

## What Happens Now?

It takes seven affirmative votes for a motion by the Board of Adjustment to be approved. The Board may make one of the following motions on the cases it hears:

The Board may vote to approve a motion to **“Continue the Public Hearing”**. If the motion passes, the request will be continued to a future agenda date announced by the Chair, at which time public testimony will again be taken.

The Board may vote to approve a motion to **“Table”** the request. If the motion passes, the case will be placed on the agenda for the next meeting. No new public testimony is taken when the request again appears on the agenda.

The Board may vote on a motion to approve a request, either as requested by the applicant or with modifications. If the motion **“Passes”**, the request is granted and becomes effective immediately.

If a motion to approve a request **“Fails”**, the request is terminated. The applicant cannot reapply for the same variance or special exception on the same piece of property for six months unless significant changes have occurred so as to alter the facts and conditions on which the Board’s action was based.

For more information about the Zoning Board of Adjustment, visit Community Development and Planning on the second floor of the Municipal Building at 101 West Abram Street. You may also call 817-459-6652 or visit us at <http://www.arlingtontx.gov/planning>.

## Duties of the Board

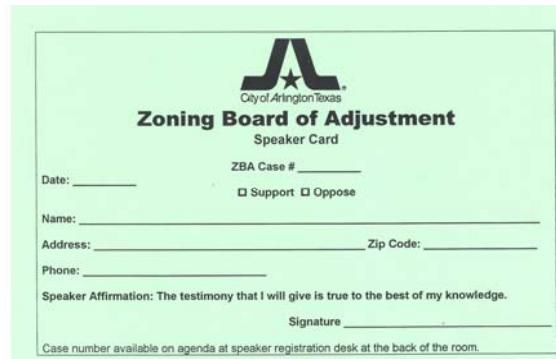
Your ZBA:

Hears and decides special exceptions as defined by the Zoning Ordinance.

Hears and decides requests of variance to the Zoning Ordinance when unnecessary hardship exists.

Interprets the intent of the Zoning Map where uncertainty exists and none of the rules set forth in Article II of the Zoning Ordinance apply.

Hears and decides appeals where it is alleged that an error has occurred in an order, requirement, decision, or determination made by an administrative official in the enforcement of ordinance.



The form is titled "Zoning Board of Adjustment Speaker Card" and includes the City of Arlington Texas logo. It contains the following fields and instructions:

- Date: \_\_\_\_\_
- Name: \_\_\_\_\_
- Address: \_\_\_\_\_ Zip Code: \_\_\_\_\_
- Phone: \_\_\_\_\_
- ZBA Case # \_\_\_\_\_
- Support  Oppose
- Speaker Affirmation: The testimony that I will give is true to the best of my knowledge.
- Signature \_\_\_\_\_
- Case number available on agenda at speaker registration desk at the back of the room.

*Locate this card at the entrance of the City Council Chambers prior to a ZBA public hearing and give the completed card to any City Staff to notify the ZBA you wish to speak during the public hearing of a particular case.*



Welcome to a meeting  
of the Arlington  
**Zoning Board of  
Adjustment**

The Arlington Zoning Board of Adjustment  
<http://www.arlingtontx.gov/planning>

## Rules of Procedure for Participating in a Public Hearing

### **PARTICIPATING IN THE ZONING BOARD OF ADJUSTMENT PUBLIC HEARING PROCESS**

*We welcome you to a meeting of the Zoning Board of Adjustment (ZBA) appointed by the City Council for a two-year term, we serve as citizen volunteers who devote our time and efforts to making Arlington a better place to live and work. Our nine-member board meets on the third Monday of the month (unless otherwise noted) beginning at 6:30 p.m. The Board also has four alternate members that serve in the absence of one or more of the regular members so that all cases of the Board are heard by at least seven members.*

*The Board was established in 1952 when the City of Arlington first adopted zoning and subdivision regulations to help protect the health, safety, and welfare of its citizens. The ZBA reviews requests for "special exceptions" and "variances" to ensure development in accordance with the purpose and intent of the Zoning Ordinance.*

*We welcome your participation and thank you for your attendance at this meeting.*

### **SPEAKER CARDS**

In order to speak on a case before the Board or to register your support or opposition, please fill out one of the speaker cards located at the entrance. Indicate if you desire to speak and if you are in support or in opposition to a case. Do not forget to include your name and address and **sign the card** before turning it into any staff member or to the Secretary located to the right of the Board.

### **APPLICANT PRESENTS REQUEST**

The Chair will call on the applicant to present his request of the Board. This presentation is limited to ten minutes.

### **SPEAKERS IN SUPPORT SPEAK**

Speakers in favor of the applicant's request are limited to five minutes. **Note:** If there are five or more speakers registered on either side of the issue, the time limit will be reduced to three minutes for all speakers.

### **SPEAKERS IN OPPOSITION SPEAK**

After all proponents for the request have spoken, the Chair will call those people in opposition to speak. Again, each speaker has 5 minutes. All opposition testimony must be given during this phase.

If you have a question for the applicant, it should be addressed to the Board during this phase. Opposition questions directed to the Board may be responded to during the applicant's rebuttal.

### **REBUTTAL BY APPLICANT**

After all opponents for the request have spoken, the applicant will be allowed five minutes for rebuttal. No new testimony or evidence will be allowed during the rebuttal period.

### **BOARD MEMBERS DISCUSS REQUESTS**

After the public hearing is closed, the Board will enter into discussion among themselves concerning the merits of the application. No debate by the public with Board Members and no additional public testimony are allowed in response to the Board's discussion.

During this phase, a Board Member may, with the permission of the Chair, ask a specific question to either a proponent or opponent to gain specific information related to the case. If authorized by the Chair, the individual should return to the podium and respond to the specific question posed.

### **BOARD MEMBERS VOTE ON MOTION**

A motion concerning the application will be made and the Chair will call for the vote. The vote by the Board on the motion will be announced by the Chair. See the Section entitled "What Happens Now" on the reverse side of this brochure.

### **General Public Hearing Notes**

- Please face the Board; and for the record, state your name and address when addressing the Board.
- All testimony must be given from the podium or with the portable microphone to ensure the proceedings are audibly recorded.
- A bell signals the end of the speaker's time for giving testimony. Please complete your remarks promptly.
- The Board appreciates your attention to these rules of procedure. They are intended to ensure a fair process for all parties.