

City of Bayfield

Architectural Review Board Meeting Agenda

February 19, 2024, 5:00 p.m. Bayfield City Hall

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Call to Order

Approve Agenda

Review Previous Meeting Minutes of February 8, 2024

Public Input on Agenda Items

Agenda:

1. Historic District Ordinance Revisions:

Continue discussions and consider two new draft Historic Preservation Ordinances

2. Survey / Site Plans Information

Next Meeting Date and Time: March 25, 2024, 5 p.m. / April 22, 2024, 5 p.m.

Note:

- Applications and plans will be available for inspection during the meeting.
- The Architectural Review Board may adjourn temporarily to inspect any of the properties listed on the agenda. If they elect to do so, a notice will be placed on the front door informing the public.

Adjournment

City of Bayfield

Architectural Review Board Meeting Agenda

Minutes of February 8, 2024

Call to Order

Chairperson Carrier called the special meeting to order at 5:00 p.m.

Present: Bogaard, Carrier, Hedman, Phillips, Reimer, Shrider Spence

Others: Daniel Wolfgram, Joanne Cirillo, and Clerk/ZA Hoopman and Office Admin. Weeks

Approve Agenda: Phillips/Spence moved to approve the agenda as presented. Carried.

Review Previous Meeting Minutes of January 22, 2024: Phillips/Shrider made a motion to approve the minutes of January 22, 2024, as presented. Carried.

Public Input on Agenda Items: None

Agenda:

1. **02-2024: Danial Wolfgram, 17 South Broad Street:** Seeking permission to complete north and south dormer additions to non-original structure

The Board was provided with the application, a Zoning Administrator Report, and a Historic Preservation Review Checklist.

The owner explained why work began before obtaining a permit and was necessary for structural integrity purposes.

Spence/Shrider made a motion to approve the application as presented. Discussion. Questions were asked and answered regarding the location of the dormers, the gap between roof lines, and whether the roof features would be carried throughout. Motion carried: Bogaard, Carrier Hedman, Phillips, Shrider, and Spence – yes; Reimer – no.

Bogaard left the meeting.

2. **Survey / Site Plans Information** – No action; postponed until the next meeting.

3. **Historic District Ordinance:**

- A. Receive and Review: 1/30/2024 Draft Revisions to Ch 21 & 423

- B. Review/discuss the Secretary of the Interior's Standards for Rehabilitation and Illustrated Guidelines for Rehabilitating Historic Buildings

Considerable discussion ensued on the documents listed above and concerns were raised about implementing and enforcing such a policy. The Board referenced the 1/30/2024 draft as the Gold Star version. In this version, the Historic Preservation Commission reviews alteration, reconstruction, demolition, and maintenance of all structures in Bayfield constructed 1856-1925 AND reviews new construction in Bayfield's existing Historic District

Hedman offered to draft two alternatives:

Option B - Historic Preservation Commission reviews alteration, reconstruction, demolition, and maintenance of historic structures and sites designated pursuant to the new ordinance AND reviews new construction in Bayfield's existing Historic District.

Option C - Historic Preservation Commission reviews alteration, reconstruction, demolition, and maintenance of historic structures and sites designated pursuant to the new ordinance AND reviews new construction on historic sites and in historic districts designated pursuant to the new ordinance.

C. Historic District Ordinance: Next Steps

1. Maintenance
2. Economic Hardship
3. Fees/Enforcement
4. Forms
5. Guidelines
6. Standard Operating Procedures Manual for Board Members and Staff
7. Public Education
8. New Construction in the Historic District

No specific action was taken on these items.

4. Next Meeting Date and Time: February 19, 2024, 5:00 p.m. and March 25, 2024, 5 p.m.

Adjournment: Shrider/Spence moved to adjourn. Carried. (6:59 p.m.)

Minutes by Billie L. Hoopman, Clerk/Zoning Administrator

Chapter 423

Historic Preservation

[HISTORY: Adopted by the Common Council of the City of Bayfield 4-1-1992 (§§ 15-5-1 through 15-5-6 of the 1992 Code of Ordinances). Amendments noted where applicable.]

GENERAL REFERENCES

Historic Preservation Commission – See Ch. 21.

Building construction – See Ch. 152.

Zoning – See Ch. 500.

§ 423-1 Purpose and intent.

It is hereby declared a matter of public policy that the protection, enhancement, perpetuation and use of improvements or sites of special character or special architectural or historic interest or value is beneficial and in the interest of the property, safety, and welfare of the people of Bayfield. The purpose of this chapter is to:

- A. Effect and accomplish the protection, enhancement, and perpetuation of such improvements, sites, and districts which represent or reflect elements of the city's cultural, social, economic, political, and architectural history.
- B. Safeguard the city's historic and cultural heritage as embodied and reflected in such historic structures, sites, and districts.
- C. Stabilize and improve property values.
- D. Protect and enhance the city's attractions to residents, tourists, and visitors, and serve as a support and stimulus to business and industry.
- E. Improve and enhance the visual and aesthetic character of the city.
- F. Educate the public regarding the need and desirability of a city historic preservation program and its enhancement of the quality of life.
- G. Strengthen the economy of the City of Bayfield.
- H. Promote the use of historic structures, sites and districts for the education, pleasure, and welfare of the people of the City of Bayfield.

§ 423-2 Definitions.

The following definitions shall be applicable in this chapter:

CONTRIBUTING PROPERTY

~~Any Improvement located in the Historic District which was constructed during the period of historical significance that began when Bayfield was established in 1856 and continued through the end of the lumber era in 1925.~~

HISTORIC DISTRICT

Historic District shown on the City of Bayfield zoning map.

HISTORIC PRESERVATION COMMISSION

Historic Preservation Commission established by § 21-8.2 of Chapter 21, Boards, Commissions and Committees, of the Code of the City of Bayfield.

IMPROVEMENT

Any building, structure, site, work of art or other object constituting a physical betterment of real property, or any part of such betterment, including lighting fixtures, signs and the like.

§ 423-3 Nomination and designation of historic structures, historic sites and historic districts.

A. Criteria. A historic structure, historic site, or historic district designation may be placed on any site, natural or improved, including any building, improvement or structure located thereon, or any area of particular historic, architectural, or cultural significance to the City of Bayfield, such as a structure, site, or district which:

- (1) Exemplifies or reflects the cultural or architectural history of the community; or
- (2) Is identified with historic personages or with important events in national, state or local history; or
- (3) Embodies the distinguishing characteristics of an architectural type or specimen inherently valuable for a study of a period, style, method of construction; or
- (4) Is representative of the notable work of a master builder, designer or architect who influenced his or her age.

B. Procedures.

- (1) Nomination of historic structures, sites, and districts.
 - (a) Nominations of historic structures, sites and districts shall be initiated using a form provided by the Historic Preservation Commission.

- (b) The Historic Preservation Commission shall review the form for completeness and evaluate the nomination using the eligibility criteria in Subsection A above.
- (2) Designation of historic structures and historic sites.
 - (a) The Historic Preservation Commission may, after notice and public hearing, recommend designation of historic structures and historic sites, or rescission of such designation, after application of the criteria in Subsection A above. At least 30 days prior to such hearing, the Commission shall notify the owners of record, as listed in the office of the City Assessor, who are owners of property in whole or in part situated within 200 feet of the boundaries of the property affected, including the owner of the affected property. Such owners shall have the right to confer with the Commission at the scheduled public hearing. Notice of such hearing shall also be published as a Class 1 Notice, under the Wisconsin Statutes.
 - (b) The Historic Preservation Commission shall then conduct such public hearing and, in addition to the notified persons, may hear expert witnesses. The Commission may conduct an independent investigation into the proposed recommendation. Within 10 days after the close of the public hearing, the Commission may recommend designation of the property as either a historic structure or historic site, or recommend rescission. After the recommendation has been made, notification shall be sent to the property owner or owners.
 - (c) Such recommendations shall then be sent to the Common Council for approval. Notification shall be sent to the property owner or owners of the Council's decision on the recommendations.
- (3) Designation of historic districts.
 - (a) The Historic Preservation Commission may select specific geographically defined areas within the City to be recommended to the Common Council for designation as historic districts. A district may be designated for any geographic area of particular historic, architectural or economic significance to the City in accordance with the criteria in Subsection A above.
 - (b) The Historic Preservation Commission shall hold a public hearing when considering a recommendation of a historic district. Notice of the time, place and purpose of such hearing shall be given by publication as a Class 1 Notice under the Wisconsin Statutes in the official City paper. Notice of the time, place and purpose of the public hearing shall also be sent by the City Clerk to all Common Council members and the owners of record, as listed in the office of the City Assessor, who are proposed owners of the property within the proposed historic district or are situated in whole or in part within 200 feet of the boundaries of the proposed historic district. Said notice shall be sent at least 30 days prior to the date of the public hearing. Following the public hearing, the Commission

shall vote to recommend, reject or withhold action on the proposed district. This recommendation shall be forwarded to the Common Council within 30 days.

- (c) The Common Council, upon receipt of the recommendations from the Historic Preservation Commission, must either designate or reject the recommended historic district. Before doing so, the Council reserves the right to hold another public hearing on the matter if it so chooses. However, designation of the historic district shall be accomplished by adoption of the plan for the district in ordinance form. If the Common Council rejects the proposed historic district, it shall be remanded back to the Historic Preservation Commission for further consideration.

4. Rescission of Historic Designation

- (a) The procedure for rescission of historic structure designation and historic site designation shall follow the procedure set forth in Subsection B 2 above in all respects, except that the process may be initiated by the Historic Preservation Commission or by a property owner seeking to rescind a historic designation based on undue economic hardship. Any such application for rescission shall be submitted to the Historic Preservation Commission and must include documentation showing the costs of maintaining the historic structure or site, the property owner's financial resources, and other financial resources available to the property owner.
- (b) The procedure for rescission of historic district designation shall follow the procedure set forth in Subsection B 3 above.
- C. Interim control. No building permit shall be issued for alteration, construction, demolition, or removal of a nominated historic structure, historic site, or any property or structure within a nominated historic district from the date of the meeting of the Historic Preservation Commission at which a nomination form is first presented until the final disposition of the nomination by the Historic Preservation Commission or the Common Council unless such alteration, removal or demolition is authorized by formal resolution of the Common Council. In no event shall the delay be for more than 90 days.

§ 423-4 Regulation of alteration of historic properties.

- A. Certificate of appropriateness required. No owner or person in charge of a historic structure, ~~or historic site designated pursuant to § 423-3 of this chapter, or contributing property within a historic district~~ shall reconstruct, alter or demolish all or any part of the exterior of such structure or any improvement on such site or property unless a certificate of appropriateness for such work has been granted by the Historic Preservation Commission.
- B. Standards for approval. Upon filing of any application for a certificate of appropriateness with the Historic Preservation Commission, the Historic Preservation Commission shall approve the application unless:

- (1) In the case of an alteration or reconstruction of a designated historic structure or historic site, the proposed work would adversely affect the exterior appearance of the property structure; or would adversely impact the external appearance of other neighboring improvements; or
- ~~(2) In the case of the reconstruction or alteration of an existing improvement within a historic district, the exterior of such improvement would adversely affect the external appearance of other neighboring improvements; or~~
- (23) In the case of a proposed demolition, the building or structure is of such architectural or historical significance that its demolition would be detrimental to the City of Bayfield, or the demolition would adversely affect the external appearance of other neighboring improvements, or any hardship or difficulty claimed by the owner is self-created or is the result of any failure to maintain the property in good repair, provided, however, that the demolition shall be approved if denial of the application would result in the loss of all economically reasonable and beneficial use of the property.,
- (34) In addition, in determining whether to issue a certificate of appropriateness, the Historic Preservation Commission shall consider and may give decisive weight to any or all of the following U.S. Department of Interior Standards for Rehabilitation:
 - (a) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
 - (b) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
 - (c) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
 - (d) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
 - (e) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
 - (f) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

- (g) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
- (h) Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
- (i) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- (j) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

C. Procedures.

- (1) Upon approval of an application for a certificate of appropriateness, the Historic Preservation Commission shall issue the certificate of appropriateness. Upon the issuance of such certificate, a building permit may be issued by the City if all other City permits have been obtained.
- (2) Should the Historic Preservation Commission fail to issue a certificate of appropriateness due to the failure of the proposal to conform to the requirements of this chapter, the applicant may appeal such decision to the Common Council within 30 days of denial.
- (3) If the Historic Preservation Commission fails to issue a certificate of appropriateness, it shall, with the cooperation of the applicant, work with the applicant in an attempt to obtain a certificate of appropriateness within the requirements of this chapter.

D. Applicability to agencies, utilities and transportation companies. Agencies of the City of Bayfield and all public utility and transportation companies undertaking projects affecting historic structures, historic sites or historic districts, shall be required to obtain a certificate of appropriateness prior to initiating any major changes in the character of street paving, sidewalks, utility installations, lighting, walls, fences, structures, and buildings on property, easements, or streets owned or franchised by the City of Bayfield.

E. Other permits, appeals and ordinances. The issuance of a certificate of appropriateness shall not relieve the applicant from obtaining other permits and approvals required by the City. A building permit or other municipal permit shall be invalid if it is obtained without the presentation of the certificate of appropriateness required for the proposed work.

Insofar as they are applicable to a historic structure, historic site, or improvement in a historic district designated under this chapter, any provision of the plumbing code, electrical code, or building or housing codes of the City shall apply, unless waived by the appropriate state or City officials. The Historic Preservation Commission may support or propose such waivers before the appropriate state or City appeals body.

- F. Compliance with certificate. Work authorized by a certificate of appropriateness shall be started within 12 months following said issuance of the certificate or the certificate shall expire and require reissuance. The work shall conform to the provisions of the certificate. The City may inspect the work during and after construction in order to assure compliance. Failure to comply with a certificate of appropriateness or failure to obtain a certificate of appropriateness shall be a violation of this section. In addition to other penalties and remedies, the City shall issue a stop-work order. Once a stop-work order has been issued, work on that portion of the project must cease immediately. However, work on other portions of the project may continue provided they comply with the other provisions in this chapter.
- G. Ordinary maintenance and repairs. Ordinary maintenance and repairs as defined by the Historic Preservation Commission may be undertaken without a certificate of appropriateness provided that the work involves repairs to existing features of a historic structure or site or the replacement of elements of a structure with pieces similar in appearance and provided that the work does not substantially change the exterior appearance of the structure or site and does not require the issuance of a building permit.
- H. Emergency conditions. In any case where the City determines that there are emergency conditions dangerous to life, health or property affecting a historic structure, ~~or historic site or property in a historic district~~, the City may order the remedying of these conditions without the approval of the Historic Preservation Commission. The Zoning Administrator shall promptly notify the Historic Preservation Commission of the action being taken. When the emergency conditions do not require demolition, the City shall make every effort to carry out the intent of this chapter and to use the design guidelines of the Historic Preservation Commission when remedying the emergency conditions.

§ 423-5 Maintenance of historic properties .

- A. Every owner or person in charge of a historic structure, ~~or historic site~~ designated pursuant to § 423-3 of this chapter, ~~or contributing property in a historic district~~ shall maintain the same or cause or permit it to be maintained in a condition consistent with the provisions of this chapter.
 - (1) The purpose of this section is to prevent the demolition of a building or structure by neglecting it and permitting damage to it by weather or vandalism.
 - (2) The Common Council may appoint a Building Inspector to enforce this chapter. The duties of the Inspector may include periodic inspections at the direction of the Common

Council, of designated historic structures, and historic sites ~~and historic districts~~.

B. Every owner or person in charge of a historic structure, or historic site designated pursuant to § 423-3 of this chapter, ~~or improvement in a historic district~~ shall keep in good repair all of the exterior portions of all structures and improvements and all interior portions thereof which, if not so maintained, may cause or tend to cause the exterior portions of such improvement to fall into a state of disrepair, including but not limited to:

- (1) The deterioration of exterior walls or other vertical supports;
- (2) The deterioration of roofs or other horizontal members;
- (3) The deterioration of external chimneys;
- (4) The deterioration or crumbling of exterior plasters or mortar;
- (5) The ineffective waterproofing of exterior walls, roofs, and foundations, including broken windows or doors;
- (6) The excessive peeling of paint, rotting, holes, and other forms of decay;
- (7) The deterioration of surrounding environment, e.g., fences, gates, sidewalks, steps, signs, accessory structures, and landscaping;
- (8) The deterioration of any features so as to create or permit the creation of any hazardous or unsafe condition or conditions.
- (9) All interior portions thereof which may cause the exterior to deteriorate or become damaged or otherwise to fall into a state of disrepair.

C. Exceptions for economic hardships.

- (1) An owner or person in charge of a historic structure, or historic site designated pursuant to § 423-3 of this chapter, ~~or improvement within a historic district~~ may seek an exception to the requirements of Subsections **A** and **B** above on grounds that compliance would cause undue economic hardship and that the granting of an exception would not unduly interfere with the intent and purpose of this chapter.
- (2) An application for an exception for economic hardship may be submitted to the Historic Preservation Commission, which shall approve or deny the application within 90 days. Should the Historic Preservation Commission deny an application for economic hardship, the applicant may appeal such decision to the Common Council within 30 days of denial.
- (3) In determining whether the grounds stated in Subsection **C(1)** above have been met, the Historic Preservation Commission and Common Council shall consider the following factors:

- (a) The financial resources of the applicant.
- (b) Other financial resources available to the applicant.
- (c) The costs of compliance.
- (d) The impact of the exception on the historic structure, site, or district in question.

§ 423-6 Regulation of new construction in a Historic District or on a Historic Site.

- A. Certificate of appropriateness required. No owner or person in charge of a historic site or property within a historic district shall construct a new improvement thereon unless a certificate of appropriateness for such work has been granted by the Historic Preservation Commission.
- B. Criteria for approval. Upon filing of any application for a certificate of appropriateness with the Historic Preservation Commission, the Historic Preservation Commission shall approve the application unless the exterior of such improvement would adversely affect the external appearance of other neighboring improvements and shall consider the following guidelines where applicable:
 - (1) All new structures should be constructed to a height visually compatible with the building and environment with which they are visually related.
 - (2) The gross volume of any new structure shall be visually compatible with the buildings and environment with which it is visually related.
 - (3) In the street elevation of a building, the proportion between the width and height in the facade should be visually compatible with the building and environment with which it is visually related.
 - (4) The proportions and relationships between doors and windows in the street facade should be visually compatible with the buildings and environment with which it is visually related.
 - (5) The rhythm of solids to voids, created by openings in the facade, should be visually compatible with the buildings and environment with which it is visually related.
 - (6) The existing rhythm created by existing building masses and spaces between them should be preserved.
 - (7) The materials used in the final facade should be visually compatible with the buildings and environment with which it is visually related.

- (8) The texture inherent in the facade should be compatible with the buildings and environment with which it is visually related.
- (9) Colors and patterns used on the facade (especially trim) should be visually compatible with the buildings and environment with which it is visually related.
- (10) The design of the roof should be visually compatible with the buildings and environment with which it is visually related.
- (11) The landscape plan should be sensitive to the individual building, its occupants and their needs. Further, the landscape treatment should be visually compatible with the buildings and environment with which it is visually related.
- (12) The street facades should blend with other buildings via directional expression. When adjacent buildings have a dominant horizontal or vertical expression, this expression should be carried over and reflected.
- (13) Architectural elements should be incorporated as necessary to relate the new with the old and to preserve and enhance the inherent characteristics of the area.

C. Procedures.

- (1) Upon approval of an application for a certificate of appropriateness, the Historic Preservation Commission shall issue the certificate of appropriateness. Upon the issuance of such certificate, a building permit shall be issued by the City if all other permits have been obtained.
- (2) Should the Historic Preservation Commission fail to issue a certificate of appropriateness due to the failure of the proposal to conform to the requirements of this chapter, the applicant may appeal such decision to the Common Council within 30 days of denial.
- (3) If the Historic Preservation Commission fails to issue a certificate of appropriateness, it shall, with the cooperation of the applicant, work with the applicant in an attempt to obtain a certificate of appropriateness within the requirements of this chapter.

D. Applicability to agencies, utilities and transportation companies. Agencies of the City of Bayfield and all public utility and transportation companies undertaking projects affecting historic structures, historic sites or historic districts, shall be required to obtain a certificate of appropriateness prior to initiating any major changes in the character of street paving, sidewalks, utility installations, lighting, walls, fences, structures, and buildings on property, easements, or streets owned or franchised by the City of Bayfield.

E. Other permits, appeals and ordinances. The issuance of a certificate of appropriateness shall not relieve the applicant from obtaining other permits and approvals required by the City. A building permit or other municipal permit shall be invalid if it is obtained without

the presentation of the certificate of appropriateness required for the proposed work. Insofar as they are applicable to a historic structure, historic site, or improvement in a historic district designated under this chapter, any provision of the plumbing code, electrical code, or building or housing codes of the City shall apply, unless waived by the appropriate state or City officials. The Historic Preservation Commission may support or propose such waivers before the appropriate state or City appeals body.

- F. Compliance with certificate. Work authorized by a certificate of appropriateness shall be started within 12 months following said issuance of the certificate or the certificate shall expire and require reissuance. The work shall conform to the provisions of the certificate. The City may inspect the work during and after construction in order to assure compliance. Failure to comply with a certificate of appropriateness or failure to obtain a certificate of appropriateness shall be a violation of this section. In addition to other penalties and remedies, the City shall issue a stop-work order. Once a stop-work order has been issued, work on that portion of the project must cease immediately. However, work on other portions of the project may continue provided they comply with the other provisions in this chapter.

§ 423-7 Violations and penalties.

Any person or persons violating any provision of this chapter may be fined in accordance with the fee schedule established by the City Council, and a stop-work order shall be issued if necessary or appropriate. Each and every day which a violation continues may be deemed to be a separate offense. Notice of violations may be issued by the Zoning Administrator. If the violations remain uncorrected after the time specified in the notice, the City may, at its election, impose fines and/or have the violations corrected at City expense and have a lien placed against the property equal to the cost of the repairs, plus applicable fines and administrative costs.

§ 423-8 Other Duties of the Historic Preservation Commission.

In addition to those duties already specified in this section, the Historic Preservation Commission:

- A. Work cooperatively with other entities to ensure the continuing education of the citizens about the historical heritage of the City and the historic properties designated under the provisions of this chapter.
- B. Cooperate with the State of Wisconsin historic preservation officer and the State Historic Preservation Review Board in attempting to include such properties hereunder designated as landmarks or landmark sites, or historic districts in the National Register of Historic Places and the State Register of Historic Places.
- C. Make recommendations for designation of historic sites, structures, or districts .
- D. As it deems advisable, may receive and solicit funds for the purpose of historic

preservation in the City. Such funds shall be placed in a special City account for such purpose.

§ 21-8.2 Historic Preservation Commission.

A. Establishment. There is hereby established a Historic Preservation Commission for the purpose of protecting and enhancing the City of Bayfield's historic and cultural heritage, as embodied in historic structures, sites, and districts in the City.

B. Powers. The Historic Preservation Commission shall have authority to designate historic districts, sites, and structures in the City of Bayfield and to approve exterior alterations to designated properties.

C. Membership.

(1) The Historic Preservation Commission shall consist of seven City of Bayfield residents. Of the membership, if available in the City, one shall be a registered architect; one shall be a historian; one shall be a licensed real estate broker or a licensed agent; one shall be an Alderperson; one shall be a member of the Plan Commission; one shall be a member of the building trades; and one shall be a member at large. Each member shall have, to the highest extent practicable, a known interest in historic preservation. The Mayor shall appoint the members of the Commission subject to confirmation by the Common Council.

(2) Terms shall be staggered for three-year periods.

(3) The Chairman shall be elected by a majority of members of the Commission.

(4) Official oaths shall be taken by all members in accordance with § 19.01, Wis. Stats., within 10 days of receiving notice of their appointments.

(5) Vacancies shall be filled for the unexpired term in the same manner as appointments for the full term.

D. Organization.

(1) The Historic Preservation Commission shall organize and adopt rules for its own government in accordance with the provisions of this section.

(2) Meetings shall be held at the call of the Chairperson and shall be open to the public.

(3) Minutes shall be kept showing all actions taken and shall be a public record. The grounds for every decision shall be stated.

(4) A quorum shall be a majority of members, and all actions shall require the concurring vote of at least a quorum.

E. Powers. The Historic Preservation Commission shall have the powers set forth in Chapter 423, Historic Preservation, of the Code of the City of Bayfield.

Chapter 423

Historic Preservation

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- B. Safeguard the city's historic and cultural heritage as embodied and reflected in such historic structures, sites, and districts.
- C. Stabilize and improve property values.
- D. Protect and enhance the city's attractions to residents, tourists, and visitors, and serve as a support and stimulus to business and industry.
- E. Improve and enhance the visual and aesthetic character of the city.
- F. Educate the public regarding the need and desirability of a city historic preservation program and its enhancement of the quality of life.
- G. Strengthen the economy of the City of Bayfield.
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- (2) Is identified with historic personages or with important events in national, state or local history; or
- (3) Embodies the distinguishing characteristics of an architectural type or specimen inherently valuable for a study of a period, style, method of construction; or
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- (b) The Historic Preservation Commission shall review the form for completeness and evaluate the nomination using the eligibility criteria in Subsection A above.
- (2) Designation of historic structures and historic sites.
 - (a) The Historic Preservation Commission may, after notice and public hearing, recommend designation of historic structures and historic sites, or rescission of such designation, after application of the criteria in Subsection A above. At least 30 days prior to such hearing, the Commission shall notify the owners of record, as listed in the office of the City Assessor, who are owners of property in whole or in part situated within 200 feet of the boundaries of the property affected, including the owner of the affected property. Such owners shall have the right to confer with the Commission at the scheduled public hearing. Notice of such hearing shall also be published as a Class 1 Notice, under the Wisconsin Statutes.
 - (b) The Historic Preservation Commission shall then conduct such public hearing and, in addition to the notified persons, may hear expert witnesses. The Commission may conduct an independent investigation into the proposed recommendation. Within 10 days after the close of the public hearing, the Commission may recommend designation of the property as either a historic structure or historic site, or recommend rescission. After the recommendation has been made, notification shall be sent to the property owner or owners.
 - (c) Such recommendations shall then be sent to the Common Council for approval. Notification shall be sent to the property owner or owners of the Council's decision on the recommendations.
- (3) Designation of historic districts.
 - (a) The Historic Preservation Commission may select specific geographically defined areas within the City to be recommended to the Common Council for designation as historic districts. A district may be designated for any geographic area of particular historic, architectural or economic significance to the City in accordance with the criteria in Subsection A above.
 - (b) The Historic Preservation Commission shall hold a public hearing when considering a recommendation of a historic district. Notice of the time, place and purpose of such hearing shall be given by publication as a Class 1 Notice under the Wisconsin Statutes in the official City paper. Notice of the time, place and purpose of the public hearing shall also be sent by the City Clerk to all Common Council members and the owners of record, as listed in the office of the City Assessor, who are proposed owners of the property within the proposed historic district or are situated in whole or in part within 200 feet of the boundaries of the proposed historic district. Said notice shall be sent at least 30 days prior to the date of the public hearing. Following the public hearing, the Commission

shall vote to recommend, reject or withhold action on the proposed district. This recommendation shall be forwarded to the Common Council within 30 days.

- (c) The Common Council, upon receipt of the recommendations from the Historic Preservation Commission, must either designate or reject the recommended historic district. Before doing so, the Council reserves the right to hold another public hearing on the matter if it so chooses. However, designation of the historic district shall be accomplished by adoption of the plan for the district in ordinance form. If the Common Council rejects the proposed historic district, it shall be remanded back to the Historic Preservation Commission for further consideration.

4. Rescission of Historic Designation

- (a) The procedure for rescission of historic structure designation and historic site designation shall follow the procedure set forth in Subsection B 2 above in all respects, except that the process may be initiated by the Historic Preservation Commission or by a property owner seeking to rescind a historic designation based on undue economic hardship. Any such application for rescission shall be submitted to the Historic Preservation Commission and must include documentation showing the costs of maintaining the historic structure or site, the property owner's financial resources, and other financial resources available to the property owner.
- (b) The procedure for rescission of historic district designation shall follow the procedure set forth in Subsection B 3 above.
- C. Interim control. No building permit shall be issued for alteration, construction, demolition, or removal of a nominated historic structure, historic site, or any property or structure within a nominated historic district from the date of the meeting of the Historic Preservation Commission at which a nomination form is first presented until the final disposition of the nomination by the Historic Preservation Commission or the Common Council unless such alteration, removal or demolition is authorized by formal resolution of the Common Council. In no event shall the delay be for more than 90 days.

§ 423-4 Regulation of alteration of historic properties.

- A. Certificate of appropriateness required. No owner or person in charge of a historic structure, ~~or historic site~~ designated pursuant to § 423-3 of this chapter, ~~or contributing property within a historic district~~ shall reconstruct, alter or demolish all or any part of the exterior of such structure or any improvement on such site or property unless a certificate of appropriateness for such work has been granted by the Historic Preservation Commission.
- B. Standards for approval. Upon filing of any application for a certificate of appropriateness with the Historic Preservation Commission, the Historic Preservation Commission shall approve the application unless:

- (1) In the case of an alteration or reconstruction of a designated historic structure or historic site, the proposed work would adversely affect the exterior appearance of the property structure; or would adversely impact the external appearance of other neighboring improvements; or
- ~~(2) In the case of the reconstruction or alteration of an existing improvement within a historic district, the exterior of such improvement would adversely affect the external appearance of other neighboring improvements; or~~
- ~~(23)~~ In the case of a proposed demolition, the building or structure is of such architectural or historical significance that its demolition would be detrimental to the City of Bayfield, or the demolition would adversely affect the external appearance of other neighboring improvements, or any hardship or difficulty claimed by the owner is self-created or is the result of any failure to maintain the property in good repair, provided, however, that the demolition shall be approved if denial of the application would result in the loss of all economically reasonable and beneficial use of the property.,
- (34) In addition, in determining whether to issue a certificate of appropriateness, the Historic Preservation Commission shall consider and may give decisive weight to any or all of the following U.S. Department of Interior Standards for Rehabilitation:
 - (a) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
 - (b) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
 - (c) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
 - (d) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
 - (e) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
 - (f) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

- (g) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
- (h) Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
- (i) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- (j) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

C. Procedures.

- (1) Upon approval of an application for a certificate of appropriateness, the Historic Preservation Commission shall issue the certificate of appropriateness. Upon the issuance of such certificate, a building permit may be issued by the City if all other City permits have been obtained.
- (2) Should the Historic Preservation Commission fail to issue a certificate of appropriateness due to the failure of the proposal to conform to the requirements of this chapter, the applicant may appeal such decision to the Common Council within 30 days of denial.
- (3) If the Historic Preservation Commission fails to issue a certificate of appropriateness, it shall, with the cooperation of the applicant, work with the applicant in an attempt to obtain a certificate of appropriateness within the requirements of this chapter.

D. Applicability to agencies, utilities and transportation companies. Agencies of the City of Bayfield and all public utility and transportation companies undertaking projects affecting historic structures, historic sites or historic districts, shall be required to obtain a certificate of appropriateness prior to initiating any major changes in the character of street paving, sidewalks, utility installations, lighting, walls, fences, structures, and buildings on property, easements, or streets owned or franchised by the City of Bayfield.

E. Other permits, appeals and ordinances. The issuance of a certificate of appropriateness shall not relieve the applicant from obtaining other permits and approvals required by the City. A building permit or other municipal permit shall be invalid if it is obtained without the presentation of the certificate of appropriateness required for the proposed work.

Insofar as they are applicable to a historic structure, historic site, or improvement in a historic district designated under this chapter, any provision of the plumbing code, electrical code, or building or housing codes of the City shall apply, unless waived by the appropriate state or City officials. The Historic Preservation Commission may support or propose such waivers before the appropriate state or City appeals body.

- F. Compliance with certificate. Work authorized by a certificate of appropriateness shall be started within 12 months following said issuance of the certificate or the certificate shall expire and require reissuance. The work shall conform to the provisions of the certificate. The City may inspect the work during and after construction in order to assure compliance. Failure to comply with a certificate of appropriateness or failure to obtain a certificate of appropriateness shall be a violation of this section. In addition to other penalties and remedies, the City shall issue a stop-work order. Once a stop-work order has been issued, work on that portion of the project must cease immediately. However, work on other portions of the project may continue provided they comply with the other provisions in this chapter.
- G. Ordinary maintenance and repairs. Ordinary maintenance and repairs as defined by the Historic Preservation Commission may be undertaken without a certificate of appropriateness provided that the work involves repairs to existing features of a historic structure or site or the replacement of elements of a structure with pieces similar in appearance and provided that the work does not substantially change the exterior appearance of the structure or site and does not require the issuance of a building permit.
- H. Emergency conditions. In any case where the City determines that there are emergency conditions dangerous to life, health or property affecting a historic structure, ~~or historic site or property in a historic district~~, the City may order the remedying of these conditions without the approval of the Historic Preservation Commission. The Zoning Administrator shall promptly notify the Historic Preservation Commission of the action being taken. When the emergency conditions do not require demolition, the City shall make every effort to carry out the intent of this chapter and to use the design guidelines of the Historic Preservation Commission when remedying the emergency conditions.

§ 423-5 Maintenance of historic properties .

- A. Every owner or person in charge of a historic structure, ~~or historic site~~ designated pursuant to § 423-3 of this chapter, ~~or contributing property in a historic district~~ shall maintain the same or cause or permit it to be maintained in a condition consistent with the provisions of this chapter.
 - (1) The purpose of this section is to prevent the demolition of a building or structure by neglecting it and permitting damage to it by weather or vandalism.
 - (2) The Common Council may appoint a Building Inspector to enforce this chapter. The duties of the Inspector may include periodic inspections at the direction of the Common

Council, of designated historic structures, and historic sites ~~and historic districts~~.

B. Every owner or person in charge of a historic structure, or historic site designated pursuant to § 423-3 of this chapter, ~~or improvement in a historic district~~ shall keep in good repair all of the exterior portions of all structures and improvements and all interior portions thereof which, if not so maintained, may cause or tend to cause the exterior portions of such improvement to fall into a state of disrepair, including but not limited to:

- (1) The deterioration of exterior walls or other vertical supports;
- (2) The deterioration of roofs or other horizontal members;
- (3) The deterioration of external chimneys;
- (4) The deterioration or crumbling of exterior plasters or mortar;
- (5) The ineffective waterproofing of exterior walls, roofs, and foundations, including broken windows or doors;
- (6) The excessive peeling of paint, rotting, holes, and other forms of decay;
- (7) The deterioration of surrounding environment, e.g., fences, gates, sidewalks, steps, signs, accessory structures, and landscaping;
- (8) The deterioration of any features so as to create or permit the creation of any hazardous or unsafe condition or conditions.
- (9) All interior portions thereof which may cause the exterior to deteriorate or become damaged or otherwise to fall into a state of disrepair.

C. Exceptions for economic hardships.

- (1) An owner or person in charge of a historic structure, or historic site designated pursuant to § 423-3 of this chapter, ~~or improvement within a historic district~~ may seek an exception to the requirements of Subsections **A** and **B** above on grounds that compliance would cause undue economic hardship and that the granting of an exception would not unduly interfere with the intent and purpose of this chapter.
- (2) An application for an exception for economic hardship may be submitted to the Historic Preservation Commission, which shall approve or deny the application within 90 days. Should the Historic Preservation Commission deny an application for economic hardship, the applicant may appeal such decision to the Common Council within 30 days of denial. .
- (3) In determining whether the grounds stated in Subsection **C(1)** above have been met, the Historic Preservation Commission and Common Council shall consider the following factors:

- (a) The financial resources of the applicant.
- (b) Other financial resources available to the applicant.
- (c) The costs of compliance.
- (d) The impact of the exception on the historic structure, site, or district in question.

§ 423-6 Regulation of new construction in a Historic District or on a Historic Site.

- A. Certificate of appropriateness required. No owner or person in charge of a historic site designated pursuant to § 423-3 of this chapter or a property within a historic district designated pursuant to § 423-3 of this chapter shall construct a new improvement thereon unless a certificate of appropriateness for such work has been granted by the Historic Preservation Commission.
- B. Criteria for approval. Upon filing of any application for a certificate of appropriateness with the Historic Preservation Commission, the Historic Preservation Commission shall approve the application unless the exterior of such improvement would adversely affect the external appearance of other neighboring improvements and shall consider the following guidelines where applicable:
 - (1) All new structures should be constructed to a height visually compatible with the building and environment with which they are visually related.
 - (2) The gross volume of any new structure shall be visually compatible with the buildings and environment with which it is visually related.
 - (3) In the street elevation of a building, the proportion between the width and height in the facade should be visually compatible with the building and environment with which it is visually related.
 - (4) The proportions and relationships between doors and windows in the street facade should be visually compatible with the buildings and environment with which it is visually related.
 - (5) The rhythm of solids to voids, created by openings in the facade, should be visually compatible with the buildings and environment with which it is visually related.
 - (6) The existing rhythm created by existing building masses and spaces between them should be preserved.
 - (7) The materials used in the final facade should be visually compatible with the buildings and environment with which it is visually related.

- (8) The texture inherent in the facade should be compatible with the buildings and environment with which it is visually related.
- (9) Colors and patterns used on the facade (especially trim) should be visually compatible with the buildings and environment with which it is visually related.
- (10) The design of the roof should be visually compatible with the buildings and environment with which it is visually related.
- (11) The landscape plan should be sensitive to the individual building, its occupants and their needs. Further, the landscape treatment should be visually compatible with the buildings and environment with which it is visually related.
- (12) The street facades should blend with other buildings via directional expression. When adjacent buildings have a dominant horizontal or vertical expression, this expression should be carried over and reflected.
- (13) Architectural elements should be incorporated as necessary to relate the new with the old and to preserve and enhance the inherent characteristics of the area.

C. Procedures.

- (1) Upon approval of an application for a certificate of appropriateness, the Historic Preservation Commission shall issue the certificate of appropriateness. Upon the issuance of such certificate, a building permit shall be issued by the City if all other permits have been obtained.
- (2) Should the Historic Preservation Commission fail to issue a certificate of appropriateness due to the failure of the proposal to conform to the requirements of this chapter, the applicant may appeal such decision to the Common Council within 30 days of denial.
- (3) If the Historic Preservation Commission fails to issue a certificate of appropriateness, it shall, with the cooperation of the applicant, work with the applicant in an attempt to obtain a certificate of appropriateness within the requirements of this chapter.

D. Applicability to agencies, utilities and transportation companies. Agencies of the City of Bayfield and all public utility and transportation companies undertaking projects affecting historic structures, historic sites or historic districts, shall be required to obtain a certificate of appropriateness prior to initiating any major changes in the character of street paving, sidewalks, utility installations, lighting, walls, fences, structures, and buildings on property, easements, or streets owned or franchised by the City of Bayfield.

E. Other permits, appeals and ordinances. The issuance of a certificate of appropriateness shall not relieve the applicant from obtaining other permits and approvals required by the City. A building permit or other municipal permit shall be invalid if it is obtained without

the presentation of the certificate of appropriateness required for the proposed work. Insofar as they are applicable to a historic structure, historic site, or improvement in a historic district designated under this chapter, any provision of the plumbing code, electrical code, or building or housing codes of the City shall apply, unless waived by the appropriate state or City officials. The Historic Preservation Commission may support or propose such waivers before the appropriate state or City appeals body.

- F. Compliance with certificate. Work authorized by a certificate of appropriateness shall be started within 12 months following said issuance of the certificate or the certificate shall expire and require reissuance. The work shall conform to the provisions of the certificate. The City may inspect the work during and after construction in order to assure compliance. Failure to comply with a certificate of appropriateness or failure to obtain a certificate of appropriateness shall be a violation of this section. In addition to other penalties and remedies, the City shall issue a stop-work order. Once a stop-work order has been issued, work on that portion of the project must cease immediately. However, work on other portions of the project may continue provided they comply with the other provisions in this chapter.

§ 423-7 Violations and penalties.

Any person or persons violating any provision of this chapter may be fined in accordance with the fee schedule established by the City Council, and a stop-work order shall be issued if necessary or appropriate. Each and every day which a violation continues may be deemed to be a separate offense. Notice of violations may be issued by the Zoning Administrator. If the violations remain uncorrected after the time specified in the notice, the City may, at its election, impose fines and/or have the violations corrected at City expense and have a lien placed against the property equal to the cost of the repairs, plus applicable fines and administrative costs.

§ 423-8 Other Duties of the Historic Preservation Commission.

In addition to those duties already specified in this section, the Historic Preservation Commission:

- A. Work cooperatively with other entities to ensure the continuing education of the citizens about the historical heritage of the City and the historic properties designated under the provisions of this chapter.
- B. Cooperate with the State of Wisconsin historic preservation officer and the State Historic Preservation Review Board in attempting to include such properties hereunder designated as landmarks or landmark sites, or historic districts in the National Register of Historic Places and the State Register of Historic Places.
- C. Make recommendations for designation of historic sites, structures, or districts .
- D. As it deems advisable, may receive and solicit funds for the purpose of historic

preservation in the City. Such funds shall be placed in a special City account for such purpose.

§ 21-8.2 Historic Preservation Commission.

A. Establishment. There is hereby established a Historic Preservation Commission for the purpose of protecting and enhancing the City of Bayfield's historic and cultural heritage, as embodied in historic structures, sites, and districts in the City.

B. Powers. The Historic Preservation Commission shall have authority to designate historic districts, sites, and structures in the City of Bayfield and to approve exterior alterations to designated properties.

C. Membership.

(1) The Historic Preservation Commission shall consist of seven City of Bayfield residents. Of the membership, if available in the City, one shall be a registered architect; one shall be a historian; one shall be a licensed real estate broker or a licensed agent; one shall be an Alderperson; one shall be a member of the Plan Commission; one shall be a member of the building trades; and one shall be a member at large. Each member shall have, to the highest extent practicable, a known interest in historic preservation. The Mayor shall appoint the members of the Commission subject to confirmation by the Common Council.

(2) Terms shall be staggered for three-year periods.

(3) The Chairman shall be elected by a majority of members of the Commission.

(4) Official oaths shall be taken by all members in accordance with § 19.01, Wis. Stats., within 10 days of receiving notice of their appointments.

(5) Vacancies shall be filled for the unexpired term in the same manner as appointments for the full term.

D. Organization.

(1) The Historic Preservation Commission shall organize and adopt rules for its own government in accordance with the provisions of this section.

(2) Meetings shall be held at the call of the Chairperson and shall be open to the public.

(3) Minutes shall be kept showing all actions taken and shall be a public record. The grounds for every decision shall be stated.

(4) A quorum shall be a majority of members, and all actions shall require the concurring vote of at least a quorum.

E. Powers. The Historic Preservation Commission shall have the powers set forth in Chapter 423, Historic Preservation, of the Code of the City of Bayfield.

City of Bayfield Survey / Site Plan Information

154-4 Building Permits and Inspections:

- C. Site Plan Approval – “...applicant shall submit a site plan...”
- F. Plans (1) – “... including a plot plan...”

500-95 Site Plan approval

- A. Site Plan Approval- “...requires site plan approval...”
- B. Application- “...submit a site plan...”

500-46 Existing nonconforming structures.

- “...along with a land survey submit site and elevation plans...”

500-97 Fees

D. Building Permit Application- New Construction Requires a survey, Alterations Require a survey anytime setbacks are questionable.

Building Permit Application

- Application (Pg. 1): 4. Survey – required for all new construction, and for any project where the existing footprint is increased.
- Building Permit Application Worksheet (Pg. 2): Survey – required for all new construction and for any project where lot lines are questionable.
- Building Permit Application Submittal (Pg. 6): 4. Survey – Required for all new construction and for any projects where lot lines are questionable (to be determined by the City).

Historic District Guidelines – Additions, New Construction, Accessory Structure

- “Site plans should be based upon data provided by a registered land surveyor...”

RECOMMENDATION: Provide better consistency in Code and Plan Document language.

2022 Total Building Permits Issued = 48

Additions: 6

- Survey and Site Plan: 3
- Survey: 1
- Site Plan: 2

New Construction: 7

- Survey and Site Plan: 4
- Survey: 1
- Site Plan: 1
- Neither: 1

2023 Total Building Permits Issued = 37

Additions: 6

- Survey and Site Plan: 2
- Survey: 2
- Site Plan: 2; plus 1 ATF

New Construction: 3

- Survey: 1; plus 1 ATF
- Site Plan: 2

RECOMMENDATION: Create written policy indicating no building permit application will be reviewed until applicant provides:

1. Certified Land Survey and Site Plan for all new construction. If the Survey includes all existing and proposed site features, they will not need to submit an additional site plan.
2. Certified Land Surveys and Site Plans for additions where lot lines are questionable OR when the existing footprint of the structure increases. If the Survey includes all existing and proposed site features, they will not need to submit an additional site plan.
3. Not required a site plan or land survey if there is no change to the building footprint.

2024 Permit #	Name	Address	Approved by	Type	Date Approved	Other
01-24	Gali Abutbul	9 S. Broad Street	ARB	New upper deck with roof, north side	1/22/2024	
02-24						
03-24						
04-24						
05-24						
06-24						
07-24						
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32-24						
33-24						

2023 City of Bayfield Building Permits

S = Survey SP=Site Plan	2023 Permit #	Name	Address	Approved by	Type	Date Approved	Assigned/ NS IP C
SP	01-23	Bodin's Inc.	208 Wilson Ave	ARB	New Stairs, stair reno, door, windor	1/23/2023	C
	02-23	The Bayfield Inn	20 Rittenhouse Ave	Withdrawn	Mount a satellite kitchen on upper deck	Withdrawn	XXXXX
S/SP	03-23	Adam Putschoegl	11 S 7th St	ARB	Rpl siding, add/rpl windows, add chimney, add 12x12 rear screened porch	2/27/2023	Carrier/IP
S	04-23	Kurt Dicke	321 N 1st St	ARB	Siding, roofing, balcony addition, screened rear porch	3/27/2023	Spence/IP
	05-23	Beth Paap	521 Washington	ARB	Asphalt roof over 6th St entrance, replace windows	4/24/2023	C
SP	06-23	Neil & Donna Schultz	Block 91 Lot 1 & 18	Rejected 4/24/23	16x20 office & parking lot		XXXXX
	07-23	Kim West	11 S 3rd St	ZA	Repair roof leak + wall on W elevation (materials to match existing)	5/5/2023	C??
S / SP AFT	08-23	Linda Georgeson	21 E. Lynde Ave	ARB	10x55 carport on accessory structure Site Plan Required and provided	5/22/2023	ZA Check /IP
	09-23	Craig Hoopman	207 Wilson Ave	ARB	Siding, doors, railing	5/22/2023	Hedman/ IP
	10-23	Jeff Kliner & Liz Woodworth	20 N. 7th St	ARB	Replace Bay window w/ 3-double hung unit	5/22/2023	Shrider/C
	11-23	Chris Bell	5 S. 6th St	ARB	Replace cedar shake roof w/ asphalt + paint pivotal structure	5/22/2023	Shrider/C
	16-22	<i>Bill Bland</i>	<i>321 Front St</i>	ARB	<i>6-month extension for porch project</i>	<i>5/22/2023</i>	<i>Spence/IP</i>
	12-23	Holy Family Church	232 N 1s St	ZA	Replace garage roof with same	6/6/2023	??
	13-23	Clint McCowan	20 N 2nd St	ZA	Replace basement egress window	6/12/2023	C
	14-23	Seagull Bay Motel	325 S 7th St	ZA	Replace roof on Ice House with same	6/19/2023	C
S - ATF. /SP	15-23	Craig Hoopman	207 Wilson Ave	ARB	20' x 30' Accessory Structure; Survey Req. and provided	6/26/2023	C
S/SP	16-23	Craig Skaaden	25 N 6th St	ZA	Replace deck and railing	6/29/2023	C
	17-23	Beth Cozzi	217 N 10 St	ZA	Replace deck and railing	7/12/2023	ZA Check /IP
	37-22A	<i>CORE Community Resources</i>	<i>257 Manypenny Ave</i>	<i>ZA</i>	<i>Demolition only</i>	<i>7/17/2023</i>	<i>Carrier/IP</i>
SP	18-23	Anne Lynch & Ross Huelster	120 N 2nd St	ARB	Replace 5'10.5"x2'4" window w/ 2'7"x1'10"	7/24/2023	C
SP	19-23	Eric Thomson	309 N 2nd St	ARB	West elevation addition include a 2nd floor	7/24/2023 Ext. 1-22-2023	Spence/IP
	37-22B	<i>CORE Community Resources</i>	<i>257 Manypenny Ave</i>	<i>ARB</i>	<i>Plan Amendments</i>	<i>7/24/2023</i>	<i>Carrier/IP</i>
S/SP	20-23	Dave Ujke	217 S 7th St	ARB	5'x8' Addition	8/28/2023	Carrier/NS

2023 City of Bayfield Building Permits

S = Survey SP=Site Plan	2023Permit #	Name	Address	Approved by	Type	Date Approved	Assigned/ NS IP C
	21-23	Jenny Tumas	25 S 12th St	ZA	Replace roof on back half of house	7/26/2023	C ZA Check
	22-23	Marty & Beth Peterson	27 S 9th St	ZA	Shed repair	8/23/2023	Shrider/IP
	23-23	Jennifer Breitinger	29 N 6th St	ZA	Replace roof - asphalt	8/23/2023	C
	24-23	Steve Pattee	32 S 6th St	ZA	Replace porch floor	8/30/2023	C
	25-23	Paul & Dianne Nussbaum	140 S 9th St	ZA	Replace roof - asphalt	9/21/2023	C
	26-23	Japs Family Trust	219 N. 5th Street	ARB	Replace roof w/metal	9/25/2023	Johnston/IP
	27-23	Jim Kuzzy	141 N. 3rd Street	ZA	Replace Door	9/25/2023	C
	28-23	Keith and Rita Payne	204 N. 2nd Street	ZA	Replace Asphalt Roof	10/16/2023	C
SP	29-23	James Maass	12 N. 5th Street	ARB	8'x10' Shed (in lieu of garage) Must paint and add landscaping	11/27/2023	ZA/ IP
	30-23	Lake Winter Holdings	104 Rittenhouse	ZA	Replace siding rear w/ same	11/15/2023	ZA Check /NS
	31-23	Bayfield Inn	20 Rittenhouse Ave	ZA	Replace flat roof, w.same	11/14/2023	C
SP	32-23	Neil & Donna Schultz	41 S. Broad Street	DENIED by ZA	16'x20' add.- incomplete & unclear	DENIED	XXXXX9/26/2023
SP/S	33-23	Gali Abutbul	9 S. Broad Street	DENIED by ARB	New upper deck with roof, north side	DENIED	XXXXX
	33-33	Ted Gephart	411 Rice Avenue	ZA	Replace roof with asphalt	11/21/2023	IP
S	34-23	Tom Koehnen	8th Street	ARB	New Constr.House w/attached garage	12/18/2023	Shrider/NS
SP	35-23	Win Stephens	125 So. Fifth Street	ARB	Replace Roof with Steel	12/18/2023	Shrider/IP
SP	36-23	Narrative Properties, LLC	107 Manypenny Ave	ARB	Replace overhead doors, w/windows & doors	12/18/2023	Hedman/NS
SP/S	37-23	Gali Abutbul	9 S. Broad Street		New upper deck with roof, north side	DENIED	

2022 City of Bayfield Building Permits

S = Survey SP=Site Plan	2022 Permit #	Name	Address	Approved by	Type	Date Approved	Other
S/SP	01-22	Renee & William West	20 N. 9th	ARB	Second story addition	1/24/2022	C
						1/24/2022 Revised Plans	
S/SP	02-22	James & Jeannette Maass	Block 77 Lots 8-11	ARB	New home & garage construction	6/27/2022	C
						Approved 1/24/2022 Amended 3/28/22 Amended 4/25/22	
S	03-22	Narrative Properties, LLC	40 S. 2nd Street	ARB	Change windows to doors		C
	04-22	The Bayfield Inn	23 S. 1st Street	ZA	7 window replacements--same	1/27/2022	C
SP	05-22	Sweet!	217 Rittenhouse	ARB	Outdoor walkin cooler	2/28/2022	C
	06-22	Doug & Dee Reed	17 N. 4th Street	ZA	Garage door replacement	2/16/2022	NS/ ZA
Neither	07-22	Bayfield Civic League	Memorial Park	ARB	Refinish/replace gazebo, Ext. Granted 9/29/2023	2/28/2022	IP
SP	08-22	MIFL	7 Washington Ave	ARB	Replace deck	2/28/2022	C
SP	09-22	Doug & Dee Reed	17 N. 4th Street	DENIED	Exterior doors, windows, paint, car port	2/28/2022	--
	10-22	Ellen Demaso	209 S. 9th	ZA	7 Window replacements-same	3/18/2022	ZA
	11-22	Dustin & Julie Winter	25 S. 5th Street	DENIED	siding, roof, windows, door	3/28/2022	--
S/SP	12-22	Terry Daulton & Jeff Wilson	Block 82 Lots 7-10	ARB	New home construction	3/28/2022	IP/Hedman
SP	13-22	Four Sisters Properties, LLC	204 Rittenhouse Ave	ZA	Windows, doors, roofing	4/7/2022	C
	14-22	Molly Otis Stoddard	121 N. 1st	ZA	Maintenance	4/7/2022	ZA
	15-22	James & Melissa Cragoe	133 S. 6th Street	ZA	New railing, upper deck, color	4/25/2022	C
SP	16-22	Bill Bland	321 Front Street	ARB	New deck and Baulster	4/25/2022	IP
	17-22	Dustin & Julie Winter	25 S. 5th Street	ARB	siding, roof, windows, door	4/25/2022	Denied
						Denied 3/28/22 Tabled 4/25/22 Approved 5/23/22	
	18-22	Doug & Dee Reed	17 N. 4th Street	ARB*	Exterior doors, windows, paint, gabled. *Exclude carport and deck color. Front windows true/sim divided.		ZA
SP	19-22	Michael Wolf & Michele Coppin	Block 65, Lots 7-10	ARB	New home construction	4/25/2022	IP/Hedman
S/SP	20-22	Linda Schneider	Block 67, Lots 7-10	ARB	New home construction	4/25/2022	IP/Carrier
	21-22	Lisa Fenton	133 S 7th	ZA	New siding--white	5/9/2022	C

2022 City of Bayfield Building Permits

SP	22-22	Curtis Carlson	237 S. 9th	ARB	New deck and porch	5/23/2022	IP/Carrier
SP	23-22	200 Rittenhouse, LLC	200 Rittenhouse	ARB	SHPO and NPS tax credit rehab-- windows, doors, solar, elevator shaft	Tabled 5/23/22 Approved 6/6/22	C
	24-22	Gloria Roder	140 S. 6th	ZA	Shutters south window	5/25/2022	C
	25-22	Steven Patee	32 So. 6th Street	ZA	Garage Roof	6/9/2022	C
	26-22	Pam Dana	220 So. 10th Street	ZA	Replace Handrail and Posts	6/14/2022	?/Shrider
SP	27-22	Beth Erickson	20 South 6th Street	ZA	Construct 8'x16' Deck	6/22/2022	C
	28-22	Esmé Martinson	39 South Broad Street	ZA	Repairs due to fire	6/27/2022	C
	29-22	Bremer Bank	129 South Broad Street	ZA	Replace Roof	6/30/2022	C
	30-22	Howard Paap	120 South 11th Street	ZA	Replace Roof	7/12/2022	C
SP	31-22	Barbara Spencer	213 South 6th Street	ZA	Replace Shed Roof	7/14/2022	C
	32-22	Lake Superior Lodge - Cas Joy	225 East Lynde Ave	ZA	Roofing - Building A	7/19/2022	C
	33-22	Catherine Joy	17 South 6th Street	ZA	Replace Roof	7/19/2022	C
	34-22	Vincent Kelly	40 South 6th Street	ZA	Replace Bay Window	7/20/2022	IP
	35-22	Jim and Beth Kuzzy	141 North 3rd Street	ZA	Repace Roof	9/22/2022	C
	36-22	Mike Cregan	21 North Second St.		Replace Part of Roof with metal	Denied 10/4/2022	
	37-22	CORE Community Resources	257 Mannypenny Ave.		Remove Garage, build Addition, and make other bldg. improvements	In Process	IP
	38-22	Beta Bodin	120 Rittenhouse Ave	ZA	Foundation Work	8/30/2022	C
	39-22	Pat Farrell	233 S. 7th St.	ZA	Window Replacement Same	8/30/2022	C
	40-22	Mary & Ray Kacirsky	621 Old Military Rd.	ZA	Window Replacement Same	8/30/2022	C
S	41-22	Windseeker	215 Rittenhouse Ave.	ZA	Remove Window/Install Door	8/30/2022	C
	42-22	George Hansen	129 S. 7th St.	ARB	Re-Roof w/Black metal	10/4/2022	C
SP	43-22	West Big Lake	341 N. 2nd St.	ZA	7x15 Deck & Skirting	9/6/2022	C
	44-22	Matt Zawislak & Skye Bingham	24 N.3rd St.		Replace 10 Windows	10/4/2022	C
	45-22	Jocelyn Jacobs	229 S 6th St.	ZA	Roofing	10/4/2022	C
S	46-22	Thomas & Linda Georgeson	21 East Lynd	ARB	Foundation Siding & Windows	10/24/2022	IP/Reimer
S	47-22	Barron Whiffet		ARB	New Construction Home	10/24/2022	IP/Spence
S	48-22	Peter Skoro & Deanna Eckels	420 Mannypenny	ARB	24' X 24' Garage	11/28/2022	IP/Shrider
	48-22	Patrick Irvine	136 N. 2nd Street		Reroofing		C

City of Bayfield 2021 Building Permits

2021 Permit	Name	Address	Approved by	Type	Date	Other
01-21	Grant & Jan Wilcox	220 S. 6th Street	ARB	Roof mounted solar	1/25/2021	C
02-21	Manypenny Bistro	201 Manypenny	ARB	Window replacement--slider	2/22/2021	C
03-21	Catherine Joy	17 South 6th	DENIED	Deck Addition	DENIED	--
04-21	John Ipsen & Kris Wegerson	601 Washington	ARB	New Home	2/22/2021	--NS - Sold-
05-21	Lindsay & Jake Bjerke	309 Wing Ave	ARB	Window, door, roof replacement	2/22/2021	C
06-21	Lindsay & Jake Bjerke	309 Wing Ave	DENIED	Attic egress-spiral staircase	DENIED	--
07-21	MikeWolf	Block 65, Lots 7-10	ARB	New Home	2/22/2021	IP/Hedman
*	Gloria Roder	140 South 6th	ZA	Roof Replacement-Shingles-asphalt	3/15/2021	C
09-21	Dave Ujke	217 S. 7th	ARB	New Garage 24'x28'	3/22/2021	C
10-21	Sue & Dan Beeson	113 N. 2nd Street	ARB	Shed and Pergola on deck	3/22/2021	C
11-21	Lindsay & Jake Bjerke	309 Wing Ave	DENIED	Attic egress-spiral staircase	DENIED	--
*	Steve Birenberg	11 N. Broad	ZA	Siding garage same as home	3/16/2021	C
13-21	Beth Erickson	20 S. 6th	ARB	16' X 30' addition on the east	4/26/2021	C
14-21	Craig Hoopman	207 Wilson Ave	ARB	16' X 38' deck addition with ramp	4/26/2021	C
15-21	Alan Ingram	301 N 1st	ARB	10' X10' deck enlargement	4/26/2021	C
16-21	Bernard Havlik	913 Washington	ARB	10' X 24' deck enlargement from 8X24	4/26/2021	C
17-21	Heidi Nelson	136 N 3rd	ARB	Window replacement (11)	4/26/2021	C
18-21	Mark & Merrilee Johnson	28 S. 5th	ARB	26' X36' Garage w/ 2nd story suite	5/24/2021	C
19-21	Bayfield Vista, LLC	124 N. 1st	ARB	Entire remodel	5/20/2021	C
20-21	Lindsay & Jake Bjerke	309 Wing Ave	DENIED	10' X 8' 2nd story addition w/ balcony	DENIED	--
21-21	Manypenny Bistro	201 Manypenny	DENIED	Alter cement porch façade	DENIED	--
*	Matthew Peterson	11 S. 1st #302	ZA	Wood to composite, maintenance	4/23/2021	?/ZA
*	Mike Ernster	250 Rittenhouse	ZA	Replacing railing & stairs W. side, main.	5/3/2021	C
*	Steven Piper	621 Washington	ZA	Replacing roof--shingles	5/3/2021	C
*	Dan Noyes	Lynde Ave	ZA	Permit Extension--new home, no changes	5/4/2021	C
*	Heidi Nelson	202 N. 2nd Street	ZA	Window and deck replacement	5/6/2021	C
27-21	John & Shelia Oien	12 S. 4th	ARB	24'X26 garage west facing	5/24/2021	NS-Expired
28-21	Manypenny Bistro	201 Manypenny	ARB	36'x14' roof over patio	5/20/2001	C
29-21	Bill Marzolf	3 S. 3rd	ARB	Window Replacement	5/24/2021	NS-Expired
30-21	Bill Marzolf	3 S. 3rd	ARB	Deck replacement	5/24/2021	NS - Expired
31-21	Bayfield School	140 S. Broad	ARB	8'X12' shed	5/24/2021	C
*	Elizabeth Woodworth	20 N. 7th	ZA	Window Replacement	6/2/2021	C
*	Jesse Woodward	21 Front Street	ZA	Roof replacement shingles to char. Metal	6/7/2021	C
*	Keith Ray	433 N. Pine	ZA	Cement step replacement	6/7/2021	C
*	Marcie Gephardt	213 S. 5th Street	ZA	Stormdoor replacement	6/22/2021	C
36-21	Pam Calhoun	211 S. 11th	ARB	Deck extension 3 feet	6/28/2021	?/ZA
37-21	Lindsay & Jake Bjerke	309 Wing Ave	ARB	Balcony and spiral staircase	6/28/2021	IP - Seek Update
38-21	KADE Inc.	21 S. Broad	DIDN'T AIR	Second story addition, paint, windows, door	6/28/2021	no motion made w/ this app
*	Kraig Whalen	104 Rittenhouse	ARB	Replace Roof Asphalt--EXTENSION	10/26/2020	C

[HISTORY: Adopted by the Common Council of the City of Bayfield 4-1-1992 (§§ 15-1-1 through 15-1-16 and 8-1-6 of the 1992 Code of Ordinances). Amendments noted where applicable.]

GENERAL REFERENCES

Construction site erosion control — See Ch. 190.

Fire prevention — See Ch. 223.

Sewers — See Ch. 329.

Floodplain zoning — See Ch. 407.

Subdivision of land — See Ch. 474.

Zoning — See Ch. 500.

§ 152-1 Title.

This chapter shall be known as the "Building Code of the City of Bayfield" and will be referred to in this chapter as "this code," "this chapter" or "this ordinance."

§ 152-2 Purpose.

This chapter provides certain minimum standards, provisions and requirements for safe and stable design, methods of construction and uses of materials in buildings and/or structures hereafter erected, constructed, enlarged, altered, repaired, moved, converted to other uses or demolished and regulates the equipment, maintenance, use and occupancy of all such buildings and/or structures. Its purpose is to protect and foster the health, safety and well-being of persons occupying or using such buildings and the general public.

§ 152-3 Scope.

New buildings hereafter erected in, or any building hereafter moved within or into the City, shall conform to all the requirements of this chapter except as they are herein specifically exempted from part or all of its provisions. Any alteration, enlargement or demolition of an existing building and any installation therein of electrical, gas, heating, plumbing or ventilating equipment which affects the health or safety of the users thereof or any other persons is a "new building" to the extent of such change. Any existing building shall be considered a "new building" for the purposes of this chapter whenever it is used for dwelling, commercial or industrial purposes, unless it was being used for such purpose at the time this chapter was enacted. The provisions of this chapter supplement the laws of the State of Wisconsin pertaining to construction and use and Chapter 500, Zoning, of the Code of the City of Bayfield and amendments thereto to the date this chapter was adopted and in no way supersede or nullify such laws and the said Chapter 500, Zoning.

§ 152-4 Building permits and inspection.

[Amended 10-18-2006 by Ord. No. 335; 5-19-2021 by Ord. No. 401]

A. Permit required.

- (1) General permit requirement. No building of any kind shall be moved within or into the City of Bayfield and no new building or structure, or any part thereof, shall hereafter be erected, or ground broken for the same, or enlarged, altered, moved, demolished, razed or used within the City, except as herein provided, until a permit therefor shall first have been obtained by the owner, or his authorized agent, from the Building Inspector.
- (2) Alterations and repairs. The following provisions shall apply to buildings altered or repaired:
 - (a) Alterations. When not in conflict with any regulations, alterations to any existing building or structure accommodating a legal occupancy and use but of substandard type of construction, which involves either beams, girders, columns, bearing or other walls, room, heating and air-conditioning systems, arrangement, light and ventilation, changes in location of exit stairways or exits, or any or all of the above, then such existing construction shall be made to conform to the minimum requirements of this chapter applicable to such occupancy and use and given type of construction.
 - (b) Repairs. Repairs for purposes of maintenance, or replacements in any existing building or structure which do not involve the structural portions of the building or structure or which do not affect room arrangement, light and

ventilation, access to or efficiency of any exist stairways, or exits, fire protection, or exterior aesthetic appearance and which do not increase a given occupancy or use, shall be deemed minor repairs.

- (c) Alterations when not permitted. When any existing building or structure, which, for any reason whatsoever, does not conform to the regulations of this chapter, has deteriorated from any cause whatsoever to an extent greater than 50% of the equalized value of the building or structure, no alterations or moving of such building or structure shall be permitted. Any such building or structure shall be considered a menace to public safety and welfare and shall be ordered vacated and thereafter demolished and debris removed from the premises.
 - (d) Alterations and repairs required. When any of the structural members of any building or structure have deteriorated from any cause whatsoever to less than their required strength, the owner of such a building or structure shall cause such structural members to be restored to their required strength; failing in which the building or structure shall be considered a menace to public safety and shall be vacated and thereafter no further occupancy or use of the same shall be permitted until the regulations of this chapter are complied with.
 - (e) Extent of deterioration. The amount and extent of deterioration of any existing building or structure shall be determined by the Building Inspector.
- B. Application. Application for a building permit shall be made in writing upon a form furnished by the Building Inspector or his designee and shall state the name and address of the owner of the land and also the owner of the building if different, the legal description of the land upon which the building is to be located, the name and address of the designer, the use to which said building is to be put and such other information as the Building Inspector may require.
- C. Site plan approval.
- (1) Site plan approval. All applications for building permits for any construction, reconstruction, expansion or conversion, except for one and two family residences in residentially zoned districts shall require site plan approval by the Architectural Review Board in accordance with the requirements of this section. The applicant shall submit a site plan and sufficient plans and specifications of proposed buildings, machinery and operations to enable the Architectural Review Board or its expert consultants to determine whether the proposed application meets all the requirements applicable thereto in this chapter.
 - (2) Administration. The Building Inspector shall make a preliminary review of the application and plans requiring site plan review and refer them along with a report of his findings to the Architectural Review Board. The Architectural Review Board shall review the application and may refer the application and determine whether the application and plans meet all the requirements applicable thereto in this chapter. Within 30 days of its receipt of the application, the Architectural Board shall authorize the Building Inspector to issue or refuse a building permit.
 - (3) Requirements. In acting on any site plan, the Architectural Review Board shall consider the following:
 - (a) The appropriateness of the site plan and buildings in relation to the physical character of the site and the usage of adjoining land areas.
 - (b) The layout of the site with regard to entrances and exits to public streets; the arrangement and improvement of interior roadways; the location, adequacy and improvement of areas for parking and for loading and unloading; and shall, in this connection, satisfy itself that the traffic pattern generated by the proposed construction or use shall be developed in a manner consistent with the safety of residents and the community, and the applicant shall so design the construction or use as to minimize any traffic hazard created thereby.
 - (c) The adequacy of the proposed water supply, provisions for stormwater management, and sanitary and waste disposal.
 - (d) The landscaping and appearance of the completed site. The Architectural Review Board may require that those portions of all front, rear and side yards not used for off-street parking shall be attractively planted with a variety of plantings suitable for Bayfield's climate and ecology, including trees, shrubs, native plantings,^[1] and live groundcover.

[1] Editor's Note: See Ch. 146, Lawns, Natural Plantings, Brush and Weeds.
 - (e) Vegetated stormwater management measures, such as but not limited to bioretention areas or rain gardens, green roofs, green walls, planter boxes, natural planting areas, and vegetated buffer strips, as defined in § 500-108, are encouraged to be incorporated into the landscaping plan for the site.

- (f) The use of any species designated as a regulated invasive plant by the Wisconsin Department of Natural Resources pursuant to Wisconsin Administrative Code NR 40 is strictly prohibited.^[2]
 [2] <https://dnr.wi.gov/topic/Invasives/speciesNR40list.asp?filterBy=Category&filterVal=Plants&addFilter=Classification>
- (g) Any exterior trash or dumpster storage areas shall be screened on four sides with a combination of opaque fencing or dense evergreen screening. Dumpsters and trash containers shall have locking lids that prevent the entry of rainwater or snowmelt. Trash and dumpster storage areas shall be curbed or graded to direct runoff into appropriate vegetated areas, and away from surface water flow paths or storm drains.
- (4) Effect on municipal services. Before granting any site approval, the Architectural Review Board may, besides obtaining advice from consultants, secure such advice as may be deemed necessary from the Building Inspector or other municipal officials, with special attention to the effect of such approval upon existing municipal services and utilities. Should additional facilities be needed, the Architectural Board shall not issue the final approval until the City has entered into an agreement with the applicant regarding the development of such facilities.
- (5) Appeals. Denials of building permits contingent upon site plan approval may be appealed to the Zoning Board of Appeals by filing a notice of appeal with the City Clerk within seven days of the denial.
- D. Dedicated street and approved subdivision required. Unless a waiver is granted by the Common Council, no building permit shall be issued unless the property on which the building is proposed to be built abuts a street that has been dedicated for street purposes. No building permits shall be issued until the subdivision and/or certified survey and required improvements are accepted by the Common Council.
- E. Utilities required.
- (1) Residential buildings. No building permit shall be issued for the construction of any residential building until sewer, water, grading and graveling are installed in the streets necessary to service the property for which the permit is required and a receipt for payment of electrical hookup is presented to the Building Inspector.
- (2) Nonresidential building. No building permit shall be issued for the construction of any building other than residential until contracts have been let for the installation of sewer, water, grading and graveling in the streets necessary to service the property for which the permit is requested.
- F. Plans.
- (1) Submittal required. With applications for new detached structures or additions, there shall be submitted two complete sets of plans and specifications, including a plot plan showing the location and dimensions of all buildings and improvements on the lot, both existing and proposed, dimensions of the lot, dimensions showing all setbacks of all buildings on the lot, proposed grade of proposed structure (to City datum), grade of lot and of the street abutting lot, grade and setback of adjacent buildings (if adjacent lot is vacant, submit elevation of nearest buildings on same side of street), type of monuments at each corner of lot, watercourses or existing drainage ditches, easements or other restrictions affecting such property, and the signature of the applicant.
- (2) Construction erosion control. For any project involving the disturbance or grading of 400 square feet or more of surface area, or involving excavation or fill of more than 10 cubic yards of material, or if necessary due to the nature of the project as determined by the Common Council, Plan Commission, Building Inspector, or City Engineer pursuant to § 190-3B(3), a construction erosion control plan shall be submitted setting forth proposed information and procedures needed for control of soil erosion, surface water runoff and sediment disposition at the building site.^[3]
 [3] *Since the Wisconsin Department of Natural Resources does not have a handbook, applicants are encouraged to refer to the "Low Risk Site Handbook" from the Vermont Department of Environmental Quality.*
- (3) Plans, specifications and plot plans shall be drawn to a minimum scale of 1/4 inch to one foot (fireplace details to 3/4 inch to one foot). One set of plans shall be returned after approval as provided in this chapter. The second set shall be filed in the office of the Building Inspector. Plans for buildings involving the State Building Code shall bear the stamp of approval of the State Department of Commerce. One plan shall be submitted which shall remain on file in the office of the Building Inspector. All plans and specifications shall be signed by the designer.
- (4) Any application for a building permit or site plan approval shall include a review by the Zoning Administrator or her/his designee for the placement of structures and changes in grade in locations or of an extent that would impair the free flow of stormwater, or have the potential to create a nuisance condition on an adjacent property or within the public

City of Bayfield, WI
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Chapter 500. Zoning

Article XIII. Administration and Enforcement

§ 500-95. Site plan approval.

- A. Site plan approval. All applications for permits for any construction, reconstruction, expansion or conversion shall require site plan approval by the Plan Commission and the Architectural Review Board in accordance with the requirements of this section.
- B. Application. The applicant for a zoning permit shall also submit a site plan and sufficient plans and specifications of proposed buildings, machinery and operations to enable the Architectural Review Board or its expert consultants to determine whether the proposed application meets all the requirements applicable thereto in this chapter.
- C. Administration. The Zoning Administrator shall make a preliminary review of the application and plans and refer them, along with a report of his findings, to the Architectural Review Board within 10 days. The Architectural Review Board shall review the application and may refer the application and plans to any expert consultants selected by the Common Council to advise whether the application and plans meet all the requirements applicable thereto in this chapter. Within 30 days of its receipt of the application, the Commission shall authorize the Zoning Administrator to issue or refuse a zoning permit.
- D. Requirements. In acting on any site plan, the Architectural Review Board shall consider the following:
 - (1) The appropriateness of the site plan and buildings in relation to the physical character of the site and the usage of adjoining land areas.
 - (2) The landscaping and appearance of the completed site. The Architectural Review Board may require that those portions of all front, rear and side yards not used for off-street parking shall be attractively planted with trees, shrubs, plants or grass lawns and that the site be effectively screened so as not to impair the value of adjacent properties nor impair the intent or purposes of this section.
- E. Effect on municipal services. Before granting any site approval, the Architectural Review Board may, besides obtaining advice from consultants, secure such advice as may be deemed necessary from the City Engineer or other municipal officials, with special attention to the effect of such approval upon existing municipal services and utilities. Should additional facilities be needed, the Architectural Review Board shall forward its recommendations to the Common Council and shall not issue final approval until the Common Council has entered into an agreement with the applicant regarding the development of such facilities.

§ 500-96. Architectural review.

- A. Appointment. The Architectural Review Board shall be appointed as prescribed in Chapter 21, Boards, Commissions and Committees, of the Code of the City of Bayfield.

- B. Powers. The Architectural Review Board shall have powers enumerated in § 21-8 of this Code.^[1]
[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*
- C. Applications. Applications for approval by the Architectural Review Board shall be made to the Zoning Administrator and shall be accompanied by the zoning permit application required under this section and, in addition, shall be accompanied by plans showing the exterior elevations of the existing and proposed structure description of the proposed materials and colors, proposed floor grades, and a list of the names and addresses of the parties in interest.
- D. Hearings. Notice to be mailed to the applicant, Zoning Administrator, and the parties in interest at least five days prior to the hearing. The applicant may appear in person, by agent, or by attorney.
- E. Findings. The Architectural Review Board shall not approve any application unless they find beyond a reasonable doubt after viewing the site that the following facts and conditions exist and shall so indicate in the minutes of their proceedings. The exterior design proposed is not unsightly or obnoxious and is not disharmonious or so similar to existing or proposed neighboring developments that substantial depreciation of neighboring property or development will be caused by the applicant's proposal.
- F. The Architectural Review Board shall decide all applications within five days after the final hearing and shall transmit a signed copy of their decision to the applicant and file a copy with the Building Inspector.
- G. Appeals. Any person or person aggrieved by any decisions of the Architectural Review Board may appeal the decision to the Zoning Board of Appeals. Such appeal shall be filed with the City Clerk within 30 days after filing of the decision with the Building Inspector.

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Article VI. Nonconforming Uses, Structures and Lots

§ 500-46. Existing nonconforming structures.

The lawful nonconforming structure existing at the time of the adoption or amendment of this chapter may be continued although its size or location does not conform with the lot width, lot area, yard, height, parking and loading, and access provisions of this chapter. An owner of an existing nonconforming structure will be allowed to extend, enlarge, reconstruct, move or structurally alter the building, so long as the new construction does not increase the extent of the nonconformity of the structure in any respect and does not create any new nonconformity. The owner of a nonconforming structure shall submit site and elevation plans to the Architectural Review Board for approval, along with a land survey in cases where the lot lines are questionable (to be determined by the City).

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Chapter 500. Zoning

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§ 500-97. Fees.

Fees applicable to this chapter shall be set by the Common Council.

- A. Rezoning application, per application (including repetitions of previous applications).
- B. Conditional use permit application. All conditional use applications shall be filed with the City Clerk along with said fee. The filing fee shall be used to reimburse the City for publication costs and attorney's fees incurred in relation to the application and hearings thereon. The Zoning Administrator, upon receipt of an application and the fee provided herein, shall immediately refer it to the Plan Commission for consideration.
- C. Variance application. All applications for special exceptions and variances and appeals shall be filed with the Zoning Administrator along with said fee. The filing fee shall be used to reimburse the City for publication costs and attorney's fees incurred in relation to the application or appeal and hearings thereon. The City Clerk, upon receipt of an application or appeal and the fee provided herein, shall immediately refer it to the Zoning Board of Appeals for consideration.
- D. Building permit application.

Type	Residential Permit Fees	Commercial Permit Fees	Additional/Special Comments
New construction	As set by the Common Council		Requires a survey
Alterations:	As set by the Common Council		Requires a survey, any time setbacks questionable (to be determined by the City)
Additions			
Garages greater than 8 feet by 12 feet			
New decks			
Alterations:	As set by the Common Council		
Roofing			
Small and existing decks			
Sheds less than or equal to 8 feet by 12 feet			
Siding			
Window/door repair			
Foundation work			
Maintenance:	As set by the Common Council		If there is a question about whether it qualifies as maintenance, check
Roof patching			

Type	Residential Permit Fees	Commercial Permit Fees	Additional/Special Comments
Siding patching			with the Zoning Administrator first
Rotten board repair			
Painting			
Fencing (perimeter)	As set by the Common Council		No solid fences allowed in front yards

E. Zoning permit application (initial fee, and other fee if requested after the fact).

F. Interpretation.

- (1) Regardless of how a property is officially zoned, fees will be based on use; i.e., if commercially zoned property is used residentially, then residential fees will apply, and if residentially zoned property is used commercially, the commercial fees will apply.
- (2) The Architectural Review Board will require all contractors listed on applications to present a copy of their Wisconsin Division of Safety and Buildings credential card. They are encouraged to place them on file in the Clerk's office for their convenience.
- (3) Surveys are required for all setback variance requests, new construction, and additions when setbacks are questionable.

G. Escrow deposits for consultants. If, in considering an application for a conditional use permit, zoning permit, building permit, or planned development district or other rezoning, the Plan Commission determines that one or more outside consultants are required in order for the Plan Commission to adequately evaluate the application, the applicant shall pay to the City the costs of the consultant services, as follows. Upon notice from the City that outside consultant services are required, the applicant shall deposit \$5,000 with the City, to be held in escrow, upon which the City shall draw to pay for said costs as they are incurred during the course of reviewing the application. Itemized statements reflecting the amounts drawn from the deposit shall be sent to the applicant each month. In the event that the escrow deposit has been drawn down to 25% of the required amount, the applicant shall replenish the escrow deposit to its original amount. If any funds remain in the escrow deposit following final determination of the application, such remaining funds shall be returned to the applicant within 60 days of the determination, together with an accounting of the deposits and draws on the escrow. Payments under this section are in addition to the fees required under the other provisions of this section.

[Added 12-18-2007 by Ord. No. 339]

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

BUILDING PERMIT APPLICATION

CITY OF BAYFIELD, WISCONSIN

IMPORTANT -- Complete All items. Mark boxes where applicable

I. LOCATION OF BUILDING	Number and Street	Lot	Block
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II. TYPE AND COST OF BUILDING – All applicants complete

<p>A. TYPE OF IMPROVEMENT</p> <p>1 <input type="checkbox"/> New building</p> <p>2 <input type="checkbox"/> Addition (if residential, enter number of new housing units added if any in Part D, 13)</p> <p>3 <input type="checkbox"/> Alteration (See 2 above)</p> <p>4 <input type="checkbox"/> Repair, replacement _____</p> <p>5 <input type="checkbox"/> Wrecking (If multifamily residential enter number of units in building in Part D, 13)</p> <p>6 <input type="checkbox"/> Moving (relocation)</p> <p>7 <input type="checkbox"/> Foundation only</p> <p>B. OWNERSHIP</p> <p>8 <input type="checkbox"/> Private (individual, corporation, nonprofit institution, etc.)</p> <p>9 <input type="checkbox"/> Public (Federal, State, or local government)</p>	<p>D. PROPOSED USE For "Wrecking" most recent use</p> <p>Residential</p> <p>12 <input type="checkbox"/> One Family</p> <p>13 <input type="checkbox"/> Two or more family - Enter number of units</p> <p>14 <input type="checkbox"/> Transient hotel, motel, or dormitory Enter number of units</p> <p>15 <input type="checkbox"/> Garage</p> <p>16 <input type="checkbox"/> Carport</p> <p>17 <input type="checkbox"/> Other — Specify _____</p> <p>_____</p> <p>_____</p>	<p>Non residential</p> <p>18 <input type="checkbox"/> Amusement, recreational</p> <p>19 <input type="checkbox"/> Church, other religious</p> <p>20 <input type="checkbox"/> Industrial</p> <p>21 <input type="checkbox"/> Parking garage</p> <p>22 <input type="checkbox"/> Service station, repair garage</p> <p>23 <input type="checkbox"/> Hospital, institutional</p> <p>24 <input type="checkbox"/> Office, bank, professional</p> <p>25 <input type="checkbox"/> Public Utility</p> <p>26 <input type="checkbox"/> School, library, other educational</p> <p>27 <input type="checkbox"/> Stores, mercantile</p> <p>28 <input type="checkbox"/> Tanks, towers</p> <p>29 <input type="checkbox"/> Other — Specify _____</p> <p>_____</p>
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C. COST		(Omit cents)
10. Cost of improvement -----	\$	_____
To be installed but not included in the above cost		
a. Electrical -----		_____
b. Plumbing -----		_____
c. Heating, air conditioning -----		_____
d. Other (elevator, etc.) -----		_____
11. TOTAL COST OF IMPROVEMENT	\$	_____

III. SELECTED CHARACTERISTICS OF BUILDING

PRINCIPAL TYPE OF FRAME

30 Masonry (wall bearing)

31 Wood frame

32 Structure steel

33 Reinforced concrete

34 Other – Specify _____

DIMENSIONS

48. Number of stories

49. Total square feet of floor area, all floors, based on exterior dimensions

50. Total land area, sq. ft.

RESIDENTIAL BUILDINGS ONLY

53. Number of bedrooms

54. ~~Number of~~ ^{bathrooms} ~~Number of~~ ^{Partial}

IV. BUILDING PERMIT APPLICATION SUBMITTAL

1. Building Permit Application (provided by the City) must be filled out in it's entirety and signed by the property owner.
2. Detailed Site Plan - must list all dimensions to property owners lot line. Use reverse side or similar drawing.
3. Elevation Drawings - must submit elevation drawings for all sides of building that will be changed or modified.
4. Survey - required for all new construction, and for any project where the existing footprint is increased.
5. Historic Preservation - written information is needed to support your application with respect to historic preservation (does new construction fit with old, how does new construction fit with other neighboring properties, see Historic District Guidelines).
6. You or a representative must be at the Architectural Review Board meeting to present plans and answer any questions the Board may have about your application/project.

V. IDENTIFICATION To be completed by all applicants

	Name	Mailing address - Number, Street, City, State	ZIP code	Tel. No.
1. Property Owner				
		Email Address:		
2. Contractor				
3. Architect				

The owner of this building and the undersigned agree to conform to all applicable laws of (name of permit jurisdiction).

Signature of Property Owner	Address	Application date
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DO NOT WRITE IN THIS SPACE - FOR OFFICE USE

Approved by	Permit fee	Date permit issued	Permit number
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Building Permit Application Worksheet

Must be filed with the Application

Please check each box and attach the required material as indicated:

- Completed Building Permit Application.
 - Completed Building Permit Application Worksheet.
 - Elevation Drawings – for all sides of building that will be changed or modified including all current and new exterior lighting.
 - Survey – for all new construction and for any project where lot lines are questionable.
 - Certificate of Approval Application – for properties located in the Historic District.
 - Acknowledge that you or a representative will be present at the meeting.
-

Please respond to all that apply, be specific:

1. Construction Type: _____
2. Size (Dimensions): _____
3. Siding Material:
Currently: _____ Proposed: _____
Siding Color:
Currently: _____ Proposed: _____
4. Roofing Materials:
Currently: _____ Proposed: _____
Roof Color:
Currently: _____ Proposed: _____
5. Windows: Style: _____ Size: _____
Style: _____ Size: _____
Style: _____ Size: _____
Style: _____ Size: _____
6. Doors: Style: _____ Size: _____
Style: _____ Size: _____
Style: _____ Size: _____
7. Height: _____ (to be measured from the lowest elevation on the footprint of the building projected vertically on the natural surface of the building site, as it existed prior to any filling, excavating, or grading and verified by the certified topographical survey, to the highest roof peak)

City of Bayfield

Building Permit Application Submittal

1. Building Permit Application (Provided by City) - must be filled out in its entirety and signed by property owner.
2. Detailed Site Plan - must list all dimensions to property owner's lot lines.
3. Elevation Drawings - must submit elevation drawings for all sides of building that will be changed or modified including all current and new exterior lighting.
4. Survey - Required for all new construction and for any projects where lot lines are questionable (to be determined by City).
5. Historic Preservation - written information is needed to support your application with respect to historic preservation (does new construction fit with old, how new construction fits with other neighboring properties).
6. You or a representative must be at the meeting to present plans and answer any questions the Board may have about your application/project.

NOTICE TO APPLICANTS:

You may be required to obtain other City permits depending on your project. Other permits may include:

TYPE	APPROVAL BY	CONTACT
Conditional Use	Plan Commission	Billie Hoopman
Digging	Public Works	Tom Kovachevich
Driveway	Public Works	Tom Kovachevich
Sign	Zoning Administrator/Plan Commission	Billie Hoopman
Soil Erosion	Public Works	Tom Kovachevich

OTHER INFORMATION:

SERVICE	COMPANY	CONTACT	PHONE NO.
Gas/Electric	Xcel Energy		800-895-4999
Water/Sewer	City of Bayfield	Mike Burg	715-779-5731
Surveyors	Nelson Surveying	Patrick McKuen	715-682-2692
	Pine Ridge Surveying		715-682-2969
Telephone	Centurylink		800-201-4099
	Charter Spectrum		855-757-7328
Cable	Charter Spectrum		855-757-7328
	Diggers Hotline	Call before you dig	800-242-8511

ADDITIONS

General

When planning an addition to a structure, consider the effect the addition will have on the adjacent and facing structures on the same block.

Mass & Scale

- An addition should be visually subordinate to the primary structure.
- An addition should respect the proportions, massing and siting of the primary structure.
- If an addition would be taller than the primary structure, set it back substantially from primary character-defining facades.
- If an addition is large, set the addition apart from the primary structure and utilize a small link, such as an enclosed breezeway, to join the two.
- Reflect the floor heights, roof shape, massing and window and door types of the primary structure in the addition.

Design

- Design the addition so that it does not destroy important historic architectural features of the primary structure.
- The form and detailing of an addition should be compatible with the primary structure.
- The materials of an addition should be similar to the primary structure.

Documentation Required

The following information must be filed with the City at least seven (7) business days before a scheduled ARB meeting. Staff or the ARB may request any additional information. Incomplete applications cannot be accepted for review.

- A completed application form for a Certificate of Approval signed by the applicant and the property owner, describing existing conditions and proposed changes.
- Photographs of the site and where the proposed addition will occur.
- Photographs of the existing primary structure.
- Photographs of all abutting properties (abutters are those properties whose lot lines touch the lot lines of the subject property; streets are considered common property lines).
- Photos are to be at least 4x6 inches and must be labeled with the street address, compass direction and date. Instant picture photographs are not acceptable due to a lack of clarity and long-term stability.
- Ten (10) Sets of scaled detailed drawings of the proposed new construction. Drawings should be titled, indicating scale, labeled with the property

address and dated. The scale should be sufficient to indicate clearly all aspects of the project.

- Site plan illustrating the location of all new construction in relationship to all other site elements, the property lines and structures on abutting properties. **Site plans should be based upon data provided by a registered land surveyor**, and shall (Zoning § 500-95) clearly indicate the location of all design features of the proposed construction, including: building set backs, paved areas, parking areas, landscape features, fences, walls, mechanical equipment and other planned improvements. Indicate north arrow.
- Roof plan and exterior elevations showing the design concept for all four elevations, and the roof. Drawings should illustrate the relationship of the proposed structure to abutting structures, and shall (Zoning § 500-96) clearly indicate all design features of the proposed construction, including: building materials and colors of all permanent exterior finish materials; location, configuration and type of doors and windows; overall dimensions; general details of roofing, siding, ornamentation and trim; location and type of any proposed signs; exterior mechanical equipment; and other structure or site features.
- May request three-dimensional drawings or model, illustrating the proposed construction in context with the surrounding area and abutting structures and conceptual floor plans.
- Manufacturer's specifications and product information, if available.
- One (1) set of scaled final design drawings.
- One (1) set of scaled construction drawings upon approval of final design drawings.

NEW CONSTRUCTION

General

The design of a new construction is critical to preserving the character of the Historic District. The new structure or addition should contribute to that character by respecting the location, design, materials and other character-defining elements of historic structures, as well as respecting the character of the landscape and other important features of the facing block and Historic District.

The key to design of a new structure that enhances the existing environment is compatibility with neighboring structures. Compatibility does not mean duplicating existing structures or environment. A compatible new structure should be a good neighbor, enhancing the character of the district.

When designing an addition or a new structure, consider the following architectural and site features in relationship to the existing structure and/or the surrounding structures:

- Height
- Scale, massing, form, proportions
- Roof shape
- Directional emphasis
- Siting and setbacks
- Height of foundation platform
- Sense of entry, porches, doors, stairs
- Rhythm and size of openings
- Color and texture of materials
- Architectural detail
- Topography
- Parking
- Landscaping

Documentation Required

The following information must be filed with the City at least seven (7) business days before a scheduled ARB meeting. Staff or the ARB may request any additional information. Incomplete applications cannot be accepted for review.

- A completed application form for a Certificate of Approval signed by the applicant and the property owner, describing existing conditions and proposed changes.
- Photographs of the site and where the proposed new construction will occur.
- Photographs of all abutting properties (abutters are those properties whose lot lines touch the lot lines of the subject property; streets are considered common property lines).
- Photos are to be at least 4x6 inches and must be labeled with the street address, compass direction and date. Instant picture photographs are not acceptable

due to a lack of clarity and long-term stability.

- Ten (10) Sets of scaled architectural drawings of the proposed new construction. Drawings should be titled, indicating scale, labeled with the property address and dated. The scale should be sufficient to indicate clearly all aspects of the project.
- Site plan illustrating the location of all new construction in relationship to all other site elements, the property lines and structures on abutting properties. **Site plans should be based upon data provided by a registered land surveyor and shall** (Zoning § 500-95) clearly indicate the location of all design features of the proposed construction, including: building set backs, paved areas, parking areas, landscape features, fences, walls, mechanical equipment and other planned improvements. Indicate north arrow.
- Roof plan and exterior elevations showing the design concept for all four elevations, and the roof. Drawings should illustrate the relationship of the proposed structure to abutting structures, and shall (Zoning § 500-96) clearly indicate all design features of the proposed construction, including: building materials and colors of all permanent exterior finish materials; location, configuration and type of doors and windows; overall dimensions; general details of roofing, siding, ornamentation and trim; location and type of any proposed signs; exterior mechanical equipment; and other structure or site features.
- May require three-dimensional drawing or model illustrating the proposed construction in context with the surrounding area and abutting structures and conceptual floor plans.
- Manufacturer's specifications and product information, if available.
- One (1) set of scaled final design drawings.
- One (1) set of scaled construction drawings upon approval of final design drawings.
- In the case of commercial buildings, one (1) set of Department of Commerce approved plans.

ACCESSORY STRUCTURES

General

An accessory structure including sheds, studios, greenhouses and garages can provide much needed storage space on a site, but can also have significant impacts on the surrounding area. In order to avoid any negative impacts an accessory structure may have, it should be well-designed and constructed of durable materials that help it relate to the primary structure on the site.

Type & Location

- Locating an accessory structure to the rear of a lot is preferred.
- Locating an accessory structure to the side of the primary structure, but set back substantially, is also appropriate.
- Locating an accessory structure in the front yard is inappropriate.

Mass & Scale

- Construct an accessory structure that is subordinate in scale with the primary structure.
- In general, an accessory structure should be unobtrusive and not compete visually with the house. While the roofline does not have to match the house, it is best that it not vary significantly.
- An accessory structure should remain subordinate, in terms of mass, scale and height, to the primary structure.
- An accessory structure should be similar in character to those seen traditionally.
- Basic rectangular forms, with hip, gable or shed roofs, are appropriate.

Materials

- Appropriate siding materials for accessory structures include painted or stained wood lap siding, wood planks, vertical board and batten siding.
- Materials should be utilitarian in appearance. The use of muted, natural colors and finishes are particularly encouraged.
- Maintain the simple detailing found on accessory structures.

Documentation Required

The following information must be filed with the City at least seven (7) business days before a scheduled ARB meeting. Staff or the ARB may request any additional information. Incomplete applications cannot be accepted for review.

- A completed application form for a Certificate of Approval signed by the applicant and the property

owner, describing existing conditions and proposed changes.

- Photographs of the site and where the proposed new construction will occur.
- For additions, includes photos of the existing primary structure, showing all building elevations.
- Photographs of all abutting properties (abutters are those properties whose lot lines touch the lot lines of the subject property; streets are considered common property lines).
- Photos are to be at least 4x6 inches and must be labeled with the street address, compass direction and date. Instant picture photographs are not acceptable due to a lack of clarity and long-term stability.
- Ten (10) Sets of scaled architectural drawings of the proposed new construction. Drawings should be titled, indicating scale, labeled with the property address and dated. The scale should be sufficient to indicate clearly all aspects of the project.
- Site plan illustrating the location of all new construction in relationship to all other site elements, the property lines and structures on abutting properties. Site plans should be based upon data provided by a registered land surveyor and shall (Zoning § 500-95) clearly indicate the location of all design features of the proposed construction, including: building set backs, paved areas, parking areas, landscape features, fences, walls, mechanical equipment and other planned improvements. Indicate north arrow.
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- May require conceptual floor plans.
- Manufacturer's specifications and product information, if available.
- One (1) set of scaled final design drawings.