BOA GENERAL REVIEW COVERSHEET

CASE: C15-2026-0043

BOA DATE: Monday, November 9th, 2026

ADDRESS: 7606 Creston Ln

COUNCIL DISTRICT: 4

OWNER: Di Yang Shi

AGENT: N/A

ZONING: SF-3-NP (Highland NP)

LEGAL DESCRIPTION: LOT 7 BLK A NORTHWAY CREST SEC 3

VARIANCE REQUEST: Land Development Code, Section 25-2-899 (*Fences as Accessory Uses*) to increase the height from six (6') feet from natural grade (maximum allowed) to ten feet (10') (requested).

SUMMARY: erect a solid fence along interior sides (NW & NE) and rear (NW & N) property lines

ISSUES: townhome complex bordering backyard

	ZONING	LAND USES
Site	SF-3-NP	Single-Family
North	SF-3-NP	Single-Family
South	SF-3-NP	Single-Family
East	SF-3-NP	Single-Family
West	MF-3-NP	Multi-Family

NEIGHBORHOOD ORGANIZATIONS:

Austin Neighborhoods Council
Friends of Austin Neighborhoods
Highland Neighborhood Association
Highland/Skyview Neighborhood Plan Contact Team
Homeless Neighborhood Association
North Austin Neighborhood Alliance

CITY OF AUSTIN Development SERVICES DEPARTMENT

Building a Better and Safer Austin Together

Board of Adjustment General/Parking Variance Application

DevelopmentATX.com | Phone: 311 (or 512-974-2000 outside Austin)
For submittal and fee information, see austintexas.gov/digitaldevelopment

WARNING: Filing of this appeal stops all affected construction activity.

This application is a fillable PDF that can be completed electronically. To ensure your information is saved, click here to Save the form to your computer, then open your copy and continue.

The Tab key may be used to navigate to each field; Shift + Tab moves to the previous field. The Enter key activates links, emails, and buttons. Use the Up & Down Arrow keys to scroll through drop-down lists and check boxes, and hit Enter to make a selection.

The application must be complete and accurate prior to submittal. ***If more space is required, please complete Section 6 as needed.*** All information is required (if applicable).

For Office Use Only

Case # **C15-2026-0043** ROW # **13780231** Tax # **0233130607**

Section 1: Applicant Statement

Street Address: 7606 Creston Ln, Austin TX, 78752

Subdivision Legal Description:
LOT 7 BLK A NORTHWAY CREST SEC 3

Lot(s): 7 Block(s): A

Outlot: Division:

Zoning District: **SF-3-NP (Highland NP)** **Council District: 4**

I/We Di Yang Shi on behalf of myself/ourselves as authorized agent for Di Yang Shi affirm that on Month Select, Day Select, Year Select, hereby apply for a hearing before the Board of Adjustment for consideration to (select appropriate option below):

◉ Erect ○ Attach ○ Complete ○ Remodel ○ Maintain ○ Other:

Type of Structure: Fence

Portion of the City of Austin Land Development Code applicant is seeking a variance from:

25-2-899 - FENCES AS ACCESSORY USES Section 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. Requesting 10 feet

Section 2: Variance Findings

The Board must determine the existence of, sufficiency of, and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional supporting documents.

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

I contend that my entitlement to the requested variance is based on the following findings:

Reasonable Use
The zoning regulations applicable to the property do not allow for a reasonable use because:

My backyard neighbors' entire property is elevated with patios up to the property line. As such, my fences provide no sense of privacy or protection from casual littering and harassment.Their first floor windows easily look into my home and their torso is above my fence when they're on their patio. They can easily see into my whole living room from theirs despite our full height fences.

Hardship

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

The properties bordering my backyard are a townhomes complex that is unique to my side of the street in the entire neighborhood. Additionally for my property, my backyard neighbors are also on a noticeably higher grade. As stated above, their fence is 2 ft higher than my 6 ft fence and their torsos are above their fence when standing on their patio and my living room is visible from their first floor windows despite my current 6 ft fence.

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

This hardship is unique to some homes on the north side of Creston Lane. This seems to be because the complex behind that property line is built on a single grade and may be significantly higher against some parcels (like mine) than others.

Area Character
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:

This reestablishes the privacy that is afforded to my neighbors in the rest of the neighborhood and would hopefully prevent further littering into my property. It would be the equivalent of a 6 foot fence against a “normally” elevated neighboring property.

Parking (additional criteria for parking variances only)
Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed in the City of Austin Land Development Code Chapter 25-6, Appendix A with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specific regulation because:

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

Section 3: Applicant Certificate

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Applicant Signature: _____ Date: 09/28/2026

Applicant Name (typed or printed): Di Yang Shi

Applicant Mailing Address: 7606 Creston Ln

City: Austin State: TX Zip: 78752

Phone (will be public information): _____

Email (optional – will be public information): _____

Section 4: Owner Certificate

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Owner Signature: _____ Date: 09/28/2026

Owner Name (typed or printed): Di Yang Shi

Owner Mailing Address: 7606 Creston Ln

City: Austin State: TX Zip: 78752

Phone (will be public information): _____

Email (optional – will be public information): _____

Section 5: Agent Information

Agent Name: _____

Agent Mailing Address: _____

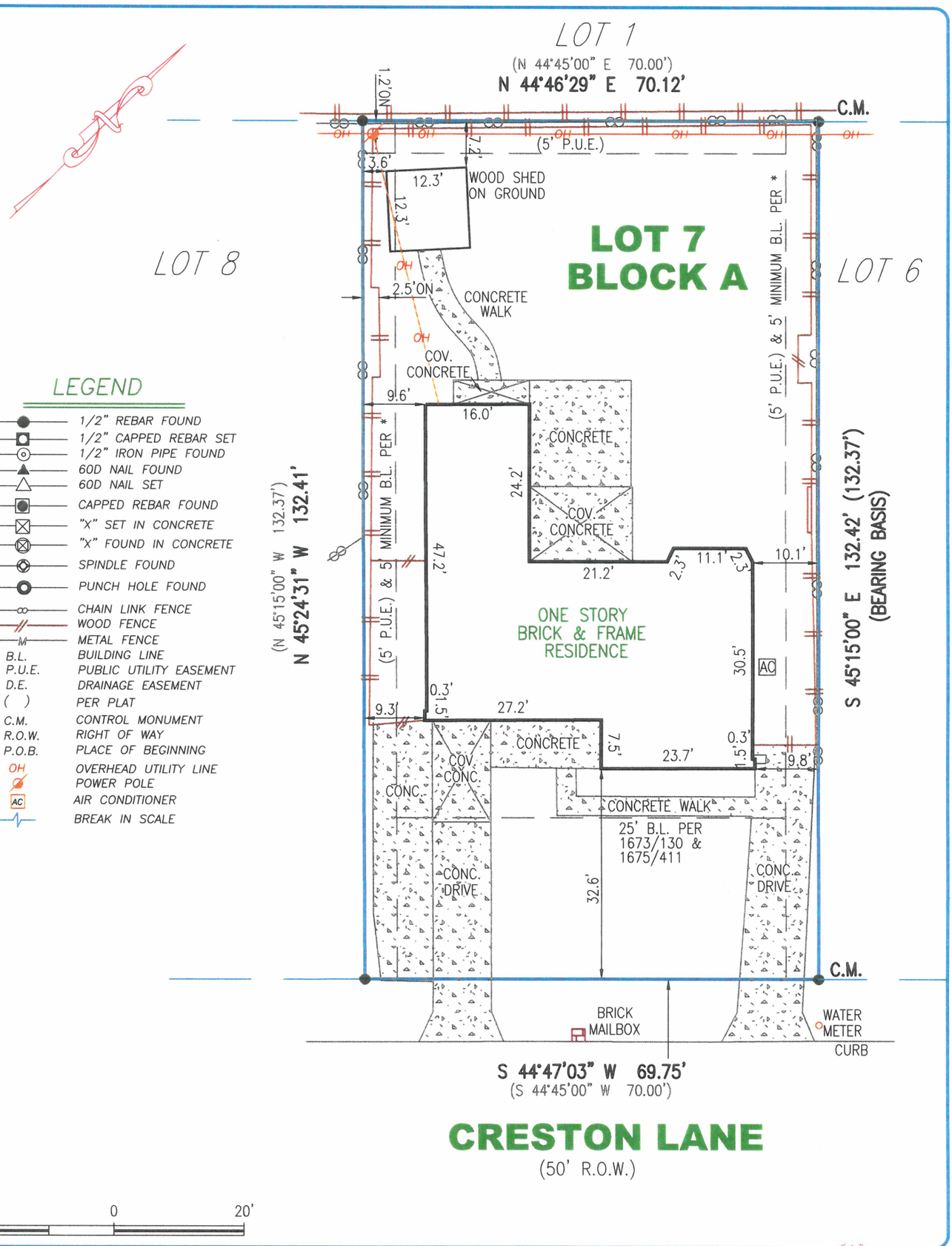
City: _____ State: _____ Zip: _____

Phone (will be public information): _____

Email (optional – will be public information): _____

Section 6: Additional Space (if applicable)

Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).



LEGEND

- 1/2" REBAR FOUND
- 1/2" CAPPED REBAR SET
- 1/2" IRON PIPE FOUND
- 60D NAIL FOUND
- 60D NAIL SET
- CAPPED REBAR FOUND
- "X" SET IN CONCRETE
- "X" FOUND IN CONCRETE
- SPINDLE FOUND
- PUNCH HOLE FOUND
- CHAIN LINK FENCE
- WOOD FENCE
- METAL FENCE
- B.L. BUILDING LINE
- P.U.E. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- ( ) PER PLAT
- C.M. CONTROL MONUMENT
- R.O.W. RIGHT OF WAY
- P.O.B. PLACE OF BEGINNING
- OH OVERHEAD UTILITY LINE
- POWER POLE
- AC AIR CONDITIONER
- BREAK IN SCALE

Notes:
1) Subject to restrictions and easement rights recorded in 1673/130, 1675/411, 7453/422, Deed Records and in 7/93, Plat Records.
2) * = Subject to minimum combined side building setback of 15', 5' minimum per side per 1673/130 and 1675/411, Deed Records.

TO THE LIENHOLDER AND / OR PRESENT OWNERS OF THE PREMISES SURVEYED AND TO
AUSTIN TITLE COMPANY
ALAMO TITLE INSURANCE COMPANY

I DO HEREBY CERTIFY TO THOSE LISTED HEREON THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND, UNDER MY SUPERVISION, OF THE PROPERTY LEGALLY DESCRIBED HEREON, IS PREPARED IN ACCORDANCE WITH THE TITLE COMMITMENT REFERENCED HEREON, AND THAT THERE ARE NO VISIBLE BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, OR ROADS IN PLACE, EXCEPT AS SHOWN HEREON. BUILDING DIMENSIONS ARE APPROXIMATE.

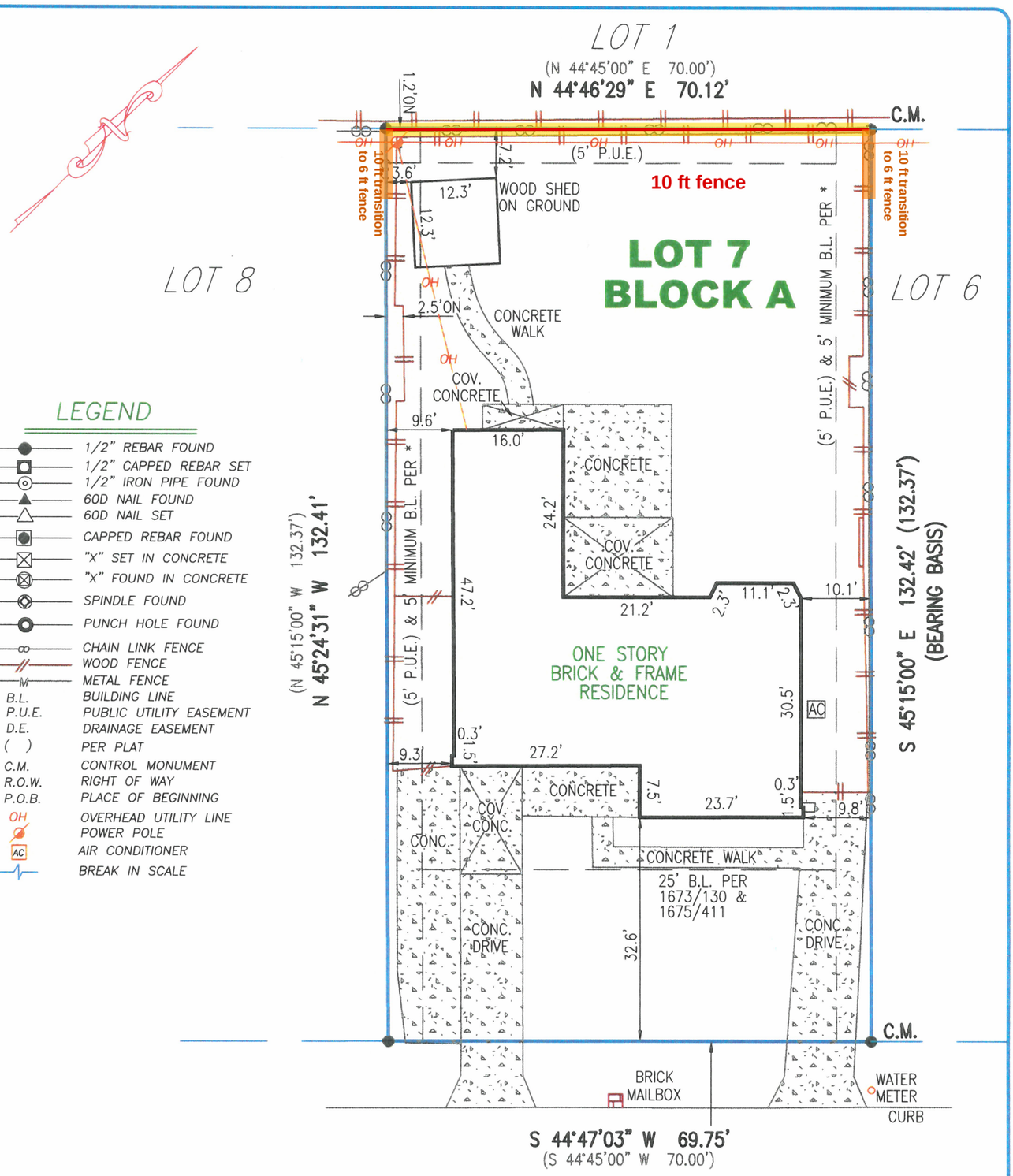
STATE OF TEXAS
REGISTERED
MICHAEL J. LANCASTER
5529
PROFESSIONAL
LAND SURVEYOR

STREET ADDRESS: 7606 CRESTON LANE CITY: AUSTIN COUNTY: TRAVIS STATE OF TEXAS
LOT: 7 BLOCK: A SUBDIVISION: NORTHWAY CREST, SECTION THREE VOL/CAB 7 PG/SLD 93 PLAT RECORDS
REFERENCE NAME: DI YANG SHI G.F. #: AUT-41-035-AUT19006389R

B & G SURVEYING, LLC
FIRM REGISTRATION NO. 100363-00
WWW.BANDGSURVEY.COM
1404 West North Loop Blvd.
Austin, Texas 78756 – Office 512*458-6969

JOB #: B0617119_TA
DATE: 06/28/19
SCALE: 1"= 20'

FIELD WORK BY	DENNIS	06/26/19
CALC'D BY	CP	06/28/19
DRAFTED BY	PR	06/28/19
CHECKED BY	ML	06/28/19



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Fence Variance Request

7606 Creston Ln

Summary of Incidents and Grievances Over 7 Years

- Littering
  - Baby diapers, Trash bags, Doormats, Balls
    - We've caught a child having no issues tossing these over from the patio and when the parents were confronted, they could not care less
  - I've made calls to 311 but they're unable to assist unless I film the act of littering occurring, but even then they explained enforcement would be difficult
- Harassment
  - Neighbors feel entitled to harass me while I'm reasonably enjoying my backyard
    - I was having a backyard fire in a smokeless fire pit and one of my neighbors aggressively yelled at us to stop our fire because she was not willing to close her windows and could not tolerate the smell of it
- Privacy and Functionality
  - Neighbors will just stare at me and my housemates or guests while we're in our living room and bedrooms
  - Blocking off the windows would remove the main source of light in main living area of the house and bedrooms
  - I believe specifically the condos behind my property have some elevated decks that go right up to the property line
    - I've seen photos of other units at that complex where it's not elevated
  - The fence is at guardrail height for neighbors while being 1.5-2 ft taller than my 6 ft fence
    - Essentially, they can lean their arms on them (I don't believe all my neighbors are 7 feet tall).

View from ~10 ft from fence. A person standing at their window can easily see me even when I'm close to the fence.



View from my living room. The top half of their living room TV is visible. Neighbors standing in their living rooms can easily see into my entire living room and multiple bedrooms.

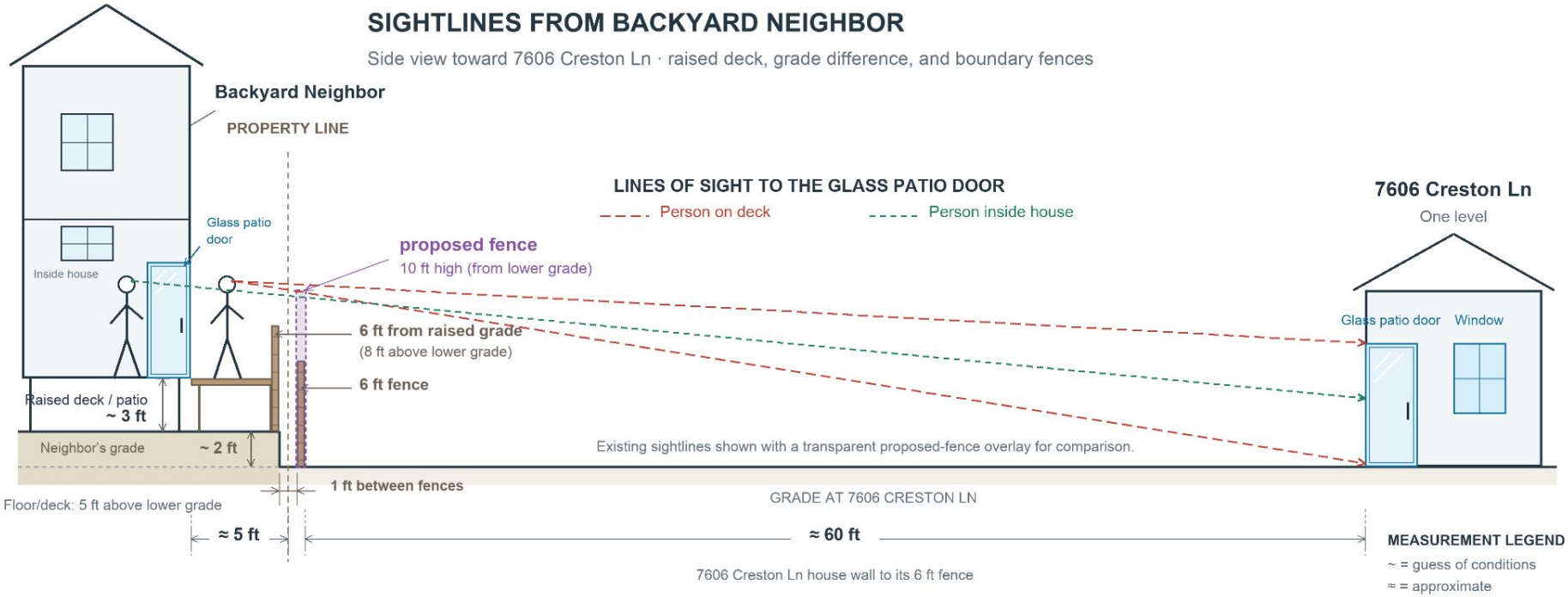


Trash discovered within a single week. Not as bad as regular used baby diapers and food waste. Still not great.









Neighbor's grade: ~ 2 ft higher. Floor/deck: ~ 3 ft above that grade (5 ft total). Neighbor's fence: 6 ft above that grade (8 ft total).

Proposed fence is drawn transparent to compare existing sightlines. Eyes assumed 5½ ft above floor/deck; glass patio door; window tops illustrative.