

2017 HISTORIC REVIEW APPEAL APPLICATION

 <p style="font-size: 24pt; margin: 0;">CITY OF HUTCHINSON</p>	<p style="margin: 0;">CITY OF HUTCHINSON Planning and Development Department 125 E. Avenue B, Hutchinson, KS 67501 620-694-2639 phone ~ 620-694-2673 fax</p>
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<u>FOR OFFICE USE ONLY</u>	<u>CITY COUNCIL DETERMINATION:</u>
DATE RECEIVED: _____	_____ APPROVED _____ DISAPPROVED FEE: (\$165) _____
CASE #: _____	_____ (MAYOR) _____ (DATE)

PROJECT INFORMATION

Project Address _____

Applicant _____

Mailing Address _____

Phone _____ E-Mail _____

Property Owner _____

Mailing Address _____

Phone _____ E-Mail _____

GENERAL REQUIREMENTS

Owners of historic properties (listed locally, by the state, or nationally) or those properties located in designated Historic Districts are required to comply with *The Secretary of the Interior's Standards for Rehabilitation* when making modifications and repairs to the property. Dependent upon the nature of the project, **Historic Review** of the proposal is performed by staff (administrative review) or by the Landmarks Commission. If either staff or the Landmarks Commission denies the project based upon the **Historic Review**, the applicant may appeal the denial to the City Council.

HISTORIC REVIEW APPEAL APPLICATIONS MUST BE FILED WITHIN 15 CALENDAR DAYS OF THE DATE THE DENIAL DETERMINATION WAS MADE. APPLICANTS WHO DO NOT SUBMIT THE APPEAL APPLICATION AND ALL SUPPORTING DOCUMENTATION WITHIN THE 15-DAY APPEAL PERIOD SHALL FORFEIT THE RIGHT TO APPEAL.

HISTORIC REVIEW APPEAL SUBMITTAL REQUIREMENTS. APPLICATIONS MUST INCLUDE ALL OF THE MATERIALS LISTED BELOW. APPLICATIONS SUBMITTED WITHOUT THESE MATERIALS WILL NOT BE SCHEDULED FOR A CITY COUNCIL MEETING.

Complete Historic Review Appeal Application.

Technical Issues Attachment (see City Council Appeal Factors)

Design Issues Attachment (see City Council Appeal Factors)

Economic Issues Attachment (see City Council Appeal Factors)

HISTORIC STATUS

Local Landmark

State Register, Individual

National Register, Individual National Register District _____

APPEAL INFORMATION

1. Date Historic Review Determination was made: _____

2. Historic Review Determination made by: _____ Planner _____ Landmarks Commission

CITY COUNCIL APPEAL FACTORS

K.S.A. 75-2724 contains the appeal requirements for **Historic Review** determinations. Determinations, whether made by staff or the Landmarks Commission, may be appealed to the City Council. The City Council's review of the appeal is based upon a consideration of all relevant factors. In order to approve the appeal, the City Council must make a finding that there is "no feasible and prudent alternative" to the proposal. In making the "no feasible and prudent alternative" decision, the City Council must weigh: 1) Technical issues; 2) Design issues; 3) The project's relation to the community-wide plan; and 4) Economic issues. Below, describe these factors for the City Council's consideration. Attach additional pages as needed.

1. Discuss the technical issues associated with the project, which preclude the applicant from complying with the *Secretary of the Interior's Standards for Rehabilitation*. (Attach documentation from a construction professional, e.g. builder, licensed contractor, etc., verifying the technical challenges of the project).

2. Discuss specific design issues associated with the project, which preclude the applicant from complying with the *Secretary of the Interior's Standards for Rehabilitation*. (Attach documentation from a design professional, e.g. architect, designer, etc., verifying the design challenges of the project).

3. How does the proposed project further the purposes of the Community-wide plan?

4. Detail the economic issues associated with the project, which preclude the applicant from complying with the *Secretary of the Interior's Standards for Rehabilitation*. (Attach cost estimates detailing the cost of the project as proposed versus the cost of modifying the project to comply with the *Secretary of the Interior's Standards for Rehabilitation*.)



HISTORIC REVIEW APPEAL PROCESS

1. Submit the attached **Historic Review Appeal Application** and all required supporting materials to the Planning and Development Department in accordance with the application deadlines on page 4.
2. Following receipt of a complete **Historic Review Appeal Application**, planning staff will:
 - a. Set the City Council date for the appeal to be considered.
 - b. A minimum of 10 days prior to the set City Council date, publish a public hearing notice in the *Hutchinson News* detailing the time, date, and location of the appeal hearing.
 - c. Prepare a staff report for the City Council, including all materials submitted by the applicant.
3. The City Council will conduct a public hearing on the appeal. Members of the public, as well as the applicant, will be able to make comments to the City Council during the hearing. **The applicant MUST be present at the meeting in order for the application to be considered. The application will be tabled if the applicant is not present.**
4. If the City Council finds that, based upon the materials provided, there is "no feasible and prudent alternative" to the project, the applicant may proceed with the permitting process following a mandatory five-day state notification period. If the City Council denies the appeal, the applicant may modify the project or not perform the project.

UNDER NORMAL CIRCUMSTANCES, A MINIMUM OF 40 DAYS IS REQUIRED FROM SUBMITTAL OF A COMPLETED APPLICATION TO THE FINAL APPEAL DECISION.

I/we, the undersigned, hereby authorize the submittal of this application and associated documents and certify that all the information contained therein is true and correct. (Signatures of property owners)

Signature

Signature

Printed Name

Printed Name

Historic Review Appeal Application
Submittal Deadlines and Meeting Schedule

Landmarks Commission Meeting 4:00 pm.	Deadline for Filing Historic Review Appeal Application	Last Day to Publish Public Hearing Notice	City Council Meeting 9:00 a.m.
January 12, 2017	January 27, 2017	February 11, 2017	February 21, 2017
January 26, 2017	February 10, 2017	February 25, 2017	March 7, 2017
February 9, 2017	February 24, 2017	March 11, 2017	March 21, 2017
February 23, 2017	March 10, 2017	March 25, 2017	April 4, 2017
March 9, 2017	March 24, 2017	April 8, 2017	April 18, 2017
March 23, 2017	April 7, 2017	April 22, 2017	May 2, 2017
April 13, 2017	April 28, 2017	May 6, 2017	May 16, 2017
April 27, 2017	May 12, 2017	May 27, 2017	June 6, 2017
May 11, 2017	May 26, 2017	June 10, 2017	June 20, 2017
May 25, 2017	June 9, 2017	June 25, 2017	July 5, 2017
June 8, 2017	June 23, 2017	July 8, 2017	July 18, 2017
June 22, 2017	July 7, 2017	July 22, 2017	August 1, 2017
July 13, 2017	July 28, 2017	August 5, 2017	August 15, 2017
July 27, 2017	August 11, 2017	August 26, 2017	September 5, 2017
August 10, 2017	August 25, 2017	September 9, 2017	September 19, 2017
August 24, 2017	September 8, 2017	September 23, 2017	October 3, 2017
September 14, 2017	September 29, 2017	October 7, 2017	October 17, 2017
September 28, 2017	October 13, 2017	October 28, 2017	November 7, 2017
October 12, 2017	October 27, 2017	November 11, 2017	November 21, 2017
October 26, 2017	November 10, 2017	November 25, 2017	December 5, 2017
November 9, 2017	November 24, 2017	December 9, 2017	December 19, 2017
December 14, 2017	December 29, 2017	January 6, 2018	January 16, 2018
January 11, 2018	January 26, 2018	February 10, 2018	February 20, 2018
January 25, 2018	February 9, 2018	February 24, 2018	March 6, 2018

PLEASE NOTE:

The applicant or agent must be present at the scheduled Public Hearing. If the applicant is not present, the public hearing will not take place.