the City Council finds that a waiver will facilitate urban redevelopment, historic conservation, or an important planning objective and a pending sale of the property, the requirement that delinquent taxes and any city fees, fines, or penalties on property located at 5713 and 5715 Sadler Court be paid prior to processing the zoning application is hereby waived and the zoning application shall be allowed to be processed.

SECTION 2. That this resolution in no way relieves any party liable for payment of these taxes, fees, fines, or penalties from the obligation to pay.

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SECTION 3. That the waiver granted by this resolution is not a consideration of the merits of the zoning application and does not imply that the application will be approved or disapproved when considered on its merits.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, Interim City Attorney

By: _____
Assistant City Attorney