

**ATTACHMENT B: Record of Actions / Procedural Timeline for ZBA-2510-0008**

Date	Action / Event	Record Significance
October 28, 2025	ZBA-2510-0008 filing / appeal materials submitted and fee process initiated.	Starts the ZBA administrative record and appeal posture.
October 28, 2025	Initial ZBA portal attachments uploaded.	Shows that earlier portal submissions were possible and that the current upload-access issue is not theoretical.
March 13, 2026	City staff represented that the ZBA hearing had been moved to <b>May 4, 2026</b> .	Creates reliance and hearing-preparation issue.
April 21, 2026	City issued the <b>Final Notice</b> in Code Case #2508-0551.	Central appealed enforcement action; triggers stay/Final Notice status issue.
April 28–May 4, 2026	Applicant sent procedural objections, record-placement requests, and requests for confirmation regarding the hearing record, upload/submission method, stay, and enforcement status.	Shows repeated requests for logistics and record clarity before the June 1 schedule.
May 4, 2026	City confirmed there was no May 4 ZBA meeting.	Creates conflict with the March 13 representation and supports due-process / notice concerns.
May 4, 2026	Applicant submitted record-preservation and written-position requests regarding April 21 Final Notice, Code Case #2508-0551, and ZBA-2510-0008.	Puts the City on notice of stay, record, enforcement, and PIA/OAG issues.
May 11, 2026	Applicant confirmed <b>Option 1: administrative appeal</b> of the April 21 Final Notice, with alternative variance relief preserved only in the alternative and without waiver.	Clarifies hearing posture as administrative appeal, not variance-only.
May 12, 2026	Mrs. Hensley confirmed ZBA-2510-0008 was scheduled for the <b>June 1, 2026</b> ZBA meeting.	Establishes the City’s written June 1 confirmation.
May 13–14, 2026	City produced additional Code Enforcement records after stating Code Enforcement <b>misunderstood</b> part of R000283-050326.	Supports incomplete-production / search-defect issue.

<b>May 14, 2026</b>	Public Hearing Notice signed by Justin Wilkins reportedly states “ <b>Monday, June 6, 2026.</b> ”	Conflicts with June 1 confirmation and is internally inconsistent because June 6 is not Monday.
<b>May 14–18, 2026</b>	Neighbor(s) received public hearing notice; applicant had not received direct applicant notice as of prior correspondence.	Supports applicant due-notice concern.
<b>May 18, 2026</b>	Applicant sent ZBA logistics / ADA / record-submission request.	Requested portal upload method, packet deadline, record inclusion, stay status, Final Notice status, and ADA accommodation handling.
<b>May 19, 2026</b>	Applicant sent executive/legal corrective action request to City Manager and City Attorney.	Elevated issue from staff clarification to management/legal process defect.
<b>May 20, 2026</b>	Mrs. Hensley stated applicant may email attachments if unable to upload and that notice/agenda will reflect administrative appeal.	Partial staff-level response; does not answer management/legal issues, receipt protocol, cross-filing, or ADA decision.
<b>May 20, 2026</b>	Mrs. Hensley stated City incoming email limit is 100 MB, external services may have lower outgoing limits, and file sharing may be used.	Partial technical response; still leaves receipt, record-placement, cross-filing, non-waiver, and packet inclusion unresolved.
<b>May 20, 2026</b>	Mrs. Hensley asked applicant to clarify ADA request.	ADA request still lacks decision, responsible official, or alternative accommodation.
<b>May 20, 2026</b>	Portal screenshots preserved showing case type still “ <b>ZBA Variance.</b> ”	Supports case-classification defect.
<b>May 20, 2026</b>	Portal screenshots show workflow changed in part; <b>Link To Code Case</b> appears passed, progress increased, but no visible upload action remains and <b>Send Letter to Applicant</b> remains incomplete.	Shows partial internal workflow changes do not cure applicant-access, record, or notice defects.
<b>May 21, 2026</b>	Applicant prepares final management/legal response request with Attachment A and Record of Actions.	Preserves objection before submitting or requesting continuance.

## Current Unresolved Items

1. No management/legal response from Rector or Lowry.
2. No confirmed staff report or Board packet.
3. No confirmed agenda scope or City evidence list.
4. No confirmed reliable submission process with receipt protocol.
5. No visible ZBA upload function.
6. No confirmation that email/file-sharing submissions will be included in the official ZBA record and Board packet.
7. No confirmation that submissions will be cross-filed into ZBA-2510-0008, FENCE-2509-0188, and Code Case #2508-0551.
8. No confirmation that submissions will not be treated as permit resubmittals, plan revisions, admissions, waivers, concessions, or variance-only elections.
9. Portal still labels case **“ZBA Variance.”**
10. No completed **Send Letter to Applicant** workflow visible.
11. No confirmed direct applicant notice.
12. No confirmed corrected notice replacing the May 14 notice with “Monday, June 6, 2026.”
13. No confirmed stay status under Texas Local Government Code § 211.010(c).
14. No written imminent-peril certification produced or identified.
15. No confirmed April 21 Final Notice status.
16. No confirmed ADA accommodation decision.
17. No confirmed record-transmission index showing what was transmitted to the ZBA.
18. No confirmed list of records, measurements, photographs, staff determinations, comparator materials, enforcement records, or interpretations the City intends to rely on.
19. No confirmation that the City has produced, identified, or provided no-responsive-record statements for PIA/OAG-related categories involving the ZBA record, portal/workflow logs, record transmission, measurement basis, stay status, Final Notice status, nuisance basis, comparator records, and documents the City intends to rely on at the hearing.
20. No written City certification that email or file-sharing is the official accepted submission method for ZBA-2510-0008.
21. No City-issued file-management protocol for batch submissions, outgoing email limits, accepted formats, file-sharing platform, receipt confirmation, indexing, rejection notices, or record placement.
22. No confirmation that email/file-sharing submissions will be cross-filed into ZBA-2510-0008, FENCE-2509-0188, and Code Case #2508-0551.

23. No written confirmation that submitted materials will be included in the official ZBA record, staff report, and Board packet, or that excluded materials will be identified with a legal basis.
24. No written non-waiver / non-admission assurance for submissions made under the workaround.
25. No security, integrity, retention, or custodian certification for large-file electronic submission or third-party file-sharing.
26. No confirmation that technical failures, bounced emails, blocked files, inaccessible links, or failed downloads will not be treated as applicant noncompliance or late submission.

### **Requested Management/Legal Action**

1. Confirm the official submission method and technical limits.
2. Confirm receipt protocol and record-placement process.
3. Confirm case posture as administrative appeal with alternative variance relief preserved.
4. Confirm stay status and imminent-peril certification status.
5. Confirm April 21 Final Notice status.
6. Confirm corrected notice and direct applicant notice.
7. Confirm staff report / Board packet release timing.
8. Confirm ADA decision-maker and accommodation decision.
9. Extend the applicant submission deadline or continue the hearing if the City cannot provide the above in time for meaningful preparation.
10. Confirm that no applicant submission under these unresolved conditions will be treated as waiver, admission, variance-only election, permit resubmittal, plan revision, or acceptance of the City's incomplete process.
11. Confirm whether all records the City intends to rely on at the ZBA hearing have been produced, identified, placed into the official ZBA record, or accounted for through a written no-responsive-record statement, withheld-record identification, or Attorney General ruling process where applicable.
12. Provide a written **City Certification of Electronic Submission and Record Management** covering official submission method, authorized custodian, security/integrity handling, file-size and format limits, batch protocol, timestamped receipts, indexing, record placement, cross-filing, Board-packet inclusion/exclusion, non-waiver, technical-failure protocol, and ADA/privacy handling.
13. Provide a written ADA / language-access decision through the City's ADA/504 Coordinator, including whether qualified Spanish-language assistance, certified if available, will be provided.
14. Hold the May 21 applicant submission deadline in abeyance, extend the deadline, or continue the June 1 hearing if the City cannot provide the certification, ADA / language-access decision, staff report, Board packet, and reliable submission process before the deadline.