

HISTORIC LANDMARK COMMISSION
AUGUST 24, 2020
PERMITS IN NATIONAL REGISTER DISTRICTS
HR-2020-113282
1317 WESTOVER ROAD
OLD WEST AUSTIN NATIONAL REGISTER DISTRICT

PROPOSAL

Demolish a contributing building; construct a two-story plus basement house and detached garage/guest house building.

ARCHITECTURE

1½-story rectangular-plan house capped by a side-gabled roof with front-facing gable dormers, clad in wood siding, and featuring 1:1 windows that appear to have wood and vinyl sashes. The paneled front door is flanked by multi-lite sidelights and surmounted by a multi-lite transom. Features include a full-width front porch with square columns, an exterior brick chimney, and a side addition capped by a hipped roof.

RESEARCH

The house at 1317 Westover Road was built around 1935. By 1939, Charles and Sara Wheeler had moved in; their family lived there until at least 1959. Charles Wheeler was born in 1879 in Grayson, Texas, to a farming family that deeply valued literacy; he grew up in Cooke County. He attended nearby Whitesboro College, Tyler Junior College, and North Texas State, then worked as a teacher and county school superintendent in Bowie County from 1899 to 1911. Wheeler “hung around courts and studied law,” by his own account, before opening a law practice in Texarkana or working as an assistant county attorney (news accounts vary). He was thrice elected district attorney for Texas’s Fifth Judicial District before coming to Austin in 1924, where he served as assistant attorney general under W. A. Keeling and Dan Moody. He served as a district judge in Austin’s 53rd District Court (1931 or 1932 until 1936), then resigned to practice law with his son Joe W. Wheeler at Felts, Wheeler & Wheeler, later Wheeler & Wheeler. He was appointed Editor of Opinions for the Texas Court of Criminal Appeals from 1948 until 1963. “As long as I had anything to do with law, I tried to work hard, be genteel and courteous, prepare my cases well and be strictly moral and upright in all my dealings,” he told the *Austin Statesman* in 1969. Wheeler was deeply involved with the Texas Odd Fellows, receiving a 70-year membership award in 1972, as well as Central Christian Church, the Masons, and the Woodmen of the World. Charles Wheeler died in Austin in 1974.

Sallie (or Sally, or Sara) D. Wheeler (nee Looney) was another native Texan, born around 1879 in Bowie. She married Charles Wheeler in 1902 in Bowie, and the couple had five sons. She was a longtime member and host of the Woman’s Study Club and was also active in the Central Christian Women’s Fellowship and the Alpha Delta Review. Sallie Wheeler died in Austin in 1956.

PROJECT SPECIFICATIONS

Two-story plus basement rectangular-plan house clad in brick and vertical wood siding (on portions of secondary elevations) and capped with a cross-gabled slate roof. The house features casement and fixed clad-wood windows and multi-lite steel front door and fully-glazed entryway. Under the right front gable, a dramatic fully glazed transparent wall will

pivot open as a steel door. Ornamentation includes quoining, brick lintels, and three chimneys.

The garage/guest house is a two-story building at the rear of the property. It is clad in vertical wood siding to match that on the rear of the house and capped with a gabled roof. It features a garage door on the first floor, a staircase to the second-floor entry, multi-lite clad-wood windows, and a second-floor deck with a membrane roof.

STANDARDS FOR REVIEW

The property is contributing to the Old West Austin National Register District. It may be eligible for historic landmark designation.

Designation Criteria—Historic Landmark

- 1) The building is more than 50 years old.
- 2) The building appears to retain a high degree of integrity.
- 3) Properties must meet two historic designation criteria for landmark designation (LDC §25-2-352). The property may demonstrate significance according to City Code:
 - a) *Architecture*. The building is constructed in the Colonial Revival style. Though a simple interpretation, it may be eligible under this criterion.
 - b) *Historical association*. Charles A. Wheeler was a prominent longtime judge and lawyer in Austin during the time he lived in the house, though it is not clear whether he contributed significantly to the history of the city, state, or nation, or whether his legacy is best represented by/most strongly associated with this building. There may be historical associations.
 - c) *Archaeology*. The house was not evaluated for its potential to yield significant data concerning the human history or prehistory of the region.
 - d) *Community value*. The house does not possess a unique location, physical characteristic, or significant feature that contributes to the character, image, or cultural identity of the city, the neighborhood, or a particular demographic group.
 - e) *Landscape feature*. The property is not a significant natural or designed landscape with artistic, aesthetic, cultural, or historical value to the city.

The Secretary of the Interior's Standards for Rehabilitation are used to evaluate new construction in National Register districts. The following standards apply to the proposed project:

- 9) *New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.*

The house is compatible with nearby contributing buildings through its simple roof form, uncomplicated massing, and brick cladding. The vertical proportions, front-gabled wings of different heights, and fully glazed entrance area differentiate it as new construction. The project meets this standard.

- 10) *New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

The district will be impaired by the loss of a contributing building. If the new building were removed in the future, the historic district would be unimpaired.

The proposed new building meets the standards.

COMMITTEE RECOMMENDATION

Not reviewed.

STAFF RECOMMENDATION

Encourage reuse of the building, then relocation over demolition, but release the demolition permit upon completion of a City of Austin Documentation Package consisting of photographs of all elevations, a dimensioned sketch plan, and a narrative history, for archiving at the Austin History Center. If the Commission elects to release the demolition permit, staff recommends that it comment on and release the plans for new construction. The Commission may choose to delay the permit for up to 180 days, as the building contributes to the Old West Austin National Register District.

LOCATION MAP



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 333'

NOTIFICATIONS

CASE#: HR 20-113282
LOCATION: 1317 WESTOVER RD

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



PROPERTY INFORMATION

Photos



Primary (north) façade of 1317 Westover Road. Source: Google Street View, May 2018.

Occupancy Research

Completed by Historic Preservation Office staff, July 2020. Directory information available only through 1959 due to library closure.

- 1937 Gwynne A. Conrad, owner
Major Inspector, Adjutant General's Department
- 1939 Charles A. and Sara D. Wheeler, owners
Felts, Wheeler & Wheeler (Joe Wheeler), attorneys at law (204 Norwood Building)
- 1941 Charles A. and Sara D. Wheeler, owners
Felts, Wheeler & Wheeler (Joe Wheeler), attorneys at law (204 Norwood Building)
- 1944 Charles A. and Sara D. Wheeler, owners
Wheeler & Wheeler (Joe Wheeler), lawyers (205 Capital National Bank Building)
- 1947 Charles A. and Sara Wheeler, owners
Wheeler & Wheeler (Joe Wheeler), lawyers (205 Capital National Bank Building)
- 1949 Charles Alex and Sallie D. Wheeler, owners
Lawyer, no employer listed (205-06 Capital National Bank Building)
- 1952 Charles A. and Sara Wheeler, owners
Wheeler & Wheeler (Joe Wheeler), lawyers (205 Capital National Bank Building)

- 1955 Charles A. and Shara Wheeler, owners
Lawyer, no employer listed (205-07 Capital National Bank Building)
- 1957 Charles A. and Shara Wheeler, owners
Lawyer, no employer listed (205 Capital National Bank Building)
- 1959 Charles A. Wheeler, owner
Lawyer, no employer listed (205 Capital National Bank)

Additional Research

CHICKEN PEDDLER PUT WHEELER IN HIS FIRST POLITICAL OFFICE

Chicken peddlers elected Dist. Judge C. A. Wheeler to his first political office.

"The first time I ever made a political campaign was when I was 23 years old," Judge Wheeler related. "I decided to run for county superintendent of Bowls county."

Roads were bad in northeast Texas at that time and travel was slow, Wheeler recalled.

"I had a horse and saddle but couldn't see many people that way. One day I ran across a chicken peddler. The country was full of them in those days. They went from farm to farm, trailing calico, thread and gewgaws for chickens. There must have been 15 of them in Bowls county. They were fair-dealers and the people liked them because they offered an outlet for farm produce without the trouble of a long, slow trip to town.

Judge Wheeler said he made his campaign speech to the first chicken peddler he ran across.

"Well, I haven't much influence," the poultry man replied, "but I'll sure give you my vote, young feller."

"Yes, but you can help me more than that," Wheeler insisted. "You can mention my name at every farmhouse. If your customers don't talk politics first you be sure and broach the subject.

"Just tell them you don't know how Charlie Wheeler's running in their section of the county, but he's running like a house afire where you came from."

It wasn't long before the youthful campaigner began to see re-

sults from his ingenious publicity scheme. For, with 15 or more chicken peddlers spilling the "He's running like a house afire" yarn to every farmer, Charlie Wheeler started getting a following.

"Yes, I've heard of you; Mr. So-and-So, the chicken man, was tellin' us about you," the farmers would say whenever I happened to call on my campaign tour.

Was the scheme successful?

Wheeler received nearly as many votes as both of his opponents combined. He served three terms as county superintendent.

"I know the chicken peddlers did it, because I didn't carry a box in town. Practically all my votes came from the rural sections where the chicken peddlers had been," Judge Wheeler concluded.

"Chicken Peddler Put Wheeler in His First Political Office," The Austin Statesman, 2/24/1932.



JUDGE C. A. WHEELER . . .
court over which he presides
will be conducted at all times
to provide every person equal
rights and privileges.

*Photograph of Judge C. A. Wheeler,
The Austin American, 7/7/1940.*

Judge Wheeler Is 'Richest Man'

By CANDY LOWRY
Women's Staff

"Did you know that I'm the richest man in the world?" asks Judge C. A. Wheeler who recently celebrated his 90th birthday.

"The very richest, Judge?"
"Yes indeed," he laughs. "The richest because I've got 14 grandchildren and 15 great-grandchildren. There's not one scrub in the bunch either."

Besides being rich, Judge Wheeler is also wise. Modesty would prevent him from telling you so, but his achievements speak for themselves.

Early in his life, the Judge, son of a Whitesboro farmer, was taught the importance of knowledge. "Both my mother and father read everything they could get their hands on. They had a wonderful collection of books and were always encouraging us to take advantage of them."

Judge Wheeler read all the books in his parents' home and then every other one that he could get his hands on.

"That's a habit that's never left me," he says. "I have always spent a great deal of time reading. It's a good way to entertain yourself, a good way to make a living too."

It's not surprising that the Judge chose law, a profession that requires a vast amount of reading, as his career.

"But I did plenty of other things before I became a full-fledged barrister," explains the Judge who was a teacher several years before becoming a lawyer.

After graduating from the Whitesboro County District School, the Judge attended Whitesboro College for two years, Tyler Junior College and North Texas State at Denton.

Between each college stint, he would return home to teach in the County District System until he had earned enough to



JUDGE WHEELER HAS 90TH BIRTHDAY
He enjoys everything about life

continue his own education.

"Those little schools where I taught were really something. All the grades were in one room and the teacher had to know a little something about everything from the ABC's to geometry."

He was so successful as a teacher that he was elected school superintendent in Bowie County, a position he held for three successive terms or six years.

While administering the

Bowie schools, Judge Wheeler was also spending part of his free time "reading law" and the other part in the county courthouse "studying" wise to the legal system."

Judge Wheeler didn't give up "reading law" when he moved to Austin to work in the Comptroller's office. "No sir, I wasn't about to abandon it," says the Judge who with six or seven other aspiring students organized their own Capitol Law Class and hired

professors to come and teach them.

"We thought this a unique idea and more interesting than enrolling in school," laughs the Judge who passed the state bar with high marks.

High marks have characterized Judge Wheeler's life.

"As long as I had anything to do with law, I tried to work hard, be genteel and courteous, prepare my cases well and be strictly moral and upright in all my dealings."

These rules applied when Judge Wheeler participated in politics too. "It's an attractive game, there's no doubt about it. But people who play it must be courageous, unafraid to stand by their convictions."

Obviously Judge Wheeler was a man of his word. "I must have been. Otherwise the people of the 5th District would never have re-elected

me district attorney three times.

And the railroad companies, the Texas Pacific, Cotton Belt and Kansas City Southern, wouldn't have asked him to represent them in the courts.

Nor would he have received

an appointment to the attorney general's department or a subsequent appointment by Gov. Dan Moody as a judge in the 53rd District Court, now presided over by Herman Jones.

After five years, Wheeler resigned to practice law instead of interpret it. In 1949 he returned to court life, this time as Editor of Opinions for the Court of Criminal Appeal.

"As editor I would restudy the judges' opinions for errors, but I never found too

many in their work because they were such a fine bright group of men."

Judge Wheeler would then compile the pages of corrected opinions in proper form so they could be published by the Court's library.

Wheeler is also proud of his work in the legal profession, but it dims when compared to the pride that he has in his five sons, two of whom are now living.

"They were a fine lot, those

boys. Interested, educated and patriotic, every one of them," says Judge Wheeler who is proud that all five of them served in WW II as officers.

"I guess they were the most important five people, besides my wife of course, in my life," said the Judge as he went into his library to get a poem he had written about the ambitions he had for his sons.

The rhyme read:

"Good, honest, ambitious and able
And from slavery of ignorance be free;
Doing their

best at whatever they choose
is the kind of man I want
them to be."

And it's the kind of men they became. Out of the five, one was a lawyer, one a chemical engineer, two, doctors and the youngest, a flyer.

Nothing is more important than children," says the Judge who derives as much pleasure from his grandchildren as he has from his sons.

"After all, they are the hope for the future, the hope for a better world, a better life."

Odd Fellows Giving Wheeler 70-Year Membership Award

By CAROLYN BOBO
Staff Writer

Charles A. Wheeler will be the guest of honor Saturday night when the Austin's Capitol Lodge Odd Fellow Temple presents him a 70-year membership award.

The 7:30 p.m. ceremony will be one of the many highlights of Wheeler's work with the club, and he said, "I've been half a century building up to it."

Wheeler's work in the civic club has been only part of his past half-century, which is only about half of his life.

"I'm proud to tell you I'm a native Texan," said the 92-year-old Wheeler. "I was born in Grayson County near Whitesboro on the family farm."

Wheeler said a family move to nearby Cooke County soon followed and he grew up there, attending the county school. "I went to a private college in Whitesboro and became certified," he said. "Then I taught school in Bowie County and was elected county school superintendent for six years."

He said he had "hung around courts and studied law," and



Staff photo by Larry Murphy

FORMER JUDGE WHEELER
Honored Saturday by Oddfellows
then began practicing law in Texarkana.

"I was district attorney for the Fifth Judicial District in Texas, and then I came to Austin to stay in the '20's," Wheeler recalled.

Wheeler said Austin today "isn't like the same town at all, and this section where we live used to be the nicest live oak grove you've ever seen."

Wheeler resides with his youngest son, J. P. Wheeler, at 4210 Deepwoods, in far northwest Austin.

Wheeler was appointed assistant attorney general by Texas Atty. Gen. W. A. Keeling, who served from 1921-1925. "He served out his term of office, then Dan Moody was elected attorney general, and I stayed with him for several years, until he resigned and was appointed 53rd District Court Judge and resigned," Wheeler recalled.

Wheeler then served as a district judge in Austin "until I got tired and quit. I had the misfortune to sentence four men to death while I was district judge, so I resigned," he said.

In 1936, after his judgeship, Wheeler joined his son Joe W. Wheeler in practicing law in Austin, until 1948, when he was appointed editor of opinions for the Texas Court of Criminal Appeals. Wheeler held that

position until it was abolished on Aug. 31, 1963, "and I went out with it."

Comparing the 1972 political races with Texas government of the early 20th Century, Wheeler said, "Back then, we had men who cared more about the service opportunities than about holding office. We had a different set of men then—even Mrs. Ferguson and Jim kept their skirts clean."

In 1902, the same year Wheeler joined Odd Fellows, he married Sally D. Looney, "whose grandfather came to Texas in 1837 and settled on the land where she was born," he noted.

The Wheelers had five sons, Morris and Howard, both physicians, and Joe, a lawyer, all of whom are deceased; Charles, a chemist in Temple; and J.P., a retired Air Force lieutenant colonel, in Austin. "all graduates of the University of Texas," Wheeler proudly stated.

"My addition may not be very good," said Wheeler, "but I have 14 grandchildren, and the last time I counted 17 great-grandchildren."

In 1934, Wheeler joined the Austin Odd Fellows lodge, and said, "I lived here several years before I transferred my membership, because I wanted to see what they were like."

Since then, Wheeler has served as Sovereign Grand Master of Oddfellows International, and in 1948 traveled to Denmark to institute the Sovereign Grand Council of Odd Fellows, which includes "membership from every country where there are Odd Fellows," he said.

Wheeler also wrote the order's funeral service, and said, "I've probably helped to initiate more Odd Fellows and conducted more funerals than any one, because I've been at it such a long time."

Wheeler, who is rarely ill, said he will be 93 in September and plans to continue his civic work. "I'm just as active as a fellow my age could be," he said.

Judge Wheeler Dies

Judge Charles A. Wheeler, a former editor of opinions of the Court of Criminal Appeals and former judge of the 53rd Judicial District, died in Austin Saturday evening.

A native of Whitesboro in Graysen County, Wheeler taught school and was county school superintendent in Bowie County from 1889 to 1911. In 1911 he entered law practice and became assistant county attorney.

In 1918 Wheeler was elected district attorney for the 5th Judicial District, winning re-election twice. He became assistant attorney general in 1924 and moved to Austin.

Wheeler was appointed judge of the 53rd Judicial District in 1931 and elected to that office in 1932. He resigned in 1936 to enter private law practice.

In 1948 he was appointed editor of opinions of the Court of Criminal Appeals, a post he held until 1963.

He was a member of Central Christian Church, a Mason, an Oddfellow and a Woodman of the World.

Wheeler is survived by two sons, J.P. Wheeler of Austin and Charles A. Wheeler Jr. of Temple; two sisters, Mrs. George Blair of Lubbock and Mrs. Sarah E. Patton of Houston; 14 grandchildren and 18 great-grandchildren. He was preceded in death by his wife and three sons, Dr. M.S. Wheeler, Joe W. Wheeler and Dr. H.P. Wheeler.

Funeral services will be 4 p.m. Monday at Weed-Corley Funeral Home with Dr. John Barclay and Dr. James L. Stoner officiating. Burial will be in Austin Memorial Park.

"Judge Wheeler Dies," The Austin American-Statesman, 10/14/1974

MRS. C. A. WHEELER

Funeral services for Mrs. C. A. Wheeler, of 1317 Westover Road, will be held at Central Christian Church Sunday at 4 p.m. with Rev. John Barclay officiating. She died Saturday.

Besides her husband, Judge C. A. Wheeler of Austin, she is survived by three sons, J. W. Wheeler of Austin, Charles A. Wheeler Jr. of Temple, Captain J. P. Wheeler of McClellan Air Force Base, Calif.; four brothers, W. O. Looney, J. D. Looney, J. P. Looney, T. A. Looney, all of New Boston; two sisters, Mrs. R. C. Bader of New Boston, Mrs. George W. Johnson of Texarkana; and 14 grandchildren.

The body will be at Hyttin-Manor Funeral Home until 3:30 p. m. Sunday when it will be taken to Central Christian Church for services.

Pallbearers will be George H. Templin, Henry A. Mathews, John Henry Steink, B. S. Williams, Frank R. Rundell and H. C. Blodgett.

Burial will be in Austin Memorial Park.

*Death notice for Mrs. C. A. (Sara) Wheeler,
The Austin American, 12/23/1956.*