

From: Abbey Ames
To: [Ramirez, Elaine](#)
Subject: Request for delayed hearing; Reference File Name: C15-2022-0043 Address: 509 E 38th Street
Date: Thursday, May 05, 2022 1:46:14 PM

*** External Email - Exercise Caution ***

Hi Elaine,

I am emailing about the following permit/case:

Permit/Case: [2022-000032](#) BA
Reference File Name: C15-2022-0043
Address: 509 E 38th Street

I would like to request a delayed hearing. I have tried to contact the applicant with questions I have regarding her exemption request. I have not heard back, so I do not believe I could give a well-informed opinion at the upcoming meeting about agreement/objection.

Can you let me know you received this? If there is anything else I need to do, please let me know.

Best,

Abbey Ames
508 Texas Ave. Austin, tx 78705
[REDACTED]
713-444-0272

Sent from my iPhone

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From: Sista Irie
To: [Ramirez, Elaine](#)
Cc: [REDACTED]
Subject: Request for Postponement
Date: Thursday, May 05, 2022 3:39:52 PM
Attachments: [city.pdf](#)

*** External Email - Exercise Caution ***

Hello Elaine,

Please find attached my copy of a request to postpone the hearing on May 9 regarding an Easement request for Lisa Gray at Red Door LLC. The property in question is at 509 E 38th Street and can be found by Case Number C15-2022-0043.

The request for postponement is being made because the neighbors closest to this property do not feel we have enough information to allow the request to be approved without us further understanding what it is they are proposing to build. There are young children who live right behind this house and long time home owners who greatly value the less density of our neighborhood, keeping the noise to a minimum and to not encourage additional traffic. People already cut through this very intersection to avoid the Duval light. Anything that will encourage more unnecessary residential traffic is a reduction in quality of life while our property taxes increase at a wildly out of control rate.

Please accept this form as my request for a postponement in an effort to allow the impacted neighbors to meet with the applicant in an effort to understand the reason for the request.

Warm regards,

Beverly Gould Show
Radio host and producer, photojournalist
Co-owner Majesty Media Publicity
Texas Ave Homeowner since 1993.
512-619-1239

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From: Abbey Ames
To: [Ramirez, Elaine](#)
Subject: Re: Request for delayed hearing; Reference File Name: C15-2022-0043 Address: 509 E 38th Street
Date: Sunday, July 10, 2022 11:41:01 PM
Attachments: [image001.png](#)

*** External Email - Exercise Caution ***

Hi Elaine,

I was planning on attending tomorrow's meeting in reference to file C15-2022-0043. Unfortunately I have had to go out of town unexpectedly and won't be able to attend. Could you please add the following to be included in the discussion? Please let me know you received it and will be included.

Thanks,
Abbey
713-444-0272

To Whom It May Concern,

My name is Abbey Ames and I live at 508 Texas Ave, which backs up to 509 E 38th Street. I oppose the proposal for code variance as they have created this conflict with their drawn subdivision plans. Ultimately, I am concerned how this plan would allow them to easily subdivide the lot into a north and south lot. By doing so, the house they intend to build (on south lot) will be closer to my property line and backyard.

There have been some drawings of the current property that indicate trees in "poor health" (on the southernmost property line). I am concerned that, in order to build a house on the proposed southern lot, they will seek to eliminate such tree. They do not appear sick to my untrained eye and I know the city does a wonderful job protecting trees, but I am concerned it will continue to decrease the privacy and charm of neighborhood. I spoke with applicant who said they avoid tearing down trees, but I'm not sure how they can build a house on the south lot without removing some of the existing trees.

Lastly, With the lots not facing 38th, there will be increased parked cars & therefore traffic on Liberty Street, which can already get congested. I recognize the lot can be subdivided. Though I believe their proposed plans will negatively impact my home's value and privacy, which is why I am opposed to the code variance.

Sincerely,
Abbey Ames

Sent from my iPhone

On May 5, 2022, at 1:52 PM, Ramirez, Elaine
<Elaine.Ramirez@austintexas.gov> wrote:

Hi Elaine,

I am emailing about the following permit/case:

Permit/Case: [2022-000032](#) BA
Reference File Name: C15-2022-0043
Address: 509 E 38th Street

I would like to request a delayed hearing. I have tried to contact the applicant with questions I have regarding her exemption request. I have not heard back, so I do not believe I could give a well-informed opinion at the upcoming meeting about agreement/objection.

Can you let me know you received this? If there is anything else I need to do, please let me know.

Best,

Abbey Ames
508 Texas Ave. Austin, tx 78705
[A](#) [REDACTED]
713-444-0272

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ITEM 6/45

August 5, 2022

Board of Adjustment
301 W. 2nd Street
Austin, Texas 78701

RE: Case #C15-2022-0043, 509 E. 38th Street

Dear Chair Cohen, Vice Chair Hawthorne, and Members of the Board of Adjustment,

Preservation Austin exists to empower Austinites to shape a more inclusive, resilient, and meaningful community culture through preservation. We write to you today to respectfully support the owner's request for a variance to subdivide 509 E. 38th Street with a reduced setback requirement in order to retain the existing historic-age home on the lot. The current code requires a setback of 10 feet and the owner requests a reduction to 9 feet and 4 inches. This variance will allow the owners to keep the existing house while creating density in a Central Austin neighborhood through subdivision and infill. If the variance is not granted, the owners of the property will be required to demolish the existing structure before finalizing the subdivision.

The residence at 509 E. 38th Street was built in 1958 and sits on an oversized lot of 14,027 SF. It is an example of a Mid-century Ranch house that is characteristic of post-war American development and exhibits distinctive architectural features such as low-pitch roof lines, limestone veneer, and an oversized chimney. The house is in excellent condition and there is no reason why it cannot continue to serve as a home for future families.

Too often our land development code incentivizes the demolition of existing, more affordable housing stock throughout Central Austin - in this case, because of a mere eight-inch discrepancy. This practice has environmental implications as well. We know based on [our research](#) that construction and demolition debris accounted for 25% of the waste found in Travis County's three municipal solid waste landfills in 2020. If preserved, we believe this property is well suited to serve as an example of best practices in promoting preservation, sustainability, and density by balancing preservation and thoughtful new infill development. In a development climate that incentivizes preservation over demolition, we applaud the owner's efforts to preserve older housing stock, add new housing, and divert landfill waste.

It is for these reasons that Preservation Austin encourages the Board of Adjustment to grant this variance and allow the owners of 509 E. 39th Street to subdivide the lot with a reduced setback of 9 feet and 4 inches.

Thank you for your service to the community,

Linda Y. Jackson, President

Case Reference: C15-2022-0043

Address: 509 E. 38th Street

Letter of Opposition

Submitted by Abbey Ames; 713-444-0272

To Whom It May Concern:

My name is Abbey Ames and I live at 508 Texas Ave, which backs up to 509 E. 38th Street. I oppose the proposal for code variance as they have created this conflict with their drawn subdivision plans. Ultimately, I am concerned how this plan would allow them to easily subdivide the lot into a north and south lot. By doing so, the house they intend to build (on south lot) will be closer to my property line and backyard.

I reached out to Lisa Gray once in early May and she reached out to me once in late May. I wanted to learn more about their plans for the property. Ultimately, I could not tell her that I supported their plans.

There have been some drawings of the current property that indicate trees in "poor health" (on the southernmost property line). I am concerned that, in order to build a house on the proposed southern lot, they will seek to eliminate such tree. They do not appear sick to my untrained eye and I know the city does a wonderful job protecting trees, but I am concerned it will continue to decrease the privacy and charm of neighborhood. I spoke with applicant who said they avoid tearing down trees, but I'm not sure how they can build a house on the south lot without removing some of the existing trees. I do not understand how they will subdivide the lot to north and south, but the original house (on the north lot) will still have the front door facing 38th Street. Lastly, with the lots no longer facing 38th Street, there will be increased parked cars & traffic on Liberty Street, which can already get congested.

Though I recognize the lot can be subdivided, I believe their proposed plans will negatively impact my home and privacy, which is why I am opposed to the code variance. If they seek to subdivide, they have created this problem. I have submitted paperwork for every monthly meeting this case was slated to be discussed (though it was stated "nothing had been sent" in the August meeting), so I want to make sure you see my efforts with this case & hear my opinion as it will impact my home.

Sincerely,

Abbey Ames