CITY OF AUSTIN
Board of Adjustment
Decision Sheet
ITEM05

DATE: Monday November 9, 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)
___-_____Michael Von Ohlen (D10) **OUT**
___Y_____Jeffery L Bowen-Chair (M)
___-_____VACANT (Alternate) (M)
___Y_____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. November 9, 2026 The public hearing was closed by Chair Jeffery Bowen, Board member Melissa Hawthorne's motion to approve in the existing configuration to remain and tie to drawing Item 5/18, Board member Haseeb Abdullah second on 10-0 votes; GRANTED IN THE EXISTING CONFIGURATION TO REMAIN AND TIE TO DRAWING ITEM 5/18 OF THE ADVANCED PACKET.

FINDING:

1. The Zoning regulations applicable to the property does not allow for a reasonable use because: shoreline setback area restrictions and additional development standards based on slope are only applicable to properties located in the LA district, without the variance the property owner would not have access to all areas of the property for this existing tram and its existing configuration.

2. (a) The hardship for which the variance is requested is unique to the property in that: the topography of the property between the roses and lake Austin is steeply sloped and treed and as the tram is already in existence it would probably do more environmental damage to remove it than as there would be a strip going down the lake which then make things a lot worse, it is extremely difficult to access the property without the tram that is a unique condition.

   (b) The hardship is not general to the area in which the property is located because: not all properties along this portion of the lake have such a sheer vertical cliff vs a slope.

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: these variance will not alter anything as the tram is in existence in its place, it's heavily

treated and not visible pretty much from anywhere other than the eagle eye inspector, it would just be in character with the property.

Elaine Ramirez
Executive Liaison

Diana Ramirez for
Jeffery Bowen
Chair

ITEM05/18


1204 ROCKCLIFF RD
Single Family Residence
4205 HIDDEN CANYON CV
4201 HIDDEN CANYON CV
N CANYON CV
Single Family Residence
4111 LAKEPLACE LN
Lake Austin
Single Family Residence
4109 LAKEPLACE LN
Addresses: 4107 LAKEPLACE LN
Single Family Residence
4105 LAKEPLACE LN
3963 WESTLAKE DR
Single Family Residence
4102 LAKEPLACE LN
4100 LAKEPLACE LN
3951 WESTLAKE DR