

**LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT**

**November 19, 2015 Historic Preservation Commission Meeting**

**PROJECT :** Change of Zone/Landmark Designation and Special Permit for Historic Preservation–Betz/VanAndel Houses

**PROPOSAL:** Designation of the property at 1037-1039 and 1045 S. 13<sup>th</sup> St. as a Landmark (from R-7 Residential to R-7 Residential with Landmark Overlay) and Special Permit to waive certain lot and area requirements to allow subdivision into two parcels

**LOCATION:** 1037-1039 and 1045 S. 13<sup>th</sup> Street

**LAND AREA:** Less than one acre, more or less.

**EXISTING ZONING:** R-7 Residential District

**WAIVER/MODIFICATION REQUEST:**  
See enclosed Special Permit

**CONCLUSION:** The landmark designation protects a pair of exemplary American Four-square residences providing three dwelling units in a core neighborhood, and demonstrating the evolution of housing types and density in the inner-city. Designation provides the opportunity to request the special permit which can resolve maintenance challenges for the residences and may assist in future stability of ownership. This request complies with the Zoning Ordinance and is consistent with the Comprehensive Plan. Granting the requested special permit for waivers allowing subdivision supports the continued maintenance of the proposed landmark.

<b>RECOMMENDATION FOR CHANGE OF ZONE/LANDMARK Designation:</b>	Approval of Landmark designation
<b>RECOMMENDATION FOR SPECIAL PERMIT:</b>	Approval of Special Permit

**GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** Original Plat, Block 188, Lot 12 and the east 5 feet of the south 100 feet of Lot 11 and the east 10 feet of the north 42 feet of Lot 11, Lincoln, Lancaster County, Nebraska.

**EXISTING LAND USE:** Single family residence and two-family residence (two buildings plus accessory building).

**SURROUNDING LAND USE AND ZONING:**

East:	Residences and CenterPointe rehab facility	R-7 and B-3
West & South	Residential	R-7
North	Gas station/convenience store	B-3

**HISTORY:**

- ca. 1885** construction of two-story frame residence, oriented to south/D St.
- 1909** relocation of D St. House to 1031 S. 13<sup>th</sup> (alley/north end of lot), reorientation to east/S. 13<sup>th</sup> St.
- 1912** construction of duplex at 1037-9 S. 13<sup>th</sup> and single-family house at 1045 S. 13<sup>th</sup>
- 1986** demolition of 1031 S. 13th

**UTILITIES:** All public utilities.

**PUBLIC SERVICE:.** All urban services

**ALTERATIVE USES:** Landmark designation does not by itself change the permitted uses in the R-7 District. Permitted uses in R-6 district include single and multi-family residences, churches and schools. The Special Permit requests lot and area waivers to allow subdivision of two buildings onto separate lots.

**COMPREHENSIVE PLAN SPECIFICATIONS:**

**Pg 1.9** - The Future Land Use Map of the Comprehensive Plan designates this area as Residential–Urban Density..

**Pg 4.6, 4.9-** "Placemaking" chapter encourages identification and protection of broad range of historic resources, and incentives for maintenance and continued use.

**ANALYSIS:**

Lincoln Municipal Code, section 27.57.120 provides for designation of landmarks that are "Associated with events, person, or persons who have made a significant contribution to the history, heritage, or culture of the City of Lincoln, the County of Lancaster, the State of Nebraska, or the United States."

1. The two American Four-square residences are good examples of this popular early 20<sup>th</sup> century house form, utilizing some exceptional materials such as cast concrete

porch columns and terra-cotta stringcourses. What additionally sets them apart is the story they tell of Lincoln's early 20<sup>th</sup> century population growth and increased density, demonstrated here by two large houses positioned on the same urban lot, providing dwelling units.

2. The proposed preservation guidelines are based on typical guidelines for Lincoln Landmarks.
3. A Special Permit for Historic Preservation under LMC §27.63.400 is to be evaluated under the following six criteria:

- **The significance of the historic structure or site and the degree of variation sought from the permitted uses of the district:**

The significance of the structure is presented in the associated landmark application.

No variation is sought from permitted uses in this district, only from lot and area requirements for separate parcels. As a single parcel, only one water service can be provided under city regulations. That service is in need of repair for the north (duplex) building, but currently extends under the south (single-family) residence. With subdivision, each building could have its own service and a less expensive, more sustainable service would be maintained.

- **The extent to which economic factors necessitate the change in use:**  
Provision of a separate water service to each house would be both more affordable than repairing the existing joined service, and would be more maintainable in the future, protecting the value of these historic housing units.

- **The extent of proposed exterior change to the structure or site:**  
The owners (Jeff and Elizabeth Heerspink) do not plan to change the buildings other than to continue their current, vigorous repair and maintenance activities, including replacing or removing broken sidewalks and repaving the area between the public sidewalk and the duplex porch with bricks.

- **The impact on the surrounding area:**  
The site is zoned R-7 (residential) but is located immediately south of commercial zoning (gas station/convenience store) and across 13<sup>th</sup> St. west of CenterPointe's rehabilitaiton facility. Supporting the efforts of an owner/occupant family and next-door landlord in an area of very low owner occupancy is beneficial to the neighborhood.

- **The compatibility of the proposed use to the structure or site and the surrounding area:**

The proposed use is the same as the present use, with an opportunity for improved upkeep and more sustainable repairs.

- **The manner in which the public will be benefitted by such proposed use:**  
Encouraging owner occupancy and upkeep of rental property are benefits in any neighborhood, but especially desirable in core neighborhoods.

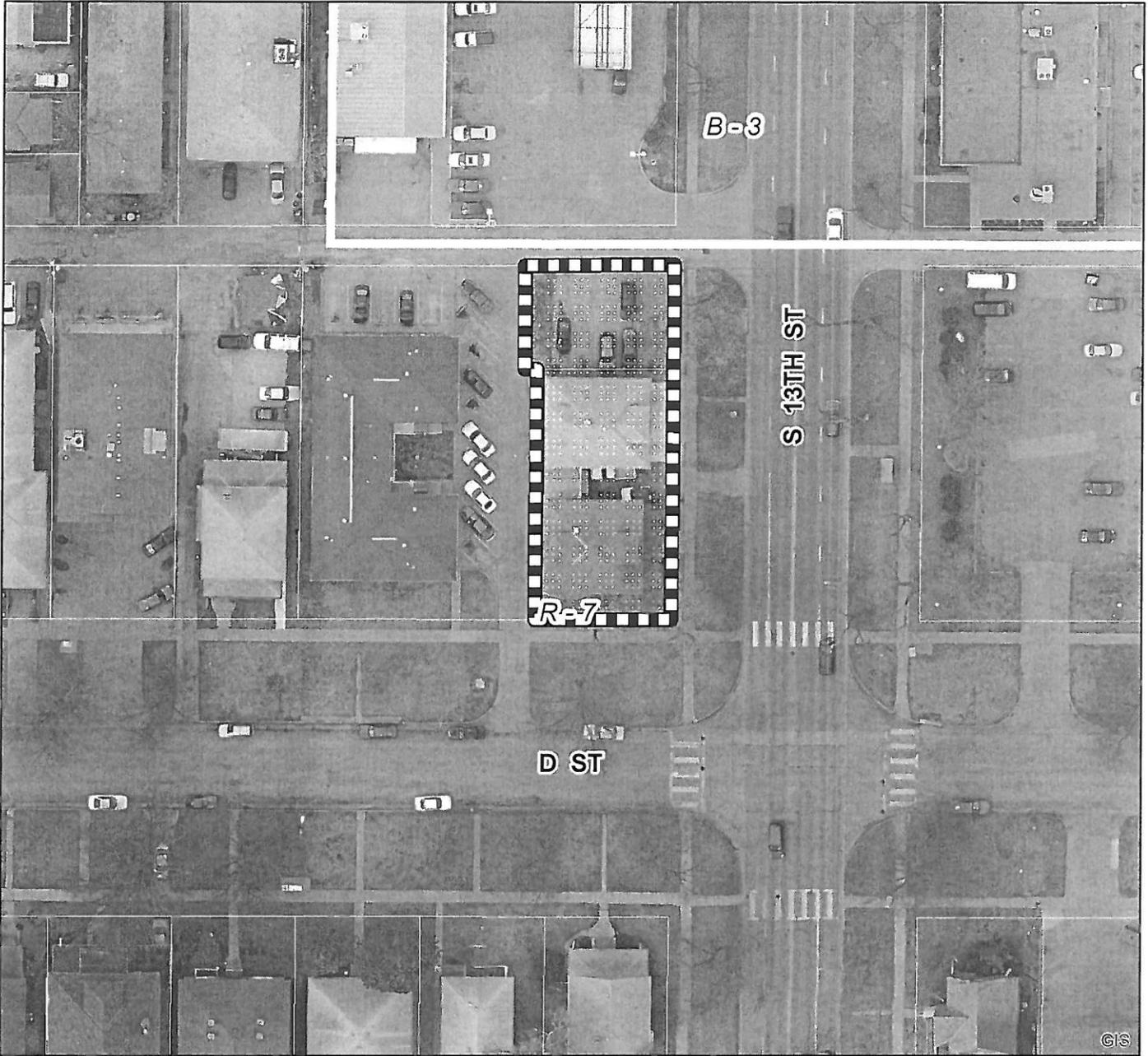
Prepared by:

Ed Zimmer, 441-6360, [ezimmer@lincoln.ne.gov](mailto:ezimmer@lincoln.ne.gov)  
Historic Preservation Planner  
November 13, 2015

**APPLICANT:** Historic Preservation Commission  
C/o Planning Dept. (Attn: Ed Zimmer)  
555 S. 10<sup>th</sup> St.  
Lincoln, NE 68508  
(402)441-6360  
[ezimmer@lincoln.ne.gov](mailto:ezimmer@lincoln.ne.gov)

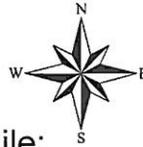
**OWNER:** Jeffery & Elizabeth Heerspink  
1045 S. 13<sup>th</sup> Street  
Lincoln, NE 68508  
(402)805-2667  
[fstreetchurch@gmail.com](mailto:fstreetchurch@gmail.com)

**CONTACT:** Same as applicant.



**Special Permit for Historic Landmark**  
**Heerspink House**  
**S 13th & D St**

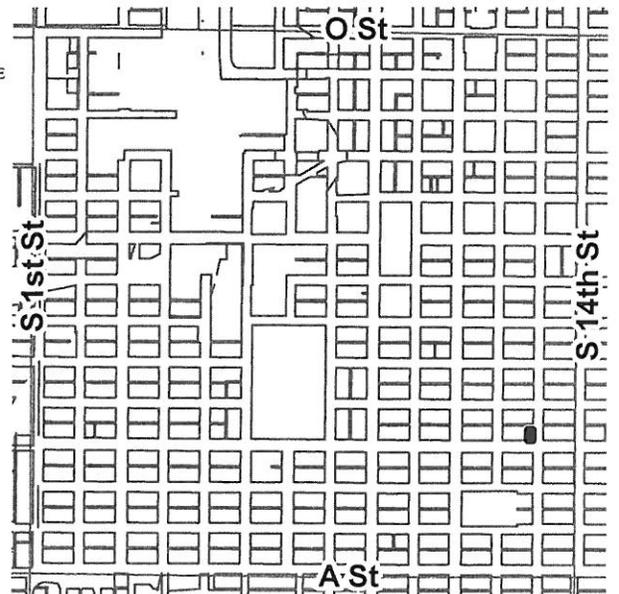
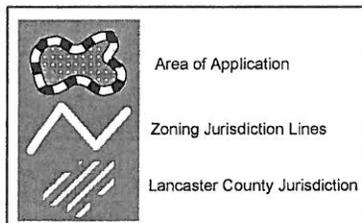
2013 aerial



One Square Mile:  
 Sec.26 T10N R06E

**Zoning:**

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District



APPLICATION FOR LANDMARK OR LANDMARK DISTRICT DESIGNATION  
ADDENDUM TO PETITION TO AMEND THE ZONING ORDINANCE  
LINCOLN, NEBRASKA

1. NAME

Historic **Betz-VanAndel Houses**  
and/or Common  
NeHBS Site **LC13:C07-843, 844, 845**

2. LOCATION

Address **1037-1039 and 1045 South 13<sup>th</sup> Street, Lincoln, NE 68508**

3. CLASSIFICATION

Proposed Designation      Category

Landmark District       district       site  
 Landmark       building(s)       object  
    structure  
Present Use       private residence

4. OWNER OF PROPERTY

Name **Jeffery & Elizabeth Heerspink**  
Address **1045 South 13th St., Lincoln, NE 68508**

5. GEOGRAPHICAL DATA

Legal Description      **Original Lincoln, Block 188, Lot 12, and East 5 feet of South 100 feet of Lot 11 and East 10 feet of North 42 feet of Lot 11.**  
Property ID Number      **1026417013000 & 1026417014000**  
Number of Acres or Square Feet: **(more or less) 15120 Sq. Ft.**

6. REPRESENTATION IN EXISTING SURVEYS

Title      **Architectural and Historical Survey of Lincoln, NE**  
Date on-going       State  County  Local  
Depository for survey records      **Lincoln/Lancaster County Planning Dept.**  
   **555 S. 10<sup>th</sup> Street, Lincoln, NE 68508**

Is proposed Landmark or Landmark District listed in the National Register?

yes, date listed

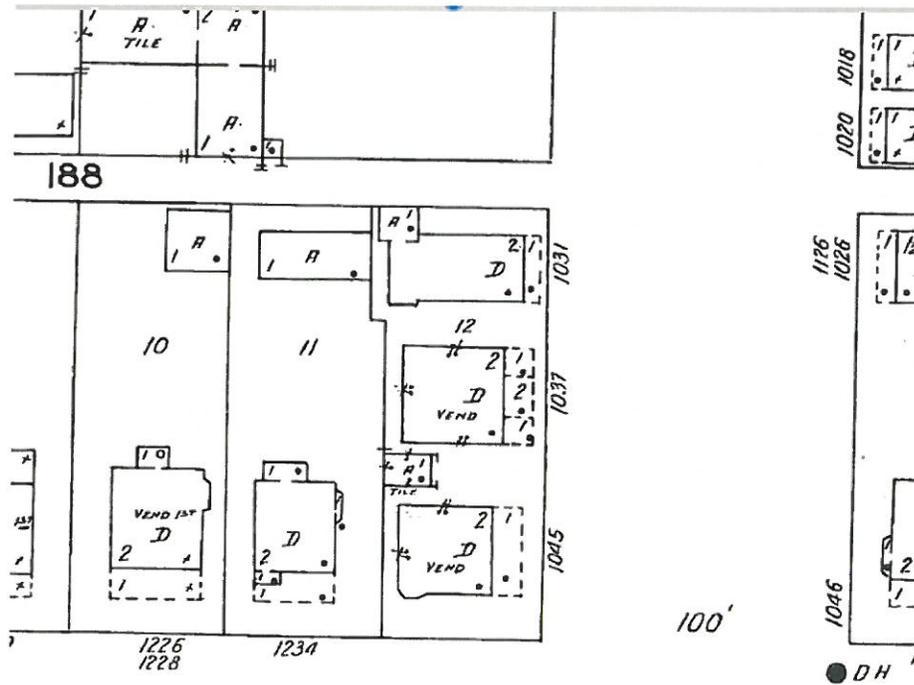
no

7. DESCRIPTION AND HISTORY

Condition

excellent       deteriorated       unaltered       original site  
 good       ruins       altered       moved      date  
 fair       unexposed

**DESCRIPTION:** Betz-VanAndel houses are a pair of brick-veneered American Four-square houses built in 1912 on a single lot (plus a 5-foot sliver of the next lot to the west) at the prominent intersection of South 13<sup>th</sup> and D streets in the Everett neighborhood, just south of Downtown Lincoln. Originally a third, two-story frame house (1031 S. 13<sup>th</sup> St.) stood north of the brick houses on the same lot, built c. 1910. That house was demolished in 1989 and that land between the brick houses and the alley is used for parking by residents.



Above: Detail from 1928 *Map of Lincoln, Nebraska*, Sanborn Map Co.  
 Below: View of 1045 S. 13<sup>th</sup> (left) and 1037-1039 S. 13<sup>th</sup> (right) from ESE, 2011



The houses are oriented east toward S. 13<sup>th</sup> St., and share similar dimensions, brickwork, overall boxy forms, hipped roofs, wide eaves, and hipped east and west dormers. Both have full length front porches with Tuscan columns, cast of concrete. The lower portions of both houses are veneered in dark red pressed brick with rounded edges. A stringcourse of cream-colored, glossy glazed terra cotta separates the base brick from the square-cornered pressed brick of the upper portion of each house.

Both houses have a main, east entrance set in a projecting, polygonal vestibule. The houses also have a number of differences, most underscoring that the north structure was built as (and remains) a duplex and the south house was and is a single-family residence. The duplex porch is built of quarry-faced concrete blocks, with double stairs serving two entrances. The porch originally had three widely spaced, cast-concrete columns set on concrete block pedestals—one at each end and one at the center. Two shorter pedestals, without columns, flanked the twin stairs up from the front sidewalk. A fourth support pillar has been added to the south half of the porch. There is also a smaller, second floor porch centered on the low hipped roof of the main porch, with two columns and a flat roof with wide eaves.

The duplex units are “flats,” with the ground floor apartment accessed via the more prominent entrance into the projecting vestibule flanked by a pair of double-hung windows. The upper unit is accessed by an entrance at the north end of the porch. That unit also has attic access, while both units have rear stairs down to the basement, which is divided between the two apartments.

The single-family house to the south has a brick porch and brick cheek-blocks flanking the center stairs. The cheek-blocks and porch railings are capped with cast stone, which also forms bases for the four columns. This house has a shallow, two-story bay window on the south side towards D Street, near the southwest corner.

Other differences between the houses are more subtle. Both are 30 feet wide, but the duplex is 36 feet deep, compared to 32 feet of the corner house. The terra-cotta string course separating the base of the house from the upper portion is set at the level of the porch railing and the first floor window sills, providing a strong link between porch and the rest of the house. The duplex porch, on the other hand, differs from that building in texture and material, and the string course on the body of the building is set lower, at the lintel level of the basement windows.



A small, stuccoed garage with structural tile walls is centered between the two residences, accessed by a driveway from S. 13<sup>th</sup> St. The garage has a façade parapet partially concealing a gable roof.



**HISTORY:**

While it can be said that all properties within the Original Plat of Lincoln were shaped by the founding of the Capital City in 1867, the evolution of urban land use reflected by 1037-1039 and 1045 So. 13<sup>th</sup> Street can be traced very directly to the earliest events of Lincoln. In 1868 Henry W. Kuhns of Omaha purchased Lots 11 and 12 of Block 188 of the Original Plat of Lincoln from the State of Nebraska for \$235. Governor David Butler and Secretary of State Thomas P. Kennard signed the deed for the State.

**B** STATE OF NEBRASKA RECEIPT No. 277 To All to Whom these Presents shall Come—GREETING:

WHEREAS, Henry W. Kuhns of Omaha, Nebraska, in and to be deposited in the office of the Secretary of State, of the State of Nebraska, a Receipt of the Commissioners of the location of the Seat of Government of said State, whereby it appears that full payment has been made by him

Filed for Record October 17 1868 at 10 o'clock and min. A.M.

according to the provisions of the Act of the Legislature of the State of Nebraska, entitled "An Act to provide for the location of the Seat of Government of the State of Nebraska, and for the erection of public buildings thereat," approved June 14th, 1867, for all that certain tract of land, situated in the town of Lincoln, County of Lancaster, and State of Nebraska, known and described as Lots 11 and 12 Block 188 and Eight (188)

according to the official Plats of the survey of said town of Lincoln, returned to the office of the Secretary of State, and filed and recorded in the office of the Clerk of said County of Lancaster; which said tract of land has been purchased by the said Henry W. Kuhns

NOW, KNOW YE, That the State of Nebraska, in the United States of America, in consideration of the sum of Two hundred and thirty five (\$235) Dollars and in conformity with the Act of the Legislature of said State, in such case made and provided, has GIVEN and GRANTED, and by these presents does give and grant unto the said Henry W. Kuhns and to his heirs, the said tract above described:

TO HAVE AND TO HOLD THE SAME, Together with the rights, privileges, immunities and appurtenances of whatsoever nature therunto belonging, unto the said Henry W. Kuhns and to his heirs and assigns forever.

IN TESTIMONY WHEREOF, I David Butler Governor of the State of Nebraska, have caused these presents to be attested by the Secretary of State, and the Great Seal of said State to be hereunto affixed.

Given under my hand, at Omaha the Seat day of October in the year of our Lord one thousand eight hundred and sixty-eight

By the Governor, David Butler

ATTEST: Thomas P. Kennard Secretary of State

L. S.

Lancaster Deed (State of Nebraska to Henry W. Kuhn) Book B, page 90, 1868.

Kuhns was listed in the 1860 census as a 27-year-old, Pennsylvania-born "Lutheran Clerg'man" residing in Omaha.<sup>1</sup> Kuhns leased Lot 12 to Jay Homer Clark in 1896 for five years, at a rent of \$25 per year. The lease refers to a dwelling house on the parcel,<sup>2</sup> but their arrangement apparently began much earlier, as J. Homer Clark, "carp[enter]" was listed at 1248 D St. in the Lincoln City Directory of 1887.<sup>3</sup> Since the lease granted to Clark the right to remove improvements from the land upon the termination of the lease, it seems likely he built a house at the corner,

<sup>1</sup> 1860 U. S Federal Census for Henry W. Kuhns, accessed 13 November 2015 through Ancestry.com.

<sup>2</sup> Lancaster County Register of Deeds, Lease 12-84.

<sup>3</sup> The City Directories of 1889, 1890, and 1896 also list Clark at 1246 or 1248 D, at which time he was a "carrier P[ost] O[ffice]." The U. S. Census of 1900 listed Homer J. Clark, a 45 year old mail carrier born in North Carolina, as residing at 1246 D St. with his wife Julia A. (age 37) and their 10 year old son Clarence.

probably oriented south towards D Street (given the D St. address). Kuhn retained ownership of the property until his death in Omaha in 1899, then his three sons sold it in 1909.<sup>4</sup>

Jesse. A. Hayden purchased Lots 10-12 of Block 188 from the Kuhns heirs, for \$7000.<sup>5</sup> . He obtained a building permit in April 1909 to “repair” a frame house on the corner lot.<sup>6</sup> This “repair” probably consisted of relocating Homer Clark’s former house from the corner of the property to the north end, at the alley, as the City Directory of 1911 listed 1031 S. 13<sup>th</sup> as the only address associated with Lot 12.<sup>7</sup>

In 1912 Hayden sold the house on the north 42 feet of Lot 12 (plus the adjacent 10 feet of Lot 11) for \$10 “and other considerations.”<sup>8</sup> He sold the south 100 feet of Lot 12 (augmented with the east 5 feet of the south 100 feet of Lot 11) in 1912 to John M. Betz for \$2500, with an easement or “sewer privilege” across Lot 11 to reach the alley.<sup>9</sup> Betz obtained building permits for both the corner single-family house (“Brick Veneer res[idence]”) and the duplex (“veneer flat”) in May, 1912, estimating the house would cost \$3500 to build and the duplex \$3000.<sup>10</sup> Betz was listed as owner and contractor on the permits. The City directory of 1913 listed his business as “real est[ate]” and his residence, with his wife Anna, as 1045 S. 13<sup>th</sup> St. In 1914 John and Anna Betz sold both brick buildings to Frona F. VanAndel for \$17,000.<sup>11</sup> Frona and her husband William C. VanAndel moved into the corner house, probably with their son Torrance W. who had lived with them at their previous residence of 1722 R St. and who clerked for his father’s “second-hand goods” business at 132 S. 10<sup>th</sup> St. In the 1920s, Torrence was married and he and his wife lived in one of the “flats” at 1037 S. 13<sup>th</sup>. By 1942, William had died and widow Frona and her son and daughter-in-law Leda resided together at 1045. By 1971, Torrence had retired and was the sole family member listed at 1045 S. 13<sup>th</sup>. His estate sold the property in 1978.<sup>12</sup>

The improvement of this Lincoln property in the 1880s with a single family home was typical of the community’s development in the 1870s and early 1880s. By the later 1880s and early 1890s, rapid population growth prompted new housing forms such as flats and row houses, which began to develop nearer downtown and the Capitol, such as the Bahr and Lyman Terraces at 11<sup>th</sup> and H Streets. The Panic of 1893 and resultant nationwide depression saw Lincoln’s population shrink by nearly a quarter, from 55,000 in 1890 to 39,000 in 1900. As the city resumed more gradual growth in the 1900s and ‘10s, the area south of the Capitol resumed development and redevelopment, with a boom of apartment construction in the mid-teens.

Lot 12 of Block 188 of the Original Plat of Lincoln demonstrates well an alternative response to these trends. The early house on the site was not demolished (until it had served approximately a century), but rather relocated from the desirable corner of the lot to the less prominent alley. Subsequently two additional buildings, 1037-1039 and 1045 S. 13<sup>th</sup>, quadrupled the housing units on the lot. The popular American Four-square form was used, but the similar-appearing buildings produced quite different housing units, demonstrating the flexibility of the boxy Four-Square. The developer John Betz reoriented the buildings from D St. to S. 13<sup>th</sup> to take advantage of the longer

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<sup>4</sup> Lancaster County Register of Deeds Decree 104-194, Affidavit P-318, Warranty Deed 145-618.

<sup>5</sup> Lancaster County Warranty Deed 145-624.

<sup>6</sup> City of Lincoln Building Permit 3039, April 21, 1909.

<sup>7</sup> William M. Decker, a postal carrier, and his wife Margaret Louise were listed at 1031 S. 13<sup>th</sup> in the 1910 U. S. Census and the 1911 Lincoln City Directory.

<sup>8</sup> Lancaster County Warranty Deed 175-149.

<sup>9</sup> Lancaster County Warranty Deed 174-213.

<sup>10</sup> City of Lincoln Building Permits #4487 and 4549, May 1, 1912 and May 27, 1912, respectively.

<sup>11</sup> Lancaster County Warranty Deed 165-512.

<sup>12</sup> Lincoln City Directories, Lancaster County Deed 78-25205.

dimension of the corner lot, and he used high-quality materials such as two types of brick, cast-concrete columns and terra-cotta stringcourses.

8. SIGNIFICANCE

<u>Period</u>	<u>Areas of Significance-Check and justify</u>	
<input type="checkbox"/> _prehistoric		
<input type="checkbox"/> _1400-1499		
<input type="checkbox"/> _1500-1599		
<input type="checkbox"/> _1600-1699	<input checked="" type="checkbox"/> _x architecture	<input checked="" type="checkbox"/> _x community planning
<input type="checkbox"/> _1700-1799		
<input type="checkbox"/> _1800-1899		
<input checked="" type="checkbox"/> _x 1900-		
<input type="checkbox"/> _religion		

Specific dates: 1909, 1912

Builder/Architect: John M. Betz

Statement of Significance:

The Betz-VanAndel Houses at S. 13<sup>th</sup> and D Streets demonstrate the increased urbanization of Lincoln in the early 20<sup>th</sup> century, using the American Four-Square form to produce multiple units on a single corner lot. The houses are excellent examples of this popular early 20<sup>th</sup> century house type, here used creatively to produce a single-family home and a duplex of two "flats" in similar-appearing buildings.

9. STANDARDS FOR DESIGNATION

(Check one(s) that apply)

- \_x Associated with events, person, or persons who have made a significant contribution to the history, heritage, or culture of the City of Lincoln, the County of Lancaster, the State of Nebraska, or the United States;
- \_x Represents a distinctive architectural style or innovation, or is the work of a craftsman whose individual work is significant in the development of the City of Lincoln, the County of Lancaster, the State of Nebraska, or the United States.

10. MAJOR BIBLIOGRAPHICAL REFERENCES

See footnotes.

Lancaster County deeds, Lincoln City Directories, Lincoln City Building permits, U. S. Census.

11. FORM PREPARED BY:

Name/Title: **Ed Zimmer, Ph.D., Historic Preservation Planner**  
Organization **Lincoln/Lancaster County Planning Dept.** Date Submitted **9 Oct. 2015**  
Street & Number **555. S. 10<sup>th</sup> St.** Telephone **(402)441-6360**  
City or Town **Lincoln** State **Nebraska**  
Email [ezimmer@lincoln.ne.gov](mailto:ezimmer@lincoln.ne.gov)

Signature\_\_\_\_\_

FOR HISTORIC PRESERVATION COMMISSION USE ONLY:

DATE LANDMARK/LANDMARK DISTRICT DESIGNATED

LANDMARK/LANDMARK DISTRICT NUMBER

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