

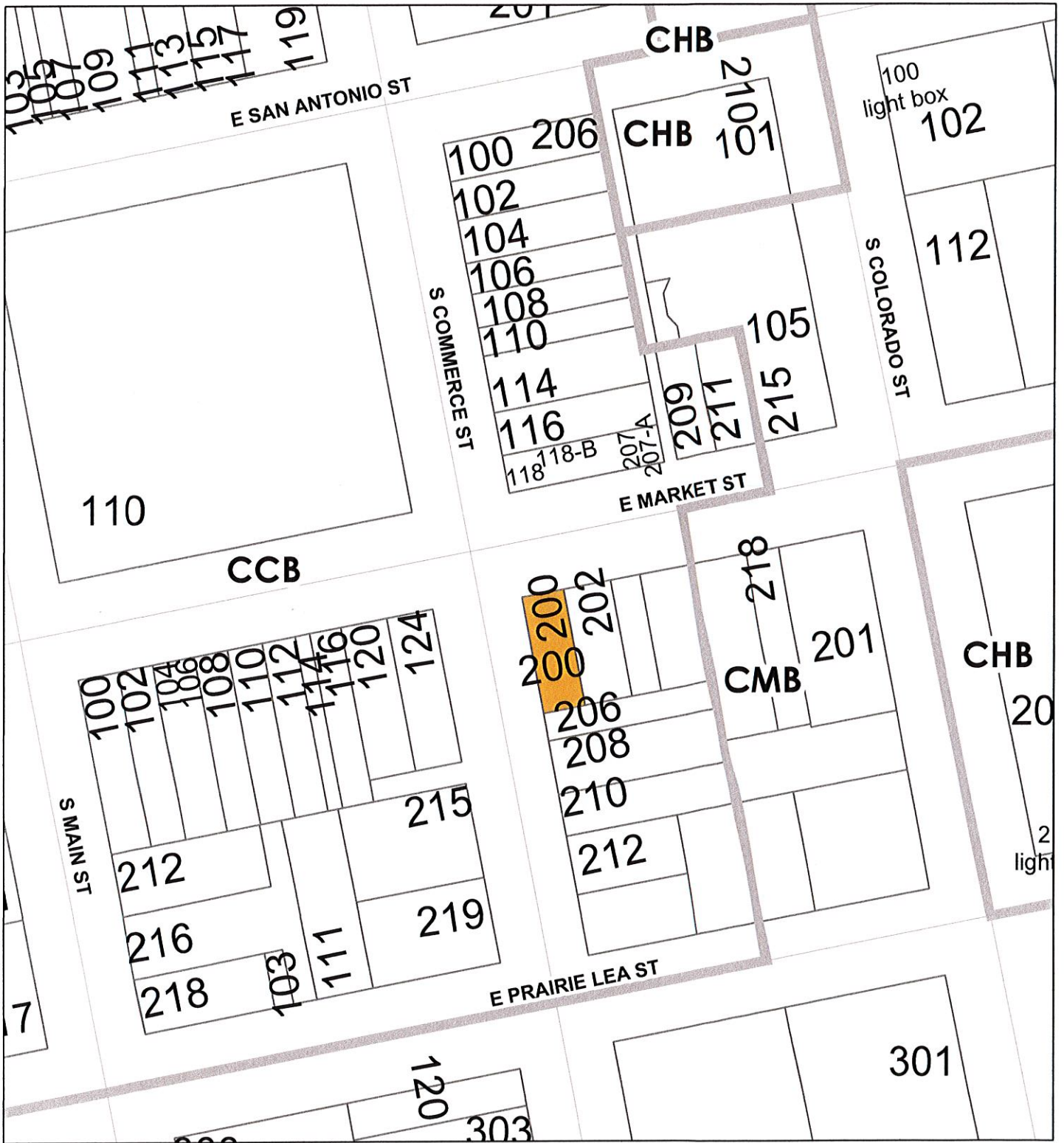
## **PUBLIC NOTICE**

**City of Lockhart  
Historical Preservation Commission  
5:30 p.m. Wednesday, February 15, 2023  
Municipal Building – Glosserman Room  
308 West San Antonio Street**

### **AMENDED AGENDA**

1. Call meeting to order.
2. Citizen comments not related to an agenda item.
3. Consider the minutes of the February 9, 2023 meeting.
4. CFA-23-04. Consider a request by Caroline Kiefer-Bell, on behalf of Robert Mendez, for approval of a Certificate for Alteration to allow an existing, temporary mural originally approved by the Commission on October 5, 2022 through CFA-22-14 to become permanent within the Courthouse Square Historic District on Part of Lot 3, Block 14, Original Town of Lockhart, zoned CCB (Commercial Central Business) and located at 200 East Market Street.
5. CFA-23-05. Consider a request by Teresa Charnichart for approval of a Certificate for Alteration for a hanging sign of the non-pre-approved variety on Part of Lot 1, Block 13, Original Town of Lockhart, zoned CCB and located at 102 East Market Street.
6. Discuss the date and agenda of the next meeting, including Commission requests for agenda items.
7. Adjournment.

**Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas at 1:00 p.m. on the 10<sup>th</sup> day of February, 2023.**



**CFA-23-04**

200 E MARKET ST



 Subject Property

 Zoning Boundary

ALLOW AN EXISTING TEMPORARY MURAL TO BECOME PERMANENT IN THE COURTHOUSE SQUARE HISTORIC DISTRICT

scale 1" = 100'

## STAFF REPORT

## CERTIFICATE FOR ALTERATION

### CASE SUMMARY

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STAFF: Kevin Waller, Senior Planner

*KW*

CASE NUMBER: CFA-23-04

REPORT DATE: February 10, 2023

MEETING DATE: February 15, 2023

APPLICANT'S REQUEST: Conversion of an existing mural from temporary to permanent status

STAFF RECOMMENDATION: **Denial** (see Alternatives section below)

### BACKGROUND DATA

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APPLICANT: Caroline Kiefer-Bell

OWNER: Robert Mendez Sr.

SITE LOCATION: 200 E. Market St.

LEGAL DESCRIPTION: Part of Lot 3, Block 14, Original Town of Lockhart

EXISTING USE OF PROPERTY: Commercial

PROPOSED USE OF PROPERTY: Same

ZONING CLASSIFICATION: CCB (Commercial Central Business)

### ANALYSIS OF ISSUES

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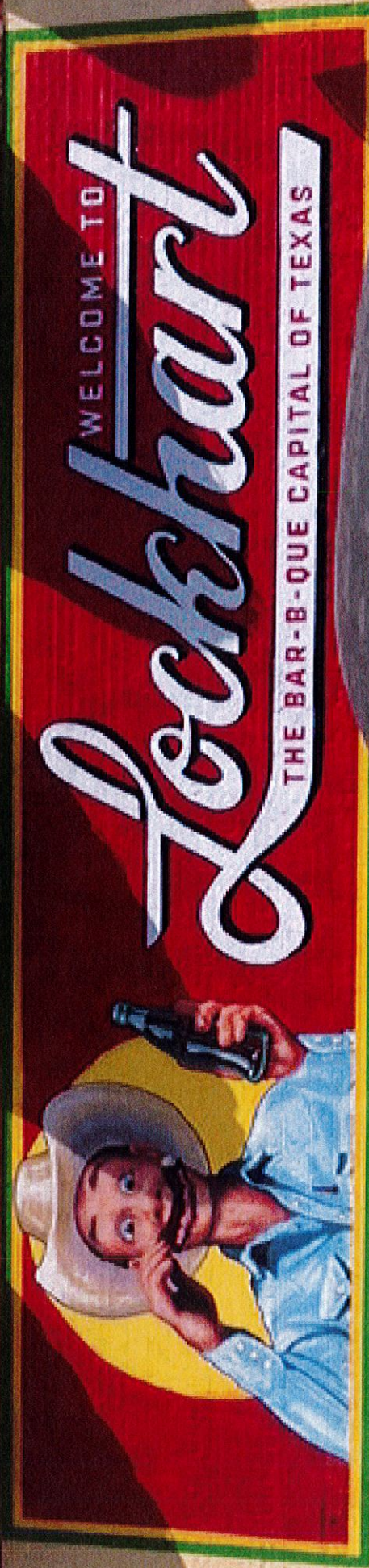
PROJECT DESCRIPTION: On October 5, 2022, the Commission approved a temporary wall mural, which was painted onto the west wall of the building located at 200 East Market Street in the days leading up to the Texas Monthly BBQ Fest on November 5, and completed that day. The mural is located on a previously painted wall that is visible to pedestrian and vehicular traffic along South Commerce, East Market, East Prairie Lea, and East San Antonio Streets. Measuring approximately 35 feet wide by 9 feet tall, or 315 square feet, the mural reads "Lockhart", with "BBQ Capital of Texas" beneath, in an all-caps font. The mural features a man in a cowboy hat eating a rib and holding a bottle of Coca-Cola®, as depicted in the attached illustration. Since the Coca-Cola® bottle and logo are a small, incidental part of the mural, the mural is not be classified as a sign for the purposes of commercial advertising. The Commission's approval was based upon the condition that the mural be removed no later than 90 days after its completion, or February 3, 2023. Following the BBQ Fest event and before the mural's expiration, the property owner approached the City about keeping the mural as a permanent fixture, which he explains has become popular with tourists and locals alike. However, murals were prohibited within the Historic District shortly after the Commission's approval of this mural by amendment of the Sign Ordinance that was passed by the City Council. Accordingly, Staff directed the applicant to submit a Sign Variance application for review by the Zoning Board of Adjustment in order to apply to keep the mural, which would be a variance to waive the prohibition of the mural in the Historic District set forth in Sign Ordinance Section 46-10(j)(1). However, in later consultation with the City Attorney, it was determined that the proposal to keep the mural should instead go back before the Historical Preservation Commission for consideration as a permanent mural, since the Commission had originally approved the mural, prior to the mural prohibition in the Historic District. The applicant then submitted the current Certificate for Alteration application on February 2, one day prior to the mural's 90-day expiration date.

**COMPATIBILITY:** The mural is in character with the State Legislature’s designation of Lockhart as the “Barbecue Capital of Texas” (House Resolution No. 1024, 76th Legislature, Regular Session (1999)), and does not appear to detract from the character of the Courthouse Square. One other, barbecue-themed mural is located downtown, at the corner of South Main and West Market Streets on the north wall façade of the State Farm building. As noted previously, however, murals are now prohibited within the Historic District.

**COMPLIANCE WITH STANDARDS:** Since murals are prohibited within the Historic District through Sign Ordinance Section 46-10(j)(1), Staff cannot support the proposal to retain it as a permanent fixture, and recommends that this application be **denied**. See the Alternatives section below for a possible solution.

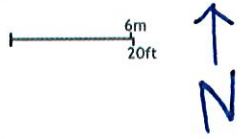
**ALTERNATIVES:** After further consultation with the City Attorney, Staff has concluded that the Certificate for Alteration issued on September 27, 2022 could be revised by the Commission to allow a permanent mural in place of the temporary mural for which the Certificate for Alteration was issued. This would be due to the application being originally submitted prior to the prohibition of murals in the Historic District. The original application form is attached for review.

8 feet



32 feet 4 inches





### CERTIFICATE FOR ALTERATION APPLICATION

DATE RECEIVED: <u>2/2/23</u>	DATE APPROVED: _____	CERTIFICATE NUMBER: <u>CFA-23-04</u>
<small>NOTE: An approved Certificate For Alteration (CFA) is required by City Code for all signage, construction, alteration, or modification of property designated as Historic, if such activities will change the architecture, design, finishes or outward appearance of a building, structure, object, site, or area as viewed from the exterior. (Ord.93-19, Sec. 11 and 12). A City Sign Permit and/or City Building Permit may also be required by the City Code.</small>		
<b>ONLY FULLY COMPLETED APPLICATIONS WILL BE ACCEPTED</b>		

Applicant <u>CAROLINE KIEFER</u>	Property Owner <u>Robert Mendez</u>
Mailing Address <u>196 KELLOGG Ct</u> <u>78616</u>	Mailing Address <u>200 E. MARKET ST.</u> <u>78644</u>
Telephone <u>815 980 8703</u>	Telephone <u>512 738 0616</u>
Person Doing Work <u>TUMLINSON</u>	Estimated Cost _____
Property Legal Description <u>O.T. LOCKMART BLK 14 LOT Pt. 3</u>	
Property Street Address <u>200 E. MARKET ST. 78644 (0.057 ac.)</u>	
Property City Zoning Designations <u>Commercial (CCB)</u> Location Map Attached <u>Y</u>	

**PHOTOS ARE REQUIRED SHOWING ALL THE AREAS TO BE AFFECTED BY THE WORK DESCRIBED:**

Include photos of: Area of Work  Full Elevation Showing Area Affected and/or Site

Description of Proposed Work
<u>Please see attached MAP + PHOTO</u>
<u>- Allow an existing, temporary mural to become permanent in the Courthouse Square Historic District.</u>
Please - Attach Scope of Work Questionnaire <input type="checkbox"/> Attach Sketches/Illustrations <input type="checkbox"/> Are Detailed Plans Available? <input type="checkbox"/>

**REQUIRED SIGNATURES:** Before me the undersigned authority, on this day appeared and solemnly swears, that the statements above and attached concerning the above described property are true and that (s)he is authorized to act as an agent in procuring the certificate requested.

Applicant Signature: <u>Robert Mendez</u> Property Owner Signature: <u>[Signature]</u>	Date: <u>2/2/23</u> Date: <u>2/2/23</u>
Historical Preservation Officer Approval: _____	Date: _____
Historical Preservation Commission: _____	Date: _____

A Certificate For Alteration is valid for a period concurrent with the Building Permit granted for the proposed work, or a period not to exceed 18 months.

CERTIFICATE FOR ALTERATION  
SCOPE OF WORK QUESTIONNAIRE

Certificate No. CFA-23-04  
Page 2 of \_\_\_ Reviewed: KW

The following questions must be answered and the form completed by the applicant for a Certificate For Alteration. This questionnaire shall be attached to any application for Certificate For Alteration. The Lockhart Historical Preservation Officer shall independently verify all information provided on the application and the attached questionnaires. The Lockhart Historical Preservation Officer shall review the application and this questionnaire in an expedient manner and notify the applicant of the outcome of the review. The Lockhart Historical Preservation Officer may approve the Certificate For Alteration prior to a commission hearing, based upon adequacy of the information provided and verification of the scope of work. Additional information may be needed to complete the application and review process. Final review and action on the application for Certificate For Alteration by the Lockhart Historical Preservation Commission at a properly scheduled public hearing may be required. Any required explanations to answers given shall be in writing and attached.

Yes	No	Verified	Scope Of Work Questions
			<b>Section One</b>
✓		KW	1. Is this application for construction or alteration on or at a property which is in a Historic District or a designated Historic Landmark? What is its zoning designation? <u>CC6</u> HL? <u>H?</u> ✓
✓	<del>✓</del>	KW	2. Is this application for any construction or alteration work that is <u>NOT</u> described or defined as ordinary maintenance of a historic property? Is it more than limited "Ordinary Maintenance"?
✓		KW	3. Will the construction or alteration covered by this application include any work visible from the exterior of the property?
	✓	KW	4. Will the construction or alteration covered by this application remove or, physically change any structural elements of the property? (i.e. Interior or exterior: load bearing walls, columns, posts, foundations, footings, etc.)
	✓	KW	<b>Section Two</b>
	✓	KW	1. Is the construction or alteration covered by this application considered an emergency repair of sudden, accidental or unforeseen property damage? When did damage occur? _____
	✓	KW	2. Is the construction or alteration covered by this application considered necessary to correct a circumstance that endangers a building, business, owner, or the public?
✓		KW	3. Is the construction or alteration covered by this application considered permanent, to be in place more than 90 days? (A temporary construction or alteration is required to be removed within 90 days and the property is to be returned to the original or agreed upon condition.)
	✓	KW	4. Has a permit been issued for any of the proposed work? Date: _____ Permit No. _____ Has any work actually started? _____ Describe: _____ <i>NO permit required for a mural</i> <i>Mural is existing</i>
			<b>Section Three</b>
✓		KW	1. Will the construction or alteration covered by this application make a physical change to any design elements, features or finishes visible from the exterior of the property?
	✓	KW	2. Will the construction or alteration covered by this application repair or replace an element of the building or property with a material different from the original material of that element?
<del>✓</del>	✓	KW	3. Will the construction or alteration covered by this application include painting exterior surfaces that have not been previously painted?
	✓	KW	4. Does the construction or alteration covered by this application include demolition or removal of any part or element of the property visible from the exterior of the property?
✓		KW	5. Will the construction or alteration covered by this application make any change in the appearance of the property as viewed from the exterior of the property?

The undersigned owner or authorized agent attests that the statements made above and on any attached explanations are true and agrees that this Scope Of Work Questionnaire and any attachments shall become a part of the application and the Certificate For Alteration cited and will be the limit of construction and/or alteration work undertaken. Further, construction will not start prior to authorization by the approval of the Certificate For Alteration.

Applicant Signature: Robert Mender Date: 2/2/23

Verified By: Kevin Weller Date: 2/10/23 Action: \_\_\_\_\_ Date: \_\_\_\_\_



Dear Lockhart Historical Commision,

Thank you for your consideration in allowing the "Lockhart BBQ" Mural located at 200 E. Market St. on the Commerce St. side of the building to become a permanent piece of art in our community. This Mural was orchestrated by Texas Monthly Magazine, multiple professional mural artists and the Mendez Family, who take great pride in their multi generational historical building.

The Mural has been used in advertising for the 2022 & 2023 Texas Monthly BBQ event on Meta, Instagram, and other major platforms. Maintaining the mural supports branding and marketing for what Lockhart has to offer. The Mural is an accurate, relevant and a complimentary work of art to display on our town square. People come here from all over the world to participate in our unique Lockhart BBQ experience. What it tastes, feels and looks like greatly contributes to that experience. Tourists, patrons and locals are proud to take photos with this mural and stake their own claim in Lockhart.

The more places people see this mural in photos across media and publications, the more iconic this great mural will become, and this is good for Lockhart and the future of tourism here. Taking the mural down would not only discredit the time it took to create this work of art, but it would also be incongruent with the past, present and future of Lockhart BBQ history. Please keep this mural up. Thank you for your consideration once again. Coming together is our objective and maintaining the Lockhart square's unique and vibrant look is our intention.

Respectfully,

Caroline Kiefer-Bell

1/11/2023

X \_\_\_\_\_

October 7, 2022

Melissa Reese  
Texas Monthly  
816 Congress Ave.  
Austin, TX 78701

Dear Mrs. Reese:

On October 5, 2022, the Lockhart Historical Preservation Commission **approved** your request for a Certificate for Alteration (CFA-22-14) for a temporary wall mural at the property located at 200 East Market Street. The Commission's approval was based upon the condition that the mural be removed within **90 days** after its completion. The mural is scheduled to be completed by November 5, 2022, during the BBQ Fest, and must therefore be removed no later than **Friday, February 3, 2023**. As Staff determined that the mural does not constitute a sign, no sign permit requirements will apply.

If you have any questions, please contact me by phone at (512) 398-3461, Ext. 2400, or by email at [kwaller@lockhart-tx.org](mailto:kwaller@lockhart-tx.org).

Sincerely,



Kevin Waller  
Historical Preservation Officer  
Senior Planner

Cc: Robert Mendez, Sr. and Richard Mendez (Property Owners, [jrmendez21@yahoo.com](mailto:jrmendez21@yahoo.com))  
Dan Gibson, City Planner  
David Fowler, Senior Planner  
Russell McDonald, Interim Building Official

## CERTIFICATE FOR ALTERATION APPLICATION

DATE RECEIVED: 9/27/22 DATE APPROVED: 10/5/22 CERTIFICATE NUMBER: CFA-22-1A

NOTE: An approved Certificate For Alteration (CFA) is required by City Code for all signage, construction, alteration, or modification of property designated as Historic, if such activities will change the architecture, design, finishes or outward appearance of a building, structure, object, site, or area as viewed from the exterior. (Ord.93-19, Sec. 11 and 12). A City Sign Permit and/or City Building Permit may also be required by the City Code.

**ONLY FULLY COMPLETED APPLICATIONS WILL BE ACCEPTED**

Applicant Melissa Reese, Texas Monthly Property Owner Richard Merdez / <sup>Robert</sup> Merdez Sr.  
 Mailing Address 816 Congress Ave Mailing Address 200 E Market St.  
Austin TX 78701 Lockhart TX 78644  
 Telephone 972-571-2420 Telephone 512-738-0613  
 Person Doing Work Matt Tumlinson Estimated Cost \$7500  
 Property Legal Description O.T. Lockhart, Block 14, Lot PT3  
 Property Street Address 200 E Market Street Lockhart TX 78644  
 Property City Zoning Designations HD & CCB Location Map Attached Yes

**PHOTOS ARE REQUIRED SHOWING ALL THE AREAS TO BE AFFECTED BY THE WORK DESCRIBED:**

Include photos of: Area of Work  Full Elevation Showing Area Affected and/or Site

### Description of Proposed Work

a temporary mural on the West facing side of 200 E Market street; the side that faces Commerce st. Size of mural would be approximately 9' by 35'. Artwork to show a cowboy holding a rib and a coke bottle with the words: "Lockhart - the BBQ Capital of Texas." Mural to be painted in advance of BBQ Fest (Nov. 5) and completed at the event as part of programming. Texas Monthly to paint over mural after 90 days; color matched to current building color.

Please - Attach Scope of Work Questionnaire  Attach Sketches/Illustrations  Are Detailed Plans Available?

**REQUIRED SIGNATURES:** Before me the undersigned authority, on this day appeared and solemnly swears, that the statements above and attached concerning the above-described property are true and that (s)he is authorized to act as an agent in procuring the certificate requested.

Applicant Signature: Melissa Reese Date: 9-27-2022

Property Owner Signature: Robert Merdez Date: 10-5-22

Historical Preservation Officer Approval: [Signature] Date: 10/5/22

Historical Preservation Commission: [Signature] Date: 10-5-22

A Certificate For Alteration is valid for a period concurrent with the Building Permit granted for the proposed work, or a period not to exceed 18 months.

CERTIFICATE FOR ALTERATION  
SCOPE OF WORK QUESTIONNAIRE

Certificate No. CFA-22-14  
Page 2 of \_\_\_ Reviewed: KW

The following questions must be answered and the form completed by the applicant for a Certificate For Alteration. This questionnaire shall be attached to any application for Certificate For Alteration. The Lockhart Historical Preservation Officer shall independently verify all information provided on the application and the attached questionnaires. The Lockhart Historical Preservation Officer shall review the application and this questionnaire in an expedient manner and notify the applicant of the outcome of the review. The Lockhart Historical Preservation Officer may approve the Certificate For Alteration prior to a commission hearing, based upon adequacy of the information provided and verification of the scope of work. Additional information may be needed to complete the application and review process. Final review and action on the application for Certificate For Alteration by the Lockhart Historical Preservation Commission at a properly scheduled public hearing may be required. Any required explanations to answers given shall be in writing and attached.

Yes	No	Verified	Scope Of Work Questions
Section One			
✓		KW	1. Is this application for construction or alteration on or at a property which is in a Historic District or a designated Historic Landmark? What is its zoning designation? <u>HD</u> HL? <u>H?</u>
✓		KW	2. Is this application for any construction or alteration work that is <b>NOT</b> described or defined as ordinary maintenance of a historic property? Is it more than limited "Ordinary Maintenance"? <u>CCB</u>
✓		KW	3. Will the construction or alteration covered by this application include any work visible from the exterior of the property?
	✓	KW	4. Will the construction or alteration covered by this application remove or, physically change any structural elements of the property? (i.e. Interior or exterior: load bearing walls, columns, posts, foundations, footings, etc.)
Section Two			
	✓	KW	1. Is the construction or alteration covered by this application considered an emergency repair of sudden, accidental or unforeseen property damage? When did damage occur? _____
	✓	KW	2. Is the construction or alteration covered by this application considered necessary to correct a circumstance that endangers a building, business, owner, or the public?
	✓	KW	3. Is the construction or alteration covered by this application considered permanent, to be in place more than 90 days? (A temporary construction or alteration is required to be removed within 90 days and the property is to be returned to the original or agreed upon condition.)
	✓	KW	4. Has a permit been issued for any of the proposed work? Date: _____ Permit No. _____ Has any work actually started? _____ Describe: _____
Section Three			
✓		KW	1. Will the construction or alteration covered by this application make a physical change to any design elements, features or finishes visible from the exterior of the property?
	✓	KW	2. Will the construction or alteration covered by this application repair or replace an element of the building or property with a material different from the original material of that element?
	✓	KW	3. Will the construction or alteration covered by this application include painting exterior surfaces that have not been previously painted?
	✓	KW	4. Does the construction or alteration covered by this application include demolition or removal of any part or element of the property visible from the exterior of the property?
✓		KW	5. Will the construction or alteration covered by this application make any change in the appearance of the property as viewed from the exterior of the property?

The undersigned owner or authorized agent attests that the statements made above and on any attached explanations are true and agrees that this Scope Of Work Questionnaire and any attachments shall become a part of the application and the Certificate For Alteration cited and will be the limit of construction and/or alteration work undertaken. Further, construction will not start prior to authorization by the approval of the Certificate For Alteration.

Applicant Signature: Melissa Reese Date: 9-27-22

Verified By: Kevin Walker Date: 9/30/22 Action: Approved by LHPC Date: 10/5/22



MESSER ★ FORT ★ McDONALD

THE MUNICIPAL LAW FIRM

NORTH TEXAS | AUSTIN | ABILENE

## MEMORANDUM

**TO:** David Fowler, Planning Director; Steve Lewis, City Manager

**FROM:** Monte Akers, City Attorney

**DATE:** January 30, 2023

**RE:** CFA-22-14; Request for Extension for Mural in Downtown Historic District

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Please accept this memo in regard to the referenced matter.

Background: On October 5, 2022, the Lockhart Historical Preservation Commission approved a temporary wall mural at 200 East Market Street, as CFA-22-14, conditioned that the mural be removed within 90 days, or by February 3, 2023. Thereafter, on October 18, 2022, the City Council adopted Ord. No. 2022-54 which, among other matters, amended the City's sign ordinance to prohibit murals within the City's downtown historical district. Recently, the City received an application from the owner of the property at 200 East Market Street requesting that the mural be allowed to stay in place.

Question presented: Should the application be presented for consideration to the Historical Preservation Commission, the Board of Adjustment, or another agency of the City?

Summary answer: The Lockhart Historical Preservation Commission

Discussion: Although the City acted, by amendment of its sign ordinance, to prohibit murals in the downtown historical district, it is the Historical Preservation Commission that issued approval of the mural, and that is the body that has jurisdiction to consider the request that it remain. The Zoning Board of Adjustment has authority to consider variances from the sign ordinance, but the landowner's request should not be considered as an application for a variance. In fact, the approval letter for CFA-22-14 states that City staff determined that the mural does not constitute a sign.

Staff should inform, or remind, the Commission of the new prohibition against murals in the district, and the Commission should act accordingly. If the property owner's request is denied by the Commission, he/she may appeal that decision to the City Council within 30 days of the denial.

Please let me know if you have questions about the foregoing.

## Kevin Waller

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**From:** Melissa Reese <mreese@texasmonthly.com>  
**Sent:** Tuesday, January 10, 2023 12:41 PM  
**To:** Kevin Waller  
**Cc:** Erin Kubatzky; jrmendez21@yahoo.com  
**Subject:** Re: Historical Preservation Commission Decision

Yes! If the board approves it, we are OK with it staying.

-Melissa

--

**Melissa Reese**  
Director of Video & Events, *Texas Monthly*  
office: 512-320-6958  
Cell: 972-571-2420  
mreese@texasmonthly.com

**TexasMonthly**  
Print + Digital + Experiential

**From:** Kevin Waller <kwaller@lockhart-tx.org>  
**Date:** Tuesday, January 10, 2023 at 12:37 PM  
**To:** Melissa Reese <mreese@texasmonthly.com>  
**Cc:** Erin Kubatzky <ekubatzky@texasmonthly.com>, jrmendez21@yahoo.com <jrmendez21@yahoo.com>  
**Subject:** RE: Historical Preservation Commission Decision

Hi Melissa:

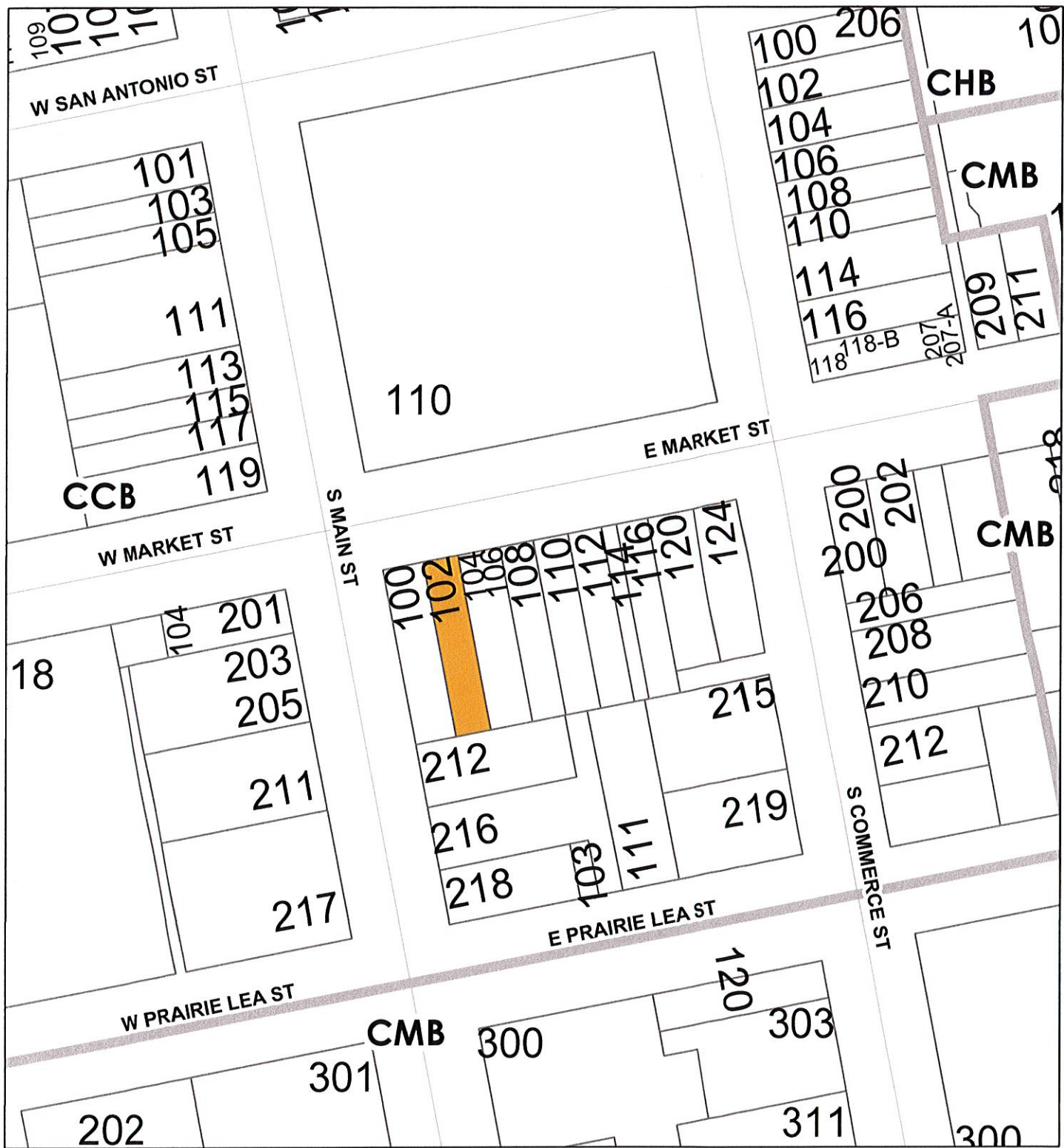
Mr. Mendez stopped by to discuss the mural. I provided him with an application form for the Sign Variance, the deadline to submit being January 16 for the February 6 Zoning Board of Adjustment meeting.

Question- is Texas Monthly ok with the mural application for a permanent fixture?

Kevin

**From:** Kevin Waller  
**Sent:** Monday, January 9, 2023 12:04 PM  
**To:** Melissa Reese <mreese@texasmonthly.com>  
**Cc:** Erin Kubatzky <ekubatzky@texasmonthly.com>; jrmendez21@yahoo.com  
**Subject:** RE: Historical Preservation Commission Decision

Thanks, Melissa. Mr. Mendez can apply solely, as long as Texas Monthly is ok with the mural remaining, if it were approved to do so. I don't think TM would need to sign the application or be listed on it, but as long as we have some sort of written confirmation that this would be ok (could be an email to me), that would be fine.



**CFA-23-05**

102 E MARKET ST

HANGING SIGN  
NON PRE-APPROVED



Subject Property



Zoning Boundary

scale 1" = 100'

**CASE SUMMARY**

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STAFF: Kevin Waller, Senior Planner *KW*  
REPORT DATE: February 10, 2023  
MEETING DATE: February 15, 2023  
APPLICANT'S REQUEST: Hanging wall sign  
STAFF RECOMMENDATION: **Approval**  
CONDITIONS: None

CASE NUMBER: CFA-23-05

**BACKGROUND DATA**

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APPLICANT: Teresa Charnichart  
OWNERS: Philip and Claude DuCloux  
SITE LOCATION: 102 E. Market St.  
LEGAL DESCRIPTION: Part of Lot 1, Block 13, Original Town of Lockhart  
EXISTING USE OF PROPERTY: Vacant Commercial Lease Space  
PROPOSED USE OF PROPERTY: Commercial  
ZONING CLASSIFICATION: CCB (Commercial Central Business)

**ANALYSIS OF ISSUES**

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**PROJECT DESCRIPTION:** The applicant proposes a hanging wall sign for the new Barb's-B-Q business establishment. Since the sign is not of a shape that can be considered "Pre-Approved", nor does it contain a border, the sign is to be considered by the Commission through the Certificate for Alteration review procedures. The wooden sign will simply feature the business name in a stylized font, with heart graphics between the letters "B" and "Q". It will be hung by chains on the existing hooks above the front window that were utilized for the previous Market Street Café business, in a similar fashion to the Firewheel Trading Company sign at the adjacent property to the east.

**COMPATIBILITY:** The proposed sign is not of a scale or design that would detract from the character of the Courthouse Square. Other street-facing hanging signs located along the same block include the Firewheel Trading Company sign mentioned above, as well as the Chaparral Coffee sign to the east of the Firewheel business. Numerous hanging signs perpendicular to the sidewalk can be found along the San Antonio Street side of the Square.

**COMPLIANCE WITH STANDARDS:** The sign complies with the Sign Ordinance, and the required Sign Permit is subject to approval of this Certificate for Alteration.

**ALTERNATIVES:** None necessary.





18 ft x 25 ft  
450 sq.ft total area



4.75 ft x 2.75 ft  
13 sq.ft total area

The material of the sign is wood and was hand-painted by Haley Conlin. It is ready to hang onto the hooks already established by the past business owners. No changes have been made to the building as we plan to use what is already there.

**CERTIFICATE FOR ALTERATION APPLICATION**

DATE RECEIVED: <u>2/2/23</u>	DATE APPROVED: _____	CERTIFICATE NUMBER: <u>CFA-23-05</u>
NOTE: An approved Certificate For Alteration (CFA) is required by City Code for all signage, construction, alteration, or modification of property designated as Historic. If such activities will change the architecture, design, finishes or outward appearance of a building, structure, object, site, or area as viewed from the exterior. (Ord. 93-19, Sec. 11 and 12). A City Sign Permit and/or City Building Permit may also be required by the City Code.		
<b>ONLY FULLY COMPLETED APPLICATIONS WILL BE ACCEPTED</b>		

Applicant <u>Teresa Charnichart</u>	Property Owner <u>Philip Ducloux</u>
Mailing Address <u>1122 Richardine Ave</u>	Mailing Address <u>P.O. Box 3,</u>
<u>Austin, Tx 78721</u>	<u>Bastrop, Texas 78602</u>
Telephone <u>512-230-7316</u>	Telephone <u>512-303-1477</u>
Person Doing Work <u>Haley Conlin</u>	Estimated Cost <u>\$500</u>
Property Legal Description <u>Commercial Part of Lot 1, Block 13, Original Town of Lockhart</u>	
Property Street Address <u>102 E Market St, Lockhart, Tx 78644</u>	
Property City Zoning Designations <u>CCB</u>	Location Map Attached <input type="checkbox"/>

**PHOTOS ARE REQUIRED SHOWING ALL THE AREAS TO BE AFFECTED BY THE WORK DESCRIBED:**  
 Include photos of: Area of Work  Full Elevation Showing Area Affected and/or Site

Description of Proposed Work
<u>Hang a sign on the hooks already established by the post business.</u>
Please - Attach Scope of Work Questionnaire <input checked="" type="checkbox"/> Attach Sketches/illustrations <input checked="" type="checkbox"/> Are Detailed Plans Available? <input type="checkbox"/>

**REQUIRED SIGNATURES:** Before me the undersigned authority, on this day appeared and solemnly swears, that the statements above and attached concerning the above-described property are true and that (s)he is authorized to act as an agent in procuring the certificate requested.

Applicant Signature: <u>T. Charnichart</u>	Date: <u>2/1/23</u>
Property Owner Signature: <u>Philip Ducloux</u>	Date: <u>2/1/23</u>
Historical Preservation Officer Approval: _____	Date: _____
Historical Preservation Commission: _____	Date: _____

A Certificate For Alteration is valid for a period concurrent with the Building Permit granted for the proposed work, or a period not to exceed 18 months

CERTIFICATE FOR ALTERATION  
SCOPE OF WORK QUESTIONNAIRE

Certificate No. CFA-23-05  
Page 2 of \_\_\_ Reviewed KW

The following questions must be answered and the form completed by the applicant for a Certificate For Alteration. This questionnaire shall be attached to any application for Certificate For Alteration. The Lockhart Historical Preservation Officer shall independently verify all information provided on the application and the attached questionnaires. The Lockhart Historical Preservation Officer shall review the application and this questionnaire in an expedient manner and notify the applicant of the outcome of the review. The Lockhart Historical Preservation Officer may approve the Certificate For Alteration prior to a commission hearing, based upon adequacy of the information provided and verification of the scope of work. Additional information may be needed to complete the application and review proceeds. Final review and action on the application for Certificate For Alteration by the Lockhart Historical Preservation Commission at a properly scheduled public hearing may be required. Any required explanations to answers given shall be in writing and attached.

Yes	No	Verified	Scope Of Work Questions
<b>Section One</b>			
✓		KW	1. Is this application for construction or alteration on or at a property which is in a Historic District or a designated Historic Landmark? What is its zoning designation? <u>CCB</u> HL? <u>H?</u> ✓
✓	✓	KW	2. Is this application for any construction or alteration work that is <b>NOT</b> described or defined as ordinary maintenance of a historic property? Is it more than limited "Ordinary Maintenance"?
✓		KW	3. Will the construction or alteration covered by this application include any work visible from the exterior of the property?
	✓	KW	4. Will the construction or alteration covered by this application remove or, physically change any structural elements of the property? (i.e. Interior or exterior: load bearing walls, columns, posts, foundations, footings, etc.)
<b>Section Two</b>			
	✓	KW	1. Is the construction or alteration covered by this application considered an emergency repair of sudden, accidental or unforeseen property damage? When did damage occur? _____
	✓	KW	2. Is the construction or alteration covered by this application considered necessary to correct a circumstance that endangers a building, business, owner, or the public?
✓		KW	3. Is the construction or alteration covered by this application considered permanent, to be in place more than 90 days? (A temporary construction or alteration is required to be removed within 90 days and the property is to be returned to the original or agreed upon condition.)
	✓	KW	4. Has a permit been issued for any of the proposed work? Date: _____ Permit No. _____ Has any work actually started? _____ Describe: _____
<b>Section Three</b>			
	✓	KW	1. Will the construction or alteration covered by this application make a physical change to any design elements, features or finishes visible from the exterior of the property?
	✓	KW	2. Will the construction or alteration covered by this application repair or replace an element of the building or property with a material different from the original material of that element?
	✓	KW	3. Will the construction or alteration covered by this application include painting exterior surfaces that have not been previously painted?
	✓	KW	4. Does the construction or alteration covered by this application include demolition or removal of any part or element of the property visible from the exterior of the property?
✓		KW	5. Will the construction or alteration covered by this application make any change in the appearance of the property as viewed from the exterior of the property?
<p>The undersigned owner or authorized agent attests that the statements made above and on any attached explanations are true and agrees that this Scope Of Work Questionnaire and any attachments shall become a part of the application and the Certificate For Alteration cited and will be the limit of construction and/or alteration work undertaken. Further, construction will not start prior to authorization by the approval of the Certificate For Alteration.</p>			
Applicant Signature: <u>T Cote</u>			Date: <u>2/1/23</u>
Verified By: <u>Kevin Walker</u>		Date: <u>2/10/23</u>	Action: _____ Date: _____

**SIGN PERMIT APPLICATION**

SP - 23 - \_\_\_\_\_

CITY OF

**Lockhart**  
TEXAS

(512) 398-3461 • FAX (512) 398-3833  
P.O. Box 239 • Lockhart, Texas 78644  
308 West San Antonio Street

**CONTRACTOR/OWNER**

\* CONTRACTOR NAME Teresa Charnichart LICENSE NO. \_\_\_\_\_

DAY-TIME TELEPHONE 512-230-7316 ADDRESS \_\_\_\_\_

E-MAIL \_\_\_\_\_

\* OWNER NAME Teresa Charnichart ADDRESS 1122 Richardine Ave

DAY-TIME TELEPHONE 512-230-7316 Austin, Tx 78721

E-MAIL ~~\_\_\_\_\_~~ yeehaw@barbsbg.com

**PROPERTY**

ADDRESS OR GENERAL LOCATION 102 E Market St, Lockhart, TX 78644

ZONING CLASSIFICATION CCB HISTORIC LANDMARK OR DISTRICT (Y/N) Y

NUMBER OF STREET FRONTAGES (Property lines abutting a public street) 1

PRINCIPAL USE OF LAND AND/OR BUILDINGS ON THE SITE \_\_\_\_\_

Food & Beverage Restaurant

NAME OF BUSINESS TO OWN OR USE PROPOSED SIGN BARBS B Q

**REQUESTED PERMIT**

PROPOSED CONSTRUCTION (Check all that apply)  ON-PREMISE \_\_\_\_\_ OFF-PREMISE

NEW SIGN \_\_\_\_\_ STRUCTURAL REPAIR \_\_\_\_\_ STRUCTURAL ALTERATION/RELOCATION

TYPE OF SIGN PROPOSED (Check all that apply)  Hanging Sign  
\_\_\_\_\_ WALL \_\_\_\_\_ MARQUEE

LOW PROFILE \_\_\_\_\_ MEDIUM PROFILE \_\_\_\_\_ HIGH PROFILE

\_\_\_\_\_ INSTITUTIONAL \_\_\_\_\_ DEVELOPMENT ENTRANCE \_\_\_\_\_ RESIDENTIAL IDENTIFICATION

710 of 450 sq ft = 31.5 % Max. allowed sign area  
proposed sign = 13 sq ft

**CHARACTERISTICS OF SIGN**

IF ATTACHED SIGN, TOTAL AREA OF BUILDING FACADE ON WHICH LOCATED ~~18~~<sup>4.50</sup> SQ. FT.  
IF FREESTANDING SIGN, SETBACK FROM NEAREST STREET RIGHT-OF-WAY LINE \_\_\_\_\_ FT.  
HEIGHT TO TOP OF SIGN ~~4.5~~ FT. TOTAL SIGN FACE AREA (One side only) 13 SQ. FT.  
ILLUMINATION  NONE  INTERNAL  REFLECTED  BARE BULB

**SUBMITTAL REQUIREMENTS**

DRAWING, PREFERABLY SUBMITTED ON PAPER NO LARGER THAN 11" X 17", SHOWING: 1) The location of the proposed sign on the site or building, including dimensioned references to adjacent building features or nearest property line, as appropriate; 2) Dimensions of the sign and sign structure, including foundation or mounting details; 3) Material and electrical specifications; 4) Name of sign manufacturer, if applicable, and, 5) If the sign is to be freestanding and over six feet high, certification by a licensed engineer for structural compliance with the building code.

LIST OF SIGN FACE AREA OF ALL EXISTING SIGNS, IF ANY, ON THE SAME BUILDING FACADE (for attached signs) OR ALONG EACH STREET FRONTAGE OF THE PROPERTY (for freestanding signs)

COPY OF STATE PERMIT OR AUTHORIZATION IF APPLICATION IS FOR AN OFF-PREMISE SIGN.

COMPLETED APPLICATION FOR A CERTIFICATE OF ALTERATION IF SIGN IS IN HISTORIC DISTRICT OR ON HISTORIC LANDMARK PROPERTY.

PERMIT FEE OF \$10.00, PLUS \$0.25 PER EACH SQUARE FOOT OF SIGN AREA OVER 40 SQUARE FEET, (applied to only one side of double-faced signs), PAYABLE TO THE CITY OF LOCKHART WHEN THE PERMIT IS ISSUED.

I HEREBY AFFIRM THAT IF I AM NOT OWNER OF THE PROPERTY UPON WHICH THE SIGN IS TO BE LOCATED, I AM AUTHORIZED BY THE PERSON, ORGANIZATION, OR BUSINESS ENTITY OWNING THE PROPERTY TO REPRESENT THEM IN THIS APPLICATION. TO THE BEST OF MY KNOWLEDGE, THIS APPLICATION AND ASSOCIATED DOCUMENTS ARE COMPLETE AND CORRECT.

SIGNATURE T. Charnichant DATE 2/1/23

PRINTED OR TYPED NAME Teresa Charnichant

**NOTE: All freestanding signs require a pre-pour foundation inspection to verify the location and reinforcement of the sign. It is the contractor's responsibility to call for the inspection.**

**OFFICE USE ONLY**

APPROVED BY [Signature] Planning \_\_\_\_\_ Building Inspection \_\_\_\_\_

PERMIT NUMBER SP - 23 - \_\_\_\_\_ CERT. FOR ALTERATION NUMBER CFA - 23 - 05

DATE \_\_\_\_\_ FEE \$10.00 RECEIPT# \_\_\_\_\_