

RESOLUTION NO.

WHEREAS, under state law, the Board of Adjustment (“BOA”) is the appropriate body to hear variance requests and interpretation appeals related to zoning regulations; and

WHEREAS, the City’s procedural requirements for variances and interpretation appeals omit requirements of a Neighborhood Conservation Combining District (“NCCD”) from the BOA’s authority; **NOW THEREFORE**,

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

1. The City Council initiates code amendments to Title 25 consistent with the foregoing recitals.
2. The City Manager is directed to process amendments authorizing the BOA to hear and decide:
 - (A) Requests for a variance from the requirements of an NCCD; and
 - (B) Appeals of a decision by the Building Official or director of Planning and Development Review regarding a site development regulation prescribed by an NCCD.

ADOPTED: _____, 2010

ATTEST: _____
Shirley A. Gentry
City Clerk