# CITY OF AUSTIN
# Board of Adjustment
# Decision Sheet
# ITEM06

**DATE: Monday October 12, 2026** **CASE NUMBER: C15-2026-0036**

____Y____Joseph El Habr (D1)
____Y____Bianca A Medina-Leal (D2)
____Y____Corry L Archer-McClellan (D3)
____Y____Yung-ju Kim (D4)
____Y____Melissa Hawthorne (D5)
____Y____Haseeb Abdullah (D6)
____-____VACANT (D7)
____Y____Margaret Shahrestani-Vice Chair (D8)
____Y____Brian Poteet (D9)
____Y____Michael Von Ohlen (D10)
____Y____Jeffery L Bowen-Chair (M)
____-____VACANT (Alternate) (M)
____-____Suzanne Valentine (Alternate) (M)
____-____VACANT (Alternate) (M)

**APPLICANT: Richard T Suttle Jr.**
**OWNER: Erin Booth Derbas**
**ADDRESS: 4107 LAKEPLACE LANE**

**VARIANCE REQUESTED:**
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 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.*

**BOARD'S DECISION: September 14, 2026 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. October 12, 2026 Board Member Melissa Hawthorne's motion to approve the postponement request by applicant to November 9, 2026, Board member Corry Archer-McClellen second on 10-0 votes; POSTPONED to November 9, 2026.**

**FINDING:**

1. The Zoning regulations applicable to the property does not allow for a reasonable use because:

2. (a) The hardship for which the variance is requested is unique to the property in that:

   (b) The hardship is not general to the area in which the property is located because:

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

Elaine Ramirez
Executive Liaison

Diana Ramirez for
Jeffery Bowen
Chair