CITY OF AUSTIN
Board of Adjustment
Decision Sheet
ITEM04

DATE: Monday November 9, 2026 **CASE NUMBER: C15-2026-0044**

___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: Billy Blackburn
OWNER: Avery Construction LLC
ADDRESS: East 2106 8TH ST

VARIANCE REQUESTED: The applicant is requesting a variance(s) from the Land Development Code, Section 25-2-492 *(Site Development Regulations) (D)* **&** Section 25-2-943 *(Substandard Lot)* from lot size requirements decrease the minimum lot size from 5,750 square feet (required) to 5,627 square feet (requested) in order to erect a Two-Unit Residential Use in a "SF-3NP", Single-Family-Neighborhood Plan zoning district. (Central East Austin Neighborhood Plan).

***Note:* Land Development Code - Section 25-2-943 Substandard Lot**
(A) A substandard lot may be used for a nonresidential use that is permitted in the zoning district in which the lot is located if, except for minimum lot area, the use and development complies with the requirements of this title.
(B) A substandard lot may be used for a single-family residential use if the use is permitted in the zoning district in which the lot is located and the lot complies with the requirements of this subsection.
(1) A substandard lot recorded in the county real property records before March 15, 1946 must:
(a) have an area of not less than 4,000 square feet; and
(b) be not less than 33 feet wide at the street or at the building line, or have access to a street by an easement that is:
(i) not less than ten feet wide if it serves one lot, or not less than 18 feet wide if it serves more than one lot;
(ii) not more than 150 feet in length; and
(iii) maintained for access by the property owner.
(2) A substandard lot recorded in the county real property records after March 14, 1946 must:
(a) have an area of not less than 5,750 square feet; and
(b) be not less than 50 feet wide at the street or at the building line.
(C) If a substandard lot is used with one or more contiguous lots for a single use or unified development, the requirements of this chapter apply to the aggregation of lots as if the aggregation were a single lot.

(D) A substandard lot that is aggregated with other property to form a site may not be disaggregated after August 6, 2007 to form a site that is smaller than the minimum lot area requirement.
Source: Sections 13-2-334, 13-2-335, and 13-2-336; Ord. 990225-70; Ord. 031211-11; Ord. 20070726-131.

For the above address The Grandview Place subdivision plat, which created Lot 15, Block 22, was filed and recorded in the Travis County plat records on December 10, 1913, in Volume 3, Page 17, Plat Records, Travis County, Texas.

BOARD'S DECISION: The public hearing was closed by Chair Jeffery Bowen, Board member Melissa Hawthorne's motion to approve with condition to keep the heritage trees/protected trees, Vice Chair Maggie Shahrestani second on 10-0 votes; GRANTED WITH CONDITION TO KEEP THE HERITAGE TREES/PROTECTED TREES.

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: Lot 15 was created in the original Grandview Place Plat in 1913 and subdivision was intended to provide for single family zoning and house that would later become into the city, this lot falls short 122 sq ft.

2. (a) The hardship for which the variance is requested is unique to the property in that: it has some physical constraints and in keeping the trees and it still is a 1913 plat and is slightly short but I was always intended for single family zoning and now that it has changed single family its is appropriate for the 122 sq feet to be considered deminimis.

   (b) The hardship is not general to the area in which the property is located because: while there are other lots on Grandview place, this one is little narrower because most lot are 50 feet wide and that 50 feet and that five feet differential may be part of why this lot is little short.

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: as most of the block is two family residential and this would be in alignment with the preservation of the mature trees.

Elaine Ramirez
Executive Liaison

Diana Ramirez for
Jeffery Bowen
Chairman