

## **PUBLIC NOTICE**

**City of Lockhart  
Historical Preservation Commission  
5:30 p.m. Wednesday, October 1, 2025  
Municipal Building – Glosserman Room  
308 West San Antonio Street**

## **AGENDA**

1. Call meeting to order.
2. Citizen comments not related to an agenda item.
3. Consider the minutes of the September 17, 2025 meeting.
4. CFA-25-23. Consider a request by Chad Rea for approval of a Certificate for Alteration for a new fence in the rear yard on Lot 2, Block 23, Original Town of Lockhart, on property zoned CCB (Commercial Central Business), and located at 111 East San Antonio St.
5. Discuss the impacts of vegetative growth on building walls in the Courthouse Square Historic District.
6. Discuss potential amendments to Sections 28-10(c), 28-11(b)(3), and 28-11(c) of the Historic Districts and Landmarks Ordinance.
7. Discuss the date and agenda of the next meeting, including Commission requests for agenda items.
8. Adjournment.

**Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, at 3:00 p.m. on the 24<sup>th</sup> day of September, 2025.**

**City of Lockhart  
Historical Preservation Commission  
September 17, 2025**

**MINUTES**

Members Present: Kevin Thuerwaechter, Christine Ohlendorf, Ron Faulstich, Frank Gomillion,  
Marcia Proctor

Members Absent: Ray Ramsey, Jerry Haug

Staff Present: David Fowler, Kevin Waller, Christine Banda

Public Present: Arnold Proctor, Marcia Proctor

1. Call meeting to order. Chair Thuerwaechter called the meeting to order at 5:30 p.m.
2. Citizen comments not related to an agenda item. None
3. Consider the minutes of the September 3, 2025, meeting.

*Commissioner Proctor moved to approve the minutes as presented. Commissioner Gomillion seconded; the motion passed by a vote of 5-0.*

4. **CFA-25-24.** Consider a request by Shawn Martinez of Lockhart Construction, LLC, for approval of a Certificate of Alteration for a front porch decking replacement with a different material to a City-registered Historic Landmark single-family residence on Lot 4 and Part of Lots 3, 7, and 8, Heppenstall Addition, zoned RMD Residential Medium Density and located at 515 South Main Street.

Commissioner Proctor recused herself so she could speak on the case as the applicant/property owner.

Planning Staff Kevin Waller approached the Commission to give the staff report. The report included case maps and photos of the property, including the porch that needs replacement. Mr. Waller explained that the new material proposed for the porch is a recycled polymer (PVC). The material mimics natural wood grains and it is highly resistant to mold and mildew, and will not splinter, crack, peel, or rot. The material is advertised as being low maintenance, without the need to sand, stain, or seal, only requiring an occasional scrub and rinse. The applicant did submit a recent newspaper article about a renovation for Fort Sam Houston's Stilwell House in San Antonio, which is on the National Register of Historic Places. Among the renovations for the San Antonio property includes a porch replacement with the same PVC polymer material as is proposed for the subject property. Therefore, a precedent exists for the material being used on a historic landmark building. Waller stated that Staff recommends approval of the different material proposed for the applicant's front porch.

Arnold Proctor of 515 South Main Street came forward and handed the Commission an example of the proposed material that would be purchased from McCoy's. Mr. Proctor stated that he and his wife have owned the home since 1983, when a lot of the renovations first took place. They are proud of their home and would not just use any type of material. The existing porch has been replaced about four times already. They are going to spend more on material this time so that it will last longer than the original pine wood that was used.

Marcia Proctor thanked her fellow Commissioners for coming out for this special meeting. Their porch project was on hold until she received approval for the proposed material to be used on their historic home.

Commissioner Gomillion spoke in favor of the material proposed because he has used it himself on his home. The material has held up and he is very satisfied with it.

Mr. Proctor explained that the material does not absorb water, and that they would add trim around the porch, so it is like existing.

*Commissioner Gomillion moved to approve CFA-25-24. Commissioner Ohlendorf seconded; the motion passed by a vote of 4-0, and one recusal (Proctor).*

5. Discuss the date and agenda of the next meeting, including Commission requests for agenda items.

Commissioner Proctor asked Staff and the Commission members when they could get together to discuss updates to the historical ordinance.

Planning Director David Fowler stated that the discussion of Ordinance sections that are desired to be amended could be placed on a future agenda.

Commissioner Proctor requested that the continued discussion of ivy growing against buildings be added to the next meeting as an agenda item.

Mr. Waller replied that the ivy topic would be added to the next regularly scheduled meeting, which will be held on October 1.

6. Adjournment.

*Commissioner Faulstich moved to adjourn the meeting, and Commissioner Ohlendorf seconded. The motion passed by a vote of 5-0, and the meeting adjourned at 5:48 p.m.*

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
Christine Banda, Recording Secretary

\_\_\_\_\_  
Kevin Thuerwaechter, Chairman



**CFA-25-23**

111 E SAN ANTONIO ST

NEW PRIVACY FENCE AT REAR OF PROPERTY



**SUBJECT PROPERTY**



**ZONING BOUNDARY**

Scale 1" = 100'







# STAFF REPORT

# CERTIFICATE FOR ALTERATION

## CASE SUMMARY

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STAFF: Kevin Waller, Historical Preservation Officer/Senior Planner *KW* CASE NUMBER: CFA-25-23  
REPORT DATE: September 23, 2025  
MEETING DATE: October 1, 2025  
APPLICANT'S REQUEST: New fence in rear yard  
STAFF RECOMMENDATION: **Approval**  
CONDITION: Utilization of a wrought iron fence material, or a material similar in appearance to wrought iron, in lieu of proposed cedar wood material, or, alternatively, the painting of the wood material to a darker shade similar to that of wrought iron.

## BACKGROUND DATA

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APPLICANT: Chad Rea  
OWNER: Mary Chambers  
SITE LOCATION: 111 E. San Antonio St.  
LEGAL DESCRIPTION: Lot 2, Block 23, 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:** The applicant proposes a new fence in the rear yard of the subject property, primarily for security purposes. The fence, being 100% opaque, will provide screening from the public alley to the north of the property, will measure 12 ½ feet wide by 8 feet tall, including a center gate, and consist of vertical cedar wood pickets. Four, 2 3/8-inch galvanized metal poles will support the fence, to be buried at least two feet deep in a concrete foundation. According to the application materials and a discussion with the applicant, the fence will be self-supporting, will not make physical contact with adjacent building walls, and will be set back about 44 feet from the rear wall of the building on the subject property (about 20 feet from the rear property line). A Certificate for Alteration was previously approved for a window sign and hanging sign on the subject property on May 7, 2025.

**COMPATIBILITY:** Although not commonly found in the Courthouse Square Historic District, other fences of similar material can be found on the Square. Two examples include that behind Henry's restaurant, painted a deep maroon shade, as well as behind the Bail Bonds building at 200 East Market St. and the Load Off Fanny's restaurant at 202 East Market St. The proposed location at the rear of the property, not visible from a public street, will minimize any perceived incompatibility associated with a wooden fence, in contrast to a wrought-iron type fence that is more appropriate to the District's era. A condition of approval is recommended that will further minimize any adverse visual impacts, as discussed in the Alternatives section below.

**COMPLIANCE WITH STANDARDS:** Although there are no design guidelines for the proposed fence in the Historic Districts and Landmarks Ordinance, the project is subject to approval of this Certificate for Alteration and the issuance of a building permit.

**ALTERNATIVES:** A condition of approval is recommended that offers the applicant three options with regard to the fence's appearance. One is the utilization of a wrought iron fence material in lieu of the proposed pine wood material, which is more appropriate to the character of the Historic District. Another option is to utilize a material that is similar in appearance and character to a wrought-iron material. A third option is to paint the proposed wood material a dark shade that resembles the color of wrought iron or distressed wrought iron, such as a deep burgundy, similar to that behind Henry's restaurant, or a dark-gray shade.

## View from alley



## View from property



Not to scale. AI rendering. FPO.



②

Cardinals

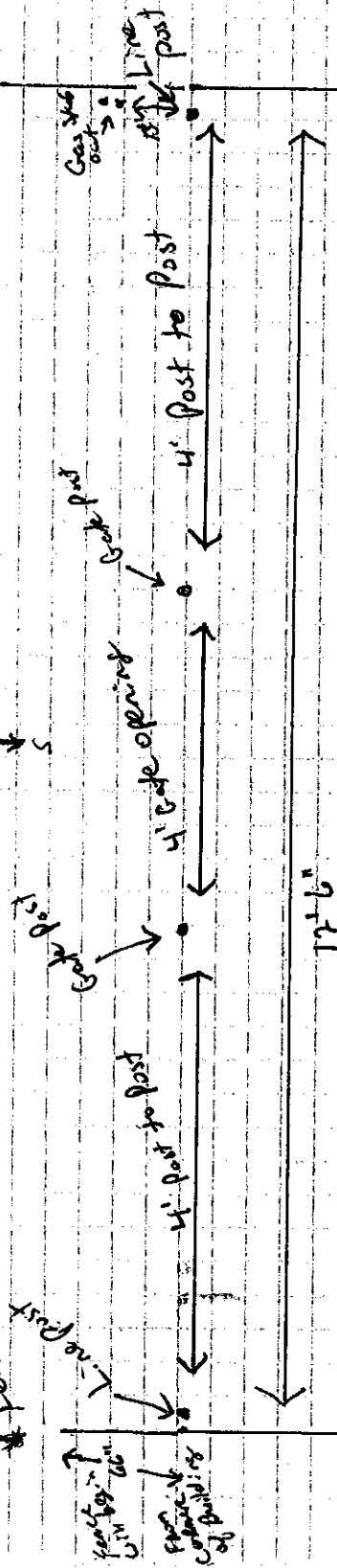
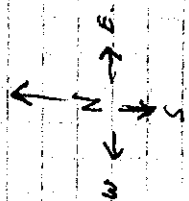
\* Post care to be given dog care center  
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and a/c, caps, treated  
panne

Post to have 3 press notes

Post are have 3"

3 2 1 0



Applications  
Required





# Lockhart

## TEXAS

### CERTIFICATE FOR ALTERATION APPLICATION

CFA-25-23

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

#### APPLICANT / PROPERTY OWNER

APPLICANT NAME Chad Rea  
DAY-TIME TELEPHONE 512-222-9558  
E-MAIL chadjrea@gmail.com

ADDRESS 400 Hackberry St  
Lockhart, TX 78644

OWNER NAME Mary Chambers (c/o Ron Faulstich)  
DAY-TIME TELEPHONE 512-701-8889  
E-MAIL mchambers1@fastmail.com

ADDRESS Will send letter. Contact Ron at  
512-785-4331

PERSON DOING WORK John Kohutek

ESTIMATED COST \$1000

#### PROPERTY

LEGAL DESCRIPTION Cult of Happy, art gallery and gift shop Lot 2, Blk. 23, Original Town of Lockhart  
ADDRESS 111 E San Antonio St ZONING CLASSIFICATION CCB

#### GENERAL INFORMATION

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, area, or district, as viewed from the exterior (Ord. 93-19, Sec. 11 and 12). A CFA is also required for interior work affecting load-bearing walls. A City Sign Permit and/or City Building Permit may also be required by City Code. **Only fully completed applications will be accepted.**

#### PROJECT DESCRIPTION AND ATTACHMENTS

PLEASE INCLUDE PHOTOS OF THE PROJECT AREA WITH THE APPLICATION, AS WELL AS A DIAGRAM(S) OF THE PROPOSED WORK WITH DIMENSIONS, MATERIALS, METHOD OF ATTACHMENT TO THE BUILDING (IF APPLICABLE), TECHNICAL SPECIFICATIONS, ETC. THE DIAGRAM MAY BE HAND-DRAWN. ALL ATTACHMENTS MUST BE IN 8.5" X 11" FORMAT. **PROVIDE A DESCRIPTION OF THE PROPOSED WORK HERE:**  
New construction of 8' x 12.6' cedar, dog-eared privacy fence. 2 3/8" galvanized poles, minimum 2' deep in concrete, fence does not touch neighboring properties

**APPLICATION FEE OF \$50.00, payable to the City of Lockhart** Receipt Number: \_\_\_\_\_

TO THE BEST OF MY KNOWLEDGE, THIS APPLICATION AND ASSOCIATED DOCUMENTS ARE COMPLETE AND CORRECT, AND IT IS UNDERSTOOD THAT I OR ANOTHER REPRESENTATIVE SHOULD BE PRESENT AT ALL PUBLIC MEETINGS CONCERNING THIS APPLICATION.

APPLICANT SIGNATURE Chad Rea DATE 8/21/25

PROPERTY OWNER SIGNATURE [Signature] DATE 8-22-2025

HISTORICAL PRESERVATION COMMISSION APPROVAL \_\_\_\_\_ DATE \_\_\_\_\_



## CERTIFICATE FOR ALTERATION- SCOPE OF WORK QUESTIONNAIRE

This form must be completed by the applicant for a Certificate for Alteration. The Lockhart Historical Preservation Officer (HPO) shall independently verify all information provided on the application and attached questionnaire. The HPO shall review the application and this questionnaire in an expedient manner and notify the applicant of the outcome of the review. Additional information may be needed to complete the application and review process. Final review and action on the application for the Certificate for Alteration by the Lockhart Historical Preservation Commission in a public meeting is required. Any required explanations to answers given shall be attached. The proposed improvements represented on this application will be the limit of construction and alteration work undertaken.

**Construction shall not begin prior to authorization by the approval of the Certificate for Alteration.**

Yes No Verified

### SCOPE OF WORK QUESTIONS

#### Section One

- |              |              |           |   |
|--------------|--------------|-----------|---|
| <del>X</del> | —            | <u>kw</u> | 1. Is this application for construction or alteration on or at a property which is in a Historic District or a City-designated Historic Landmark? What is its zoning designation? <u>CL9</u><br>Check one: Historic Landmark _____ Historic District <u>✓</u> |
| <del>X</del> | —            | <u>kw</u> | 2. Is this application for any construction or alteration work that is NOT described or defined as ordinary maintenance of a historic property? Is it more than limited "Ordinary Maintenance"?   |
| <del>X</del> | —            | <u>kw</u> | 3. Will the construction or alteration covered by this application include any work visible from the exterior of the property? <u>rear of property - alleyway</u>   |
| —            | <del>X</del> | <u>kw</u> | 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

- |              |              |           |   |
|--------------|--------------|-----------|---|
| —            | <del>X</del> | <u>kw</u> | 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? _____  |
| —            | <del>X</del> | <u>kw</u> | 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?  |
| <del>X</del> | —            | <u>kw</u> | 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.) |
| —            | <del>X</del> | <u>kw</u> | 4. Has a permit been issued for any of the proposed work? Date: _____ Permit No. _____<br>Has any work actually started? _____ Describe: _____  |

#### Section Three

- |              |              |           |  |
|--------------|--------------|-----------|--|
| <del>X</del> | <del>✓</del> | <u>kw</u> | 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? <u>rear alley</u> |
| —            | <del>X</del> | <u>kw</u> | 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>X</del> | <u>kw</u> | 3. Will the construction or alteration covered by this application include painting exterior surfaces that have not been previously painted?   |
| —            | <del>X</del> | <u>kw</u> | 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?                   |
| <del>X</del> | —            | <u>kw</u> | 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? <u>rear alley</u>                  |

Scope of Work Questions Verified By: Kevin Waller

Date of Verification: 9/23/23

Certificate No. CFA-25-23 Date Submitted 8/26/25

**Please Note:** 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.



**TO:** Lockhart Historical Preservation Commission

**FROM:** Kevin Waller, Historical Preservation Officer / Senior Planner

KW

**SUBJECT:** Vegetation on building walls in the Historic District and miscellaneous potential Ordinance amendments (Agenda Items 5 and 6)

**DATE:** September 24, 2025

Agenda Item 5: Discuss the impacts of vegetative growth on building walls in the Courthouse Square Historic District.

A member of the public has recently requested that the Commission and Staff conduct research on how ivy vines can damage the brick, mortar, window sashes and frames, etc., of buildings in the downtown Historic District. The public citizen also explained that vegetation can harbor insects and moisture, as well as birds and bird droppings, and suggests that Commission members send a letter to building owners affected by climbing vegetation to advise them of the hazards this could pose to their buildings. Four properties were identified by the citizen, located along East San Antonio Street, that contain climbing ivy, and one tree, on their north facades within the "pocket park" area; see enclosed photos. In addition to the hazards identified above, Staff has found that there are benefits of vegetative growth on buildings, including insulation against extreme heat or cold temperatures, protection against erosive wind or other weather forces, and aesthetics. Certain ivy species are considered less damaging to buildings, such as Boston Ivy, as opposed to English Ivy, which contains invasive, root-like structures that can damage mortar and other building materials. Staff has been unable to locate specific provisions addressing this matter on various municipal websites, but has left messages for both the cities of Austin and New Braunfels. According to unconfirmed research, these cities have requirements that prevent the spread of ivy to neighboring properties (Austin) and require a Certificate of Alteration for either removal or the managing (maintenance) of ivy within historic districts (New Braunfels). It should be noted that the Demolition by Neglect provision (Section 28-17, Historic Districts and Landmarks, attached) prevents the demolition of historically-significant buildings through the negligence or inattention of the property owner, and can result in fines to the owner by a lack of maintenance. This provision gives the City broad power to require the upkeep of buildings in the Historic District, as well as Historic Landmarks, and includes the prevention or remedying of damage to property from such threats as invasive vegetation.

Agenda Item 6: Discuss potential amendments to Sections 28-10(c), 28-11(b)(3), and 28-11(c) of the Historic Districts and Landmarks Ordinance.

A member of the Commission recently requested a discussion item with regard to amending the above sections of the Historic Districts and Landmarks Ordinance. Specifically, the requests include the expansion of the definition of ordinary maintenance (Section 28-10(c)); the addition of certain materials to the list of construction activities that do not require a Certificate for Alteration, including wood-look composite, advanced PVC, or other materials that maintain the original wood look (Section 28-11(b)(3)); and the addition of repair/reconstruction of porches to the list of “pre-approved” activities (Section 28-11(c)). The above-referenced sections are included with your agenda packet materials, as well as Section 28-13 (criteria for approval of certificate for alteration) and Section 28-14 (certificate for demolition and other demolition requirements), which have also been requested for inclusion in your packets as supporting material. As this agenda item is simply for discussion purposes only, any formal vote to recommend ordinance amendments to the City Council will need to occur in a future Commission meeting. The Commission may also direct Staff to draft the ordinance amendments.

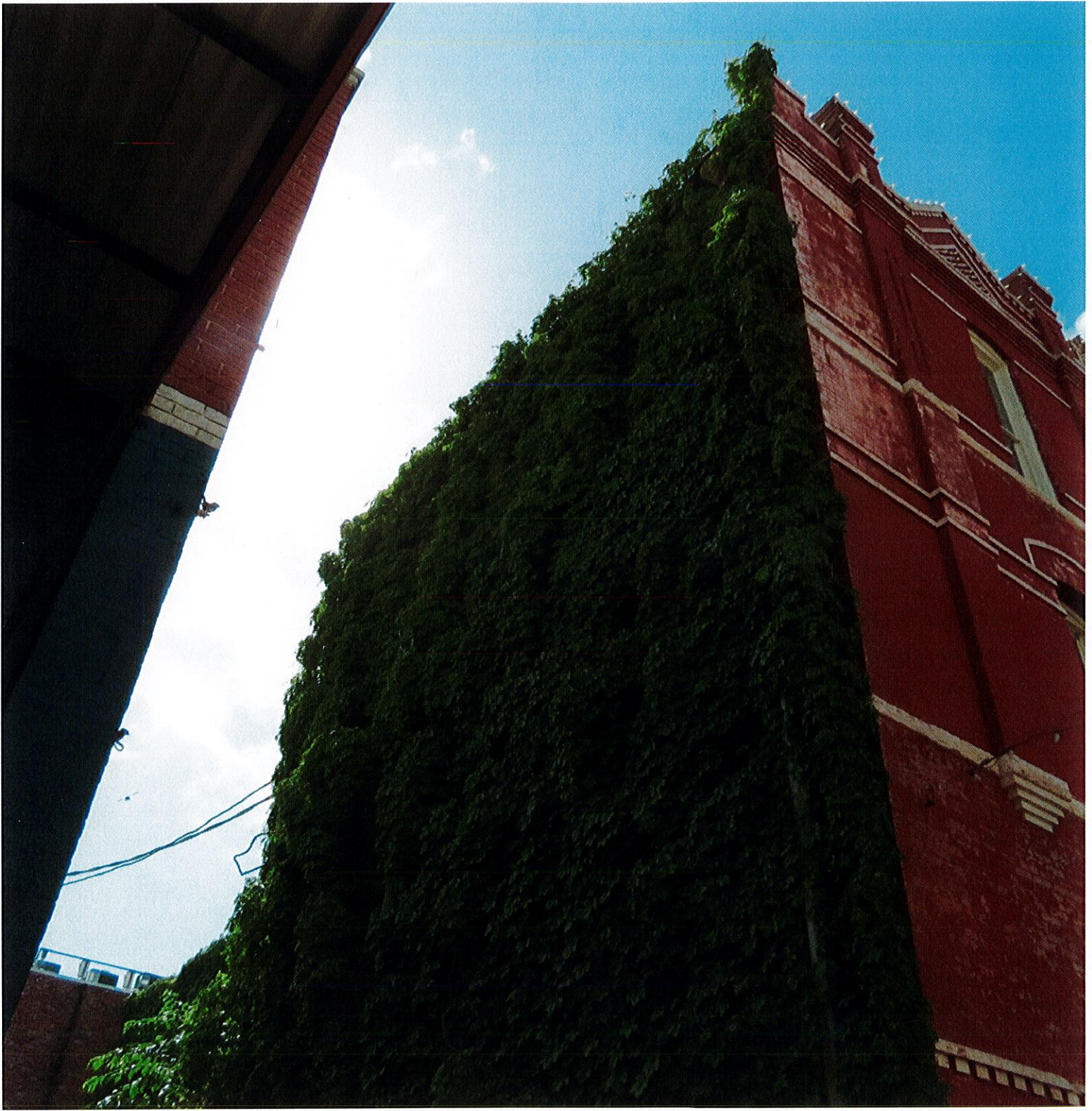


**Sec. 28-17. - Prevention of demolition by neglect.**

- (a) All historic landmarks and all buildings, objects, sites, and structures found to be significant or located in an historic district shall be maintained in a safe and sanitary condition. The owner thereof or such other person or persons who may have legal custody and control thereof shall be responsible for the maintenance of the property. Whenever any condition or conditions described below have occurred or are occurring, the owner or other person having legal custody and control shall be notified and the condition shall be corrected in a lawful manner, in accordance with the Lockhart Code.
- (b) Any building, object, site, or structure described above shall be deemed an unsafe building if it has any of the following conditions, such that life, health, property or safety of its occupants or the general public are endangered:
  - (1) The stress in any material, member or portion thereof, due to all imposed loads including dead load exceeds the stresses allowed in the Standard Building Code.
  - (2) Any exterior appendage or portion of the building or structure is not securely fastened or anchored such that it is capable of resisting wind, seismic or similar loads as required by the Standard Building Code.
  - (3) If for any reason the building, structure or portion thereof is manifestly unsafe or unsanitary for the designated purposes for which it is to be used.
  - (4) The building, structure or portion thereof as a result of decay, deterioration or dilapidation is likely to fully or partially collapse.
  - (5) The building, structure or portion thereof has been constructed or maintained in violation of specific requirements of the standard codes of the City of Lockhart or State of Texas Law.
  - (6) Any building, structure or portion thereof that is in such condition as to constitute a public nuisance.
  - (7) Any building, structure or portion thereof that is unsafe, unsanitary or not provided with adequate egress, or which constitutes a fire hazard, or is otherwise dangerous to human life, or which in relation to existing designated use constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence or abandonment.
- (c) If any property, building, object or structure covered by this section shall have to be demolished as a public safety hazard as determined by the City of Lockhart, the owner of the structure shall be in violation of this chapter and shall be subject to a fine equal to the maximum allowed under this chapter for each offense. If the property owner fails to act in accordance with a notice of neglect, each notice issued from the city for neglect in violation of this chapter or other city ordinances shall be considered an offense subject to a fine equal to the maximum allowed under this chapter.

(Ord. No. 93-19, pt. 17, 9-21-93; Code 1982, § 12.5-17)















## Kevin Waller

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**From:** Marcia Proctor <mproctor001@gmail.com>  
**Sent:** Tuesday, September 16, 2025 12:31 PM  
**To:** Kevin Waller  
**Subject:** Would it be possible to get a copy of these pages from the ordinance

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This email originated from an external sender. Please exercise caution before clicking on any links or attachments.

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I would like to provide the commission members a copy of pages from the ordinance... CD28:13, Cd28:14, CD:14.1, and CD28:14.2 , as my request for a future agenda item to amend the following sections of the ordinance :

- 1) 28.11.c add to list of pre-approved activities- repair/reconstruct porches -
- 2) 28.10.c expand definition of ordinary maintenance
- 3) 28.11.b.(3) add current relevant materials - such as wood look composite, advanced PVC, or other innovative materials that maintain original wood look

Will you be able to provide this set of pages for the commission members to have related to my request for a future agenda item?

## Sec. 28-10. - Ordinary maintenance.

- (a) The intent and purpose of this chapter is to encourage and assist the property owners to maintain, rehabilitate, enhance and preserve landmarks and districts. Nothing in this chapter shall be construed to prevent ordinary maintenance and repair of any interior or exterior architectural feature of an historic landmark or property within an historic district which does not involve a change in the architecture, design, finishes or outward overall appearance.
- (b) Ordinary maintenance is considered necessary and generally refers to activities that would be considered customary or common for maintaining the property without a change of overall appearance.
- (c) Ordinary maintenance is an activity which is generally unrestricted and is encouraged by this chapter. In-kind replacement or repair of any interior or exterior building element is included as ordinary maintenance. Interior repairs or construction which do not change the appearance or structure of the building are considered ordinary maintenance for the purposes of this chapter. This includes all activities which do not change the architecture, appearance, finishes or design of the building, structure or object as viewed from its exterior.
- (d) Repainting shall be considered ordinary maintenance and may include a change in color of painted surfaces.
- (e) Ordinary maintenance does not include the following and will require a certificate for alteration and a city building permit prior to beginning work, except as exempted in subsection 28-11(b):
  - (1) A physical change in exterior elements, design and finishes visible from grade level which affect the appearance and cohesiveness of a building, structure, site or area (e.g., a physical change in the design, finishes, size, shape, etc., of facades, windows, doors, light fixtures, awnings, signs, sidewalks, fences, steps, paving, etc.).
  - (2) Repainting or otherwise covering or altering a faded historic painted sign (ghost sign), even if the sign does not pertain to the current use of the building or is on a previously painted surface.
  - (3) Painting a previously unpainted brick, stone or other masonry surface or changing the color of any previously painted surface, including trim.

(Ord. No. 93-19, pt. 10, 9-21-93; Code 1982, § 12.5-10; Ord. No. 2010-16, § I, 6-15-10; Ord. No. 2022-54, § II, 10-18-22)



## Sec. 28-11. - Certificate for alteration for historic landmarks or historic districts.

- (a) A certificate for alteration is required to carry out construction or relocation on property designated as historic (H and HL) if such construction will change the exterior architecture, design, finishes or outward appearance of a building, structure, object, site, area or district.
- (b) A certificate for alteration (CFA) is not required for the following construction activities and work. However, no exempted construction shall involve the drilling, cutting, covering or painting of virgin or unpainted masonry and/or removal of same:
  - (1) Any interior or exterior construction activities, which do not make a physical change to the exterior elements, design features, finishes or appearance of the property designated historic.
  - (2) In-kind replacement or repair of any exterior element or for the ordinary maintenance of an historic landmark or property within an historic district as provided in section 28-10.
  - (3) Exterior wood. Replacement of existing painted wood on the exterior of a building with a durable cementitious wood material is exempt if the material is painted and does not make a physical change to the exterior elements, design features, finishes or appearance of the property.
  - (4) Roofs. Replacement of existing roofing material with like or similar material and same design, slope and elevation is exempted. However, if the roof structure is clearly visible from a public street, replacement of existing roofing material with a different design, slope, elevation or material, such as replacing wood or slate roofing with metal roofing, does require a CFA approval by the commission, as provided in section 28-12.
  - (5) Utility installations on the rear and/or alley side of buildings which do not abut or are not clearly visible from a public street and do not alter, damage or obscure the architectural design, fabric (composition) or appearance, as provided in subsection 28-11(a) are exempted. Any such exempted utility work shall not involve the drilling, cutting, covering or painting of virgin or unpainted masonry or removal of same.
- (c) A certificate for alteration (CFA) may be "pre-approved" for the following construction activities and work. Any qualifying activities and work pre-approved by the commission shall be listed and described in a "Pre-Approved Certificate for Alteration Guideline" developed by the commission, maintained and published by the city. An application for a CFA for any construction or activity that is determined "pre-approved" shall be made by the owner as provided in subsection 28-12(a) prior to conducting the work. The historical preservation officer (HPO) shall promptly review the application and determine if the construction or activity complies with the "pre-approved" criteria. The HPO has the authority to approve the CFA only for construction or activities, which qualify as "pre-approved." Any construction activity that qualifies as pre-approved as determined by the HPO does not require any further approval of the commission, and may proceed according



to normal city policies and procedures. Any "pre-approved" construction or activity shall not involve the drilling, cutting, covering or painting of virgin or unpainted masonry or removal of same. Types of alterations included in the Pre-Approved Certificate for Alteration Guideline follow:

- (1) Signs as provided for in "Pre-Approved Certificate for Alteration Guideline," signs that do not alter, damage or obscure a building's architectural design, historic fabric or appearance as otherwise provided in subsection 28-11(a) are "pre-approved." No sign may be painted on a previously unpainted masonry wall. Business signs suspended from canopies over the public sidewalk or attached to the exterior of buildings may be "pre-approved," as provided in "Pre-Approved Certificate for Alteration Guideline." All signs shall comply with chapter 46 "Signs." Signs that are exempt and do not require a CFA include: Temporary banners suspended over streets and temporary signs on public rights-of-way or public property advertising noncommercial special events and festivities as provided in chapter 46, subsection 46-7(15); and banner signs on private property as provided in chapter 46, subsection 46-10(g).
  - (2) Window replacement may be "pre-approved" only as provided in the "Pre-Approved Certificate for Alteration Guideline." Generally, the replacement of existing windows with historically appropriate designed painted wood single or 2-over-2 divided-light windows matched to the size of the historic window openings may be "pre-approved." Any other type of window replacement or closure of windows requires CFA approval by the commission as provided in section 28-12.
  - (3) Door replacement may be "pre-approved" only as provided in "Pre-Approved Certificate for Alteration Guideline." Generally, the replacement of an existing front entry door with a historically appropriate designed wood door is "pre-approved." Replacement of a side or rear door with exterior grade, solid core, smooth slab doors is "pre-approved." Any other type of entry door replacement requires CFA approval by the commission as provided in section 28-12.
  - (4) Exterior fire-safety stairs constructed to meet city codes which do not alter or damage the architectural design, fabric (composition) or appearance as provided in subsection 28-11(a), may be "pre-approved" if located on the rear or non-street side of a building. The owner, designer and/or contractor are encouraged to meet with the Lockhart Historical Preservation Commission to discuss alternatives in location, placement and design prior to requesting an opinion or directive from the city fire marshal. Installation of exterior fire-safety stairs shall not alter or damage the architectural design, fabric (composition) or appearance as provided in subsection 28-11(a).
- (d) A certificate for alteration is not required for the following:
- (1) Signs that are not visible from a public street;
  - (2)

**Sec. 28-13. - Criteria for approval of certificate for alteration.**

In considering an application for a certificate for alteration, the commission shall be guided by the design criteria and guidelines developed by the commission and adopted by the city council. The criteria and guidelines shall be adopted forthwith and shall follow, where applicable, "The Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings," as revised 1990, or as may be hereafter amended. The design guidelines adopted by the council and the "Secretary of the Interior's Standards" shall be made available to the property owners of historic landmarks or within historic districts. If requested, the commission and/or the historical preservation officer shall assist property owners with advice, guidance, resource lists and other information regarding construction techniques, materials, means and methods which are acceptable and recommended for the construction included in the proposed certificate for alteration. The following shall be the minimum criteria for approval:

- (1) The predominate criteria for approval of a certificate for alteration shall be to support proposed construction activities which will enhance an area, site, building, structure or object which is zoned historic, and thereby encourage continued maintenance and preservation of historical buildings, structures, objects and sites.
- (2) Contemporary design for alterations and new additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material; or such design is compatible with the size, scale, color, material, finishes and character of the property, neighborhood, or environment.
- (3) Wherever possible, new additions or alterations to buildings, structures, objects, or sites shall be done in such a manner that, if such additions or alterations were to be removed in the future, the essential form and integrity of the original building, structure, object, or site would be unimpaired.
- (4) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, object or site and its environment. These changes may or may not have acquired significance in their own right. If these changes have acquired significance in their own right, this significance shall be recognized and respected.
- (5) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the basic building, structure, object or site and its environment.
- (6) The distinguishing original qualities or character of a building, structure, object or site and its environment should not be destroyed. The removal or alteration of any historic material, finish or distinctive architectural features should be avoided when possible.
- (7) Distinctive stylistic features, finishes and construction techniques or examples of craftsmanship that characterize a building, structure, object or site should be kept and preserved, where possible.

- (8) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, finish, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (9) The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken. Painting of original unfinished masonry surfaces shall be discouraged.
- (10) Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to, any project.
- (11) The owner of property for which a city building permit is issued shall be responsible for maintaining a safe construction and/or demolition site at all times by providing proper barricades, signage, walkways, erosion control, etc., and following all structural and safety recommendations and requirements of city, state, and federal governmental agencies.

(Ord. No. 93-19, pt. 13, 9-21-93; Code 1982, § 12.5-13)



Sec. 28-14. - Certificate for demolition and other demolition requirements.

- (a) A certificate for demolition is required to carry out demolition on any property or in any district designated as historic (H or HL). A city permit for the demolition of an historic landmark property or property within an historic district, including secondary buildings and objects, shall not be granted by the building official or other city official without the review of a completed application for a certificate for demolition and approval by the commission. Demolition of any part of a property designated as historic (H or HL) that will occur as a part the construction or relocation requiring a certificate for alteration which is not replaced by the construction or relocation shall also require a certificate for demolition. The certificate for demolition application shall be filed with and be reviewed with any certificate for alteration application related to the property. The certificate for demolition shall follow the application procedure provided for a certificate for alteration in this chapter. The owner of property shall be responsible for maintaining and protecting the life and safety of the general public and workers on or near the site of any demolition that is carried out as the result of the granting of a city building permit.
- (b) The commission and historical preservation officer shall process each application for a certificate for demolition as expeditiously as possible.
- (c) If requested, the commission and/or the historical preservation officer shall assist property owners with advice, guidance, resource lists and other information regarding construction techniques, materials, means and methods which are acceptable alternatives to the proposed demolition.
- (d) A certificate for demolition shall not be issued in lieu of a city building permit for demolition, and shall be obtained prior to the issuance of a city demolition permit, if such permit is required. Approval and issuance of a certificate for alteration by the commission qualifies as "other zoning action required to effect the issuance of a city building permit" as specified in the Lockhart Code, section 64-126(b), or as may be hereafter amended.
- (e) The commission and/or the historical preservation officer shall not unreasonably withhold a certificate for demolition.
- (f) To obtain a certificate for demolition, the applicant shall demonstrate that the criteria set out for a certificate for alteration is inapplicable.
- (g) Special considerations and provisions shall be made for emergency repair of sudden and unforeseen damage to buildings by acts of God or man which shall endanger a building, business, owner, or the public. Immediate temporary repairing, shoring, barricading, etc., shall be encouraged with only notification of the historical preservation officer that such work is taking place. A certificate for demolition is required for partial or complete removal of damage which will

change the exterior appearance of the building or structure. A special rapid review and approval may be requested by the applicant. The historical preservation officer shall immediately contact the commission chairman for action.

- (h) The property owner of any property on which demolition is carried out as the result of the granting of a city building permit shall be responsible for protecting the life and safety of the general public and workers on or near the property. The structural and site integrity of the property being demolished, the remainder and adjacent property shall be maintained at all times during demolition, at the expense of the property owner engaged in the demolition. An inspection and certified report by an independent registered engineer shall be required prior to issuance of a certificate for demolition or a city building permit for the demolition of any building or structure which shares common walls, foundations, roofs and/or utilities with adjacent property. The independent engineer's report shall be provided by the property owner and may be required prior to issuance of any building permit by the city. The owner of property for which a city building permit is issued shall be responsible for maintaining a safe construction site at all times by providing proper barricades, signage, walkways and erosion control, etc., and following all structural and safety recommendations and requirements of the independent engineers report, city, state, and federal governmental agencies.

(Ord. No. 93-19, pt. 14, 9-21-93; Code 1982, § 12.5-14)