



VILLAGE OF MOUNT HOREB

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HISTORIC PRESERVATION COMMISSION AGENDA

Wednesday, March 26, 2025 at 6:00 PM

Municipal Building Board Room

138 E. Main Street

Mount Horeb, WI

- 1) Call to order
- 2) Agenda Items
 - a. Consideration of February 26, 2025 Meeting Minutes
 - b. Zoning Code Rewrite Part 1
 1. Discussion on pages 20-24 Historic Preservation Overlay Zoning District
 2. Discussion on Accessory Dwelling Units in Historic District
 - c. Update on CLG Grant
 - d. Discussion on demolition of properties over 50 years of age
- 3) Future agenda items
- 4) Meeting adjournment.

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HISTORIC PRESERVATION COMMISSION AGENDA
Wednesday, February 26, 2025 at 6:00 PM

DRAFT MEETING MINUTES

1) Call to order

Chair Marc Schellpfeffer called the meeting to order at 6:00 pm in the Board Room of the Municipal Building, 138 East Main Street, Mount Horeb, WI.

Roll call

Members Present: Megan Ince, Maura Overland, Destinee Udelhoven

Members Absent: Jackie Sale

Others Present: Village Administrator Nic Owen, Assistant Clerk Jean Culberson

2) Agenda Items

a. Consideration of January 22, 2025 Meeting Minutes

Ince Motioned, Overland seconded to Consideration of January 22, 2025 Meeting Minutes. Motion carried by unanimous voice vote.

b. Discussion Draft Part 1 Zoning Code Rewrite

Schellpfeffer gave a brief overview. The Commission discussed density and building heights with the Opera house roof line as the focal point. Schellpfeffer suggested the Commission look at Carmel Indiana Arts & Design District. The Commission would like the Village Planner to present visuals on setbacks for the downtown area and if they should give prior input on the draft. Audience member Rachel LaCasse-Ford questioned the proposal of 1st floor apartments in the rear 50 feet and how Front Street would be addressed.

c. Historical Preservation Chapter 8: Land-Use and Design Regulations

The Commission reviewed Chapter 8. The Commission would like to be consulted if any construction is proposed next to the district. The Commission confirmed having no input over the downtown signage unless it is in the district. Schellpfeffer would like any ADA compliance and conflicts reviewed by the Village attorney.

3) Future agenda items

- Draft Part 1 Pages 20-24 Historic Preservation Overlay Zoning District
- Accessory Dwelling Units – special criteria for the Historic District
- Udelhoven informed on the approved CLG Grant contingent on the passing of the federal government funding budget
- Discussion on demolition of properties over 50 years of age (prompted by the demolition of the Karakahl Inn)

4) Meeting adjournment

Overland Motioned, Ince seconded to Meeting adjournment at 6:55 pm. Motion carried by unanimous voice vote.

Minutes by Assistant Clerk Jean Culberson

Section 17.02.22: Historic Preservation Overlay Zoning District

- (b) Existing facilities shall provide additional environmental or safety monitoring as deemed necessary by the Utility Commission, specifically including the production of any and all environmental statements detailing the extent of chemical use and storage on the property.
 - (c) Existing facilities shall replace equipment or expand in a manner that improves the existing environmental and safety technologies already in existence.
 - (d) Existing facilities shall have the responsibility of devising and/or filing with the Village a contingency plan satisfactory to the Utility Commission for the immediate notification of the appropriate Village officers in the event of an emergency.
 - (e) Property owners with an existing agricultural use shall be exempt from requirements of this section as they relate to restrictions on agricultural uses; provided, however, that such exemption shall only apply to the property owners in existence at the time of passage of this section and this exemption shall not constitute a covenant running with the land.
- (10) **Illegal discharge.**
- (a) In the event an individual and/or facility causes the release of any contaminants which endanger the Groundwater Protection Overlay District, the individual/facility causing said release shall immediately cease and desist, and provide cleanup satisfactory to the Village.
 - (b) The individual and/or facility shall be responsible for all costs of cleanup and all costs incurred by the Village in reviewing, monitoring, administering or working on the cleanup. Such costs include, but are not limited to:
 - i. Cost of time spent by Village employees. This cost shall include the Village employee's hourly rate as well as an amount reflecting benefits provided to the employee, including insurance, sick leave, holidays, overtime, vacation and other similar benefits.
 - ii. Cost of Village equipment used on the cleanup.
 - iii. Cost of mileage reimbursed to Village employees attributed to the cleanup.
 - iv. Consultant costs, including, but not limited to, costs incurred by the Village Engineer and Village Attorney.
 - v. Following any such discharge, the Village may require additional test monitoring or other requirements.
- (11) **Severability clause.** If any section, subsection, sentence, clause, paragraph, or phrase of this section is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of any other section, subsection, sentence, clause, paragraph, or phrase or portion thereof. The Village Board of the Village of Mount Horeb hereby declares that they would have passed this section and each section, subsection, sentence, clause, paragraph, or phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses, paragraphs, or phrases may be declared invalid or unconstitutional.
- (12) **Repealer.** All ordinances in conflict with the foregoing are hereby repealed or amended to read consistent with this section.

Section 17.02.22: Historic Preservation Overlay Zoning District

- (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, archeological or historic interest or value is a public necessity and is required in the interest of the health, prosperity, safety and welfare of the people. The purpose of this section is to:
- (a) Effect and accomplish the protection, enhancement and preservation of such improvements, sites and districts which represent or reflect elements of the Village's cultural, social, economic, political and architectural history.
 - (b) Safeguard the Village's historic, prehistoric and cultural heritage, as embodied and reflected in such historic structures, sites and districts.

- (c) Stabilize and improve property values, and enhance the visual and aesthetic character of the Village.
- (d) Protect and enhance the Village's attractions to residents, tourists and visitors, and serve as a support and stimulus to business and industry.
- (2) Definitions. As used in this section, the following terms shall have the meanings indicated:
 - (a) Certificate of appropriateness. The certificate issued by the Commission approving alteration, rehabilitation, construction, reconstruction or demolition of an historic structure, historic site or any improvement in an historic district.
 - (b) Commission. The Historic Preservation Commission under § 1.31 of this Municipal Code.
 - (c) Historic district. An area that contains two or more historic improvements or sites, which has been designated an historic district pursuant to the provisions of this section.
 - (d) Historic site. Any parcel of land of historic significance due to a substantial value in tracing the history or prehistory of man, or upon which an historic event has occurred, and which has been designated as an historic site under this section, or an improvement parcel, or part thereof, on which is situated an historic structure and any abutting improvement parcel, or part thereof, used as and constituting part of the premises on which the historic structure is situated.
 - (e) Historic structure. Any improvement which has a special character or special historic interest or value as part of the development, heritage or cultural characteristics of the Village, state or nation and which has been designated as an historic structure pursuant to the provisions of this section.
 - (f) Improvement. Any building, structure, place, work of art or other object constituting a physical betterment of real property, or any part of such betterment, including streets, alleys, sidewalks, curbs, lighting fixtures, signs and the like.
- (3) Historic structure, historic site and historic district designation criteria.
 - (a) For purposes of this chapter, an 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, archeological or cultural significance to the Village, such as historic structures, sites or districts which:
 - 1. Exemplify or reflect the broad cultural, political, economic or social history of the nation, state or community;
 - 2. Are identified with historic personages or with important events in national, state or local history;
 - 3. Embody the distinguishing characteristics of an architectural type or specimen inherently valuable for a study of a period, style, method or construction, or of indigenous materials or craftsmanship;
 - 4. Are representative of the notable work of a master builder, designer or architect who influenced his age; or
 - 5. Have yielded, or may be likely to yield, information important to prehistory or history.
 - (b) The Commission shall adopt specific operating guidelines for historic structure and historic site designation, providing such are in conformance with the provisions of this chapter.
 - (c) The Commission may select geographically defined areas within the Village to be designated as historic districts and shall prepare an historic preservation plan for each area. An historic district may be designated for any geographic area of particular historic, architectural or cultural significance to the Village, after application of the foregoing criteria. Each historic preservation

plan prepared for or by the Commission shall include a cultural and architectural analysis supporting the historic significance of the area, the specific guidelines for development, and a statement of preservation objectives.

(4) Historic preservation commission powers and duties.

(a) Designation.

1. The Commission shall have the power to recommend designation of historic structures, historic sites and historic districts within the Village limits. All historic structure, historic site and historic district designations shall be made by the Village Board and shall be made pursuant to Subsection (5) hereof.
2. Once designated, such historic structures, sites and districts shall be subject to all the provisions of this section and shall continue to be subject to all other provisions of this Chapter 17, Zoning Code, of this Municipal Code, including those provisions and requirements specific to the particular zoning district in which the said historic structure, site or district is situated.

(b) Regulation of construction, reconstruction, alteration and demolition.

1. No owner or person in charge of an historic structure, historic site or structure within an historic district shall reconstruct, alter or demolish all or any part of the exterior of such property or construct any improvement upon such designated property or properties or cause or permit any such work to be performed upon such property or demolish such property unless a certificate of appropriateness has been granted by the Commission. Also, unless such a certificate has been granted by the Commission, the Building Inspector shall not issue a permit for any such work.
2. Upon filing of any application for a certificate of appropriateness with the Commission, the Commission shall approve the applications unless:
 - a. In the case of a designated historic structure of historic site, the proposed work would detrimentally change, destroy or adversely affect any exterior feature of the improvement or site upon which said work is to be done;
 - b. In the case of the construction of a new improvement upon an historic site, or within an historic district, the exterior of such improvement would adversely affect or not harmonize with the external appearance or other neighboring improvements on such site or within the district;
 - c. In the case of any property located in an historic district, the proposed construction, reconstruction, exterior alteration or demolition does not conform to the purpose and intent of this section and to the objectives and design criteria of the historic preservation plan for said district;
 - d. The building or structure is of such architectural or historical significance that its demolition would be detrimental to the public interest and contrary to the general welfare of the people of the Village or state;
 - e. In the case of a request for the demolition of a deteriorated building or structure, any economic hardship or difficulty claimed by the owner is self-created or is the result of any failure to maintain the property in good repair.
3. If the Commission determines that the application for a certificate of appropriateness and the proposed changes are consistent with the character and features of the property or district, it shall issue the certificate of appropriateness. The Commission shall make this decision within 45 days of the filing of the application.

Section 17.02.22: Historic Preservation Overlay Zoning District

4. This issuance of a certificate of appropriateness shall not relieve the applicant from obtaining other permits and approvals required by the Village. 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.
 5. Ordinary maintenance and repairs may be undertaken without a certificate of appropriateness, provided that the work involves repairs to existing features of an historic structure or site or the replacement of elements of a structure with pieces identical in appearance, and provided that the work does not change the exterior appearance of the structure or site and does not require the issuance of a building permit.
- (c) Appeals. Should the Commission fail to issue a certificate of appropriateness due to the failure of the proposal to conform to the guidelines, the applicant may appeal such decision to the Village Board within 30 days. In addition, if the Commission fails to issue a certificate of appropriateness, the Commission shall, with the cooperation of the applicant, work with the applicant in an attempt to obtain a certificate of appropriateness within the guidelines of the section.
- (d) Recognition of historic structures, sites and districts. At such time as an historic structure, site or district has been properly designated, the Commission, in cooperation with the property owner, may cause to be prepared and erected on such property, at Village expense, a suitable plaque declaring that such property is an historic structure, site or district.
- (5) Procedures.
- (a) Nominations. Nominations for designation of a single property or an historic district under this chapter may be submitted to the Commission by a resident of the Village of Mount Horeb. The Commission shall review the nomination for completeness and eligibility under at least one of the criteria in [Section 17.02.82\(3\)\(a\)](#). The Commission, at its discretion, may then forward the nomination to the Village Board along with its recommendation for or against designation.
 - (b) Hearing. The Commission shall hold a public hearing to consider nominations for designation as historic structures and historic sites and for creation of historic districts. Notice of the time, place and purpose of the hearing shall be given to the owners of record, as listed in the Village tax roll, of the nominated property or whose property is situated in whole or in part within 300 feet of the said property. The notice of hearing shall be mailed to said owners at least 10 days prior to the hearing date.
 - (c) Commission recommendation. Following the hearing, the Commission shall vote on the nomination and make its recommendations thereon to the Village Board.
 - (d) Board action.
 1. Designation of historic structures and historic sites. Upon receipt of the recommendations from the Commission, the Village Board shall either designate the property as an historic structure or an historic site or rescind such designation. After the designation or rescission has been made, the property owner or owners shall be notified of the Board's action. Any designation or rescission hereunder shall be recorded, at Village expense, in the Dane County, Wisconsin, Register of Deeds Office.
 2. Creation of historic district. Upon receipt of the recommendations from the Commission, the Village Board shall either designate or reject the historic district. Creation of the historic district shall constitute adoption of the plan prepared for that district and direct the implementation of said plan.
- (6) Interim control. No building permit shall be issued by the Building Inspector for alteration, construction, demolition, or removal of a nominated historic structure, historic site, or any property or

Sections 17.02.23 to 17.02.99: Reserved

structure within a nominated historic district from the date of the meeting of the Commission at which a nomination form is first presented until the final disposition is authorized by formal resolution of the Village Board as necessary for public health, welfare, or safety. In no event shall the delay be for more than 180 days.

- (7) Penalties for violations. Any person or persons violating any provision of this section shall, upon conviction, be subject to a penalty as provided in Section 25.04 of the Village of Mount Municipal Code. Notice of violations shall be issued by the Building Inspector.

Sections 17.02.23 to 17.02.99: Reserved



AGENDA ITEM REPORT

MEETING DATE

March 26, 2025

PREPARED BY

Nicholas Owen, Administrator

AGENDA ITEM # 2.b.2

Discussion on Accessory Dwelling Units in Historic District

BACKGROUND

Accessory Dwelling Units would be a new addition to the Village Code. An accessory dwelling unit is a separate, independent residence on a lot with an existing home. It can either be in the main structure or separate as an accessory structure. At the last meeting, it was brought up as a topic about how this rule would fit in a historical district and we felt more discussion was needed.

RECOMMENDATION

ATTACHMENTS

None



AGENDA ITEM REPORT

MEETING DATE	PREPARED BY
March 26, 2025	

AGENDA ITEM # 2.d

Discussion on demolition of properties over 50 years of age

BACKGROUND

RECOMMENDATION

ATTACHMENTS

None