

**Zoning Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-10
AGENDA DATE: Thu 01/27/2005
PAGE: 1 of 1**

SUBJECT: C14H-04-0027 – Brown-Ledel-Silverman House. Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 609 West Lynn Street from multi-family residence, neighborhood plan (MF-4-NP) district to multi-family residence, neighborhood plan - Historic (MF-4-H-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant multi-family residence, neighborhood plan - Historic (MF-4-H-NP) combining district zoning. Planning Commission Recommendation: To be reviewed by Planning Commission on January 25, 2005. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, Historic Preservation Office, Neighborhood Planning and Zoning Department, 974-6454.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Alice Glasco

ZONING CHANGE REVIEW SHEET

CASE NUMBER: C14H-04-0027

H.L.C. DATE: November 15, 2004

P.C. DATE: January 11, 2005

January 25, 2005

AREA: 20,046 square feet

APPLICANT: Historic Landmark Commission

HISTORIC NAME: Brown-Ledel-Silverman House

WATERSHED: Town Lake

ADDRESS OF PROPOSED ZONING CHANGE: 609 West Lynn Street

ZONING FROM: MF-4-NP

ZONING TO: MF-4-H-NP

SUMMARY STAFF RECOMMENDATION: Staff recommends the proposed zoning change from multi-family residence, neighborhood plan (MF-4-NP) combining district to multi-family residence, neighborhood plan - Historic (MF-4-H-NP) combining district zoning under Historic Landmark Designation Criteria 1, 3, 6, 9, 11, and 12, but understands that there are serious concerns about the potential for preservation of the structure due to its advanced deterioration.

HISTORIC LANDMARK COMMISSION ACTION: Recommended the proposed zoning change from multi-family residence, neighborhood plan (MF-4-NP) combining district to multi-family residence, neighborhood plan - Historic (MF-4-H-NP) combining district zoning under Historic Landmark Designation Criteria 1, 3, 6, 9, 11, 12, and 13. Vote: 7-0 (Fowler absent).

PLANNING COMMISSION ACTION: Postponed case to January 25, 2005.

DEPARTMENT COMMENTS: The house is listed as a Priority 1 in the Comprehensive Cultural Resources Survey (1984). Evaluation of this house for historic landmark designation is proceeding under the old Historic Landmark Designation Criteria, which were in effect at the time the application was filed.

CITY COUNCIL DATE: January 27, 2005

ACTION:

ORDINANCE READINGS: 1ST 2ND 3RD

ORDINANCE NUMBER:

CASE MANAGER: Steve Sadowsky

PHONE: 974-6454

NEIGHBORHOOD ORGANIZATION: Old West Austin Neighborhood Association

BASIS FOR RECOMMENDATION:

The ca. 1893 Brown-Ledel-Silverman House meets Historic Landmark Designation Criteria 1, 3, 6, 9, 11, 12, and 13:

1. Character, interest, or value as part of the development, heritage or cultural characteristics of the City of Austin, State of Texas, or the United States. The house, a relatively ornate Queen Anne, represents the development of West Austin in the late 19th century as an upper middle class residential section. Timothy Brown, the first owner of the house, was a prominent Austin educator, and principal of the West Austin (Pease) School.

3. Embodiment of distinguishing characteristics of an architectural type or specimen.

The ca. 1893 Brown-Ledel-Silverman House embodies the Queen Anne style, an opulent expression of upper class taste in the late 19th century. Queen Anne houses were very popular throughout the country from the 1880s through the 1910s. The hallmarks of the style, all found on the Brown-Ledel-Silverman House, are an asymmetrical composition, decorative wall surfaces, such as patterned shingles, elaborate fenestration, such as bay or stained glass windows, a steeply-pitched roof, and a dominant front-facing gable.

6. Relationship to other distinctive buildings, sites, or areas which are eligible for preservation according to a plan based on architectural, historic, or cultural motif.

The house is associated with Mary R. Brown, the founder of Kirby Hall, a designated city historic landmark. The house is across West Lynn Street from the landmarked Sheeks-Robertson House, and has been identified as historic in the Old West Austin Cultural Resources Survey for the neighborhood plan (2000).

9. Exemplification of the cultural, economic, social, ethnic or historical heritage of the city, state, or the United States.

The house was built for a prominent Austin educator, and later was the home of Sol Silverman, a Jewish tailor.

11. Identification with a person or persons who significantly contributed to the culture and development of the city, state or United States.

The house is significantly associated with **Timothy A. Brown** (1856-1948), the principal of the West Austin (Pease) School. Born near Marion, Virginia, Brown moved to Texas in 1882, teaching school in Mineral Wells and Round Rock before moving to Austin in 1892 to become principal of the West Austin (Pease) School, a position he held for 41 years. A noted local ornithologist, Brown encouraged his students to study nature as part of their education. His wife, **Mary R. Brown** (1861-1954), is known as the "Mother of Kirby Hall," the UT dormitory for Methodist girls, opened in 1924 after Mrs.

Brown raised the money for its construction. The Browns lived here from the time of the house was built in 1893 until 1916. Later occupants include Theodor Ledel, who operated a millinery and clothing store on Congress Avenue, and Sol Silverman, a tailor with a shop in the landmarked Bosche Building on Congress.

12. A building or structure that because of its location has become of value to a neighborhood, community area, or the city. The house is located on a prominent site on the West Lynn Street hill north of Sixth Street, and a focal point of the Old West Austin neighborhood.

13. Value as an aspect of community sentiment or public pride (added by the Historic Landmark Commission).

The Old West Austin Neighborhood Association circulated a petition to save this house in 2003, and attended the Historic Landmark Commission meeting in November, 2004 in support of preservation.

PARCEL NO.: 01080303010000 **DEED RECORD:** Vol. 8795, P. 618

LEGAL DESCRIPTION: 104 x 200 feet out of Outlot 3, Division Z

ANNUAL TAX ABATEMENT: \$2,004 (non-owner-occupied rate). **City** tax abatement: \$525

APPRAISED VALUE: \$287,278

PRESENT USE: Residence

CONSTRUCTION/DESCRIPTION: Two-story irregular-plan cross-gabled Queen Anne-styled wood-frame house with 2:2 fenestration, decorative shingling in the tympanum of the front gable, and a one-story boxed gabled independent porch with a scrollwork frieze.

CONDITION: Poor. The owner has submitted a structural engineer's report.

PRESENT OWNER

William Dolph Dildy
P.O. Box 1834
Winnie, Texas 77665

DATE BUILT: ca. 1893

ALTERATIONS/ADDITIONS: The porch has been modified with the removal of a support post; several historic and non-historic additions to rear.

ORIGINAL OWNER(S): Timothy A. Brown (1893)

OTHER HISTORICAL DESIGNATIONS:

NATIONAL REGISTER: No

RECORDED TEXAS LANDMARK: No

NATIONAL LANDMARK: No

LOCAL SURVEYS: Yes. The house is listed as a top priority for preservation in the Comprehensive Cultural Resources Survey.

UNZ-NP

UNIVERSITY OF TEXAS
STUDENT HOUSING

02-

SF

02-0112

MF-4-NP

MF-4-NP

MF-4-NP

MF-4-NP

MF-4-NP

GO-NP

LO-NP

LO-NP

MF-4-NP

LO-NP

LO-MU

LO-CO-NP

LO-NP

LI-CO-NP

GR-MU-CO

CASE #: C14H-04-0027

ADDRESS: 609 WEST LYNN STREET

SUBJECT AREA (acres): N/A

HISTORIC ZONING

DATE: 04-11

INTLS: SM

CITY GRID
REFERENCE
NUMBER

H23

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

CASE MGR: S. SADOWSKY



1" = 200'



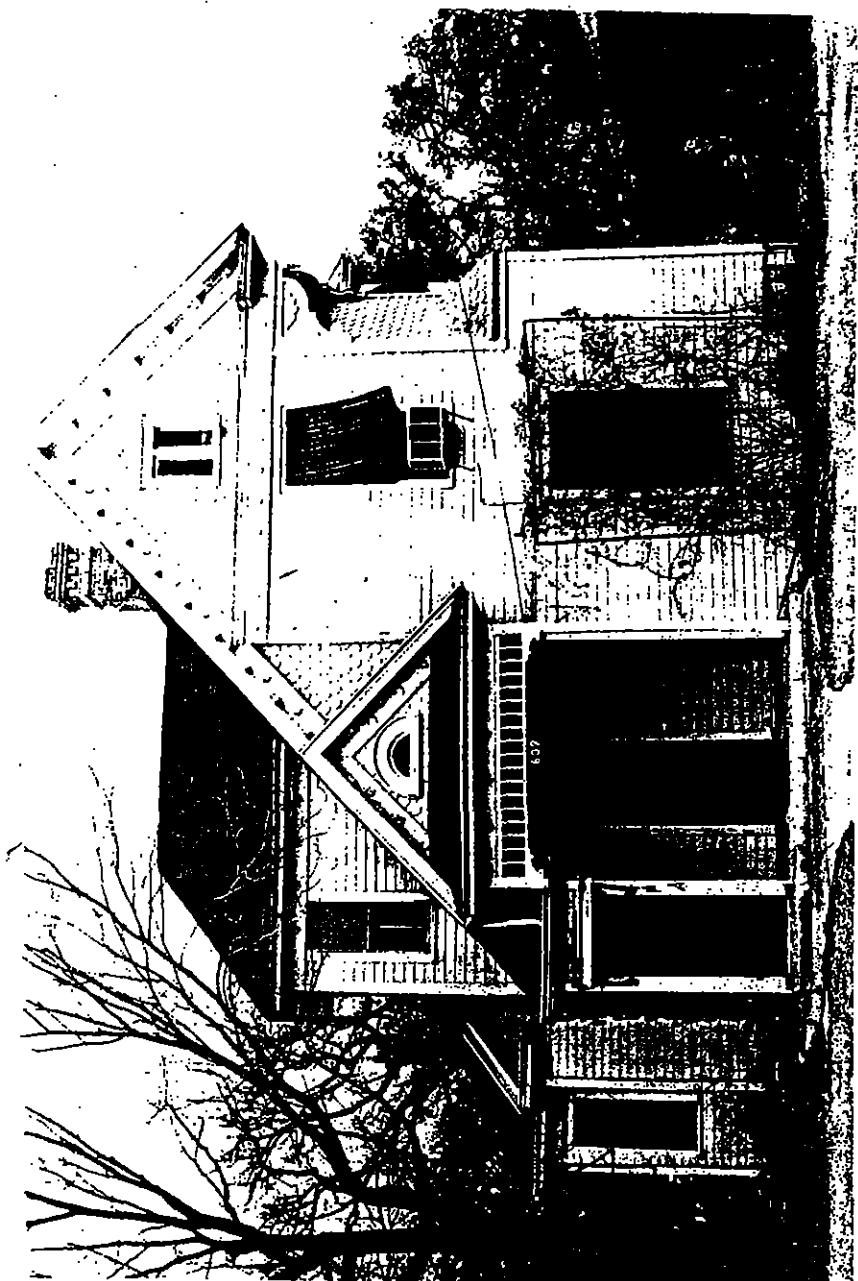


HISTORIC LANDMARK DESIGNATION CRITERIA

To be eligible for historic landmark status, a property must meet one or more of the following criteria:

1. Character, interest, or value as part of the development, heritage, or cultural characteristics of the City of Austin, State of Texas, or the United States.
2. Recognition as a Recorded Texas Historic Landmark, a National Historic Landmark, or entered into the National Register of Historic Places.
3. Embodiment of distinguishing characteristics of an architectural type or specimen.
4. Identification as the work of an architect or master builder whose individual work has influenced the development of the city.
5. Embodiment of elements of architectural design, detail, materials, or craftsmanship which represent a significant architectural innovation.
6. Relationship to other distinctive buildings, sites, or areas which are eligible for preservation according to a plan based on architectural, historic, or cultural motif.
7. Portrayal of the environment of a group of people in an area of history characterized by a distinctive architectural style.
8. Archeological value in that it has produced or can be expected to produce data affecting theories of historic or prehistoric interest.
9. Exemplification of the cultural, economic, social, ethnic, or historical heritage of the city, state, or the United States.
10. Location of the site of a significant historic event.
11. Identification with a person or persons who significantly contributed to the culture and development of the city, state or United States.
12. A building or structure, which because of its location has become of value to a neighborhood, community area, or the city.
13. Value as an aspect of community sentiment or public pride.

1461



OCCUPANCY HISTORY
 609 WEST LYNN STREET
 From City Directories
 Compiled by the City Historic Preservation Office
 October, 2003

1963	Vacant	
	Rear	Tim Brown, student
	609 ½	Harold G. Ehrlich, construction worker, Steussy Construction Co.
1960	Mrs. Alma Potts, widow John J. Potts	
	Rear	Jerrell Archie, director of printer operations, Mason Reproduction Company
	609 ½	Tommie L. Cook, maintenance man, Texas State School
1957	Mrs. Alma Potts, widow John J. Potts	
	609a	Baxter Ware, no occupation listed
	609 ½	Mrs. Florence Alderman, floor manager, Tarry Town Cafeteria.
1954	John J. and Alma Potts, laborer, State Highway Department	
	609a	Herman H. and Anna Lockhart, mechanic, Dement and Petmecky Brake Service.
	609 ½	Mrs. Mary Hooper, telephone operator, Terrace Motor Hotel.
1949	Mrs. Cecile M. Silverman (owner), widow Sol Silverman	
	rear	John J. and Beatrice (?) Potts, watchman, Littlefield Building
	609 ½	Leroy and Lou Mundt, inspector.
1947	Mrs. Cecile M. Silverman (owner), widow Sol Silverman	
	rear	John J. Potts, no occupation listed
	609 ½	Leroy Mundt, no occupation listed
1944-45	Mrs. Cecile M. Silverman (owner), widow Sol Silverman	
	rear	Mrs. L.L. Rupert, no occupation listed
	609 ½	Robert Duhl, U.S. Army

1940	Mrs. Cecile M. Silverman (owner), widow Sol Silverman rear Lester L. and Adeline Rupert, clerk, Paradise Liquor Store 609 ½ Leroy and Mary Lou Mundt, no occupation listed
1937	Mrs. Cecile M. Silverman (owner), widow Sol Silverman No other addresses given
1935	Mrs. Cecile M. Silverman (owner), widow Sol Silverman
1932-33	Sol and Cecile Silverman (owner), no occupation listed
1929	Sol and Cecile Silverman (owner), tailor.
1927	Sol and Cecile Silverman (owner), tailor
1924	Sol and Cecile Silverman (owner), tailor at 1-3 Bosche Building, 804 Congress Avenue.
1920	Sol and Cecile Silverman (owner), tailor at 1-3 Bosche Building, 804 Congress Avenue.
1918	Vacant Sol Silverman resides at 701 Highland Avenue
1916	Theodor Ledel, mens' furnishings, 219 Congress Avenue
1914	Theodor Ledel, clothing, millinery, shoes, mens' furnishings, ladies' ready-to-wear, 311 East Sixth Street.
1912-13	Theodor Ledel, clothing, millinery, shoes, mens' furnishings, ladies' ready-to-wear, 503 Congress Avenue
1910-11	Theodor Ledel, clothing, millinery, shoes, mens' furnishings, ladies' ready-to-wear, 503 Congress Avenue.
1909-10	Timothy A. Brown, principal, Pease School.
1903-04	Timothy A. Brown, principal, Pease School.
1900-01	Timothy A. Brown, principal, Pease School.

- 1898-99 Timothy A. Brown, principal, West Austin School.
- 1897-98 Timothy A. Brown, principal, West Austin School.
- 1895-96 Timothy A. Brown, principal, West Austin Public School.
Note: Address is given as the east side of the first street
west of Blanco Street, $\frac{1}{2}$ block north of Sixth.
- 1893-94 Timothy A. Brown, principal, West Austin Public School.
- 1891-92 Neither Brown nor the address is listed.

CITY OF AUSTIN HISTORIC RESOURCE SURVEY

TEXAS HISTORIC SITES INVENTORY FORM — TEXAS HISTORICAL COMMISSION (rev. 8-82)

1. County Travis TRA
AU City/Rural Austin
2. Name _____ Address 609 West Lynn
3. Owner _____ Address _____
4. Block/Lot _____
5. USGS Quad No. 3097-231 Site No. H-23-173
UTM Sector _____
6. Date: Factual _____ Est. 1890
7. Architect/Builder _____ Contractor _____
8. Style/Type _____
9. Original Use _____ Present Use _____
10. Description 2½ story frame residence

11. Present Condition _____
12. Significance _____

13. Relation to Site: Moved Date _____ or Original Site (describe) _____

14. Bibliography _____
15. Informant _____
16. Recorder HHM Date Jan-Mar 84

DESIGNATIONS

- TNRIS No. _____ Old THC Code _____
- ☐ RTHL ☐ HABS (no.) ☐ TEX
- NR: ☐ Individual ☐ Historic District
- ☐ Thematic ☐ Multiple-Resource
- NR File Name _____
- Other _____

PHOTO DATA

- B&W 4x5s _____ Slides _____
- 35mm Negs. _____

YEAR	DRWR	ROLL	FRME		ROLL	FRME
		20	30A	to	20	31A
				to		
				to		

- Tax Parcel # _____
- Original Owner _____

PHYSICAL CONDITION:

	Good	Fair	Poor
Structure	_____	_____	_____
Grounds	_____	_____	_____
Neighborhood	_____	_____	_____

PRESERVATION INDEX:

- _____ City Zoning
- 1 Priority Research

COMMENTS:

ARCHITECTURAL SIGNIFICANCE:

- Outstanding _____ Excellent _____
- Significant _____ Contributory _____

(Photo)

Historical Narrative

Historical research for: 609 West Lynn Street, Austin, Texas

The most notable and historically significant resident of 609 West Lynn Street was Timothy Alvin Brown. From 1897-1916 Mr. Timothy A. Brown and his wife Mary Robertson Brown resided at 609 West Lynn Street.

Timothy Brown was born in 1856 near the town of Marion, Virginia. He received his early education at Marion High School and graduated in 1882 from Hiwassee College, Madisonville, Tennessee. In 1882 Brown traveled to Texas and was a school teacher in the following towns: Edom, McKinney, Weatherford, Minerals Wells, Cisco, Round Rock and Leander. He had a life membership in the Texas State Teachers Association.

(Letter prepared by: Miss Lillian Wester, AF-Biography-B, Austin History Center)

In 1885 he married a young lady also from Tennessee, Mary Rebecca Robertson. They were married in Leander and resided in Austin since 1892.

In the fall of 1892 Brown was hired from Round Rock to become principal of West Austin Public School (Pease School). As principal for 41 years, Mr. Brown made significant contributions to the community. Mr. Brown taught three generations of Austin youth. He was at Pease School for such a great length of time that he tended to the grandchildren of his first pupils.

He was known for his caring and concerned approach-keeping a watch over recess, walking children across the busy Rio Grande Street in the afternoon when school was dismissed. He followed his students and stayed involved in their lives as they became successful adult professionals contributing to community.

"He had an intimate knowledge of and a personal interest in every child. Such interest did not cease when the child left the school. He followed with interest the careers of his boys and girls as they became useful men and women of the community and he now looks with pleasure upon hundreds of prominent leaders in the city, state, and nation as former pupils of Pease School."

(From a clipping loaned by Eugenia Pillow: "Brown Praised For His Service" as drafted by a committee of Austin teachers headed by W. I. Darnell at Mr. Brown's retirement, AF Biography file, Austin History Center)

At his retirement from Pease School in 1933, his colleagues remarked of his character:

"His colleagues as principals will remember him for his courage in defending the principles in which he believes. He was never swayed by the passing opinions of others. Though careful of treading upon untried ground he was always interested in keeping abreast of the education advances that were being made.

He will be remembered also for his courteous regard for his associates in the principalship, his loyalty to the administration, and for the consideration which he always showed his teachers"

(From a clipping loaned by Eugenia Pillow: "Brown Praised For His Service" as drafted by a committee of Austin teachers headed by W. I. Darnell at Mr. Brown's retirement, AF-Biography file, Austin History Center)

After 19 years of residence at the 609 West Lynn Street house, in 1916 the Browns moved to a home at 903 West 23rd Street in Austin.

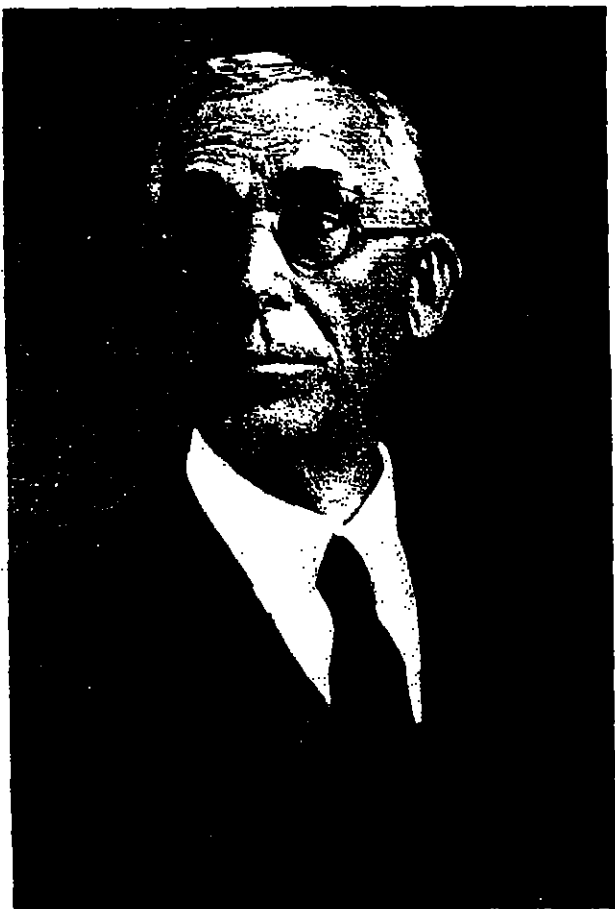
Timothy A. Brown passed away on September 12, 1948 aged 92 years. He was survived by his wife, Mrs. Mary R. and their son, Dr. William Roberston Brown. Pallbearers at the funeral were the Superintended of Schools and other school principals. He is buried at Oakwood Cemetery.

He is honored at the entrance to Pease School by a marker in memory of his many years of service. (see attached photograph)

Mrs. Mary R. Brown contributed significantly to the community through her involvement with University Methodist Church and the formation of Kirby Hall. She is known as the "Mother of Kirby Hall", a dormitory opened in 1924 and designed for Methodist girls attending the University of Texas. For over 20 years Mrs. Brown was Chairman of the Building Committee and petitioned statewide for funds to build the dormitory. As founder of Kirby Hall she has impacted thousand of young women's lives.

"She was an active church officer, holding numerous church positions in the missionary societies and teaching women's Sunday School classes for 25 years. She was made a life member in 1936" (Letter prepared by: Miss Lillian Wester, AF-Biography-B, Austin History Center)

Mrs. Brown passed away at the age of 93 in July 1954.



T. A. Brown

1-11-1908.
BROWN, Timothy Alvin
Brown, Mary Rebecca (Robertson) no date

A QUIET CELEBRATION

'Guardian Angel of Kirby Hall' Observes 90th Birthday

BY JOHNNIE CRESENS
A gentle-faced lady, known throughout the state as the guardian angel of Kirby Hall at the University of Texas, is observing her 90th birthday Tuesday.

Any celebration of the occasion will of necessity be very quiet, for Mrs. T. A. Brown has been an invalid nearly two years. She is fragile and delicate in appearance, somehow like an exquisite piece of Dresden china.

But even though she is physically inactive, Mrs. Brown still is mentally alert. Interested in news of the many projects which formerly occupied her time. From her bed on the sun porch of her home, 903 West 23rd, she has an excellent view of her flower garden, a hobby in which she took much pride in other years.

In a long career of church work, Mrs. Brown's outstanding accomplishment was the founding of Kirby Hall. More than 2,500 girls who have stayed at the dormitory since its opening in 1924 can thank Mrs. Brown for her work in selling the idea of the hall to the Methodist women of Texas.

THE DORMITORY WAS named for Helen Marr Kirby, first dean of women at the University. Funds for the building were raised by Mrs. Brown, who at that time was president of the women's division of the local Methodist conference.

Mrs. Brown obtained part of the money from the Methodist board of home and foreign missions at Nashville, Tenn., and the remainder from contributors throughout Texas. She traveled to all parts of the state during the campaign, giving personal

appeals at each of the five Methodist conferences in the state.

After heading committees both for the fund-raising and construction of the building, Mrs. Brown also served more than 20 years as president of the local policy-forming board for the hall.

In addition to her missionary work for the church, Mrs. Brown was teacher many years of a Bible class at University Methodist Church. She also held various

offices in local chapters of the Daughters of the American Revolution, the United Daughters of the Confederacy and the Daughters of 1812.

Because of her husband's failing health, she was forced to give up much of her outside activity in 1940. Mr. Brown, who died in 1946, was principal of Pease School 41 years, from 1892 to 1933.

Born in Rhont County, east Tennessee, Mrs. Brown was valedictorian of her graduating class at Vic-

toria College, a young ladies finishing school similar to many others in the South of that area. It was while she was attending school that she met her future husband, who at that time was a student at Hixvaie College in nearby Madisonville, Tenn.

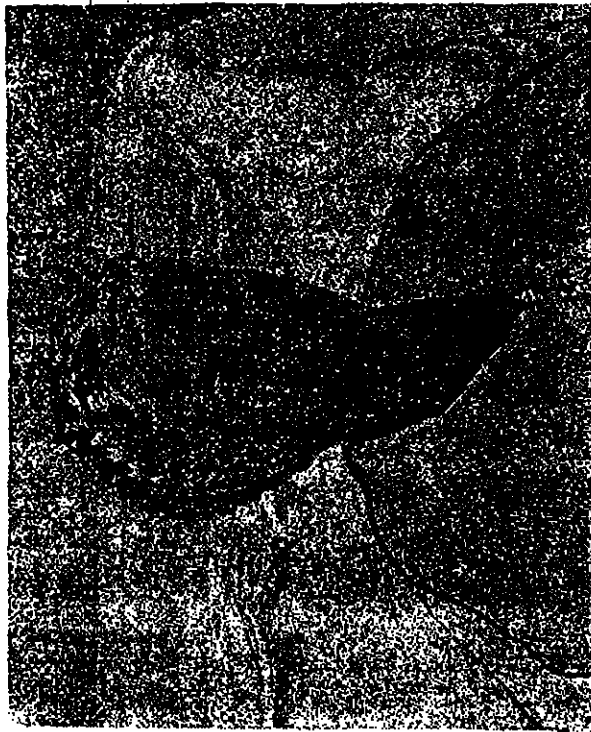
MRS. BROWN, THE former Mary Rebecca Robertson, came to Texas with the rest of her family in 1884. Four of her brothers became distinguished Texas lawyers. One sister, Mrs. Dan Moody of Taylor, was the mother of a former Texas governor. Another sister, Mrs. Margaret Robertson Wester, was the mother of Miss Lillian Wester of Austin, for many years on the Romance languages faculty at the University.

The Browns were married in 1885, and lived several years in Round Rock, where he was a teacher. They and their only child came to Austin in 1892, when he became Pease principal.

Their son, Dr. William R. Brown, now is head of the English Department at Western Michigan College in Kalamazoo. He and his wife now are in Austin on vacation, and will be here for his mother's birthday.

Mrs. Brown, always considered the frail member of her family, believes it is somewhat ironic that she managed to outlive her stronger brothers and sisters. Her blue eyes become misted with thoughts of other years as she says softly:

"I was the youngest of my mother's eight children—and was always believed the weakest. Now I am 90, and the only one still alive..."



MRS. T. A. BROWN

—(Neal Douglass Photos.)

Donor: Mrs. George Endress



STRUCTURES

JERRY GARCIA, P.E.
DANTE ANGELINI, P.E.

October 16, 2004

Mr. Steve Sadowsky
City of Austin
P.O. Box 1088
Austin, Texas 78767

RE: 609 W. Lynn -- Structural Evaluation

Dear Mr. Sadowsky:

At the request of Ms. Sarah Crocker, on September 15th, I visited the above mentioned residence to observe and to provide a structural assessment of the existing structure. The residence can be described as a two level conventionally framed structure built in the late 1800's.

This observation is not a full code or compliance inspection. This office has performed a visual, practical and non-destructive observation of the properties present condition and provides in this report a list of observed items. Any area that was not readily accessible or visible is not included in this report. This office representative is not required to move such items as, but not limited to, panels, furniture, carpeting, siding, personal belongings, etc. in order to perform this observation.

NOTE: THIS OBSERVATION DOES NOT COVER ITEMS OR CONDITIONS THAT MAY BE DISCOVERED ONLY BY INVASIVE METHODS. IT IS NOT INTENDED TO BE TECHNICALLY EXHAUSTIVE, NOR IS IT INTENDED TO REVEAL ALL EXISTING OR POTENTIAL DEFECTS. NO REMOVAL OF MATERIALS OR DISMANTLING OF SYSTEMS WAS PERFORMED UNDER THIS OBSERVATION.

The following serves to describe notable items that may or may not be a result of structural performance. Items will be described and commented upon. For

1018 W. 11TH STREET
SUITE 100
AUSTIN, TEXAS 78703
TEL: 512-499-0919
FAX: 512-320-8521

purposes of description, the left side of the building when faced from the West Lynn Avenue is considered the north side of the residence.

UPPER LEVEL

1. An observation of the upper level revealed the structure to be experiencing differential vertical movement throughout. With exception of the noted floor deflection, the upper level was structurally unremarkable.
2. A natural gas leak was evident at the time of my observation.
3. The stair access to the second level was unstable and did not meet current code criteria.

LOWER LEVEL

1. The first level was also noted to be undergoing dramatic foundation movement. Floor elevations throughout the residence were varied.
2. The modified screened in porch at the south side of the residence has experienced dramatic deterioration over the years. The decking has deteriorated to a degree of dramatic loss in structural integrity. It appears that extensive deterioration has occurred to the supporting foundation assembly below.
3. The bathroom enclosure at the rear of the structure has deteriorated in a similar fashion.

An observation of the exterior and under carriage of the house was the most telling. The exterior wall framing at the north side of the residence has experienced dramatic deterioration as a result of poor site and roof drainage coupled with a lack of general maintenance. Similarly, the north east corner of the residence has undergone a similar deterioration. The south side of the residence, as a result of foundation deterioration and neglect has begun to pull away from the main frame as well as experience dramatic settlement.

An observation of the underside of the residence has revealed that the foundation has undergone a series of "repairs" to offset the settlement that the residence has experienced over the years. Original brick piers have been rendered useless a result of excessive listing. New supports are random and

considered inadequate by current standards. A number of props were installed as piers that are not considered of adequate capacity. Additionally, excessive moisture was encountered beneath the residence indicating that further compromise of the foundation is underway.

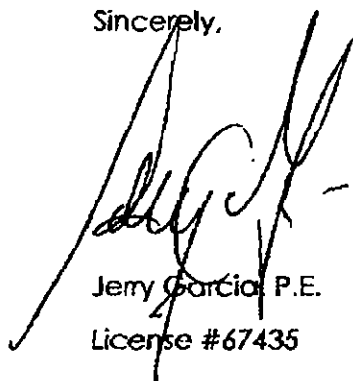
It is the opinion of this office that the residence is structurally unfit for occupancy. Considering the extensive degree of repairs required, we feel that the cost of repairs would be unreasonable to satisfy the required structural standards of the building. Although not under the scope of this evaluation, it is recommended that a plumbing evaluation as well as a mold inspection be provided to further assess the level of deterioration of the structure.

The inspection consisted of a visual observation only. Neither the inspection nor this report is intended to cover mechanical, electrical or architectural features. Furthermore, the owner agrees to limit Jerry Garcia, P.E.'s (Design Professional) liability to the owner due to the opinion such that the total aggregate liability of each Design Professional's liability to all those named shall not exceed the Design Professional's total fee for services rendered on this project.

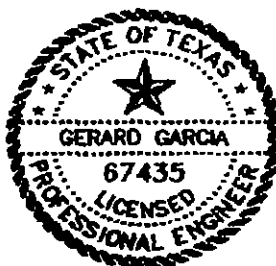
Please notify this office by registered letter within two weeks of this date stating objections to or questions regarding the information contained in this letter. If none are received, it is concluded that no exceptions are taken regarding the professional opinion rendered or this liability limitation statement.

If you have any questions, please feel free to contact this office at 499-0919.

Sincerely,



Jerry Garcia, P.E.
License #67435



**609 West Lynn Street
Austin,
Texas**

*Historical Research prepared for the October 27, 2003 Historical Landmark Commission
Public Hearing on Historic Demolition Permit*

File Number: HDP-03-0152

Prepared by Paige Frederick-Pape
for OWANA
Resident: 1202 Shelley Ave
October 27, 2003

CITY OF AUSTIN HISTORIC LANDMARK COMMISSION

November 15, 2004

C14H-04-0027 – Brown - Ledel - Silverman House, 609 West Lynn Street

B. Public Hearing To Discuss And Take Action On Historic Zoning Cases (Continued)

2. C14H-04-0027 – Brown - Ledel - Silverman House

609 West Lynn Street

Historic Landmark Commission Initiated application for historic zoning

By: Historic Landmark Commission

Owner: William D. Dildy

City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454

STAFF PRESENTATION

Mr. Steve Sadowsky, Historic Preservation Officer, informed the Commission that the case originated with an application to demolish this house and the house to the north of it, at 611 West Lynn, in October, 2003, when the Commission initiated historic zoning cases on both houses. At that time, the current owner had a power of attorney from his mother, the record owner of both houses. The mother revoked the power of attorney, and withdrew the application for demolition. The case has not returned to the Commission for a recommendation regarding historic zoning until now because the family has been working on putting together the application for historic zoning.

Since the time of the original Commission action, the properties have been divided between the applicant, who is now the record owner of 609 West Lynn Street, and his sister, who owns the house to the north. The applicant now requests demolition of the house at 609 West Lynn because of its structural deterioration.

Research shows that the first occupant of the house was Timothy A. Brown, principal of the West Austin, or Pease School. Brown was born in Virginia, educated in Tennessee, then came to Texas around 1882. He moved to Austin in 1892 to become the principal of the West Austin School, and held that position until his retirement in 1933. His wife, Mary Brown, founded

CITY OF AUSTIN HISTORIC LANDMARK COMMISSION

November 15, 2004

C14H-04-0027 – Brown - Ledel - Silverman House, 609 West Lynn Street

the Kirby Hall dormitory for women at UT in 1924. The Browns lived here until 1916, followed by Theodor Ledel, a clothing merchant. Sol Silverman, a tailor, purchased the house in 1919. His widow remained in the house until 1949, and established two rental units on the property by 1940.

The house is an excellent example of the Queen Anne style of residential construction with its assymetrical façade, ornate architectural decoration, prominent front gable, and gabled front porch with a spindlework frieze. It has been identified in the cultural resources survey of the West Austin Neighborhood Plan as a historically significant structure.

The Brown-Ledel-Silverman House was listed as a Priority 1 in the 1984 survey, and meets Historic Landmark Designation Criteria 1, 3, 6, 9, 11, and 12 for its associations with the Browns, its Queen Anne architecture, and its importance to the history of the development of West Austin.

Staff visited the property at the request of the owner and observed that the house is extremely deteriorated. While this house meets at least 6 of the criteria for landmark designation, it may be too deteriorated to preserve. The owner has submitted a structural engineer's report outlining the deterioration. With that in mind, staff very reluctantly recommends approval of the demolition permit. This is a very important house, not only for its architecture, but also for its associations with Timothy Brown, the principal of the West Austin School, and two early Austin merchants. Sadly, the house has suffered such extreme deterioration that, according to the structural engineer's report, rehabilitation is no longer feasible. If the Commission votes to release the demolition permit, then staff recommends that the owner provide archival photo-documentation of the exterior and

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C14H-04-0027 – Brown - Ledel - Silverman House, 609 West Lynn Street

significant interiors of the house, including architectural details for the Austin History Center.

IN FAVOR OF HISTORIC ZONING

Mr. Steve Colburn, chair of the Old West Austin Neighborhood Association Zoning Committee, requested a 4-week postponement to allow the neighborhood association to meet and discuss the issue.

Ms. Laura Labay stated that she is Mrs. Dildy's grand-daughter and Kathleen Labay's daughter. Her grandmother is 96 years old, and her mother has power of attorney, and is trying to carry out her grandmother's wishes to preserve the house. Her mother has a first right of refusal on the sale of the house, which is still in force. Ms. Labay requested a postponement of the case to allow them to meet with their attorney and work with the neighborhood association.

IN OPPOSITION

Ms. Sarah Crocker, representing the applicant, discussed the structural report performed by Jerry Garcia and the overall condition of the house. Ms. Crocker stated that she was retained in August to look at the house which is currently under contract for sale. She informed her client that there would probably be a historic zoning case, and hired Jerry Garcia, who has very strong feelings regarding the preservation of structures and has worked with neighborhoods against her when she wanted to tear a house down. Ms. Crocker stated that she has been to the house on four occasions to evaluate it, and informed the Commission that the house has been structurally compromised over the years, resulting in a lateral shift of the house, causing it to lean significantly to the south. Exterior pipes are pulling away from the house, and water pools in one corner due to the lack of a gutter system. At

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times, there is a lake under the house. There is a variety of items used to prop up the pillars, and the last time she went by the house, the tenant told her that the plumbing in the bathroom had broken, which made it impossible to use the bathroom. Ms. Crocker urged the Commission to release the demolition permit.

Commission Chair Laky asked Ms. Crocker if they would agree to a 30-day postponement. Ms. Crocker responded that her client was not in favor of a postponement, but that if the Commission released the demolition permit, they would wait 30 days to demolish the house.

Mr. William Dildy, the owner, stated that he grew up in the neighborhood and remembered many big houses which had been demolished to build apartments. Mr. Dildy wants to prevent further encroachments of apartment buildings in the neighborhood. He informed the Commission that his mother is currently in a nursing home in Austin which costs \$5,000 a month. Sale of this property will help him pay her bills.

Commission Chair Laky asked if the house had ever been placed on the market. Mr. Dildy responded that he had received calls from people interested in buying the property, and had been working on selling the house along with the house at 611 West Lynn, but the buyers were corporate and wanted to demolish the houses to build apartments. That had been a \$1.2 million deal. His mother was against selling the property but he was trying to raise funds for her.

Commissioner Hansen asked whether the house had ever been placed on the open market, as she had never seen a "For Sale" sign in the yard. Mr. Dildy responded that he had been working with Trey Garrison to sell the houses, and that Mr. Garrison had put together three or four different deals, which were contingent on a number of legal things happening.

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Commission Chair Laky asked if the house had been on the market since that time. Mr. Dildy responded that he would just about give the house away to anyone who wanted to move it.

Commission Chair Laky asked if Mr. Dildy planned to tear down the house before the property was sold. Mr. Dildy responded that the current sale of the property is contingent on getting the demolition permit. The prospective owner has studied the situation to try to make it livable for him and his wife. The house is a cedar post foundation, board and batten walls, no fire stops, and the post that is from the front porch is in the back holding up a part of the sleeping porch. A long time ago, the house was modified, adding roofs over roofs, with different levels of roofs butting up against other sections of roofs. He had to enclose two fire places because they had pulled away from the wall.

Commission Chair Laky asked about Mr. Dildy's sister's first right of refusal. Mr. Dildy responded that his sister did have a right of first refusal, which states that she can purchase the property for the same price as was quoted to the prospective owner, \$380,000, and that if she can get a check cut before November 23rd, then the house is hers.

PUBLIC HEARING WAS CLOSED (WEST/BUNTON).

The Commission stated that while they were sympathetic to the owner's desire to sell the house to pay his mother's bills, the house met 6 historic landmark designation criteria and had an important place in Austin's history and should be preserved. The Commission added Criteria 13 to their recommendation because of the support of the West Austin Neighborhood Association for preservation of the house.

CITY OF AUSTIN HISTORIC LANDMARK COMMISSION

November 15, 2004

C14H-04-0027 – Brown - Ledel - Silverman House, 609 West Lynn Street

COMMISSION ACTION: HANSEN/MATHER

MOTION: RECOMMEND A ZONING CHANGE FROM MULTI-FAMILY RESIDENCE, NEIGHBORHOOD PLAN (MF-4-NP) DISTRICT ZONING, TO MULTI-FAMILY RESIDENCE – HISTORIC – NEIGHBORHOOD PLAN (MF-4-H-NP) COMBINING DISTRICT, ZONING BASED ON CITY HISTORIC LANDMARK CRITERIA 1, 3, 7, 9, 11, 12, AND 13.

AYES: BUNTON, HANSEN, LAKY, LEARY, LIMBACHER, MATHER, AND WEST

ABSENT: FOWLER

MOTION CARRIED BY A VOTE OF 7-0

TRAVIS CAD Property Information

Appraisal Data Updated 2004-10-22

TRAVIS Account Number: 01080303010000 Tax Year: 2004

Owner's Name and Mailing Address	DILDY WILLIAM DOLPH DILDY WILLIAM DOLPH P O BOX 1834 WINNIE TX 77665-1834
Location	609 WEST LYNN ST CITY OF AUSTIN, TX
Legal Description	104X200FT OLT 3 DIVISION Z

PROPERTY INFORMATION			
Land Acre or SF Land Area Improvement Area	Lot 2,800	Tax Exemptions	
Neighborhood Group Neighborhood Code SPTB	Z7306 B3	Location Unit Effective Yr. Contr.	1965
Deed Date Deed Volume Deed Page Deed Type Deed Year	19840911 08795 00618 WD 1984	Structure Code	03 TRI/FOUR PLEX



This information is intended for reference only and is subject to change. It may not accurately reflect the complete status of the account as actually carried in Travis Central Appraisal District's database and may not be used as a basis of protest or appeal.

JURISDICTION and VALUE INFORMATION - 2004

Jurisdiction Name	Mkt. Val. Land	Mkt. Val. Imp.	Mkt. Val. Total	Capped Value	Exemption Amount	Assessed Value	Tax Rate
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AUSTIN ISD	\$148,750.00	\$138,528.00	\$287,278.00	\$287,278.00	\$0.00	\$287,278	1.6230
CITY OF AUSTIN	\$148,750.00	\$138,528.00	\$287,278.00	\$287,278.00	\$0.00	\$287,278	0.4430
TRAVIS COUNTY	\$148,750.00	\$138,528.00	\$287,278.00	\$287,278.00	\$0.00	\$287,278	0.4872
AUSTIN COMMUNITY COLLEGE	\$148,750.00	\$138,528.00	\$287,278.00	\$287,278.00	\$0.00	\$287,278	0.0900

JURISDICTION and VALUE INFORMATION - 2003

Jurisdiction Name	Mkt. Val. Land	Mkt. Val. Imp.	Mkt. Val. Total	Assessed Value	Tax Rate
01	\$148,750.00	\$138,528.00	\$287,278.00	\$287,278.00	1.61370
02	\$148,750.00	\$138,528.00	\$287,278.00	\$287,278.00	0.49280
03	\$148,750.00	\$138,528.00	\$287,278.00	\$287,278.00	0.49180
68	\$148,750.00	\$138,528.00	\$287,278.00	\$287,278.00	0.07710

JURISDICTION and VALUE INFORMATION - 2002

Jurisdiction Name	Mkt. Val. Land	Mkt. Val. Imp.	Mkt. Val. Total	Assessed Value	Tax Rate
01	\$148,750.00	\$138,528.00	\$287,278.00	\$287,278.00	1.59640
02	\$148,750.00	\$138,528.00	\$287,278.00	\$287,278.00	0.45970
03	\$148,750.00	\$138,528.00	\$287,278.00	\$287,278.00	0.46600
68	\$148,750.00	\$138,528.00	\$287,278.00	\$287,278.00	0.05000

JURISDICTION and VALUE INFORMATION - 2001

Jurisdiction Name	Mkt. Val. Land	Mkt. Val. Imp.	Mkt. Val. Total	Assessed Value	Tax Rate
01	\$148,750.00	\$138,528.00	\$287,278.00	\$287,278.00	1.54860
02	\$148,750.00	\$138,528.00	\$287,278.00	\$287,278.00	0.45970
03	\$148,750.00	\$138,528.00	\$287,278.00	\$287,278.00	0.44600
68	\$148,750.00	\$138,528.00	\$287,278.00	\$287,278.00	0.05000

JURISDICTION and VALUE INFORMATION - 2000

Jurisdiction Name	Mkt. Val. Land	Mkt. Val. Imp.	Mkt. Val. Total	Assessed Value	Tax Rate
01	\$85,000.00	\$124,675.00	\$209,675.00	\$209,675.00	1.54860
02	\$85,000.00	\$124,675.00	\$209,675.00	\$209,675.00	0.46630
03	\$85,000.00	\$124,675.00	\$209,675.00	\$209,675.00	0.46700
68	\$85,000.00	\$124,675.00	\$209,675.00	\$209,675.00	0.05000

JURISDICTION and VALUE INFORMATION - 1999

Jurisdiction Name	Mkt. Val. Land	Mkt. Val. Imp.	Mkt. Val. Total	Assessed Value	Tax Rate
01	\$135,928.00	\$122,685.00	\$258,613.00	\$258,613.00	1.5486
02	\$135,928.00	\$122,685.00	\$258,613.00	\$258,613.00	0.5034

03	\$135,928.00	\$122,685.00	\$258,613.00	\$258,613.00	0.4988
68	\$135,928.00	\$122,685.00	\$258,613.00	\$258,613.00	0.05

JURISDICTION and VALUE INFORMATION - 1998

Jurisdiction Name	Mkt. Val. Land	Mkt. Val. Imp.	Mkt. Val. Total	Assessed Value	Tax Rate
01	\$135,928.00	\$122,685.00	\$258,613.00	\$258,613.00	1.4319
02	\$135,928.00	\$122,685.00	\$258,613.00	\$258,613.00	0.5142
03	\$135,928.00	\$122,685.00	\$258,613.00	\$258,613.00	0.5143
68	\$135,928.00	\$122,685.00	\$258,613.00	\$258,613.00	0.05

Another Search by Account Number

Another Search by Owner Name

Another Search by Address

HISTORIC LANDMARK COMMISSION

NOVEMBER 15, 2004

B. Public Hearing to Discuss and Take Action on Historic Zoning Cases

- 2. C14H-04-0027**
Brown-Ledel-Silverman House
609 West Lynn Street

Proposal: Demolish the ca. 1893 house.

Case History: This case was presented to the Historic Landmark Commission on October 27, 2003 for demolition along with the house to the north, 611 West Lynn. The Commission initiated historic zoning cases on both houses, and the family severed their ties with their agent, and withdrew the application for demolition of both houses. The case has not returned to the Commission for a recommendation for historic zoning because the family has been putting together the information for the application.

Since the time of the original Commission action, the properties have been divided between the current applicant, who owns 609 West Lynn Street, and his sister, who owns 611 West Lynn Street. The applicant now requests demolition of the house at 609 West Lynn because of its structural deterioration.

Staff Comments:

The ca. 1893 house is listed as a Priority 1 property in the Comprehensive Cultural Resources Survey (1984). The two-and-a-half story wood frame house appears to be in a fairly deteriorated condition, and has had several unsympathetic alterations, including the modification of the front porch by the elimination of the left porch post, and the construction of a secondary entrance on the front of the house. The photographs of the house in the 1984 survey show the secondary entrance, and both porch posts removed.

The Historic Structures Survey in the Old West Austin Neighborhood Plan shows this house as historic, with no significant alterations.

Historical Research:

The 1893-94 city directory shows the first occupant of the house as Timothy A. Brown, the principal of the West Austin (Pease) Public School. Brown (1856-1948) was born near Marion Virginia, and moved to Texas in the early 1880s. He became the principal of the West Austin School in 1892, and held that position until his retirement in 1933. A noted ornithologist, Brown encouraged his students to study nature. He lived in this house until 1910.

City directories from 1910 through 1916 list Theodor Ledel, a clothing merchant, at this address. Sol Silverman, a tailor with a shop in the Bosche Building, purchased the property around 1919. His widow is shown as the owner and occupant of the house from 1935 through 1949. By 1940, Mrs. Silverman had established two rental units on the property. By 1954, the main house was also used as a rental property. The 1935 Sanborn map shows a two-story garage apartment at the rear of the property, but no other occupants nor addresses on this site are noted in the city directories until 1940.

Standards for Review:

The Brown-Ledel-Silverman House meets the following Historic Landmark Designation Criteria:

1 (*Character, interest, or value as part of the development, heritage or cultural characteristics of the City of Austin, State of Texas, or the United States*) for its early location on the west side of town;

3 (*Embodiment of distinguishing characteristics of an architectural type or specimen*) for its Queen Anne style;

6 (*Relationship to other distinctive buildings, sites, or areas which are eligible for preservation according to a plan based on architectural, historic, or cultural motif*) for its identification as historic in the Old West Austin Cultural Resources Survey for the neighborhood plan (2000);

9 (*Exemplification of the cultural, economic, social, ethnic or historical heritage of the city, state or the United States*) for its history as a private dwelling converted to rental units by the widow of the owner, who was a Jewish tailor;

11 (*Identification with a person or persons who significantly contributed to the culture and development of the city, state or United States*) for its associations with Timothy A. Brown, an early Austin educator and the principal of West Austin (Pease) School from 1892 to 1933; and

12 (*A building or structure that because of its location has become of value to a neighborhood, community area, or the city*) because of its identification in the Old West Austin Historic Structures Survey.

Staff Recommendation: Approve the demolition permit. Staff makes this recommendation very reluctantly because this is an important house, not only for its architecture, but for its associations with Timothy Brown, the principal of the West Austin School, and two early Austin merchants. Sadly, the house has suffered such extreme deterioration that rehabilitation is no longer feasible. Staff recommends that the applicant provide photo-

documentation of the exterior and the significant interiors of the house prior to demolition.

