

DIVISION 16 - HISTORIC PRESERVATION**SEC. 15.16-1 HISTORIC PRESERVATION COMMISSION.**

- A. Composition. The Normal Historic Preservation Commission shall consist of seven (7) members, residents of the Town, all of whom shall be appointed by the President and approved by the Board of Trustees. The President shall make every reasonable effort to try to appoint persons with a demonstrated interest in the history or architecture of the Town, and at least one (1) member of the Preservation Commission should, if possible, be an Illinois-registered architect, one (1) an attorney, one (1) person experienced in real estate, and one (1) a person experienced in building construction, and if possible one (1) person experienced in historic preservation.
- B. Terms. The term of office of the members of the Preservation Commission shall be for four (4) years, excepting that the membership of the first Preservation Commission appointed shall serve respectively for terms of: one (1) for one (1) year; two (2) for two (2) years; two (2) for three (3) years; and two (2) for four (4) years. A member may serve more than two (2) consecutive terms. Vacancies shall be filled for the unexpired term only. Members may be recalled for cause as provided by Chapter 10, Division 6, Section 10.6-1 through 10.6-3, of the Municipal Code of the Town of Normal, Illinois, 1969.
- C. Officers. Officers of the Preservation Commission shall consist of a Chairperson and a Vice-Chairperson who shall each serve a term of one (1) year and shall be eligible for re-election. The Chairperson shall preside over meetings. In the absence of the Chairperson, the Vice-Chairperson shall perform the duties of the Chairperson. If both the Chairperson and the Vice-Chairperson are absent, those present shall elect a temporary Chairperson. It is the responsibility of the Chairperson to ensure that the following duties are performed:
1. Preparation of minutes of each Preservation Committee meeting;
 2. Publication and distribution of copies of the minutes, reports, and decisions of the Preservation Commission to the members of the Preservation Commission;
 3. Cause the publication of notice as required herein or by law for all public hearings conducted by the Preservation Commission;
 4. Advise the President of vacancies on the Preservation Commission and expiring terms of members; and
 5. Prepare and submit to the President and Board of Trustees a complete record

of the proceedings before the Preservation Commission on any matter requiring Town Council consideration.

- D. Meetings. A quorum shall consist of a majority of the members. Except otherwise provided, all decisions or actions of the Preservation Commission shall be made by a majority vote of those members present and voting at any meeting where a quorum exists. Meetings shall be held monthly at regularly scheduled times to be established by resolution of the Preservation Commission at the beginning of each calendar year or at any time upon the call of the Chairperson. Meetings of the Commission may be cancelled, postponed or rescheduled by the Chairperson. No member of the Preservation Commission shall vote on any matter that may materially or apparently affect the property, income, or business interest of that member. No action shall be taken by the Preservation Commission that could in any manner deprive or restrict the owner of a property in its use, modification, maintenance, disposition, or demolition until such owner shall first have had the opportunity to be heard at public meeting of the Preservation Commission, as provided herein. The Chairperson, and in his absence the acting Chairperson, may administer oaths and compel the attendance of witnesses. All meetings of the Preservation Commission shall be open to the public. The Preservation Commission shall keep minutes of its proceedings, showing the vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Zoning Administrator and shall be public records.
- E. Powers and Duties. The Preservation Commission shall have the following powers and duties:
1. To adopt its own procedural regulations;
 2. To conduct an ongoing survey to identify historically and architecturally significant properties, structures, and areas that exemplify the cultural, social, economic, political, or architectural history of the United States of America, the State of Illinois, or the Town;
 3. To investigate and recommend to the Planning Commission and to the President and Board of Trustees the adoption of ordinances designating properties or structures having special historic, community, or architectural value as “landmarks.”
 4. To investigate and recommend to the Planning Commission and to the President and Board of Trustees the adoption of ordinances designating areas as having special historic, community, or architectural value as “historic districts”;
 5. To keep a register of all properties and structures that have been designated as landmarks or historic districts, including all information required for each designation;

6. To determine an appropriate system of markers and make recommendations for the design and implementation of specific markings of the streets and routes leading from one landmark or historic district to another;
7. To advise and assist owners of landmarks and property or structures within historic districts on physical and financial aspects of preservation, renovation, rehabilitation, and reuse, and on procedures for inclusion on the National Register of Historic Places;
8. To nominate landmarks and historic districts to the National Register of Historic Places, and to review and comment on any National Register nominations submitted to the Preservation Commission upon request of the President or Board of Trustees;
9. To inform and educate the citizens of the Town concerning the historic and architectural heritage of the Town by publishing appropriate maps, newsletter, brochures, and pamphlets, and by holding programs and seminars; and to develop and/or encourage the development of an organization for persons with an interest in historic preservation to allow for the sharing of information and building material;
10. To hold public hearings and to review applications for construction, alteration, removal, or demolition affecting proposed or designated landmarks or structures within historic districts and issue or deny Certificates of Appropriateness for such actions. Applicants may be required to submit plans, drawings, elevations, specifications, and other information as may be necessary to make decisions;
11. To consider applications for Certificates of Economic Hardship that would allow the performance of work for which a Certificate of Appropriateness has been denied;
12. To develop specific design guidelines for the alteration, construction, or removal of landmarks or property and structures within historic districts;
13. To review proposed zoning amendments, applications for special use permits, applications for zoning variances, site plans and P.U.D. amendments and subdivisions, that affect proposed or designated landmarks and historic districts. The Town Clerk shall send applications to the Preservation Commission for comment prior to the date of the hearing by the Planning Commission or the Zoning Board of Appeals;
14. To monitor the administration of any property or full or partial interest in real property, including easements, that the Town may have or accept as a gift or otherwise, upon authorization and approval by the Town Council;

15. To accept and monitor through the Office of the Director of Finance on behalf of the Town the administration of such gifts, grants, and money as may be appropriate for the purposes of Section 15.6-13(A) of this Code. Such money may be expended for publishing maps and brochures or for hiring staff persons or consultants or performing other appropriate functions for the purpose of carrying out the duties and powers of the Preservation Commission and the purposes of Section 15.6-13(A) of this Code;
 16. To request from the City Manager that Town staff members as well as other experts be made available for technical advice;
 17. To retain such specialists or consultants with the permission of the Town Council or to appoint such citizen advisory committees as may be required from time to time;
 18. To testify before all boards and commissions, including the Planning Commission and the Zoning Board of Appeals, on any matter affecting historically and architecturally significant property, structures, and areas;
 19. To confer recognition upon the owners of landmarks or property or structures within historic districts by means of certificates, plaques, or markers;
 20. To develop a preservation component in the Official Comprehensive Plan and to recommend it to the Planning Commission and to the President and Board of Trustees;
 21. To periodically review the Town Zoning Code and to recommend to the Planning Commission and the President and Board of Trustees any amendments appropriate for the protection and continued use of landmarks or property and structures within historic districts; and
 22. To undertake any other action or activity necessary or appropriate to the implementation of its powers and duties or to implementation of the purpose of this Code.
- F. Surveys and Research. The Preservation Commission shall, with Council approval and when appropriate, undertake surveys and research efforts in the town to identify neighborhoods, areas, sites, structures, and objects that have historic, community, architectural, or aesthetic importance, interest, or value. As part of the survey, the Preservation Commission shall review and evaluate any prior surveys and studies by any unit of government or private organizations and compile appropriate descriptions, facts, and photographs. The Preservation Commission shall systematically identify potential landmarks and adopt procedures to nominate them in groups based upon the following criteria:

1. The potential landmarks in one identifiable neighborhood or distinct geographical area of the Town;
2. The potential landmarks associated with a particular person, event, or historical period;
3. The potential landmarks of a particular architectural style or school, or of a particular architect, engineer, builder, designer, or craftsman;
4. Such other criteria as may be adopted by the Preservation Commission to assure systematic survey and nomination of all potential landmarks within the Town.

SEC. 15.16-2 NOMINATION PROCESS.

- A. Nomination of Landmarks. Nominations for landmark designation shall be made to the Historic Preservation Commission on a form prepared by the Commission. Nominations for landmarks can only be made by the property owner of record of the nominated property or structure, the Historic Preservation Commission or the President and Board of Trustees. In the case of a nomination other than by the owner of record of the property nominated, the Town Clerk shall send a notice of the Preservation Commission's meeting on such nomination to the owner of record of such nominated property at least seven (7) days prior to such meeting.
- B. Nomination of Historic District. Nominations for historic district designation shall be made to the Historic Preservation Commission on a form prepared by the Commission. Nominations for historic district designation shall include the physical boundaries of the area to be designated. Any property owner within a proposed historic district, the Historic Preservation Commission or the President and Board of Trustees, can make nominations for historic district. Nominations made by a property owner within a proposed district must be accompanied by signatures of owners of property representing at least twenty percent (20%) of the total lineal street frontage in the proposed district, unless the proposed district includes property owners without any street frontage in the proposed district, in which case nominations made by a property owner within a proposed district must be accompanied by signatures of owners of property representing at least twenty percent (20%) of the total area within the proposed district. The Town Clerk shall send a notice of the Preservation Commission's meeting on such nomination to the owner of record of all properties within the proposed district at least seven (7) days prior to such meeting. (Amended 1/22/02 by Ord. No. 4764)
- C. Criteria for Consideration of Nomination. The Preservation Commission shall, upon such investigation as it deems necessary, make a determination as to whether a nominated property, structures, or area meets one (1) or more of the following criteria:

1. Its character, interest, or value as part of the development, heritage, or cultural characteristics of the Town, County of McLean, State of Illinois or the United States of America (the Nation);
2. Its location as a site of a significant local, county, state, or national event;
3. Its identification with a person or persons who significantly contributed to the development of the Town, County of McLean, State of Illinois, or the Nation;
4. Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;
5. Its identification as the work of a master builder, designer, architect, or landscape architect whose individual work has influenced the development of the Town, County of McLean, State of Illinois, or the Nation;
6. Its embodiment of elements of design, detailing, materials, or craftsmanship that render it architecturally significant;
7. Its embodiment of design elements that make it structurally or architecturally innovative;
8. Its unique location or singular physical characteristics that make it an established or familiar visual feature;
9. Its character as a particularly fine or unique example of an utilitarian structure, including, but not limited to farmhouses, gas stations, or other commercial structures, with a high level of integrity or architectural significance; and/or
10. Its suitability for preservation or restoration;
11. The geographic area which is the subject of the petition has definable boundaries in the form of natural features or existing physical improvements; or a visual sense of history within the proposed boundaries; and the buildings, places or areas within the proposed district, by their inclusion therein, are of sufficient historic significance to be worthy of rehabilitation, restoration and preservation because either:
 - a. The proposed district contains within definable geographic boundaries one or more landmarks along with such other buildings, places or areas, which, while not such historic significance to be

designated as landmarks, nevertheless contribute to the overall visual characteristics of the landmark or landmarks located within the district; or

- b. The proposed district contains within definable geographic boundaries such buildings, places or areas which while not such individual significance to be designated as landmarks, nevertheless, as an aggregate, possess historic significance establishing a sense of time and place unique to the Town of Normal.

D. Report and Recommendation of Preservation Commission. The Preservation Commission shall within forty-five (45) days from receipt of a completed nomination in proper form adopt by resolution, a recommendation that the nominated landmark or historic district does or does not meet the criteria for designation in Paragraph C of this Section 15.16-2. The resolution shall be accompanied by a report to the Planning Commission containing the following information:

1. Explanation of the significance or lack of significance of the nominated landmark or historic district as it relates to the criteria for designation;
2. Explanation of the integrity or lack of integrity of the nominated landmark or historic district;
3. In the case of a nominated landmark found to meet the criteria for designation:
 - a. The significant exterior architectural features of the nominated landmark that should be protected;
 - b. The types of construction, alteration, demolition, and removal, other than those requiring a building or demolition permit, that it should be reviewed for appropriateness pursuant to the provisions of SEC. 15.16-5.
4. In the case of a nominated historic district found to meet the criteria for designation:
 - a. The types of significant exterior architectural features of the structures within the nominated historic district that should be protected;
 - b. The types of alterations and demolitions that should be reviewed for appropriateness pursuant to the provisions of SEC. 15.16-5.

5. Proposed design guidelines for applying the criteria for review of Certificates of Appropriateness to the nominated landmark or historic district.
6. The relationship of the nominated landmark or historic district to the ongoing effort of the Preservation Commission to identify and nominate all potential areas and structures that meeting the criteria for designation.
7. Recommendations as to appropriate permitted uses, special uses, height and area regulations, minimum dwelling size, floor area, sign regulations, and parking regulations necessary or appropriate to the preservation of the nominated landmark or historic district.
8. A map showing the location of the nominated landmark and the boundaries of the nominated historic district.

The recommendations and report of the Preservation Commission shall be sent to the Planning Commission within seven (7) days following the vote on the resolution and shall be available to the public in the office of the Town Clerk.

E. Design Guidelines. Design guidelines for applying the criteria for review of Certificates of Appropriateness shall, at a minimum, consider the following architectural criteria for existing structures and new construction:

1. Height. The height of any proposed alteration or construction should be compatible with the style and character of the landmark and with contributing structures in a historic district;
2. Proportions of Windows and Doors. The proportions and relationships between doors and windows on facades visible from the street should be compatible with the architectural style and character of the landmark and with contributing structures within a historic district;
3. Relationship of Building Masses and Spaces. The relationship of a structure within a historic district to the open space between it and adjoining structures should be compatible;
4. Roof Shape. The design of the roof should be compatible with the architectural style and character of the landmark and contributing structures in a historic district;
5. Scale. The scale of the structure after alteration, construction, or partial demolition should be compatible with its architectural style and character and with contributing structures in historic districts;

6. Directional Expression. Facades in historic districts should blend with other structures with regard to directional expression. Structures in a historic district should be compatible with the dominant horizontal or vertical expression of surrounding structures. The directional expression of a landmark after alteration, construction, or partial demolition should be compatible with its original architectural style and character;
7. Garages and Driveways. Garages should be situated in a manner compatible with garages located on contributing properties within a district. If attached, the garage should be set back to the rear face of the home.
8. Architectural Details. Architectural details including materials, colors (paint or stain color on any surface that has not been previously painted or stained shall comply with design guidelines), and textures should be treated so as to make a landmark compatible with its original architectural style and character and to preserve and enhance the architectural style or character of a landmark or historic district;
 - a. Materials. Approved historic building materials include wood siding, brick, stone, and stucco. The Historic Preservation Commission may approve cement fiberboard siding in dimensions appropriate for the structure and historic district; however, vinyl siding will not be approved. The Commission will review newly developed materials as they become available and are deemed appropriate.
 - b. Trim. Window and door trim must be compatible with the dimensions of the trim found elsewhere on the landmark structure or found on contributing structures within the district. The Historic Preservation Commission may approve newly developed replacement materials, so long as they can be turned, custom cut, and painted.
 - c. Muntins. Window muntins must have appropriate dimensions and depth to be compatible with windows found elsewhere on the landmark or within the historic district. This may require the adherence of muntins to both the exterior and interior of the window, as the Historic Preservation Commission deems appropriate, however, muntins between the glass panes will not be approved.
 - d. Eaves. Eave widths and slopes must be comparable to those found on contributing structures elsewhere in the district and must be compatible with the structure's architectural style.
 - e. Architectural style. Although no particular architectural style is required, new construction must use a consistent style throughout the

structure. The Commission may approve a combination of styles if such combination is supported by the styles of contributing structures elsewhere in the historic district.

- f. Porches. Porches must be designed to match the architectural style of the home.
 - g. Shutters. Shutters are allowed if appropriate to the architectural style of the house and must be in correct proportion to the window, even if they are not operable.
 - h. Front Door. The front door must be of a style appropriate to the rest of the structure's architecture.
- F. Notification of Nomination. The Planning Commission shall schedule a public hearing on the nomination within thirty (30) days following receipt of a report and recommendation from the Preservation Commission that a nominated landmark or historic district does or does not meet the criteria for designation. Notice shall be published in a newspaper having general circulation in the town at least fifteen (15) days prior to the date of the hearing. The notice shall state the street address and legal description of a nominated landmark and the boundaries of a nominated historic district and the date, time, place and purpose of the public hearing. Notices shall also be sent by regular mail to the owner(s) of record of the nominated landmark or historic district. Courtesy notices may also be provided to property owners or residents residing within 400 feet of a nominated landmark or historic district.
- G. Public Hearing. Oral or written testimony concerning the significance of the nominated landmark or historic district shall be taken at the public hearing from any person concerning the nomination. The Preservation Commission may present expert testimony or present its own evidence regarding the compliance of the nominated landmark or historic district with the criteria for consideration of a nomination set forth in Paragraph C of this SEC. 15.16-2. The hearing shall be closed upon completion of testimony.
- H. Recommendation by Planning Commission. Within thirty (30) days following close of the public hearing, the Planning Commission shall make a recommendation upon the evidence whether the nominated landmark or historic district does or does not meet the criteria for designation. Such a recommendation shall be passed by resolution of the Planning Commission and shall be accompanied by a report stating the findings of the Planning Commission concerning the relationship between the criteria for designation in Paragraph C of this SEC. 15.16-2 and the nominated landmark or historic district and all other information required by SEC. 15.16-2.
- I. Notification of Recommendation. Notice of the recommendation of the Planning Commission, including a copy of the report, shall be sent by regular mail to the

owner of record of a nominated landmark and of all owners of record of property within a nominated historic district within seven (7) days following adoption of the recommendation. The recommendation of the Planning Commission shall be forwarded to the President and Board of Trustees for final action.

J. Action by the President and Board of Trustees.

1. The President and Board of Trustees shall, as an exercise of its legislative discretion, within sixty (60) days after receiving the recommendation of the Planning Commission, either reject the recommendation by formal resolution or designate the landmark or historic district by ordinance.
2. Public Hearing. The Corporate Authority may hold a public hearing before enacting the resolution or ordinance and provide notice and take testimony in the same manner as provided in Paragraphs (F) and (G) of SEC. 15.16-2.
3. Protest. In case a valid written protest is filed with the Town Clerk, the designation ordinance cannot be pursued except upon the favorable vote of two-thirds (2/3) of all members of the Town Council who are eligible to vote. In order to constitute a valid protest it must:
 - a. be signed and acknowledged by the owners of property representing at least twenty percent (20%) of the total lineal street frontage in the proposed district, however, in those cases where the property to be designated includes owners of parcels without any street frontage, then the written protest must be signed and acknowledged by the owners of property representing at least twenty percent (20%) of the total area of property to be designated; and
 - b. unless waived by Council action, the protest must be filed with the Town Clerk at least seven (7) days prior to consideration of the proposed designation by the Town Council.
(Entire SEC. 15.16-2(J)(3) Amended by Ord. No. 4764 on 1/22/02)
4. Delay. If an application for a proposed designation is not acted upon finally by the President and Board of Trustees within sixty (60) days of the date upon which such application is received, it shall be deemed to have been denied unless extended by an agreement of the applicant and President and Board of Trustees reflected in the minutes of the Town Council.
5. One Year Bar. No application for a designation which has been denied wholly or in part by the President and Board of Trustees, shall be resubmitted for a period of one (1) year from the date of said order of denial, except on grounds of error in the original proceedings, or change of condition in either case found to be valid by the President and Board of Trustees.

6. Notice of Decision. The Town Clerk shall provide written notification of the action of the President and Board of Trustees by regular mail to the owner(s) of record of the nominated landmark or all owners of record of property within a nominated historic district. The notice shall include a copy of the designation ordinance or resolution passed by the Town Council and shall be sent within seven (7) days of the Town Council's action. A copy of each designation ordinance shall be sent to the Preservation Commission, the Planning Commission, and the Zoning Administrator. The Town Clerk shall also file with the McLean County Recorder of Deeds a certified copy of the designation ordinance.
- K. The Designation Ordinance. Upon designation, the historic district shall be classified as a "S-3 Historic and Cultural District" juxtaposed over one (1) or more of the other districts established in Division 6 of this Code. The designating ordinance may prescribe the significant exterior architectural features; the types of construction, alteration, demolition, and removal, other than those requiring a building or demolition permit that should be reviewed for appropriateness; the design guidelines for applying the criteria for review of appropriateness; and sign regulations. The official zoning map of the Town shall be amended to show the location of the "S-3 Historic and Cultural District."

SEC. 15.16-3 INTERIM CONTROL.

- A. Moratorium on Demolition Permits. No demolition permit shall be issued by the Building Commissioner for demolition, relocation, or removal of any structure within the Town of Normal unless the Historic Preservation Commission, either meeting as a whole or through executive committee, determines that such structure is not worthy of historic preservation pursuant to the standards set forth in this historic preservation ordinance. The Historic Preservation Committee or its executive committee shall render its decision in writing to the Building Commissioner within thirty (30) days of application for a demolition permit. In the event the Historic Preservation Commission or its executive committee determines that the structure is worthy of historic preservation, the Building Commissioner shall further delay issuance of a demolition permit for an additional thirty (30) day period in order to give the property owner or the Normal Town Council an opportunity to nominate the structure for historic landmark status.
- B. Post Nomination Moratorium. Upon nomination of any structure for landmark status or any property for historic district status, an Interim Control period starts. This period ends when a final decision has been made by the Town Council on the nomination. During this period, no alteration, removal, demolition, or other exterior change shall be made by any person to the structure or property so nominated until final disposition of the nomination by the Town Council unless such alteration, removal, demolition, or exterior change is authorized by formal resolution of the Town Council as necessary for public health, welfare, or safety. This applies only to changes that would ordinarily require a Certificate of Appropriateness, as if the

Historic Preservation Commission and Town Council already approved the proposed landmark or historic district designation. In no event shall the delay be for more than one hundred eighty (180) days.

SEC. 15.16-4 AMENDMENT AND RESCISSION OF DESIGNATION. Designation may be amended or rescinded upon petition to the Preservation Commission and compliance with the same procedure and according to the same criteria set forth herein for designation.

SEC. 15.16-5 CERTIFICATE OF APPROPRIATENESS.

- A. Certificate of Appropriateness. A Certificate of Appropriateness shall be required before the following actions affecting the exterior architectural appearance of any landmark or property within a historic district may be undertaken.
1. Any exterior construction, alteration, or removal requiring a building permit from the Town.
 2. Any demolition in whole or in part requiring a permit from the Town.
 3. Any exterior construction, alteration, demolition, or removal affecting a significant exterior architectural feature as specified in the ordinance designating the landmark or historic district.
 4. Any painting or staining of a previously unpainted or unstained surface.
 5. The construction, removal, or placement on any lot of any structure or fixture not requiring a building permit which is readily visible from a public street including, but not limited to, fences, walls, gazebos, and sheds.

Exceptions:

1. The following fixture(s) will not require a Certificate of Appropriateness: gazing balls, statuary, bird baths, dog houses, dog runs, rabbit hutches, basketball goals, swing sets, playground equipment, forts, tree houses, landscaping and landscape structures, pools, clothes lines, poles, satellite dishes, antennas, and fired cooking pits.
 2. Projects not visible from a public right-of-way.
- B. Applications for Certificates of Appropriateness. Every application for a demolition or a building permit, including the accompanying plans and specifications, affecting the exterior architectural appearance of a designated landmark or of a property within a designated historic district shall be forwarded by the Building Commissioner to the Preservation Commission within seven (7) days following the receipt of the application by the Building Commissioner. The Building Commissioner shall not issue the building or demolition permit until the

Preservation Commission has issued a Certificate of Appropriateness. A pre-application meeting with Town Staff is required for applicants proposing new construction in a historic district. Any applicant may request a meeting with the Preservation Commission before the Building Commissioner sends the application to the Preservation Commission or during the review of the application. Application for review of construction, alteration, demolition, or removal not requiring a building permit for which a Certificate of Appropriateness is required shall be made on a form prepared by the Preservation Commission and available at the office of the Building Commissioner. The Preservation Commission shall consider the completed application at its next regular meeting.

- C. Expedited Review Process. The Chairman or his/her designee may upon the concurrence of the Town Building Commissioner and the Town Planner (or their designees) issue a Certificate of Appropriateness without submitting the matter to the full Commission in the following circumstances:
1. The application pertains to a non-contributing structure;
 2. The application pertains to replacement of materials with like materials and no other changes are proposed; or
 3. Submission to the full Commission would result in unnecessary delay and create an unreasonable hardship on the applicant.
- D. Determination by Preservation Commission. The Preservation Commission shall review the application for a building or demolition permit or for a Certificate of Appropriateness and issue or deny the Certificate of Appropriateness within thirty (30) days of receipt of the application. Written notice of the approval or denial of the application for a Certificate of Appropriateness shall be provided the applicant and the Building Commissioner within seven (7) days following the determination and shall be accompanied by a Certificate of Appropriateness in the case of an approval. Unless otherwise specified by the Commission, any order or the decision of the Commission authorizing a certificate of appropriateness will expire if the applicant fails to obtain a building permit within one year from the date of the decision.
- E. Denial of a Certificate of Appropriateness. A statement of the reasons shall accompany a denial of a Certificate of Appropriateness. The Preservation Commission shall make recommendations to the applicant concerning changes, if any, in the proposed action that would cause the Preservation Commission to reconsider its denial and shall confer with the applicant and attempt to resolve as quickly as possible the differences between the owner and the Preservation Commission. The applicant may resubmit an amended application or reapply for a building or demolition permit that takes into consideration the recommendations of the Preservation Commission.

- F. Standards for Review. In considering an application for a building or demolition permit or for a Certificate of Appropriateness, the Preservation Commission shall be guided by the following general standards in addition to any design guidelines in the ordinance designating the landmark or historic district.
1. Every reasonable and practical effort shall be made to provide a compatible use for a property that requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.
 2. The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided when possible and reasonable.
 3. All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and that seek to create an earlier appearance shall be discouraged.
 4. Changes that may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
 5. Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure, or site shall be treated with sensitivity.
 6. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color (paint or stain, on any surface that has not been previously painted or stained shall comply with Standards for Review), texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features, substantiated by historic, physical, or pictorial evidence, rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
 7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
 8. Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to, any project.
 9. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy

significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environment.

10. The relocation of a landmark shall be considered only if the Commission determines that such action represents the only reasonable means by which the landmark will be preserved.
11. Building improvements, including additions, and interior modernization are encouraged provided that they are compatible with and do not significantly alter the style and character of the original architecture of the landmark or the historic district;

SEC. 15.16-6 CERTIFICATE OF ECONOMIC HARDSHIP.

- A. Certificate of Economic Hardship. Application for a Certificate of Economic Hardship shall be made on a form prepared by the Preservation Commission. The applicant shall have the burden to show by a preponderance of the evidence that denial of the certificate shall deprive the owner of reasonable use or a reasonable return on the property. Any financial information submitted by the applicant shall be considered confidential and shall not be subject to public disclosure except upon consent of the applicant and except if any appeal is taken of the determination by the Preservation Commission on a Certificate of Economic Hardship. The information shall be reviewed only by the City Manager or his/her designee and upon his/her determination make a recommendation to the Commission.

The applicant for a Certificate of Economic Hardship may make submissions concerning any or all of the following information in order to assist the Commission in making a determination on the application.

1. Estimate of the cost of the proposed construction, alteration, demolition, or removal and an estimate of any additional cost that would be incurred to comply with the recommendations of the Preservation Commission for changes necessary for the issuance of a Certificate of Appropriateness.
2. A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation.
3. Estimated market value of the property in its current condition; after completion of the proposed construction, alteration, demolition, or removal; after any changes recommended by the Preservation Commission; and, in the case of a proposed demolition, after renovation of the existing property for continued use.

4. In the case of a proposed demolition, an estimate from an architect, developer, real estate consultant, appraiser, or other real estate professional experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure on the property.
 5. Amount paid for the property, the date of purchase, and the party from whom purchased, including a description of the relationship, if any, between the owner of record or applicant and the person from whom the property was purchased, and any terms of financing between the seller and buyer.
 6. If the property is income-producing, the annual gross income from the property for the previous two (2) years; itemized operating and maintenance expenses for the previous two (2) years; and depreciation deduction and annual cash flow before and after debt service, if any, during the same period.
 7. Remaining balance on any mortgage or other financing secured by the property and annual debt service, if any, for the previous two (2) years.
 8. All appraisals obtained within the previous two (2) years by the owner or applicant in connection with the purchase, financing, or ownership of the property.
 9. Any listing of the property for sale or rent, price asked and offers received, if any, within the previous two (2) years.
 10. Assessed value of the property according to the two (2) most recent assessments.
 11. Real estate taxes for the previous two (2) years.
 12. Form of ownership or operation of the property, whether sole proprietorship, for-profit or not-for-profit corporation, limited partnership, joint venture, or other.
 13. Any other information, including the income tax bracket of the owner, applicant, or principal investors in the property in order to assist the Preservation Commission in making a determination as to whether the property does yield or may yield a reasonable return to the owners.
- B. Determination of Economic Hardship. The Preservation Commission shall review all the evidence and information submitted by an applicant for a Certificate of Economic Hardship and make a determination within forty-five (45) days of receipt of the application whether the denial of a Certificate of Appropriateness has deprived, or will deprive, the owner of the property of reasonable use of, or a

reasonable economic return on, the property. Written notice of the determination shall be provided in the same manner as required by Paragraph (E) of this SEC. 15.16-5.

SEC. 15.16-7 APPEALS.

A, Appeals. Any determination by the Preservation Commission that an application for a Certificate of Appropriateness or for a Certificate of Economic Hardship be approved or denied shall be an administrative decision reviewable by the President and Board of Trustees. Appeals shall be filed with the Town Clerk within ten (10) days following the Preservation Commission's decision and may be filed only by the following:

1. the owner of record of the property in question;
2. any owner of record of property in a historic district;
3. the owner of record of property within 400 feet of the property in question.

A determination by the President and Board of Trustees shall be a final administrative decision reviewable as provided by Illinois law.

(Added 8/20/90 by Ord. No. 3925 as Subsection (E) of Section 15.12-1)(Comprehensively Amended 5/21/01 by Ord. No. 4723 - Transferring to SEC. 15.16)(Comprehensively Amended 6/20/05 by Ord. No. 5012)