

ZONING CHANGE REVIEW SHEET

CASE NUMBER: C14H-2020-0033

HLC DATE: April 26, 2021

PC DATE: N/A

APPLICANT: Aaron Franklin, owner

HISTORIC NAME: Kohn House

WATERSHED: Shoal Creek

ADDRESS OF PROPOSED ZONING CHANGE: 5312 Shoal Creek Boulevard

ZONING CHANGE: SF-2 to SF-2-H

COUNCIL DISTRICT: 7

STAFF RECOMMENDATION: Staff recommends the proposed zoning change from single family residence – standard lot (SF-2) to single family residence – standard lot – Historic Landmark (SF-2-H) combining district zoning.

QUALIFICATIONS FOR LANDMARK DESIGNATION: Architecture and historical associations

HISTORIC LANDMARK COMMISSION ACTION: N/A

PLANNING COMMISSION ACTION: N/A

DEPARTMENT COMMENTS: The house is beyond the bounds of any historic resources survey to date.

CITY COUNCIL DATE: N/A

ACTION: N/A

ORDINANCE READINGS: N/A

ORDINANCE NUMBER: N/A

CASE MANAGER: Elizabeth Brummett

PHONE: 512-974-1264

NEIGHBORHOOD ORGANIZATIONS: Allandale Neighborhood Association; Austin Independent School District; Austin Lost and Found Pets; Austin Neighborhoods Council; AustinRAMP; Bike Austin; Central Austin Community Development Corporation; Central Austin Urbanists; Friends of Austin Neighborhoods; Homeless Neighborhood Association; Lower District 7 Green; NW Austin Neighbors; Neighborhood Empowerment Foundation; North Austin Neighborhood Alliance; Preservation Austin; SELTexas; Shoal Creek Conservancy; Sierra Club, Austin Regional Group

BASIS FOR RECOMMENDATION:

Architecture: The Kohn House, built around 1938 for Adolph and Mollie Kohn, occupies a premier site in the Shoalmont Addition. Two lots wide, the expansive parcel extends from Shoal Creek Boulevard on the east to Shoal Creek on the west and is studded with mature oaks. The architect of the house is unknown, but the design is possibly attributed to Kohn himself. Eclectic in its design, the one-story house is T-shaped, with a long side-gabled volume facing the street and a rear hipped-roof wing. A two-story square tower with a pyramidal roof is asymmetrically placed near the north end of the house. The house is predominantly clad in random ashlar limestone with quoins at the corners and a stone chimney; a portion of the rear elevation is clad in horizontal wood siding. Wrapping the southeast end of the house is a porch with square wood posts and curved brackets; its gable end has waney-edge siding. Varied fenestration includes multi-light casements, a bay window with a metal roof, round portholes, and 1:1 double-hung wood windows. To the rear of the house, the site also includes a side-gabled accessory building, clad in board-and-batten on the front under the full-width porch and horizontal wood siding on the other sides.

Historical Associations: The Kohn House is significant for its association with entrepreneur Adolf Kohn. A German immigrant, Kohn worked in multiple positions as a pastry chef before founding the BonTon Bakery on Congress Avenue in 1902, which became one of the best-known bakeries in Austin. The bakery produced Pan Dandy Bread, second only to

Mrs. Baird's in regional sales. In 1934, Kohn founded Capitol National Bank. Kohn leveraged his business success to work in real estate, with roles in downtown and neighborhood development in the 1920s and 1930s. This included the Shoalmont Addition in northwest Austin, which Kohn purchased in 1928 and began subdividing in 1935. Contemporary newspaper articles described the development as ideally situated at the gateway to the Texas Hill Country.

PARCEL NO.: 0228020119

LEGAL DESCRIPTION: LOT 24-25 BLK 15 SHOALMONT ADDN SEC 4

ESTIMATED ANNUAL TAX ABATEMENT: \$8,500 (owner-occupied); city portion: \$2,500 (capped); county portion: \$2,500 (capped); AISD portion: \$3,500 (capped).

APPRAISED VALUE: \$999,898

PRESENT USE: Single family residence

CONDITION: Good

PRESENT OWNERS:

Bon Ton Revocable Trust
5312 Shoal Creek Blvd.
Austin, TX 78756-1815

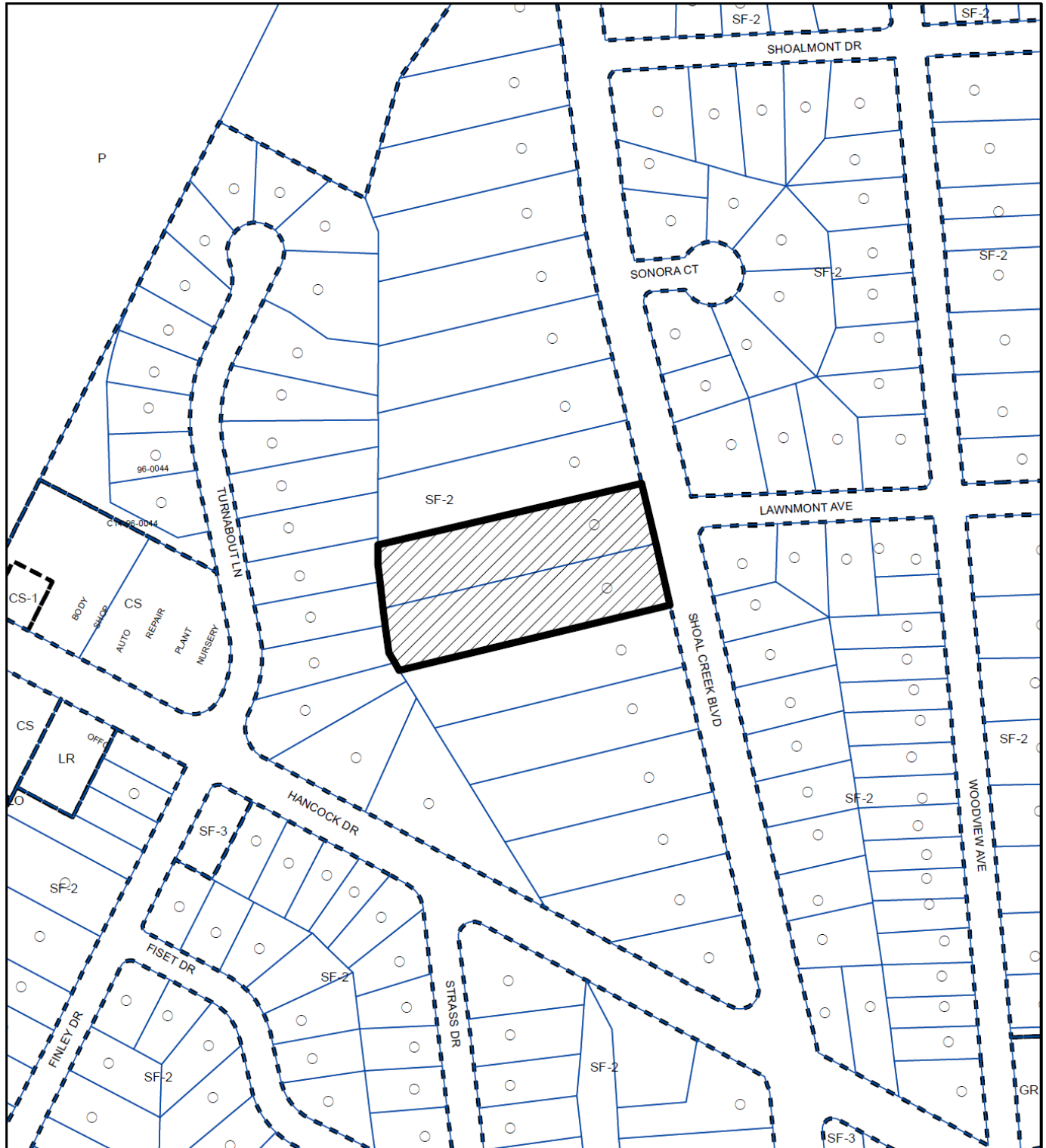
DATE BUILT: ca. 1938

ALTERATIONS/ADDITIONS: Carport enclosed around 1959

ORIGINAL OWNER(S): Adolph and Mollie Kohn (1928-1950)

OTHER HISTORICAL DESIGNATIONS: None

LOCATION MAP



1" = 200'

HISTORIC ZONING

ZONING CASE#: C14H-2021-0057

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.

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Kohn House History:

Adolph Kohn (Feb 19, 1871–Jan 31, 1948) immigrated from Koenigsburg, Germany in October of 1888 at the age of 17. His first stop in the states would take him to Chicago. Banking on his previous experience as a baker's apprentice back home he quickly found a job and as industrious and good with numbers as he was, he was able to make ends meet during this short stint by playing craps. He spent some time learning the language and the culture, bouncing from city to city. Denver, Houston, back to Chicago, he finally made his way to Austin to stay after a few years. With his limited skill with the English language he paid a job recruiter \$3.00 to help place him in a pastry chef position at, what he thought was a fancy hotel, instead it was the State Insane Asylum. He met his future wife Mollie Matthews shortly thereafter. Kohn quickly moved into a new job at the Driskill Hotel as the head pastry chef. It was during this time he formed many relationships that would help Kohn lay the foundation to smartly build his American dream. President of American National Bank and owner of the Driskill Hotel, George Littlefield lent Kohn \$2,000 to open Kohn's BonTon bakery at 720 Congress Avenue in 1902. Eventually, Kohn's BonTon Bakery would become one of the most well known bakeries in Austin, delivering bread all over central Texas, their branch of Pan Dandy Bread, at one point ranked #2 in the region, only behind Mrs. Bairds.

Upon the success of the bakery, Kohn began to dabble in Austin Real estate. Along with many key players in 1920's and 1930's growth, Kohn played an integral role in the early development of Austin, he was involved in countless dealings in downtown buildings as well as a handful of neighborhood developments. In what the Austin Statesman called a scandal, Kohn had purchased 210 acres of Fiset's Dairy Farmland from J Carter Fiset, widow of Franz Fiset. Franz, an Austin banker and lawyer had fallen in default of several bank notes over the years and in an effort to protect his liabilities from foreclosure, he had transferred many of his defaulted deeds to his wife before yielding his own untimely death in 1924. Kohn began laying out plans that would become the Shoalmont addition in 1928.

The Great Depression didn't seem to slow down Adolf Kohn. In 1934, after years of building one of the most successful bakeries in Central Texas, Kohn founded and named Capitol National Bank at 114 W. 7th Street, added to the list of National Historic Places in 2011. In his spare time from baking and banking, he spent the next several years adding roads, sewer lines, utilities and water lines to the newly subdivided Shoalmont. He picked the most impressive spot out of the 210 acres, the deepest lot, the best view of Austin's violet crown and the most beautiful live oak trees to build the Kohn family's dream home that still stands at 5312 Shoal Creek. Over the short ten years Mollie and Adolf would spend in the home, it would become the common meeting place for Sunday fried chicken dinners after church, Rotary Club meetings and social events. With the help of Vera and Johnny Miller (who lived in the back house), cooking, gardening and taking care of the animals including one very special dairy cow that lived under the oak tree in the front yard, the Kohn family home would set the tone for an entire neighborhood.

Built with a German's eye for design and craftsmanship, The Kohn House is a two-story, T-shape plan, stone-clad German vernacular cottage. It is a collection of eclectic design elements that were likely conceived and executed by the Owner/Builder. Hand hewn white limestone covers most of the house, with quoin stone corners and stone chimney. The primary roof form is a side gable with a hip on the rear wing and second floor. An asymmetric, partial-width porch wraps around the Northeast corner and is included below the main roof form, supported by plain square wood columns and curved braces. The gable ends of the porch are clad in wood plank siding with decorative patterns along the lower edge. A metal-roofed bay window adorns the front facade. Fenestration in the house includes a round wood window, 8-lite steel casement windows in double and triple configurations, with fixed clerestory windows at the bay window, kitchen and living room and 1:1 wood windows. The home was built with amenities ahead of its time and has been surprisingly untouched by modern upgrades, it has also endured more than its fair share of deferred maintenance. With respect to the original sentiment and a great deal of care for quality materials, the plan is to restore all that is restorable, retain all historical integrity and help this house become a home through tasteful upgrades and modern systems. The Kohn house has come too close to being demolished to make way for another new house that fits in the neighborhoods of the modern Anytown, USA. We hope that Historical Zoning will help solidify its place in Austin's Depression/New Deal growth boom history.

5312 DEED CHRONOLOGY

George W Spear 4,400 acres aka: The Spear League 1838	N/A
John Hancock and George Hancock 521 acres 1866	N/A
Franz Fiset 521 acres 1899	N/A
Adolph Kohn 210 acres May 29,1928	(Vol. 477 Page 174)
Warren J Jackson Lots 24-26 Block 15 Shoalmont Addition March 1,1950 \$18,000	(Vol. 1033,Page 213)
Joseph P Witherspon Lots 24-26 Block 15 Shoalmont Addition August 4,1958 \$45,000	(Vol. 1951,Page 540)
Myles Sherman and Terrell T Sherman Lots 24-25 Block 15 Shoalmont Addition November 15,2017	#2017184999
Aaron and Stacy Franklin Lots 24-25 Block 15 Shoalmont Addition September 27,2019	#2020147280

1838	George W Spear acquired over 4,400 acres. aka: The Spear League
1866	John Hancock and George Hancock bought 521 acres
1899	Franz Fiset Purchases the 521 acres
05/29/1928	Adolph Kohn purchased 210 acres from J Carter Fiset, widow of Franz Fiset Borders: Hancock Dr. to Northland Dr. and Shoal Creek to Burnet Rd.
1935	Surveyed and Subdivided to become the Shoalmont Addition.
1938	Adolph Kohn completed the house at 5312 Shoal Creek.
09/01/1947	Shoalmont Addition annexed to the City of Austin.
03/01/1950	Warren J Jackson purchased from Kohn Family Trust for \$18,000
08/04/1958	Joseph P Witherspoon purchased from J. Warren Jackson for \$45,000
11/15/2017	Myles Sherman purchased from Witherspoon Family Trust for \$1,048,000.00
09/27/2019	Aaron and Stacy Franklin purchased from Myles Sherman for \$1,187,500.00

List of Occupants

1899-1928 Franz and J Carter Flset: The Fiset Dairy Farm

1928-1950 Adolf and Mollie Kohn: Owner of BonTon Bakery, Board of Directors/Founder of Capital National Bank, Austin area land developer and Socialites.
Responsible for the Shoalmont Addition, the Kohns finished building the house in 1938 along with a back house, chicken coop and a barn that can still be seen behind an adjacent property. The homestead used what would become Lawnmont as the driveway. The home appears to have been built with a focus on entertaining large groups of people.

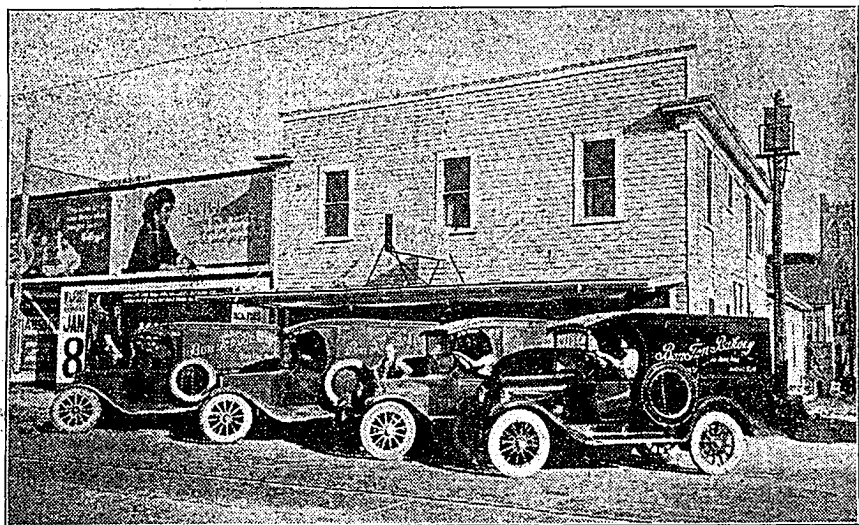
1950-1958 Dr. Joseph Warren Jackson: Family friend of the Kohns, Physician and on the Board
of Directors Capitol National Bank. The Jacksons updated the kitchen, enclosed the car port and added drywall around 1959.

1958-2017 Joseph and Catherine Witherspoon, UT Law Professor. The Witherspoons had several children, some of which went on to practice law in Austin. The house lay mostly dormant from 1995 to 2017. Deferred maintenance during these more recent years resulted in a good bit of deterioration. Extensive water and termite damage and aging infrastructure began to set the stage for a house that most would view as a tear down.

2017-2019 Myles and Terrell Sherman.
The Shermans bought the property with the idea to build a sprawling dream home. Fortunately, this proved to be a project of epic proportion and with some neighborhood resistance, they decided to let the house be and move on.

2019-XXXX Aaron and Stacy Frankllin, Owners of Franklin Barbecue and dabblers in life...
On a sunny Sunday morning, the Franklins found themselves peering through the windows of a house begging for a chance to be reborn into a modern world. With an affinity for designs of modest grandeur, they almost felt like the house had chosen them to bring it back. ...And so they began a long road towards bringing the Depression era, German house to the lustrous family home it once was.

THIS STRICTLY UP-TO-DATE BAKERY
DEPENDS ON DODGE DELIVERY CAR



Adolph Kohn, proprietor of the Bon Tom Bakery at 1307-09 Lavaca street, has implicit faith in the merits of the Dodge Brothers panel business car, as shown in the picture above. Mr. Kohn several days ago placed an order for the fourth car of this type for use in his delivery service. Mr. Kohn is shown standing in the center along with his fleet of four Dodge Brothers panel business cars. Mr. Kohn bought his first Dodge Brothers car from the Thomson Motor Car Company in January, 1921. So pleased was he with the service given by this car that he ordered another in April, 1921, and added a third car in January, 1922.

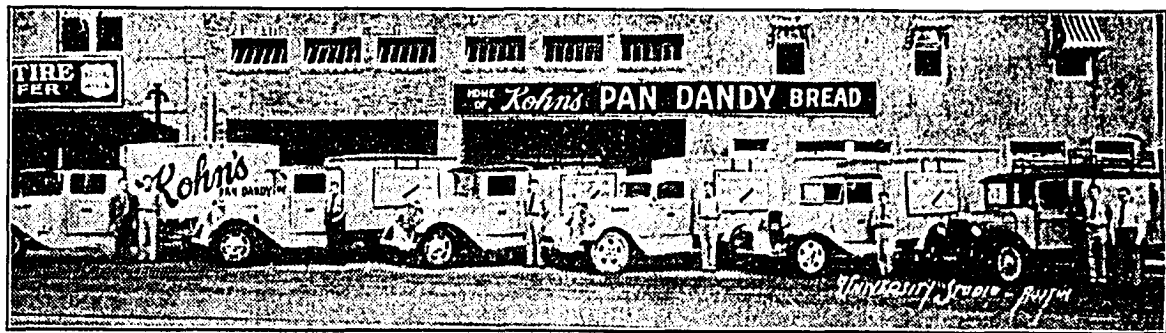
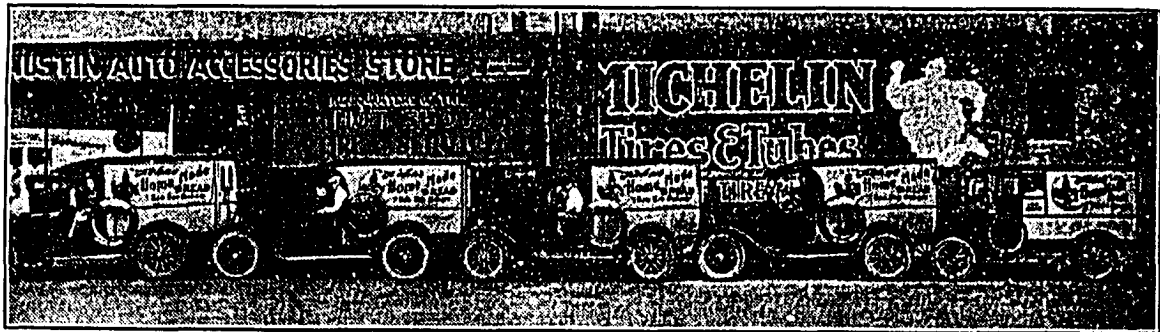
Mr. Kohn is one of the pioneer bakers of the city and his fleet of fine delivery cars is but an example of the modern facilities that are found throughout his establishment. A trip through this modern baking shop reveals to the visitor the most modern and up-to-date equipment in use anywhere in Texas or the Southwest. Everything is complete, and new improvements now underway in the plant will bring it up to the front rank of baking shops. It is interesting to note that every operation in the making and baking of bread is done automatically. From the time the flour is emptied from the barrel into the sifting machine until it is wrapped for delivery to the cus-

tomers the hand of the baker or the clerk never touches the bread, making the loaf of bread that is bought from the Bon Tom bakery as sanitary as can be. The flour is emptied from the barrel into the automatic sifter where a worm conveyor carries it to an elevator and the sifted flour is conveyed by buckets to a measuring machine. This machine automatically measures the amount of flour and water needed for a proper mixture and passes the wettened mixture into a dough machine below it, where the dough is thoroughly worked. Water is piped from a tank which automatically keeps the proper temperature of the water. After the dough is thoroughly mixed

it is dumped into conveyors and then placed into a molding machine, where the dough is properly portioned and sent to the loaf pans mounted on an endless chain. There the four rows of pans are moved along, and twelve minutes later the loaf is dropped through an eccentric into a waiting tray. Then it is carried to the oven and baked in a uniform heat. After the baking is completed the finished loaf is placed in the wrapping machine and wrapped in waxen paper, where it remains fresh and protected against vermin. Similar facilities have been provided for baking cakes, cookies and fancy pastry. Mr. Kohn has three ovens in his baking plant and uses crude oil for fuel. By means of a spray system a uniform heat is maintained around the oven, baking the bread uniformly throughout. The last oven was installed three weeks ago and contains two separate baking compartments. The other two ovens are being remodeled and fitted up similarly to the new oven just installed. Another improvement being made by Mr. Kohn is the placing of an underground fuel oil storage tank, which will have a capacity of one hundred of oil. Later he expects to build a storeroom with a capacity of five car-loads of flour. He stated he has a baking capacity at present of fifty barrels of flour per day, which represents 12,500 loaves of bread. This is in addition to the cake and fancy pastry, he stated. Mr. Kohn is proud of the fact that his bakery has made such a rapid advancement since he opened for business on Lavaca street two years ago.

Kohn's Baking Co.

34 Years of Progress With Austin



A fleet of trucks takes Pan Dandy Bread fresh to Austin's grocers daily. Top view shows Kohn's delivery trucks about 1923. Bottom view pictures Kohn's fleet of trucks as they are today! Depend upon Kohn's Pan Dandy Bread being always fresh and tasteful.



—Photo by Jensen's
LAMBUTH COX
Manager of Kohn's Baking Co.

Kohn's Pan Dandy
is Fortified Vita-
min B Bread.



Kohn's Pan Dan-
dy carries the
seal of accept-
ance from the
American Medi-
cal Ass'n.



ADOLPH KOHN, JR.
Vice-President Kohn's Baking Co.

ON
SALE
AT
YOUR
GROCER

Kohn's PAN DANDY BREAD

LOOK
FOR
THE
ORANGE
WRAPPER

TIME CHANGES BREAD STYLES

The Austin Statesman (1921-1973); Aug 12, 1931;

ProQuest Historical Newspapers: The Austin American Statesman

pg. 9

TIME CHANGES BREAD STYLES

Through persistence and fair dealing, Ad Kohn has built up the Bon Ton Baking company, which for many years has been supplying bread to Austin homes as one of the most popular bakeries in the city.

Mr. Kohn himself came to Austin in the early days, coming by way of New York from his home in Germany, and as a young man he built up the foundation of his present day success.

In speaking of the past, Mr. Kohn was most interested in contrasting the operation of a bakery under conditions as compared with the way such a business was formerly operated.

Requirements of today, including labor, machinery and the like,

are such that the cost of overhead expenses make it impossible to turn out bread as cheaply as in the old days, he pointed out. Moreover, the state requires 16 ounces to the loaf and the regular inspection of the premises by the health department.

The modern bakery, therefore, is far more complete and far more sanitary than the old institution. Salaries have also been increased, and the baker now receives more than double the pay he earned before the war.

W. L. Cox is manager of the Bon Ton Baking company and has helped to modernize the entire plant, one of the most efficient in the state.

Bridge Luncheon Slated

The Austin American (1914-1973); Aug 8, 1943;

ProQuest Historical Newspapers: The Austin American Statesman
pg. A5

Bridge Luncheon Slated

A luncheon with bridge afterward will be entertainment for the city Pan-Hellenic and Army Wives in the Sun room of the Austin hotel Tuesday at 12:30 p. m.

Mesdames C. D. Davis, L. S. Cobb and W. N. Underwood will be co-hostesses for the event. Reservations will be taken at the Austin hotel cigar counter through Monday.

Guests are asked to bring their bridge cards and to wear identification tags bearing their names as a get-acquainted gesture.

* * *

Mrs. Kohn Hostess

Mrs. Adolph Kohn, 5312 Shoal Creek boulevard, will be hostess to the Daughters of the Nile Sewing circle at a meeting beginning Tuesday at 10:30 a. m. A covered dish luncheon will be served. All members are invited.

Bread Has Place In Every Meal, Says Ad. Kohn

Common sense should be the guiding factor in avoiding the dangers of extreme diets, states Ad. Kohn, Sr., head of Kohn's Bon Ton Baking company, makers of Pan Dandy bread which is distributed daily through the retail grocery stores and markets of Austin.

"Many diets which have been popular at various times," said Mr. Kohn, "are often dangerous because they are too restricted, oftentimes lacking energy-giving carbohydrates, vitamins and minerals.

"It is unfortunate that such an enormous amount of misinformation and sometimes even false propaganda has been directed to some foods. In the last few years, baker's bread has been the target of a lot of unjustified and untruthful propaganda which has caused some persons who take their diets seriously to reduce the use of this most nourishing and useful food.

"Lost sight of is the fact that a food can be both nourishing and still not be fattening. Bread is just such a food. It has a normal place in every meal. The bakers of America do not claim that bread is a food that should be used exclusively. They do say that bread is a nourishing food and that it is non-fattening. Three years of re-

search at leading universities and laboratories in different parts of the United States has proved that the energy-giving carbohydrates in bread helps burn up body fat and therefore cannot be fattening.

"The commercial bakers of the United States have spent many years and millions of dollars in plants and equipment; they have hired expert workers and used the best ingredients in an effort to give the public the very best bread they could. Your baker knows that bread is a natural food that should be served with your daily meals.

KOHN EXPLAINS PROCESSES IN BAKING

"The name doesn't make quality, but it's quality that makes the name," declared Ad. Kohn, head of Kohn's Bon Ton Baking company, who has been in the baking business in Austin for nearly 35 years.

Under Mr. Kohn's direction, the Bon Ton Baking company has ever kept abreast of all the latest improved methods of bread baking and has striven to produce a quality bread. The Kohn plant at present bakes and distributes the well known Pan Dandy loaf which has found a ready acceptance in most Austin households.

Mr. Kohn pointed out that the difficulties of making a good loaf of bread have increased enormously within the last 15 years due to the fact that the public has been educated to the use of better bread, bakers have constantly improved their product until today the housewife is getting the best loaf of bread ever made commercially, competition among bakers has increased yearly, forcing bakers to stay abreast of the times, and the development of the combine method of wheat harvesting,

while a help to the wheat farmer, has increased the difficulties of the baker.

The full mellowing of the wheat now takes place in the bins of the mill and not out in the fields of the farmer. This apparently small difference is a very important factor and has made it harder for the baker to make a consistent and uniform loaf, and demands baking processes that take out all the guess work.

All these things, said Mr. Kohn, point to just one thing. The baker who wishes to give the public good bread day after day must take advantage of the latest ideas and methods. Time, temperature and humidity are the important things. The average person thinks of time and railroad watch accuracy whenever he thinks of a railroad, but these same persons would be greatly surprised if they knew with what exactitude a time schedule is made up and adhered

to in Kohn's modern bakery. The time when various doughs are mixed and remixed, the time when they go to the dividing machines, to the ovens and to the wrapping machines is carefully watched and must be followed, or explanations are in order to the management.

Temperature and humidity are the next important factors. Whenever Kohn's bakery can apply automatically controlled methods of providing constant and uniform temperatures, it does so. The temperature of the ingredient water going into the troughs is kept low and always the same through the use of refrigerating machinery and cooled water tanks. The mixer itself has the mixing compartment automatically regulated. The dough room, where the doughs rise after they are mixed, must keep a constant temperature and humidity regardless of the outside weather conditions. Delicate air-controlled thermostats, sensitive to one-fourth of a degree, are the "watch dogs" of the dough room, faithfully controlling the mechanism that keeps temperature and humidity conditions uniform.

This same exacting control is used at the proof box, where the final rising takes place, and in the modern, spotless bread cooler, where the bread is cooled under clean washed-air conditions.

A quick trip out to the slicing and wrapping machines and the attractive orange paper is wrapped around the loaves, sealing in all the flavor and tastiness that the baker has tried so hard to get.

The Kohn Bon Ton Baking company suggests that you ask your grocer for Pan Dandy bread and other Kohn products the next time you buy.

Shoalmont Addition Offers Attractive Building Site for Prospective Buyers.

In Shoalmont addition are to be found some of the best investment and home values in and around the city of Austin, reports Adolph Kohn, owner and developer of the property. Shoalmont addition is a part of what was formerly for many years known as the "First Place" located on Shoal creek northwest of the city of Austin and now just outside the city limits. The original tract of 210 acres was bought from Mrs. J. Carter Fiset by Adolph Kohn in 1928, and about 65 acres of the most beautiful part of this tract has recently been subdivided by Mr. Kohn into blocks and lots particularly well suited for the building and owning of homes, and these tracts have been offered to the public at extremely attractive prices for development purposes.

Half-Acre Lots Offered

The lots in this subdivision are measured as an average of 100 feet frontage and 200 feet depth, making each lot approximate one-half acre. Located on one of the highest spots in Austin, with a view of the Violet Crown hills, Shoalmont promises to become one of the most beautiful subdivisions of this city.

Not wishing to exploit this property in a way that will injure its permanent value to the people of Austin, Mr. Kohn has insisted no high pressure sales campaign be carried on. He has placed the sales of the subdivision in the hands of local men under the Shoalmont Realty company, composed of Fred Leser and R. M. Key, who are trying to carry out Mr. Kohn's ideas in a substantial growth instead of promoting a mushroom subdivision. Under this plan, the buyers of property there will more nearly receive the advantages of developing property

than is usually the case in feverish transactions.

Shoalmont Ideally Located

With the development of Buchanan dam and Marshall Ford dam, Shoalmont stands in a most favorable position, being located just at the intersection of the Marshall Ford dam (Bull creek) road, now being hard surfaced by the county, and the Burnet highway (state highway No. 29) leading to Buchanan dam. These roads are the gateways to the beautiful Hill country which borders Austin on the northwest.

Every lot facing on good well graveled streets, and served by city water and lights, Shoalmont is one of the newest subdivision projects of this city, and is also well protected by full and well defined restrictions. All lots in the addition are restricted for residential use only, with the exception of lots fronting on highway No. 29, which are unrestricted for business purposes and form a most ideal location for community center business establishments. Building restrictions are such as will fully protect the home-owner in the addition in his investments there, and sales are restricted to persons of the Caucasian race.

A fully restricted subdivision purchase, located in a newly developing territory of a fast-growing city such as Austin, is one of the best investments possible, Mr. Kohn points out. He invites the people of Austin to drive out the Burnet highway and through this addition and see for themselves the beauty of it and the possibilities which it represents for beautiful home locations. Salesmen are on the property all day on Sundays and every afternoon during the week and will be glad to answer questions. A few homes have already been started, and more are being planned immediately.





















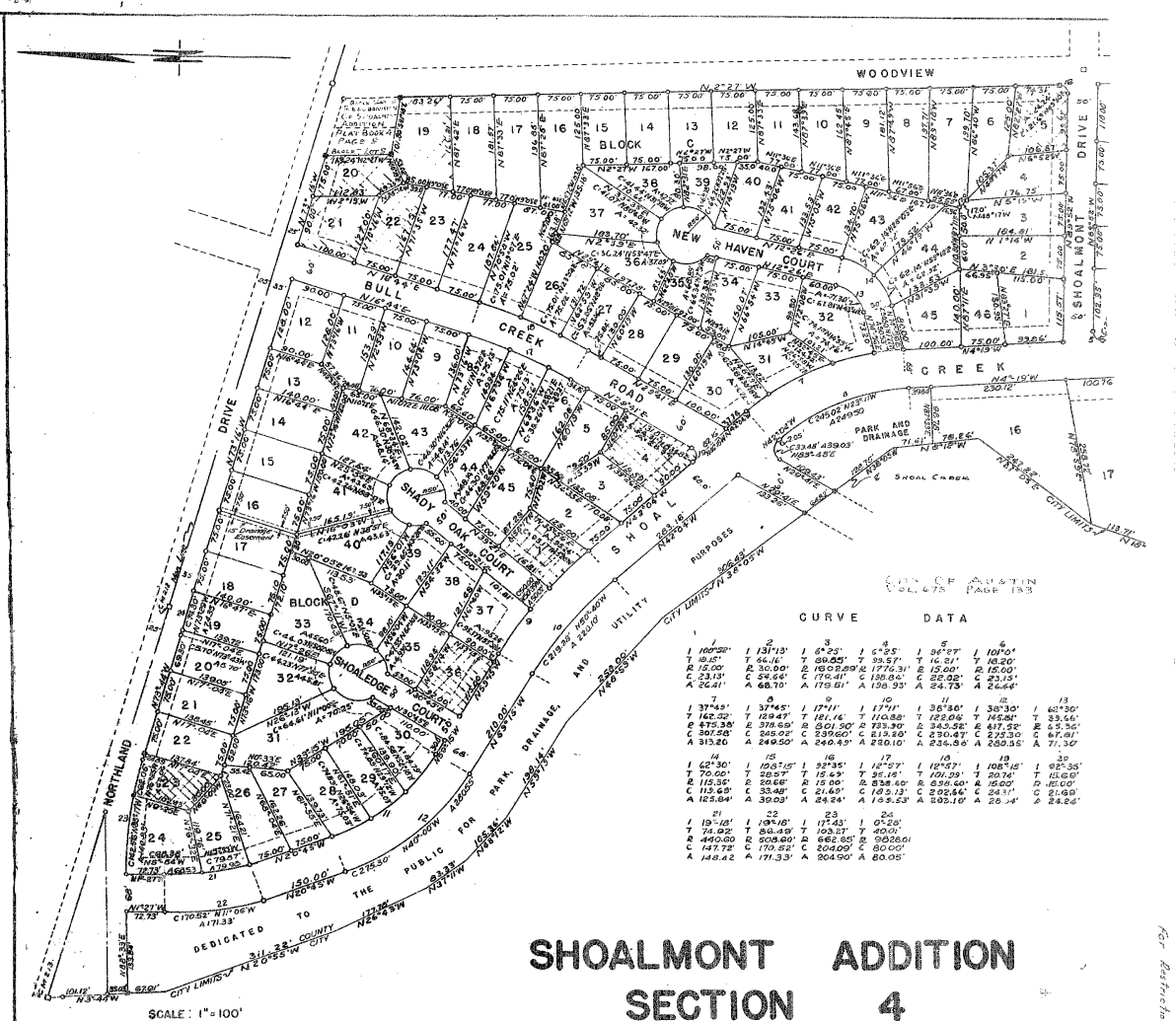












SCALE: 1"=100'
 NOTE:
 • Iron Stake
 • C.M. Found
 • G.M. Set

SHOALMONT ADDITION SECTION 4

a re-subdivision of Blocks Nos. Eight (8), Nine (9), Ten (10), Eleven (11), Fifteen (15), Sixteen (16), and Seventeen (17), and of a part of Block No. Seven (7), and Fourteen (14) in the Re-subdivision of Shoalmont Addition as the same appears of record in Vol. 4, Page 5, of the Town, County Plat Records, at the time of this re-subdivision. Lot No. Twenty-three (23), Block No. Fifteen (15), of such Re-subdivision was the property of Chas. E. Hunter and wife, Alice Kohn Hunter, Lot No. Sixteen (16), Block No. Fifteen (15), was the property of M.L. Smith, and the remaining property covered by this plat was the property of Adolph Kohn.

ALL LOTS SHOWN HEREON SHALL BE FOLLOWING CONDITIONS, RESTRICTIONS, COVENANTS AND USES

All lots shall be used for residential purposes with not exceeding one residence on any lot except as expressly provided in these restrictions.

No trade or profession of any character shall be carried on within or on any lot except that a sales office may be maintained by the subdivisor subject to the consent of the City of Austin Zoning Board.

No apartment house, hotel, tenement, boarding house, garage apartment or other outbuilding shall be placed, erected, or be permitted to remain on any lot nor shall any structure of any character be used at any time as a residence, tenement, boarding house, garage apartment or other outbuilding of one story not to exceed six hundred (600) square feet of ground area not to house more than two persons, and if permitted within the block and on the lot specifically designated and shown on this plat by this symbol [Symbol: a small square with a cross inside]. All other conditions, restrictions, covenants and uses herein shall not be affected by this condition.

No structure shall be erected or placed on any lot which has an area of less than five thousand (5000) square feet and a width of less than fifty (50) feet of the front building set back line as shown on the plat by legend lines. No corner lot shall be re-subdivided so as to admit of an additional dwelling being erected thereon.

No improvements shall be erected, altered, placed or be permitted to remain on any lot or lots used in the calculation of area thus specified shall be sold, rented, leased, conveyed or otherwise disposed of, but must be used with such dwelling. Ornamental structures, fences, and walls are permitted on these lots subject to the approval in writing of a recognized landscape architect, otherwise, damaged or destroyed, shall be replaced or reconstructed to cover not less than eleven hundred (1100) sq ft of ground floor area, calculated exclusive of porches and open porches.

No dwelling shall be located, placed, erected or constructed on any lot until the design has been approved in writing by a licensed architect. It shall be the responsibility of the architect to determine the design.

No dwelling shall be located, placed, erected or constructed on any lot nearer than is shown by the set back line shown on this plat which set back line shall govern the set back requirement from any street line, except that corner and one-half lot shall be set back to any side lot line.

No lot or part thereof shall ever be used by rented, leased, sold, conveyed, or otherwise become the property of or come into the use or possession of any person other than the subdivisor or their heirs, assigns, personal representatives, or assigns, or any person or persons who shall be bound by the conditions, restrictions, covenants and uses herein.

These provisions are hereby declared to be conditions, restrictions, covenants and uses running with the land and shall be fully binding on all persons acquiring property in Shoalmont Addition, whether by deed, gift, or otherwise, and every person acquiring property in Shoalmont Addition shall be bound by the conditions, restrictions, covenants and uses herein.

These provisions shall be binding until January 1, 1970. On and after January 1, 1970 said conditions, restrictions, covenants, and uses shall be automatically extended for successive periods of ten (10) years unless changed in writing and by a vote of three-fourths (3/4) majority of the then owners of the lots in Shoalmont Addition, each lot to admit of one vote.

If any person or persons shall violate or attempt to violate any of said conditions, restrictions, covenants and uses and covenants it shall be lawful for any other person or persons owning any of said lots to prosecute proceedings at law or in equity against the person or persons violating or attempting to violate such conditions, restrictions, covenants and uses to prevent them or their heirs from doing so, or to recover damages for such violations.

Any violation of any one or any part of these conditions, restrictions, covenants and uses, or covenants by judgment or court order shall in no wise affect any of the others which shall remain in full force and effect.

EASEMENTS

Five (5) feet of either side of the dividing lines of all lots and five (5) feet of either side of the rear property line as shown by the Plat is hereby perpetually reserved for public utilities.

For Restrictions See Vol. 69, Page 534



NOTE:
The streets in Shoalmont Addition and the Desubdivision of Shoalmont Addition that were affected by this re-subdivision were voted by the Commissioners Court of Travis County, Texas on October 12, 1946. See Book 2, Page 170.

The dedication of this plat by the owners of Lots 16 & 23, Block 15 appears of record in Book 614, pages 473 to 474 of the Deed Records of Travis County, Texas.

STATE OF TEXAS
COUNTY OF TRAVIS
KNOW ALL MEN BY THESE PRESENTS: That I, Adolph Kohn, of Travis County, Texas, hereby adopt this plat shown as Shoalmont Addition, Section Four as 20 subdivision of the land described above; and I hereby designate and set apart for the use of the public the streets shown thereon.

Adolph Kohn
Adolph Kohn

STATE OF TEXAS
COUNTY OF TRAVIS
Before me, the undersigned authority, on this day personally appeared Adolph Kohn, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 26 day of October, A.D. 1946.

Geo. W. Bickler
Geo. W. Bickler, Notary Public in and for Travis County, Texas

APPROVED FOR ACCEPTANCE
Date 10/24/46
J.E. Mather
J.E. Mather, Director of Public Works, Austin, Texas

APPROVED BY CITY PLAN COMMISSION
Date 10-28-46
W.H. Bickler
Chairman
Date 10-28-46
Walter R. Bickler
Secretary

FILED FOR RECORD
at 11 o'clock A.M. this the 2 day of Nov. AD 1946.
Emily Limberg
Miss Emily Limberg
By *James H. Smith* Deputy

THE STATE OF TEXAS
COUNTY OF TRAVIS
I, Miss Emily Limberg, Clerk of the County Court within and for the County and State aforesaid do hereby certify that the foregoing instrument of writing with its Certificate of Authentication was filed for record in my office on the day of Nov. AD 1946 at 11 o'clock A.M. and duly recorded on the day of Nov. AD 1946 at 11 o'clock A.M. in the Plat Records of said County in Plat Book No. 614, page 473.

Witness my hand and seal of office, this day of Nov. AD 1946.
(SEAL)
Emily Limberg
Miss Emily Limberg, Clerk County Court,
Travis County, Texas.
By *James H. Smith* Deputy

THE STATE OF TEXAS
COUNTY OF TRAVIS
I, Miss Emily Limberg, County Clerk of Travis County, Texas, do hereby certify that on the day of Nov. AD 1946 the Commissioners Court of Travis County, Texas passed an order authorizing the filing for record of this plat and that said order has been duly entered in the minutes of said court in Book 614, page 473.

WITNESS MY HAND AND SEAL OF OFFICE
this the 26 day of Nov. AD 1946.
Emily Limberg
Miss Emily Limberg, County Clerk, Travis County, Texas
By *James H. Smith* Deputy

Surveyed By *James H. Smith* 1946
Registered Professional Engineer
Layout By *C. Gootworth Pinkney*
C. Gootworth Pinkney, Landscape Architect.

See Plat Book No. 614, page 473.

**TITLE SURVEY OF
LOT 24 AND LOT 25, SHOALMONT ADDITION SECTION
4, RECORDED IN VOL. 3, PG. 400, PLAT RECORDS,
TRAVIS COUNTY, TEXAS**

FLOODPLAIN NOTE:

A PORTION OF THE PROPERTY IS LOCATED WITHIN THE 100-YEAR FLOOD PLAIN HAVING A ZONE DESIGNATION "AE" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP NO. 48453C0455J, WITH A DATE OF IDENTIFICATION OF JANUARY 6, 2016, FOR COMMUNITY NO. 480624 IN TRAVIS COUNTY, STATE OF TEXAS, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH THE PROPERTY IS SITUATED.

NOTES:

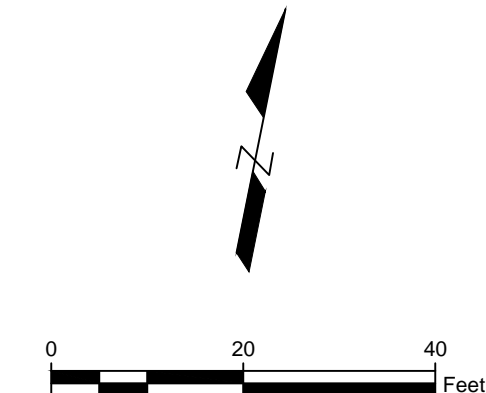
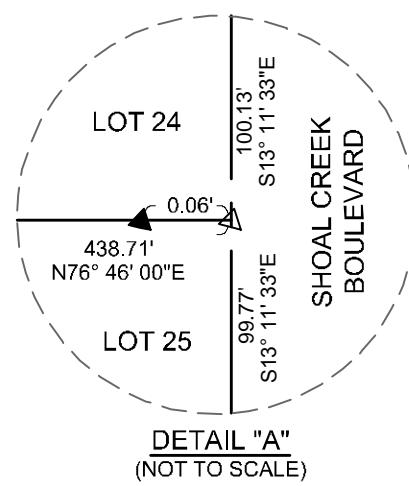
1. BUILDING LINE IS ONLY GRAPHICALLY REPRESENTED AS INDICATED BY A DASHED LINE ON THE SUBDIVISION PLAT, (BUT NO DISTANCE IS SHOWN), SO BUILDING LINE WAS DETERMINED BY SCALING.

UTILITY AND IMPROVEMENT NOTE:

ONLY SURFACE EVIDENCE OF UTILITIES AND IMPROVEMENTS ARE SHOWN ON THIS SURVEY.

HORIZONTAL DATUM:

TEXAS STATE PLANE COORDINATES
NAD '83 (CENTRAL ZONE 4203)



TREE TABLE	
●	IRON ROD FOUND (SIZE NOTED)
○	IRON PIPE FOUND (SIZE NOTED)
▲	IRON BOLT FOUND
△	CALCULATED POINT
WMD	WATER METER
PPC○	POWER POLE
EMD	ELECTRIC METER
LPC○	LAMP POST
GMD	GAS METER
COO	CLEANOUT
—OH—	OVERHEAD UTILITY LINE
—○—	CHAIN LINK FENCE
—X—	BARBED WIRE FENCE
P.R.T.C.T.	PLAT RECORDS, TRAVIS COUNTY, TEXAS
D.R.T.C.T.	DEED RECORDS, TRAVIS COUNTY, TEXAS
R.P.R.T.C.T.	REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS

TITLE COMMITMENT NOTE:

THIS SURVEY CONTAINS INFORMATION SHOWN IN SCHEDULE B OF STEWART TITLE GUARANTY COMPANY TITLE REPORT GFM17-328782-AM EFFECTIVE DATE OCTOBER 16, 2017 WITH THE FOLLOWING CLARIFICATIONS:

1. RESTRICTIVE COVENANTS RECORDED IN VOL. 4, PG. 300, P.R.T.C.T., AND VOL. 899, PG. 534, D.R.T.C.T., DO AFFECT THESE LOTS.

10e. BUILDING SETBACK PROVISION AS SET FORTH IN INSTRUMENT RECORDED IN VOL. 4, PG. 300, P.R.T.C.T., AND IN RESTRICTIONS RECORDED IN VOL. 899, PG. 534, D.R.T.C.T., DO AFFECT THESE LOTS AS SHOWN.

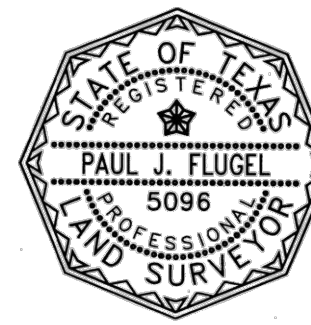
10f. 5' PUBLIC UTILITY EASEMENT ALONG THE SIDE AND REAR PROPERTY LINES RECORDED IN VOL. 4, PG. 300, P.R.T.C.T., DOES AFFECT THESE LOTS AS SHOWN.

TO: STEWART TITLE GUARANTY COMPANY, MYLES SHERMAN AND TERRELL SHERMAN, PATRICIA WITHERSPOON, JAMES STUART WITHERSPOON, THOMAS M. WITHERSPOON, AND JOSEPH P. WITHERSPOON

THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND OF THE PROPERTY SHOWN HEREON UNDER MY DIRECTION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A, CONDITION II LAND TITLE SURVEY.

AS SURVEYED BY:

Paul J. Flugel



PAUL J. FLUGEL
RPLS NO. 5096
FIRM NO. 10193837

DATE OF FIELD SURVEY:
10-31-2017
DATE OF PLAT:
11-3-2017

5312 SHOAL CREEK

NOVEMBER, 2017
FLS PROJECT NO. 571-001

FLUGEL LAND
SURVEYING
FIRM NO. 10193837



ENGINEERING & DESIGN

FIRM # F-15324
2007 S 1ST STREET, SUITE 103
AUSTIN, TEXAS 78704
(512)394-1900

SHEET
1 OF 1