



Demolition by Neglect 121 Langdon St.

September 16, 2019



Background

- June 24, 2019
 - LC finding of Demolition by Neglect
- July 10, 2019
 - Property Owner filed appeal to CC
- August 1, 2019
 - Court-approved agreement to complete BI work order, renegotiated
- August 6, 2019
 - CC referred back to LC for reconsideration due to substantial onsite work
- August 30, 2019
 - BI work order items completed by property owner
- September 1, 2019
 - New BI work order deadline



Common Council Motion

A motion was made by Heck, seconded by Bidar, to Refer to the LANDMARKS COMMISSION and should be returned by 9/16/2019. The motion passed by voice vote/other with the following instructions:

1. Rescind the previous finding of demolition by neglect if the property owner is found to be in full compliance with the conditions of the December 6, 2018 Certificate of Appropriateness, or
2. Refer the Appeal back to the Common Council if the property owner continues to be in non-compliance.



Applicable Standards

41.15 DEMOLITION BY NEGLECT. The owner of a landmark, improvement on a landmark site, or improvement in a historic district, may not allow the landmark or improvement to undergo demolition by neglect.

- (3) Landmarks Commission Finding. If, after a public hearing, the Landmarks Commission finds that a landmark or improvement is undergoing demolition by neglect, it shall report its finding to the Common Council, the Building Inspector and the Office of the City Attorney. A Landmarks Commission finding of demolition by neglect is prima facie evidence of demolition by neglect for purposes of any administrative or civil court action, and also constitutes a determination that a public nuisance exists under sec. 27.05(3) of the Madison general ordinances.





Staff Recommendation

Staff believes that demolition by neglect is no longer occurring and recommends the Landmarks Commission rescind the finding of demotion by neglect, and direct staff to amend the Landmarks Commission's report to the Common Council on the demolition by neglect proceedings to reflect this new determination.

