

**Citizen Assistance Form**  
CAF 13196 - Email Response  
October 1, 2018

Citizen: Barbara Epstein  
[bepstein@grandecom.net](mailto:bepstein@grandecom.net)

Dear Ms. Epstein:

Thank you for your email concerning your neighbor's new accessory structure at 4007 Duval Street, and the possibility of the owner operating a Short-Term Rental (STR) in the future from that structure. On behalf of Council District 9 and the Austin Code Department (ACD), please allow me to update you on the investigations related to this situation.

A review of the City of Austin case management database was conducted of the property located at 4007 Duval St. and the building permit (2018 070824 000 00 BP) consistent with this remodel was verified with the following notes: *"the interior remodel consists of adding a bathroom and kitchenette (not full kitchen-no sink allowed) to previously converted garage space. Converting legal non-complying accessory garage to conditioned accessory flex space ONLY. A dwelling unit is NOT permitted. Reference drawings for condition (no plumbing allowed/no sink allowed outside of full bathroom/no kitchen allowed) have been provided."*

According to the STR licensing and registration criteria, any rental used under the STR ordinance must have a Certificate of Occupancy and meet the definition of a dwelling unit. A dwelling unit is defined by code as a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. The accessory structure referred to at 4007 Duval Street does not meet the criteria for an STR operating license therefore, cannot be used as a STR. If you find that your neighbor does in fact begin operating a short term rental, please do not hesitate to contact 3-1-1 to file a complaint and ACD will investigate the property, and take necessary appropriate action.

Again, thank you for bringing your concerns to our attention. Should you have any further questions, please contact Code Supervisor, Michael Dial by phone at 512-974-3597 or via email at [Michael.Dial@austintexas.gov](mailto:Michael.Dial@austintexas.gov).

Sincerely,

Todd Wilcox, Division Manager  
Austin Code Department

cc: Nicole Huff, Executive Secretary, Council District 9  
Cora D. Wright, Director, Austin Code Department  
José G. Roig, Assistant Director, Austin Code Department  
Michael Dial, Code Supervisor, Austin Code Department