



Demolition by Neglect Process

Common Council

August 6, 2019

Background

- LORC 1 formed in May 2014
 - Updated first ½ of Historic Preservation Ordinance
 - Implemented best practices in the field
- September 15, 2015
 - Landmark Ordinance update completed
 - Demolition by Neglect a new section



Demolition by Neglect

41.02 DEFINITIONS.

Demolition by Neglect means the process of allowing landmarks, landmark sites or improvements in historic districts to decay, deteriorate, become structurally defective, or otherwise fall into disrepair.



Demolition by Neglect Cases

- BI has issued 3 demo by neglect notices
 - 141 E Gorham (2016) resumed work before LC could hold a hearing
 - 801 Williamson (2017) switched property owners before LC could hold a hearing
 - 121 Langdon completed the process



Demolition by Neglect Process

1. Notice of Demolition by Neglect
 - BI issue notice to property owner and LC
2. Public Hearing
 - LC to hold a public hearing
3. Landmarks Commission Finding
 - Is a landmark undergoing demolition by neglect?
 - Report finding to BI, CA, CC
 - “prima facie evidence of demolition by neglect for purposes of any administrative or civil court action”
 - “constitutes a determination that a public nuisance exists under Sec. 27.05(3), MGO”



Demolition by Neglect Appeal

4. Appeal filed to Common Council
 - Owner
 - Alder of the district
 - 20% of property owners within 200 ft
5. Filing with City Clerk
 - 10 days after LC makes finding
6. Common Council to hold a public hearing
 - Favorable vote of 2/3 of members
 - Reverse LC finding
 - Modify LC finding (with or without conditions)
 - Refer back to LC (with or without instructions)
 - Must find LC decision was contrary to the ordinance standards



Demolition by Neglect Remedies

7. Abatement by the City

- City completes repairs

8. Acquisition by City

- City initiates condemnation proceedings under Wis. Stat. § 32.06

❖ LC finding used for administrative or civil court action





Demolition by Neglect Appeal 121 Langdon St.

August 6, 2019



Background

August 29, 2018

- LC receives notice from BI

Sept. 17, 2018

- Public Hearing on notice of demo by neglect

Dec. 3, 2018

- COA with conditions
- Referred demo decision to future meeting

April 22, May 6, May 22, 2019

- LC worked with applicant to meet COA conditions

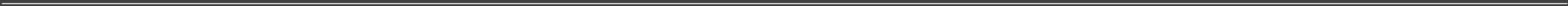
June 24, 2019

- LC makes finding that demolition by neglect was occurring

July 3, 2019

- Appeal filed





History of Property

- Built in 1886 for John J. Suhr, Sr.
 - Founded German-American Bank
- Second Empire-style house
- Designated a Madison Landmark in 1974

