

## Allen, Amber

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**From:** Barbara Epstein [REDACTED]  
**Sent:** Monday, February 27, 2023 12:47 PM  
**To:** [REDACTED]  
**Cc:** Barge, Sara  
**Subject:** 3305 Duval St, 509 Texas Ave.

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Dear Sirs:

I have two questions about how properties in my neighborhood could meet meet code and avoid having new owners partly or completely demolish them so that the properties no longer meet basic historic criteria for style or façade. I am not asking about the properties getting landmark status, just meeting age and code requirements. Both demolition application cases go before the Landmark Commission March 1st, having only been told to contact your office this morning,I am anxious to hear back from you as soon as possible.

3305 Duval St.

According to the tax rolls, 3305 Duval St. was constructed in 1935, and 1948, there are five units, reportedly only three are legal, and the new owner, when he purchased it, mistakenly thought there were four legal units. His representative says that when he tried to file for permits to make repairs, he found out that two units were not legal. His only solution he thought, is to tear the building down and start all over again, thought it is my understanding the lot is only zoned for three units.

This building has been rented for decades and is a gateway to our neighborhood. I am wondering if there is any way the building could be grandfathered to make all of its units legal, possibly under the Affordability Unlocked program. If the city of Austin is truly interested in making housing as affordable as possible, this solution should make sense, we get to keep older architecture in the neighborhood, the owner has to spend less money and rents for more units than could otherwise be built stay as affordable as possible.

It is my understanding that in 1948, housing was very tight, so construction (and permit enforcement) was probably pretty haphazard. (I once met a woman who had moved into my house in 1948, who said that she and her husband could not find any housing so they had to move in with her mother-in-law here.) What I find strange is that this property could be taxed for all these decades with illegal units and there was never any code enforcement done. It seems ridiculous now to do away with architecturally compatible housing stock that can only turn into less affordable housing due to construction costs. If the city is truly interested in promoting affordable housing, there must be a way to grandfather the two units to make them legal. I hope you can help solve this riddle so that I can present a solution to the owner so that this property does not have to be demolished, and he has to build fewer, less affordable units that may clash with (and doom) the character of my neighborhood.

**509 Texas Ave.**

The owner of this property has filed for a partial demolition permit so that she can add onto her house. The problem here is that her plans would take away the basic historic status of her house by changing the house's façade. I asked if a solution might be to push back the second story front wall so that the façade remains intact (should Texas Ave.

ever apply for the historic status it has been previously surveyed for) and she said that she was told that a third story would violate height restrictions under the McMansion ordinance. Can you tell me if it is possible for a homeowner to get a variance in a case like this for a third story? As you probably well know, every house counts when a neighborhood is trying to get an historic street designation and the idea has been floated with the city in the past.

I look forward to hearing from you.

Sincerely,

Barbara Epstein  
President, Hancock Neighborhood Association  


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