



**BOARD OF ADJUSTMENT
REGULAR MEETING
MINUTES
Monday, September 14, 2026**

The **BOARD OF ADJUSTMENT** convened in a Regular meeting on **Monday, September 14, 2026**, at 301 West 2nd Street in Austin, Texas.

Vice Chair Maggie Shahrestani called the Board of Adjustment Meeting to order at 5:32 PM.

Board Members/Commissioners in Attendance in-Person:

Maggie Shahrestani-Vice Chair

Board Members/Commissioners in Attendance Remotely:

Haseeb Abdullah, Melissa Hawthorne, Yung-ju Kim, Bianca A. Medina-Leal, Brian Poteet, Suzanne Valentine-Alternate

Board Members/Commissioners Absent:

Jeffery Bowen-Chair, Tommy Ates (Resigned), Sameer S Birring (Resigned), Michael Von Ohlen, Corry Archer-McClellan-Alternate (technical issues)

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](#)

The minutes from the meeting on August 10, 2026, were approved on Vice Chair Maggie Shahrestani, Board Member Melissa Hawthorne second, on 6-0-1 Vote (Board Member Haseeb Abdullah abstained).

PUBLIC HEARINGS

Discussion and action on the following cases

All items are postponed to October 12, 2026, not enough board members for voting purposes

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.

Vice Chair's motion to postpone to October 12, 2026, Board member Melissa Hawthorne second on 7-0 votes; POSTPONED TO OCTOBER 12, 2026, NOT ENOUGH BOARD MEMBERS FOR VOTING PURPOSES.

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.

Vice Chair's motion to postpone to October 12, 2026, Board member Melissa Hawthorne second on 7-0 votes; POSTPONED TO OCTOBER 12, 2026, NOT ENOUGH BOARD MEMBERS FOR VOTING PURPOSES.

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 Environmental 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 Environmental 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.

Vice Chair's motion to postpone to October 12, 2026, Board member Melissa Hawthorne second on 7-0 votes; POSTPONED TO OCTOBER 12, 2026, NOT ENOUGH BOARD MEMBERS FOR VOTING PURPOSES.

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.

Vice Chair's motion to postpone to October 12, 2026, Board member Melissa Hawthorne second on 7-0 votes; POSTPONED TO OCTOBER 12, 2026, NOT ENOUGH BOARD MEMBERS FOR VOTING PURPOSES.

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

{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 legal 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 Environmental 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 Environmental 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.

Vice Chair’s motion to postpone to October 12, 2026, Board member Melissa Hawthorne second on 7-0 votes; POSTPONED TO OCTOBER 12, 2026, NOT ENOUGH BOARD MEMBERS FOR VOTING PURPOSES.

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.

Vice Chair's motion to postpone to October 12, 2026, Board member Melissa Hawthorne second on 7-0 votes; POSTPONED TO OCTOBER 12, 2026, NOT ENOUGH BOARD MEMBERS FOR VOTING PURPOSES.

DISCUSSION ITEMS

8. August 10, 2026, Board of Adjustment activity report
On-Line Link: [ITEM08 August 10, 2026-MONTHLY REPORT](#)
Vice Chair's motion to postpone to October 12, 2026, Board member Melissa Hawthorne second on 7-0 votes; POSTPONED TO OCTOBER 12, 2026
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.
Vice Chair's motion to postpone to October 12, 2026, Board member Melissa Hawthorne second on 7-0 votes; POSTPONED TO OCTOBER 12, 2026
10. Discussion on executive session approval process and the need to be posted on the agenda in advance with specifics
Vice Chair's motion to postpone to October 12, 2026, Board member Melissa Hawthorne second on 7-0 votes; POSTPONED TO OCTOBER 12, 2026
11. Discussion of changes to BOA rules and procedures to limit time for registered speakers
Vice Chair's motion to postpone to October 12, 2026, Board member Melissa Hawthorne second on 7-0 votes; POSTPONED TO OCTOBER 12, 2026
12. Discussion regarding conditions of approval of variance requests, which may include reference to plans, drawings, or surveys
Vice Chair's motion to postpone to October 12, 2026, Board member Melissa Hawthorne second on 7-0 votes; POSTPONED TO OCTOBER 12, 2026

DISCUSSION AND ACTION ITEMS

FUTURE AGENDA ITEMS

ANNOUNCEMENTS

ADJOURNMENT 5:39 PM

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

[The minutes were approved at the October 12, 2026 Board of Adjustment meeting on Board member Melissa Hawthorne's motion, Board Member Haseeb Abdullah second on a 9-0 vote \(Chair Jeffery Bowen abstained\).](#)