



**AUSTIN NEIGHBORHOODS COUNCIL EXECUTIVE COMMITTEE RESOLUTION
FOR WAIVING INTERPRETATION FEES AT THE BOARD OF ADJUSTMENT**

WHEREAS, the City of Austin Board of Adjustment has a rarely used tool called Code Interpretations;

WHEREAS, in 2019, Texas State Law (HB2497) has changed interested party status and a deadline with a 60-day timeclock from the date of filing, a timeline that impedes any postponement of that Interpretation at the Board of Adjustment;

WHEREAS, if the Board of Adjustment decides that it may not hear an Interpretation within that 60 day period for any reason including weather constraints or other reasons like a lack of quorum, that the applicant does not have the opportunity to “exhaust all remedies” at the municipal level before proceeding to District Court;

WHEREAS, the City of Austin has no other remedy available to the public for challenging the Land Development Code or building permits issued in error;

WHEREAS, the City of Austin Development Services Department is prejudicial towards development;

WHEREAS, most all public inquiries contesting a permit or a code related interpretation are disregarded or ignored;

WHEREAS, the filing-fee for an Interpretation is often \$3,000.00 or more depending on the year;

WHEREAS, most neighborhoods or ordinary citizens are disadvantaged by such an exorbitant filing-fee, but the Development Community is not as disadvantaged.

NOW THEREFORE,

BE IT RESOLVED that the Austin Neighborhoods Council Executive Committee requests that the City Council amend and waive the fee for neighborhoods or a public citizen for filing an Interpretation with the Board of Adjustment, in the interest of fairness and equity.

Presented on February 10, 2021

Approved and Adopted February 14, 2021

Sponsored by Mary Ingle, ANC VP2