BOARD OF ADJUSTMENT
REGULAR MEETING
MINUTES
Monday, October 12, 2026

The **BOARD OF ADJUSTMENT** convened in a Regular meeting on **Monday, October 12, 2026,** at 301 West 2nd Street in Austin, Texas.

Chair Jeffery Bowen called the Board of Adjustment Meeting to order at 5:35 PM.

Board Members/Commissioners in Attendance in-Person:
Jeffery Bowen-Chair, Haseeb Abdullah, Corry Archer-McClellan, Joseph El Habr, Melissa Hawthorne, Michael Von Ohlen

Board Members/Commissioners in Attendance Remotely:
Maggie Shahrestani-Vice Chair,Yung-ju Kim, Bianca A. Medina-Leal, Brian Poteet

APPROVAL OF MINUTES

1. Approve the minutes of the Board of Adjustment Regular meeting on September 14, 2026
   On-Line Link: ITEM01 September 14, 2026 draft minutes
   The minutes from the meeting on September 14, 2026, were approved on Board Member Melissa Hawthorne, Board Member Haseeb Abdullah second, on Vote 9-0. (Chair Jeffery Bowen abstained)

PUBLIC HEARINGS

Discussion and action on the following cases

Item 4 - C15-2026-0034 Applicant is requesting to withdraw.

Item 6 – C15-2026-0036 Applicant is requesting to postpone to November 9, 2026.

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.

The public hearing was closed by Chair Jeffery Bowen, Vice Chair Maggie Shahrestani's motion to approve, Board member Melissa Hawthorne second on 10-0 votes; GRANTED.

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.

The public hearing was closed by Chair Jeffery Bowen, Board member Micheal Von Ohlen's motion to approve, Board member Melissa Hawthorne second on 10-0 votes; GRANTED.

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

On-Line Link: ITEM04 ADV PACKET PART1, PART2; 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.

WITHDRAWN by Applicant

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.

The public hearing was closed by Chair Jeffery Bowen, Board member Haseeb Abdullah's motion to approve, Board member Melissa Hawthorne second on 10-0 votes; GRANTED.

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 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 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.

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

On-Line Link: ITEM07 ADV PACKET PART1, PART2, PART3, PART4, PART5, PART6, 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.

The public hearing was closed by Chair Jeffery Bowen, Board member Melissa Hawthorne's motion to postpone to November 9, 2026, Vice Chair Maggie Shahrestani second on 10-0 votes; POSTPONED TO NOVEMBER 9, 2026.

New Sign cases:

8. C16-2026-0007 David J. Anderson for QT South, LLC
620 West Slaughter Lane

On-Line Link: ITEM08 ADV PACKET; PRESENTATION PART1, PART2

The applicant is requesting a sign variance(s) from the Land Development Code, Section 25-10-124 *(Scenic Roadway Sign District Regulations)*, (B) to allow more freestanding signs from one (1) (maximum allowed) to one (1) additional (requesting); a total of two free-standing signs in order to provide signage for QT gas station in a "CS-CO", General Commercial Services – Conditional Overlay zoning district.
(Scenic Roadway Sign District).

***Note*: 25-10-124 - SCENIC ROADWAY SIGN DISTRICT REGULATIONS**
(A) This section applies to a scenic roadway sign district.
(B) One freestanding sign is permitted on a lot.
(1) The sign area may not exceed the lesser of:
(a) 0.4 square feet for each linear foot of street frontage; or
(b) 64 square feet.
(2) The sign height may not exceed 12 feet.
(C) Wall signs are permitted.
(D) For signs other than freestanding signs, the total sign area for a lot may not exceed 10 percent of the facade area of the first 15 feet of the building.
(E) In a Hill Country Roadway corridor, a spotlight on a sign or exterior lighting of a sign must be concealed from view and oriented away from adjacent properties and roadways.
(F) Internal lighting of signs is prohibited, except for the internal lighting of individual letters.
(G) In addition to the sign setback requirements established by Section 25-10-191 (Sign Setback Requirements), a sign or sign support must be installed at least 12 feet from the street right-of-way, or at least 25 feet from street pavement or curb in the right-of-way, whichever setback is the lesser distance from the street. This subsection does not apply to a sign permitted by Section 25-10-102(F) (Signs Associated with Political Elections).
Source: Sections 13-2-867 and 13-2-868; Ord. 990225-70; Ord. 031030-11; Ord. 031211-11; Ord. No. 20170817-072, Pt. 10, 8-28-17.

The public hearing was closed by Chair Jeffery Bowen, Board member Melissa Hawthorne's motion to approve, Board member Michael Von Ohlen second on 10-0 votes; GRANTED.

New variance cases:

9. C15-2026-0040 David J. Anderson for Eric Joseph Exelbert & Jessica Lea Boyer
1703 Pasadena Drive

On-Line Link: ITEM09 ADV PACKET; PRESENTATION

The applicant is requesting a variance(s) from the Land Development Code Subchapter F:
Residential Design and Compatibility Standards, Article 2, Development Standards Section 2.1 *(Maximum Development Permitted)* to increase the F.A.R from 40% (required) to 44.46% (requested), in order to enclose a Carport to a Garage of an existing 2-story single family residence in an "SF-3-NP", Single-Family-Neighborhood Plan zoning district (Crestview Neighborhood Plan).

***NOTE*: LDC 25-2 Land Development, Subchapter F: Residential Design and Compatibility Standards, Article 2: - Development Standards, Section 2.1 – Maximum Development Permitted.**
The maximum amount of development permitted on a property subject to this Subchapter is limited to the greater of 0.4 to 1.0 floor-to-area ratio or 2,300 square feet of gross floor area, as defined in Section 3.3. Floor-to-area ratio shall be measured using gross floor area as defined in Section 3.3, except that the lot area of a flag lot is calculated consistent with the requirements of 25-1-22 (Measurements).

The public hearing was closed by Chair Jeffery Bowen, Vice Chair Maggie Shahrestani's motion to deny, Board member Melissa Hawthorne second on 8-2 votes (Board members Bianca Medina-Leal and Haseeb Abdullah nay); DENIED.

DISCUSSION ITEMS

10. September 14, 2026, Board of Adjustment activity report
On-Line Link: ITEM10 September 14, 2026-MONTHLY REPORT
Discussed, continue to next agenda- November 9, 2026

11. 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.
Board member Melissa Hawthorne motion to Postponed to next agenda November 9, 2026, Board member Michael Von Ohlen second, with no objection.

12. Discussion on executive session approval process and the need to be posted on the agenda in advance with specifics
Discussed (This item will be removed off the agenda)

13. Discussion of changes to BOA rules and procedures to limit time for registered speakers
Discussed; this item the language will be revised by legal and added to the next agenda on November 9, 2026.

14. Discussion regarding conditions of approval of variance requests, which may include reference to plans, drawings, or surveys
Discussed (This item will be removed off the agenda)

DISCUSSION AND ACTION ITEMS

15. Approve the 2027 annual schedule of the Board of Adjustment.
On-Line Link: ITEM15
Board member Melissa Hawthorne motion to approve the 2027 annual schedule for Board of Adjustment (2nd Monday of each month), Vice Chair Maggie Shahrestani second with no objections; APPROVED.

FUTURE AGENDA ITEMS

ANNOUNCEMENTS

ADJOURNMENT 7:58 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 November 9, 2026 Board of Adjustment meeting on Board member Melissa Hawthorne's motion, Board Member Corry Archer-McClellan second on a 10-0 vote.