

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



**AGENDA ITEM NO.: Z-13  
AGENDA DATE: Thu 12/02/2004  
PAGE: 1 of 1**

**SUBJECT:** C14H-04-0021 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as the Curl-Crockett House, 213 W. 41st Street (Waller Creek Watershed) from Family Residence, Neighborhood Conservation Combining District (SF-3-NCCD) zoning to Family Residence, Neighborhood Conservation Combining District - Historic (SF-3-H-NCCD)) zoning. Historic Landmark Commission Recommendation: To grant Family Residence. Neighborhood Conservation Combining District - Historic (SF-3-H-NCCD)) zoning. Planning Commission Recommendation: To grant Family Residence, Neighborhood Conservation Combining District - Historic (SF-3-H-NCCD)) zoning. Applicant: Nicholas van Bavel, owner. 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-04-0021

**H.L.C. DATE:** September 27, 2004

**P.C. DATE:** October 26, 2004

**AREA:** 14,864.4 square feet

**APPLICANT:** Nicholas van Bavel    **AGENT:** David Webber, Webber + Hanzlik Architects

**HISTORIC NAME:** Curl-Crockett House

**WATERSHED:** Waller Creek

**ADDRESS OF PROPOSED ZONING CHANGE:** 213 W. 41<sup>st</sup> Street

**ZONING FROM:** SF-3-NCCD

**ZONING TO:** SF-3-NCCD-H

**SUMMARY STAFF RECOMMENDATION:** Staff recommends the proposed zoning change from family residence, neighborhood conservation combining district (SF-3-NCCD) to family residence, neighborhood conservation combining district-Historic (SF-3-NCCD-H) combining district zoning under Historic Landmark Designation Criteria 1, 2, 3, 6, 7, and 11.

**HISTORIC LANDMARK COMMISSION ACTION:** Recommended the proposed zoning change from family residence, neighborhood conservation combining district (SF-3-NCCD) to family residence, neighborhood conservation combining district - Historic (SF-3-NCCD-H) combining district zoning based on Historic Landmark Designation Criteria 1, 2, 3, 6, 7, and 11. Vote: 6-0 (Fowler and Bunton absent).

**PLANNING COMMISSION ACTION:** Recommended the proposed zoning change from family residence, neighborhood conservation combining district (SF-3-NCCD) to family residence, neighborhood conservation combining district - Historic (SF-3-NCCD-H) combining district zoning based on Historic Landmark Designation Criteria 1, 2, 3, 6, 7, and 11. Vote: 8-0.

**DEPARTMENT COMMENTS:** The Curl-Crockett House is contributing to the Hyde Park National Register Historic District, and was identified in the Comprehensive Cultural Resources Survey (1984) as a Priority 3 for preservation.

**CITY COUNCIL DATE:** December 2, 2004

**ACTION:**

**ORDINANCE READINGS:** 1<sup>ST</sup> 2<sup>ND</sup> 3<sup>RD</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Steve Sadowsky

**PHONE:** 974-6454

**NEIGHBORHOOD ORGANIZATION:** Hyde Park Neighborhood Association

**BASIS FOR RECOMMENDATION:**

The Curl-Crockett House meets Historic Landmark Designation Criteria 1, 2, 3, 6, 7, and 11.

**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 ca. 1894 Curl-Crockett House represents the first stage of development in Hyde Park, Austin's 1890s "streetcar suburb." Platted by M.M. Shipe on the site of the former fairgrounds, Hyde Park was developed as a fashionable suburb for Austin's upper middle class. Lots in Hyde Park were larger than those in town, and the first houses, such as the Curl-Crockett House were generally large, wood-frame two-story houses in popular late Victorian styles. Development of the neighborhood as an affluent suburb lost momentum after World War I; the Curl-Crockett House is an example of the type of house first envisioned for Hyde Park, before the lots were subdivided for more modest bungalows in the 1920s and onward.

**2. Recognition as a Recorded Texas Historic Landmark, a National Historic Landmark, or entered into the National Register of Historic Places.**

The Curl-Crockett House is contributing to the Hyde Park National Register Historic District.

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

The two-story wood-frame Curl-Crockett House is a good example of vernacular, of "folk" Victorian design, with prominent Eastlake details in the front gable truss, and a course of fishscale shingles in the tympanum of the front gable and between the first and second stories. The porch contains Doric columns, which may not be original; the original porch may have been one-story, enlarged to two stories and given a Classical Revival treatment around 1908. The current owner is restoring the porch to its open configuration in accordance with historic photographs.

**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 contributing to the Hyde park National Register Historic District.

**7. Portrayal of the environment of a group of people in an area of history characterized by a distinctive architectural style.**

The ca. 1894 Curl-Crockett House demonstrates the standard of living and tastes of affluent Austinites at the turn of the twentieth

century. A large house with tasteful Eastlake details, the Curl-Crockett House was built by James Curl (see below), the chief clerk of the State Comptroller's Office, typical of the prominent state officials, professional people, and business people who purchased property and built large houses in Hyde Park in the 1890s.

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

**James R. Curl** (1851-1905), purchased this property from the Missouri, Kansas and Texas Land and Town Company in 1893, and hired local architect Jabez Wyard to design the house. Curl, born in San Augustine, Texas, moved to Austin in 1891, where he served as Chief Clerk of the Texas State Department. He then became Chief Clerk in the office of the Comptroller of Public Accounts, and was appointed Secretary of State in 1903, a post he held until his death two years later. Curl sold the house in 1897, and after an intervening owner, the house was purchased by **Judge Henry Faulk**, who later lived at Green pastures. Otto Ebeling (1863-1935), an insurance and real estate man, purchased the house in 1910. **Harry Lee Crockett** (1872-1947), owner of the Crockett Produce Company on East Avenue, bought the house in 1920; he and his family lived there for 23 years.

**PARCEL NO.:** 02190511060000

**DEED RECORD:** Docket No. 2004116794

**ANNUAL TAX ABATEMENT:** \$6,039 (owner-occupied rate); \$1,590 City tax exemption.

**APPRAISED VALUE:** \$472,676.00

**PRESENT USE:** Residence

**CONSTRUCTION/DESCRIPTION:** Two-story frame building with Eastlake details in the decorative truss of the front gable, and fishscale shingle courses in the tympanum of the front gable and between the first and second stories; two-story independent porch with Doric columns on the ground floor; upper floor has been enclosed; 2:2 fenestration.

**CONDITION:** Good

**PRESENT OWNERS**

Nicholas and Linda Van Bavel  
4208 Avenue H  
Austin, Texas 78751

**DATE BUILT:** ca. 1894

**ALTERATIONS/ADDITIONS:** According to City building permit records, a carport was constructed in 1949. The second story of the front

# ~~HYDE PARK-NATIONAL REGISTER DISTRICT~~



SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

CASE MGR: S. SADOWSKY

## HISTORIC ZONING

CASE #: C14H-04-0021

ADDRESS: 213 W 41ST ST

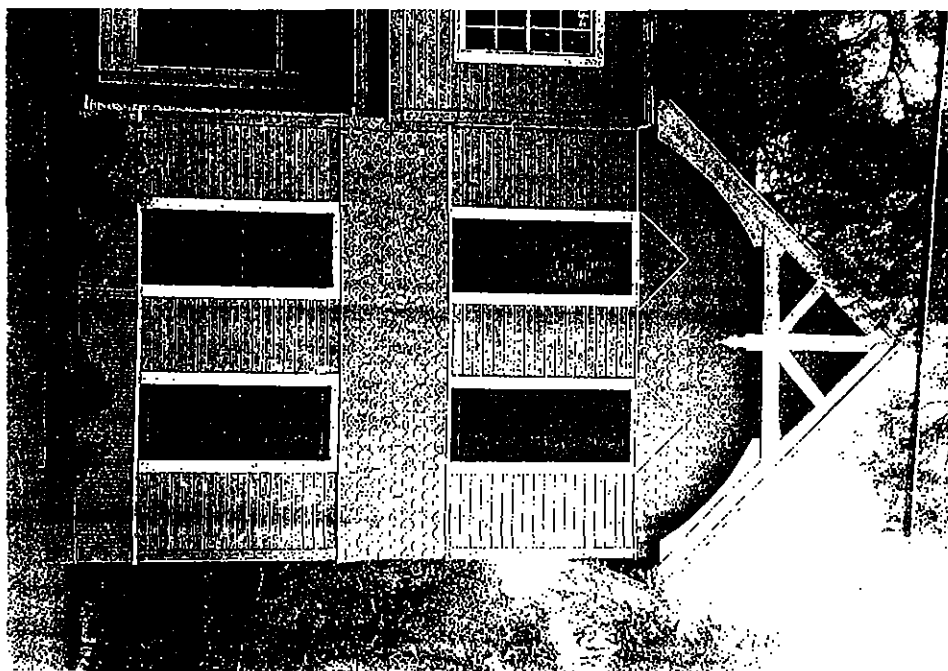
SUBJECT AREA (acres): N/A

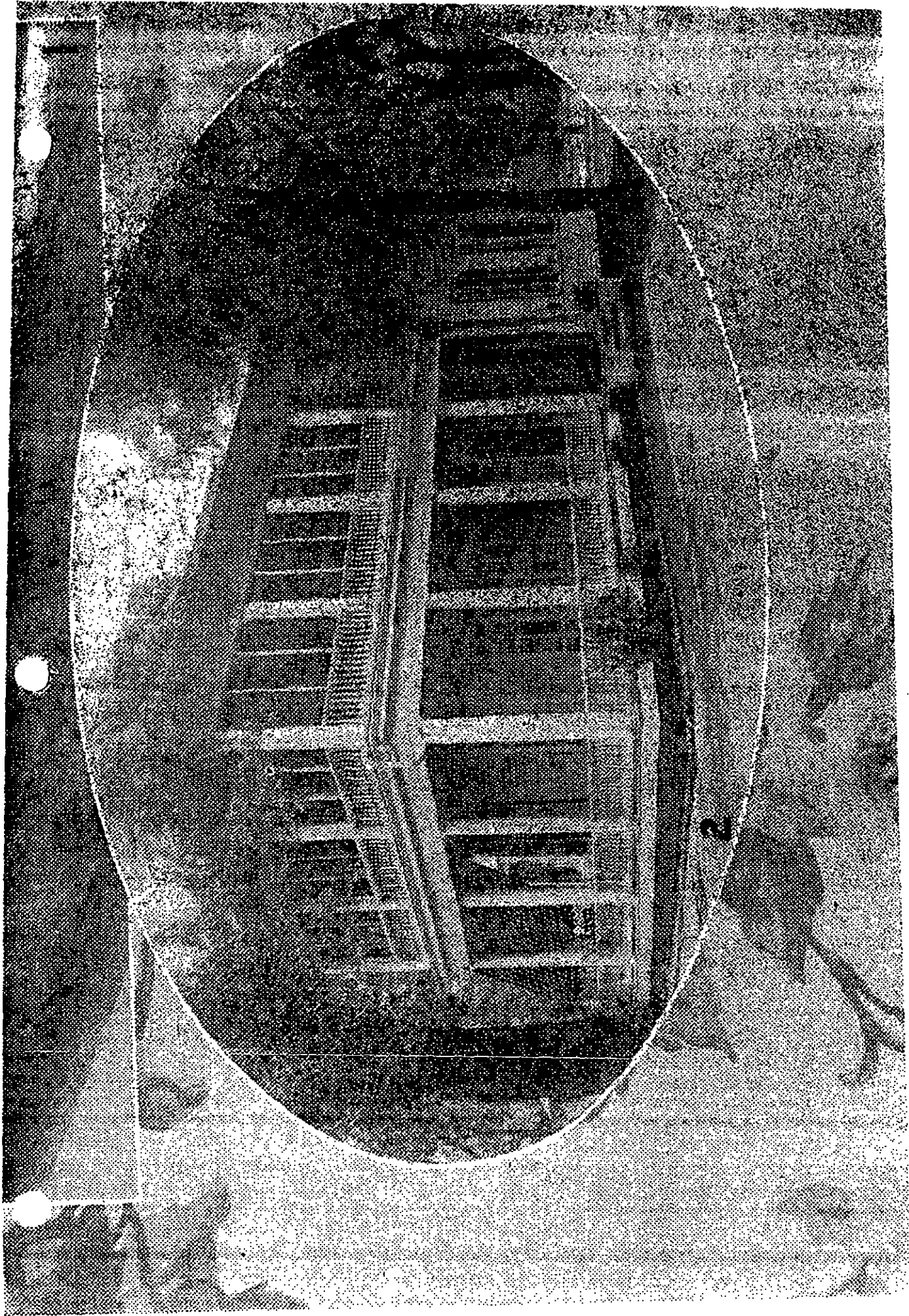
DATE: 04-09

INTLS: SM

CITY GRID  
REFERENCE  
NUMBER

J25





F(7)  
Austin History Center, Austin Public Library 917.6411  
From City of the Violet Crown - 1917



# A. APPLICATION FOR HISTORIC ZONING

## PROJECT INFORMATION:

DEPARTMENT USE ONLY

APPLICATION DATE: 4/1/04 FILE NUMBER: C14-04-0021

INITIATIVE: LOCAL HISTORIC DISTRICT

INITIATIVE OF DATE: 4/1/04

INITIATIVE OF DATE: 4/1/04 INITIATED YES/NO

CASE MANAGER: S. Sadowski ROLLBACK YES/NO

APPLICATION ACCEPTED BY: S. H.

## BASIC PROJECT DATA:

1. OWNER'S NAME: Nicholas van Bavel

2. PROJECT NAME: VAN Bavel Curl-Crockett House

3. PROJECT STREET ADDRESS (or Range): 213 West 41st Street

ZIP: 78751 COUNTY: Travis

IF PROJECT ADDRESS CANNOT BE DEFINED ABOVE:  
LOCATED \_\_\_\_\_ FRONTAGE FEET ALONG THE N. S. E. W. (CIRCLE ONE) SIDE OF \_\_\_\_\_ (ROAD NAME PROPERTY FRONTS ONTO), WHICH IS APPROXIMATELY \_\_\_\_\_ DISTANCE FROM ITS INTERSECTION WITH \_\_\_\_\_

## AREA TO BE REZONED:

4. ACRES .34 (OR) SQ. FT. 15,000

5. ZONING AND LAND USE INFORMATION:

EXISTING ZONING	EXISTING USE	TRACT# (IF MORE THAN 1)	ACRES / SQ. FT.	PROPOSED USE	PROPOSED ZONING
<u>SF-3</u>	<u>residence</u>		<u>15,000</u>	<u>residence</u>	<u>SF-3-H</u>

## RELATED CURRENT CASES:

6. ACTIVE ZONING CASE? (YES / NO) FILE NUMBER: \_\_\_\_\_

7. RESTRICTIVE COVENANT? (YES / NO) FILE NUMBER: \_\_\_\_\_

8. SUBDIVISION? (YES / NO) FILE NUMBER: \_\_\_\_\_

9. SITE PLAN? (YES / NO) FILE NUMBER: \_\_\_\_\_



PROPERTY DESCRIPTION (SUBDIVISION REFERENCE OR METES AND BOUNDS):

10a. SUBDIVISION REFERENCE: Name:

Hyde Park Addition no. 2

Block(s) 5 Lot(s) 1-6 Outlot(s)

Plat Book: volume 1 Page

Number: 75

10b. METES AND BOUNDS (Attach two copies of certified field notes if subdivision reference is not available or

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

11. VOLUME: 02-1905-1106-0000 PAGE: 0000 TAX PARCEL I.D. NO.

OTHER PROVISIONS:

12. IS PROPERTY IN A ZONING COMBINING DISTRICT / OVERLAY ZONE? ☒ YES ☐ NO

TYPE OF COMBINING DIST/OVERLAY ZONE (NCCD, NP,  
etc) NCCD

13. LOCATED IN A LOCAL OR NATIONAL REGISTER HISTORIC DISTRICT? ☒ YES ☐ NO

14. IS A TIA REQUIRED? YES / ☒ NO (NOT REQUIRED IF BASE ZONING IS NOT CHANGING)

TRIPS PER DAY: \_\_\_\_\_

TRAFFIC SERIAL ZONE(S): \_\_\_\_\_

OWNERSHIP TYPE:

15. ☐ SOLE ☒ COMMUNITY PROPERTY ☐ PARTNERSHIP ☐ CORPORATION ☐ TRUST

If ownership is other than sole or community property, list individuals/partners/principals below or attach separate sheet.

OWNER INFORMATION:

16. OWNER CONTACT INFORMATION

SIGNATURE: Nicholas van Bavel NAME:

Nicholas van Bavel

FIRM NAME: \_\_\_\_\_ TELEPHONE NUMBER:

(512) 680-1168 (Nicholas' mobile)

STREET ADDRESS:

4208 Avenue H

CITY:

Austin

STATE:

Texas

ZIP CODE:

78751

AGENT INFORMATION (IF APPLICABLE):

17. AGENT CONTACT INFORMATION

SIGNATURE: \_\_\_\_\_ NAME: \_\_\_\_\_

David E. Webber, AIA

FIRM NAME: Webber + Hanzlik Architects TELEPHONE NUMBER:

(512) 286-1032

STREET

ADDRESS: 300 West Avenue #1322

CITY: Austin STATE: TX ZIP CODE:

78701

CONTACT PERSON: David E. Webber, AIA TELEPHONE NUMBER:

(512) 286-1032

EMAIL ADDRESS:

de webber@webberhanzlik.com

DEPARTMENTAL USE ONLY:


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## D. SUBMITTAL VERIFICATION AND INSPECTION AUTHORIZATION

### SUBMITTAL VERIFICATION

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

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

  
\_\_\_\_\_  
Signature Date


David E. Webber, AIA  
Name (Typed or Printed)

Webber + Hanzlik Architects  
Firm (If applicable)

### INSPECTION AUTHORIZATION

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

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

  
\_\_\_\_\_  
Signature Date

David E. Webber, AIA  
Name (Typed or Printed)

Webber + Hanzlik Architects  
Firm (If applicable)

## E. ACKNOWLEDGMENT FORM

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

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

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

213 W 41st St - Austin - 78751  
(Address or Legal Description)

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

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

  
(Applicant's signature)

9/7/09  
(Date)

## TITLE ABSTRACT

Missouri Kansas & Texas Land and Town Company to J. R. Curl  
Warranty Deed, Book 107, p. 622, dated 22 Sept. 1893, filed 23 Sept. 1893

J. R. Curl and wife Ada P. to William G. Bell  
Warranty Deed, Book 137, pp. 636-638, dated 27 Oct. 1896, filed 31 Oct. 1896

William G. Bell (single) to Francis M. Knight and wife Mary M.  
Warranty Deed, Book 161, pp. 33-36, dated 30 June 1899, filed 8 August 1899

Francis M. Knight & wife to Jo Setser  
Warranty Deed, Book 217, pp. 237-39, dated 15 June 1906, filed 11 Sept. 1907

Jo Setser to Henry Faulk  
Warranty Deed, Book 206, p. 225, dated 12 Sept. 1906, filed 13 Sept. 1906

Henry Faulk to Otto Ebeling  
Warranty Deed, Book 226, pp. 637-38, dated 18 May 1909, filed 21 May 1909

Otto Ebeling & wife (Emilie) to J. O. Buaas & wife (Alma)  
Warranty Deed, Book 302, pp. 217-18, dated 5 Dec. 1918, filed 6 Feb. 1918

J. O. Buaas and wife (Alma) to H. L. Crockett  
Warranty Deed, Book 314, pp. 444-46, dated 1 Sept. 1919, filed 2 Sept. 1919

H. L. Crockett to Corabel A. Crockett  
Warranty Deed, Vol. 659, p. 32, dated & filed 16 Sept. 1940

H. L. Crockett *et ux* (Corabel) to J. M. Warren *et ux* (Daisy) and Farm & Home  
Savings Assoc., Warranty Deed, dated 14 May 1943, filed 17 May 1943.

J. M. Warren *et ux* (Daisy) to Walter Beil *et ux* (Mamie)  
Warranty Deed, Vol. 763, p. 85-86, dated 2 June 1945, filed 11 June 1945.

Walter Beil *et ux* (Mamie) to Helene Pfluger  
Deed, Book 777, pp. 78-79, dated 21 Dec. 1945

Helene Pfluger to Hertha Knebel *et ux* (Herbert A.)  
Deed, Book 845, pp. 23-24, dated 12 Feb. 1947

Hertha Knebel *et vir* to J. B. Atchison *et ux* (Mary)  
Warranty Deed, Vol. 897, pp. 254-55, dated 28 Jan. 1948, filed 9 Feb. 1948

J. B. Atchison *et ux* to Jack Duce *et ux*.  
Warranty Deed, Vol. 955, p. 177, dated 13 Jan. 1949, filed 15 Jan. 1949

Jack Duce *et ux* (Frances Moore) to O. D. Denson  
Deed, Vol. 1225, p. 171, dated 16 Feb. 1952, filed 6 March 1952

O.(Oscar) D. Denson *et ux*. (Stella) to W. B. Haston *et ux* ( Ivy Myrtle)  
Warranty Deed, Vol. 1423, p. 161, dated 3 March 1953, filed 4 Jan. 1954

W. B. Haston and wife Myrtle Haston to J. Monroe Davis and wife Charlie Bess  
Davis. Deed, Vol. 1893, p. 407, dated 4 March 1958

Carolyn Davis Bush to Andrew B. Marcus and Ellen Lewis.  
Warranty Deed, Book.Page 12109.2042 dated 21 January 1994, filed 25 January 1994

Andrew B. Marcus and Ellen Lewis to Nicholas and Linda Van Bavel  
General Warranty Deed, reference 2004116794, dated 11 Jun 2004, filed 18 June 2004

[illegible]



[illegible]

**J. R. CURL,**  
SECRETARY OF STATE.

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Mr. Curl is not a stranger to the people of Texas. He is well and favorably known throughout the State. His selection for this important position is regarded with satisfaction by the Democracy, and considered by men of all parties as a just tribute to tried and proved merit.

He is a son of Judge H. H. Curl (now deceased), an early settler in Texas; was born in San Augustine county, Texas, and was reared and educated in Smith and Cherokee counties; became a citizen of Robertson county soon after attaining his majority, and began the study of law under Judge H. D. Prendergast, a distinguished land lawyer, now deceased; was elected clerk of the District Court of Robertson county in 1876; was admitted to the bar at the end of his term of office and moved to Weatherford, where he practiced his profession until the latter part of 1881; then returned to Robertson county, where in November, 1882, he was elected county attorney; later became a citizen of Travis county, and was Chief Clerk of the State Department under Secretary of State Geo. W. Smith from January, 1891, to January, 1895; was Chief Clerk in the office of the Comptroller of Public Accounts for six years under Comptroller R. W. Finley, and was appointed Secretary of State by Gov. Lanham and confirmed as such by the State Senate January 23, 1903.

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**O. B. COLQUITT,**  
MEMBER OF THE STATE RAILROAD COMMISSION.

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O. B. Colquitt was born in Camilla, Mitchell county, Georgia, December 16, 1861; came to Texas in January, 1878, with his parents and located with them on a rented farm near Daingerfield in Morris county; entered the "Morris County Banner" printing office at Daingerfield in 1880; followed the office on its removal to Greenville, Hunt county, in December of that year, where its owner, J. F. Mitchell, established the "Independent Banner," a name subsequently changed to "Greenville Banner;" having learned the printer's trade, established the "Pittsburg Gazette," at Pittsburg, Camp county, in 1884; married in 1885, Miss Alice Murrell and has five children—four sons and a daughter; sold the "Gazette" in 1886 and in November of the same year moved to Terrell, Kaufman county, where he purchased the "Terrell Star," a paper he continued to own until November, 1898, when he retired from the newspaper business to engage in the practice of law; was appointed chairman of the County Democratic Executive Committee of Kaufman county in 1890; was selected in 1892 to represent the Ninth senatorial district as

