

## Changes to Bylaws

Article II  
Section Three  
There shall be an annual meeting of the Corporation in May or April of each year. The time and place of the annual meeting shall be established by the Board of Directors. The annual meeting shall include the introduction of new directors and officers and the transaction of such other business as may properly come before it.

Section Six  
Written notice of members' meetings shall be provided by regular mail, electronic mail or in a newspaper published within the City of Eau Claire, state of Wisconsin.

Section Seven  
Any action which may be taken at a meeting of the members may be taken without a meeting if a majority of the members shall individually or collectively consent in writing or electronic mail to such action.

Article III  
Section Two

The number of Directors shall be 11 elected at a meeting of the board of directors prior to the annual meeting. No Directors shall serve more than two consecutive three year terms.

Section Three  
Delete

Section Eight  
Following the annual meeting of the membership, the Board of Directors may convene for the transaction of such other business as may properly come before it. The Board of Directors will meet monthly at such regularly recurring time and place as the Board of Directors may designate. The president, the president-elect in the president's absence, or a majority of the Directors may also call a special meeting at any time by notifying each Director by regular or electronic mail ten (10) days in advance of the time and place of the meeting. All meetings of the Board of Directors shall be open to members who shall have no voice and not vote but may be asked and may respond to questions posed to them by a Director.

Section Twelve  
Delete

Article IV  
Section One  
The Corporation shall have a president, president-elect, past president, secretary and treasurer. All officers must be members of the Board of Directors. With the exception of the past president, to be an officer of the Board, one must be elected or re-elected to the Board preceding the annual meeting. All officers will be elected for one (1) year terms. The New officers will be presented at the annual meeting.

Section Six  
Delete any reference to the executive director.

Section Eleven  
Delete

Section Twelve  
Delete

## Historical Preservation Membership!

I want to help the Eau Claire Historic Preservation Foundation preserve the heritage of Eau Claire. Enclosed is my tax deductible contribution.

**Return form and check to HPF, PO Box 1635, Eau Claire, WI 54702.**

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

EMAIL ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_

### AMOUNT ENCLOSED

- Individual \$10  
 Family \$15  
 Sponsor \$25  
 Donor \$50  
 Patron \$100  
 Or More \$ \_\_\_\_\_

Make checks payable to  
Eau Claire HPF

All members will receive the foundation's newsletter and special announcements.

- I would like to receive meeting announcements and other communications by email.  
 I use the World Wide Web and visit the foundation's website:  
[www.eauclairehistoricpreservationfoundation.info](http://www.eauclairehistoricpreservationfoundation.info)  
 I would like to volunteer to be a docent during the May 2011 Home Tour.  
 I would like to be considered for vacant positions on the Board of Directors.

# Eau Claire Historic Preservation Foundation

Spring 2011

## From the President

This spring issue of the Eau Claire Historic Preservation Foundation is chalk full of updates. First and foremost we have a new website at [www.eauclairehistoricpreservationfoundation.info](http://www.eauclairehistoricpreservationfoundation.info). Check it out. On the website there will be agendas, minutes, 2010 home tour brochure, preservation links, bylaws and more. The new website will be updated with the 2011 grant recipients, bylaw changes, house hunt, 2011 home tour and more. So check back and enjoy.

The 2011 annual meeting is scheduled for Monday the 11th of April, 2011 from 7:00 p.m. to 8:30 p.m. at the First Congregational United Church of Christ with the street address of 310 Broadway Street. The annual meeting will take place in Ingram Hall with guest speakers Bruce France from Chippewa Valley Habitat for Humanity and Jeff Nelson of Dell's Architectural Antiques who will try to answer your old home questions. Light refreshments will be available. Stay tuned to the website for updates and look in the Leader Telegram for the advertisement.

The 2011 Home Tour is scheduled for the 14th of May, 2011. At this point there should be enough structures to have a tour. Stay tuned to the website for updates and look in the Leader Telegram for the advertisement.

Thank you for those members who have updated their 2011 membership. This is the official launch of the 2011 membership drive. Already received membership checks will start to be cashed now. Because of you we are able to give grants (the annual meeting for 2011 will have

the grant recipients in attendance and pictures will be posted to the website afterwards), print a newsletter, hold a home tour, make a website and have a house hunt event. So again, because of your generosity, even in these financially challenging times you choose to contribute – Thank You.

In this newsletter you will also have a chance to persue the data about the National Preservation Act and the National Historic registry along with what historic districts are about. It is part of the Eau Claire Historic Preservation Foundation founding goals to educate the public (policy makers and the general public alike) about why it is important to save our built environment for future generations. Not to be left out is the City of Eau Claire's recent ordinance for historic structures that have been damaged. This allows qualifying historic structures to have a chance to be rebuilt versus being demolished. Also, though more mundane, but no less important is the most recent bylaw proposed changes. The current proposed bylaws are posted on the website.

Again, the Board of Directors for the Historic Preservation Foundation in Eau Claire, WI thank you for your financial support and educational assistance in appreciating our built historical environment. Because of your direct support and spreading "the historic word" to others we are able to get our message of preservation out one person at a time – even to the unbelievers.

H. Damaged Landmarked Properties. Districts allowed: all residential districts. Provisions:

1. The purpose of these provisions is to allow and encourage the repair and preservation of landmarked residential property substantially damaged by fire, natural disaster, neglect, or third party action while maintaining the original structure to the maximum extent possible, but not the replacement of the structure, in furtherance of the purpose of this Title and Chapter 2.65.
2. These provisions shall only apply to individual landmarked properties and properties within a landmarked district that are pivotal or contributing, but shall not apply to non-contributing properties as defined in Chapter 2.65.
3. Applicant shall apply for and must receive Landmarks Commission approval of the repairs to the damaged property pursuant to Chapter 2.65 either prior to application to the Commission or as a condition of the grant of the conditional use.
4. Applicant shall not raze the structure nor deconstruct any more of the structure than is reasonably necessary to allow for the overall repair.
5. Applicant may not extend or intensify any nonconforming use through the repair and reuse of the damaged property, but may, or, if made a condition by the Commission, shall change the use to one that is more restrictive based on the provisions of Section 18.40.020 E.

# Frequently Asked Questions About Historic Districts

## **WHAT IS THE DIFFERENCE BETWEEN A NATIONAL REGISTER DISTRICT AND A LOCAL HISTORIC DISTRICT?**

A National Register is the official listing of properties determined to be architecturally or historically significant to the State or nation's heritage and is administered by the State Historical Society and National Park Service. Properties on the National Register are not restricted in any way unless the owner is using federal assistance, such as the rehabilitation tax credit program.

A local historic district is an area in which a local municipality has decided that they want to keep the character and feel of the place by adopting a local preservation ordinance administered by a local preservation commission. Designation of a district is based on a review of the architecture and/or history of an area and includes a grouping of buildings that are unique based on their architecture or history.

A local historic district does not freeze an area in time. Local historic districts are about guiding change and preserving community character as an area evolves and grows over time. Exterior changes requiring a building permit are subject to Landmarks Commission review prior to issuance of the building permit. See the following sections for more detail.

## **WILL INCLUSION IN A LOCAL DISTRICT RESTRICT HOW I MAY USE MY PROPERTY?**

No, a local historic district is an "overlay" on the existing zoning classifications of the City and deals with exterior changes that require a building permit. It does not deal with use of a property.

## **SO, HOW DOES THIS WORK?**

Exterior changes to your property that require a building permit are referred to the Landmarks Commission by the Building Inspector prior to obtaining the building permit. The item is placed on the agenda of the Landmarks Commission and the property owner is invited to the meeting to discuss the proposed project. The commission reviews the project based on guidelines included in the Landmarks ordinance and in the historic district plan.

There is no commission review for any interior work undertaken at your property. (See Chapter 2.65.040B)

Likewise, exterior maintenance work such as painting and other projects that do not need a building permit are also exempt from any review.

## **WHAT TYPES OF WORK NEED TO BE REVIEWED?**

Exterior changes to your property that require a building permit. Some examples include: installation of new siding, porch reconstruction, additions, new garages, demolitions, removal of window openings, changing the size of window or door openings, etc. Note that exterior maintenance work such as reshingling, porch repairs, etc. that do not change the appearance of the building do not need commission review even though a building permit may be necessary.

## **WHAT GUIDELINES DOES THE COMMISSION FOLLOW?**

They follow guidelines contained in the Landmarks Ordinance and a district plan prepared for the area. These guidelines relate to the Secretary of Interior Standards for Rehabilitation. These standards can be found in Chapter 2.65 of the City code and at the following website:  
<http://www.hpo.ncdcr.gov/standard.htm>

## **WHAT ARE SOME EXAMPLES OF WORK THAT IS NOT REVIEWED BY THE COMMISSION?**

Any interior work, plus projects such as window replacement where the window size remains the same, painting, installation of storm windows, screen doors, replacement doors, fencing, landscaping, gutters and downspouts, reshingling with the same style of shingle, driveways and sidewalks, etc.

## **WON'T THE COMMISSION'S INVOLVEMENT DELAY WHAT I WANT TO DO?**

The commission meets monthly and most proposals can be reviewed in one meeting. The commission can also schedule a special meeting if necessary.

## **HOW LONG DOES THE REVIEW PROCESS TAKE?**

As noted above, the commission meets monthly and agenda items need to be submitted one week prior to a meeting to be placed on the agenda. Most projects are acted on at that initial meeting they are considered.

Note that some projects may require approval from the Plan Commission or Zoning Board of Appeals. These reviews are not related to the designation of an historic district.

## **WILL COMMISSION REVIEW OF PROJECTS BE CONSISTENT FROM ONE YEAR TO THE NEXT?**

The commission is appointed by the City Council and follows specific criteria in their review of projects. One of the members is required to be a licensed architect. In addition, the commission has received a certification from the Wisconsin Historical Society, which is reviewed on an annual basis. Finally, a staff person from the City's Department of Community Development oversees the work of the Commission. That person provides background information and recommendations on commission actions.

## **WHAT IS THE FEE FOR THE COMMISSION'S REVIEW OF A PROJECT?**

No fee.

## **IF I WANT TO MAKE A CHANGE TO THE EXTERIOR OF MY HOUSE, WHAT'S THE FIRST STEP?**

As you would do with any construction work, apply for a building permit at the City Inspection office. They will refer your project to the commission for review if they determine commission review is needed. Upon request, the commission will also offer free advice on proposed changes.

## **WHEN MY HOUSE NEEDS REPAINTING, WON'T I NEED PERMISSION REGARDING PAINT COLORS?**

No. Color is completely the owner's choice. No permission is needed from the commission.

## **Tax Incentives for Rehabilitating Historic Buildings**

Under the Tax Reform Act of 1986, the owner of an income-producing "certified historic structure" is eligible for a 20% investment tax credit for a "certified rehabilitation" of the building, in lieu of a 10% tax credit available for non-historic buildings built before 1936. Persons interested in the federal rehabilitation tax credits should contact the Historic Preservation Division before they begin their project, to ensure that the project will comply with the required Secretary of the Interior's Standards for Rehabilitation and thereby be eligible for the tax credit. For information on the investment tax credits, write the division or telephone (608)264-6491.

## **Historic Building Code**

Use of the Wisconsin Historic Building Code is available to owners of buildings listed in the National Register of Historic Places or owners of local historic buildings if they are designated under a local historic preservation ordinance that has been certified by the State Historical Society of Wisconsin. For information about the Code, contact the Department of Industry, Labor and Human Relations at (608)264-6491.

## **Protection from Federal Projects**

Properties that are listed in the National Register, or that may be eligible for such listing, receive limited protection from federally licensed or funded projects. Any agency or organization seeking federal assistance or permits should get in touch with the chief of the Compliance Section in the Historic Preservation Division (608)264-6509 to ensure that its projects comply with federal regulations.

## **Local Assistance and Public Information**

The Historic Preservation Division has one staff member, the Local Preservation Coordinator, whose primary assignment is to aid individuals, local units of government, and organizations in designing and implementing preservation projects and programs. He is available to give presentations in localities to aid in these efforts, as well as to explain the state and federal preservation programs. He administers the Certified Local Government (CLG) program, which recognizes municipal preservation programs and provides eligibility for special CLG matching grants and for the Wisconsin Historic Building Code. He is also the editor of Wisconsin Preservation, a free, bimonthly newsletter. To be included on the newsletter mailing list, or for other preservation assistance, write the division or telephone (608)264-6510.

## **Properties Currently Listed in the National Register**

A current list of properties and districts in Wisconsin entered in the National Register of Historic Places is available from the Historic Preservation division. Approximately one hundred new nominations to the National Register from Wisconsin are submitted to the National Park Service annually. For a free copy of the list, write the division or telephone (608)264-6501.

Ordinarily, cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

1. A religious property deriving primary significance from architectural or artistic distinction or historical importance; or
2. A building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or
3. A birthplace or grave of a historical figure of outstanding importance if there is no other appropriate site or building directly associated with his productive life; or
4. A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or
5. A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or
6. A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance; or
7. A property achieving significance within the past 50 years if it is of exceptional importance.

A person wishing to have a property nominated to the National Register should get in touch with the Historic Preservation Division. He or she will receive a packet of information, including a list of private nomination preparers, that will enable the nominations process to commence.

### Survey of Historic and Prehistoric Properties

The Historic Preservation Division conducts surveys to identify significant historical and archeological properties and districts in Wisconsin. The division awards subgrants to conduct intensive historic and prehistoric surveys when funds for this purpose are available. Surveys identify districts and properties that are eligible for the National Register and provide planning data useful to local agencies, historical groups, and other interested organizations and individuals. Persons interested in survey subgrants should contact the Historic Preservation Division to inquire about their availability.

### Project Grants

Owners and would-be owners of properties listed in the National Register of Historic Places have been able to apply through the Historic Preservation Division for matching subgrants. These subgrants have been used to acquire, rehabilitate, stabilize, or restore buildings or properties. Applicants for projects to be undertaken during a given year ordinarily submitted requests by early spring of the previous year. (NOTE: These subgrants have been suspended by Congress until further notice.)

## Frequently Asked Questions About Historic Districts

### **I WANT TO REMODEL THE KITCHEN AND BATHROOM IN MY HOUSE. DO I NEED TO CONSULT WITH THE COMMISSION?**

No. Interior projects do not require review unless the project affects the exterior in some manner; then only the exterior work is reviewed.

### **WILL I BE ALLOWED TO ADD ONTO MY HOUSE OR BUILD A NEW GARAGE?**

Yes, the commission has approved a number of additions, new garages, even new homes over the years. The guidelines were drafted recognizing the need to improve and make changes to buildings and properties. Local historic districts are about guiding change and preserving community character as an area changes and grows over time.

### **WHAT ARE THE ADVANTAGES OF OWNING PROPERTY IN A LOCAL HISTORIC DISTRICT?**

Historic districts encourage more stable neighborhoods and reinvestment in the properties. When you are part of an historic district, you have some certainty that any new construction or renovation activity will be respectful of the existing character of the community and its architecture. Zoning laws alone do not provide this protection. A review of construction activity within the Third Ward Historic District since 1992 demonstrates this as several properties that were removed from the historic district experienced alterations that were not in character with the architecture of the building. See below for more advantages.

### **WHAT FINANCIAL BENEFITS ARE THERE TO BEING IN A LOCAL LANDMARK DISTRICT?**

Studies show that historic district designation encourages the stabilization of property values and results in increases in property values over time. Further, studies have shown that in most cases, local historic districts appreciate at rates greater than the local market as a whole and also in similar neighborhoods that are not designated. Mr. Donovan Rypkema is one of a number of persons that have studied this topic and support the premise of the value of historic districts. Some of his studies are posted on Wisconsin Historical Society website at: [www.wisconsinhistory.org/hp](http://www.wisconsinhistory.org/hp)

The City offers a low-interest loan program for properties located within a landmark historic district or individually landmarked. Funding for the program is limited to one or two loans per year and funds are used primarily for exterior renovation work, but heating, plumbing, and electrical work is eligible if the work addresses a health or safety concern. Properties that have opted out of the local district are not eligible for the loan program.

The commission can also provide matching grants to assist in addressing difficult design issues that need to be resolved.

If the building is on the National Register, state or federal tax credits are available for qualified restoration work.

### **ARE THERE ANY OTHER BENEFITS?**

Yes. Recent zoning ordinance changes have been made to accommodate landmark properties. These changes provide allowances for the repair of nonconforming buildings that are damaged by more than 50% of their value. Other changes allow the Zoning Board of Appeals more latitude in granting zoning variances for such things as setbacks.

The commission can provide design assistance for a project if desired by the property owner. One of the commission members is a licensed architect.

The State Historic Building Code would be applicable to properties within a local district. This State code allows for flexibility in the administration of building codes.

### **WILL MY TAXES GO UP IF MY PROPERTY IS LISTED INDIVIDUALLY OR BECOMES A PART OF A DISTRICT?**

No. Property taxes are tied to real estate values. Property taxes for buildings that are locally designated or included in historic districts are taxed no differently than those outside the district.

### **CAN I RECEIVE A PROPERTY TAX REDUCTION BEING IN AN HISTORIC DISTRICT?**

No, the State of Wisconsin does not currently allow for such tax reductions.

### **IS IT GOING TO COST ME MORE TO MAKE ALTERATIONS TO MY PROPERTY?**

Historic designations are not made to impose hardships on people. Nor do commissions insist that buildings be restored to become museum-like places. The purpose of a local listing, either individually or as a district, is to publicly acknowledge that a building or building group has cultural value to the larger community.

The commission wants to work with property owners to ensure that when alterations are made, the historic character of the building not be lost in the process. The commission is committed to working hard with property owners to address their needs in the restoration process.

### **AM I GOING TO HAVE TO HIRE AN ARCHITECT TO GET APPROVAL?**

Only if this would be necessary to obtain your building permit. Generally, plans that would be required for the building permit for the project will be sufficient for commission review. Photographs or elevational sketches may be needed for the property owner to describe the work to the commission.

### **IF MY PROPERTY IS REINSTATED BACK INTO THE HISTORIC DISTRICT, WOULD I BE REQUIRED TO RESTORE FEATURES CHANGED WHILE IT WAS OPTED-OUT OF THE DISTRICT?**

No.

### **IF I OWN A PROPERTY WITHIN AN HISTORIC DISTRICT, AM I REQUIRED TO RESTORE IT TO ITS ORIGINAL DESIGN?**

No.

### **ARE OWNERS OF LANDMARK PROPERTIES HELD TO A HIGHER STANDARD OF MAINTAINING THEIR PROPERTY?**

No. The City/County Health Department administers standards relative to the exterior condition of structures in the City. These standards are administered uniformly regardless of historic designation. Language contained in the landmarks ordinance does not provide for higher standards of maintenance.

# Frequently Asked Questions About Historic Districts

## WHAT IF I DISAGREE WITH A DETERMINATION OF THE COMMISSION?

The ordinance allows for appeals to the City Council to review a decision of the commission.

## HOW ARE PROPERTIES CLASSIFIED WITHIN AN HISTORIC DISTRICT?

Properties are assigned one of three classifications based on the historic and architectural significance within a district. Properties can be listed as pivotal, contributing, and noncontributing.

Pivotal properties are those that could be individually designated based on history or architecture. Properties listed as pivotal are those that have the landmark yard sign placed out front of the property.

Contributing properties are those that are important through their grouping with other buildings in the area. They have retained most of the historical or architectural character and add to the make-up of the district.

Noncontributing properties are those which have lost their exterior historical or architectural character or are of a more recent architectural period than the majority of properties in the area.

## HOW DOES THIS CLASSIFICATION AFFECT A PROPERTY?

More general guidelines are applied to noncontributing properties since these properties have lost their original character or are of a more recent construction than other properties of the area.

## ARE ONLY THE PROPERTIES WHERE I SEE THE LANDMARK YARD SIGNS CONSIDERED HISTORIC?

No, as noted above, any property within an historic district listed as pivotal or contributing would be considered important to the historic

make-up of the district. Due to the cost of the landmark yard signs, they are placed only in front of the pivotal properties at the commission's expense upon approval from the owner.

## DO OTHER COMMUNITIES HAVE LOCAL LANDMARK PROGRAMS?

Yes. Throughout the country, municipalities have enacted preservation programs to preserve their heritage properties. In Wisconsin alone, over 60 communities have been recognized by the Wisconsin Historical Society as having adopted preservation programs.

## IS MY PROPERTY SUBJECT TO OTHER REQUIREMENTS BEING LOCATED IN A LOCAL HISTORIC DISTRICT?

No. Beyond the Landmarks provisions, rules and regulations that apply to your property are the same as what applies to other properties. This includes zoning and health department regulations. Some property owners have erroneously felt that requirements, such as need to obtain a conditional use permit from the Plan Commission or zoning variance from the Zoning Board, were due to their location in an historic district. This is not correct.

For more information, contact:  
City of Eau Claire  
Department of Community Development  
715-839-4914

2. Makes property owners eligible to be considered for federal matching grants-in-aid for historic preservation, when they are available, which are administered by the Historic Preservation Division of the State Historical Society of Wisconsin. (See page 3.)
3. Provides review through comment by the State Historical Society on the effect of state facilities development and long-range planning on historic properties, as stated in section 44.22 of the Wisconsin Statutes.
4. Provides protection through comment by the national Advisory Council on Historic Preservation on the effect of federally financed, licensed, or assisted undertakings on historic properties, as stated in section 106 of the National Historic Preservation Act. (See page 4.)
5. Makes available federal tax incentives to encourage the preservation of depreciable historic structures, which are used for commercial, industrial, and other income-producing purposes. (See page 4.)

## Nominations to the National Register of Historic Places in Wisconsin

A building, structure, object, site, or district of historical, architectural, engineering, or archeological significance at the national, state, or local level may be nominated to the National Register. The Historic Preservation Division staff submits a nomination of an eligible property on properly completed nomination forms to the Historic Preservation Review Board for approval. If the board approves the nomination, the SHPO certifies it, and it is submitted to the National Park Service, U.S. Department of the Interior, as an official nomination from Wisconsin. (The owner of a private property may object to a nomination and thereby prevent its listing in the National Register. In this case the property may be declared "eligible" for the National Register.) If the nomination of a particular property is requested by an individual or group, it is the responsibility of that individual or group to have completed to professional standards the necessary nomination materials, including forms, photographs, and maps. Normally, a professional nominations preparer is hired in such cases to prepare the nomination. The review board meets quarterly to consider nominations, and considers them in relation to the National Register criteria for evaluation.

## Criteria for Evaluation

The quality of significance in American history, architecture, engineering, archeology, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

1. That are associated with events that have made a significant contribution to the broad patterns of our history; or
2. That are associated with the lives of persons significant in our past; or
3. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
4. That have yielded, or may be likely to yield, information important to prehistory or history.