

ORDINANCE 2018-15
AN ORDINANCE AMENDING THE HISTORIC PRESERVATION ZONING CODE TO
QUALIFY FOR THE CERTIFIED LOCAL GOVERNMENT HISTORIC
PRESERVATION PROGRAM.

Purpose: Under this proposed ordinance, the Historic Preservation Code is amended in order for the Village to qualify for the Certified Local Government Historic Preservation Program administered by the Wisconsin Historical Society. Participation in the program includes the benefit of eligibility to apply for grants from the Historic Preservation Fund. The proposed changes to the existing ordinance are relatively minor and do not change the substance of the current ordinance.

Sponsor: Community Development Director Boness

Recommended Referral: Plan Commission and Landmarks Commission (Required)

Public Hearing: Required; Preceded by Class 2 Notice

The Village Board of the Village of McFarland does hereby ordain as follows:

1. Section 62-395 (c) of the McFarland Municipal Code is hereby amended to state as follows:

(c) *Granting of certificate.* If the Landmarks Commission decides the above questions applicable in the negative, it shall grant the certificate of appropriateness. Upon the issuance of such certificate, the Building Inspector shall issue the building permit. The Landmarks Commission shall make this decision within 45 days of the filing of the application. Should the Landmarks Commission deny the application, the applicant may appeal such decision to the Village Board, which may grant said certificate by a majority vote of the membership, upon a clear showing of economic hardship by the applicant. In addition, if the Landmarks Commission fails to approve an application, the Landmarks Commission shall, at the applicant's request, cooperate and work with the applicant in an attempt to obtain a certificate of appropriateness within the guidelines of this Article.

2. Section 62-398 of the McFarland Municipal Code is hereby amended to state as follows:

A decision by the Landmarks Commission to deny a certificate of appropriateness may be appealed to the Village Board. The appeal shall be initiated by filing a petition, specifying the grounds therefor, with the Village Clerk-Treasurer within ten days of the date the decision of the Landmarks Commission is made. After a public hearing, the Village Board may, by vote of a majority of its members, reverse or modify the decision

of the Landmarks Commission if, after balancing the interest of the public in preserving the subject property and the interest of the owner in using it for such owner's own purposes, the Village Board finds that, owing to special conditions pertaining to the specific piece of property, demolition will preclude any and all reasonable use of the property and/or will cause serious hardship for the owner, provided that any self-created hardship shall not be a basis for reversal or modification of the Landmarks Commission's decision.

3. Section 62-402 (a) of the McFarland Municipal Code is hereby amended to state as follows:


(a) The Landmarks Commission shall hold a public hearing when considering the plan for an Historic District. Notice of the time, place, and purpose of such hearing shall be made by 1st class mail to the owners of the places, structures or objects of the determination, and as otherwise provided by law. Notice of the time, place and purpose of the public hearing shall also be sent by the Village Clerk-Treasurer to the owners of record, as listed in the assessment records, who are owners of property situated within the district or within 200 feet of the boundaries of the proposed district at least ten days prior to the date of the hearing. Following the public hearing, the Landmarks Commission shall vote to recommend, reject or withhold action on the plan. The recommendation, if any, shall be forwarded to the Village Board.

The above and foregoing Ordinance was duly adopted at a regular meeting of the McFarland Village Board on the 26th day of November, 2018.

APPROVED:


 Brad Czebotar, Village President

ATTEST:


 Cassandra Suettinger, Village Clerk-Treasurer

ORDINANCE 2018 --15	
MOTION	SECOND
Lytle	O'Hearn
ACTION	DATE
Adopted	11/26/2018
Referred	
Tabled	
Withdrawn	
Defeated	
Published	
INDIVIDUAL VOTING RECORD	
Adrian - Aye	Kolk - Aye
Brassington - Aye	Lytle - Aye
Clow - Aye	O'Hearn - Aye
Czebotar - AYe	
VOTING RESULTS	
Motion Carried	7-0
Motion Defeated:	