



Office of the City Clerk

Jim Owczarski
City Clerk

Rebecca N. Grill
Deputy City Clerk

July 1, 2013

Rocky Marcoux, Commissioner
Department of City Development
City of Milwaukee
809 North Broadway
Milwaukee, WI 53202

Re: Application for Historic Designation
Tiefenthaler House
2425 West McKinley Avenue

Dear Commissioner Marcoux:

A nomination was recently submitted to the Historic Preservation Commission for historic designation for the above property. The nomination appears to be complete.

The Commission will schedule a public hearing on the nomination and you will be notified by certified mail of the date, time and location at least 25 days before the hearing.

In reviewing the nomination, the Commission will determine if your property meets any of the 10 criteria established by the City's historic preservation ordinance. If it does, the nomination will be forwarded to the Common Council.

Should the nomination be approved by the Common Council, a Certificate of Appropriateness will be required for future work on the exterior of your property. Enclosed is informational literature that summarizes the purpose and function of historic preservation and local historic designation and the criteria used for evaluation.

If you have any questions or need further assistance please, do not hesitate to contact me at (414) 286-5722 or Carlen.hatala@milwaukee.gov.

Sincerely,

Carlen Hatala
Historic Preservation Planner



DESIGNATION CRITERIA

- e-1. Its exemplification of the development of the cultural, economic, social or historic heritage of the City of Milwaukee, State of Wisconsin or of the United States.
- e-2. Its location as a site of a significant historic event.
- e-3. Its identification with a person or persons who significantly contributed to the culture and development of the city.
- e-4. Its portrayal of the environment of a group of people in an era of history characterized by a distinctive architectural style.
- e-5. Its embodiment of distinguishing characteristics of an architectural type or specimen.
- e-6. Its identification as the work of an artist, architect, craftsperson or master builder whose individual works have influenced the development of the city.
- e-7. Its embodiment of innovation in architectural design or engineering, pre- or post- World War II, expressed in design, details, materials, craftsmanship, construction techniques or function of one or more buildings or structures.
- e-8. Its relationship to other distinctive areas which are eligible for preservation according to a plan based on an historic, cultural, or architectural motif.
- e-9. Its unique location as a singular physical characteristic which represents an established and familiar visual feature of a neighborhood, community or the city.
- e-10. Its association with pre-European settlement

PRESERVATION TOPICS #1

Historic Preservation Commission

City of Milwaukee

WHAT IS THE HISTORIC PRESERVATION COMMISSION?

On June 16, 1981, the Common Council of the City of Milwaukee repealed Section 2-335 of the Code of Ordinances relating to the Milwaukee Landmarks Commission and replaced it with a new section creating the Milwaukee Historic Preservation Commission (now 320-21). The Historic Preservation Commission consists of seven unpaid, citizen members and is staffed by the Office of the City Clerk.

The Milwaukee Historic Preservation Commission

The Commission is charged with the responsibility of assisting in the preservation of the city's historic and cultural heritage by identifying buildings, sites, objects and districts that reflect elements of Milwaukee's cultural, social, economic, political and architectural history. The Commission aids in safeguarding this historic legacy by recommending that the Common Council designate eligible properties as local historic sites and districts protected by special design review procedures.

What Properties are eligible for designation?

Any structure, site or district, which possesses architectural, cultural or historical significance to the City of Milwaukee, may be considered for designation. In general, a structure, site or district is considered to possess these qualities if it:

1. Exemplifies the development of the cultural, economic, social or historic heritage of the City of Milwaukee, State of Wisconsin or of the United States.
2. Is the site of a significant historic event.
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9. Is uniquely located as a singular structure, object or place which represents an established and familiar visual feature of a neighborhood, community, or the City of Milwaukee.
10. Its association with pre-European settlement.

How are sites designated?

Section 320-21 of the Milwaukee Code of Ordinances defines the process by which a site may be designated as historic. Any person can petition the Historic Preservation Commission for the designation of a site by obtaining an application from the Commission staff.

Applications are reviewed by the staff for completeness and accuracy before being scheduled for presentation to the

Commission. The staff then prepares a Historic Designation Study Report and sends notices of the public hearing to the owner or owners of the affected property, as well as the owners of all properties that lie within two hundred feet of the boundaries of the proposed site or district. A minimum of twenty-five days after the notification letters are mailed, a public hearing is held. Following the public hearing the Commission decides whether or not to recommend the site for designation to the Common Council and informs the affected property owners of their recommendation by letter. The Common Council then votes to either approve or deny the designation. If the designation is approved, the City Clerk notifies the owners of the affected property, the appropriate alderpeople, the Commissioners of City Development, Public Works and Neighborhood Services, and files a notice of the designation with the Milwaukee County Register of Deeds to be recorded with the deeds of the affected properties. Once notified of the designation by the City Clerk, the Commissioner of Neighborhood Services/Development Center will not issue a building permit for a designated historic site or structure within a historic district without first obtaining a Certificate of Appropriateness (COA) from the Commission.

What are the advantages of having a site declared historic by the City of Milwaukee?

Other than the prestige and honor associated with having your building officially recognized as an important element of the City's cultural heritage, designation affords property owners the opportunity to exercise a greater measure of control over the future of their properties and neighborhoods than would otherwise be the case. By requiring that proposed new construction and exterior alterations be reviewed by the Historic Preservation Commission, the architectural integrity of Milwaukee's historic buildings and neighborhoods can be safeguarded against unsympathetic projects that would destroy the qualities that have made some buildings visual landmarks to generations of city residents and have given some neighborhoods their special character and identity.

It has been demonstrated in many communities that local designation may actually enhance property values by increasing the attractiveness of a district to potential residents or investors. The assurance that changes in an area's physical appearance will be carefully monitored to preserve its unique historic character tends to have a positive effect on property values by removing much of the uncertainty about future building alterations or changes in land use that might adversely impact neighboring structures.

In addition, city designation could make rehabilitation-minded property owners within certain historic districts eligible to apply for the generous federal income tax incentives contained in the Economic Recovery Tax Act of 1981. Briefly, if a depreciable structure is a contributing element within a certified local historic district, its owner may be eligible to apply for a 25% investment tax credit for expenses incurred in its rehabilitation, if the work is done in conformance with federal design standards.

What is the purpose of the Commission's design review responsibility and how does the review process work?

When a property is designated as a historic site under Section 320-21, it is protected from unsympathetic exterior alteration.

Inappropriate exterior remodeling is the most prevalent cause of loss of historic character for old buildings. Although often well-intentioned, such alterations as the replacement of original window sash with modern prefabricated units, the installation of vinyl or aluminum siding, or the removal of architectural trim such as eaves brackets, bargeboards, window caps or porches destroys the architectural integrity of old buildings and may actually lessen their resale value. Some alterations may even result in irreversible structural deterioration.

To prevent these unfortunate consequences from occurring, property owners are required to submit to the Historic Preservation Commission for review any project they wish to undertake that will affect the exterior appearance of their designated historic buildings. The Commission's review occurs as part of the building permit application process. If the project is consistent with the historic character of the building or historic district, the Commission will issue a Certificate of Appropriateness and no further historical review would be required to obtain a building permit. In some cases, the COA may be issued by staff without official Commission review.

In the event the Commission finds that a proposed project will violate the historic integrity of the building or district in which it is located, it will schedule a public hearing and, in the interim, attempt to negotiate changes in the project that will render it acceptable to the Commission. If no acceptable compromise can be reached prior to or during the public hearing, the Commission will refuse to issue a COA with the result that no building permit will be granted for the project by the Commissioner of Neighborhood Service. The aggrieved applicant may appeal to the Common Council, which may reverse or modify the decision of the Commission.

More detailed information on design review procedures can be obtained by contacting the Historic Preservation Commission staff.

Can designated historic properties be demolished?

The Historic Preservation Commission reviews applications for demolition permits in the same manner as applications for building permits. In considering such a request, the Commission takes into consideration the effect that the proposed demolition would have upon the historic district in which it is located or, in the case of an individually designated structure, the value of the resource to the cultural heritage of Milwaukee. It weighs these considerations against the owner's right to a reasonable use of the property, the public benefit of the project requiring the demolition, and the severity of the hardship that would be inflicted upon the owner should the request be denied. After taking into account these factors, the Commission may either grant or deny the request or defer making a determination for a period of up to eight months while it attempts to find a method of saving the endangered structure. The owner may appeal the Commission's decision to defer judgment to the Common Council. During the period the Commission is considering a demolition request, the owner is enjoined from taking any action that would damage or lead to further deterioration of the building. In the event that the Commission denies a demolition request, the owner can appeal to the Common Council, which may reverse or modify the Commission's decision by a two-thirds vote.

Will owners be forced to restore or improve their historic properties if they are designated?

Designation of a structure, site or district is not intended to force property owners to recreate the original appearance of a building or neighborhood or make it like a museum. Property owners will not be forced to improve their buildings nor will they be required to restore them to their exact original appearance or recreate missing architectural features.

Instead, property owners will be encouraged to properly maintain their buildings and take pride in their neighborhood. When an owner contemplates making improvements to a building, the Commission will attempt to ensure that the work is done in a manner sympathetic to the structure's historic character and in conformance with good construction practice. The Commission staff includes trained professionals with expertise in historic preservation that stand ready

to assist Milwaukee residents with advice on the proper maintenance and restoration of historic buildings.

Will new construction be prevented at historic sites?

In designating a historic site or district, the Historic Preservation Commission is seeking to give recognition to a cultural resource that is still a viable asset to the community. The Commission does not want an area to stop growing and improving just because it has been designated as historic. As a result, new construction that is sympathetic to its surroundings in size, scale, materials and color will not be discouraged. Additions should be designed to respect the architectural integrity of the major publicly visible elevations of the older buildings around it or be located out of sight.

Will property taxes be increased as a result of historic designation?

The City of Milwaukee's Tax Assessor's office does not consider historic designation as a factor when computing property tax assessments. It is sometimes the case that historic designation coincides with a general home improvement trend in the neighborhood. Property is revalued for tax purposes as a result of actual investment, but this is never the direct result of historic designation alone.

How does one obtain an application for historic designation?

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Historic Preservation Commission
Office of the City Clerk
200 E. Wells Street, Room B-4
Milwaukee, WI 53202
Phone (414) 286-5722/5712
FAX (414) 286-3004
www.city.milwaukee.gov/hpc



Office of the City Clerk

Jim Owczarski
City Clerk

Rebecca N. Grill
Deputy City Clerk

July 1, 2013

Lois J. Redic
2410 West McKinley Avenue
Milwaukee, WI 53205

Re: Application for Historic Designation
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Dear Ms. Redic:

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Office of the City Clerk

Jim Owczarski
City Clerk

Rebecca N. Grill
Deputy City Clerk

July 1, 2013

Alderman Robert Bauman
City Hall Room 205
Milwaukee, WI 53202

Re: Application for Historic Designation
Tiefenthaler House
2425 West McKinley Avenue

Dear Ald. Bauman:

You recently submitted a nomination to the Historic Preservation Commission for historic designation for the above property. The nomination appears to be complete.

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Carlen Hatala
Historic Preservation Planner



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PRESERVATION TOPICS #2

Historic Preservation Commission

City of Milwaukee

HOW TO OBTAIN A CERTIFICATE OF APPROPRIATENESS FOR A HISTORIC SITE OR STRUCTURE IN MILWAUKEE

The Milwaukee Historic Preservation Ordinance

The historic preservation ordinance, adopted as Section 308-81 (now 320-21) of the Milwaukee Code in June of 1981, provided certain kinds of legal protection for buildings or sites the Common Council of the City of Milwaukee has declared "Historic Structures" or "Historic Sites." The purpose of this ordinance is to preserve Milwaukee's heritage, history, and its superb collection of period architecture. A seven-member Historic Preservation Commission appointed by the Mayor administers the ordinance. The commissioners are dedicated citizens, architects, historians, and other experts selected for their interest and skills in historic preservation. The Commission and its staff are ready to assist the public in any appropriate way to meet these goals.

A complete explanation of the provisions of the ordinance can be obtained by contacting the Historic Preservation Commission staff. In brief, the ordinance provides that any individual or group may nominate a building or place for designation as a Historic Structure, Historic Site, or Historic District. The Historic Preservation Commission reviews the applications and makes a recommendation to the Common Council that a structure or site should be declared "Historic." The Council then acts upon the Commission's recommendation.

Once the structure, site, or district has been designated as locally historic by the Common Council, the structure, site or district is under the protection of the ordinance, and no changes may be made to the exterior unless the owner first obtains a "Certificate of Appropriateness" from the Historic Preservation Commission. This certificate is the Commission's written affirmation that a proposed change is sympathetic to the historic character of the property and is consistent with the intent of the ordinance. When a permit is applied for, the Development Center plan examiner will check to see if the property in question is a designated historic structure, historic site or within a historic district. If it is, the applicant is required to obtain a Certificate of Appropriateness.

Obtaining Certificates of Appropriateness

To obtain a Certificate of Appropriateness, the owner of the building files an application with the Historic Preservation Commission as outlined below.

Some certificates for simple projects are issued by staff within a few days of application. Certificate requests for larger or higher impact projects are reviewed by the Commission at a public meeting. The Commission hears opinions and evidence on the proposed changes, and then exercises its best collective judgment as to whether or not the proposed alteration or demolition is compatible with the intent of the ordinance and public interest. If the judgment is favorable, the Commission will direct staff to issue a Certificate of Appropriateness directly to the owner and submit a copy to the Development Center. The owner may then obtain the necessary building permit in the normal way. The Commission may also issue a Certificate conditioned upon the applicant's written agreement to make specified changes in the project necessary to bring it into conformance with the intent of the designation.

In the event that the Historic Preservation Commission finds that the proposed alteration is not consistent with the historic character of the site, structure, or district, and no compromise can be reached immediately, they will refuse to issue a Certificate. Should this happen, a building or demolition permit would not be issued by the Development Center.

Obtaining a Certificate of Appropriateness (COA) is not difficult, but does require some time. Owners are advised to begin the process well in advance, since procedural regulations and the requirements of the ordinance do not permit hasty action on the part of the Commission. The following steps are required:

1. Historic Guidelines

Read the guidelines for the structure or district to determine if your project complies. Most guidelines are founds on the Historic Preservation website, www.city.milwaukee.gov/hpc or call the office at 414/286-5712 or 286-5722 to obtain a copy.

2. Apply for a Building Permit

Apply at Development Center, on the 1st floor of 809 North Broadway, in the usual way. When the property is identified as a designated historic structure or a within a historic district, you will then be given an application for a Certificate of Appropriateness or directed to see the Historic Preservation Commission staff. Please note: If you wish to seek the advice of the Historic Preservation staff or apply for a Certificate of Appropriateness before you apply for a building permit, you may do so.

3. Complete the Application

Questions should be addressed to the Historic Preservation Commission staff located in City Hall Room B-4. Call 414/286-5712 or email HistoricPreservation@Milwaukee.gov.

4. Prepare Presentation Materials

Certain drawings may be required for review by the Development Center before a building permit can be issued. A set of these same drawings should accompany your application for a Certificate of Appropriateness. You should, in addition, include sketches, drawings, photographs, or any other material that you feel will help the Historic Preservation Commission understand the proposed changes to the structure. The quality of the presentation materials will be an important factor in enabling the Commission to fully understand what you intend to do. The presentation materials will be filed and retained by the Commission, so be sure to make copies for your own records.

5. File the Application and Presentation Materials

Mail or hand-deliver the application with accompanying photographs, drawings and materials samples to the Historic Preservation Commission staff. In most cases HPC staff will be able to approve the work outlined in the application and issue a COA in approximately 7 days. If the proposed work cannot be approved by staff, the application will be heard at the next scheduled Commission meeting provided that the application is received at least 12 working days prior to that meeting. Staff is available to meet with you to review your project at any time during the COA application process. Applicants are encouraged to attend the hearing / meeting in order to answer questions. If you have an architect or professional consultant, it may help if he or she is also available to answer questions. At the meeting, the Commission may approve the application, give approval conditioned on the owner's willingness to make specified changes, or refuse the request.

6. Public Hearing on Refused Applications

If your application is refused or you do not agree with the Commission recommendations, a public hearing will be scheduled on all refused applications within thirty days of the original review. At that time, the owner may present further cause as to why compliance with the ordinance may not be feasible or may present other relevant evidence. The Commission will issue a final decision on whether or not to grant a Certificate of Appropriateness not more than fifteen days after the public hearing. If the Commission refuses the application, construction or demolition cannot legally proceed. The applicant has the right to waive the public hearing if he or she wishes to file an appeal with the Common Council.

7. Appeal of Refused Applications

Owners denied a Certificate of Appropriateness by the Historic Preservation Commission may appeal the decision to the Common Council provided that such appeal is made within twenty days of the public hearing cited in step #5.

8. Begin Construction

Construction can proceed legally only after issuance of a Certificate of Appropriateness and obtaining a permit for the project. Work done without a Certificate of Appropriateness is a violation of Section 320-21, Milwaukee Code of Ordinances and is subject to correction orders or citations outlined in Section 12-14 of the Milwaukee Code. The progress of the construction will be monitored to assure compliance with approved plans.

9. Changes During Construction Require Approval

Changes made during the construction that affect the exterior of a building or site are not permitted unless they have been approved by the Historic Preservation Commission or Commission staff in accordance with the procedures outlined previously. The Development Center may suspend an issued permit to prevent unapproved changes from being carried forward.

If you have questions or need further information on any preservation-related topic, please contact the Commission staff:

Historic Preservation Commission
Office of the City Clerk
200 E. Wells Street, Room B-4
Milwaukee, WI 53202
Phone 414/286-5712 / 286-5722
FAX 414/286-3004
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