

ZONING CHANGE REVIEW SHEET

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CASE NUMBER: C14H-2010-0016

HLC DATE:

April 26, 2010

May 24, 2010

PC DATE:

July 13, 2010

July 27, 2010

September 14, 2010

APPLICANT: Historic Landmark Commission

HISTORIC NAME: Callan-Boswell House

WATERSHED: Waller Creek

ADDRESS OF PROPOSED ZONING CHANGE: Waller Creek

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

SUMMARY STAFF RECOMMENDATION: Staff cannot recommend this house for landmark designation due to the absence of information concerning its early history. The house was moved to the current site in 1945 by Judge Krueger, who owned the property, but there is no indication that the house nor its residents were tied to Judge Krueger or his family. Staff does recognize the compatibility of the house with the historic character of the district and encourages the property owner to attempt to retain and rehabilitate the house or to relocate the house within the neighborhood.

QUALIFICATIONS FOR LANDMARK DESIGNATION:

Staff does not believe that the Callan-Boswell House qualifies for individual designation as a historic landmark, but recognizes that it would be contributing to a local historic district in the Grooms Addition. The house is a typical vernacular dwelling that was moved to the site from an unknown location in 1945; its earlier history remains a mystery.

HISTORIC LANDMARK COMMISSION ACTION: April 26, 2010: Initiated a historic zoning case. Vote: 7-0. May 24, 2010: Recommended a zoning change from family residence – neighborhood conservation – neighborhood plan (SF-3-NCCD-NP) combining district to family residence – historic landmark – neighborhood conservation – neighborhood plan (SF-3-H-NCCD-NP) combining district zoning. Vote: 5-1 (Hansen opposed; Leary ill).

PLANNING COMMISSION ACTION: July 13, 2010: Postponed to July 27, 2010 at staff's request to allow additional research by staff and the neighborhood regarding the origins of the house. July 27, 2010: Recommend **against** the proposed zoning change from family residence – neighborhood conservation – neighborhood plan (SF-3-NCCD-NP) combining district to family residence – historic landmark – neighborhood conservation – neighborhood plan (SF-3-H-NCCD-NP) combining district zoning, *with the request to Council that if additional substantive information arises before the Council hearing, that Council will consider remanding the case to the Planning Commission for further review and recommendations.* Vote: 5-3 (Chimenti, Dealey, and Tovo opposed).

DEPARTMENT COMMENTS: The house is not listed in the Comprehensive Cultural Resources Survey (1984).

CITY COUNCIL DATE: August 19, 2010

ACTION: Remanded to the Planning Commission for further review of additional information by the neighborhood group.

ORDINANCE READINGS: 1ST 2ND 3RD

ORDINANCE NUMBER:

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CASE MANAGER: Steve Sadowsky

PHONE: 974-6454

NEIGHBORHOOD ORGANIZATION: North University Neighborhood Association.

BASIS FOR RECOMMENDATION:

Architectural Description:

One-story rectangular-plan side-gabled board-and-batten frame house with a partial-width hipped-roof independent porch on turned wood posts; 1:1 fenestration.

Historical Associations:

The house was moved to its current site in 1945 by Judge Charles Krueger, who lived in the adjacent house facing Duval Street. The original location and the early occupants prior to 1945 are unknown; stylistically, it appears that the house was built around 1915. On the current site, the house has been used as a rental unit; renters have included a bookbinder in the late 1940s, and a building crew foreman at the University of Texas from the late 1950s through the mid-1990s.

Robert and Hildegard Callan are listed as the renters of the property in city directories from 1944-45 through 1949. He worked as a bookbinder for A.C. Baldwin and Sons, and moved here from 1207 Alta Vista Avenue in Travis Heights. John R. Boswell was the longest-term tenant of the house, moving into the house in the mid-1950s with his wife Ida, and staying here until his death in 1997. Prior to moving into this house, Boswell lived with his mother Mamie at 1107 W. 38th Street in 1944-45, when he was serving in the U.S. Army, and then they moved to 3812 Morningside Drive by 1947, when he worked as a clerk for the Wood Food Store. When he and his wife Ida moved into this house, he worked as a building crew foreman for the University of Texas, a position he kept until he retired in the early 1980s. He died in 1997.

PARCEL NO.: 02170606130000

LEGAL DESCRIPTION: Lot A, Charles Krueger Subdivision

ESTIMATED ANNUAL TAX ABATEMENT: \$2,285 (owner-occupied); city portion: \$535; \$1,158 (income-producing).

APPRAISED VALUE: \$220,758

PRESENT USE: Residence

CONDITION: Good

PRESENT OWNERS: Charles and Christine Boes
6550 Shady Brook Lane, Apt. 2017
Dallas, Texas 75206

DATE BUILT: unknown – the house was moved to this site in 1945.

ALTERATIONS/ADDITIONS: Two rooms were added to the back of the house when it was moved to its current site in 1945, according to City building records.

ORIGINAL OWNER(S): Unknown.

OTHER HISTORICAL DESIGNATIONS: None.

LOCATION MAP

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HISTORIC ZONING



 SUBJECT TRACT

 ZONING BOUNDARY

CASE#: C14H-2010-0016
ADDRESS: 408 E 33RD ST
GRID: J 24
MANAGER: STEVE SADOWSKY



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

408 E. 33rd Street
Date unknown – moved to this site in 1945.

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OCCUPANCY HISTORY

408 E. 33rd Street

City Directory Research, Austin History Center
By City Historic Preservation Office
April, 2010

1992	John R. Boswell, renter Retired
1985-86	John R. Boswell, renter Retired
1980	John R. Boswell, renter Building services supervisor, University of Texas
1976	John R. Boswell, renter Building services supervisor, University of Texas
1972	John R. Boswell, renter Assistant supervisor, building services, University of Texas
1967	Vacant NOTE: John and Ida L. Boswell are also listed as living at 408 E. 33 rd Street; he was a building crew foreman at the University of Texas.
1963	John R. and Ida L. Boswell, renters Building crew foreman at the University of Texas.

- 1959 John R. and Ida L. Boswell, renters
John: Foreman, University of Texas
Ida: Waitress, White Pharmacy, 523 Congress Avenue
- 1954 Milburn and Katherine Sakewitz, renters
Employed by Superior Dairies
NOTE: John and Ida Boswell are listed as living at 909-B E. 37th Street; he was a building attendant at the University of Texas.
- 1952 John E. Rowland, renter
U.S. Army
NOTE: John E. Rowland is listed in the main directory as living at 910 E. 53rd Street.
- 1949 Robert N. and Hildegard Callan, renters
Binder, A.C. Baldwin & Sons, bookbinders, 209 W. 8th Street.
- 1947 Robert H. and Hildegard Callan, renters
Binder, A.C. Baldwin & Sons, bookbinders, 209 W. 8th Street.
- 1944-45 The address is not listed in the directory.
NOTE: Robert N. and Hildegard Callan are listed as living at 1207 Alta Vista; he worked as a book-binder for A.C. Baldwin & Sons.

NOTE: City building permit records indicate that the house was moved to this site in 1945.

Chas. L. Krueger 408 E. 33rd St.
65 - 8 Pt. 2-3 -
Grooms Addn.
relocate res. on lot and add two rooms
27563 8-27-45 \$1000.00
Owner

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Tap on lot

Permit to relocate the house (1945)

WATER SERVICE PERMIT No. 21304
Austin, Texas
Received of JUDGE C. G. KRUEGER Date 9-18-45
Address 408 E 33
Amount TWO AND 50/100
Plumber A. L. MARTIN Size of Tap 1/2"
Date of Connection 11-7-45
Size of Tap Made 2 1/2"
Size Service Made 1 1/2"
Size Main Tapped 1 1/2"
From Front Prop. Line to Curb Cock 13'
From 1/2" Prop. Line to Curb Cock 8'
Location of Meter 2-2-45
Type of Box LOCK
Depth of Main in St. 2'
Depth of Service Line 2'
From Curb Cock to Tap on Main 23'
Checked by Engr. Dept. 21.329-21-45

No.	Fittings	Size
1	Curb Cock	2 1/2"
2	Elbow	30"
3	St. Elbow	30"
4	Bushing	30"
5	Regulator	30"
6	Pipe	30"
7	Lead Comp.	30"
8	Nipples	30"
9	Union	30"
10	Cap	30"
11	Stop	30"
12	Box	30"
13	Lid	30"
14	Valves	30"
15	Job No.	21304
16	Req. No.	21304

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Water service permit (1945)

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SANITARY SEWER SERVICE PERMIT
Austin, Texas

No. 19567 *A*

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Received of _____ Date 9/18/1945
Address 408 E. 33rd.
Amount _____ \$ _____
Builder or Owner _____ Plumber _____
Left of 2 & 3 Block 8 Subdivision Grooms Plat No. 65

Date of Connection <u>10/26/1945</u>	No. Fittings 39' Pipe 4" con 3.90 Pipe 4x4 Wyes Bends 40 Reducers Plugs Sand Gravel Remix Stoppers Castings Other Labor:
By City <u>4' E/WLL</u>	
By Plumber _____	
Checked By _____	
Size Main _____ Depth <u>3'</u>	
Main Assign. <u>in the St.</u>	
Stub Depth _____ Prop. Line <u>2'</u>	
Stub Location <u>A-464</u>	
Book No. _____	
Paving Cut _____ No. _____	

Sewer service permit (1945)

John Reginald Boswell

John Reginald Boswell, 76, of Austin, died Friday, June 13, 1997.

John was born to John Lee Boswell and Mamie Hobbs Boswell on October 19, 1920 in Lexington, Texas. He served in the United States Army Infantry during World War II. In 1945, he began his employment with the University of Texas and retired in 1981 after 33 years.

The family will receive friends at the funeral home on Sunday, June 15, 1997, from 7:00 until 9:00 p.m. Graveside funeral services will be held at 1:00 p.m. Monday, June 16, 1997 at Schulenburg City Cemetery, with Pastor Don Just of Messiah Lutheran Church officiating.

Survivors include his wife, Ernestine "Tina" Boswell; his sisters, Opal Tyler and Audrey Halliburton; his step-daughter; three step-grandchildren; one brother-in-law; two sisters-in-law; and numerous nieces and nephews.

Memorial contributions may be made in John's name to the charity of one's choice.



Cook-Walden

6100 North Lamar
512/454-5611

Obituary of John Boswell
Austin American-Statesman, June 15, 1997

TEXAS HISTORICAL COMMISSION
real places telling real stories

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August 25, 2010

Mary Ingle
3406 Duval Street
Austin, TX 78705

RE: 408 E. 33rd Street, Austin, Travis County, Texas

Dear Ms. Ingle:

Thank you for your inquiry regarding a proposal to initiate local historic zoning for the building at 408 E. 33rd Street, in Austin, Travis County. We have not had the opportunity to visit the property, and are only offering our opinion on the materials that have been submitted to our office.

The historical record regarding this property is incomplete, and thus any assessment of the building's provenance is based on circumstantial evidence. The research effort undertaken to document this property is commendable, and all of the sources typically used to determine the history of the property have been included in the materials reviewed by THC staff. These records include Sanborn Fire Insurance Co. maps, tax records, building permit records, census reports, and city directory entries. The Sanborn maps are very useful in documenting the existence and physical characteristics of buildings, as well as their change over time. They should not, however, be taken as authoritative, as the building footprints and their location on lots were not drawn to scale, so maps illustrating the same building over time may indicate inaccurate changes in size and configuration. Nevertheless, given that a building roughly the same size of the current building existed on the lot in the early 20th century, and that the building permit issued in 1945 reads "relocate res. on lot and add two rooms" (and not "relocate res. to lot") it is reasonable to conclude that the house at 408 E. 33rd Street could be the same one that is indicated on earlier Sanborn maps, rather than a house from another neighborhood.

The Texas Historical Commission will not evaluate this building's eligibility for a city landmark designation, as making such determinations is not within our authority. After applying the National Register of Historic Places criteria for evaluation, we cannot determine that the building is individually eligible for listing in the National Register at this time, due to the gap in the historical record and lack of evidence that the building is historically or architecturally significant as an individual property. If the neighborhood were to be nominated to the National Register as a district, however, we would be inclined to include the property as a contributing building, as it has been in the same location since 1945, is a good example of an early 20th century board and batten house (despite being moved and subsequently altered, albeit within the period of significance), and most importantly, reflects the economic diversity of the neighborhood. The Texas Historical Commission encourages the owner and the City of Austin to take steps to identify ways that the building could be put to productive use while keeping its historic characteristics intact.



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We understand that the Austin Historic Landmark Commission unanimously recommended that the building be zoned as a historic property, and are surprised that this recommendation was not revealed to the Austin Planning Commission when it was asked to consider the building's historic status. We strongly recommend that the recommendation of both the Austin Landmark Commission and the city preservation staff always be forwarded to the Austin Planning Commission and the Austin City Council as those bodies consider the application of historic zoning, to ensure that all levels of government – as well as the public – are given the opportunity to weigh all the available evidence in each case. This is especially important in instances such as this one when there is disagreement between city staff and the Landmark Commission.

If you have any questions, you may contact me at 512/463-6013 or by email at greg.smith@thc.state.tx.us. Thank you for your interest in preserving Texas' cultural heritage.

Sincerely,



Gregory W. Smith
National Register Coordinator

NORTH UNIVERSITY NEIGHBORHOOD ASSOCIATION

www.nuna-austin.org



April 26, 2010

Historic Landmark Commission
City of Austin

Laurie Limbacher, Chair
Patti Hansen, Vice Chair
Joe Arriaga
Daniel Leary
Terri Myers
John Rosato

lga@austin.com
patti_niles@yahoo.com
jarriga-tx@sbcglobal.net
dleary@mail.utexas.edu
terrimyers@preservationcentral.com
john@swsg.com

Re: Case #HDP-2010-0090
408 E 33rd St.

To the Commission:

The NUNA Executive Committee has accepted the recommendation of our neighborhood planning team in regard to the above property, which is:

In the absence of contact with or information from the owner as to their plans for the property and in view of the difficult time constraints imposed by the City rules, the NPT recommends to the EC and the NUNA general membership that the requested demolition permit be opposed.

The general membership will not meet until June 7, which we understand is outside the time constraints of this application. However it would be very desirable for the planning team to have an opportunity to confer with the owners before the Commission takes final action.

Very truly yours,

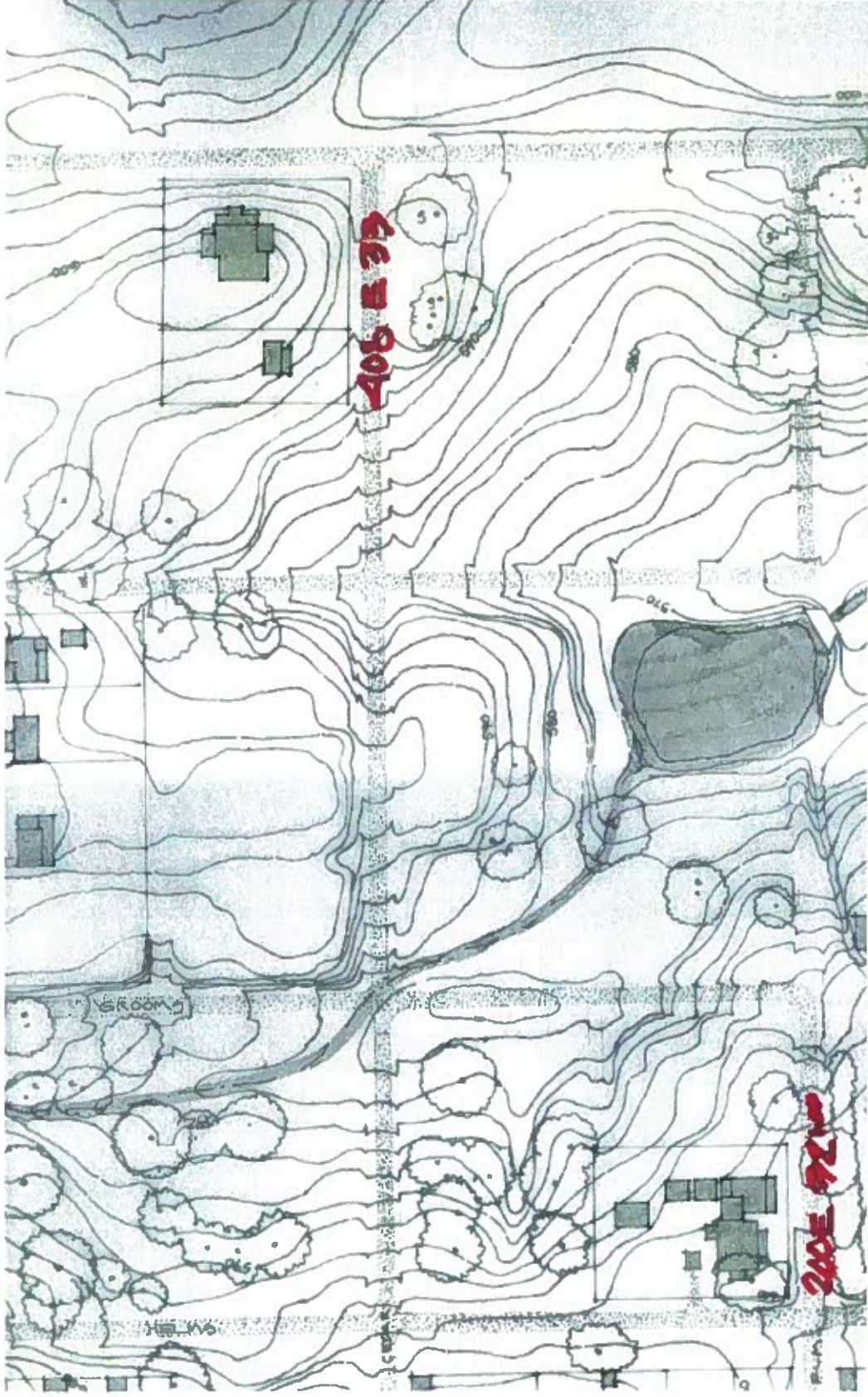
Laurence Miller
President

cc:

NPT
Executive Committee

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C³/₁₀



1890.1921

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O. E. Forbes

400-02 East 33rd St.
Center 60' of
1 & 2

65

Grooms Addition

Frame duplex

30279 5-24-46

\$3750.00

Day labor

10

Chas. L. Erueger

408 N. 33rd St.

65

Pl. 2-3

Grooms Addn.

relocate res. on lot and add two rooms

27563 8-27-45

\$1000.00

Owner

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Tap on lot

Paul W. Jones

7303 Von Green Street
Center 60' of
1 & 2

65

Frame residence and garage

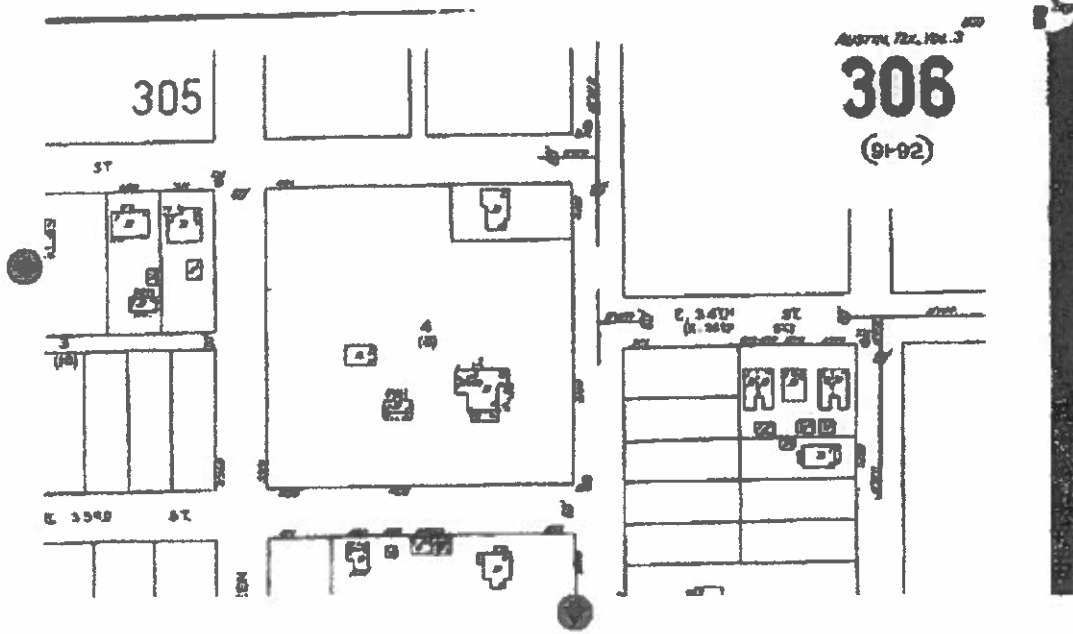
29921 4-15-46

\$3,000.00

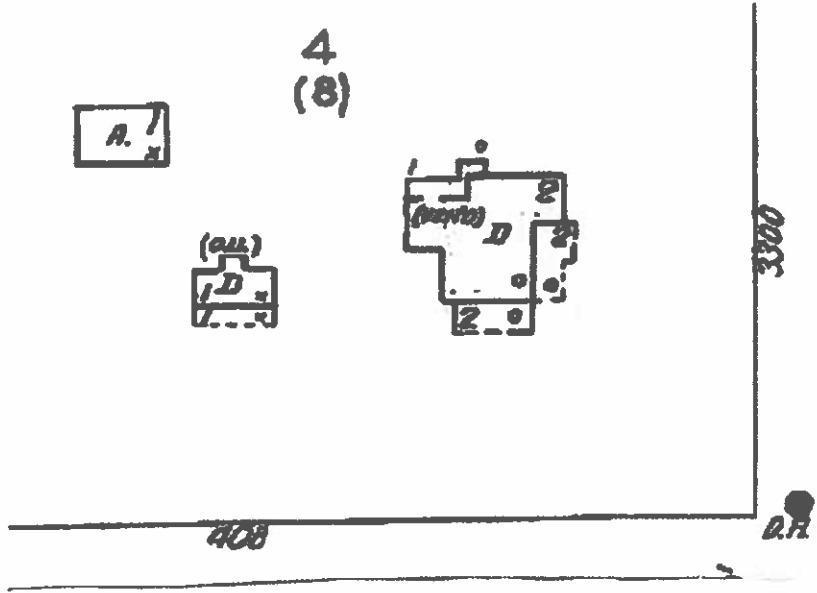
O. E. Ward

5

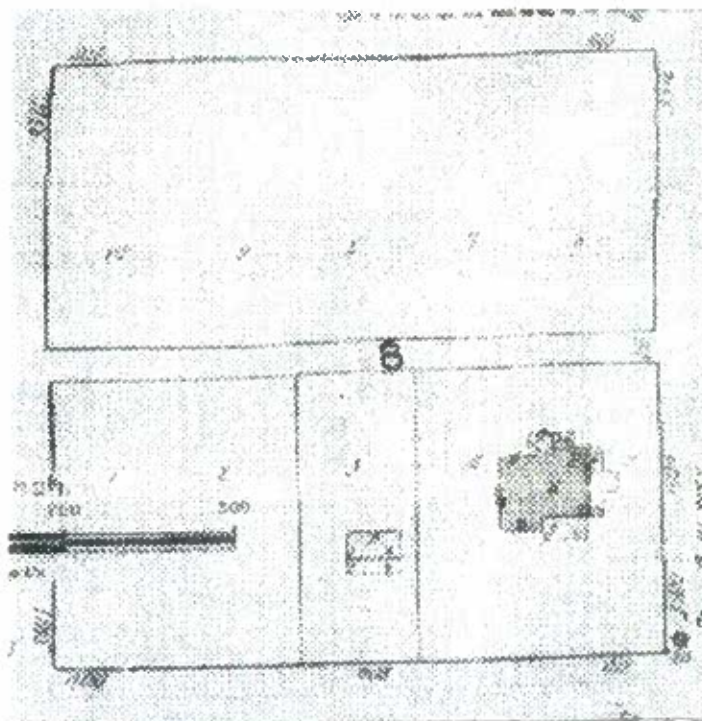
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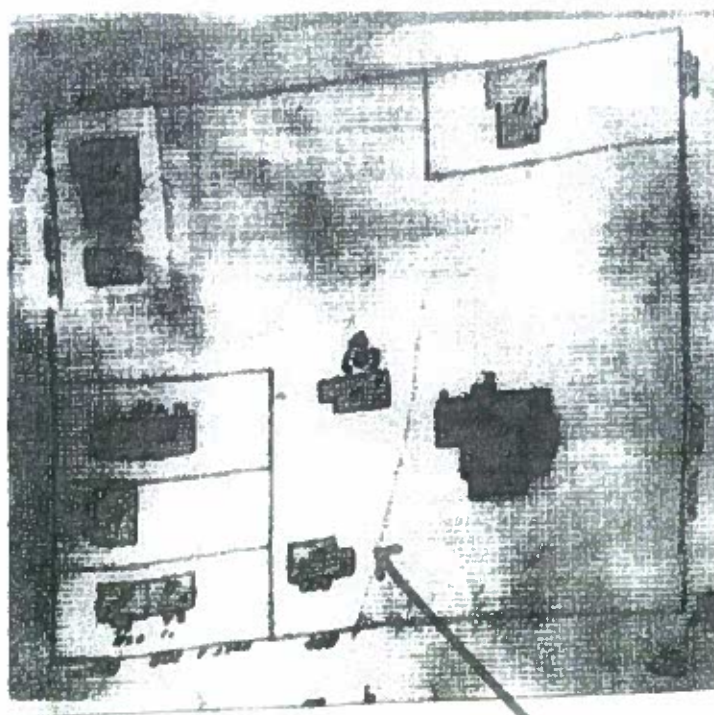
1935
Sanborn
map



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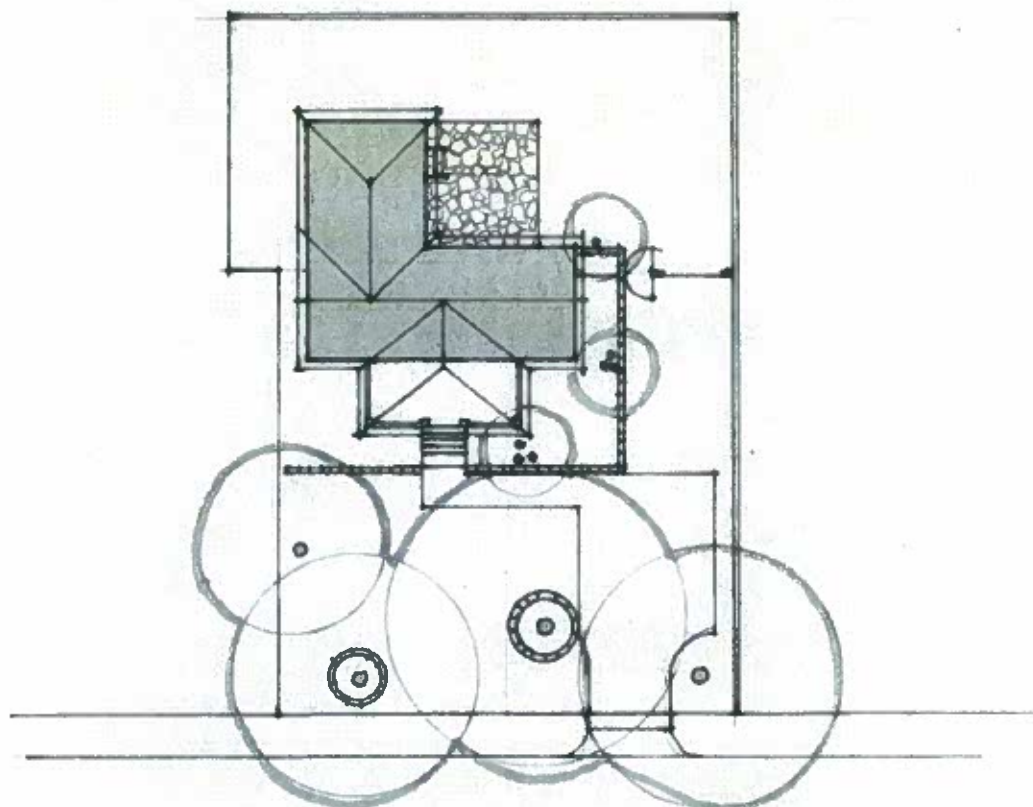


1921



UP DATED 1948

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E 33 RD ST

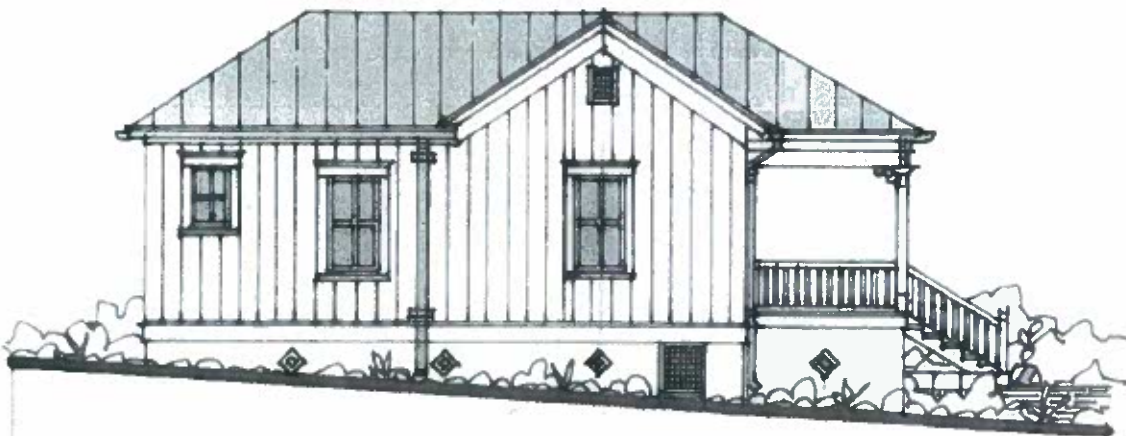


408 E 33 RD. ST. GROOMING ADDITION. EXISTING CONDITION 2010

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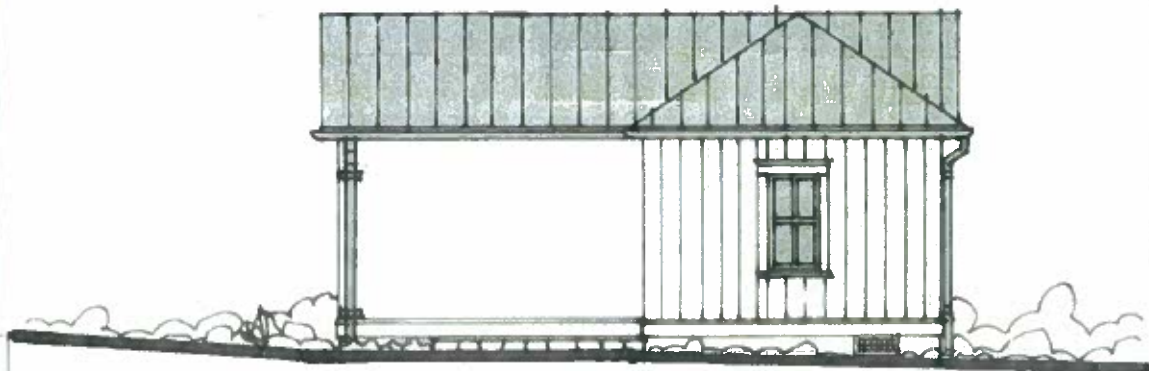


SOUTH ELEVATION - 408 E. 33RD ST. CUMBERLAND COTTAGE



WEST ELEVATION - 408 E. 33RD ST. CUMBERLAND COTTAGE

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NORTH ELEVATION 408 E 33RD ST. CUMBERLAND COTTAGE

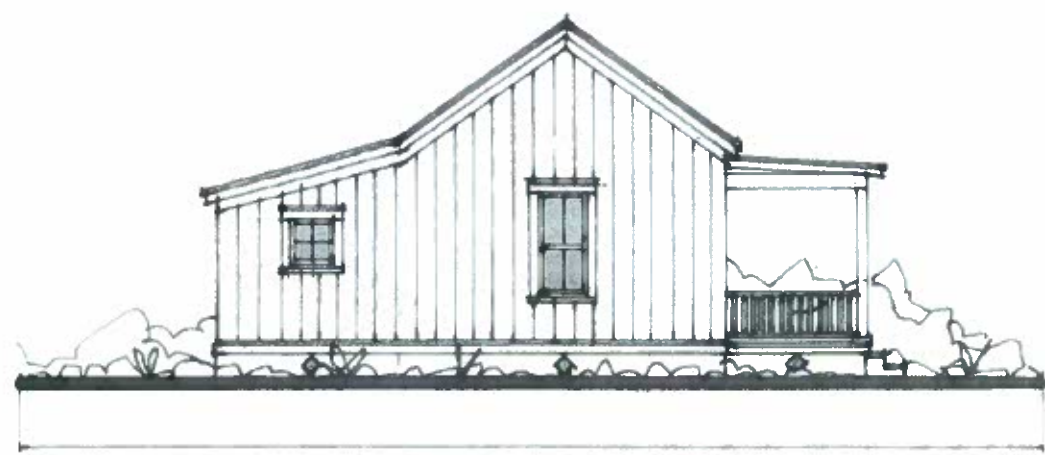


EAST ELEVATION 408 E 33RD ST./CUMBERLAND COTTAGE

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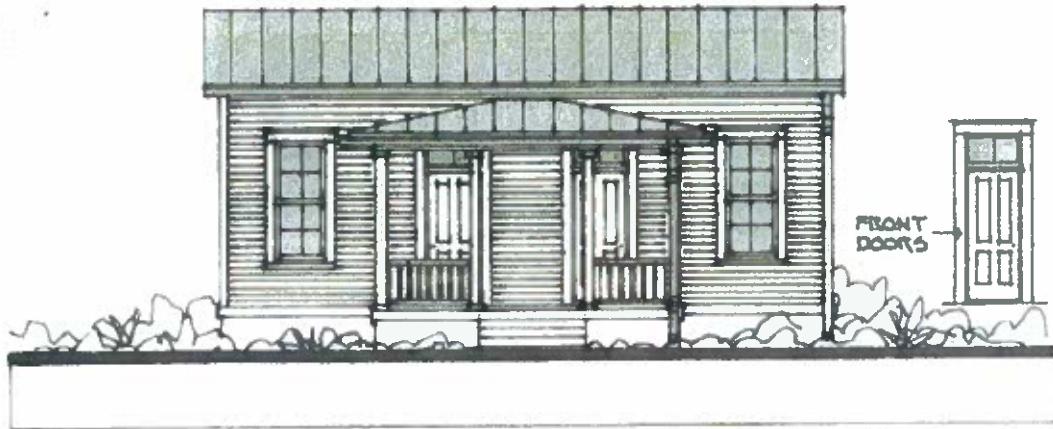


SOUTH ELEVATION. 614 WEST 39TH ST. CUMBERLAND COTTAGE



WEST ELEVATION. 614 WEST 39TH ST. CUMBERLAND COTTAGE

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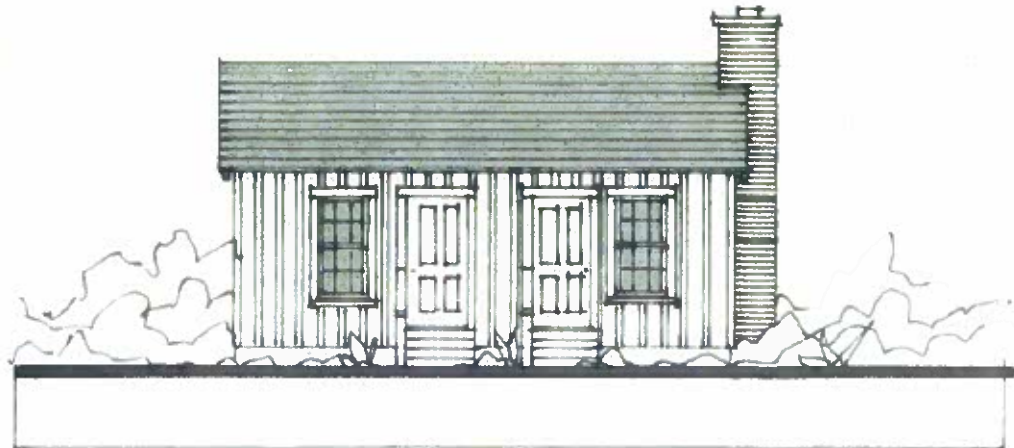


NORTH ELEVATION · 621 WEST 30TH ST. CUMBERLAND COTTAGE



WEST ELEVATION · 621 WEST 30TH ST. CUMBERLAND COTTAGE

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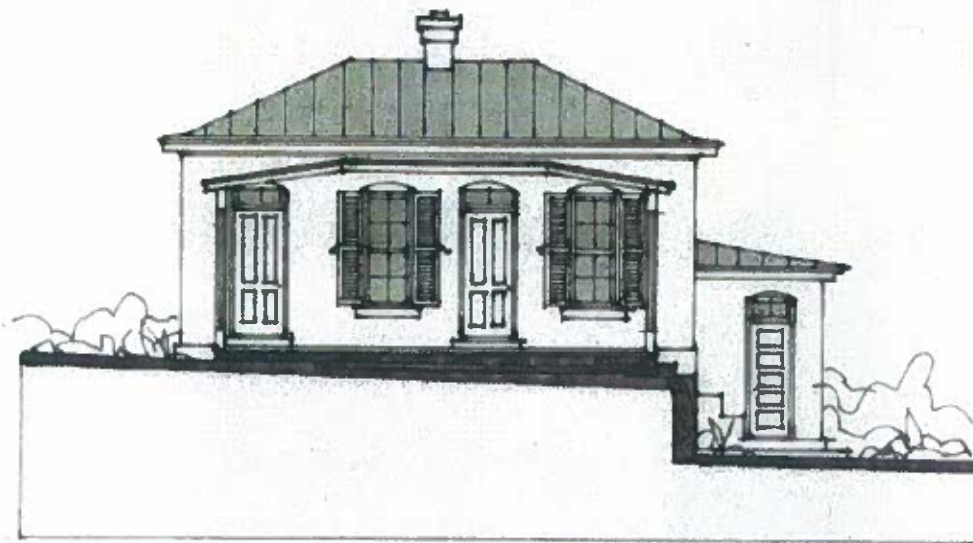


NORTH ELEVATION - 1705 WATERSTONE AVE. CUMBERLAND COTTAGE

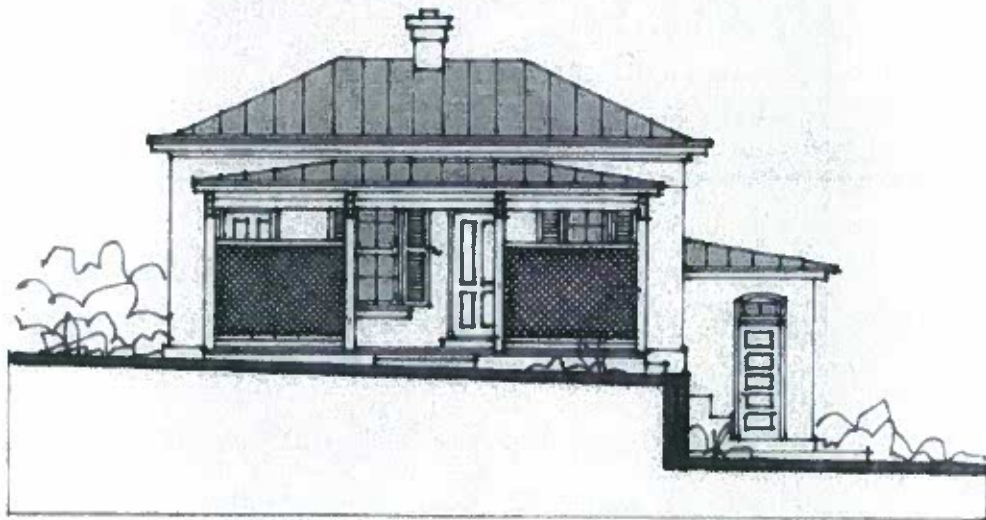


EAST ELEVATION - 1106 TOYATH (H.L.D.) CUMBERLAND COTTAGE

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SOUTH ELEVATION 100 3/4' BIOGRANITE CUMBERLAND COTTAGE



SOUTH ELEVATION 100 3/4' BIOGRANITE CUMBERLAND COTTAGE

E-mail from Charles Boes, owner, August 27, 2010:

Steve:with reference to council member spelman's comment on 408 as a maid/cook house, the maid/cook quarters was contained in the main house. The maid/cook quarters was a room on the second floor connected to the kitchen below by a narrow separate staircase. thanks, charles

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E-mail from Susan Pryor, neighbor, and owner of the Finch-Krueger House, 3300 Duval Street:

Below is a write-up of the presentation (more or less) given at the Planning Commission. If you need any additional information - please don't hesitate to contact me. Sincerely, Susan J. Pryor (512) 476-5676

Date: August 16, 2010
To: Steve Sadowsky
From: Susan J. Pryor – owner of 3300 Duval Street

Re: 408 East 33rd Street

This information is in regard to the property located at 408 East 33rd Street. I am the adjacent property owner at 3300 Duval Street. The property at 408 was part of our property and was sectioned off at the time we purchased our home in 1992. (See Photo 1 – our house at time of purchase 1992).

At the time of purchase, we were told by the godchild of the Krueger family as well as the Krueger family representative, that the house was originally moved from somewhere in the University of Texas area to its current location. This was reconfirmed by John Boswell who was living in the property at the time of purchase and did so until his death in 1997.

Our home has historic designation and we had contracted Peter Flagg Maxson to research our property and help with the process. At the time, Peter provided us with Sanborn maps and such that did show other structures on the property – but none that conformed to the house at 408. The one structure that was shown in earlier maps was rectangular in shape like 408 – but smaller. It was located where the existing driveway is and was probably removed at the time the driveway was installed.

Our home was constructed by the Finch family. The Finch family is well known in Austin for many reasons, among them the architecturally significant properties that they built. There are 3 in my area (my home, the home 2 houses away and one just on the other side of Speedway). The Finch family was known for quality construction. The garage they built on the property (See Photo 2) and a garage on the next door property (torn down several years ago) were all of far superior quality and construction than the property located at 408.

The Krueger Family purchased the property on or about 1942. The Krueger family moved the 408 house to its current location. I've tried to share as much of this information with the people researching the property – but apparently, it does not conform to what they want it to be – so they have shown little interest in the research information I have.

At one point, there was a presentation on how the structure that appears on earlier maps could be the same one that is currently at 408. Renderings were made showing how the Krueger

family could have enlarged the structure to meet the current dimensions. My experience with the Krueger family and the way they maintained their primary residence leads me to believe the scenario presented is highly unlikely.

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At the time of purchase, virtually no work had been done in our home including the electrical and plumbing. There was 1 outlet in the entire upstairs and extensive evidence of water damage throughout the home. The plumbing damage included one wall (shown in Photo 3) and the ceiling in the living room – other plumbing damage included the ceiling in the kitchen (underneath the upstairs back bathroom) and the office ceiling which was completely removed (and never replaced – acoustical tiles were put on the studs to cover the exposed wood). As shown in the photo – sheetrock was used to repair the plaster in the living room and no effort was made to match or retain the type of construction.

No painting was done to the interior. If it was done on move-in – there was no evidence of it. Photos 4 and 5 show the hallways of the downstairs and upstairs of our home when we moved in. The condition of the paint is not the result of 20 years of neglect – it's at least 50.

The front porch was failing down (see photo 6). The roof (photo 7) was in such disrepair that the upstairs bedroom had the ceiling falling in and major cracking (photo 8). Throughout the home there was major termite repair – including an upstairs bedroom.

Finally, the construction quality done during the ownership by the Krueger family was very poor. The 'lean to' garage – placed on the back of the existing garage (photo 1) had to be torn down because it was falling down at the time of move-in. The kitchen cabinets had been replaced (actually the best room in the home) with the lowest quality, mass produced cabinets available at the time. In Photo 9, you can see the cabinets and the type of fur downs used in the kitchen.

This all indicates that it is very unlikely that they would have sensitively remodeled the property at 408 so that the doors and windows would have matched and sensitively expanded the rectangular building that was noted on earlier maps. In addition, the last person who came by to move the house pointed out that the flooring indicates that the back 2 rooms (the existing kitchen and bath) were added on – as the flooring goes in a different direction than the front portion of the house.

All this evidence would support the fact that a 2 room building was moved onto the property by the Krueger family and an additional two rooms were added to the back of the building (the existing kitchen and bath).

My husband and I are committed to historic properties and historic zoning. We have dedicated our lives to older homes – including the one we live in. Older homes sensitively restored and maintained create anchors in communities and allow others to invest in these areas knowing they are stable. Homes that are poorly built with spotty history do not add to this stability. A property like the one at 408 that has been poorly maintained and has no clear history before the 1940's does not qualify for historic treatment.

The 408 property has been primarily used as temporary housing and would continue as this use in the future. Board and batten construction is not energy efficient without serious effort and expense in the basic construction. The original wood construction at 408 is severely deteriorated – such that significant portions have been replaced with unmatched boards, many boards are rotted, and several of the battens do not completely cover the space between the boards. To make this a viable home would far exceed the cost of building a new beautiful home.

Finally, the Boes family wants to build their home at this location. They want to build the type of home that will be here long after they are gone. The kind of home that would one day be a candidate for historic designation. The kind of home that would add to the stability of the area.

It would be very sad indeed if a property owner with the best of intentions, the knowledge, ability, and resources to build the kind of home we would all want next door to us is denied his right to do so.

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