

P E T I T I O N

# 67

Date: 21 AUG 2010

File Number: C14H-2010-0016



Address of Rezoning Request: 408 E 33 St, Austin 78705

Late Backup

To: Honorable Mayor and Members of City Council, City of Austin

We, Charles W Boes and Christine R Boes, the undersigned owners of the property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-3-NCCD-NP .

Please consider this letter as a valid petition indicating that we as the owners of the above referenced property, file #C14H-2010-0016, oppose the imposition of historic zoning on this property. This structure does not meet the requirements of the City of Austin historic landmark criteria for individual structure designation.

Signature	Printed Name	Property Address
	Charles W Boes	408 E 33 St, Austin 78705
	Christine R Boes	408 E 33 St, Austin 78705

Date: 21 Aug 2010

Contact Name: Charles W Boes and/or Christine R Boes

Mailing Address: 6550 Shady Brook Ln, #2017, Dallas 75206

Phone Number: 214-893-9404

cc: Greg Guernsey, Director of Neighborhood Planning and Zoning, City of Austin

✓ Steve Sadowsky, Historic Preservation Officer, City of Austin

408 East 33<sup>rd</sup> St – Case # C14H-2010-0016

Dear Commissioner Sullivan,

**The little house at 408 East 33<sup>rd</sup> Street is the only known board and batten house in Grooms Addition. It has significant history qualifying it for Landmark status, supported by vote by the Historic Landmark Commission.** It is possibly that, given more time, it will be proven that it is even more significant than it is being given credit for.

In the early mid 1980s Robert Kaler, Diane Van Helden (who now lives in North Carolina) and I interviewed Adelia Keltner Neu who grew up in the Historic Landmark Keltner house at 200 East 32<sup>nd</sup> Street. In the 1920's the creek that today runs in a storm sewer was a flowing creek that cut between the Keltner house and the house at 408 East 33<sup>rd</sup> Street. (My grandmother, who lived on East 34<sup>th</sup> Street, also spoke of this flowing creek, later contained underground). Adelia Neu told us the story of growing up in Grooms Addition and having a Black friend, another girl named Adelia, who lived on the other side of the creek. They would meet at the creek to play. Following this interview the home at 408 East 32<sup>nd</sup> Street became known as the "other Adelia house". The house is typical of the housing that Black families occupied at this period of time and is in the location pointed out by Adelia Neu. Research supports the location of the creek cutting between the girls' homes.

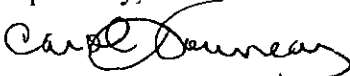
Research by Robert Kaler and myself clearly shows that the house at 408 East 33<sup>rd</sup> Street is original to that location. As often happened in our neighborhood in the early 1900s, houses were moved for one reason or another, most often from one lot to the lot next to it. The house at 408 was simply moved from one site on its lot to be closer to the street and away from the main house it sat behind. Specifically, it was moved 55 feet south and 5 feet west. Additions to a house when it was moved are not unusual. Removing a porch to move it and then adding a more up to date one is also not unusual. Other Landmark structures have similar building histories. **(Please see exhibits from Robert Kaler concerning information in this paragraph).**

The history that goes with the house at 408 East 33<sup>rd</sup> is important to our neighborhood. We are still searching census records and other documents, etc. for "the other Adelia". As you are aware, tracing Black history from the early 1900s is tedious and often leads to dead ends. Later history, from the 1950s to the 1990s, has John Reginald Boswell living at the house for some forty-five years. There is a possible connection between Boswell and the Krueger family at 3300 Duval, another Landmark house. Recent research shows a possible connection with Stanley Finch and Boswell through UT, though this is not conclusive at this time.

Please consider also that, as Austin prides itself in being one of the greenest cities in our nation, preservation efforts require much less energy than demolishing one structure and then building another. Preservation and being "Green" go hand in hand. Besides other reasons for historic importance, the house at 408 East 33<sup>rd</sup> also points out that past generations had some excellent ideas concerning energy efficiency.

Thank you for your time and interest concerning 408 East 33<sup>rd</sup> Street. This house is important to our history. It deserves Landmark status.

Respectfully,



Carol Journeay, co-chair, Grooms Addition Historic Committee

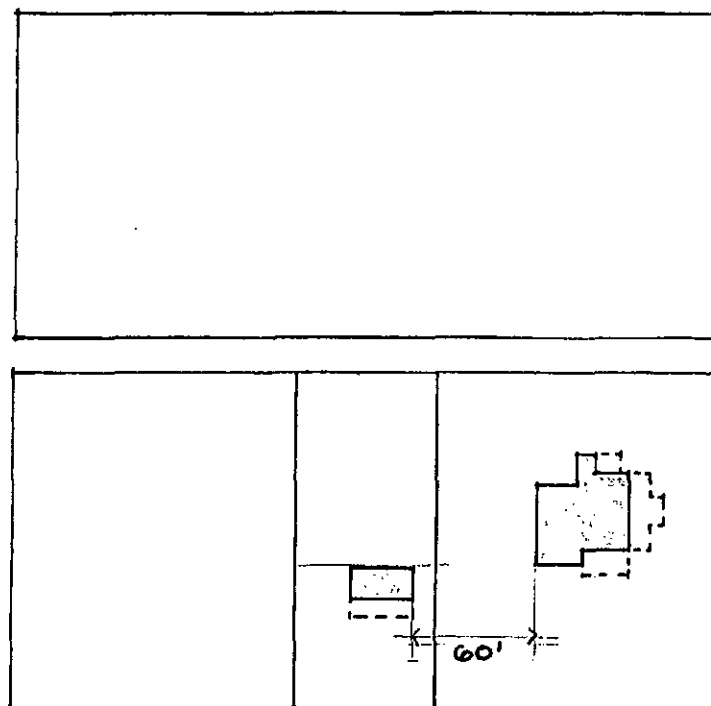
SANBORN MAPS. DATA NOTE! THE HOWELL AND MARY STANLEY FINCH  
HOME WAS BUILT IN 1913.

1921

E. 34

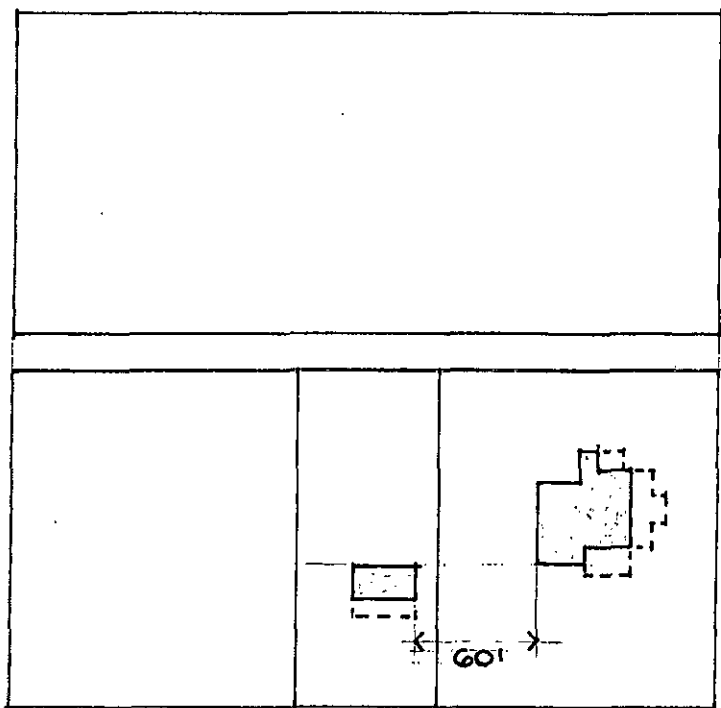
7-21-10

TOM GREEN



408 E 33

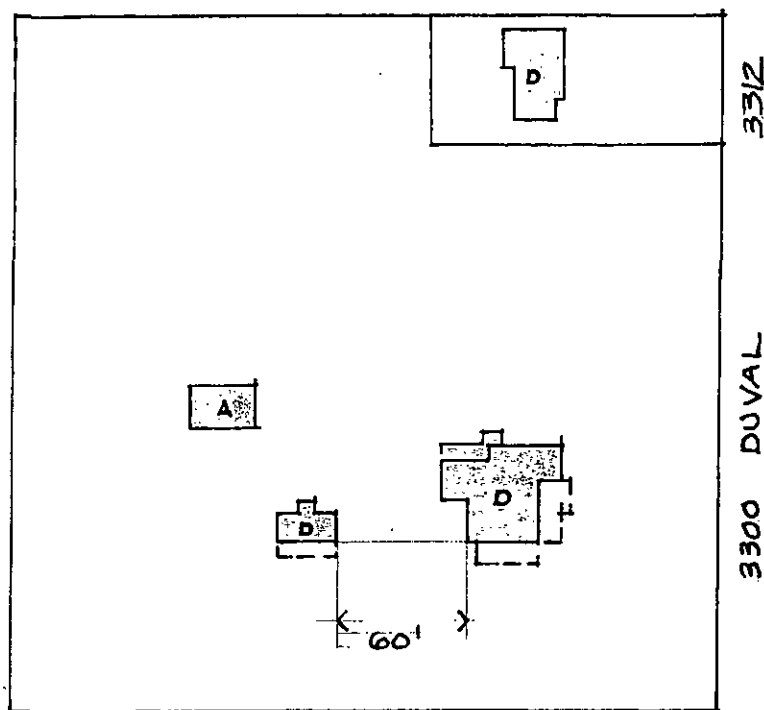
1923-24



408 E 33

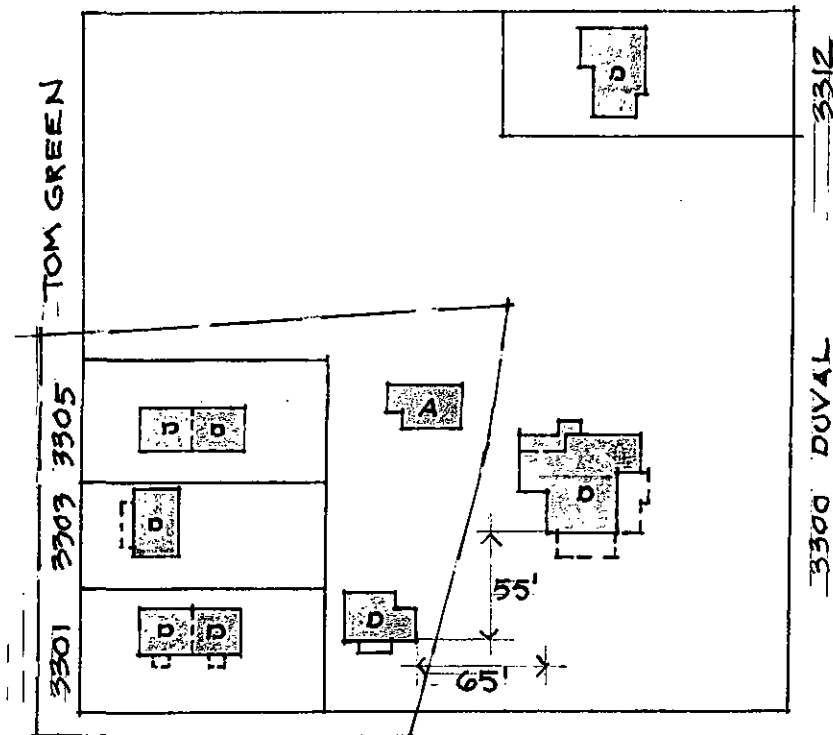


1935



408 E 33

1935 REVISED ON 9-9-45 & 9-18-46



AREA OF MAP REVISED

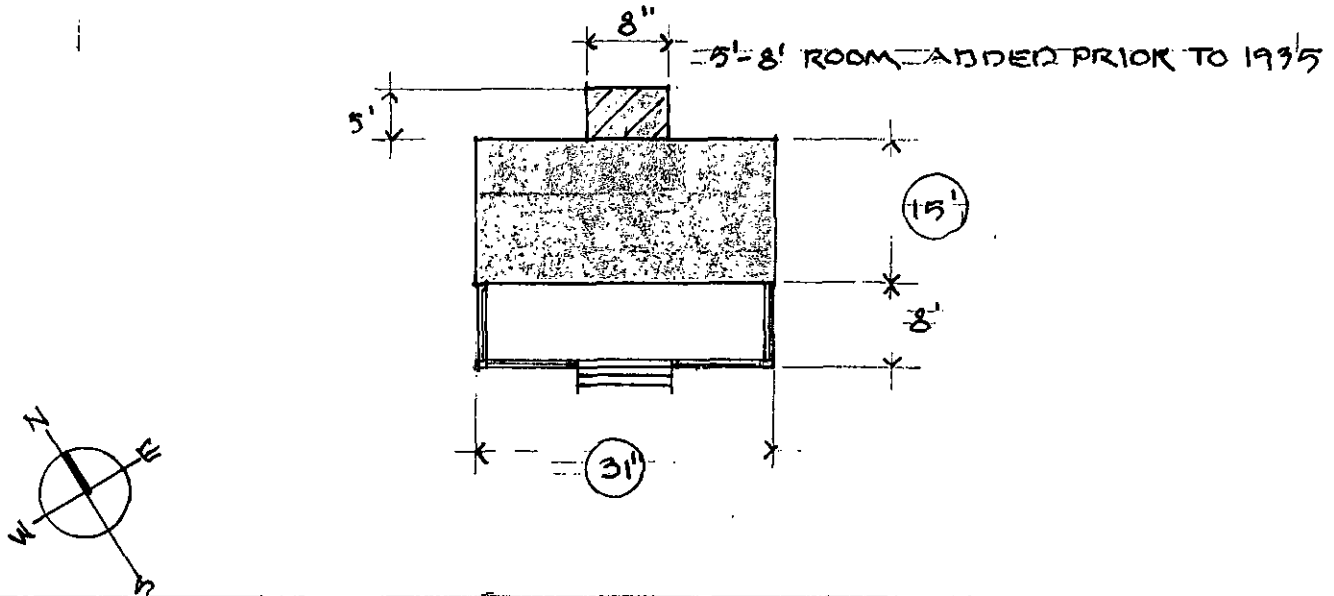
408 E. 33

IN 1945/46. NOTE! 8-27-45: "RELOCATE RES. ON LOT AND ADD TWO ROOMS"

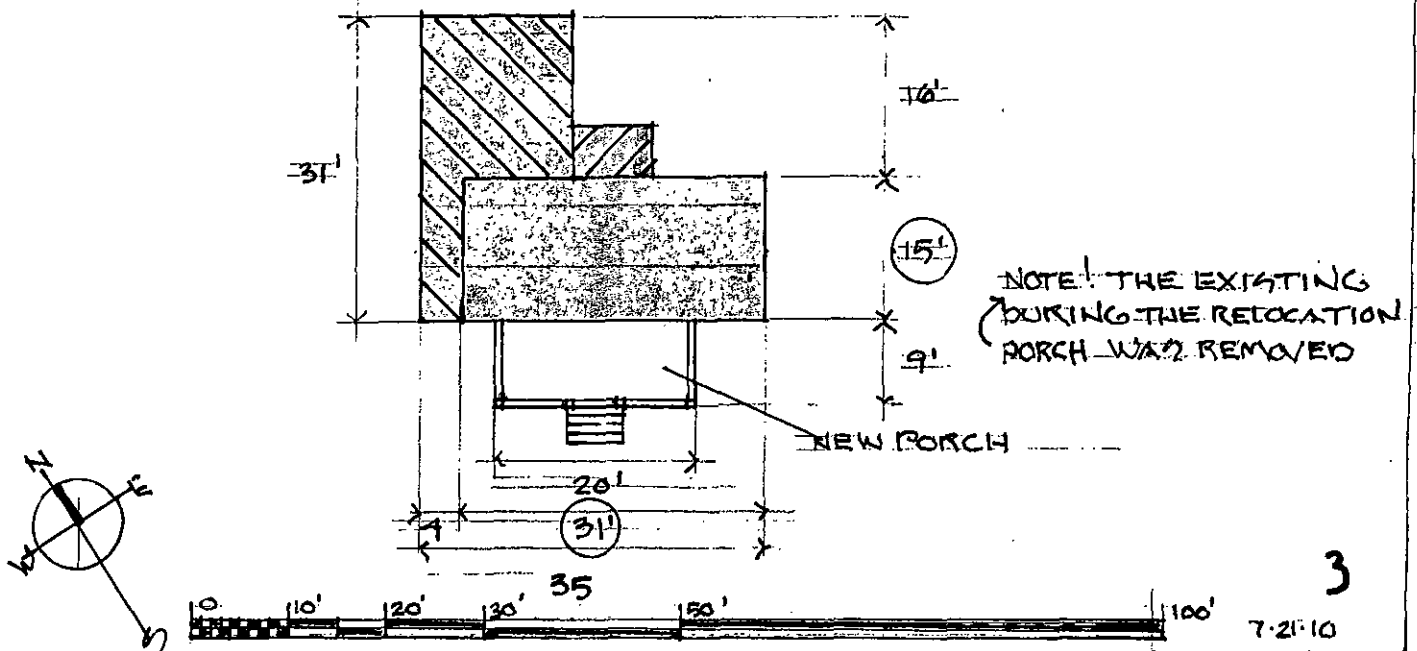
NOTE! THIS COTTAGE HAS BEEN ON THIS LOT FOR OVER 97 YEARS 2



408 EAST 33RD ST. 1921 THROUGH 1945 FROM SANBORN MAPS. NOTE! THIS COTTAGE IS LOCATED ON THE HOWELL AND MARY STANLEY FINCH ESTATE AT 3300 DUVAL. THAT HOME WAS BUILT IN 1913.

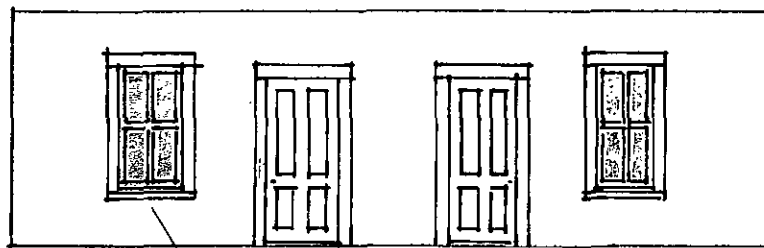


408 EAST 33RD ST. 1945 THROUGH THE PRESENT  
 NOTE! THE CITY OF AUSTIN PROVIDED A PERMIT ON 8-27-45 TO "RELOCATE RES. ON LOT AND ADD TWO ROOMS" TO "CHAS. L. KRUGER, OWNER" SEE ATTACHED  
 NOTE! THIS COTTAGE HAS BEEN ON THIS SITE FOR OVER 97 YEARS

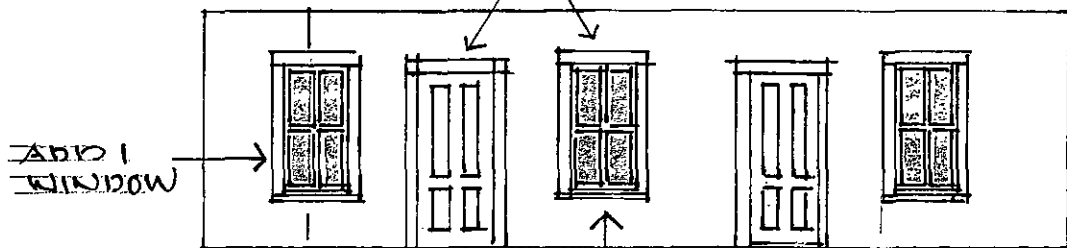




SOUTH ELEVATION 408 EAST 33RD ST. 1921 THROUGH 1945



SOUTH ELEVATION 1921



ADD 1 WINDOW

ADDITION + RELOCATION OF 1 DOOR & 1 WINDOW  
SOUTH ELEVATION 9.9.45 OR 9.18.46



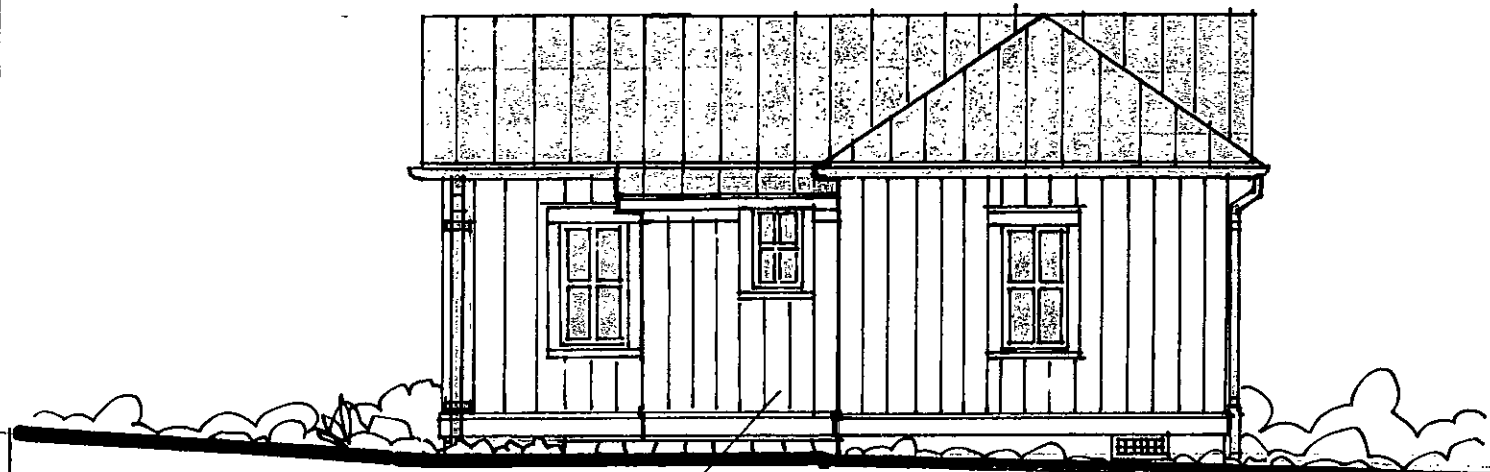
SOUTH ELEVATION. 408 E. 33<sup>RD</sup> ST.

NOTE! THE ADDITIONS ASSOCIATED WITH THE RELOCATION ON THE LOT IN 1945 SKILLFULLY PRESERVED THE HISTORIC MATERIAL AND SCALE OF THE 1917 COTTAGE



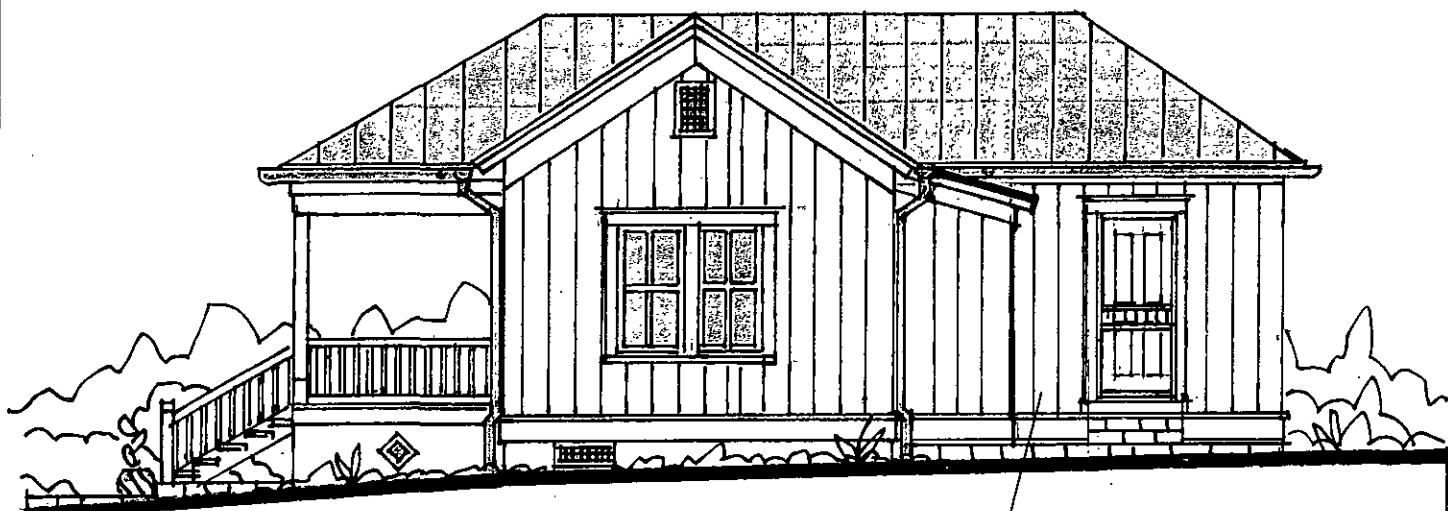
WEST ELEVATION. 408 E 33<sup>RD</sup> ST.

7-21-10 5



ASSUMED CONDITIONS

NORTH ELEVATION. 408 E 33<sup>RD</sup> ST.



ASSUMED CONDITIONS

EAST ELEVATION. 408 E 33<sup>RD</sup> ST

7-21-10 6



O. E. Forbes

400-02 East 33rd St.  
So. 60' x 134' of  
1 & 2

65

8

Grooms Addition

Frame duplex

30279 5-14-46

\$3750.00

Day labor

10

Chas. H. Krueger

408 E. 33rd St.

65

8

Pt. 2-3

Grooms Addn.

relocate sep. on lot and add two rooms

27563 8-27-45

\$1000.00

Owner

4

Tap on lot

Paul W. Jones

3303 Tom Green Street  
Center 60' of  
1 & 2

65

Frame residence and garage

29921 4-15-46

\$3,000.00

O. E. Ward

5

## HISTORY OF BUILDING

Austin History Center

The house situated at 209 E. 31st St., Austin, Texas was constructed in 1887 for Adolph and Rose Thielepape on the lot they had purchased the previous year from Alfred Grooms in the newly subdivided Grooms addition north of the city limits.<sup>1</sup> This lot and house was located on the west side of what was then known as Lampasas Street at approximately its north terminus, Centre St. not yet having been cut in. (see 1889-1890 City Directory entry for Hugh McGillvray cf. 1891-1892 entry for same) Centre St. would become by about 1893 simply W.31st St., whereas Lampasas/Speedway served as the East-West dividing line until 1934 when that line was moved west to University Ave. and the Speedway Ave. extension (Hyde Park's Ave. E.)

For over thirty years no apparent alterations were made on the house.

Then, in 1920 its owner and occupant, Wm. J. Disch put the building on large skids or rails and winched the building some fifty feet west to its present location. This move necessitated the removal of the original front porch and

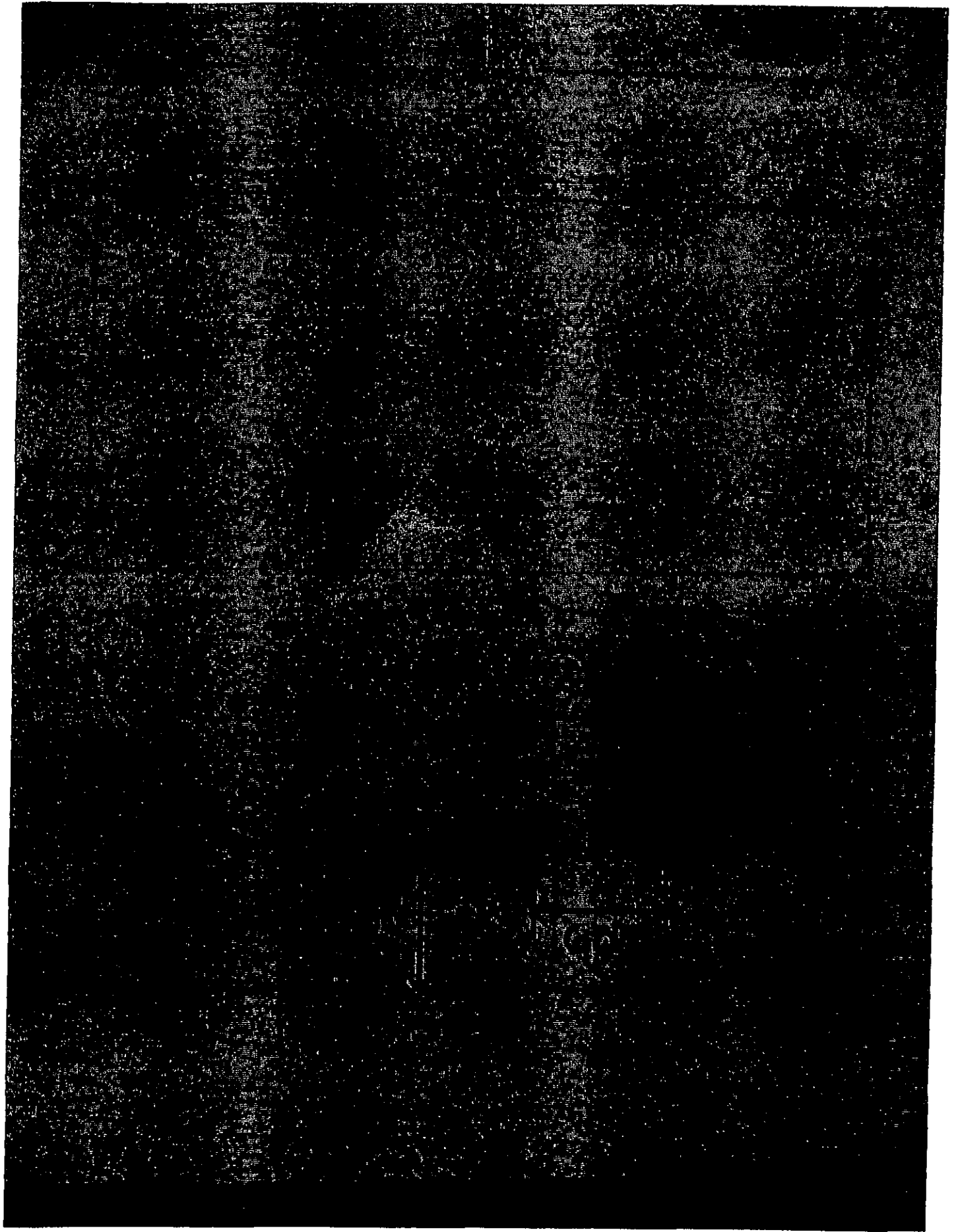


front siding boards. The front porch was replaced by a smaller concrete slab with a semi-circular arched stoop cover very common to that period. Other modifications were made on the mid portion of the house, but the original 16 ft. X 40 ft. front section and rear kitchen section were kept intact in and the same spatial relationship to each other. Disch had a new home built on the corner site in 1924 whereupon the "old Disch home"-- as it was known to area residents was readdressed as 103 W. 31st St.

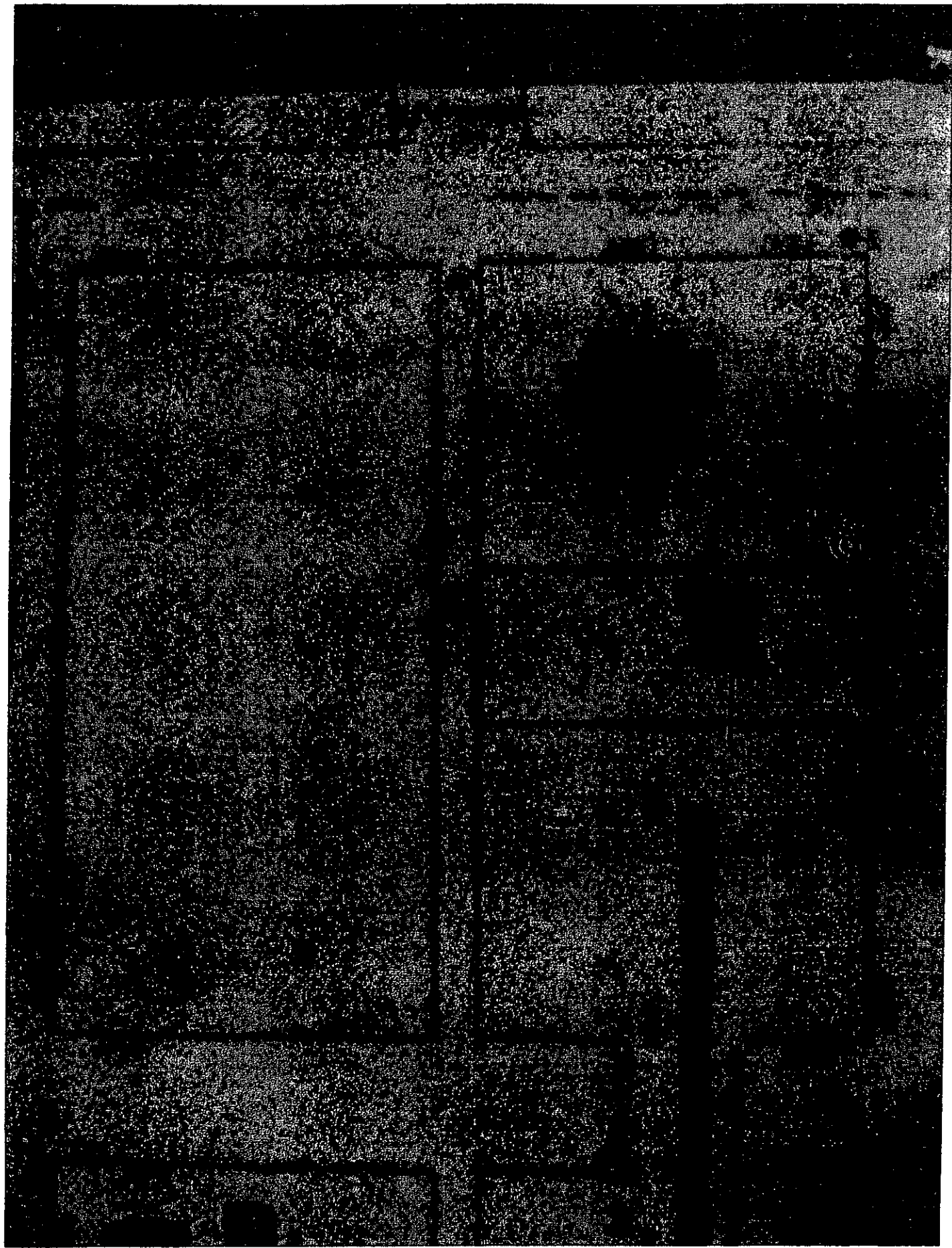
By the time the present owner acquired the property in 1974 (the address having been changed to 209 E. 31st around 1934), the house had fallen into a state of serious deterioration, but from that time to now there has been gradual but steady work done on the house to reverse that decline. The entire cedar post foundation was replaced by a system of concrete piers and reinforced concrete grade beams resting directly on a continuous crushed rock filled perimeter trench. The roof covering was stripped off down to the rough-sawn 1 X 4 lath and replaced with galvanized steel roof meta, and all architectural details have been reproduced as faithfully as possible to the originals.

1. See warranty deed dated Sept. 21, 1886 in Travis Co. deed records, Vol.70, pg. 332, and Mechanic's Lien dated Feb. 21, 1887 in mech. lien records, Vol. 72,pgg. 490, and Warranty Deed dated June 19, 1888 in deed records, Vol. 79, pg. 518.

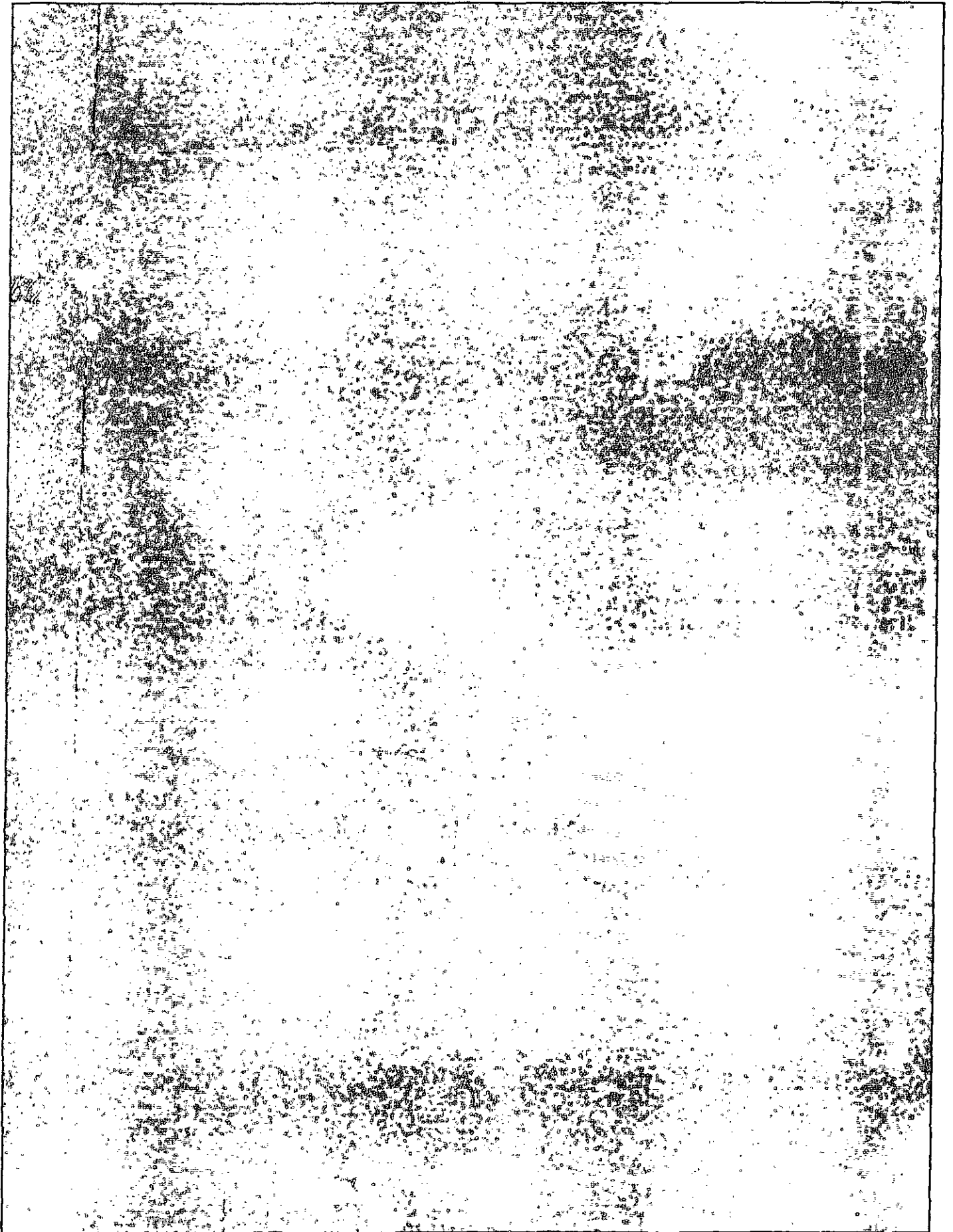
1921



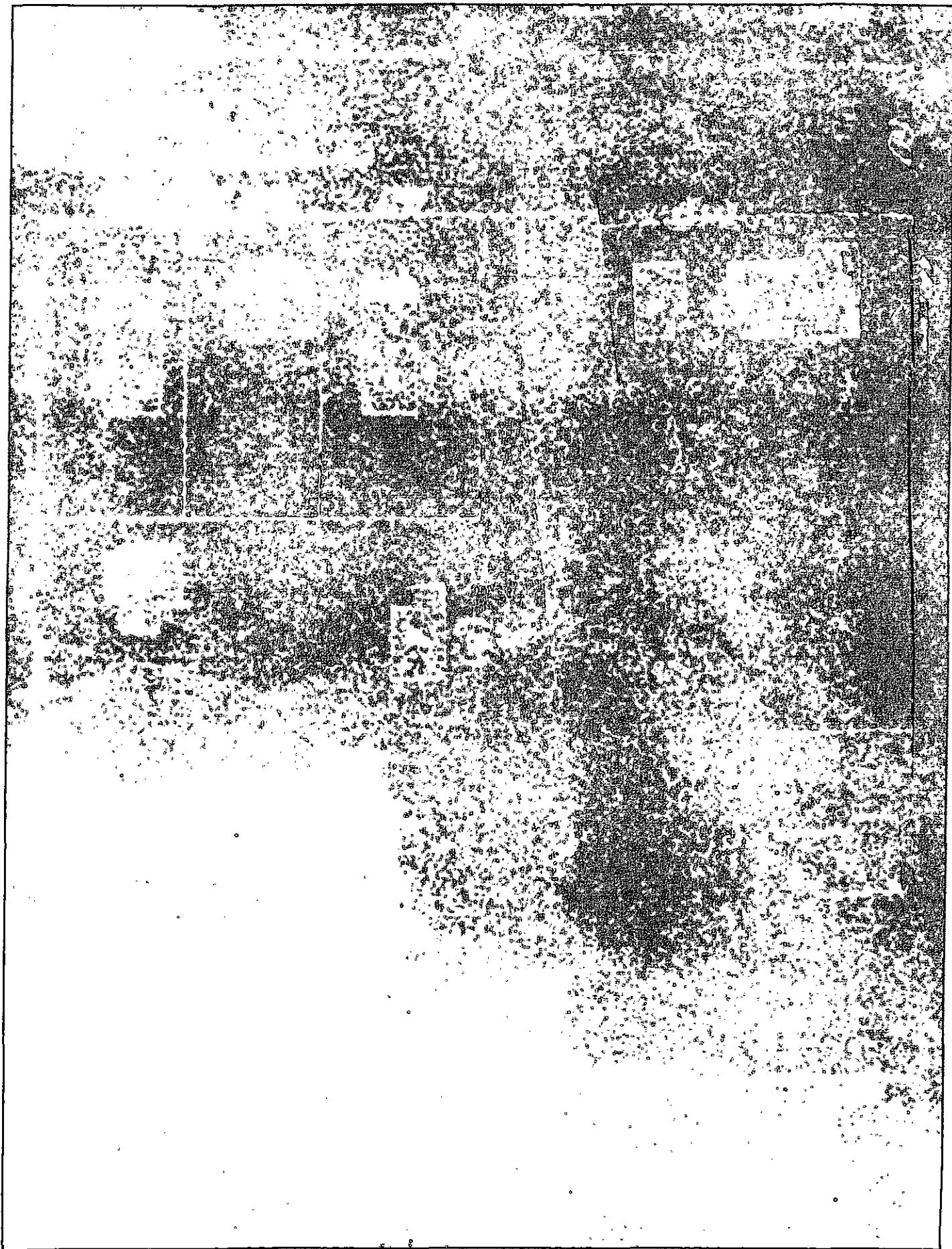
-P27-24



1935

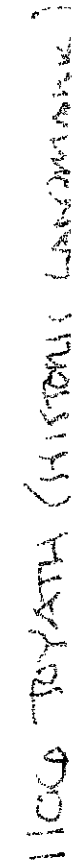


REV. 9.9.45 or 9.18.46

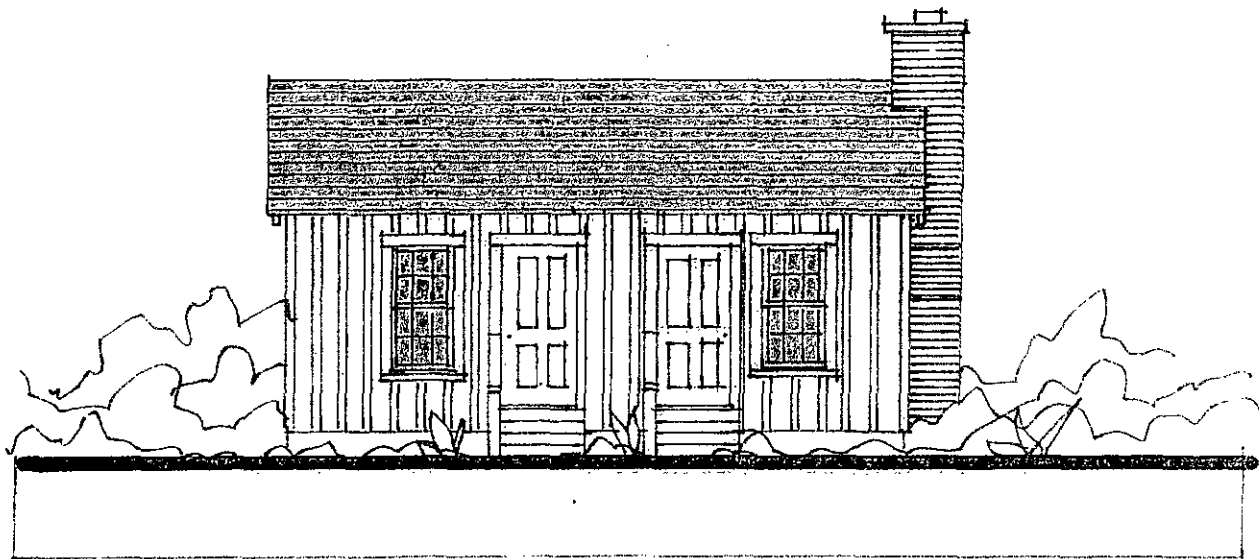




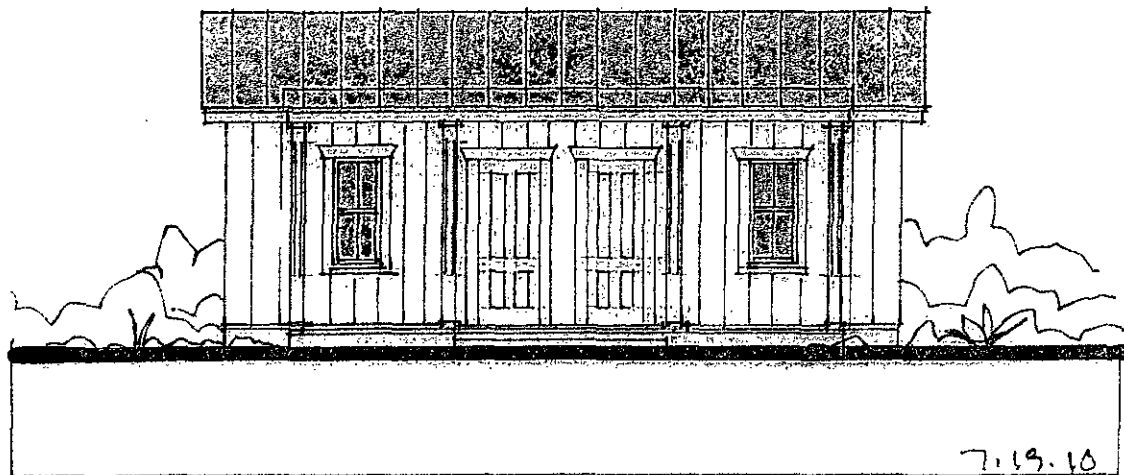
○  
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1950



NORTH ELEVATION - 1705 WATERSTONE AVE. HASKELL/HOMESTEAD



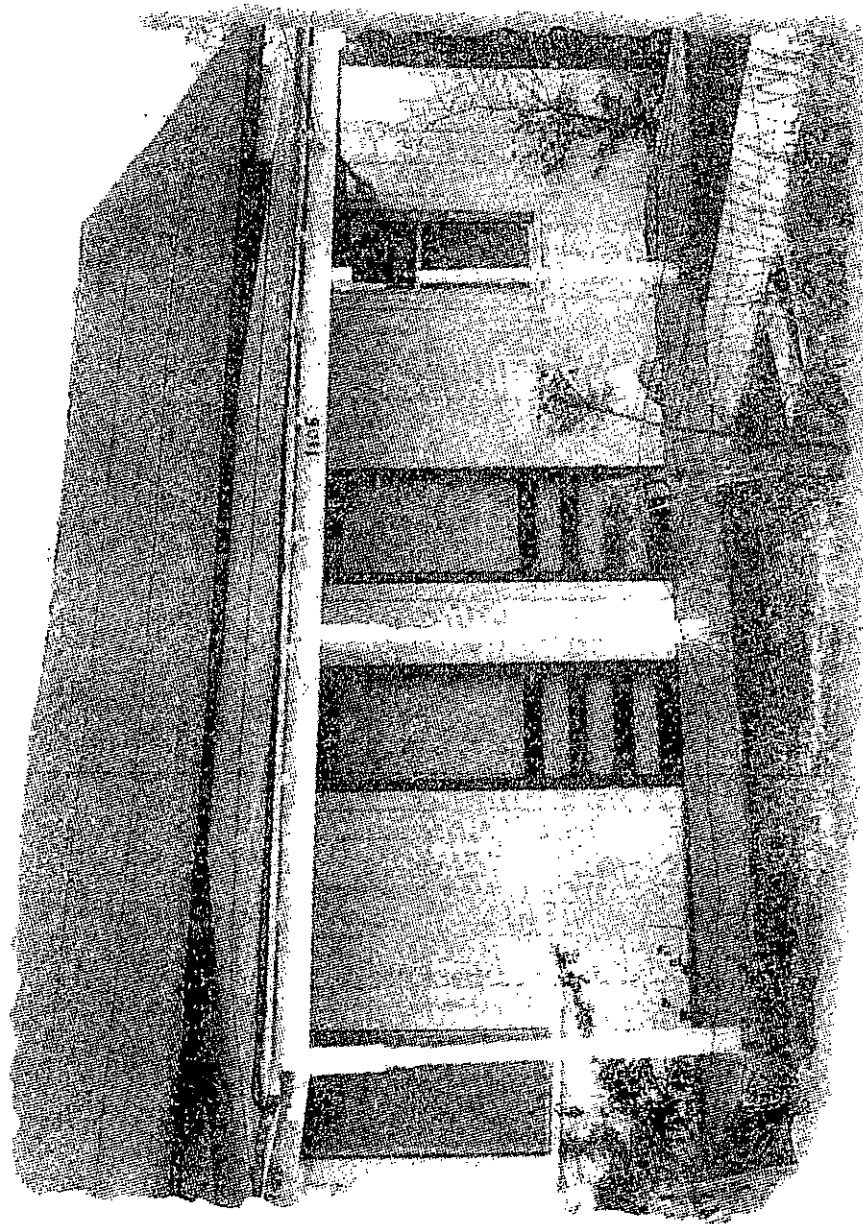
7.19.10

EAST ELEVATION - 1100 TOYAH HISTORIC LANDMARK



## *1100 Loyd*

Built c 1909 for Albert Loyd, an American who worked as a porter for a local bank. He later worked in such theatres as the Crescent Theatre, Hancock Opera House, Lincoln Theatre, and Dunbar Theatre.



Aspen History Center, PCH 05724

SURVEY FORM FOR HISTORIC LANDMARK INVENTORY  
CITY OF AUSTIN, TEXAS

NAME OF SITE: Lawson House

FILE NO. C14H-93-010

SITE ADDRESS: 1106 Toyath Street

PARCEL NO. 01-1104-0812

LEGAL DESCRIPTION: N. center 100' of Original Lot 6, Block 13, Maas Addition

GRID NO. H/23

DEEDS RECORDS: Volume 11456 Page 281

Volume Page

ZONING

TAX ABATEMENT: (Appraisals)

City AISD ACC County Total

From: SF-3, Family Residence

(Appraised value: \$38,332.)

To: SF-3-H, Family Residence -  
Historic

PRESENT USE: Residence

CONSTRUCTION / DESCRIPTION: One-story, turn-of-the century, board and batten  
residence.

CONDITION:

Exterior: Fair

Interior: Unknown

PRESENT OWNERS

ADDRESS

TELEPHONE NO.

Christopher Thomnas

P. O. Box 1484, Ross California,  
94957

(415) 456-4148

OTHER INTERESTED PARTIES:

NAMES

ADDRESS

TELEPHONE NO.

Clarksville Community Dev.

1807 West 11th (03)

DATE BUILT: c. 1909

DATES & EXTENT OF ALTERATIONS/ADDITIONS: 1911

addition of three rooms and front porch; date of addition to the rear-unknown.

ARCHITECT: Unknown

BUILDER: Unknown

ORIGINAL OWNER: Albert G. Lawson (presumed)

ARCHITECTURAL STYLE OR PERIOD WITH DESCRIPTION OF ANY INNOVATIVE DESIGN,  
FEATURES, DETAILS, MATERIALS OR CRAFTSMANSHIP:

NATIONAL REGISTER? Yes    NATIONAL LANDMARK? No    RECORDED TEXAS LANDMARK? No  
LOCAL SURVEYS OR RECOGNITION? Comprehensive Survey of Cultural Resources

The condition of 908 E 35th is  
much better than fair (for this H  
designated property - 1106 Toyath).  
The original owner of 908 E 35th  
is known and not "presumed"  
as above - 1106 Toyath.

ORDINANCE NO. 940324- A

AN ORDINANCE ORDERING A REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE AUSTIN CITY CODE OF 1992 AS FOLLOWS: 6,241 SQUARE FEET OF LAND OUT OF THE G. W. SPEAR LEAGUE HEADRIGHT GRANT, FROM "SF-3" FAMILY RESIDENCE DISTRICT TO "SF-3-H" FAMILY RESIDENCE DISTRICT-HISTORIC, LOCALLY KNOWN AS 1106 TOYATH STREET, BEING GENERALLY KNOWN AS THE LAWSON HOUSE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; WAIVING THE REQUIREMENTS OF SECTION 2-2-3 OF THE AUSTIN CITY CODE OF 1992; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. That Chapter 13-2 of the Austin City Code of 1992 is amended to change the base zoning district from "SF-3" Family Residence district to "SF-3-H" Family Residence district-Historic, on the property described in File C14h-93-0010, as follows:

6,241 square feet of land out of the G. W. Spear League Headright Grant, said 6,241 square feet of land being more particularly described in "Exhibit A" attached and incorporated herein for all purposes,

locally known as 1106 Toyath Street, being generally known as the Lawson House, in the City of Austin, Travis County, Texas.

PART 2. That it is ordered that the Zoning Map established by Sec. 13-2-22 of the Austin City Code of 1992 and made a part thereof shall be changed to record the amendment enacted by this ordinance.

PART 3. That the requirements imposed by Section 2-2-3 of the Austin City Code of 1992, as amended, regarding the presentation and adoption of ordinances are hereby waived by the affirmative vote of at least five members of the City Council.

PART 4. That this ordinance shall become effective upon the expiration of ten days following the date of its final passage, as provided by the Charter of the City of Austin.

PASSED AND APPROVED:

March 24, 1994

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§  
§  
§



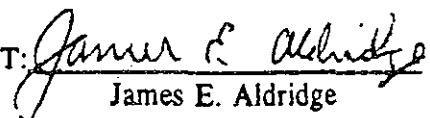
Bruce Todd  
Mayor

APPROVED:



Diana L. Granger  
City Attorney

ATTEST:



James E. Aldridge  
City Clerk

## OWNERSHIP INFORMATION

C14H-93-010

Max Maas and Clara M. Maas to Joseph Schuber  
Volume 108, Page 97

December 5, 1892

City of Austin Vs. M. Maas  
Volume 110, Page 491  
(Legal action because of non-payment of taxes.)

June 12, 1895

First National Bank of Austin to George L. Hume  
Volume 231, Page 640

December 9, 1907

Winfred L. Hume, Widow of Geo. L. Hume, to Albert Lawson  
Volume 258, Page 556

February 13, 1909

Albert Lawson and Viola Lawson to and with Becker Lumber Company  
Volume 263, Pages 251, et seq.  
(References a three-room addition and front porch to existing one-story residence.)

March 25, 1914

Ted R. Lawson, Cleo H. Lawson, and Alice M. Lawson to Christopher Mark Thomas  
Volume 11456, Pages 281, et seq.

May 21, 1991

<u>Year(s)</u>	<u>City Directory Information</u>	<u>Page(s)</u>
1906	Lawson Albert (c), porter C. Rosner, res. 1504 Canterbury.	192
1909-10	Lawson Albert (c) porter Capital Bank & Trust Co., r. 1109 San Jacinto.	176
1910-11	Lawson Albert (c), porter, Central Bank & Trust Co., r. 1600 W. 12th. (Subsequently addressed as 1106 Toyath.)	187
1912-13	Lawson Albert (c), porter, r. 1106 Toyath.	194
1914	Lawson Albert (c), porter, res. 1106 Toyath.	522
1918	Lawson Albert (c; Viola), porter Crescent Theatre, res. 1106 Toyath.	297
1920	Lawson Albert (c; Viola), porter Hancock Opera House, res. 1106 Toyath.	276
1922	Lawson Albert (c; Viola), mgr Lincoln Theatre, r. 1106 Toyath.	306
1924	Lawson Albert (c; Viola), mgr Lincoln Theatre, r. 1106 Toyath.	300
1927	Lawson Albert C. (c; Viola), mgr Lincoln Theatre, r. 1106 Toyath.	314

**OCCUPANCY INFORMATION****C14H-93-010**

1929	Lawson Albt C (c; Viola), mgr Dunbar Theatre, r. 1106 Toyath.	322
1930-31	Lawson Albert C (c; Viola), r. 1106 Toyath.	338
1932-33	Lawson Albert C. (c; Viola), porter E. M. Scarbrough & Sons, r. 1106 Toyath.	298
	Lawson Albert C., Jr., r. 1106 Toyath.	298
1935	Lawson Albert C. (c; Viola), r. 1411 East 13th.	347
	Bryant Edward W. (c) truckdriver Quality Mills, r. 1106 Toyath.	150
1937	Lawson Albert C. (c; Viola), porter Renfro Drug Co. Store #1, r. 1411 East 13th.	387
	(1106 Toyath was shown as vacant.)	
1939	Smith, Nathaniel H. (Lula A.) fountain Renfro D Co. #2, h. 1106 Toyath.	543
1940	Smith, Nathan H. (Lula A.) whsemn Schumacher Co. h. 1106 Toyath.	572
1947	Alexander, Carl (Minnie) cook r. 1106 Toyath.	56
1953	Roberts, Ellis (Corabelle) porter, Hancock Recreation Center and Golf Course, h. 1106 Toyath.	616
1960	Gonzalez, Francisca h. 1106 Toyath	386

**SIGNIFICANT PERSONS ASSOCIATED WITH SITE AND/OR STRUCTURE:**

Hume, George L. - (Died November, 1908; see attached newspaper articles.)

Hume, Mrs. Winfred Price - ((Died in 1966; see attached newspaper article.)

**SOURCES OF INFORMATION:**

Stewart Title Company

Travis County Deed Records

Austin History Center

City Directories  
Structure Files  
Newspaper Files  
Cemetery Records  
Biographical Files

Researched and compiled by: Betty Baker

June 1993

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These search terms are highlighted: **cumberland house** These terms only appear in links pointing to this page: **style**

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## FOLK ARCHITECTURE

Architectural traditions encompass not only the types of structures designed and built, but also the ways in which buildings are arranged upon the land, the methods and materials of construction, the functions that different structures serve, and the social, cultural, economic, and political milieu associated with particular architectural conventions. The term "folk architecture" is often used to draw a distinction between popular or landmark architecture and is nearly synonymous with the terms "vernacular architecture" and "traditional architecture." Therefore, folk architecture includes those dwellings, places of worship, barns, and other structures that are designed and built without the assistance of formally schooled and professionally trained architects.

Folk architecture differs from popular architecture in several ways. For example, folk architecture tends to be utilitarian and conservative, reflecting the specific needs, economics, customs, and beliefs of a particular community. Folk architecture also represents a community's cumulative wisdom about solutions to particular problems. For this reason, folk architectural traditions are organic in that they have changed over time to suit a people's priorities and values or to overcome challenges posed by certain natural settings. Indeed, one of the most essential qualities of folk architecture concerns its ecological character. That is, folk dwellings and structures are adapted to the local environment and usually reflect the natural characteristics of a place or region. On a global basis folk architecture is most commonly associated with rural or small town locations.

Numerous folk architectural traditions exist within the United States, echoing

its diverse cultural composition. For purposes of manageability, two broad traditions can be identified in the United States. These are European-derived and American Indian derived. In many ways these two categories fail to capture full range of types and styles but provide a useful starting point nonetheless. European-derived folk architecture is emphasized here, but both traditions have shaped the character and development of Oklahoma's folk architecture, particularly its dwellings.

Of the settlement hearths established in colonial America, three contributed significantly to the emergence of distinctive regional differences in such things as agriculture, foodways, dialect, and folk architecture. The first of these hearths centered on the Chesapeake Bay and Tidewater region of Virginia and Maryland and contributed to the emergence of the region referred to as the Lower South or Tidewater South. The second hearth grew out of the Puritan settlement of the Massachusetts Bay Colony and played a part in the creation of the New England or northern region. The third developed in southeastern Pennsylvania and Delaware and was the starting point for the emergence of the Middle Atlantic or Midland region. The westward expansion of settlement gradually extended the domains of these regions beyond their initial hearths, carrying New England influences across the upper Midwest and Midland influences across the interior South. As a result, Oklahoma finds itself squarely within the Midland domain, although geographically it straddles the ecological boundary between the eastern woodlands and the western plains.

Midland folk architecture shares a number of identifying features. It is initially associated with notched log construction. By the latter part of the nineteenth century, however, wood framing techniques had replaced log construction. Midland folk architecture also includes a modest number of distinctive floor plans. The basic building block of the Midland **house** is the Midland single pen, a one-room structure approximately eighteen feet on a side. Some scholars distinguish between log cabins and log houses. While both are single-pen dwellings, the former is a temporary and more rudimentary first-generation dwelling. Across the western half of Oklahoma the dugout was typically the first kind of single-pen dwelling. Most dugouts were eventually replaced by sod houses, which in turn, were replaced by wood-frame houses.

Another slightly larger, one-room dwelling is the Midland hall-and-parlor

**house.** This is a rectangular **house** and, as its name suggests, the interior space of the **house** is sometimes partitioned into two rooms. Both single-pen and hall-and-parlor houses occur with considerable frequency in Oklahoma.

Enlarging the single-pen **house** gave rise to several different kinds of gable-ended, two-room Midland structures or ~~double-pen plans~~. Placing two pens side by side created a Midland type known as a ~~Cumberland house~~, and placing the second pen such that the chimney was sandwiched between the two rooms created a saddlebag **house**. Gen. Douglas A. Cooper's home at Fort Washita may be the most visible saddlebag **house** in Oklahoma. If the two pens are detached, leaving an open space or breezeway between the two pens, the result is a dogtrot **house**. Dogtrot houses are known to have been a favored **house** type in Indian Territory well before the Civil War. Moreover, the Southeastern Indians had adopted notched log construction and built both single and double-pen dwellings in Indian Territory. Sequoyah's home, which still stands near Sallisaw, provides an example of an early-nineteenth-century single-pen log dwelling.

~~Double-pen houses could be enlarged by creating a second story~~, and the result was a Midland type known as an "I-house." I-houses are two-story houses that are two rooms wide but only one room deep. Thus, when viewed from the side, they appear unusually narrow. Both urban and rural examples of double-pen and I-houses exist in Oklahoma, but I-houses are less common here. One of the most notable examples of a dogtrot I-**house** in Oklahoma, and possibly one of the oldest, is the home of Chief Greenwood LeFlore near Swink in Choctaw County.

Although Oklahoma is situated within the Midland region, its folk architecture has been shaped by southern, and to a lesser extent, northern influences. Two southern **house** types diffused into Oklahoma and have become closely associated with the state's folk architecture: the shotgun **house** and the southern pyramidal. The distinguishing features of the southern pyramidal include a square floor plan with four rooms, sometimes a central hall, and a steeply pitched roof that rises to a pyramid or slightly truncated pyramid. The southern pyramidal may have one or two stories, and although it resembles the foursquare **house**, it possesses a very different developmental history.

SEE ALSO: ARCHITECTURE, FOLK

408 E 33rd is an example of a double pen structure, not a Cumberland cottage/house. It is the only extant board & batten dwelling, as well as the only example of folk architecture in North University Neighborhood.