250828

Resolution relating to a Certificate of Appropriateness for rooftop solar panels at 2591 N. Summit Ave., in the North Point North Historic District for Chris Sanger.

- August Rohm House (1909)
- Henry J. Rotier, architect
- Tudor Revival

- **Home Team Energy**
  - $29,100; 9,800 kwh/yr
- **ECW**
  - $24,800; 11,389 kwh/yr

- **Home Team Energy**
  - $29,100; 7,300 kwh/yr (4 addt'l panels)
  - $30,100; 7,800 kwh/yr (4 addt'l panels + 1 front panel)
  - $31,100; 8,300 kwh/yr (4 addt'l panels + 2 front panels)
- **ECW**
  - $24,800; 5,562 kwh/yr

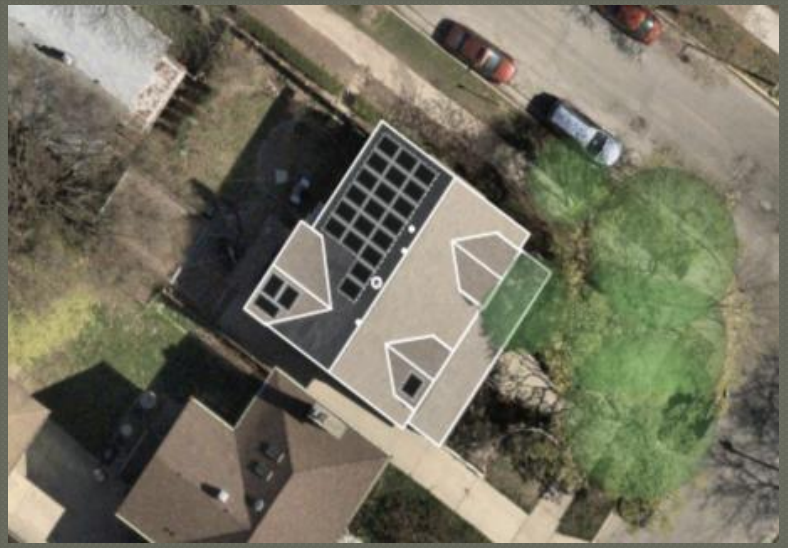
The HPC is granted authority to regulate historically designated properties within the City through Wis. Stat. § 62.23(em). The statute provides, in relevant part, "a city, as an exercise of its zoning and police powers for the purpose of promoting the health, safety and general welfare of the community and of the state, *may* regulate by ordinance… any place, structure or object with a special character, historic, archaeological or aesthetic interest, or other significant value, for the purpose of preserving the place, structure or object and its significant characteristics." Wis. Stat. § 62.23(em)(1) (emphasis added)

Wis. Stat. 66.0401 regulates solar and wind energy systems. 66.0401(1m) states:

AUTHORITY TO RESTRICT SYSTEMS LIMITED. No political subdivision may place any restriction, either directly or in effect, on the installation or use of a wind energy system that is more restrictive than the rules promulgated by the commission under s. 196.378 (4g) (b). No political subdivision may place any restriction, either directly or in effect, on the installation or use of a solar energy system, as defined in s. 13.48 (2) (h) 1. g., or a wind energy system, unless the restriction satisfies one of the following conditions:

(a) Serves to preserve or protect the public health or safety.
(b) Does not significantly increase the cost of the system or significantly decrease its efficiency.
(c) Allows for an alternative system of comparable cost and efficiency.

- HPC found conditions met
- Denied front system unanimously



Appeal Criteria

The council may…reverse or modify the decision of the commission if, after balancing the interest of the public in preserving the subject property and the interest of the owner in using it for his or her own purposes, the council finds that, owing to special conditions concerning to the specific piece of property, failure to grant the certificate of appropriateness will preclude any and all reasonable use of the property or will cause unreasonable economic hardship for the owner, provided that any self-created hardship or failure to maintain the property in good repair shall not be a basis for reversal or modification of the commission's decision.

Appeal Criteria

If claiming that denial of the certificate or the conditional approval of the certificate causes unreasonable economic hardship for the owner, the applicant shall provide clear and convincing evidence that any hardship is not self-created or the result of failure to maintain the property in good repair

Staff Recommendation:

Uphold HPC decision

- North Point North guidelines
- No proof "clear and convincing evidence" of hardship