

ZONING CHANGE REVIEW SHEET

CASE NUMBER: C14H-2009-0028

HLC DATE:

September 28, 2009

PC DATE:

November 10, 2009

APPLICANTS: Michael and Tracy DiLeo, owners

HISTORIC NAME: Martin-Sharp House

WATERSHED: Shoal Creek

ADDRESS OF PROPOSED ZONING CHANGE: 1701 Niles Road

ZONING FROM: SF-3 to SF-3-H

SUMMARY STAFF RECOMMENDATION: Staff recommends the proposed zoning change from family residence (SF-3) district to family residence – Historic Landmark (SF-3-H) combining district zoning.

HISTORIC LANDMARK COMMISSION ACTION: Recommended the proposed zoning change from family residence (SF-3) district to family residence – Historic Landmark (SF-3-H) combining district zoning. Vote: 4-0 (Limbacher ill).

PLANNING COMMISSION ACTION: Recommended the proposed zoning change from family residence (SF-3) district to family residence – Historic Landmark (SF-3-H) combining district zoning. Vote: 8-0.

DEPARTMENT COMMENTS: The house is listed as a Priority 2 for research in the Comprehensive Cultural Resources Survey (1984).

CITY COUNCIL DATE: December 10, 2009

ACTION:

ORDINANCE READINGS: 1ST 2ND 3RD

ORDINANCE NUMBER:

CASE MANAGER: Steve Sadowsky

PHONE: 974-6454

NEIGHBORHOOD ORGANIZATION: Old Enfield Homeowners Association

BASIS FOR RECOMMENDATION:

The ca. 1925 house is a good example of Italian Renaissance style and is associated with John L. Martin, a prominent plumbing and heating contractor, and John H. Sharp, a prominent judge.

Architecture:

Two-story irregular-plan hipped roof brick house with an Italian Renaissance design. The front elevation is symmetrical with an elaborate stone surround consisting of a flat pilaster on each side of the door and a reeded cornice frieze above the door. The windows on the ground floor of the house are horizontally-oriented fixed sash windows with a multi-light band above. Windows on the second floor are single and paired 1:1s with Craftsman-styled screens. The roof of the house is red

clay tile and has deep eaves with brackets; a single- and two-story porch wraps around the left side of the house.

Historical Associations:

The house was built around 1925 for John L. and Estelle Martin, who had purchased the property in 1923 from Niles Graham and Paul and Margaret Crusemann, heirs to the Pease Estate, out of which the Enfield subdivision was established. John L. Martin was a prominent heating and plumbing contractor who opened his business in the 400 block of Congress Avenue around 1905. When Southwestern Bell vacated the two-story building next to Martin's shop in 1923, Martin moved his business into that building, and constructed a new warehouse facing Colorado Street directly behind his new building. The warehouse has more recently served several restaurant uses, including Gilligan's and the Starlite. The 1930 U.S. Census shows John L. and Estelle Martin at this address; the house is listed as being worth \$35,000. John L. Martin was then 50 years old; Estelle was 39. John had been born in Alabama; Estelle had been born in Tennessee. John was listed as the owner of a plumbing and electrical business. With them lived John's nephew, Earl Dwyer, an 18-year old who had been born in Arkansas and worked as a salesman for John L. Martin. The Martins also had a servant, Inger Frennesson, who had been born in Texas, but whose father was Swedish. The 1920 U.S. Census report reveals that John L. Martin was a lodger living in the home of an Etta Sartin. He was listed as being divorced. His occupation was listed as the proprietor of a plumbing business.

When John L. Martin passed away in July, 1942, his widow, Estelle, stayed in the house for two more years, then sold the property to Paul F. and Lottie Melton. Melton was the general manager of the Driskill Hotel. He and Lottie lived here until 1947, when they sold the house to John H. and Eula Sharp. John H. Sharp, a native of Robertson County, Texas, graduated from Southwestern University in Georgetown, studied law, and was admitted to the bar in 1898. He practiced in Ennis, Ellis County, where he also served as mayor and president of the school board. He built an impressive career as a trial attorney, and was appointed by Governor Dan Moody to the Supreme Court Commission of Appeals in 1929. In 1934, he was elected Associate Justice of the Supreme Court of Texas, a position he retained until his retirement in 1952; he lived in this house from 1948 until his death in 1957. After John H. Sharp passed away, Eula remained in the house until the mid-1970s. A physician, Nelson Avery, and his wife Marty, owned and occupied the house in the 1980s, and sold the house to Berthold M. and Emily Haas. Berthold Haas is a noted German-born artist, who studied in Berlin, and came to the United States in 1975 to paint. He is now much better known for his work in stone and sculpture, having crafted stone fireplaces, grottoes, and mosaic sculptures, and most recently, the art wall in Sparky Park, a newly-designated pocket park and historic landmark in the North University neighborhood on Grooms Street.

The current owners are Michael and Tracy DiLeo. Michael grew up in New York and California, and is a writer, having published articles in Texas Monthly, Rolling Stone, Mother Jones, and other magazines. He conducts creative writing workshops in public schools and has taught English and creative writing at the Austin Waldorf

High School. Tracy DiLeo is originally from Laredo, and has taught painting at the Austin Waldorf High School. They purchased this house in 1994.

PARCEL NO.: 01120201040000

LEGAL DESCRIPTION: Lot 98, Enfield C

ANNUAL TAX ABATEMENT: \$19,407 (owner-occupied); city portion: \$3,156 (capped).

APPRAISED VALUE: \$1,425,000

PRESENT USE: Single-family residence.

CONDITION: Excellent

PRESENT OWNERS:

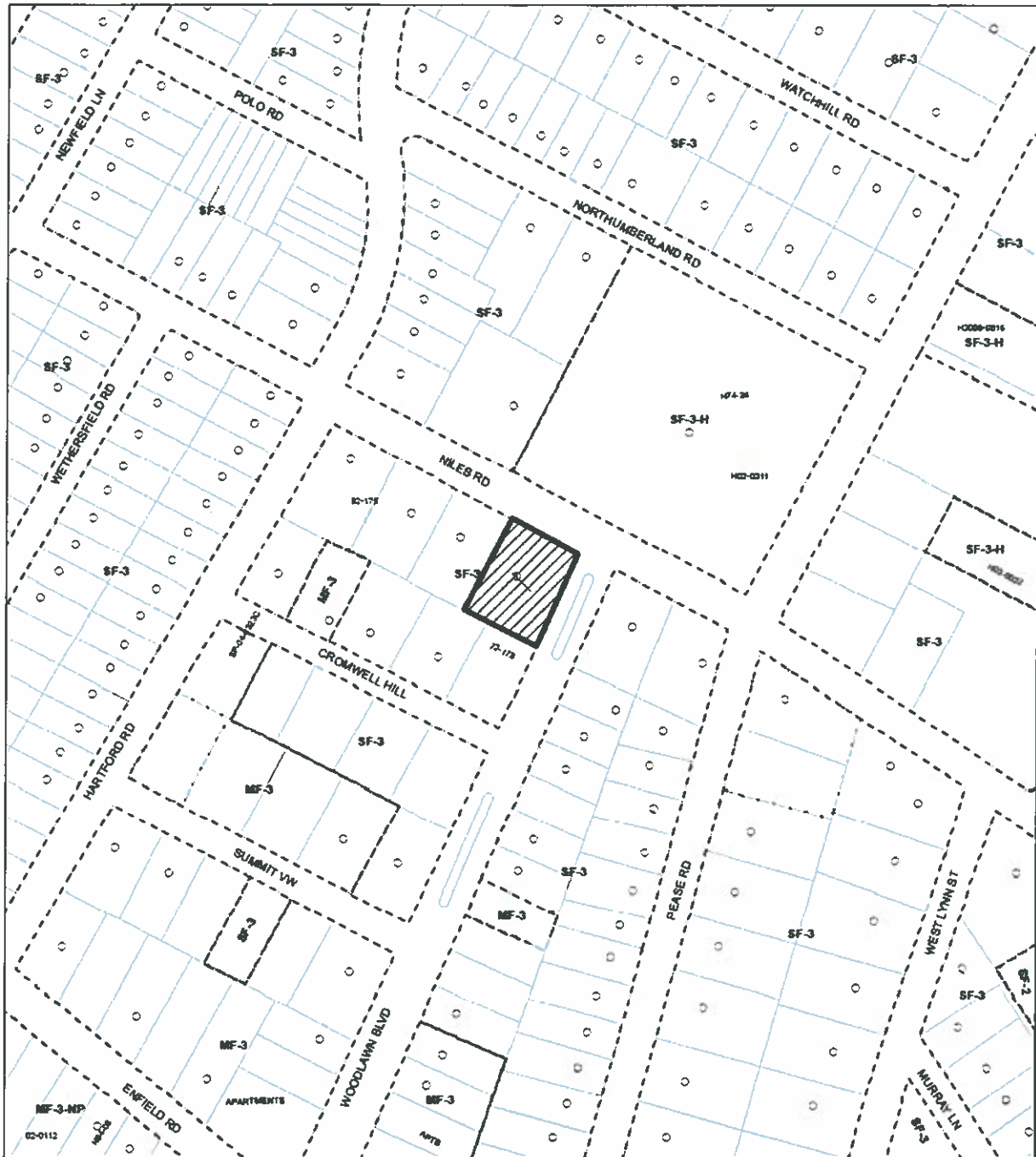
Michael J. and Tracy K. DiLeo
9 (1701) Niles Road
Austin, Texas 78703

DATE BUILT: ca. 1925




ALTERATIONS/ADDITIONS: None.

ORIGINAL OWNER(S): John L. and Estelle Martin (1925)

OTHER HISTORICAL DESIGNATIONS: None.



1" = 200'

-  **SUBJECT TRACT**
-  **ZONING BOUNDARY**
-  **PENDING CASE**

OPERATOR: S. MEEKS

HISTORIC ZONING

ZONING CASE#: C14H-2009-0028
 ADDRESS: 1701 NILES RD
 SUBJECT AREA: 0.000 ACRES
 GRID: H24
 MANAGER: S. SADOWSKY



This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

9 Niles Road
 ca. 1925





OCCUPANCY HISTORY 9 (1701) Niles Road

City Directory Research, Austin History Center
By City Historic Preservation Office
September, 2009

1992	Berthold M. Haas, renter No occupation listed NOTE: The address is listed as 1701 Niles Road.
1987	Vacant NOTE: The address is listed as 9 Niles Road.
1983	Nelson and Marty Avery, owners Physician
1979	Nelson and Marty Avery, owners Physician
1975	Eula L. Sharp, owner Widow, John H. Sharp No occupation listed
1971	Eula L. Sharp, owner Widow, John H. Sharp Retired
1967	Eula L. Sharp, owner

	Widow, John H. Sharp No occupation listed
1963	Eula L. Sharp, owner Widow, John H. Sharp No occupation listed
1959	Eula L. Sharp, owner Widow, John H. Sharp No occupation listed
1955	John H. and Eula Sharp, owners No occupation listed
1952	John H. and Eula Sharp, owners Associate justice, State Supreme Court
1949	John H. and Eula Sharp, owners Associate justice, State Supreme Court
1947	Paul F. and Lottie Melton, owners No occupation listed
1944-45	Mrs. Estelle L. Martin, owner Widow, John L. Martin No occupation listed NOTE: Paul F. Melton is listed as the general manager of the Driskill Hotel and lived there.
1942	John L. and Estelle Martin, owners Plumbing, heating and electrical supplies, Stewart-Warner Refrigerators, 410 Congress Avenue.
1940	John L. and Estelle Martin, owners Plumbing, heating and electrical supplies, Stewart-Warner Refrigerators, 410 Congress Avenue.
1937	John L. and Estelle Martin, owners Plumbing, heating and electrical supplies, Stewart-Warner Refrigerators, 410 Congress Avenue.
1935	John L. and Estelle Martin, owners Plumbing, heating and electrical supplies, Stewart-Warner Refrigerators, 410 Congress Avenue.
1932-33	John L. and Estelle Martin, owners Plumbing, heating and electrical supplies, General Electric Refrigerators, 410 Congress Avenue.
1930-31	John L. and Estelle Martin, owners Plumbing, heating and electrical supplies, 410 Congress Avenue.
1929	John L. and Estelle Martin, owners Plumbing, heating and electrical supplies, 410 Congress Avenue.

- 1927 John L. and Estelle Martin are listed as living on Niles Road at the corner of Woodlawn, which corresponds to this house, although the addresses on Niles Road were not yet established.
Plumbing, heating and electrical supplies, 410 Congress Avenue.
- 1924 No houses are listed on Niles Road. John and Estelle Martin are listed as living at 217 W. 9th Street. His business was plumbing, heating, and electrical supplies, with an address of 410 Congress Avenue.

No building or utility permit records exist for this address.

A. APPLICATION FOR HISTORIC ZONING

R w ID #
10320544

OK to go
SS
7-28-09

PROJECT INFORMATION:

DEPARTMENTAL USE ONLY	
APPLICATION DATE: <u>07/21/2009</u>	FILE NUMBER(S): <u>C144-2009-0028</u>
TENTATIVE HLC DATE: _____	
TENTATIVE PC or ZAP DATE: _____	
TENTATIVE CC DATE: _____	CITY INITIATED: YES / NO
CASE MANAGER: <u>Steve Sedore</u>	ROLLBACK: YES/NO
APPLICATION ACCEPTED BY: <u>Shen Pape</u>	

BASIC PROJECT DATA:

1. OWNER'S NAME: <u>Michael & Tracy Niles</u>	
2. PROJECT NAME: <u>The Martin-Sharp House</u>	
3. PROJECT STREET ADDRESS (or Range): <u>#9 Niles Road</u>	
ZIP: <u>78703</u> COUNTY: <u>Travis</u>	
IF PROJECT ADDRESS CANNOT BE DEFINED ABOVE:	
LOCATED _____	FRONTAGE FEET ALONG THE N. S. E. W. (CIRCLE ONE) SIDE OF
APPROXIMATELY _____	(ROAD NAME PROPERTY FRONTS ONTO), WHICH IS
INTERSECTION WITH _____	DISTANCE FROM ITS CROSS STREET.

Washed-Town Lake
Grid H-24

AREA TO BE REZONED:

4. ACRES _____	(OR)	SQ.FT. _____
5. ZONING AND LAND USE INFORMATION:		
EXISTING ZONING <u>SF-3</u>	EXISTING USE <u>Residence</u>	TRACT# (IF MORE THAN 1) _____
_____	_____	_____
_____	_____	_____
		ACRES / SQ. FT. _____
		PROPOSED USE <u>Residence</u>
		PROPOSED ZONING <u>SF-3-H</u>

RELATED CURRENT CASES:

6. ACTIVE ZONING CASE? (YES/NO) <u>NO</u>	FILE NUMBER: _____
7. RESTRICTIVE COVENANT? (YES/NO) <u>NO</u>	FILE NUMBER: _____
8. SUBDIVISION? (YES/NO) <u>NO</u>	FILE NUMBER: _____
9. SITE PLAN? (YES/NO) <u>NO</u>	FILE NUMBER: _____

PROPERTY DESCRIPTION (SUBDIVISION REFERENCE OR METES AND BOUNDS):

10a. SUBDIVISION REFERENCE: Name: Enfield C.
Block(s) _____ Lot(s) 98 Outlot(s) _____
Plat Book: _____ Page _____
Number: _____
10b. METES AND BOUNDS (Attach two copies of certified field notes if subdivision reference is not available or zoning includes partial lots)

DEED REFERENCE CONVEYING PROPERTY TO PRESENT OWNER AND TAX PARCEL I.D.:

11. VOLUME: _____ PAGE: _____ TAX PARCEL I.D. NO. 01120201040000

OTHER PROVISIONS:

12. IS PROPERTY IN A ZONING COMBINING DISTRICT / OVERLAY ZONE? YES (NO)
TYPE OF COMBINING DIST/OVERLAY ZONE (NCCD, NP, etc) _____
13. LOCATED IN A LOCAL OR NATIONAL REGISTER HISTORIC DISTRICT? (YES) NO
14. IS A TIA REQUIRED? YES (NO) (NOT REQUIRED IF BASE ZONING IS NOT CHANGING)
TRIPS PER DAY: _____
TRAFFIC SERIAL ZONE(S): _____

OWNERSHIP TYPE:

15. ☒ SOLE ☐ COMMUNITY PROPERTY ☐ PARTNERSHIP ☐ CORPORATION ☐ TRUST
If ownership is other than sole or community property, list individuals/partners/principals below or attach separate sheet.

OWNER INFORMATION:

16. OWNER CONTACT INFORMATION
SIGNATURE: Michael & Tracy Dileo NAME: Michael & Tracy Dileo
FIRM NAME: _____ TELEPHONE NUMBER: 479-6575
STREET ADDRESS: #9 Niles Road
CITY: Austin STATE: Texas ZIP CODE: 78703
EMAIL ADDRESS: mjdileo@mindspring.com

AGENT INFORMATION (IF APPLICABLE):

17. AGENT CONTACT INFORMATION
SIGNATURE: Suzanne Decker NAME: Suzanne Decker
FIRM NAME: _____ TELEPHONE NUMBER: 477-2929
STREET ADDRESS: 2502 Harris Blvd
CITY: Austin STATE: Tx ZIP CODE: 78703
CONTACT PERSON: _____ TELEPHONE NUMBER: _____
EMAIL ADDRESS: Suzanne@grandecomm.net

DEPARTMENTAL USE ONLY: _____

D. SUBMITTAL VERIFICATION AND INSPECTION AUTHORIZATION

SUBMITTAL VERIFICATION

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that proper City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc., may delay the proper review of this application.

PLEASE TYPE OR PRINT NAME BELOW SIGNATURE AND
INDICATE FIRM REPRESENTED, IF APPLICABLE.

S. Deaderick 7-29-09
Signature Date

Suzanne Deaderick
Name (Typed or Printed)

Firm (If applicable)

INSPECTION AUTHORIZATION

As owner or authorized agent, my signature authorizes staff to visit and inspect the property for which this application is being submitted.

PLEASE TYPE OR PRINT NAME BELOW SIGNATURE AND
INDICATE FIRM REPRESENTED, IF APPLICABLE.

Michael Dileo ←
Signature Date

Michael Dileo
Name (Typed or Printed)

Firm (If applicable)

E. ACKNOWLEDGMENT FORM

concerning
Subdivision Plat Notes, Deed Restrictions,
Restrictive Covenants
and / or
Zoning Conditional Overlays

I, Suzanne Deaderick have checked for subdivision plat notes, deed restrictions,
(Print name of applicant)

restrictive covenants and/or zoning conditional overlays prohibiting certain uses and/or requiring certain development restrictions i.e. height, access, screening etc. on this property, located at

#9 Niles Road
(Address or Legal Description)
Austin, Tx. 78703

If a conflict should result with the request I am submitting to the City of Austin due to subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional overlays it will be my responsibility to resolve it. I also acknowledge that I understand the implications of use and/or development restrictions that are a result of a subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional overlays.

I understand that if requested, I must provide copies of any and all subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional overlay information which may apply to this property.

Suzanne Deaderick
(Applicant's signature)

7-29-07
(Date)

TAX CERTIFICATE
Nelida Wells Spears
Travis County Tax Assessor-Collector
P.O. Box 1748
Austin, Texas 78767
(512) 854-9473

NO 1041384

ACCOUNT NUMBER: 01-1202-0104-0000

PROPERTY OWNER:

DILEO MICHAEL J &
TRACY KILLAM DILEO
9 NILES RD
AUSTIN, TX 78703-3138

PROPERTY DESCRIPTION:

LOT 98 ENFIELD C

ACRES 0.000 MIN* .00000 TYPE

SITUS INFORMATION: 9 NILES RD

This is to certify that after a careful check of tax records of this office, the following taxes, delinquent taxes, penalties and interests are due on the described property of the following tax unit(s):

YEAR	ENTITY
2008	AUSTIN ISD
	CITY OF AUSTIN (TRAV)
	TRAVIS COUNTY
	TRAVIS COUNTY HEALTHCARE DISTRICT
	ACC (TRAVIS)

TOTAL	
ALL PAID	
ALL PAID	
ALL PAID	
ALL PAID	
ALL PAID	

TOTAL SEQUENCE 0

ALL PAID

TOTAL TAX:
UNPAID FEES:
INTEREST ON FEES:
COMMISSION:
TOTAL DUE ==>

ALL PAID	
* NONE *	
* NONE *	
* NONE *	
ALL PAID	

TAXES PAID FOR YEAR 2008 \$30,572.50

ALL TAXES PAID IN FULL PRIOR TO AND INCLUDING THE YEAR 2008 EXCEPT FOR UNPAID YEARS LISTED ABOVE.

The above described property may be subject to special valuation based on its use, and additional rollback taxes may become due. (Section 23.55, State Property Tax Code).

Pursuant to Section 31.08 of the State Property Tax Code, there is a fee of \$10.00 for all Tax Certificates.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS DATE OF 07/14/2009

Fee Paid: \$10.00

Nelida Wells Spears
Tax Assessor-Collector

By: Andrea Copeland

DEED CHAIN

Lot 98, Enfield "C"

Plat 3/106

371/575 – dated 8-13-1923 – Graham/Crusemann to John L. Martin

748/239 – dated 10-2-1944 – Estelle Martin (widow) to Paul F. Melton and Lottie Gray Melton

848/121 – dated 3-31-1947 – Paul F. Melton and Lottie Gray Melton to John H. Sharp

6184/1556 – dated 6-1-1978 – Estate of John Henry Sharp to Dr. A. Nelson Avery and Marty Avery

6184/1558 – dated 6-1-1978 – Heirs of Sharp to Dr. A. Nelson Avery and Marty Avery

8336/624 – dated 11-1-1983 – Marty Avery to A. Nelson Avery, M.D.

10751/767 – dated 8-5-1988 – A. Nelson Avery to Berthold M. Haas and Emily T. Haas

12102/1122 – 1-13-1994 – Berthold M. Haas and Emily T. Haas to Michael J. Dileo and Tracy Killam Dileo

Current through 7-13-2009

**Chronological Listing of Owners/Occupants
#9 Niles Road**

Year	Occupant Name	Source
1929-41	J.L. Martin	City Directory
1943-46	Estelle L. Martin	City Directory
1947	Paul F. Melton	City Directory
1949-59	John H. Sharp	City Directory
1960-75	Mrs. Eula L. Sharp	City Directory
1978-88	Nelson Avery	City Directory
1989-94	Emily & Berthold M. Haas	City Directory
1994-present	Michael & Tracy DiLeo	City Directory

Biography of John L. Martin (1874-1942)

After working as an apprentice plumber for W. A. Burke Plumbers, John L. Martin opened the John L. Martin Plumbing Company at 408 Congress Avenue in 1905. The building was owned by Southwestern Bell Telephone Company. When Ma Bell moved to their new building in 1922, Martin bought the Congress Avenue building and renamed the building after himself. The property remained in the Martin family until 1976, when it became a City of Austin historic landmark, and in 1977, a Texas historic landmark.

The 1922 and 1924 city directories show John L. Martin residing at 217 W. 8th Street.

Martin bought the lot at #9 Niles Road on 8-13-1923, and probably built the house between 1925 and 1926. There are no city directories for those years.

Biography of Paul Melton

The city directory of 1944-45 shows Paul Melton as the General Manager of the Driskill Hotel, residing at the hotel until he moved into #9 Niles Road after he purchased it on 10-2-1944.

Biography of John Henry Sharp (1874-1957)

John H. Sharp was born April 25, 1874 on a farm near the settlement of Nesbitt, in Robertson County, Texas, the son of Andrew and Mollie (Brown) Sharp. He entered Southwestern University at Georgetown in 1893, graduating with a B.A. degree in 1897. He studied law in the office of an older lawyer in Franklin and was admitted to the bar in 1898. He began the practice of law in Ennis in 1900 where he also became mayor and long-time president of the school board. He married Eula King on June 6, 1906. His reputation as a trial lawyer led to his appointment to the Supreme Court Commission of Appeals by Governor Dan Moody⁹⁷ in October 1929. In 1934 he was elected Associate Justice of the Supreme Court of Texas where he remained through three six-year elective terms until 1952 when he retired, having completed 23 years as a member of the Supreme Court. He was a Democrat, a Mason, and a member of the Baptist Church.⁹⁸ He died on November 20, 1957, at his home in Austin and is buried in the Supreme Court section of the State Cemetery in Austin. He was survived by his wife and two daughters, Lucille and Helen Sharp, who both married lawyers.

Judge Sharp wrote 512 opinions for the Supreme Court, cited hundreds of times.

Southwestern University awarded him an honorary Doctor of Civil Laws degree in 1951. His professional and personal accomplishments were extensively reviewed in a Memorial Ceremony in the Supreme Court of Texas on March 29, 1958, and are now recorded on fourteen pages of *The Texas Reports* of the Supreme Court of Texas.

Judge Sharp was one of nine children of Andrew Jackson Sharp (1838–1928) who had been a gunner in the famous duel between the *Monitor* and the *Merrimac* (renamed *C.S.S. Virginia*),

in March 1862 in Hampton Roads, Virginia. His account of the battle included a graphic description of the scuttling of the *Virginia* in which alcohol played a disastrous part. After the war he returned briefly to the family farm in Alabama, found it grown up in little pine trees instead of cotton, married his pre-war sweetheart in Louisiana, then migrated to Texas in a wagon train, finally settling in Robertson County in an area known as Beck's Prairie. He became a successful farmer and lived to be the oldest survivor of the *Monitor-Merrimac* battle, an event which rendered wooden warships in the world obsolete.

Biography of Nelson Avery, M.D.

Nelson Avery is a physician at the University of Texas Medical Branch (UTMB). Dr. Avery is a professor in the Department of Preventative Medicine and Community Health as well as in Family and Internal Medicine.

His responsibilities as a faculty member include developing and implementing occupational medicine and clinical and didactic experiences at UTMB and other locations.

Dr. Avery's publications include:

Motorola/Intel Conference, "Chemical Case Management," Phoenix, Arizona, 1996

Semiconductor Safety Association Annual Meeting '96, "Medical Concerns of the Semiconductor Industry," San Diego, California, 1996

Semiconductor Safety Association Annual Meeting '95, "Treatment of Workers Exposed to Toxic Materials," Phoenix, Arizona, 1995

Biography of Berthold Haas

Berthold Haas is a sculptor and stone worker living and working in Austin, Texas. His career in the arts began as a child, with an apprenticeship under his father, a painter and sculptor with private and religious commissions in Southern Germany. Raised in the rich cultural regions of Southern Germany, Switzerland and Alsace/Lorraine, Berthold studied at the *Academy of Fine Arts* (Hochschule fuer Bildende Kuenste) in West Berlin, worked under the sculptor Harro Jacobs, and the painter Hann Trier, a well-known first generation abstract expressionist in Germany.

In 1975, Berthold moved to the United States and pursued a career in painting, while teaching at the Otis-Parsons School of Design. His career encompasses a broad range of mediums including painting sculpture, stone work and furniture design. Today, he prefers to work with stone and is well known for his limestone fireplaces, grottoes, landscapes and mosaic sculptures. Berthold's work is featured in numerous broadcasts and publications and represented in major private and public collections internationally as well as in Austin.

Biography of Emily Tracy Haas

Former opera singer Emily Tracy Haas is now a landscape artist, specializing in shell designs. She and Berthold are the parents of actor Lukas Haas.

Biographies of Michael & Tracy DiLeo

Michael and Tracy DiLeo have lived in Austin since 1994. They were married in 1984 in Laredo, Texas, and lived in San Antonio and San Francisco before moving here. They have two sons, Nicholas, who was born in 1990, and Joseph, born in 1993.

Michael grew up in New York, but lived in California for many years. He received his B.A. from Duke University and holds a Master's degree in History from UCLA and an MFA in Creative Writing from Warren Wilson College. He has written articles for Texas Monthly, American Way, Rolling Stone, Mother Jones, and other magazines. His articles have won the Lowell Thomas National Travel Writers award, the Dallas Press Club Katie award, and been anthologized in "Best American Sportswriting." He is the co-author of two books, "Two Californias," and "Headwaters: Tales of the Wilderness," both published by Island Press. Since 2000, Michael has taught English and Creative Writing at the Austin Waldorf High School, now teaching only part-time there. He also conducts creative writing workshops in public high schools through the Badgerdog organization. He has served on the board of directors of the Save Our Springs Alliance, the Greater Edwards Aquifer Alliance, and the Austin Waldorf School.

Tracy Killam DiLeo was born in Laredo, Texas, and received her B.A. from Wesleyan University. She attended The Skowhegan School of Art in Maine and designed sets for three Off-Off Broadway plays in New York City. Her painting work has been recognized by the New American Talent show at the Austin Museum of Art, and she has taught painting at the Austin Waldorf High School.

Austin History Center

Form No. 27

AUSTIN, TEXAS,

1913

M

D. B. Castel

501 2/17

STEAM
AND HOT WATER
HEATING

To **John L. Martin, Dr.**

SANITARY PLUMBING

408 CONGRESS AVE.

AUTOMATIC
HEATERS

ELECTRIC CONSTRUCTION

BOTH PHONES 320

LIGHTING FIXTURES

*2/4 solder & pipe
2 bibb work
plb*

*10
05*

Form No.

AUSTIN, TEXAS,

12 - 31 1913

M

AUTOMATIC HEATERS

D. B. Castel

ALL WORK
GUARANTEED

To **John L. Martin, Dr.**

SANITARY PLUMBING AND HEATING

A full line of Electric and Gas Fixtures in Stock
Water Closets, Sinks, Bath Tubs, Lavatories
Gas, Steam, and Hot Water Fittings

408 CONGRESS AVENUE

BOTH PHONES 320

Electric Wiring and Construction Work
Dealer in Pipe and Fittings, Hose, Brass
Goods, Sewer Pipe, Electric Supplies, Fans, Etc.

Are.

*2/7/14
Paid
Jno Martin*

Jno. L. Martin,
 PLUMBER and ELECTRICIAN.
 418 Congress. Phones 820.

PLUMBING.
 When in need of plumbing, hot water,
 gas and electric work, see Martin. He's
 the man that will give you prompt
 service and low prices. Phone 820.
JNO. L. MARTIN.
 418 Congress Avenue.

John L. Martin
40-Year Business
Man Here, Dies
Funeral Services Are
Scheduled Tuesday At
10 a. m. at His Home

John L. Martin, 9 Niles road, prominent Austin business man for almost 40 years, died at his home Sunday at 5 p. m.

Martin, who lived in Austin all his life, has been an outstanding plumbing and electrical contractor here since 1904.

Survivors are his widow and one son, John L. Martin Jr., of Austin.

Funeral services will be held at the residence Tuesday at 10 a. m. with the Rev. Flynn Long officiating.

Burial will be in Oakwood cemetery.

Martin Rites Set Tuesday

John L. Martin, lifelong resident of Austin, died at his home at 9 Niles road, at 3 p. m. Sunday. He is survived by his widow, Mrs. Estelle Martin of Austin; one son, John L. Martin of Austin; three nephews, Roland and Roy Moore, Don Martin; one niece, Miss Ruth Phillips; two grandchildren, all of Austin. Funeral services will be held from the residence at 10 a. m. Tuesday with Dr. Flynn Long officiating.

Burial will be in Oakwood. Pallbearers will be J. R. McCullough, Henry Nicholson, Roy Parker, Ray Earl Dwyer, Roland Moore and Dan Martin. Honorary pallbearers will be all members of Rotary club and all his friends.

SHARP, JOHN HENRY (1874–1957). John H. Sharp, judge, was born April 25, 1874, on a farm near the settlement of Nesbitt, in Robertson County, Texas, the son of Andrew and Mollie (Brown) Sharp. He entered Southwestern University at Georgetown in 1893, graduating with a B.A. degree in 1897. He studied law in the office of an older lawyer in Franklin and was admitted to the bar in 1898. He began the practice of law in Ennis in 1900 where he also became mayor and long-time president of the school board. He married Eula King on June 6, 1906. His reputation as a trial lawyer led to his appointment to the Supreme Court Commission of Appeals by Governor Dan Moody^{qv} in October 1929. In 1934 he was elected Associate Justice of the Supreme Court of Texas where he remained through three six-year elective terms until 1952 when he retired, having completed 23 years as a member of the Supreme Court. He was a Democrat, a Mason, and a member of the Baptist Church.^{qv} He died on November 20, 1957, at his home in Austin and is buried in the Supreme Court section of the State Cemetery in Austin. He was survived by his wife and two daughters, Lucille and Helen Sharp, who both married lawyers.

Judge Sharp wrote 512 opinions for the Supreme Court, cited hundreds of times. Southwestern University awarded him an honorary Doctor of Civil Laws degree in 1951. His professional and personal accomplishments were extensively reviewed in a Memorial Ceremony in the Supreme Court of Texas on March 29, 1958, and are now recorded on fourteen pages of *The Texas Reports* of the Supreme Court of Texas.

Judge Sharp was one of nine children of Andrew Jackson Sharp (1838–1928) who had been a gunner in the famous duel between the *Monitor* and the *Merrimac* (renamed *C.S.S. Virginia*), in March 1862 in Hampton Roads, Virginia. His account of the battle included a graphic description of the scuttling of the *Virginia* in which alcohol played a disastrous part. After the war he returned briefly to the family farm in Alabama, found it grown up in little pine trees instead of cotton, married his pre-war sweetheart in Louisiana, then migrated to Texas in a wagon train, finally settling in Robertson County in an area known as Beck's Prairie. He became a successful farmer and lived to be the oldest survivor of the *Monitor-Merrimac* battle, an event which rendered wooden warships in the world obsolete.

BIBLIOGRAPHY: "John H. Sharp Memorial," *Texas Bar Journal* 21 (January 22, 1958). Thomas J. Cutler, "A Duel of Iron," *Naval History* (August 2004, October 2004). Oral history by Georgia Sharp (Gray) Page, c. 1955. Vertical files, Center for American History, University of Texas at Austin.

Thomas D. Anderson



For Sharp, John H.



Austin History Center Judge John H. Sharp

OF ELLIS COUNTY

now a member of the Supreme Court, Commission of Appeals, Candidate for

ASSOCIATE JUSTICE OF THE SUPREME COURT.

Judge Sharp is committed to a program of avoiding undue delays in the Supreme Court and that technicalities not obstruct justice. Was born and reared in Robertson County, Texas, educated in the public schools and Southwestern University, Georgetown, Texas. Practiced law more than twenty-five years before appointment on the bench.

Endorsed by members of the bar in Bell, Dallam, Ellis, Brazoria, Burleson, Cherokee, Matagorda, Navarro, Hunt, Nacogoches, Grayson, Jefferson, Limestone, Walker, Dallas, Williamson, Collin, Wharton, Austin, Fayette, Gregg, El Paso, Harris, McLennan, Chambers, Freestone, Hardin, Hill, Jasper, Kaufman, Leon, Madison, Newton, Panola, Shelby, San Jacinto, Waller, Washington, Willacy, Van Zandt and many other counties.

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City of Austin
Art in Public Places - Cultural Arts Division
Economic Growth and Redevelopment Services Office



For Immediate Release: March 18, 2009
Contact: Megan Crigger, Art In Public Places Administrator, (512) 974-9312

Art in Public Places announces

Grotto Wall at Sparky Park by **Berthold Haas**

Austin, TX-- The City of Austin Art in Public Places (AIPP) program presents *Grotto Wall at Sparky Park*, a masonry "artwall" by artist, **Berthold Haas**, commissioned for Sparky Park, a new pocket park located at 3701 Grooms Street, in North Central Austin. The North University Neighborhood Association will host a public art dedication and opening ceremony for the park on **Saturday, March 28, 2009, 10:00-11:00 a.m.**, at Sparky Park, 3701 Grooms Street. The event is free to the public and will include refreshments, live music and a costume parade for kids (with prizes for the "sparkliest" costume).



© Berthold Haas. 2008: Photo by: Liz Hernandez

Art in Public Places (AIPP), in collaboration with the North University Neighborhood Association (NUNA), commissioned **Berthold Haas** to create permanent public art for a former Austin Energy substation site that was recently transformed to a public park. Named by residents for the electrical sparks that sometimes came from the substation, **Sparky Park** was converted into parkland by the City's Parks and Recreation Department. In one corner of the park, several communication towers remain, surrounded by a curvilinear cinderblock wall that became the focal point for the public art project.

Grotto Wall at Sparky Park transforms an existing cinderblock wall into a sculptural landscape of trees and curiosities. Stone harvested and donated from a ranch in the Hill Country is laid in horizontal layers, alluding to an open landscape. Whimsical trees, constructed with petrified wood and stone, resonate with the natural trees in the park. Berthold worked closely with the neighborhood throughout the making of *Grotto Wall*. Objects contributed by residents are playfully embedded in the wall, sometimes revealed in the seashell canopies of trees as if they were fruit. Arches extend from the wall and rest on columns that define passageways for discovery. The columns are crowned by reflective gazing balls and sections of the old substation's energy



© Berthold Haas, 2008; Photo by: Liz Hernandez

towers. Mementos of the parkland's history characterize Berthold's mélange, telling the story of the pocket park and the community who made it happen.

Sparky Park is a new pocket park in the North University Neighborhood and the site of the former North Austin Substation. Decommissioned by Austin Energy in the spring of 2005, all equipment was cleared and the land was deeded to the City's Parks and Recreation Department to be converted for use as a public park as provided by the Central Austin Neighborhood Plan. Sparky Park is the first pocket park to be created through a public/private partnership in Austin and a

collaborative effort of many stakeholders including the North University Neighborhood Association, Art in Public Places, the Parks and Recreation department, Austin Energy and supported in part the Austin Parks Foundation, T-Mobile and Sprint.

Berthold Haas is a sculptor and stone worker living and working in Austin, Texas. His career in the arts began as a child, with an apprenticeship under his father, a painter and sculptor with private and religious commissions in Southern Germany. Raised in the rich cultural regions of Southern Germany, Switzerland and Alsace/Lorraine, Berthold studied at the *Academy of Fine Arts* (Hochschule fuer Bildende Kuenste) in West Berlin, worked under the sculptor Harro Jacobs, and the painter Hann Trier, a well-known first generation abstract expressionist in Germany. In 1975, he moved to the USA and pursued a career in painting, while teaching at the Otis-Parsons School of Design. Berthold's career encompasses a broad range of mediums including painting sculpture, stone work and furniture design. Today, he prefers to work with stone and is well known for his limestone fireplaces, grottoes, landscapes and mosaic sculptures. Berthold's work is featured in numerous broadcasts and publications and represented in major private and public collections internationally as well as in Austin.

For photographs or more information about Austin's Art in Public Places program visit, www.cityofaustin.org/aipp or contact Megan Crigger, Administrator, at 974-9312.

The City of Austin's Art in Public Places acquires and maintains works of art for City facilities and parks through commissions, donations and loans for the cultural enrichment of Austin's community. AIPP is part of the Cultural Arts Division within the City of Austin's Economic Growth and Redevelopment Services Office.

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