



Milwaukee Historic Preservation Commission Staff Report

LIVING WITH HISTORY

HPC meeting date: 11/3/2025

Staff reviewer: Andrew Stern

CCF #250828

Ald. Brower

Property	2591 N. Summit Ave.	North Point North Historic District
Owner/Applicant	Chris Sanger 2591 N. Summit Ave. Milwaukee, WI 53211	

Proposal

The applicant is seeking to add a solar energy installation to the front (east) roof of their property.

Staff comments

The August Rohm House is a Tudor Revival house designed by Henry J. Rotier and constructed in 1909. The staff approval policy for solar energy systems allows staff approval of systems that are facing a rear lot line or within 45 degrees of the rear lot. The proposed system meets as the guidelines for edge setbacks and system height, however, the request to site solar panels on the front façade of the house cannot be approved at staff level.

Rooftop solar systems are most effective on south and east slopes that are rarely affected by shadow. This is a side-gabled house with no south-facing roof faces capable of supporting a solar system. Due to the corner siting of the house, relocating the solar panels to the rear (west) façade would still be visible but would be consistent with a design that staff can approve.

The applicant has provided a mock-up system for the rear façade and staff recommended approval of that design at the October HPC meeting. HPC held the agenda item until the November meeting to allow staff and the applicant a chance to discuss other options for siting the energy system. Staff suggested adding panels to the just the dormers of the front elevation to increase the efficiency of the system but the applicant would still prefer the front-only option.

The City Attorney's office has provided guidance on regulating solar energy systems by HPC, writing in part:

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.

To restrict the proposed energy system, HPC must find that one of those three conditions is satisfied. The City Attorney's office has opined that because the term "significantly decrease" is not defined in the statute and has not been interpreted by the courts, they cannot offer precise guidance. However, their recommendation is "that the term be interpreted on a case-by-case basis depending on the evidence introduced as to the reduction in the efficiency of

the system if HPC were to deny approval of a part of the system. The smaller the reduction in efficiency, the more likely a partial denial would be upheld. In this regard, it should be noted that by enacting Wis. Stat. § 66.0401(1m), the Legislature intended to limit local control over the installation of solar systems.”

The applicant has provided the following quotes for their solar energy contractors for the costs and production of various layouts:

Home Team Energy

Street Facing - \$29,100 - Est Production: 9,800 kwh/yr

Rear Facing - \$29,100 - Est Production: 7,300 kwh/yr (note this is a larger system, including 4 additional panels)

Rear Facing with one panel on front dormer - \$30,100 - Est Production: 7,800 kwh/yr

ECW

Street Facing - \$24,800 - Est Production: 11,389 kwh/yr

Rear Facing - \$24,800 - Est Production (note this is the same sized system as front-facing): 5,562 kwh/yr

The Home Team Energy quote has a rear-facing system with one panel on a front dormer at approximately 80% efficiency and for similar cost to the front system. The ECW quote is less expensive and the rear-facing is much less efficient but that quote is for a similarly sized system to front-facing and there would likely be additional energy production by enlarging the system similar to the Home Team Energy quote. Staff recommends the applicant gain production with an enlarged rear-facing ECW system or use the Home Energy Team rear-facing system with panels on the front dormers to increase production.

Recommendation

Recommend denial of the east-facing solar energy system.

Conditions

Previous HPC action

Previous Council action