

Chapter 225. BUILDING CONSTRUCTION

Article II. Supplemental Building Regulations

§ 225-12. Design Review Board.

- A. Established. There shall be a Design Review Board in and for the Village of Shorewood.
- B. Intent and purposes. This section is adopted, for all zoning districts and for all uses in the Village, to promote the public health, safety, convenience, prosperity, comfort and general welfare of the citizens of the Village and to strike a reasonable balance between the desire of the property owner to choose the design of his or her land use ("the project") and the continuing interest of the Village in the design and appearance of that property, by:
- (1) Protecting the general appearance of buildings, structures, landscaping and open areas;
 - (2) Ensuring adequate light, air and privacy for property; and
 - (3) Encouraging and promoting acceptability, attractiveness and compatibility of new buildings, development, remodeling and additions so as to maintain established standards and property values.
- C. Membership. The Design Review Board shall consist of nine members, appointed by the Village President with the approval of the Village Board, who shall serve without compensation.
- (1) The membership shall include at least two architects, two additional architects or other design professionals, one real estate broker, and four additional members, all of whom shall be residents of the Village. In addition, three former members of the Design Review Board may serve as alternate members pursuant to Subsection **D(4)** of this section.
 - (2) The Village Manager, Village Attorney and Planning and Zoning Administrator, or their designees, shall be ex officio nonvoting members. *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*
 - (3) Members of the Board shall elect their own Chair and adopt such rules as they deem advisable, but which shall not conflict with the provisions of this section.
 - (4) All appointments shall be for staggered terms of three years commencing June 1 of the year of appointment, provided that any vacancy shall be filled for the unexpired term of the original appointment. Members shall serve until their successors have been appointed.
- D. Organization.
- (1) Meetings shall be held at the call of the Chair, when requested by the Building Inspector, or when a ruling and determination is required hereunder. All meetings shall be open to the public except as allowed by applicable law.

(2) Minutes shall be kept showing all actions taken and shall be a public record.

(3) A quorum shall be four members and all action shall require the concurring vote of at least the majority of those members present.

(4) In the event that there are at least three members present, a specified former member may serve as a voting member for the purpose of providing a quorum to conduct the meeting.

E. Duties and responsibilities.

(1) No building permit for any new structure or for any exterior alterations or additions to any structure and no sign permit shall be issued unless the application therefor shall have been referred to the Design Review Board and said Board shall have made the necessary findings and determinations as hereinafter required.

(a) Excepted from the requirement of this subsection shall be the following:

[1] All concrete walks, patios, and slabs, when located within rear yards of residences.

[2] Parking slabs on alley frontage.

[3] Grade or first floor level decks within rear yards of residences.

[4] Structural landscaping located within rear yards not visible from the public right-of-way.

(2) Recommendations regarding proposals filed under the Village Planned Development Ordinance shall be in accordance with § **535-22D(3)** of the Village Code.

(3) Findings and determination regarding sign proposals shall be in accordance with § **445-20A** of the Village Code.

(4) Findings and determination regarding land management plans shall be in accordance with § **220-3** of the Village Code.

(5) Circular driveways shall be subject to the review and approval of the Design Review Board in accordance with § **535-9F(4)** of the Village Code.

(6) Other matters pertaining to planning, zoning, building or design may be referred to the Design Review Board for findings and determination.

F. Notice of meeting. Matters referred to the Design Review Board shall be noticed for the next scheduled meeting of the Board seven or more days after receipt of application. The Building Inspector shall give written notice to each member of the Design Review Board, to the applicant or appellant, to such other parties as he deems advisable, and, in case of new construction or construction that adds 200 square feet or more to an existing structure, to all owners of property located within 100 feet of any boundary line of the applicant's or appellant's property. Written notice shall be given by mail or in person and shall include

the time, place and purpose of the meeting.

- G. Consideration of application. The Design Review Board shall hear all interested parties and shall consider all data relevant to the application prior to making its findings and determination. Relevant data shall include, but shall not be limited to, where applicable, site plan, floor plans, elevations, landscaping plan, including the location of existing trees to be retained or moved or removed, renderings and specifications, signs, parking area plans, and description of materials, including color and texture. All illustrations shall be drawn to scale. Where appropriate, the Board may make site inspections to better familiarize itself with the proposal. The Board may recommend changes that, in its judgment, will help the project meet the design criteria stated in this section. The Board may adjourn to closed session, at its discretion, to deliberate after all presentations have been made and the public has been heard.

H. Design criteria.

(1) In making its findings and determination concerning each proposed project, the Design Review Board shall give substantial weight to the intent of the Village that the decisions of the Board perpetuate and further the character of Shorewood, including, without limitation by enumeration, the following:

(a) A human scale in the Village as a whole, including its architecture and land use, with an accompanying recognition that the Village is characterized by a substantial amount of pedestrian and bicycle traffic;

(b) A high quality of design and construction;

(c) A consistency in the design of commercial properties with the primarily residential nature of the Village; and

(d) A diversity of architectural styles, which are, at the same time, compatible with their surroundings.

(2) The Design Review Board may adopt and amend, from time to time, as appropriate and consistent with the contents of this section, written design guidelines and design review procedures.

I. Findings and determination.

(1) In order for the Board to approve an application, it shall find and determine that the applicant's proposal is consistent with design criteria and will not contribute to substantial depreciation in the value of the applicant's property or neighboring properties. In all instances when the determination is to reject the application for the proposed project and in all other cases in which the Board believes it appropriate, the minutes of the Board's meeting shall include a statement of the findings which a majority of those present rely on in support of the Board's decision.

(2) The Board shall file its written findings and determination pursuant to a majority vote of all Board members present as soon as is practicable. The written findings and determination shall be signed by the Chair and filed with and be binding upon the Building Inspector and the Planning and Development Department. A copy shall be given to the applicant or appellant by mail or in person.

- J. Appeals. Any person aggrieved by a determination of the Design Review Board may appeal to the Board of Appeals of the Village in accordance with the provisions of § 535-56 of the Village Code, except as otherwise provided hereunder. The fee for appealing in each case shall be as provided by the Village Fee

Chapter 535 Zoning

Section 535-56 Appeals

- A. Appeals from an administrative decision concerning the literal enforcement of this chapter or of any other Village Code provisions may be made by any person aggrieved or by any officer, department, board, commission or bureau of the Village.
- B. Such appeals shall be filed with the Secretary within 30 days after the date of written notice of the administrative decision or order. Such appeals shall include the following:
 - 1) Name and address of the appellant and, if a matter involving this chapter, all owners of record of property located within 100 feet of the property in question.
 - 2) Additional information required by the Village Plan Commission, Planning and Development Department, Board of Appeals or other Village employees having an interest in the matter.
 - 3) Fee receipt from the Village Treasurer in an amount as set forth in the Village Fee Schedule.

[Amended 5-15-1989 by Ord. No. 1553]