

**HISTORIC LANDMARK COMMISSION**  
**PERMITS IN NATIONAL REGISTER HISTORIC DISTRICTS**  
**JANUARY 24, 2022**  
**HR-2021-205974**  
**OLD WEST AUSTIN**  
**804 RUTHERFORD PLACE**

## **PROPOSAL**

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Demolish a contributing duplex and detached carport. Construct a new single-family residence with pool and two-story cabana.

## **PROJECT SPECIFICATIONS**

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- 1) Total demolition of existing contributing duplex and detached carport.
- 2) Construction of new single-family residence with pool and two-story cabana. The proposed primary building is two stories with a habitable attic and roof deck. It features an irregular flat, gabled, and shed roofline; fixed-pane and casement full-light fenestration in irregular pattern; stucco cladding; and a front-facing garage. The pool cabana is two stories in height with stucco cladding, a gabled roofline, and fixed-pane windows on two elevations; the west and south secondary elevations are windowless.

## **ARCHITECTURE**

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The 2020 Travis Heights-Fairview Park National Register Nomination lists 804 Rutherford Place as the only exemplar of a representative domestic property constructed with a “mixed” architectural style. This unique eclecticism includes Mission, Tudor Revival, and Swiss influences. The nomination’s description is as follows:

*The small apartment building at 804 Rutherford Place is a good example of an eclectic, mixed design that draws from three styles, in this case Mission Revival, Tudor Revival, and Swiss. The building is two stories in height, with buff- and tan-colored brick walls and a flat roof. The front elevation has a symmetrical arrangement, with a one-story, partial-width entrance volume extending from the rectangular main building volume. The projecting entrance has Tudor Revival details including an arched entrance door, arched hood molding over the door, narrow windows with decorative shutters, and flared wrought iron stair railings. The main two-story volume has little decoration. It has single 1/1 windows on the first floor and two sets of paired 1/1 windows on the second floor. Its modest Mission Revival details are limited to a narrow, divided light, arched window in the center of the upper floor, and a stepped parapet. The Swiss detailing includes the scalloped bargeboard. All window openings have brick sills, and the parapet coping is brick.*

Notably, the building at 802 Rutherford Place is constructed with a similar plan, form, and fenestration pattern, though 802 Rutherford shows only Mission influences.

## **RESEARCH**

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The duplex at 804 Rutherford Place was constructed around 1931 by A. D. Alley, along with a garage. It was a rental property throughout the twentieth century. Notable occupants included physician Robert Bratton and Theos B. and Velma Hill. Theos Hill, formerly a farmer and construction manager, was an Austin broker and politician. A popular pick for highway commissioner, Hill was appointed to the State Industrial Accident Board by Governors James B. Allred and W. O’Daniel. Hill chaired the delegacy to the Democratic Convention during his tenancy at 804 Rutherford Place, which was cut short due to his death by car accident in 1946.

## **DESIGN STANDARDS**

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The City of Austin’s [Historic Design Standards](#) (March 2021) are based on the Secretary of the Interior’s Standards for Rehabilitation and are used to evaluate projects in National Register districts. The following standards apply to the proposed project:

Residential new construction

## 1. Location

The proposed primary building is sited approximately 26' from the street, with the two-story secondary building and pool at the rear of the lot.

## 2. Orientation

The primary building is oriented toward Rutherford Place. However, the proposed front-facing garage does not comply with the design standards.

## 3. Scale, massing, and height

The proposed building is technically two stories in height, though the roof deck and habitable attic may cause it to appear visually heavier than the adjacent one- and two-story contributing buildings. Its massing is typical for new infill in the area, but less compatible with historic buildings in the district.

## 4. Proportions

The proposed building's proportions appear somewhat compatible with the district (see 3).

## 5. Design and style

The proposed building's design and style are not compatible with adjacent contributing buildings. It does not appear to take design cues from the district.

## 6. Roofs

The proposed compound roofline is not compatible with adjacent contributing buildings.

## 7. Exterior walls

The proposed stucco walls are somewhat compatible, though the adjacent contributing building is clad in textured stucco appropriate for the Mission Revival style. The proposed building's style does not correspond to other buildings in the district (see 5).

## 8. Windows and doors

The proposed street-facing facades do not have similar window and door opening patterns as nearby contributing buildings, nor are they compatible with nearby contributing buildings in terms of size, configuration, and profile.

## 9. Porches

The proposed balcony and roof deck are not compatible with surrounding properties in the district.

Summary

The project meets few applicable standards.

**PROPERTY EVALUATION**

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The property contributes to the Travis Heights-Fairview Park National Register district.

*Designation Criteria—Historic Landmark*

- 1) The building is more than 50 years old.
- 2) The building appears to retain high integrity.
- 3) Properties must meet two criteria for landmark designation (LDC §25-2-352). Staff has evaluated the property and determined that it may not meet two criteria:
  - a. Architecture. The building is a good example of a unique architectural style and a rapidly disappearing building type.
  - b. Historical association. The property does not appear to have significant historical associations; however, the Commission may wish to consider its association with T. B. Hill, Austin politician and State Industrial Accident Board appointee. The building's association with historical development patterns in Travis Heights-Fairview Park may also be of note, as it is one of two similar and adjacent duplexes.
  - c. Archaeology. The property was not evaluated for its potential to yield significant data concerning the human history or prehistory of the region.
  - d. Community value. The property does not appear to 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.

**STAFF RECOMMENDATION**

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Consider postponement to the February meeting of the Historic Landmark Commission to allow further research of the building's contribution to the historic development pattern on Rutherford Place. Should the Commission decide against postponement, comment on and release the plans and release the demolition permit upon completion of a City of Austin Documentation Package.

## LOCATION MAP

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(Insert map.)



**PROPERTY INFORMATION***Photos*







*Demolition Permit Application, 2021*

*Melanie Martinez, Travis Heights-Fairview Park National Register Historic District nomination, 2020*

### *Occupancy History*

City Directory Research, December 2021

1959	Bert H. Bomba, renter ½ - Vacant
1957	Paul W. Gladden, renter ½ - Vacant
1955	Vacant ½ - Ed E. Sieck, owner
1952	Floyd R. and Pauline F. Rich, renters Meat cutter, Pope Grocery & Market Clerk, State Highway Department
1949	Lawrence E. Schulz, renter
1947	Harvey E. and Arlene Holtz, renters Physician, Scarbrough Building  William W. and Harriett Tiller, renters USA
1944	T. B. Hill, renter  J. C. and Harriett McArdle, renters USA Clerk, State Industrial Accident Board
1941	Theos B. and Velma Hill, renters Member, State Industrial Accident Board

1939 Theos B. and Velma Hill, renters  
T. B. Hill Brokerage Co.

1937 Dewey M. and Velma Knutson, renters  
Technician, Medial & Surgeons Clinic

T. B. and Velma Hill, renters  
T. B. Hill Brokerage Co.

1935 Dr. Robert E. and Dale Bratton, renter  
Medical & Surgical Clinic

1932 Vacant

1929 Address not listed

### Permits

Unless the Plumbing is done in strict accordance with City Ordinances, do not turn on the water.

**PERMIT FOR WATER SERVICE** AUSTIN, TEXAS

No. *Sec. 130* 298

M. *A. P. Alley* Address *804 Rutherford Place*

Plumber *Deal* Size of Tap  $\frac{1}{2}$  Date *5-6-31*

CHANGED TO 6 " MAIN AND RENEWED  
SERVICE WITH          COPPER ON E-15667

Date of Connection *5/8/31* Foreman's Report

Water service permit, 1931

Unless the Plumbing is done in strict accordance with City Ordinances, do not turn on the water.

**PERMIT FOR WATER SERVICE** AUSTIN, TEXAS

No. *Sec. 130* 408

M. *A. P. Alley* Address *804 Rutherford*

Plumber *Ellis* Size of Tap  $\frac{1}{2}$  Date *6-23-31*

CHANGED TO 6 " MAIN AND RENEWED  
SERVICE WITH          COPPER ON E-15667

Date of Connection *6/24/31* Foreman's Report

Water service permit, 1931

### Biographical information



## Building Permits Number 24 Here

**\$31,809 in Values Added  
To City Roll**

With 24 permits valued at \$31,809 issued during the past week, Austin building for the year totaled \$1,181,487.35, according to figures compiled at the office of G. S. Moore, city building inspector, Saturday.

Building of smaller homes continued through the week with permits issued for 12 such construction projects.

An application for a permit to construct a two-story 10-room brick veneer duplex apartment and double box garage costing \$4800 for A. D. Alley at 804 Rutherford Place was pending Saturday.

*The Austin American (1914-1973); Jun 14, 1931*

# FIRST W. LEE PLUM PLUCKED FOR AUSTINITE

First "plum" of the W. Lee O'Daniel administration went Saturday to T. B. Hill, Austin brokerage man, handling Hill Billy flour, who was appointed member of the industrial accident board to succeed the late A. M. Graves.

The appointment was made by Gov. James V. Allred but Allred said he first conferred with Gov.-Nominate O'Daniel and O'Daniel recommended Hill.

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## Appointment for Year

Hill was a recognized leader of the O'Daniel forces in Travis county. So much so, that Everett Looney, democratic executive committee man from this senatorial district, offered to resign at the last meeting of the executive committee and have Hill take his place. The committee decided that changes should not be made until the Beaumont convention Sept. 13.

Gov. Allred's appointment is for a year. Reappointment by O'Daniel would be for six years. Hill is 38. His brokerage business includes other things than flour.

The new position to which the Austin man was named by Gov. Allred pays \$4,250 a year.

Hill, like O'Daniel, was never prominent in Texas politics before, but suddenly burst into the Travis county political spotlight immediately following the Fort Worth flour man's successful campaign for the democratic gubernatorial nomination.

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## Boosted for Road Board

When the Travis county democratic convention shortly after the July primary election was turned into a "mountain musical melange" and O'Daniel love feast, Hill was elected chairman of the county's delegation to the state convention at Beaumont Sept. 13.

Since that time a movement had been started to boost Hill for state highway commissioner to succeed John Wood, whose term expires with the termination of the present administration.

Observers Saturday saw in Gov. Allred's appointment of Hill to the industrial accident board an end to the Hill-for-highway-commissioner movement.

The Travis county representative for O'Daniel's flour also had been prominently mentioned as a candidate for the new democratic executive committeeman's post to succeed Looney.

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# Austin Supporter Is First O'Daniel Appointee to Job

## T. B. Hill Is Named By Allred After Talk With O'Daniel

W. Lee O'Daniel, next year's governor, Saturday made his first selection of a state official.

T. B. Hill, Austin broker, was appointed to the industrial accident board. Gov. James V. Allred announced that, in appointing Mr. Hill, he had consulted with Gov.-Nominate O'Daniel.

Mr. Hill was named to succeed A. M. Graves, who died last week. Graves' term had only a year to run, and Gov. Allred said if he named someone not acceptable to the incoming governor, the year's salary "would be practically wasted."

He said O'Daniel recommended Hill for this appointment; and said that in making it "I feel I should cooperate with the incoming governor in this respect."

This meant Hill will be reappointed next year to a six-year term on the industrial accident board, if the board is continued in existence under the O'Daniel consolidation-economy program.

Mr. Hill, 38 years of age, was the O'Daniel district campaign manager, and is chairman of the Travis county delegation to the Beaumont convention. Until about a year ago he was in the construction business. He is now engaged in the farming and the brokerage business.

On the accident board, he will be the representative of employers.

The industrial accident board membership is a full-time state office, paying a salary of \$4,250 per year.



# T. B. HILL DIES OF CRASH INJURIES

T. B. Hill, 46, former member of the state industrial accident board, died at 4:15 a. m. Thursday of injuries received as the result of a traffic accident Wednesday as police records Thursday showed four more accidents with five persons being injured Wednesday afternoon and night.

Hill, the first traffic fatality within the city limits since Jan. 1, was injured in a car-tractor-trailer crash early Wednesday.

He suffered a fractured skull, broken left arm, broken right leg and internal injuries, according to attending physicians reports.

Hill was a member of the industrial accident board for seven years and his term expired in September. He was also a member of the Shriners and Masons.

He is survived by his wife, his mother, Mrs. Gertrude Hill, both of Austin, and one brother, J. C. Hill of Wichita Falls.

The body is at the Weed-Corley Funeral home pending completion of funeral arrangements. The funeral has been tentatively set for some time Friday at the funeral home.

Transit company bus driven by R. V. Watkins figured in a collision at Chilcon and Manor road with a truck driven by Will G. Wade, 1003 East Seventh street, police records showed.

R. E. Parker, 3411 Werner, and Evelyn Winn, 801 Rio Grande, two passengers on the bus, were taken to Brackenridge for treatment. Parker suffered a broken leg, lacerations and possible internal injuries. Miss Winn was treated for lacerations, bruises and possible internal injuries and released, according to attending physicians reports.

Police Thursday also sought a hit and run driver following an accident at East 12th and Chilcon in which five-year-old Betty Lou King, 1210 Singleton, received a fractured right leg and severe head lacerations. The child, according to

## Brown Express Sued For \$100,000 Damage

A \$100,000 damage suit has been filed in 98th District Court against owners of Brown Express Company, San Antonio, by Mrs. **Velma S. Hill** and Mrs. Gertrude Hill, wife and mother of T. B. Hill, Austin businessman killed here in January.

Hill died Jan. 17 of injuries received Jan. 16 in a collision with a Brown Express truck at 12th and Lavaca. Suit is for \$100,000 actual damages and \$1,274.93 for funeral expenses, hospital expenses and property damage.

The plaintiff's petition charges the Brown Express driver with driving on the left side of the street, driving while intoxicated, failing to yield right of way and exceeding speed limit. The suit was filed against H. P. Brown and O. E. Latimer, individually, and against the express company.

The Austin Statesman (1921-1973); May 21, 1946

### 98TH DISTRICT COURT

(Betta, Judge)

Lola Louisa Treadwell McCollough vs. James McCollough Jr., divorce, filed.

Mary Ruybal vs. John E. Ruybal, divorce, filed.

Lillie Mae Bryant vs. Howard Bryant, divorce, filed.

**Velma S. Hill** et al vs. H. P. Brown et al, dismissed.

State et al vs. J. E. Metcalf Jr. doles

The Austin Statesman (1921-1973); Jun 20, 1947