

Zoning Ordinance Approval
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION



AGENDA ITEM NO.: 46
AGENDA DATE: Thu 02/17/2005
PAGE: 1 of 1

SUBJECT: C14H-04-0027 – Brown-Ledcl-Silverman House - 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: Forwarded to Council without a recommendation. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, Historic Preservation Office, Neighborhood Planning and Zoning Department, 974-6454. Note: A valid petition has been filed by the property owner in opposition to this rezoning request.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

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: January 11, 2005: Postponed case to January 25, 2005. January 25, 2005: Forwarded the case without a recommendation.

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: Postponed to February 10, 2005 at neighborhood's request.

February 10, 2005

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.

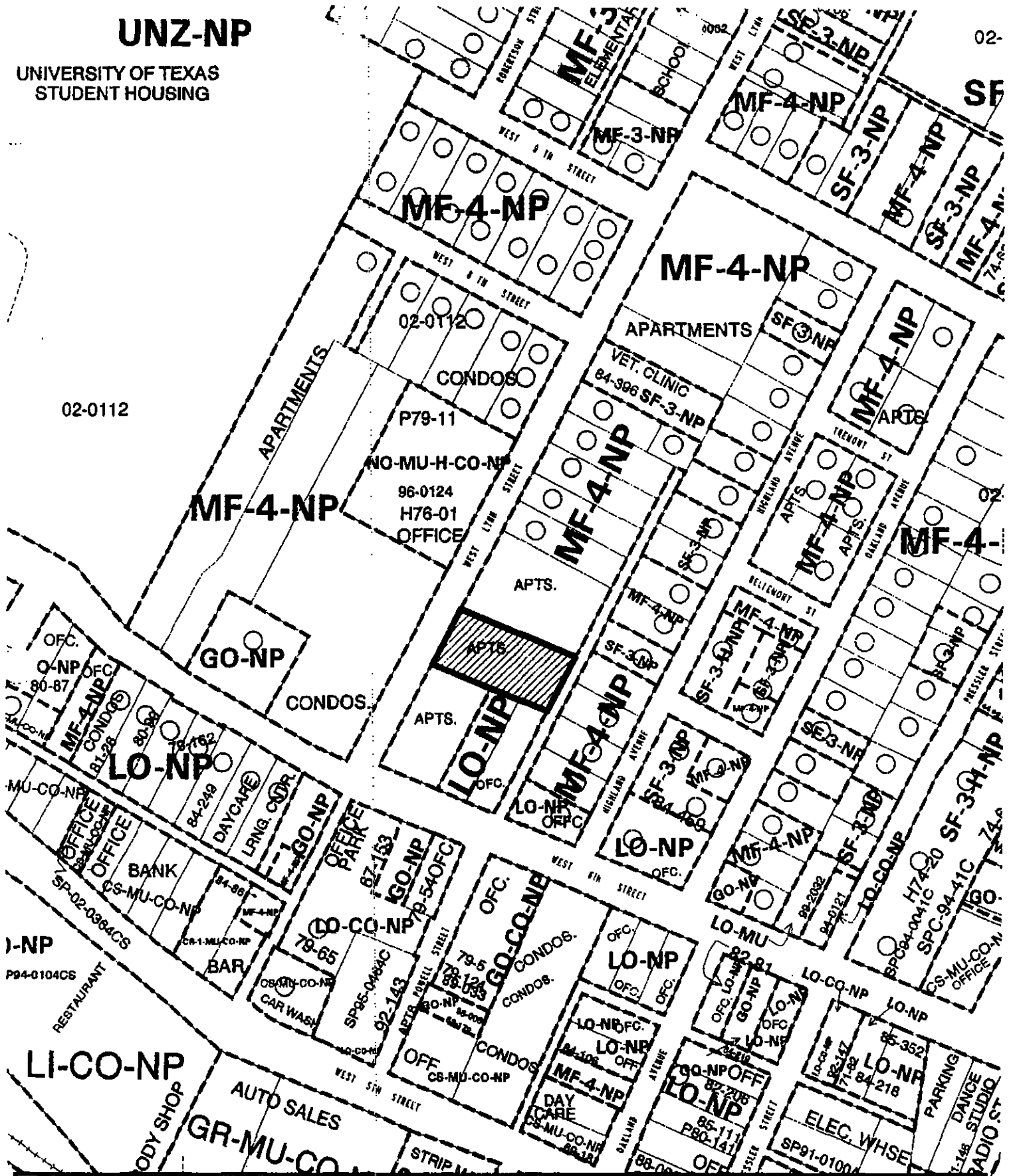
UNZ-NP

UNIVERSITY OF TEXAS
STUDENT HOUSING

02-

SF

02-0112



SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

CASE MGR: S. SADOWSKY

HISTORIC ZONING

CASE #: C14H-04-0027

ADDRESS: 609 WEST LYNN STREET

SUBJECT AREA (acres): N/A

DATE: 04-11

INTLS: SM

CITY GRID
REFERENCE
NUMBER

H23

1" = 200'

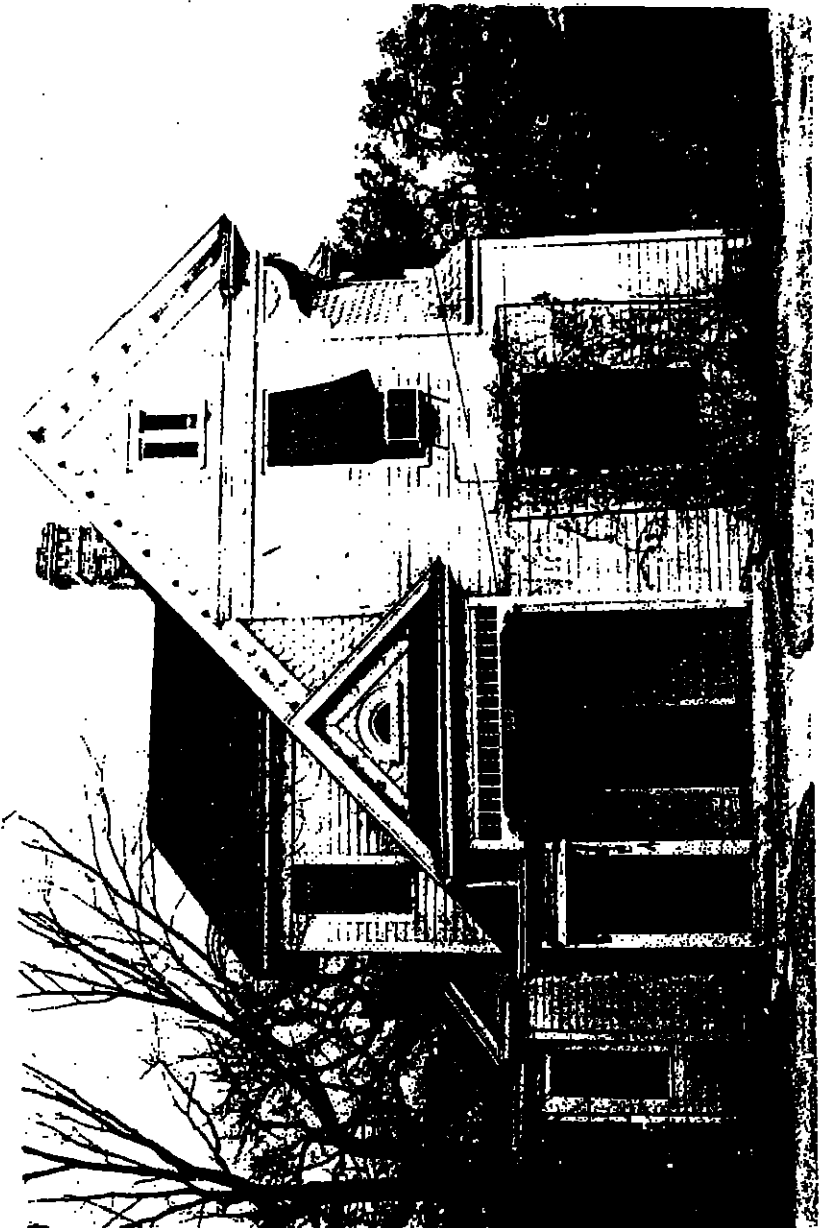


HISTORIC LANDMARK DESIGNATION CRITERIA

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.

1971



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 _____
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
 _____ Priority Research

COMMENTS:

ARCHITECTURAL SIGNIFICANCE:

Outstanding _____ Excellent _____
 Significant _____ Contributory _____

(Photo)

**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**

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 principal hip, 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-B104
 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, 923 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 1948, was principal of Pease School 41 years, from 1892 to 1933.

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

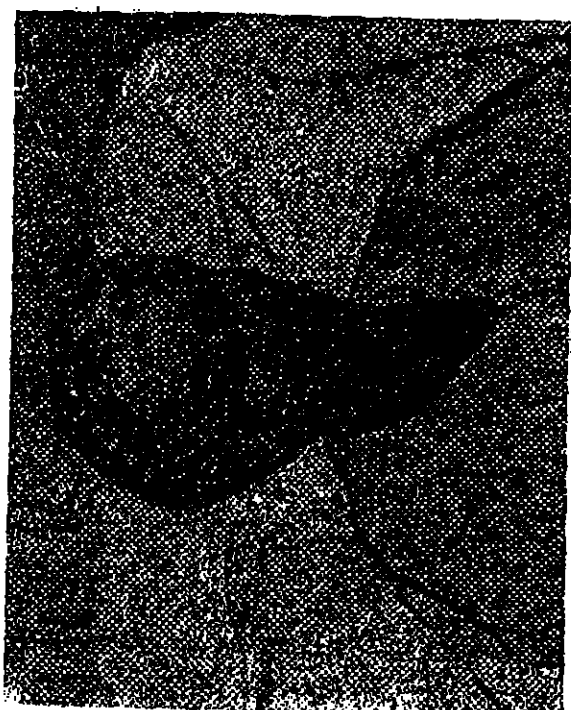
toria College, a young ladies finishing school similar to many others in the South of that area. It was while she was attending school that she met her future husband, who at that time was a student at Hiwassee College in nearby Madisonville, Tenn.

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

—(Need Douglass Photos.)

Donor: Mrs. George Endreass

Austin History Center & Austin Public Library



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
S U I T E 1 0 0
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 as a result of excessive listing. New supports are random and

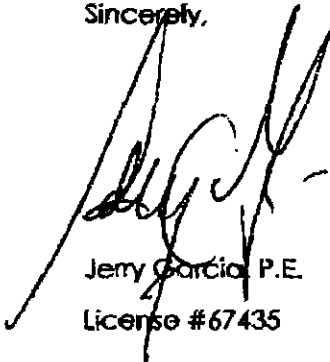
considered inadequate by current standards. A number of props were installed as piers that are not considered of adequate capacity. Additionally, excessive moisture was encountered beneath the residence indicating that further compromise of the foundation is underway.

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.

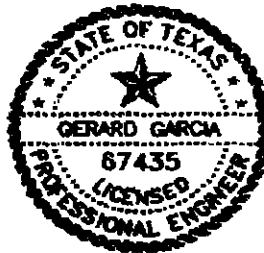
The inspection consisted of a visual observation only. Neither the inspection nor this report is intended to cover mechanical, electrical or architectural features. Furthermore, the owner agrees to limit Jerry Garcia, P.E.'s (Design Professional) liability to the owner due to the opinion such that the 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





JASTER-QUINTANILLA & ASSOCIATES, INC.

CONSULTING ENGINEERS
1608 WEST SIXTH STREET, SUITE 100, AUSTIN, TX 78703
A 512.474-9091 www.jaster-quintanilla.com F 512.474-1179

January 19, 2005

Mr. Steve Colburn
Old West Austin Neighborhood Association
P.O. Box
Austin, Texas 78703

Re: Structural Observation
609 West 6th Street
Austin, Texas

Dear Steve:

Pursuant to your request, I visited the residence at 609 West 6th Street to observe the condition of the structure and foundation and to evaluate the cost of leveling the foundation, and stabilizing and repairing the wood structure to a serviceable level of performance. My observations and conclusions follow.

General

The residence consists of a two story conventionally wood framed structure enclosing approximately 1,800 square feet on the ground level and 1,100 square feet on the second level. The roof has a relatively steep pitch with numerous dormers, valleys and hips and is covered with a metal roof membrane. The first floor is framed over a crawlspace and is supported on brick piers founded at a relatively shallow depth. The site slopes down from the north to the south approximately 18" to 2'-0" with the grade on the north side of the house very close to the finished first floor elevation. The exterior of the residence is clad in wood siding with the use of some shingles in the upper gable areas. (Photos P1 and P2.)

Observations

On the north side of the residence, I noted that the sill beam at the perimeter of the foundation was seriously deteriorated and while I could not visibly verify that this deterioration has extended up into the bottom of the stud framing for the walls, it is very likely that a number of the studs have been damaged near the bottom of the wall. This deterioration is a result of the high grade against the base of the wall framing that provides a constant source of moisture and a favorable environment for termite activity. These conditions normally require regular maintenance to ensure that storm drainage is maintained in a diverted manner around the structure and that debris does not build up against the base of the wall. (Photos P3 and P4.)

Along the rear of the residence is a more recently constructed one story addition that is likely not part of the original residence. This addition is pulling away from the remainder of the residence. Along the base of the rear wall, the exterior siding was again noted to be significantly deteriorated as a result of the close proximity of the grade to the floor. There is likely to be significant damage to the base of the wood studs as evidenced by the lean of this addition away from the original house. (Photos P5 and P6.)

The south face and downhill side of the residence has experienced a significant amount of settlement resulting from the gradual erosion of the supporting soils below the footings over the years. One room that now serves as a bath was originally constructed as a porch with a minimal amount of slope on the floor. The south edge of this bath has settled dramatically to the point where the function of the plumbing is highly suspect. The south wall of the residence, as a result of the settlement, appears to be bowing as a result of it's

lack of plumbness. This wall would require some stabilizing measures prior to leveling the foundation. (Photos P9 and P10.)

Observation of the crawlspace indicates that several minimal measures have been taken to essentially temporarily shore up areas of the floor that are experiencing the most severe deflection. These measures typically are in the form of slender wood props that have little to no lateral stability. There is indication of more substantial repairs in the form of concrete masonry unit piers at the southeast corner of the residence. The floor joists and sill beams that are located away from the north and east edge of the residence appear to be in reasonably sound condition, though they are severely distorted in their current position and there would likely be a relatively high replacement rate of these members when leveling operations are undertaken. (Photos P7 and P8.)

Many of the brick piers that are part of the original construction were noted to be significantly out of plumb. Several were no longer in contact with the floor framing and thus rendered useless. It would be a reasonable assumption that a leveling operation for this residence would require that all piers be replaced with new piers founded a minimum of 2'-0" below the crawlspace grade.

Observation of the interior of the residence yielded no unexpected results. There were very few to no wall finishes that are sensitive to foundation movements such as gypsum wall board. Many of the walls were stripped down to the one-by sheathing or were clad with siding or paneling. Floors on both the first and second floor were noted to have significant slope in the areas where settlement had been observed on the exterior of the residence.

Conclusions

The structural soundness of this residence, while an essential component of providing a residence that is fit for occupancy, may not be the most significant cost in the overall picture of restoring this property. Other factors that should be evaluated but are not in our realm of expertise include:

1. The plumbing that in some cases was noted to be suspect and will most certainly be affected by the large movements of the structure in any leveling operation.
2. Site drainage.
3. Roof Covering.
4. Restoration of building envelope -- exterior wall damp proofing and finishes.

Given the aforementioned conditions, a large portion of the structure for the residence remains salvageable and repairable, but there is substantial amount of structural repair required to achieve this.

Current Structural Integrity

The current structural condition of the residence is a concern and, while it may not be in a necessarily dangerous state at this time given that the second level is not occupied, some essential repairs must be undertaken in the very near future to ensure that it remains safe to inhabit. My primary concern is the bowing of the south wall in response to the severe settlement of this side of the residence. If the house is to remain occupied and no major repairs are to be undertaken, I would recommend that a whaler be erected on the south wall and near the second floor and secured to the remainder of the residence with tensioned cables that extend through the house to the north wall. This is a temporary measure that would likely be necessary if a leveling operation was undertaken.

Second, I would recommend that a foundation repair company be retained to survey the existing footings and provide shims in areas where existing piers do not contact the framing but remain reasonably sufficient to support the framing over the short term and to provide new footings where required. While this would ultimately be the Owner's decision, it would be prudent to compare the cost of a complete leveling operation with this minimal effort to only stabilize the residence over the short term so as to avoid paying two mobilization costs should the decision be to restore the current residence.

Costs of Long Term Structural Restoration

While the cost of merely stabilizing the structure over a short term may not be significant, a substantial structural restoration of this residence is an acute necessity if the residence is to remain. I have contacted a local and long standing foundation leveling company that we have worked with over the years to obtain unit prices for this work. In addition to the leveling and reconstruction of the foundation, some work will be required to reconstruct the bases of exterior walls, re-anchoring of the south wall to the second floor diaphragm and remedial work of the roof framing where moisture infiltration may have deteriorated the framing over the years. What is absent from these estimates, is the removal of architectural finishes, siding, etc. and replacement of those finishes that will be required to access the structure and make the repairs. My opinion of probable construction costs for restoring the structure follows:

<u>Item Description</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Extension</u>
New Foundation Piers	50	\$400.00	\$20,000.00
Replace Floor Joists	650 Lin. Ft. (\pm 50%)	\$8.50	\$5,525.00
Replace Sill Beams	200 Lin. Ft.	\$20.00	\$4,000.00
Level	Lump Sum	\$2,500.00	\$2,500.00
Clear Debris & Haul	Lump Sum	\$500.00	\$500.00
Repair Base of Studs *	75	\$60.00	\$4,500.00
Stabilize South Wall and Re-anchor to Floor	Lump Sum	\$3,000.00	\$3,000.00
Replace Roof Members	200 Lin. Ft.	\$5.00	\$1,000.00
Total Opinion of Probable Structural Cost			\$41,025.00

*A relatively high unit price has been assumed here to account for the cost of shoring the structure above to conduct these repairs.

Leveling the foundation will require substantial jacking and movement of the structure to achieve a reasonably level condition. This will most likely result in significant shifts in the wall finishes on the interior and exterior, distortion of window and door openings that may have been adjusted over the years to accommodate the foundation movement, and perhaps breaches in the roofing membrane at various locations where planes intersect. It may be prudent to count on replacing or repairing the majority of the doors and some percentage of the windows after the leveling operations are completed. These costs are not accounted for in this report.

Additionally, removal and replacement of the exterior or interior wall sheathing will be required to repair the base of the studs and re-anchor the south wall to the second floor. These costs are also beyond the scope of

this report. And, as mentioned previously, a substantial amount of plumbing repair and restoration will likely be required both as a result of the leveling and to provide a properly functioning and serviceable plumbing system for the residence.

It is conceivable that repairs that are ancillary to the structural repairs such as plumbing, interior finishes, doors and windows, roof and exterior sheathing/siding could easily amount to the cost of the structural repairs themselves without accounting for costs incurred for achieving a fully restored, aesthetically pleasing, genuine historical project. An exhaustive multi-disciplined report addressing an undertaking of this nature is beyond the scope of this report.

Summary

In summary, a significant portion of the structure for this residence appears at this time to be salvageable and repairable though it's deterioration will continue and at an accelerated rate. The associated cost of repairing the structure alone coupled with ancillary costs to access the structural components and to repair architectural damage resulting from the structural corrections could likely fall between \$60,000.00 and \$100,000.00. without addressing any aesthetic or site related issues.

My investigation included visual observation of the exterior perimeter of the building from grade level; primarily the wood siding veneer and exposed portions of the perimeter foundation sill beam, visual observation of a portion of the crawlspace below the building and visual observation of the wallboard and ceiling finishes on the building interior.

For my review, I did not have access to construction documents, shop drawings, as-built drawings or engineering calculations of any kind. Thus my review and conclusions are based upon the assumption was constructed according to normal construction techniques for small wood framed residences. Further, Jaster-Quintanilla & Associates, Inc. was not involved or present during the design or construction of the referenced project. For this reason, all conclusions and recommendations are based upon my review of the materials provided as noted previously and upon my interpretation of my site observations.

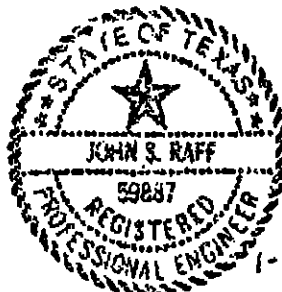
This observation consisted of visual observation only. Neither the inspection nor the report is intended to cover mechanical, electrical, plumbing or architectural features. Furthermore, the Owner agrees to limit Jaster-Quintanilla & Associates, Inc.'s (Design Professional) liability to the Owner and to all parties involved with the project, due to the Design Professional's negligent acts, errors, omissions or opinions such that the total aggregate 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, or if we can be of further assistance to you on this project, please contact us.

Sincerely,


John S. Raff, P.E.
Jaster-Quintanilla & Associates, Inc.



1-19-05



Photo P1: Front West Elevation



Photo P2: Front West Elevation



Photo P3: Left North Side of Residence



Photo P4: Left North Side of Residence



Photo P5: Northeast Corner of Residence

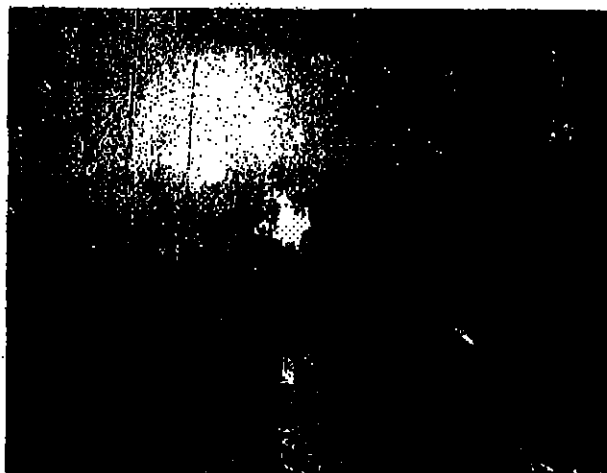


Photo P6: Rear and East Elevation at Addition



Photo P7: Crawlspace



Photo P8: Crawlspace



Photo P9: South Wall with Apparent Bow



Photo P10: Settlement of Original South Porch.

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

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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 asymmetrical 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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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. Diddy'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

CITY PLANNING COMMISSION

January 25, 2005

CITY HALL – COUNCIL CHAMBERS

301 W. 2ND STREET

1st Floor

CALL TO ORDER – 6:00 P.M. **COMMENCE 6:13PM; ADJOURN 1:45AM**

..... John-Michael Cortez

..... Matthew Moore, Secretary

..... Cid Galindo

..... Jay Reddy

..... Matt Hollon, Asst. Secretary

..... Chris Riley, Chair

..... Cynthia Medlin, Vice-Chair

..... Dave Sullivan, Parliamentarian

A. REGULAR AGENDA

3. Rezoning:

C1411-04-0027 - Brown-Ledel-Silverman House

Location:

609 West Lynn Street, TOWN LAKE Watershed, Old West Austin NPA

Owner/Applicant

Applicant: Historic Landmark Commission; Owner: William Dolph Dildy

Agent:

Sarah Crocker - agent for owner

Request:

Rezone from MF-4-NP to MF-4-H-NP

Staff Rec.:

Recommended

Staff:

Rezoning. 974-6454, steve.sadowsky@ci.austin.tx.us
Neighborhood Planning & Zoning

Steve Sadowsky presented the staff recommendation. The sole issue is whether the house is salvageable. The Old West Austin Neighborhood Association requested postponement because they were expecting an engineering report. The engineering firm came up with similar conclusions regarding structural integrity of the house. In the neighbor-commissioned report, it states what could be done to improve the house. They approximate leveling of the house to cost \$41,000. The report also says costs for replacing exterior siding and possibly replacing windows and doors for total costs to be \$60,000-\$100,000, excluding finishing that needs to be done.

PUBLIC HEARING

FOR HISTORIC ZONING

Steve Colburn, chair of OWANA zoning committee, and also neighbor three doors down from this property. There is not much dispute on the historic significance of the property. The report provided by the owner did not give much guidance on what it would take to repair the house so they requested engineering report to provide that information. It seems that the figure provided in the engineering report is certainly in the range of restorations and remodelings, particularly in regard to the value of the property when it is completed.

Commissioner Riley said that the estimate seems low based on his experience. Mr. Colburn said that the estimate is for making the house habitable, not for making the house at or better than original condition.

Linda MacNeilage said conservation and restoration is a very important part of their

neighborhood plan. They are applying for National Register District nomination. The significance of this building is important. It is a gateway residence. To lose this house would be a great loss. The application for historic zoning was initiated two years ago. The current owner bought this property with knowledge that it was under consideration for historic zoning. The neighborhood association felt this was important enough to acquire an alternate property. There have been other properties in the neighborhood that were labeled tear downs but have since been renovated.

Commissioner Moore asked why someone in the neighborhood did not step up to take on the house.

Commissioner Galindo asked who paid for the restorations of the houses labeled tear-downs. Ms. MacNeilage said that the house near her was labeled tear down but was restored by the owners and is now a City landmark.

Commissioner Riley asked how the case got initiated. Ms. MacNeilage said that in one weekend 400 people signed a petition when there was an application for a demolition permit. Mr. Sadowsky said that a demolition permit was requested in October 2003. He said there were difficulties within the family in determining who owned the house. One of the family members contracted with a real estate agent and then requested demolition permit. The case remained in limbo because of family struggles. The family indicated desire to file for historic zoning for 611. The son received the title to this house, 609, and was the one that filed the demolition permit. The family said they would voluntarily submit application for 611. Mr. Sadowsky said that the 611 house is not in great condition, but it is younger by about 30 years.

Rosemary Merriam- For historic zoning, did not speak.

AGAINST HISTORIC ZONING

Sarah Crocker, representing legal owner Hunter Goodwin, explained that there has been nothing preventing the City from moving forward with the historic zoning case. The problem is that the structural issues are not taken into consideration. She disagrees that it is a gateway to the community because it is set back from the street and the apartments are more visible. It is unfortunate that the house is in such poor condition. Her client did not know about the pending historic zoning case.

Jerry Garcia, a structural engineer and owner of Structures, said that walking through the building there are a tremendous amount of disrepairs. Water has gone through the building and under the building. The building is unsafe, and the building should be abandoned. The building itself has little redeeming structure because of the deterioration. The way the house is situated there is water damage, and the building is supported with props and the building is tearing itself apart. Perhaps about 15-20 years ago, could have been saved, but at this point the cost to restore is high.

Commissioner Hollon asked if he made an estimate of the costs to restore the house. Mr. Garcia said that because there are several ways to repair, they do not provide estimates. Commissioner Hollon said that the estimate seems low and Mr. Garcia said it is just for the foundation. Repairs do not stop at fixing the foundation. There could also be termite or mold damage.

Hunter Goodwin, the owner of the property, said that it has been a frustrating experience for him. He said that OWANA members did not show up when their engineer showed up and have never showed up to tour the property. On page 4, the neighbor's engineer limits his liability to the amount the neighborhood paid the engineer. Mr. Goodwin said that all the piers would have to be replaced, as well as all the joists, beams, the stud frames, the exterior siding, interior walls, doors and roof. The entire house has to be rebuilt so he has lost track of the point of historic zoning. He cannot fathom when human safety supersedes an agenda. He has a structure that could fall, and human life is at risk. He proceeded with purchasing the property despite this case because he already invested money into the house.

Danny Dishman, a contractor that has done custom homes and remodels. He has spent time on this project. He has been in and around this house a number of times. This house could have been saved 20 years ago, but the owner did not maintain it. This house has had at least 4 additions, and there is raw sewage in several areas. Just to bring it up to Code would be at least \$200,000. He thinks 611 could be saved and does have some value to the neighborhood. That house could serve as the gateway.

David Leboeuf- DID NOT SPEAK (AGAINST HISTORIC ZONING)

REBUTTAL

Steve Colburn said the house is in very bad shape, there is no dispute. But there is no dispute that it is of historic significance. The owner has taken this on, he did not have to buy the house. He knew of the conditions of the house and the pending historic zoning case. The \$100,000 is not just for the foundation, it is to make the house habitable. He did email the report to Sarah Crocker last week and he wished the owner had seen the engineering report requested by the neighborhood sooner.

MOTION: CLOSE PUBLIC HEARING.

VOTE: 7-0 (DS-1st, JR-2nd; CM-LEFT EARLY)

MOTION: APPROVE STAFF RECOMMENDATION.

VOTE: 4-3 (JMC-1st, DS-2nd; CM-LEFT EARLY; JMC CR, DS, JR- FOR; CG, MH, MAM- OPPOSED)

MOTION FAILED

FORWARDED TO COUNCIL WITH NO RECOMMENDATION.

Commissioner Cortez said this is a difficult case, but the house is historic.

Commissioner Sullivan said that he supports the motion based on principles. First, he stressed that it is historic regardless of condition. Secondly, he does not see why a second house could not be added to the lot. Thirdly, there are three other structures in the area that were in poor shape where the owners built at the back of the house and preserved the front of the house. It has not been explored with this site to construct multi-family.

Commissioner Galindo will not support the motion. The house will not be invested in and will just rot. It should just be accepted to focus on the houses that can be saved.

Commissioner Hollon agrees with Commissioner Galindo. The house is too far gone. He would hate to see this as a model of where the City of Austin. He cannot support the motion.

Commissioner Moore will not support the motion. The house could be saved, but it is just a matter of money. He thinks that the people that wanted to see it saved did not because it is just too expensive to do.

Commissioner Riley said it is a tough case. He sympathizes with the owner, however the owner knew the historic zoning case was on-going. He does not think it is a foregone conclusion that the house will not be saved.