REGULAR MEETING OF THE BOARD OF ADJUSTMENT
MONDAY, September 14, 2026 AT 5:30 P.M.
AUSTIN CITY HALL, COUNCIL CHAMBERS, ROOM 1001
301 WEST 2ND STREET
AUSTIN, TEXAS

Some members of the BOARD OF ADJUSTMENT may be participating by videoconference. The meeting may be viewed online at: http://www.austintexas.gov/page/watch-atxn-live

Public comment will be allowed in-person or remotely via telephone. Speakers may only register to speak on an item once either in-person or remotely and will be allowed up to three minutes to provide their comments. Registration no later than noon the day before the meeting is required for remote participation by telephone. To register to speak remotely, contact Elaine Ramirez at 512-974-2202 or email elaine.ramirez@austintexas.gov.

CURRENT BOARD MEMBERS:

___Jeffery Bowen (Chair)
___Margaret Shahrestani (Vice-Chair)
___Haseeb Abdullah
___Thomas Ates
___Sameer S Birring
___Melissa Hawthorne
___VACANT
___Yung-ju Kim
___Bianca A Medina-Leal
___Brian Poteet
___Michael Von Ohlen
___Corry L Archer-McClellan (Alternate)
___Suzanne Valentine (Alternate)

AGENDA

CALL TO ORDER

PUBLIC COMMUNICATION: GENERAL

The first 4 speakers signed up/register prior (no later than noon the day before the meeting) to the meeting being called to order will each be allowed a three-minute allotment to address their concerns regarding items not posted on the agenda.

APPROVAL OF MINUTES

1. Approve the minutes of the Board of Adjustment Regular meeting on August 10, 2026
   On-Line Link: ITEM01 August 10, 2026 draft minutes

PUBLIC HEARINGS

Discussion and action on the following cases

Previous Postponed cases:

2. C15-2026-0029 Stephen Hawkins for Agustin Gonzalez
3011 Westlake Drive

On-Line Link: ITEM02 ADV PACKET; PRESENTATION
The applicant has requested variance(s) from the Land Development Code, Section 25-2-1176 *(Site Development Regulations for Docks, Marinas, and Other Lakefront Uses)* (A) (1) to increase the dock length from 30 feet (required) to fifty feet (50') (requested), in order to erect a boat dock in a "LA" Lake Austin zoning district.

Note: *Land Development Code,* ***25-2-1176 Site Development Regulations for Docks, Marinas, and Other Lakefront Uses***
(A) A dock or similar structure must comply with the requirements of this subsection.
(1) A dock may extend up to 30 feet from the shoreline, except that the director may require a dock to extend a lesser or greater distance from the shoreline if deemed necessary to ensure navigation safety.

New variance cases:

3. C15-2026-0030 Xiao Huang
2805 Saratoga Drive

On-Line Link: ITEM03 ADV PACKET; PRESENTATION
The applicant is requesting a variance(s) from the Land Development Code, Section 25-2-492 *(Site Development Regulations) (D)* from setback requirements for a front setback of 40 feet (required) to 7 feet (requested) in order to erect a four-foot high (4') attached uncovered wood deck in front of an existing single-family residence in a "LA", Lake Austin zoning district.

4. C15-2026-0034 Ricca Keepers for Trent Trawick
14200 Flat Top Ranch Road

On-Line Link: ITEM04 ADV PACKET; NO PRESENTATION
The applicant is requesting a variance(s) from the Land Development Code:

- Section 25-2-551 *(Lake Austin (LA) District Regulations) (C)(2) (a)* from impervious requirements to increase the maximum impervious cover on a slope with a gradient of 25 percent or less from 20 percent (maximum allowed) to 26 percent (requested) and
- Section 25-2-551 *(Lake Austin (LA) District Regulations) (E)(2)* to decrease the impervious cover on a slope with a gradient of more than 35 percent from 2% to 0% (requested), in order to complete a remodel/addition in a "LA", Lake Austin zoning district.

Note:
Land Development Code
Section 25-2-551 Lake Austin (LA) District Regulations
(A) In this section:
(1) SHORELINE means the 492.8 topographic contour line along the shores of Lake Austin.
(2) SHORELINE SETBACK means a line parallel to the shoreline and at a distance from the shoreline that is prescribed in this section.
(3) SHORELINE SETBACK AREA means an area between the shoreline and the shoreline setback.
(C) This subsection specifies lot width and impervious cover restrictions in a Lake Austin (LA) district.
(2) For a lot included in a subdivision plat recorded after April 22, 1982, impervious cover may not exceed:
(a) 20 percent, on a slope with a gradient of 25 percent or less;
(b) 10 percent, on a slope with a gradient of more than 25 percent and not more than 35 percent; or
(c) if impervious cover is transferred under Subsection (D), 30 percent.

(E) This subsection specifies additional development standards based on a slope gradient in a Lake Austin (LA) district.

(1) On a slope with a gradient of more than 15 percent;

(a) vegetation must be restored with native vegetation, as prescribed by the Enviromental Criteria Manual, if it is disturbed or removed as a result of construction; and

(b) construction uphill or downhill from the slope must comply with the Enviromental Criteria Manual.

(2) on a slope with a gradient of more than 35 percent, development is prohibited except for the construction of a fence, driveway, road or utility that cannot be reasonably placed elsewhere, or a non-mechanized pedestrian facility, such as a foot path, sidewalks, or stairs.

For the above address the Subdivision Plat was recorded on June 9, 2003.

5. C15-2026-0035 Victoria Goodman & Mark Sainsbury
4523 Avenue G

On-Line Link: ITEM05 ADV PACKET PART1, PART2, PART3; PRESENTATION

The applicant is requesting a variance from the Land Development Code, Section 25-2-899 (*Fences as Accessory Uses*) to increase the height from eight (8') feet (maximum allowed) to nine feet (9') (requested) (6 ft. solid + 3 ft. trellis), in order to maintain a fence along interior side property line (N/NE) & rear property line (E/SE) in a "SF-3-NCCD-NP", Single-Family-Neighborhood Conservation Combining District-Neighborhood Plan zoning district (Hyde Park Neighborhood Plan).

***Note:** The Land Development Code 25-2-899 Fences as Accessory Uses*

(A) Except as otherwise provided in this chapter, a fence:

(1) is permitted as an accessory use in any zoning district; and

(2) must comply with the requirements of this section.

(B) In this section:

(1) an ornamental fence is a fence with an open design that has a ratio of solid material to open space of not more than one to four; and

(2) a solid fence is a fence other than an ornamental fence.

(C) The height restrictions of this section do not apply to an ornamental fence.

(D) Except as otherwise provided in this section, a solid fence constructed along a property line may not exceed a height of six feet measured from the natural grade up.

(E) If there is a change in grade of at least one foot measured along any run of a solid fence along a property line, then the portion of the fence where the grade change occurs may be constructed to a maximum height of seven feet.

(F) a solid fence along a property line may be constructed to a maximum height of eight feet if each owner of property that adjoins a section of the fence that exceeds a height of six feet files written consent to the construction of the fence with the building official; and

(1) there is a change in grade of at least two feet within 50 feet of the boundary between adjoining properties; or

(2) a structure, including a telephone junction box, exists that is reasonably likely to enable a child to climb over a six-foot fence and gain access to a hazardous situation, including a swimming pool.

(G) A solid fence may be constructed to a maximum of eight feet in height if the fence is located on or within the building setback lines.

(H) A solid fence may be constructed to a height of eight feet if the fence is located between a residential use and:

(1) property zoned as a commercial or industrial base district;

(2) property used for a commercial or industrial use; or

(3) an alley that separates a residential use and:

(a) property zoned as a commercial or industrial base district; or

(b) property used for a commercial or industrial use.

(I) Except as provided in Paragraph (1), a fence shall be constructed in accordance with this subsection.

(1) This subsection does not apply to a fence that:

(a) was constructed before July 31, 2023; or

(b) is more than six feet in height and located on a property with a non-residential use.

(2) When more than 50 percent of the total linear distance of an existing fence is replaced, the entire fence must comply with this subsection.

(3) For new or replacement fences that follow historic design standards, this subsection will control if there is a conflict with the historic design standards.

(4) A fence may not include:

(a) spiked pickets, spiked bars, or other spiked decorative elements above the top horizontal backer rail;

(b) vertical pickets above the top horizontal backer rail if the vertical pickets are separated by more than two inches and less than nine inches;

(c) razor-like wire; or

(d) barbed wire unless the fence is enclosing an airport or other landing area for aircraft and the use of barbed wire is required by Federal Aviation Administration regulation.

(5) A fence that creates a substantial risk of entrapment or impalement is prohibited.

(6) A solid chain link fence shall use knuckle selvage.

(J) A fence used as a swimming pool barrier shall comply with Chapter 25-12, Article 14 (Swimming Pool and Spa Code).

Source: Section 13-2-308; Ord. 990225-70; Ord. 031211-11; Ord. 050127-64; Ord. No. 20141120-181, Pt. 1, 12-1-14; Ord. No. 20230720-156, Pt. 2, 7-31-23.

6. C15-2026-0036 Richard T Suttle, Jr. for Erin Booth Derbas
4107 Lakeplace Lane

On-Line Link: ITEM06 ADV PACKET PART1, PART2, PART3; PRESENTATION

The applicant is requesting a variance(s) from the Land Development Code:

- Section 25-2-551 *(Lake Austin (LA) District Regulations) (B)(3) (a)* to permit a tram (mechanical pedestrian access).

  and

- Section 25-2-551 *(Lake Austin (LA) District Regulations) (E)(2)* to permit 260 square feet development on a slope with a gradient of more than 35%, in order to maintain a tram in a "LA", Lake Austin zoning district.

For the above address the Subdivision Plat was recorded on March 25, 1915.

Note:
Land Development Code
Section 25-2-551 Lake Austin (LA) District Regulations
Section 25-2-551 Lake Austin (LA) District Regulations
{A }In this section:
(1) SHORELINE means the 492.8 topographic contour line along the shores of Lake Austin.
(2) SHORELINE SETBACK means a line parallel to the shoreline and at a distance from the shoreline that is prescribed in this section.
(3) SHORELINE SETBACK AREA means an area between the shoreline and the shoreline setback.

(B) This subsection specifies shoreline setbacks in a Lake Austin (LA) district.
(1) The shoreline setback is:
(a) 75 feet; or
(b) 25 feet, if:
(i) the lot is located in a subdivision plat recorded before April 22, 1982, or is a legal tract exempt from the requirement to plat; and
(ii) the distance between the shoreline and the front lot line, or the property line of a l egal tract, is 200 feet or less.

(E) This subsection specifies additional development standards based on a slope gradient in a Lake Austin (LA) district.
(1) On a slope with a gradient of more than 15 percent;
(a) vegetation must be restored with native vegetation, as prescribed by the Enviromental Criteria Manual, if it is disturbed or removed as a result of construction; and
(b) construction uphill or downhill from the slope must comply with the Enviromental Criteria Manual.
(2) on a slope with a gradient of more than 35 percent, development is prohibited except for the construction of a fence, driveway, road or utility that cannot be reasonably placed elsewhere, or a non-mechanized pedestrian facility, such as a foot path, sidewalks, or stairs.

7. C15-2026-0037 Shesh Aandahl for Soren Aandahl
714 Post Oak Street

On-Line Link: ITEM07 ADV PACKET PART1, PART2; PRESENTATION

The applicant is requesting a variance(s) from the Land Development Code, Section 25-2-779 *(Small Lot Single-Family Residential Use) (J)(4)* from gross floor area requirements to increase unit size from 2,300 square feet (maximum allowed) to 2,886 square feet (requested) in order to enclose an existing balcony to create conditioned bedroom space in a "SF-3-NP", Single-Family-Neighborhood Plan zoning district (Bouldin Creek NP).

Note:
Land Development Code
25-2-779 Small Lot Single-Family Residential Use
(A) This section applies to a small lot single-family residential use.
(B) This section supersedes the base zoning district regulations to the extent of conflict.

(C) Only one dwelling unit is permitted on a lot.
(D) This subsection applies to small lot single-family residential use on a property zoned single-family residence small lot (SF-4A) district or less restrictive.
(J) Gross Floor Area

(1) This subsection applies to a property located within the area described in Subsection 1.2.1 of Subchapter F (Residential Design and Compatibility Standards).
(2) GROSS FLOOR AREA means the total enclosed area of all floors in a building with a clear height of more than six feet, measured to the outside surface of the exterior walls, except as provided in this subsection.
(3) The gross floor area may not exceed the greater of 1,650 square feet or a floor-to-area ratio of 0.55.
(4) The maximum unit size is 2,300 square feet.

Source: Ord. 041118-57; Ord. No. 20240516-006, Pt. 5, 5-27-24; Ord. No. 20250227-039, Pt. 2, 10-1-25.

DISCUSSION ITEMS

8. August 10, 2026, Board of Adjustment activity report
   On-Line Link: ITEM08 August 10, 2026-MONTHLY REPORT

9. Report from working group on outcomes of BOA decision on Case No. C15-2025-0035 (made during BOA Meeting on November 10), specifically with respect to guidance given to staff regarding habitable attic space and how it figures into calculation of FAR.

10. Discussion on executive session approval process and the need to be posted on the agenda in advance with specifics

11. Discussion of changes to BOA rules and procedures to limit time for registered speakers

12. Discussion regarding conditions of approval of variance requests, which may include reference to plans, drawings, or surveys

DISCUSSION AND ACTION ITEMS

FUTURE AGENDA ITEMS

ANNOUNCEMENTS

ADJOURNMENT

The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. For assistance, please contact the Liaison or TTY users' route through 711. A person may request language access accommodations no later than 48 hours before the scheduled meeting. Please call the Board Liaison Elaine Ramirez, Austin Development Services Department at 512-974-2202 or email elaine.ramirez@austintexas.gov or call the Board Secretary Diana Ramirez at 512-974-2241 or email diana.ramirez@austintexas.gov to request service or for additional information.

For more information on the Board of Adjustment, please contact Board Liaison's Elaine Ramirez at 512-974-2202 or elaine.ramirez@austintexas.gov