



**Madison Station Historic Preservation Commission
City of Madison, Alabama**

Minutes of the May 13, 2009 Regular Meeting

Meeting was called to order at 6:00 p.m. by Commission Chairman Dennis Vaughn.

ROLL CALL

Madison Station Historic Preservation Commission Board Members

<u>Commission Chairman</u> DENNIS VAUGHN	PRESENT
<u>Commission Vice Chairman</u> CHARLES STURDIVANT	PRESENT
<u>Historic Liaison</u> JEANNE STEADMAN	PRESENT
RONICA ONDOCSIN	PRESENT
LARRY SMITH	PRESENT
LARRY ANDERSON	PRESENT
CINDY SENSENBERGER	PRESENT

PLANNING STAFF PRESENT

SHERRI BLAIR, CFM, ZONING ADMINISTRATOR AND RECORDING SECRETARY.

REGISTERED PUBLIC ATTENDEES

Michael Murch

APPROVAL of MINUTES

March 4, 2009 Minutes of Regular Meeting

Motion:

Ms. Steadman moves to approve the March 4, 2009 minutes as written. Mr. Sturdivant seconded.

Final Vote:

Historic Commission Chairman – Dennis Vaughn	Aye
Historic Commission Vice Chairman – Charles Sturdivant	Aye
Historic Commission Member – Jeanne Steadman	Aye
Historic Commission Member – Ronica Ondocsin	Aye
Historic Commission Member – Larry Smith	Aye
Historic Commission Member – Larry Anderson	Aye
Historic Commission Member – Cindy Sensenberger	Aye

Motion carried.

March 10, 2009 Minutes of Public Hearing

Motion:

Mr. Sturdivant moves to approve the minutes of the public hearing, as corrected. Ms. Steadman seconded.

Final Vote:

Historic Commission Chairman – Dennis Vaughn	Aye
Historic Commission Vice Chairman – Charles Sturdivant	Aye
Historic Commission Member – Jeanne Steadman	Aye
Historic Commission Member – Ronica Ondocsin	Aye
Historic Commission Member – Larry Smith	Aye
Historic Commission Member – Larry Anderson	Aye
Historic Commission Member – Cindy Sensenberger	Aye

PUBLIC COMMENTS

Chairman Vaughn opens the floor to public comments. There being no comment the floor is closed to public comment.

Items for Discussion

1. Property owner notification of boundary map adoption: Discussion of wording of public notice – Mr. Anderson and Ms. Ondocsin to draft a notice and forward to recording secretary for distribution approximately 30 days after council approval of map. Include City of Madison department head's in mail out.
2. Application for Certificate of Appropriateness form:

Motion:

Mr. Smith moves to approve the application form as presented. Ms. Ondocsin seconded.

Final Vote:

Historic Commission Chairman – Dennis Vaughn	Aye
Historic Commission Vice Chairman – Charles Sturdivant	Aye
Historic Commission Member – Jeanne Steadman	Aye
Historic Commission Member – Ronica Ondocsin	Aye
Historic Commission Member – Larry Smith	Aye
Historic Commission Member – Larry Anderson	Aye
Historic Commission Member – Cindy Sensenberger	Aye

Motion carried.

OTHER BUSINESS

Chairman Vaughn opens the floor for other business.

Ms. Steadman relays to the Commission circumstances surrounding the demolition of a building in the Huntsville historic district. She believes that a provision in the regulations stating that adjacent property owners must be notified in writing that the commission will meet to consider a demolition should be added. The applicant would be required to show proof of notification before application would be considered. An amended copy of the application is to be attached to minutes for the record. [\[Application\]](#)

Motion:

Mr. Smith moves to amend the application form to include notification of adjacent property owners prior to application for demolition being considered. Ms. Ondocsin seconded.

Final Vote:

Historic Commission Chairman – Dennis Vaughn	Aye
Historic Commission Vice Chairman – Charles Sturdivant	Aye
Historic Commission Member – Jeanne Steadman	Aye
Historic Commission Member – Ronica Ondocsin	Aye
Historic Commission Member – Larry Smith	Aye
Historic Commission Member – Larry Anderson	Aye
Historic Commission Member – Cindy Sensenberger	Aye

Motion carried.

The Commission discussed the amendment of the regulations to include the notification of property owners within 500 feet of the subject structure to be demolished. The applicant would be required to notify property owners and show proof to Commission prior to application being considered. A copy of the amended regulations is to be attached to minutes for the record. [\[Regulations\]](#)

Motion:

Ms. Steadman moves to amend Article I, Section E of the regulations to require property owner notification prior to consideration of demolition application. Ms. Ondocsin seconded.

Final Vote:

Historic Commission Chairman – Dennis Vaughn	Aye
Historic Commission Vice Chairman – Charles Sturdivant	Aye
Historic Commission Member – Jeanne Steadman	Aye
Historic Commission Member – Ronica Ondocsin	Aye
Historic Commission Member – Larry Smith	Aye
Historic Commission Member – Larry Anderson	Aye
Historic Commission Member – Cindy Sensenberger	Aye

Motion carried.

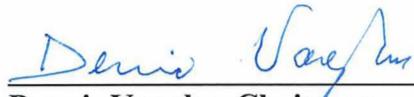
City Engineer Gary Chynoweth discussed the City's future plan to improve the streets in the downtown area both aesthetically and functionally. The improvements would be made with city money to help businesses get more traffic. Upgrading Martin Street to two lanes would help with traffic flow in the area. Street lights need to be upgraded to encourage walking.

There being no other business for discussion Chairman Vaughn closes the floor.

ADJOURNMENT

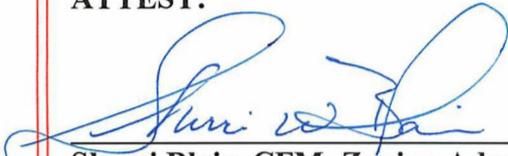
With no additional business to discuss Chairman Vaughn adjourned the meeting at 7:25 p.m.

Minutes Approved,



**Dennis Vaughn, Chairman
Madison Station Historic Preservation Commission**

ATTEST:



Sherri Blair, CFM, Zoning Administrator

CITY OF MADISON
DEPARTMENT of PLANNING AND BUILDING
APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
IN THE MADISON STATION HISTORIC DISTRICT

CASE NUMBER: _____

The Madison Station Historic Preservation Commission (hereinafter “Commission”) will review this application for outside alterations, restorations, demolition, construction, relocation or other exterior physical changes in the Madison Station Historic District pursuant to its grant of authority under City of Madison Ordinance #2008-269. A copy of the ordinance is available from the City Clerk’s Department or on the City of Madison website at www.madisonal.gov.

The Commission meets on the second Wednesday of each month at 6:00 p.m. or at the call of the chairman. Applications for Certificates of Appropriateness *must be received ten working days prior to the date of the meeting* of the Commission.

Name of Property Owner: _____

Address of Property: _____

Phone: _____

Affix one clear picture of the existing structure(s):

I. General Data

1. **Name of Petitioner:** _____
2. **Address of Petitioner:** _____
3. **Phone Number of Petitioner:** _____
4. **Name and address of owner if different from Petitioner:**

5. **Relationship of Petitioner to Owner:** _____
6. **Address of Property:** _____

II. Zoning Data

1. **Attach legal description of lot and initial here:** _____
2. **Zoning Designation:** _____
3. **Adjacent Zoning:** N: _____ E: _____ S: _____ W: _____
4. **Present Use:** _____
5. **Proposed Use:** _____
6. **Describe Proposed Use Change, if applicable:**

**III. Nature of Work for Which the Certificate of Appropriateness is Sought
(Check all that apply)**

Maintenance

Restoration

Renovation

Application for a Certificate of Appropriateness
In the Madison Station Historic District
Case Number: _____

- Landscaping**
- Signage**
- Excavation**
- Demolition – notification of adjacent property owners required**
- New Construction**
- Relocation**
- Alteration to Nonstructural Walls, Fences, Sidewalks**
- Change of Color; No Structural Change**

Explain scope of work to be done including but not limited to: measures to assure the historic integrity of the structure or feature, as well as the entire district, will be maintained; precautions for safety of traffic and pedestrians; historic research conducted to support alteration; when demolition authorization is applied for, give the reasons why renovation, restoration or maintenance is not feasible.

IV.

Documentation Attached (Check all that apply)

- Site Plan**
- Survey**
- Adjacent Property Owner’s List**
- Historic Designation Report**
- Elevation Plan**
- Landscape Plan**
- Floor Plan**
- Other Plan (specify):** _____
 Application for a Certificate of Appropriateness
 In the Madison Station Historic District
 Case Number: _____

- Color Chips**
- Pantone Color Samples/Numbers**
- Architectural Drawings**
- Sketches or Artist's Renderings**
- Photographs**
- Samples of Building Materials**
- Engineering Report**
- Other (specify):** _____

V. Signatures and Declarations

The undersigned owner(s) and/or applicant(s) certifies under penalty of perjury that all statements contained in this Application, including any written material submitted in support of this application, are true and correct, to the best of my knowledge and belief.

Signature of Owner(s): _____

Address of Owner(s): _____

Agents Only: By signing below as agent, I certify that all statements on this application and all written statements made in support of this application are true to the best of my knowledge and belief, under penalty of perjury. I further represent under penalty of perjury that I am acting in an agency capacity with the express authorization of the owner of the subject property. I understand that if I represent that an agency relationship exists when it does not, this Application will be void, and I may be subject to other civil and criminal penalties.

Signature of Agent: _____

Address of Agent: _____

VI. Findings of the Commission:

VII. Action of the Commission: Approved: _____ Denied: _____

Approved with Modifications: _____

Describe Modifications: _____

Record of Vote: Aye: _____ No: _____ Abstentions: _____

Signature of Chair

I consent to make the required modifications enumerated above:

Signature of Petitioner



**Madison Station Historic Preservation Commission
City of Madison, Alabama**

Certificate of Appropriateness

THIS IS TO CERTIFY THAT _____ AS
(AGENT/OWNER), IS GRANTED PERMISSION TO PERFORM THE
EXTERIOR MODIFICATIONS SPECIFIED IN MADISON STATION
HISTORIC DISTRICT, CASE NUMBER _____, WITH SUCH
MODIFICATIONS ORDERED BY THE COMMISSION AND ASSENTED TO
IN WRITING BY THE PETITIONER. ANY MATERIAL DEVIATION FROM
THE SPECIFICATIONS ENUMERATED IN THE APPLICATION SHALL
RENDER THIS CERTIFICATE NULL AND VOID.

IN WITNESS THEREOF, I AFFIX MY SIGNATURE AS CHAIRMAN OF THE
MADISON STATION HISTORIC PRESERVATION COMMISSION ON THIS
_____ DAY OF _____, 200_____.

**Dennis Vaughn, Chairman
Madison Station Historic Preservation Commission**

Application for a Certificate of Appropriateness
In the Madison Station Historic District
Case Number: _____



Madison Station Historic Preservation Commission City of Madison, Alabama

Regulations

ARTICLE I - Applications

- A. When Certificates of Appropriateness are required
- B. When Certificates of Appropriateness are not required
- C. Preliminary Review Allowed
- D. Submission of Plans
- E. Demolition Applications
- F. Deadline for Applications
- G. Submission of Applications
- H. Publication of Agenda

ARTICLE II - Review of Applications by Commission

- A. Commission Meetings
- B. Meeting Procedure
- C. Review Decision
- D. Factors Considered
- E. Specific Rules Governing Decisions
- F. Member Disqualified from Voting
- G. Form of Decision
- H. Notification of Decision / Building Permit
- I. Institution of Court Proceedings to Prevent Violations and Recover Damages

ARTICLE III - Required Maintenance and Repair



Madison Station Historic Preservation Commission City of Madison, Alabama

Regulations

Pursuant to the City of Madison, Alabama Ordinance 2008-269 the Madison Station Historic Preservation Commission (MSHPC) of the City of Madison does hereby make, adopt and publish the following regulations which the Commission shall apply in giving its consideration to the appropriateness of applications filed before it in preserving and protecting the buildings of architectural and historical value in the district and the maintenance of the distinctive character of the district.

ARTICLE I APPLICATIONS

A. When Certificates of Appropriateness are Required

As to any realty in any local historic preservation district designated by the Madison City Council, a Certificate of Appropriateness must be obtained from the Commission before the following acts take place:

Note: Any work completed without a Certificate of Appropriateness may be subject to removal.

1. The exterior architectural features of any existing building or structure are in any way reconstructed, restored, renovated or altered as to material, color or structural appearance;
2. An addition to an existing building or structure is constructed;
3. A new building, structure or appurtenance (including walls, fences, terraces, drives, patios, pools, antennas, solar collectors and similar items) is constructed;
4. The removal or demolition of any building, structure or appurtenance, including demolition by neglect and the failure to maintain an historic property or a structure;

5. The painting of any building or structure in one or more colors that differ from the present color of the building or structure, or the painting of originally unpainted surfaces;
6. The erection or demolition or changes of any sign except for an appropriate marker identifying the name and address of an occupant or a resident, appropriate historical marker, and beautification markers subject to meeting the Zoning Ordinance;
7. The preparation of land for parking areas; and
8. A change being made in or upon any public property, street, walk way or park within or touching upon the boundaries of any historic preservation district.

B. When Certificates of Appropriateness are not Required

A Certificate of Appropriateness shall not be required for the following actions within a locally designated historic preservation district:

1. Any interior work unless it causes a change in the exterior appearance;
2. Repairing or maintaining any building or structure which effects no material alteration or change in the exterior architectural features.
3. Replacing the window glass when not otherwise changing the window in any way;
4. Repainting the exterior using prior colors.
5. Re-roofing with the identical materials and color of materials; and
6. Landscaping with plant materials that requires no significant change in the terrain of the property, creates no new off-site drainage, and does not remove or demolish any existing landscape features such as terraces, fences, drives, etc.

C. Preliminary Review Allowed

Prior to the final application for a Certificate concerning a building, which is proposed to be constructed, reconstructed, or altered, preliminary schematic plans may be submitted to the Commission for review. The purpose of this review stage is to reduce the cost to the property owner by providing a review stage prior to the preparation by the property owner of plans necessary to apply for a Certificate. The said schematic plans shall depict the exterior architectural features of the building and shall include photographs of adjoining properties with sufficient architectural detail so that determination of compatibility can be made. This stage is informal and optional with the applicant and is designed to allow both the applicant and the

5. The painting of any building or structure in one or more colors that differ from the present color of the building or structure, or the painting of originally unpainted surfaces;
6. The erection or demolition or changes of any sign except for an appropriate marker identifying the name and address of an occupant or a resident, appropriate historical marker, and beautification markers subject to meeting the Zoning Ordinance;
7. The preparation of land for parking areas; and
8. A change being made in or upon any public property, street, walk way or park within or touching upon the boundaries of any historic preservation district.

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4. Repainting the exterior using prior colors.
5. Re-roofing with the identical materials and color of materials; and
6. Landscaping with plant materials that requires no significant change in the terrain of the property, creates no new off-site drainage, and does not remove or demolish any existing landscape features such as terraces, fences, drives, etc.

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Commission to review the proposal prior to the applicant incurring significant expense in the proposal. If the applicant does not follow this stage, the Commission shall disregard any such expense or investment as a factor in its decision.

No change shall be made in or upon any public street, walkway or park without the plan having been submitted to the Commission for the expression of its recommendations prior to the commencement of such work. All applications for the recommendations of the Commission should be submitted by the submitting authority at the preliminary stage and prior to the preparation of actual construction plans, so the recommendations of the Commission may be given maximum consideration in the planning and execution of the work.

This article shall not prevent the construction, reconstruction, alteration, restoration, or demolition of any such feature that the chief building official, fire chief, director of public works, water and wastewater board, or chief of police shall certify is required by the public safety because of an unsafe or dangerous condition.

D. Submission of Plans

Every application for a Certificate of Appropriateness shall include a completed application form available from the City of Madison Department of Planning and Building and be accompanied by plans of the proposed construction, reconstruction, alteration or demolition.

Additionally, clear photographs of the existing structures or site taken from several views and an over-all view of the lot must be submitted. As used herein, plans shall mean:

1. Drawings or sketches with sufficient detail to show, as far they relate to exterior appearance, the architectural design of the work proposed;
2. Samples of proposed materials, textures and colors; and
3. The plot plans or site layout including fences, walks, terraces, accessory buildings, signs, lights and other appurtenances.

All drawings must be to scale.

Failure to provide sufficient plans or samples of materials and colors to demonstrate the final results shall be cause for denial. Re-submittal with greater detail will be allowed for the next Commission meeting.

E. Demolition Applications

Property owners requesting demolition must notify by mail, all property owners within 500 feet of the lot lines of the proposed demolition, stating the nature of the request and giving details of the MSHPC public hearing date, place and time. This information is available from the Madison City Clerk's office.

Applications for demolition of a structure within an historic preservation district shall include the following information:

1. The historic significance of the structure, including a narrative concerning any historical events or persons connected with the structure;
2. The appropriate date of the original construction and the date of any major additions or alterations thereof, if known;
3. A description of the architectural style or period which the structure represents, and any other material available concerning architectural aspects of the structure;
4. At least two exterior photographs of the structure, showing, as near as possible, all the exposed surfaces of the structure;
5. A statement concerning any practical difficulties in making the structures meet the minimum code requirements.
6. The present use of the property and surrounding properties and any proposed changes in said uses; and
7. The proposed use of the land following demolition and a schematic design of any new structures and/or the future use of the land.

F. Deadline for Applications

The deadline for submission of an application shall be the last Wednesday of each month for inclusion on the next month's agenda. Submission of application and supporting documents to the Planning and Building department does not constitute submission to the Commission.

G. Submission of Applications

Applications for the Certificate of Appropriateness to present to the Commission are available in the office of the City of Madison Department of Planning and Building and on the City of

Madison web site at www.madisonal.gov. When completed, documents should be submitted to the Department of Planning and Building along with all required supplementary materials.

1. All required data must be submitted with the application, incomplete applications may be denied.
2. Re-submittal of an application that has previously been denied must be significantly amended to address the reason for denial, or the same application can be re-submitted after a six months period.

Note: If anyone other than the owner is to appear, a letter of authorization by the owner is required.

H. Publication of Agenda

Public notice of the agenda, time and place of the Commission meetings shall be given in like manner and at such times and places, as other public Boards of the City of Madison.

ARTICLE II **REVIEW OF APPLICATIONS BY COMMISSION**

A. Commission Meetings

The Commission's regular monthly meeting shall be held on the second Wednesday of each month, except that the Chairman may set a different meeting date when he determines it appropriate. Special meetings of the Commission may be called at the discretion of the Chairman as he determines necessary, especially in the event of an emergency nature such as storm damage and fires, where issuance of a Certificate of Appropriateness is necessary to allow immediate work to prevent further damage to the structure.

B. Meeting Procedure

The Commission at its regular monthly meeting shall review all timely filed applications. A person knowledgeable of the application (such as the owner, contractor, architect or agent of the owner) must be present to answer questions. If someone other than the owner presents the application, a letter of authorization is required. Absence of such spokesperson shall be cause for denial of the Certificate of Appropriateness.

C. Review Decision

The board shall review plans and render its decision as a written order to the applicant within 35 days from the submission of such plans to the Commission for consideration. If no action upon plans submitted to board has been taken at the expiration of 60 days from the date of submission

of plans to the board, such plans shall be deemed to have been approved and, if all other requirements of the city have been met, construction or reconstruction may proceed.

D. Factors Considered

In determining whether a Certificate of Appropriateness should be granted, the Commission shall consider the following factors:

1. The historical or architectural value and significance of the building or structure which is proposed to be constructed, reconstructed, altered, demolished or removed and its relationship and congruity with the historic value of the district as a whole or adjacent buildings or structures in particular;
2. The appropriateness of the exterior architectural features of the building or structure which is proposed to be constructed, reconstructed, or altered in relationship to such historic district and the exterior architectural features of other buildings and structures therein as a whole and adjacent buildings or structures in particular and to the boundaries, terrain and other significant features of the lot upon which it is proposed to be constructed and to similar features of the surrounding land areas;
3. The general exterior design, materials and color proposed to be used in the building, construction, reconstruction, or alternation of the building or structure and the type of windows, exterior doors, lights, signs, and other fixtures and appurtenances which will be visible from any public street, way, park or place;
4. The size, shape, location, elevation, colors and design of any sign proposed to be erected, the type and location of any illumination thereof, and other factors relevant to the appropriateness of such sign to its proposed location;

In passing upon the appropriateness of any of those things enumerated above, the Commission shall not consider interior arrangement or features of a building or structure except as they may affect the exterior appearance of the building or structure. Also, the Commission shall not exercise any control over land use, such as is governed by the zoning ordinance, or over construction, such as is governed by the building code or subdivision regulations.

E. Specific Rules Governing Decisions

The Commission, before approving any application for a certificate concerning any building, structure or appurtenance, shall also consider the factors listed below.

1. In the case of a proposed alteration or addition to an existing building, such alteration or addition should not materially impair or alter the architectural character or historic value of the building.

2. In the case of a proposed new building, such building will not, in itself or by reason of its location on the site, materially impair the architectural character or historic value of buildings on adjacent sites or in the immediate vicinity. This does not mean that new construction must imitate the style and details of an existing structure, only that it be in harmony with the existing structure in terms of scale, proportions, massing, orientation, colors and materials. Contemporary styles which are, in the judgment of the Commission, harmonious with their surroundings will be approved.

3. In the case of a proposed new building, such building will not be injurious to the general visual character of the historic district in which it is to be located.

4. In the case of the proposed demolition of an existing building, the removal of such building will not be detrimental to the historic and architectural character of the district or that, balancing the interest of the city in preserving the integrity of the district and the interest of the owner of the property in the use of benefits of his property, approval of the plans for demolition is required by considerations of reasonable justice and equity; in the latter event the board shall issue an order postponing demolition for a period not to exceed six months. If the board concludes that the demolition shall be postponed, it shall, before issuing any final order with respect to such postponement, afford the applicant an opportunity to appear before the board to offer any evidence such person may desire to present concerning the proposed order. Within the period of postponement, the board shall consult with the Madison Station Historical Preservation Society and others to ascertain what the city or other agency or organization may do to preserve such architecturally or historically valuable building and shall make recommendations to that effect to the city council or otherwise cause the building to be preserved. When demolition of a significant structure is stayed by the Commission, and the period of stay has elapsed, the building inspector's office can issue a demolition permit. Such demolition permit issued after a stay period shall be effective for a period of twelve months. If such demolition permit is not applied for and acted upon by a significant demolition within the 12-month period after and subsequent to a stay-period which has been required, an application for demolition must be applied for as if one had not been applied for and qualified to be issued previously.

5. In reviewing the building materials proposed, the following features and structures are prohibited within the district: the addition of artificial siding or trim (such as aluminum or vinyl sidings) to cover or replace original materials (such as wood clapboards) unless the structure to be constructed or altered is considered to be noncontributing to the district as determined by the federal guidelines; portable signs, as defined by the zoning ordinance of the city; and chain link fences in the front yard of any lot or residence; paved or graveled front yard. Any artificial siding approved for noncontributing or new structures must still meet the other tests set out above. Contributing structures are those which contribute to the district's overall historic character and that were constructed during the district's period of significance. Contributing buildings also retain integrity. A building has integrity if it retains sufficient historic fabric and features that continue to reflect the overall character it had during its period of significance. Noncontributing structures are buildings that do not contribute to the district's overall historic character.

Typically, these buildings were either constructed after the end of the district's period of significance or are earlier buildings that have lost integrity through alterations.

F. Member Disqualified from Voting

Any member of the Commission who shall be employed to design or construct a building or who shall have any proprietary, tenancy, or personal interest in such building requiring approval of the plans by the Commission shall be disqualified from voting thereon.

G. Form of Decision

Every decision of the Commission in passing upon plans for buildings located or to be located in historic districts shall be in the form of a written order stating the finding of the Commission, its decision and reasons therefore. The Commission shall not disapprove any plans without giving its recommendations for changes necessary to be made before the plans will be reconsidered. Such recommendations may be general in scope, and compliance with them shall qualify the plans for reconsideration by the Commission.

H. Notification of Decision and Building Permit

Upon receiving the order of the Commission, the secretary shall thereupon notify the applicant of the decision. If the Commission shall have approved the request, and if all other requirements of the city have been met, the Building Inspector may issue a permit for the proposed building or demolitions in the same manner as all other such permits are issued. If the Commission shall have disapproved the plans, the Building Inspector shall not issue such permit. In a case where the Commission has disapproved the application, the secretary shall furnish the applicant with a copy of the Commission's written order, together with a copy of any recommendations for changes necessary to be made before the Commission will reconsider the plans.

I. Institution of Court Proceedings to Prevent Violations and Recover Damages

The Madison Station Historic Preservation Commission, or the City of Madison, shall be authorized to institute any appropriate action or proceeding in a court of competent jurisdiction to prevent any change in the exterior of a building or structure which is either an historic property or which is contained in an historic district, except in compliance with the provisions of Ordinance No. 2008-269 or rules and regulations adopted pursuant to it, or to prevent any illegal act or conduct with respect to such historic property, or historic district, and to recover any damages which may have been caused by the violation of that ordinance.

ARTICLE III
REQUIRED MAINTENANCE and REPAIR

A. General

Neither the owner nor the person in charge of a structure within an historic district or of a designated landmark shall permit such structure or landmark to fall into a state of disrepair which may result in the deterioration of any exterior appurtenance or architectural feature so as to produce or tend to produce, in the judgment of the Commission, a detrimental effect upon the character of the district as a whole or the life and character of the landmark or structure in question, including but not limited to:

1. The deterioration of exterior walls or other vertical support;
2. The deterioration of roofs or other horizontal members;
3. The deterioration of exterior chimneys;
4. The deterioration or crumbling of exterior plaster or mortar;
5. The ineffective waterproofing of exterior walls, roofs and foundations, including broken windows or doors;
6. The deterioration of any feature so as to create or permit the creation of any hazardous or unsafe condition or conditions.