

**LANDMARKS COMMISSION**  
**October 10, 2024**

**LAN20241010-1**  
**UNAPPROVED**

A regular meeting of the Landmarks Commission, City of Cedarburg, Wisconsin, was held Thursday, October 10, 2024 at Cedarburg City Hall, W63 N645 Washington Avenue, lower level, Room 1.

The meeting was called to order by Chairperson Tom Kubala at 8:30 a.m.

Roll Call: Present – Chairperson Tom Kubala, Vice Chairperson James Pape, Elizabeth Krimmel, Doug Yip, Tomi Fay Forbes, Council Member Kristin Burkart

Excused - Vice Chairperson James Pape

Also Present - City Planner Mary Censky, Building Inspector Jeff Thoma

**STATEMENT OF PUBLIC NOTICE**

Chairperson Kubala acknowledged that the agenda for this meeting was posted and distributed in compliance with the Wisconsin Open Meetings Law.

**APPROVAL OF MINUTES**

Motion made by Yip, seconded by Commissioner Krimmel to approve the minutes of the September 26, 2024 meeting. Motion carried without a negative vote with Vice Chairperson James Pape excused.

**COMMENTS AND SUGGESTIONS FROM CITIZENS** - none

**REGULAR BUSINESS**

**REVIEW, DISCUSSION AND POSSIBLE APPROVAL OF THE SIGN PLAN FOR THE BLIND HORSE WINE BAR, COCKTAIL LOUNGE AND LIGHT DINING USE LOCATED AT W63 N674 WASHINGTON AVENUE. THE APPLICANT IS JASON AHRENS OF DISTINCTIVE DESIGN AS AN AGENT FOR THE PROPERTY OWNER ORMSBY ACQUISITIONS, LLC.**

Jason Ahrens and Robert Moeller represented this project. The building inspector stated that the four proposed signs meet code. However, in light of the renewed effort to expand the Creek Walk, the Commission determined previously that it would like to draft a sign code for signage

that will face the creek walk. Thus, approval of the sign on the east side of Patio Bar should be postponed until further discussion. Also, Section 15-5-7 of the City Code provides that wall signs are permitted only on the side of a building that is ‘contiguous to and faces a public street or alley right-of-way’ which the sign on the east side of the patio bar does not.

Mr. Moeller and Mr. Ahrens stated that they would like to include lettering as well as the logo for the horse on the north wall of the business. Planner Censky stated that as long as the signage fits within the 32 square foot maximum, whether logo or verbiage, it would meet code. The logo of the horse is considered to be a sign by definition of a sign.

Commissioner Krimmel moved to approve the signage as proposed but excluding the east-facing patio bar sign, which will be addressed at a later time. Commissioner Yip seconded the motion. Motion carried without a negative vote; Commissioner Pape excused.

Mr. Moeller then stated he would prefer to drop the horse logo and do something a little different with this sign. He wants to add some wording there, maybe with or without the horse. It was agreed that he can mount either the wording, horse, or both, as long as it conforms to the 32 square foot maximum and the design/plan for the revised sign is reviewed and approved by the Planner and Chairman of the Commission prior to permit issuance. Mr. Ahrens will send the final plan details about this sign to Planner Censky before ordering the sign to be made.

**REVIEW, DISCUSSION, AND PRELIMINARY FEEDBACK IN RESPONSE TO THE APPLICATION OF PROPERTY OWNERS BURG 63, LLC IN C/O MIKE AND CINDI PURNELL, TO RAZE AND REMOVE THE PRINCIPAL RESIDENCE AND DETACHED ACCESSORY GARAGE STRUCTURES ON THE PROPERTY LOCATED AT N70 W6222 BRIDGE ROAD. THIS PROPERTY IS ZONED RS-6 SINGLE-FAMILY/TWO FAMILY RESIDENTIAL DISTRICT. THIS PROPERTY IS LOCATED IN THE COLUMBIA HISTORIC DISTRICT AND THE STRUCTURES APPEAR TO BE CLASSIFIED AS ‘CONTRIBUTING’**

The project is represented by Mike and Cindi Purnell, realtor Kathy Bucholz, Marsha Moden and architect Owen Lavin.

Although it is on the National Register of Historic Places, the City/Landmarks Commission does not actively zone or regulate the Columbia Historic District. State Statutes does provide, however, that the State must be given 30 days ‘notice, and the opportunity to comment/make a record before a building is to be razed. Also, according to local Code, the Landmarks Commission has to approve the razing of a building. Wisconsin’s historic preservation office was recently notified that an application was made to raze a building determined to be ‘contributing’ in the Columbia Historic District. The office has 30 days, according to its own guidelines, to

respond. Planner Censky researched and cannot find any information specific to this building. On the survey, many homes in the Columbia Historic District are described in detail, this house is not among those, despite being classified as ‘contributing’.

Mr. Purnell stated that there are beautiful houses on each side of the house in question. It is as if those who determined the outline of the Columbia Historic District drew a line to include those two houses, and rather than circumvent 6222, just included it. He stated that the house was built in 1860, the foundation is crumbling, and there are major aspects of the house that would need to be updated. It has not been well maintained. He feels it should be condemned. There are root systems growing into the foundation, the ceilings are not in good condition, the steps are not up to code, the windows are not original, the electrical needs replaced, etc. Ms. Moden also asked that we consider the poor condition of the home.

Commissioner Forbes stated that one of the unique aspects of the historic district is the wide variety of housing, from large Queen Anns to modest bungalows. So many neighborhoods built today are all slight variations of the same house. The value of the old neighborhoods is a small clapboard tucked in between two stately brick homes.

Mr. Purnell says he approached Jon Censky about the possibility of razing a house in the Columbia Historic District, and his understanding (to what was perceived to be a general question) from Planner Censky is that it could be razed. Believing this was possible, he purchased both the house on the corner – N70 W6238 Bridge – and 6222. He plans to build a house for retirement on the property, around 1500 square feet, with an attached garage. He would like to build something that would work well in the historic district, something that keeps the look of the district. He needs to raze the present building to build the house he envisions. Commissioner Forbes expressed concern about an infill house. Several infill houses in Cedarburg – one on Washington and one on Columbia – were designed to look Queen Ann, but really come off as a poor rendition of a Queen Ann with modern materials. The Kubala house does not try to replicate an older style but is appropriate for the neighborhood because it has a classic design and materials.

Council Member Burkart stated that he purchased it with the understanding that he could raze it. She asked what discrepancy in the code may exist that may have caused this error. She empathizes with the Purnell’s, that they made a decision based on the information they were given.

Planner Censky stated that we do not have historic preservation overlay zoning in this district. We have no authority to control improvements or modifications. The only regulations are the building codes and regular zoning in effect throughout the city. Landmarks does not have a zoning overlay in the Columbia Historic District.

It was asked if the house could be moved. The answer is yes, the challenge is that someone would have to determine if the house was stable enough to be moved, where it would go, and who would take responsibility for the restoration.

Commissioner Krimmel stated that historic districts are created to retain the flavor of the town. Tearing down significant buildings impacts the flavor of the town. As preservationists, it is our job to retain the integrity of the district. If one 1860s house goes down, and a nice house replaces it, will that trend continue to other houses. If Landmarks says 'no' the Plan Commission can override our recommendation and say 'yes.' The Plan Commission has input on the design of the infill house. The Landmarks Commission has no say in any remodeling done to the building.

Chairperson Kubala stated that, in his architectural experience, an architect always read the city code before demolishing a building. The firm doesn't rely on city employees' interpretation of the code, but the architect read it for himself.

Realtor Bucholz stated that many people don't know that the Columbia Historic District exists. Mr. Purnell stated that there was no flag to him that the house was in the historic district. It is not stated on the deed or title. Council Member Burkart stated that when a seller fills out the condition report on a home they must disclose if the house is historical or has restrictions, however, many people don't know if their house is in the district. (For instance, Commissioner Yip discovered his house is in the Columbia Historic District today at the meeting!)

Discussion turned to public knowledge of the Columbia Historic District, and how the city can educate realtors and the general public regarding the District. Commissioners also asked if the state could deny a permit to raze the building. It was suggested that the new Landmarks Commissioner binder materials be put up on the City's website.

### **ADJOURNMENT**

A motion was made by Council Member Burkart seconded by Commissioner Krimmel, to adjourn the meeting at 9:30 a.m. The motion carried without a negative vote with Vice Chairperson James Pape excused.

Tomi Fay Forbes  
Secretary