



MEMORANDUM

TO: Mayor and Council

FROM: Denise Lucas, Director, Development Services Department *Denise Lucas*

DATE: July 27, 2022

SUBJECT: Board of Adjustment Applicant Assistance Program - Staff Response to Resolution No. 20211014-045

On October 14, 2021, City Council adopted [Resolution No. 20211014-045](#) directing the City Manager to explore the creation of a Board of Adjustment Applicant Assistance Program (BAAP) for residential homestead applicants who are requesting a hardship variance or special exception.

Staff have explored the creation of BAAP as well as a funding source. The staff focus for Board of Adjustment variance requests was narrowed to Residential Homestead Variances under a Zoning Variance or a Special Exception Variance. These are the two types of variance requests which cover the Council's intended area of support. Based on previous variance request applications, staff anticipates 9 variance requests could be 100% financially supported each year at an approximate cost of \$10,000 per year. The funding source for BAAP Fund for the financial support would come from the General Fund and would be budgeted each year.

In addition, staff has identified an existing contract, managed by Austin Public Health, which will allow applicants access to pro-bono legal services. Collectively, the BAAP Fund will support fee waivers or reductions for applicants who meet the eligibility criteria; as well as pro bono assistance with navigating the application process and subsequent proceedings.

Staff recommends creation of the BAAP Fund, which includes a recommended start date of October 1, 2022. Staff will await further direction from the City Council. If the Council adopts an action to create the BAAP Fund, staff will create the BAAP Fund program guidelines and will track program participants and outcomes for one year and report that information back to Council.

Should you have questions or need additional information, please contact Doron Silberstein, Equity and Inclusion Program Manager, at doron.silberstein@austintexas.gov or (512) 978-1732.

xc: Spencer Cronk, City Manager
Anne Morgan, Acting City Manager
J. Rodney Gonzales, Assistant City Manager