



**BOA20-07**

**TITLE:** Consider/Discuss/Act on Adopting Rules of Procedure for the Board of Adjustment as Allowed by Paragraph (1) d. of Section 146-165 of the Code of Ordinances, City of McKinney, Texas, and Texas Local Government Code § 211.008 (e), and as Approved by the City Council on September 15, 2020

**BOARD OF ADJUSTMENT CASE NUMBER: BOA 20 - 07**

**MEETING DATE:** September 30, 2020

**DEPARTMENT:** Development Services

**CONTACT:** Rick Herzberger, Chief Building Official

**RECOMMENDED BOARD ACTION:** Consider/Discuss/Act on the proposed Rules and Regulations.

**ITEM SUMMARY:** The City Attorney advised the Board members to consider separate rules and regulations as authorized in the Zoning Ordinance Section 146-165 (1) d. The current ordained rules and regulations are shown as Exhibit A, the City Council resolution, is shown as Exhibit B and the Rules and Regulations are shown as Exhibit C.

**BACKGROUND INFORMATION:** The current Rules and Regulations are in the zoning ordinance as adopted by the City Council. City staff does have the authority to present the BOA members with additional rules and regulations to support the ordained rules and regulations. The City Council reviewed these proposed rules on September 15, 2020 and approved a resolution for the members to consider. Staff feels that the proposed new rules and regulations will support the BOA procedural process for each type of case.

**BUILDING OFFICIAL STATEMENT:** The BOA has the authority to adopt additional rules and regulations as authorized by Texas LGC 211.08 (e). and Code of Ordinances Section 146-165 (1) d.

**SUPPORTING MATERIALS:**

- Exhibit A - City Existing Rules
- Exhibit B - City Council Resolution
- Exhibit C - Rules and Regulations

**SUPPORTING MATERIALS:**

[BOA 20-07 - BOA Rules of Procedure - EXHIBIT A Existing Rules Sec. 146 165.](#)

[BOA 20-07 - BOA Rules of Procedure - EXHIBIT B City Council Resolution](#)

[BOA 20-07 - BOA Rules of Procedure - EXHIBIT C Rules of Procedure](#)