

ORDINANCE NO. 19-__

AN ORDINANCE OF THE CITY OF GALVESTON, TEXAS, DESIGNATING THE PROPERTY LOCATED AT **1912 CHURCH / AVENUE F**, AS A “GALVESTON LANDMARK”, PROPERTY IS LEGALLY DESCRIBED AS LOT 10, BLOCK 439, IN THE CITY AND COUNTY OF GALVESTON, TEXAS; REQUESTING THE HISTORIC PRESERVATION OFFICER RECORD THE PROPERTY'S LANDMARK DESIGNATION IN THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY IN GALVESTON COUNTY, THE TAX RECORDS OF THE CITY OF GALVESTON AND THE CENTRAL APPRAISAL DISTRICT, AND THE OFFICIAL ZONING MAPS OF THE CITY OF GALVESTON, TEXAS; DESIGNATING THE SITE AS A HISTORICALLY OR ARCHEOLOGICAL SIGNIFICANT SITE IN NEED OF TAX RELIEF TO ENCOURAGE ITS PRESERVATION; PLANNING CASE NUMBER **19P-032**; , MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

WHEREAS, on March 11, 1999, the Galveston City Council adopted Ordinance Number 99-14 creating the Landmark Designation Process requiring that a property requesting such designation must meet certain criteria and that the designation is considered a “change of zoning” for the property and is therefore treated as such; and,

WHEREAS, the Applicants and Property Owners, Brian Pinkston and Cheryl Lowry, request that the structure located at **1912 Church / Avenue F**, and legally described as Lot 10, Block 439, in the City and County of Galveston, Texas, be officially designated as a Galveston Landmark; and,

WHEREAS, the subject structure, the James Merriman House, (Merriman House) was constructed in 1886. The house is a two-story, wood-framed building with a hipped roof. Elevated about three feet above ground level, the house has a brick-pier foundation. The side-hall plan has two segments with interconnected hipped roofs. The two-story front gallery has simplified rectangular features and few ornamental details: small corner brackets and heavy, wooden, vertical supports dividing the railings. The house is the westernmost and oldest of three extant historic residences in block 439; and,

WHEREAS, the Merriman House has been an established visual feature of the community since its construction in 1886. The house serves as the western terminus of a long stretch of residential buildings along the north side of Church Street; and,

WHEREAS, the Merriman House is currently zoned Central Business (CB) which is a zoning district that allows for a broad range of uses. The Galveston Landmark designation will ensure that any potential adaptations for a new use will be done appropriately; and,

WHEREAS, the property meets the criteria for Landmark Designation as set out in the Staff Report, attached as **Exhibit 1** and incorporated herein for all intents and purposes, and is a contributing element of the historic neighborhood; and,

WHEREAS, the property was reviewed and met the criteria for Landmark Designation as set forth in Article 10 of the City’s Land Development Regulations; and,

WHEREAS, the property is eligible to participate in the City of Galveston’s Tax Exemption for New Galveston Landmarks Program; and

WHEREAS, at its regular meeting of June 17, 2019, the Landmark Commission voted to recommend approval of the request; and,

WHEREAS, at its regular meeting of June 18, 2019, the Planning Commission voted to recommend approval of the request; and

WHEREAS, Staff recommends that Planning Case Number 19P-032 request for Landmark Designation of the property located at **1912 Church / Avenue F**, be approved with the condition provided in Section 2 below; and,

WHEREAS, after notice and public hearing as required by law, the City Council finds that it is in the public's interest to approve the application and designate the structure located at **1912 Church / Avenue F**, and legally described as Lot 10, Block 439, in the City and County of Galveston, Texas, as a “Galveston Landmark” and as a historically or archeologically significant site in need of tax relief to encourage its preservation.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GALVESTON, TEXAS:

SECTION 1. The findings and recitations set out in the preamble to this Ordinance are found true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2. After public hearing, the City Council approves the request for Landmark Designation of the property located at **1912 Church / Avenue F** and legally described as Lot 10, Block 439, in the City and County of Galveston, Texas, subject to the following condition:

Standard Condition:

1. As with all properties containing a Historic Overlay Designation, including Landmark Designations, exterior alterations to the property will be subject to review and approval by the Landmark Commission and must conform to the Design Standards for Historic Properties of Galveston, Texas.

SECTION 3. Pursuant to City of Galveston Ordinance Number 15-059, the City Council designates the structure as a “historically or archeologically significant site in need of tax relief to encourage its preservation”. The property is eligible to participate in the City of Galveston’s Tax Exemption for New Historic Districts or Galveston Landmarks program. New Galveston Landmarks located outside of historic districts are eligible for a

35% reduction in City of Galveston property taxes for a period of five years.

SECTION 4. The City of Galveston Historic Preservation Officer will maintain all records and will record the property's Landmark Designation in the Official Public Records of Real Property of Galveston County, in the tax records of the City of Galveston and the Central Appraisal District, and in the Official Zoning Maps of the City of Galveston, Texas.

SECTION 5. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

SECTION 6. All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

SECTION 7. In accordance with the provisions of Sections 12 and 13 of Article II of The City Charter this Ordinance has been publicly available in the office of the City Secretary for not less than 72 hours prior to its adoption; that this Ordinance may be read and published by descriptive caption only.

SECTION 8. This Ordinance shall become effective upon its adoption and publication in accordance with the provisions of The Charter of the City of Galveston.

APPROVED AS TO FORM:

DONNA M. FAIRWEATHER
ASSISTANT CITY ATTORNEY

I, Janelle Williams, Secretary of the City Council of the City of Galveston, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the City Council of the City of Galveston at its Regular Meeting held on July 25, 2019, as the same appears in records of this office.

IN TESTIMONY WHEREOF, I subscribe my name hereto officially under the corporate seal of the City of Galveston this _____, 2019.

Secretary for the City Council
of the City of Galveston



19P-032

STAFF REPORT

ADDRESS:

1912 Church/Avenue F

LEGAL DESCRIPTION:

Property is legally described as Lot 10, Block 439, in the City and County of Galveston, Texas

APPLICANT/REPRESENTATIVE:

Brian Pinkston and Cheryl Lowry

PROPERTY OWNER:

Same

ZONING DISTRICT:

Central Business (CB)

HISTORIC DISTRICT:

n/a

REQUEST:

Request for designation as a Galveston Landmark

STAFF RECOMMENDATION:

Approval with Conditions

EXHIBITS:

A – Applicant’s Submittal

STAFF:

Catherine Gorman, AICP
 Historic Preservation Officer
 409-797-3665
 cgorman@galvestonTX.gov

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
13	1	0	0	1



Zoning and Land Use

Location	Zoning	Land Use
Subject Site	Central Business (CB)	Residential
North	Central Business (CB)	Parking
South	Central Business (CB)	Institutional
East	Central Business (CB)	Residential
West	Central Business (CB)	Parking

Executive Summary

The applicants are requesting designation of the above referenced address, as a Galveston Landmark.

Analysis

As per Article 10 of the Land Development Regulations, the following criteria should be considered during the Landmark Designation review process:

1. The character, interest, or value as part of the development, heritage, or cultural characteristics of the City of Galveston, Galveston County, the State of Texas, or the United States.

The Merriman House was constructed in 1886 for James Merriman as rental property. Mr. Merriman was born in Connecticut in 1838 and moved to Galveston as an infant. Mr. Merriman was an investor and lived in a house that he inherited in the 1900 block of Church until it was destroyed in the 1885 fire. The current house is one of three identical houses that were built on the site soon after the fire. The Merriman House is the only of the three remaining.

2. Distinctive characteristics of a period or method of construction, or architecture; representative of, or a rare survivor of, the work of a master designer, builder, or craftsman.

The Merriman House is a two-story, wood-framed building with a hipped roof. Elevated about three feet above ground level, the house has a brick-pier foundation. The side-hall plan has two segments with interconnected hipped roofs. The two-story front gallery has simplified rectangular features and few ornamental details: small corner brackets and heavy, wooden, vertical supports dividing the railings. The house is the westernmost and oldest of three extant historic residences in block 439.

3. Representative of an established and familiar visual feature of a neighborhood, community, or city.

The Merriman House has been an established visual feature of the community since its construction in 1886. The house serves as the western terminus of a long stretch of residential buildings along the north side of Church Street.

4. Retention of historic integrity, meaning that the property possesses several, and usually most, of the following aspects of integrity: location, design, setting, materials, workmanship, feeling or association.

The Merriman House retains its historic integrity and retains its original location, design, setting, materials, workmanship, feeling and association.

5. Likelihood of the continuation of a building's historical use, or its potential adaption for new uses without the need for major intervention that could seriously damage is historic character and integrity.

The Merriman House is currently zoned Central Business (CB) which is a zoning district that allows for a broad range of uses. The Galveston Landmark designation will ensure that any potential adaptations for a new use will be done appropriately.

Financial Incentives for Historic Properties

The property is eligible for the Financial Incentive for Historic Properties for new Galveston Landmarks.

Other Reviews

The Landmark Commission reviewed this request at the June 17, 2019 meeting and recommended approval. The Planning Commission reviewed this request at the June 18 2019 meeting and recommended approval. City Council has the final decision regarding the request for a Landmark Designation.

Staff Recommendation

Staff recommends approval with the following condition:

Standard Condition:

1. As with all properties containing a Historic Overlay Designation, including Landmark Designations, exterior alterations to the property will be subject to review and approval by the Landmark Commission and must conform to the Design Standards for Historic Properties of Galveston, Texas.

Respectfully Submitted:



Catherine Gorman, AICP, Assistant Director/HPO

July 9, 2019

Date

The James Merriman Rental House

1912 Church

I. Historical and Cultural Significance

Summary

Investor James Merriman constructed the house at 1912 Church Street in 1886. The house was the easternmost of three similar houses that Merriman built as rental properties following the Fire of 1885, which destroyed the Merriman family home built on the same block prior to 1857.

Widow Anna Hoppe purchased the house in 1921 and her family retained ownership until 1957.

Photographer Jesus Murillo utilized the house both as a studio for business and as a residence for his large family. The two houses to the west were demolished during the second half of the twentieth century, leaving the house at 1912 Church as the sole remaining embodiment of Merriman's post-fire development.

The Merriman family

James Merriman was born 1838 in Connecticut to Franklin H. and Harriet (Blinn) Merriman. He was the couple's only child. The family moved to Galveston in November 1839 and Harriet died three years later.¹ Franklin served as US District Attorney for Texas between 1848 and 1850 and as Texas Senator in 1851-1852 representing Brazoria and Galveston counties. In 1850, he married Harriett J. Segur, a widow from Ohio and Mississippi and an early settler of Austin.²

The family lived in Galveston at a house on the north side of Church Street between 19th and 20th streets (figures 1 and 2). The house stood on block 439, lots 10, 11, and 12.³

When his stepmother Harriett died in 1876, James inherited the Church Street property. By that point he had launched his own investments, first working as a clerk with Allen Poole & Company with offices at the corner of Street and Mechanic. By 1881, he went to work with W.F. Stewart & Company, a hardware and building supplies dealer.⁴ Merriman resided at the family house on Church Street until November 1885 when a fire destroyed the eastern half of block 439 and the Merriman House. The fire began at the corner of 16th Street and Strand and it ultimately destroyed over forty city blocks and nearly 600 buildings.

The year after the fire, Merriman replaced the lost house with three two-story houses, one each on lots 11, 12, and 13 (figures 4 and 5).⁵ Each house had the same design with a hipped roof and an L-shaped plan. All three had two-story back buildings at the rear of their respective lots. None of the three remain standing. Differences between the 1889 and 1899 Sanborn maps suggest that 1912 Church Rear may have been re-roofed during the 1890s.⁶

Merriman built the three houses as rental properties and he never again resided on Church Street himself. The earliest tenants of the houses are unknown. The first resident documented in city directories is Frederick Milheiser, a salesman and manager for Robert I. Cohen, Inc., who lived at 1912 Church between 1898 and 1910⁷ and may have been at the house prior to that period.

Merriman sustained his career as an investor up until his 1894 death in Lockhart, Texas. He left the property to cousin Harriet M. Wells, a resident of Wethersfield, Connecticut. Wells continued to utilize the houses as rental properties until her own death in 1920.⁸ In addition to Milheiser, several tenants at 1912 Church during Wells' tenure of ownership are documented in city directories. Among them are merchant-tailor Louis Silberman, salesman John H. Wallis and his wife Ina, and vessel captain Olaf George and his wife Velma.⁹

Anne Hoppe

After Harriet Wells' death, her estate sold the three houses to separate owners. Anna Hoppe, an Austrian immigrant and the widow of Charles Hoppe, purchased the house at 1912 Church and established residence there with her sons Alfred and Charles. Anna married William Zuber, a US Customs guard, prior to 1927. A 1930 city directory lists the couple as residing in the house along with Alfred and Charles, who was by then working as a clerk for the Gulf, Colorado & Santa Fe Railroad. Anna was listed as a manager of Cedar Grove Camp at the corner of 61st Street and Seawall Boulevard.¹⁰ Alfred studied at the Conservatory of Music at Leipzig and was later listed in city directories as a musician.¹¹

In 1941, the Hoppe/Zuber family divided the house into three residential units and began using it as a rental property. The depiction of the house in the 1947 Sanborn map indicates that the project may have included the enclosure of the recessed rear porch, the construction of an exterior rear staircase, the expansion of the original back building, and the construction of a new, one-story utility building in the northwest corner of the lot.¹² The family retained the property until 1957 when Anna deeded it to her son Alfred, who subsequently sold it to photographer Jesus Murillo. Anna Hoppe Zuber died 1965 in Dallas.¹³

Jesus U. Murillo

Jesus U. Murillo was born 1895 in Michoacana, Mexico. His wife Jessie C. Murillo was a lifelong Galveston resident. The couple lived at the house with several children. The 1940 US Census lists Ophelia, George, Evelyn, Henry, Nivia, Gilbert, Joseph, Benjamin, and Michael.¹⁴ Jesus Murillo, known as "Jess" or "Jesse", operated a photography studio ("Murillo Studio") from the house. Some of his photographs are included in the 1989 book *Del Pueblo: A History of*

Houston's Hispanic Community by Thomas H. Kreneck. The Murillos remained at the house until Jesus' 1971 death.¹⁵ A collection of his photographs is held at the Houston Metropolitan Research Center at Houston Public Library.

Sanborn maps indicate that the two back buildings at 1912 Church were demolished between 1947 and 1985 (figures 6 and 7). The neighboring house at 1916 Church was demolished in 1953. The third of the Merriman rental houses, located at 1920 Church, was demolished prior to 1985.¹⁶

II. **Architectural Description**

The Merriman House is a two-story, wood-framed building with a hipped roof. Elevated about three feet above ground level, the house has a brick-pier foundation. The side-hall plan has two segments with interconnected hipped roofs. The two-story front gallery has simplified rectangular features and few ornamental details: small corner brackets and heavy, wooden, vertical supports dividing the railings. The house is the westernmost and oldest of three extant historic residences in block 439. Neighboring properties to the west are unimproved or used as surface parking. The 1872 First Presbyterian Church (1903 Church Street) stands on the opposite side of Church Street. Other nearby historic landmarks include the 1861 US Custom House at 502 Postoffice and the 1847 St. Mary's Cathedral Basilica at 2011 Church.

The house serves as the western terminus of a long stretch of residential buildings along the north side of Church Street. The surrounding area features several empty tracts in addition to those to the west of the house. To the north, lots on the southeast and northeast corners of the intersection of 19th Street and Postoffice are empty or in use as surface parking. Additionally, First Presbyterian Church has a surface lot to the southeast. These neighboring tracts place the

Merriman House inside a buffer between the primarily residential East End neighborhood and the downtown Central Business District.

The primary (south) elevation is setback about 25 feet from Church Street. A seven-foot curb strip separates the road from a concrete-slab sidewalk that runs the full length of the block. There are no curb cuts. A short, cast-iron fence lines the front of the property. A concrete walkway leads from the sidewalk to the front steps and entrance on the western portion of the house. A short palm stands in the southeast corner of the lot. The eastern and western elevations stand close to the lot lines. The western and northern sides of the lot are lined with wooden fencing.

The primary elevation faces south and has three bays. The façade is characterized by rectangular features and symmetry in the locations of openings. A two-story, recessed gallery extends the full width of the façade. On both stories, each bay contains one opening. In the two easternmost bays of the first story and in each second story bay, the openings have wood-sash walkthrough windows of matching dimensions and materials. The primary entrance occupies the westernmost bay of the first story. Accessible from the front walkway via wooden stairs, the entrance has wooden, likely original, double doors. The lower panels have raised circular insets. The rounded lock rail divides the bottom panel from the glazed upper panel. A glazed transom caps the entrance assembly. The curved brackets in the upper corners of the gallery supports and the rectangular bracing of the gallery railing serve as the only other decorative features of the facade. Both of these features may be either original or twentieth-century alterations.

A stone path leads from the front walkway to a secondary entrance on the east side of the house. The east façade is partially obscured by the neighboring house at 1908 Church. The secondary entrance and three windows face north from their positions in the projecting L-wing.

The windows, one on the first story and two on the second story, have two-over-two light configurations. The door, which may be original, has a wooden upper panel and a nine-light upper panel. A two-light transom is located above the doorway and beneath a shed-roofed awning. The east-facing portions of the east side have eight windows, four on each story, and they also have wooden sashes and two-over-two light configurations.

The west elevation was originally hidden by a neighboring house built concurrently by Merriman. After that house's demolition in 1953, the bare façade of the west elevation was unobscured. It has only two openings: windows located in each of the upper corners. The windows have materials and light configurations matching the house's other windows. At the north end of the elevation, the rear component of the house is recessed eastward and away from the western property boundary. The plain north elevation has only one second-story window matching the design and materials of the other windows of the house.

III. Figures

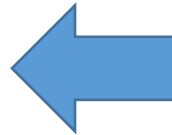
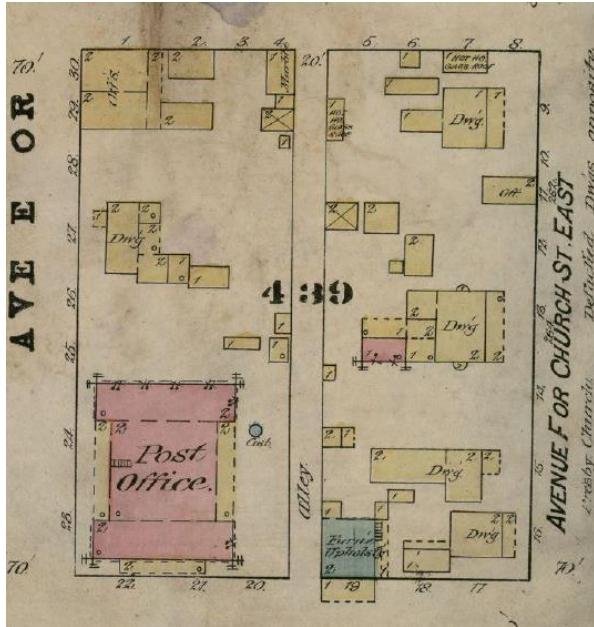


Figure 1 – The Merriman property depicted in an 1877 Sanborn Fire Insurance Map. The US Custom House at the corner of 20th Street and Postoffice is located in the lower left corner. The original Merriman House, built prior to 1857, is the structure drawn in the center-right portion. (Dolph Briscoe Center, University of Texas, Austin, Texas.)

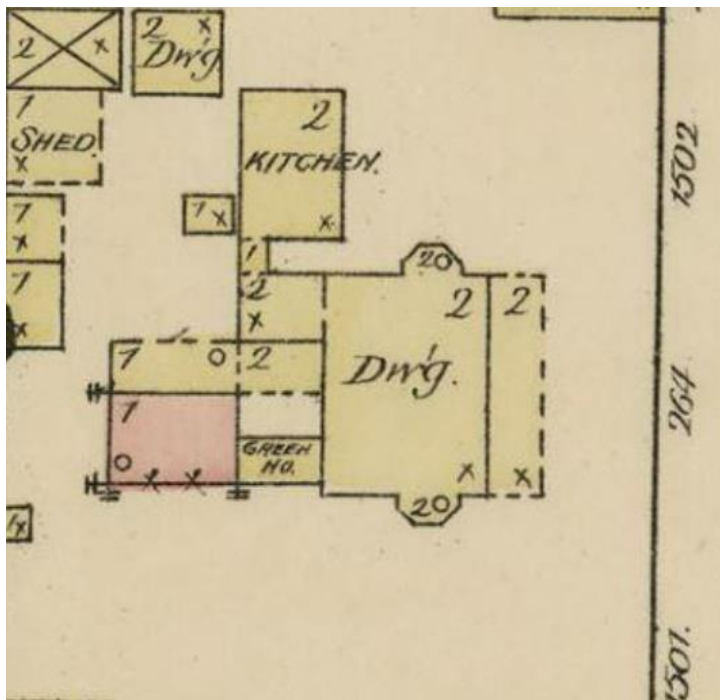


Figure 2 - The original Merriman House as depicted in an 1885 Sanborn Fire Insurance Map. The house burned later that year during the Fire of 1885. (Dolph Briscoe Center, University of Texas, Austin, Texas.)

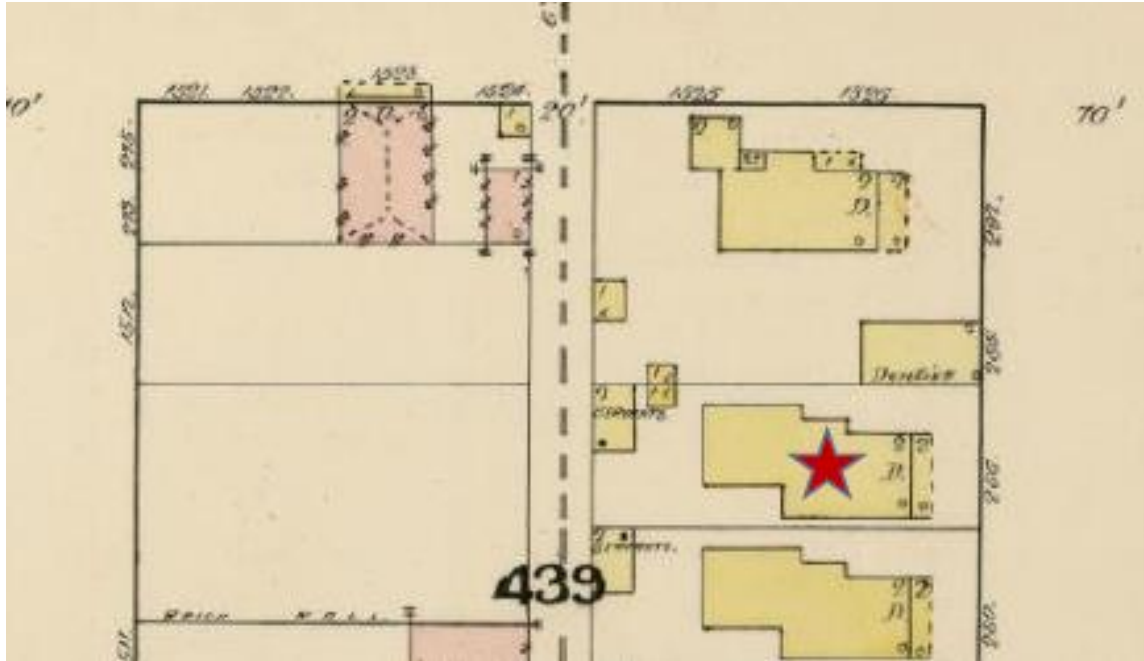


Figure 3 – The Merriman House indicated by star in the 1889 Sanborn Fire Insurance Map. The neighboring house to the west was another of Merriman’s rental properties built after the 1885 Fire. (Dolph Briscoe Center, University of Texas, Austin, Texas.)

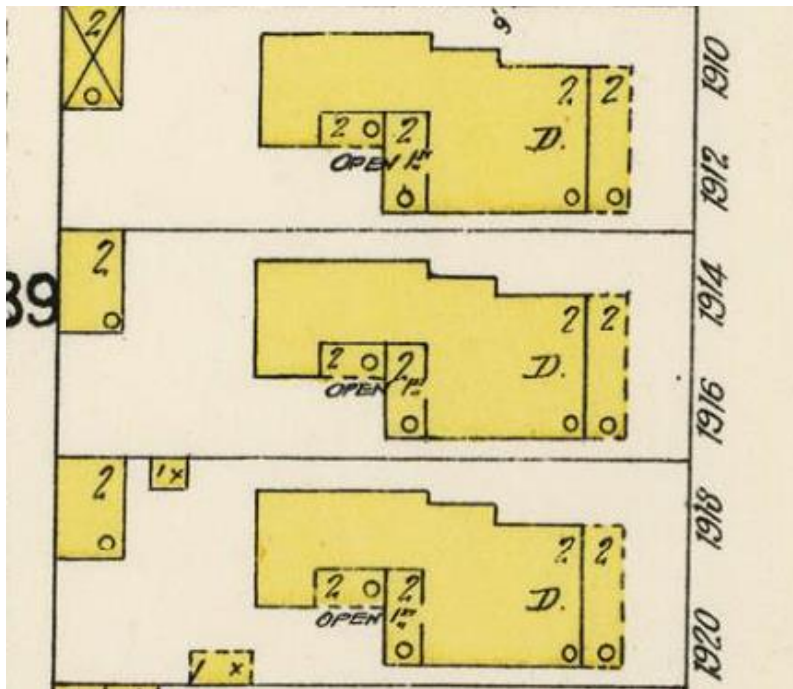


Figure 4 – From the 1899 Sanborn map, the three rental houses built by James Merriman after the 1885 Fire. All three house shared the same L-shaped plan and each had a two-story backbuilding abutting the alley. The subject house is on top of the drawing. The other two houses were demolished during the twentieth century. (Dolph Briscoe Center, University of Texas, Austin, Texas.)

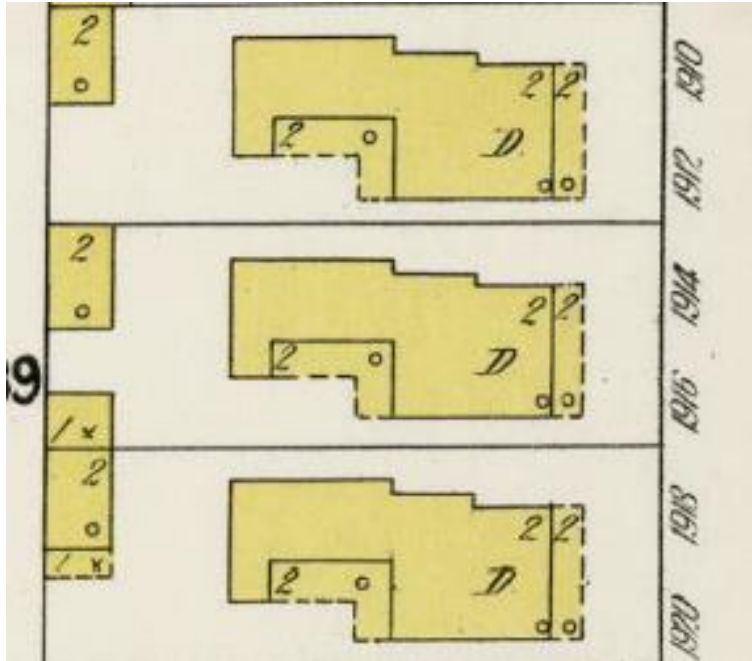


Figure 5 – The three Merriman houses in the 1912 Sanborn Fire Insurance Map. (Dolph Briscoe Center, University of Texas, Austin, Texas.)

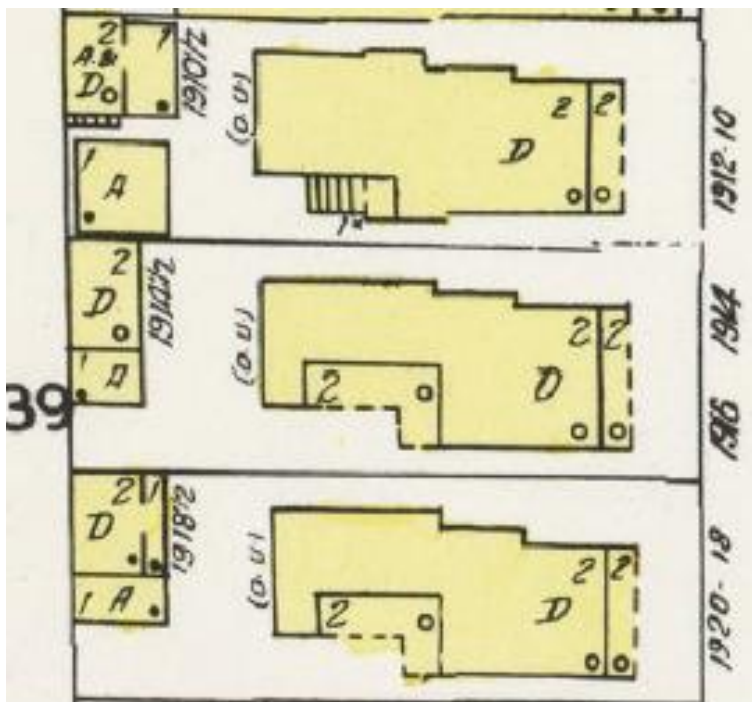


Figure 6 - The three Merriman houses in the 1947 Sanborn Fire Insurance Map. All three houses remained standing and without substantial alterations as of that date. The original backbuilding of 1912 Church had been demolished and replaced with two buildings, one of which served as an apartment. Neither backbuilding remains standing now. (Dolph Briscoe Center, University of Texas, Austin, Texas.)

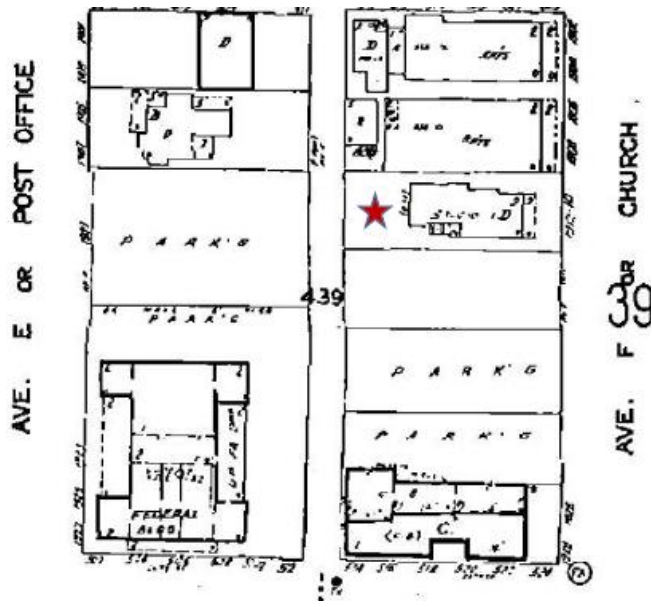


Figure 7 - The former Merriman property as drawn in the 1985 Sanborn Fire Insurance Map. The house at 1912 Church is the only house that remains standing. All back buildings are missing as well.



Figure 8 - Photograph of Jesus Murillo and family. December 1938. Web University of North Texas Libraries, The Portal to Texas History, texashistory.unt.edu. Crediting Houston Metropolitan Research Center at Houston Public Library. Accessed February 2, 2019.

IV. Sources

¹ "Harriet C. Blinn Merriman, 1842," *Find a Grave*. Web. <https://www.findagrave.com/memorial/20449731>. Accessed February 2, 2019.

² "Funeral of Mrs. H.J. Merriman," *Galveston Daily News*; November 21, 1876; "Harriet J. Merriman, 1876," *Find a Grave*. Web. https://www.findagrave.com/memorial/176805804/harriett-j_-merriman. Accessed February 2, 2019; "Franklin H. Merriman, 1871," *Find a Grave*. Web. <https://www.findagrave.com/memorial/16314881>. Accessed February 2, 2019.

³ Miller, Aragon Storm. "Merriman, Franklin H." *Handbook of Texas*. Web. *Handbook of Texas Online*. www.tshaonline.org. Accessed February 5, 2019.

⁴ Select Galveston City Directories: 1874, 1876, 1882, 1885, Preservation Resource Center, Galveston Historical Foundation, Galveston, Texas.

⁵ "Buildings in the Burnt District," *Galveston Daily News*; March 18, 1886.

⁶ Sanborn Fire Insurance Maps: 1889 and 1899. Dolph Briscoe Center, University of Texas, Austin, Texas.

⁷ Select Galveston City Directories: 1898, 1902, 1908, 1910, Preservation Resource Center, Galveston Historical Foundation, Galveston, Texas.

⁸ "Harriet M. Wells, 1920," *Find a Grave*. Web. <https://www.findagrave.com/memorial/157458405> Accessed February 2, 2019.

⁹ Select Galveston City Directories: 1910, 1920, Preservation Resource Center, Galveston Historical Foundation, Galveston, Texas.

¹⁰ Select Galveston City Directories: 1930, Preservation Resource Center, Galveston Historical Foundation, Galveston, Texas.

¹¹ "In Germany," *Galveston Daily News*; May 20, 1928.

¹² Sanborn Fire Insurance Maps: 1947. Dolph Briscoe Center, University of Texas, Austin, Texas.

¹³ Insurance Record, 1912 Church. Preservation Resource Center, Galveston Historical Foundation, Galveston, Texas.

¹⁴ "United States Census, 1940," Household of Jesus Murillo, Ward 4, Galveston, Justice Precinct 1, Galveston, Texas, United States. Web. *FamilySearch*. <https://familysearch.org/ark:/61903/1:1:KQVW-VWH : 15 March 2018>. Accessed February 2, 2019. Washington, D.C.: National Archives and Records Administration, 2012, roll 4037.

¹⁵ Select Galveston City Directories: 1960, 1971, Preservation Resource Center, Galveston Historical Foundation, Galveston, Texas; "Deaths and funerals," *Galveston Daily News*; July 23, 1971.

¹⁶ Sanborn Fire Insurance Maps: 1947. Dolph Briscoe Center, University of Texas, Austin, Texas.