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December 7, 2022

Tomás Clasen, Esq.
Direct Dial: 414-298-8391
tclasen@reinhartlaw.com

SENT BY E-MAIL (SBOTCHER@VILLAGEOFFOXPOINT.COM)
AND FEDEX OVERNIGHT

Scott Botcher, Village Manager
Village of Fox Point
7200 N Santa Monica Boulevard
Fox Point, WI 53217

Dear Mr. Botcher:

Re: Cultural Overlay for 7254 and 7328 North Beach Drive Fox Point, WI 53217 (Mary Nohl Residence)

This firm represents Creation and Preservation Partners, Inc., in connection with CAPP's application to establish a Cultural Overlay District for the properties located at 7254 and 7328 North Beach Drive Fox Point, WI 53217 (collectively, the "Property"). The Property contains the former residence of prominent local artist Mary Nohl ("Mary Nohl House") and a collection of her artwork, some of which is in the Mary Nohl House and some of which is displayed elsewhere on the Property. CAPP seeks to establish a Cultural Overlay District under Village Code § 745-22 as a means of preserving and protecting the Mary Nohl House and the collection on the Property.

1. Application Materials. The following application materials are enclosed for your consideration:

- Rezoning Petition signed by CAPP;
- Check in the amount of $300 to cover the application fee;
- Completed "Notice" for charge of Village fees and costs signed by CAPP, though we respectfully request advance notice as fees in the amount of $5,000 or more are incurred;
- Written Statement describing the general character of the intended uses, including the days and hours that people will be permitted on the Property,

information about the Property's owners and operators, as well as their investment and wherewithal;

- A Site Vicinity Map and related images of the Property;
- Existing photos of the Mary Nohl House;
- An old photo and survey of the southerly lot before the dilapidated structures were removed;
- An Enlarged Site Plan/Property Area Map showing the Property and its relationship to surrounding properties, area public and private roads, driveways and parking facilities;
- A dimensioned Site Plan showing Property size, building pads, open space, general landscape treatment, the auxiliary building and/ shed that could be built over time will approximate the footprints of structures torn down on the southerly lot; no increased use of municipal services is anticipated;
- Architectural Renderings depicting the replacement house/auxiliary building that may be constructed on the 7254 North Beach Drive lot;
- Relevant pages from the Trip Generation Manual (8th Edition) published by the Institute of Transportation Engineers reporting that, based on 351 studies, an average dwelling unit generates 9.57 vehicle trips per day, with less dense single-family detached units generating higher-than-average-trips because they are located further from services and jobs; and
- A chart summarizing the stability of assessed values of Beach Drive properties since CAPP's affiliate, the John Michael Kohler Arts Center ("JMKAC") acquired the Mary Nohl House in 2012;

2. Basis for Approval. CAPP believes that its proposal satisfies all bases for approval under §745-22(E) of the Village Code, including that:

- The Proposal is consistent with the spirit and intent of Village Code § 745-22, is in conformity with the general character of the Village and would not be contrary to the general welfare and economic prosperity of the Village or the immediate neighborhood, as further explained in the enclosed Written Statement;
- The Proposal is economically sound and there are adequate arrangements (with CAPP's ownership and JMKAC's operations) to reasonably assure continued maintenance as further explained in the Written Statement;

- The Proposal will not cause material depreciation in property values in the immediate neighborhood, nor materially adversely affect the use and enjoyment of property in the immediate neighborhood as further described in the enclosed Written Statement and the enclosed chart summarizing how property values have remained stable or appreciated since JMKAC acquired the Mary Nohl House;

- The setbacks will be maintained along any boundary street abutting the Property as required by A-1 Residence District under Village Code § 745-13(B), except for an existing perimeter fence along North Beach Drive which may remain or be replaced;

- No building will be permitted closer to the side or rear boundary line of the Property than required by the applicable side or rear yard requirements of the A-1 Residence District under Village Code § 745-13(B);

- No building shall exceed the height limitation of the A-1 Residence District under Village Code § 745-13(B);

- The Proposal will not create traffic beyond the capacity of the street system to reasonably serve it as the two lots which make up the Property will generate traffic consistent with average trips for two dwelling units set forth in the ITE Trip Generation manual, and there will be adequate off-street parking based upon the need generated by the Proposal given proposed parking as outlined in the Written Statement; and

- CAPP and JMKAC are appropriate management organizations to care and maintain grounds and buildings comprising the project as further described in the Written Statement.

Please do not hesitate to contact me at 414-298-8391 or Deborah Tomczyk at 414-298-8331 with any questions or concerns. Please also schedule CAPP's rezoning petition for consideration by the Plan Commission and Village Board as soon as possible.

Yours very truly,

Tomás Clasen

48473430

Encs.

cc Village Attorney Eric J. Larson (w/encs. via email)
Mr. Steve Woods (w/encs. via email)
Mrs. Amy Horst (w/encs. via email)
Deborah Tomczyk

PETITION FOR AMENDING
THE VILLAGE OF FOX POINT, WISCONSIN'S
ZONING ORDINANCE

The undersigned is the owner of that certain real estate located at 7254 and 7328 North Beach Drive in the Village of Fox Point, County of Milwaukee, Wisconsin described Exhibit A attached hereto (the "Property") currently zoned A-1 Residence District under the Village of Fox Point municipal code (the "Code").

The undersigned hereby petitions the Honorable Village President and members of the Village Board of the Village of Fox Point to rezone the Property to establish a Cultural Overlay District under §745-22 of the Code on the Property.

Please contact the petitioner's agent, whose contact information is set forth below, with any questions or concerns.

Petitioner's Agent:

Deborah C. Tomczyk, Esq.
Reinhart Boerner Van Deuren s.c.
1000 North Water Street, Suite 1700
Milwaukee, WI 53202
414-298-8331
dtomczyk@reinhartlaw.com

Creation and Preservation Partners, Inc.:

Steve Woods, its Board President

STATE OF WISCONSIN)
) SS
COUNTY OF Sheboygan)

Personally, came before me this 5 day of December, 2022, the above-named, Steve Woods, President of the Board of Directors of Creation and Preservation Partners, Inc., to me known to be the person who executed the foregoing instrument and to me known to be such Director of said company and acknowledged that he executed the foregoing instrument in such capacity.

By: James Van Alstine
Print Name: James Van Alstine
Notary Public, State of Wisconsin
My Commission Expires: 10-11-2026

EXHIBIT A

Description of the Property

All that part of the Southeast 1/4 of Section 16, Town 8 North, Range 22 East, Village of Fox Point, County of Milwaukee, State of Wisconsin, described as follows:

Commencing at a point which is 1559.89 feet South 0° 42' West of and 577.55 feet South 89° 57' East of the center of said Section 16 said point being the point of intersection of the centerline of the Northerly and Southerly course of the public highway with the centerline of the Easterly and Westerly course of said public highway; thence North 84° 27' East along the centerline of said public highway, 225 feet to a point (which point is the point of commencement of the land to be described); thence North 84° 27' East along the centerline of said public highway and said centerline produced 432.48 feet to the shoreline of Lake Michigan; thence South 8° 59' West along the shore line of Lake Michigan, 154.96 feet to a point; thence South 84° 27' West 361.91 feet to a point; thence North 5° 31' West 150 feet to the point of commencement.

Address: 7328 North Beach Drive;

Tax Key No. 095-9968-000.

All that part of the Southeast 1/4 of Section 16, in Township 8 North, Range 22 East, in the Village of Fox Point, described as follows: Commencing at a point, which point of commencement is described as follows: Starting at the intersection of the center lines of a North and South road and the center line of an East and West road, said intersection being 1559.89 feet South 0 degrees 42 minutes West of and 577.55 feet South 89 degrees 57 minutes East of the center of said Section; thence South 5 degrees 31 minutes East along the center line of said road, 195.49 feet to a point; thence North 84 degrees 27 minutes East 25 feet to the East line of said North and South road; thence South 64 degrees 23 minutes East 197.52 feet to a point; thence North 25 degrees 47 minutes East 59.15 feet to a point (being the point of commencement above referred to); running thence North 5 degrees 31 minutes West 96.80 feet to a point; thence North 84 degrees 27 minutes East 361.91 feet to the shore of Lake Michigan; thence South 8 degrees 59 minutes West 100 feet to a point; thence South 84 degrees 27 minutes West 337.22 feet to the place of commencement.

Together with a Right of Way in common with others, as set forth in Warranty Deed executed by Amelia Robert and D. E. Roberts, her husband to David E. Detienne and John M. Niven, dated April 2, 1925 and recorded in the office of the Register of Deeds for Milwaukee County, Wisconsin on April 4, 1925, in Volume 1047 of Deeds at page 598, as Document No. 1342356, over the following-described lands in the Southeast 1/4 of Section 16, in Township 8 North, Range 22 East; commencing at a point (which point is described as follows: starting at the intersection of the center line of a North and South road with the center line of an East and West road, said intersection being 1559.89 feet South 0 degrees 42 minutes West of and 577.55 feet South 89 degrees 57 minutes East of the center line of said Section; thence South 5 degrees 31 minutes East along the center line of said road, 253.90 feet; thence North 84 degrees 27 minutes East 25 feet to the East line of said road); running thence North 5 degrees 31 minutes West 58.41 feet to a point; thence South 64 degrees 23 minutes East 197.52 feet to a point; thence North 25 degrees 47 minutes East 59.15 feet to a point; thence North 84 degrees 27 minutes East 30 feet to a point; thence South 5 degrees 31 minutes East 134.70 feet to a point; thence North 70 degrees 08 minutes West 90.80 feet to a point; thence North 64 degrees 23 minutes West 172.86 feet to the place of commencement.

Address: 7254 North Beach Drive;

Tax Key No. 095-9966-000.

985755-01	Village of Fox Point	12/06/2022	469272	300.00

Invoice Number	Invoice Date	Amount
051522-0001	12/05/2022	300.00

Voucher Index	Invoice Number	Invoice Date	Amount
140333	051522-0001	12/05/2022	300.00

THIS DOCUMENT HAS A WATERMARK ON THE BACK AND CAN BE SEEN WHEN HELD TO LIGHT. THIS PAPER IS ALTERATION PROTECTED.

12-1/750

469272

Reinhart Boerner Van Deuren s.c.
1000 North Water Street, Suite 1700
Milwaukee, WI 53202

JPMorgan Chase Bank
111 East Wisconsin Avenue
Milwaukee, WI 53202

12/06/2022

Amount

Three Hundred and 00/100 Dollar(s) ONLY * * *

005303

ENDORSEME CHECK HERE

005308

CHECK HERE FOR MOBILE DEPOSIT

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE
RESERVED FOR FINANCIAL INSTITUTION USE

SECURITY FEATURES ON THIS CHECK

- ARTIFICIAL WATERMARK - HOLD PAPER TO LIGHT TO VIEW
- SECURITY SCREEN "ORIGINAL DOCUMENT" ON BACK OF CHECK
- VISIBLE FIBERS FACE AND BACK
- INVISIBLE FIBERS FACE AND BACK THAT ARE VISIBLE UNDER ULTRAVIOLET LIGHT
- PAPER CONTAINS CHEMICAL ALTERATION INDICATORS
- MICRO PRINTED ENDORSEMENT LINES (ABOVE) CAN BE READ WITH MAGNIFIER BUT APPEAR AS DOTS ON PHOTOCOPIES

NOTICE

PLEASE BE ADVISED: Chapter 67, Article III of the Village of Fox Point Village Code is attached hereto and incorporated herein. Pursuant to this Ordinance, the Village of Fox Point Village Board has determined that whenever the services of the Village Attorney, Village Engineer, Village Forester or any other of the Village's professional staff (internal or independently contracted) results in a charge to the Village for that professional's time and services and such service is not a service supplied to the Village as a whole, the Village Treasurer shall charge the property owner for the fees incurred by the Village. Also be advised that pursuant to the Village of Fox Point Municipal Code certain other fees, costs and charges are the responsibility of the property owner making application to the Village.

I, the undersigned, have been advised that, pursuant to the Village Fox Point Village Code, if the Village Attorney, Village Engineer, Village Forester or any other Village professional (internal or independently contracted) provides services to the Village as a result of my activities, whether at my request or at the request of the Village, I shall be responsible for the fees incurred by the Village. Also I have been advised that pursuant to the Village of Fox Point Village code certain other fees, costs and charges are my responsibility.

Dated this 5th day of December, 2022.

Steve Woods, Board President

Creation and Preservation Partners, Inc.
Name of Property Owner - PRINTED

Mailing Address of Property Owner: 608 New York Ave, Sheboygan, WI 53081.

Tax Key No. of Property: 095-9966-000 and 095-9968-000.

Address of Property: 7254 North Beach Drive and 7328 North Beach Drive.

For Village Use Only:

- ☐ Original kept on file with Village Clerk.
- ☐ Copy provided to Property Owner.

Signature: _____

WRITTEN STATEMENT DESCRIBING
GENERAL CHARACTER OF INTENDED USES, POTENTIAL BUILDING, ORGANIZATIONAL STRUCTURE AND MAINTENANCE AND OPERATION

This Application supports the establishment of a Cultural Overlay District under §745-22 of the Village of Fox Point Code. See also https://www.jmkac.org/artist/mary-nohl/.

1. Ownership of Project; Organizational Structure. Creation and Preservation Partners, Inc., a Wisconsin non-stock corporation ("CAPP") is the owner of that certain real estate located at 7254 and 7328 North Beach Drive in the Village of Fox Point, County of Milwaukee, Wisconsin described on Exhibit A attached hereto (the "Real Estate") currently zoned A-1 Residence District under the Village of Fox Point Code. CAPP is an affiliate of John Michael Kohler Arts Center, Inc. ("JMKAC"), a Wisconsin non-stock corporation and 501(c)(3) nonprofit organization founded in 1967, the mission of which is to generate a creative exchange between artists and the public. (See www.jmkac.org). JMKAC supports CAPP with endowed funding and professional staff.

The Real Estate contains the former residence of prominent local artist Mary Nohl ("Mary Nohl House") and a collection of her artwork, including paintings, sculptures, jewelry, drawings, and other assemblages (collectively, the "Collection"), some of which is in the Mary Nohl House and some of which is displaced elsewhere on the Real Estate. Mary Nohl gifted her Collection to the Kohler Foundation (www.kohlerfoundation.org) in 1996 acknowledging that the Kohler Foundation could further gift the Collection to an appropriate non-profit such as JMKAC. JMKAC has already invested nearly $4 million in maintenance and upkeep of the Mary Nohl House and significant additional investment is anticipated with the establishment of a Cultural Overlay District. CAPP leases the Real Estate and the Mary Nohl House (collectively, the "Property") to JMKAC for JMKAC to use and operate the Property consistent with JMKAC's mission.

CAPP and JMKAC's primary purposes are (1) to preserve and protect the Mary Nohl House and the Collection; (2) for the exhibition, examination and study by smaller groups of invited scholars, collectors, historians, educators, and others; and (3) to encourage interested parties and larger groups to visit the Art Preserve opened by JMKAC in 2021 at 3636 Lower Falls Road in Sheboygan, Wisconsin, which houses the vast majority of Mary Nohl's work.

2. Intended Uses. The Property will not be open to the general public. The Property will be used primarily for art preservation and observance, and for ancillary related uses including offices and meeting space for CAPP and JMKAC and a residence for artists-in-residence and/or caretakers. The Property may be used as a display site for the Collection to be exhibited and made available for examination and study by limited groups of invited scholars, collectors, historians, educators and others with affiliation as further described below. These intended uses serve the primary purposes of preserving and protecting the Mary Nohl House and the Collection, as well as fit the residential character of the surrounding neighborhood.

3. Potential Building. The footprint of the Mary Nohl House is to be largely maintained as it is, with limited improvements and structural changes to the interior. An

additional auxiliary building of not more than 4,000 square feet and/or a storage shed measuring not more than 15 feet by 15 feet may be developed in the future on the Property. The auximilary building and shed would replace similar structures which had to be demolished due to extensive damage and neglect by a previous owner.

4. Occupancy. The auxiliary building is intended to shift occupancy by artists-in-resident and/or caretakers away from the Mary Nohl House.

5. Scholarly Research Groups. Invited groups of scholars, collectors, historians, educators and others with affiliation may visit the Property, from time to time, as pre-arranged by JMKAC. These groups may range in size from one (1) individual to four (4) individuals.

6. Educational Visits. Invited educational groups including, but not limited to museum groups and college classes may visit the Property, from time to time, as pre-arranged by JMKAC.

7. School Groups. Invited groups of students from local secondary and pre-secondary schools may visit the Property, from time to time. Procedures by which local schools may request such access to the Property will be prescribed and administered by JMKAC. All tours provided to school groups will be free of charge.

8. Larger Groups Directed to the Art Preserve. Excessive traffic and visits to the Property would frustrate preservation, disrupt the residential setting integral to Mary Nohl's work and threaten the fragility of the Mary Nohl House, the Collection, and the Property's unique "artist-built environment." Accordingly, CAPP and JMKAC have determined that larger groups interested in Mary Nohl's art should be encouraged to visit the Art Preserve in Sheboygan, Wisconsin. The Art Preserve is a $40 million freestanding building developed, financed and maintained by JMKAC to showcase artist-built environments with a section specifically designed for and devoted to Mary Nohl and her Collection.

9. Occasional Special Events. CAPP and JMKAC and/or their respective affiliates, may hold up to two (2) special events on the Property each calendar year. Special events shall not exceed eighty (80) individuals at a time. Possible special events may include, but are not limited to, fundraisers to secure funding to maintain and care for the Property and the Collection, educational symposiums to examine the Collection and other works of art created by Mary Nohl, community events to engage with invited visitors in constructive, positive ways, or for any other purposes consistent with the goals and purposes of CAPP and/or JMKAC for the Mary Nohl House and the Collection. Any special event would occur only with a detailed plan, preapproved by the Village, addressing safety, traffic, parking, temporary structures and hours, among other details.

10. Parking and Use of Shuttles. Under the Village Code, parking is not allowed on North Beach Drive abutting the Property to the north, except as authorized by permitted special events. To avoid on-street parking and manage the number of vehicles visiting the Property, visitor parking shall be limited to an area on the Property itself. To the extent that additional parking is required by visitors to the Property, in-lieu of on-street parking, shuttle services will

be used to transport visitors to and from the Property. A gated driveway as more particularly identified on Exhibit B attached hereto will be constructed on the Property. No buses (which accommodate 20 or more passengers at any one time) shall be allowed at the Property.

11. Access and Hours of Operation. Given the fragile nature of the Mary Nohl House and the Collection, visits must be limited and controlled. At no time will the Property be open to the general public. All visits to the Property shall be by invitation and pre-arrangement with JMKAC only. Third-party access will be restricted to only three (3) days per calendar week and not more than twenty (20) visitors per day, and no more than ten (10) guests will be allowed inside the Mary Nohl House at any one time. In addition, no third party access may occur prior to 9am or during the weekday evening peak traffic hours of 4 to 6 pm; the majority of third-party visits will occur between the hours of 9 am to 2 pm. To avoid entry by the general public, the Property shall be equipped with a security system, motion detection lighting and locked gate(s). The restrictions on the number of visitors allowed on the Property outlined in this Section should not apply to residential occupancy of artists-in-residences and caretakers under Section 4n above, to occasional special events consistent with Section 9 above or to local school group visits as described in Section 7 above.

12. Landscaping and Security. Routine yardwork and landscaping will be completed on the Property, including but not limited to mowing grass, trimming trees, and removing weeds. Additional trees and plantings also may be installed as generally depicted on Exhibit B attached hereto. Existing perimeter fencing may be repaired and/or replaced from time to time. In addition, at the request of neighbors, CAPP is willing to install a motion-activated light and camera at the northeast corner of the Property and to provide Village police access and electrical and WIFI services.

13. PILOT. The Property, under CAPP's ownership and JMKAC's usage, is exempt from real and personal property taxes pursuant to Wisconsin Statute §70.11. Notwithstanding the Property's property tax exempt status, CAPP and JMKAC shall make the following services available to the Village, at no cost to the Village, provided that CAPP, JMKAC and the Village may pursue alternate funding sources such as grants and donations:

(a) opportunities for neighors to view the Collection and the Mary Nohl House as mutually agreeable;

(b) regular educational programming relating to the Collection for students and teachers in the Fox Point/Bayside School District; and

(c) electrical and WIFI services to cameras and lighting installed at the northeast corner of the Property, which may be accessed by the Village Police Department.

In addition, in recognition of the services provided by the Village to the Property, CAPP and/or JMKAC offer to make payments in lieu of taxes ("PILOT") to the Village as described in this Section. In the year following any year that the Property is exempt from annual real and personal property taxes, CAPP and/or JMKAC shall pay to the Village, on or before the last day of February of the following year, an amount equal to (a) the total assessed value of the Property multiplied by (b) the mill rate levied in the prior year only by and for the Village (excluding the mill rate levied by and for Milwaukee County, any school district, MATC or MMSD). By way of example only, if the Property were exempt from real and personal property taxes in the year

2023, on or before February 28, 2024, CAPP and/or JMKAC would pay to the Village an amount equal to (a) the total assessed value of the Property of $2,198,500 multiplied by (b) the Village mill rate of .00596 or (c) a PILOT of $13,103.06. Notwithstanding any available exemption from property taxes, the Property will remain subject to special assessments levied with respect to street repair, sewer repair, etc. pursuant to Wisconsin Statute §66.703 et. seq.

EXHIBIT A

Description of the Property

All that part of the Southeast 1/4 of Section 16, Town 8 North, Range 22 East, Village of Fox Point, County of Milwaukee, State of Wisconsin, described as follows:

Commencing at a point which is 1559.89 feet South 0° 42' West of and 577.55 feet South 89° 57' East of the center of said Section 16 said point being the point of intersection of the centerline of the Northerly and Southerly course of the public highway with the centerline of the Easterly and Westerly course of said public highway; thence North 84° 27' East along the centerline of said public highway, 225 feet to a point (which point is the point of commencement of the land to be described); thence North 84° 27' East along the centerline of said public highway and said centerline produced 432.48 feet to the shoreline of Lake Michigan; thence South 8° 59' West along the shore line of Lake Michigan, 154.96 feet to a point; thence South 84° 27' West 361.91 feet to a point; thence North 5° 31' West 150 feet to the point of commencement.

Address: 7328 North Beach Drive;

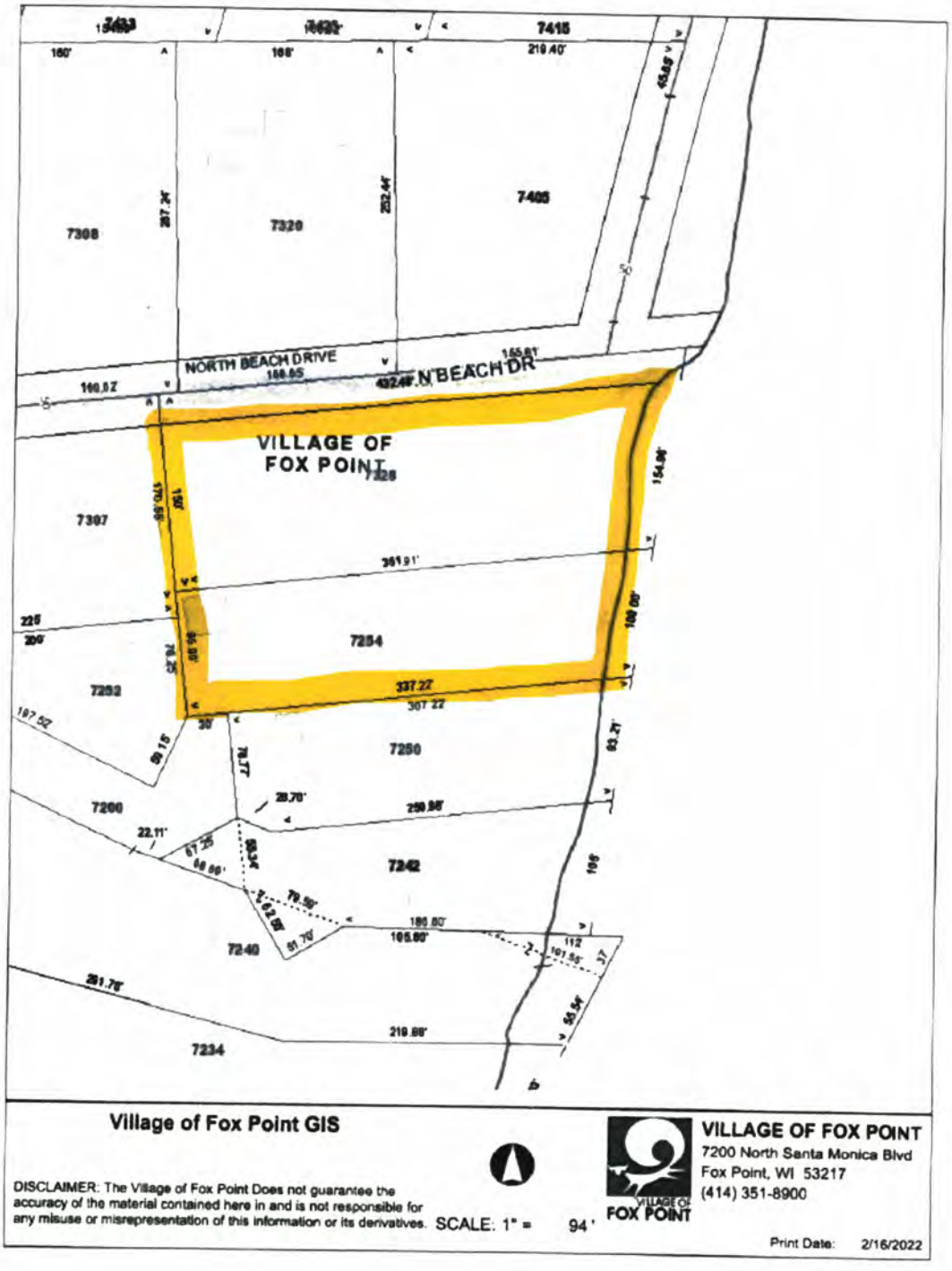
Tax Key No. 095-9968-000.

All that part of the Southeast 1/4 of Section 16, in Township 8 North, Range 22 East, in the Village of Fox Point, described as follows: Commencing at a point, which point of commencement is described as follows: Starting at the intersection of the center lines of a North and South road and the center line of an East and West road, said intersection being 1559.89 feet South 0 degrees 42 minutes West of and 577.55 feet South 89 degrees 57 minutes East of the center of said Section; thence South 5 degrees 31 minutes East along the center line of said road, 195.49 feet to a point; thence North 84 degrees 27 minutes East 25 feet to the East line of said North and South road; thence South 64 degrees 23 minutes East 197.52 feet to a point; thence North 25 degrees 47 minutes East 59.15 feet to a point (being the point of commencement above referred to); running thence North 5 degrees 31 minutes West 96.80 feet to a point; thence North 84 degrees 27 minutes East 361.91 feet to the shore of Lake Michigan; thence South 8 degrees 59 minutes West 100 feet to a point; thence South 84 degrees 27 minutes West 337.22 feet to the place of commencement.

Together with a Right of Way in common with others, as set forth in Warranty Deed executed by Amelia Robert and D. E. Roberts, her husband to David E. Detienne and John M. Niven, dated April 2, 1925 and recorded in the office of the Register of Deeds for Milwaukee County, Wisconsin on April 4, 1925, in Volume 1047 of Deeds at page 598, as Document No. 1342356, over the following-described lands in the Southeast 1/4 of Section 16, in Township 8 North, Range 22 East; commencing at a point (which point is described as follows: starting at the intersection of the center line of a North and South road with the center line of an East and West road, said intersection being 1559.89 feet South 0 degrees 42 minutes West of and 577.55 feet South 89 degrees 57 minutes East of the center line of said Section; thence South 5 degrees 31 minutes East along the center line of said road, 253.90 feet; thence North 84 degrees 27 minutes East 25 feet to the East line of said road); running thence North 5 degrees 31 minutes West 58.41 feet to a point; thence South 64 degrees 23 minutes East 197.52 feet to a point; thence North 25 degrees 47 minutes East 59.15 feet to a point; thence North 84 degrees 27 minutes East 30 feet to a point; thence South 5 degrees 31 minutes East 134.70 feet to a point; thence North 70 degrees 08 minutes West 90.80 feet to a point; thence North 64 degrees 23 minutes West 172.86 feet to the place of commencement.

Address: 7254 North Beach Drive;

Tax Key No. 095-9966-000.


7415
219.40'
7308
7320
7405
NORTH BEACH DRIVE
N BEACH DR
VILLAGE OF
FOX POINT
7328
7307
7254
7252
7250
7200
7242
7240
7234
337.22'
307.22'
219.88'
Village of Fox Point GIS
DISCLAIMER: The Village of Fox Point Does not guarantee the accuracy of the material contained here in and is not responsible for any misuse or misrepresentation of this information or its derivatives.
SCALE: 1" = 94'
VILLAGE OF FOX POINT
7200 North Santa Monica Blvd
Fox Point, WI 53217
(414) 351-8900
Print Date: 2/16/2022

48468310

EXHIBIT B

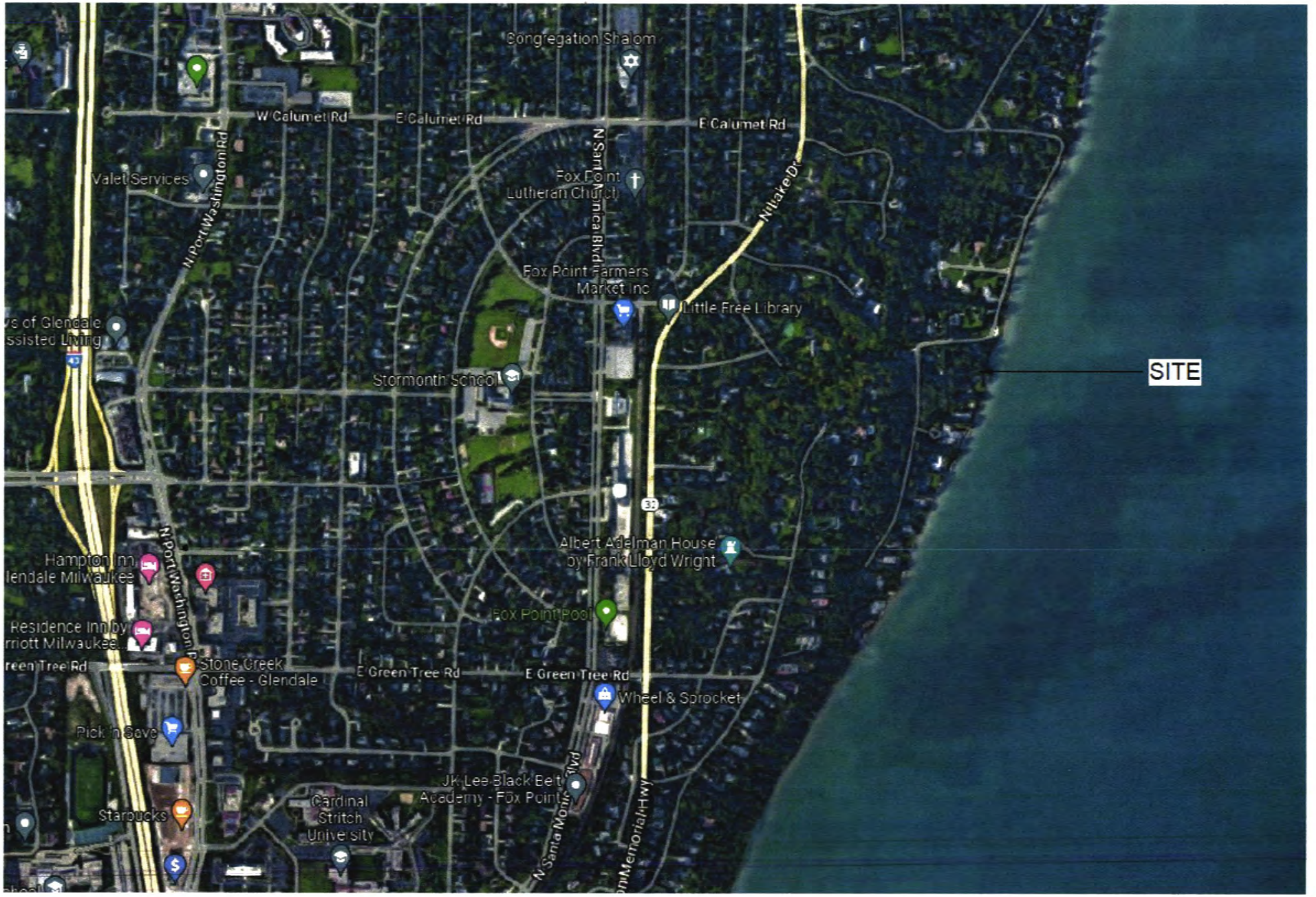
Depiction of Gated Drive, Plantings, and Structures

[See attached]

1 SITE PLAN
SCALE: 1" = 20'-0"

T.N.

SITE VICINITY MAP



SITE MAP
N Beach Dr
NE
VIEW
NW
VIEW
N B
SITE
N Beach Dr

GOOGLE NW VIEW

GOOGLE NE VIEW

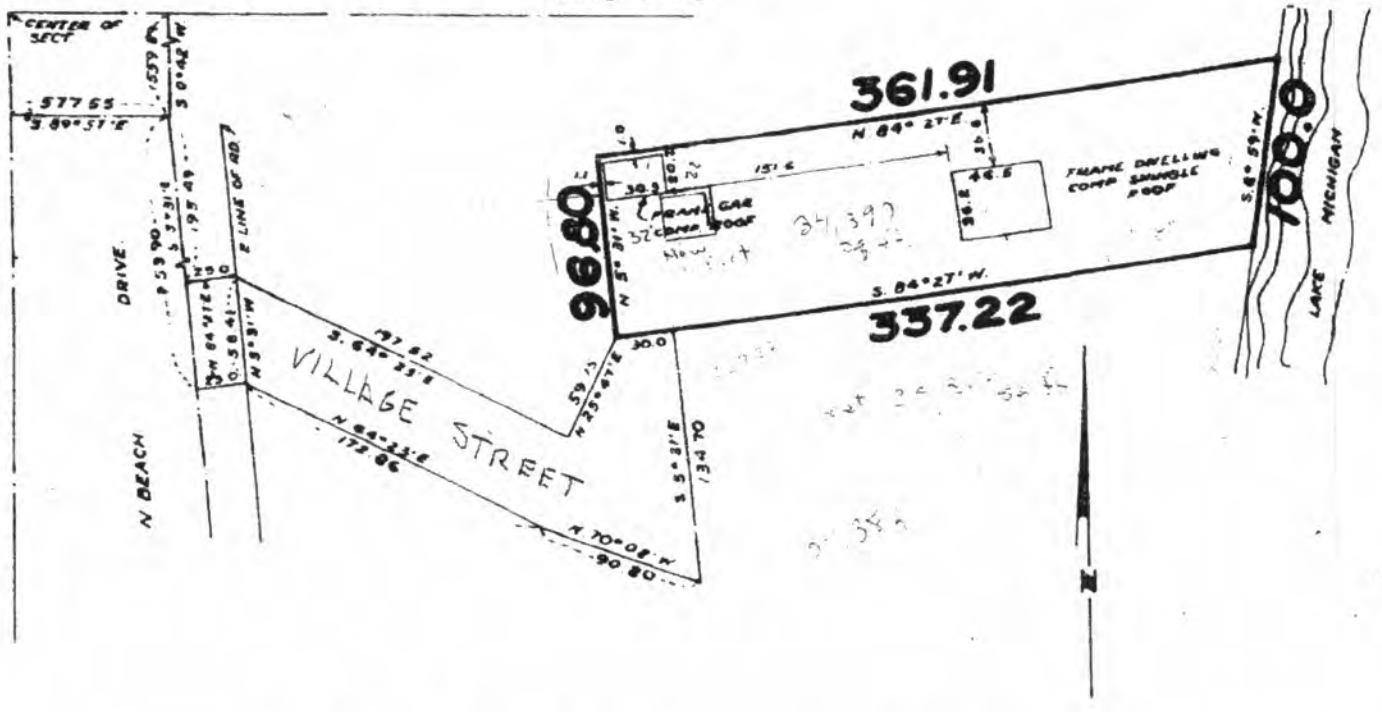
SE VIEW

SW VIEW

Known as 7254 N. Beach Road, Fox Point, Wis.
For legal description see reverse side.

November 23, 1940 — John M. Niven - Owner — Survey No. 16319-M

Scale 1" = 100'



We hereby Certify that we have surveyed the property described above according to official records, and that the plat above is a correct representation of the lot lines and principal lines of buildings thereon, which are shown on this photograph.

NATIONAL SURVEY SERVICE
CIVIL ENGINEERS AND SURVEYORS
740 N. PLANKINTON MARQUETTE 3812
MILWAUKEE, WIS.

BY J. H. Burke

PATENT APPLIED FOR

FOR LOCATION OF PROPERTY SEE MAP ON REVERSE SIDE

1 ENLARGED SITE PLAN
SCALE: 1" = 40'-0"

T.N.

1 SITE PLAN
SCALE: 1" = 20'-0"

T.N.

NE VIEW

NW VIEW

Land Use: 210
Single-Family Detached Housing

Description

Single-family detached housing includes all single-family detached homes on individual lots. A typical site surveyed is a suburban subdivision.

Additional Data

The number of vehicles and residents had a high correlation with average weekday vehicle trip ends. The use of these variables was limited, however, because the number of vehicles and residents was often difficult to obtain or predict. The number of dwelling units was generally used as the independent variable of choice because it was usually readily available, easy to project and had a high correlation with average weekday vehicle trip ends.

This land use included data from a wide variety of units with different sizes, price ranges, locations and ages. Consequently, there was a wide variation in trips generated within this category. As expected, dwelling units that were larger in size, more expensive, or farther away from the central business district (CBD) had a higher rate of trip generation per unit than those smaller in size, less expensive, or closer to the CBD. Other factors, such as geographic location and type of adjacent and nearby development, may also have had an effect on the site trip generation.

Single-family detached units had the highest trip generation rate per dwelling unit of all residential uses because they were the largest units in size and had more residents and more vehicles per unit than other residential land uses; they were generally located farther away from shopping centers, employment areas and other trip attractors than other residential land uses; and they generally had fewer alternate modes of transportation available because they were typically not as concentrated as other residential land uses.

The peak hour of the generator typically coincided with the peak hour of the adjacent street traffic.

The sites were surveyed between the late 1960s and the 2000s throughout the United States and Canada.

Source Numbers

1, 4, 5, 6, 7, 8, 11, 12, 13, 14, 16, 19, 20, 21, 26, 34, 35, 36, 38, 40, 71, 72, 84, 91, 98, 100, 105, 108, 110, 114, 117, 119, 157, 167, 177, 187, 192, 207, 211, 246, 275, 283, 293, 300, 319, 320, 357, 384, 435, 550, 552, 579, 598, 601, 603, 611, 614, 637

Single-Family Detached Housing
(210)

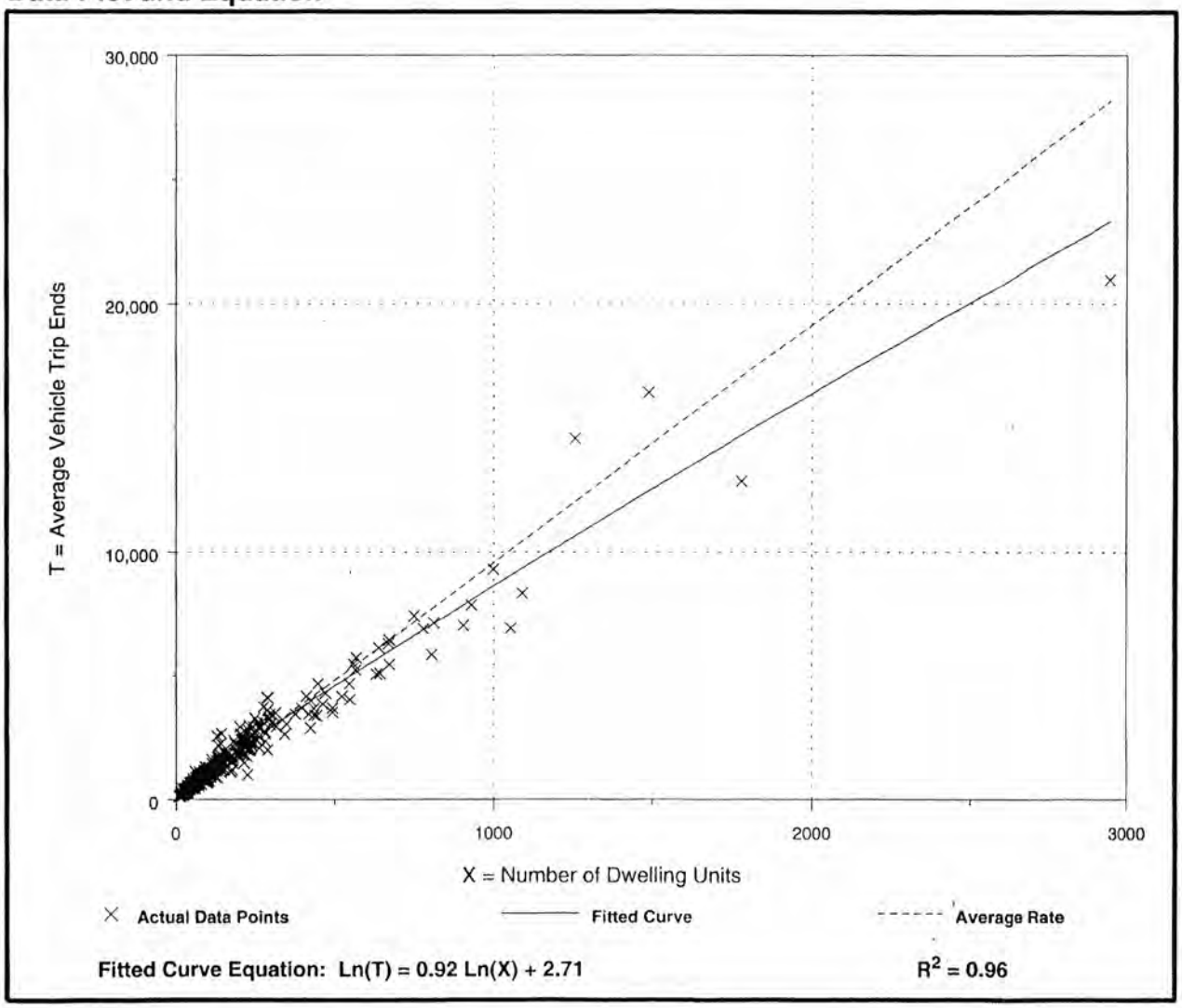
Average Vehicle Trip Ends vs: Dwelling Units
On a: Weekday

Number of Studies: 351
Avg. Number of Dwelling Units: 197
Directional Distribution: 50% entering, 50% exiting

Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
9.57	4.31 - 21.85	3.69

Data Plot and Equation



Fitted Curve Equation: Ln(T) = 0.92 Ln(X) + 2.71

R^2 = 0.96

Single-Family Detached Housing
(210)

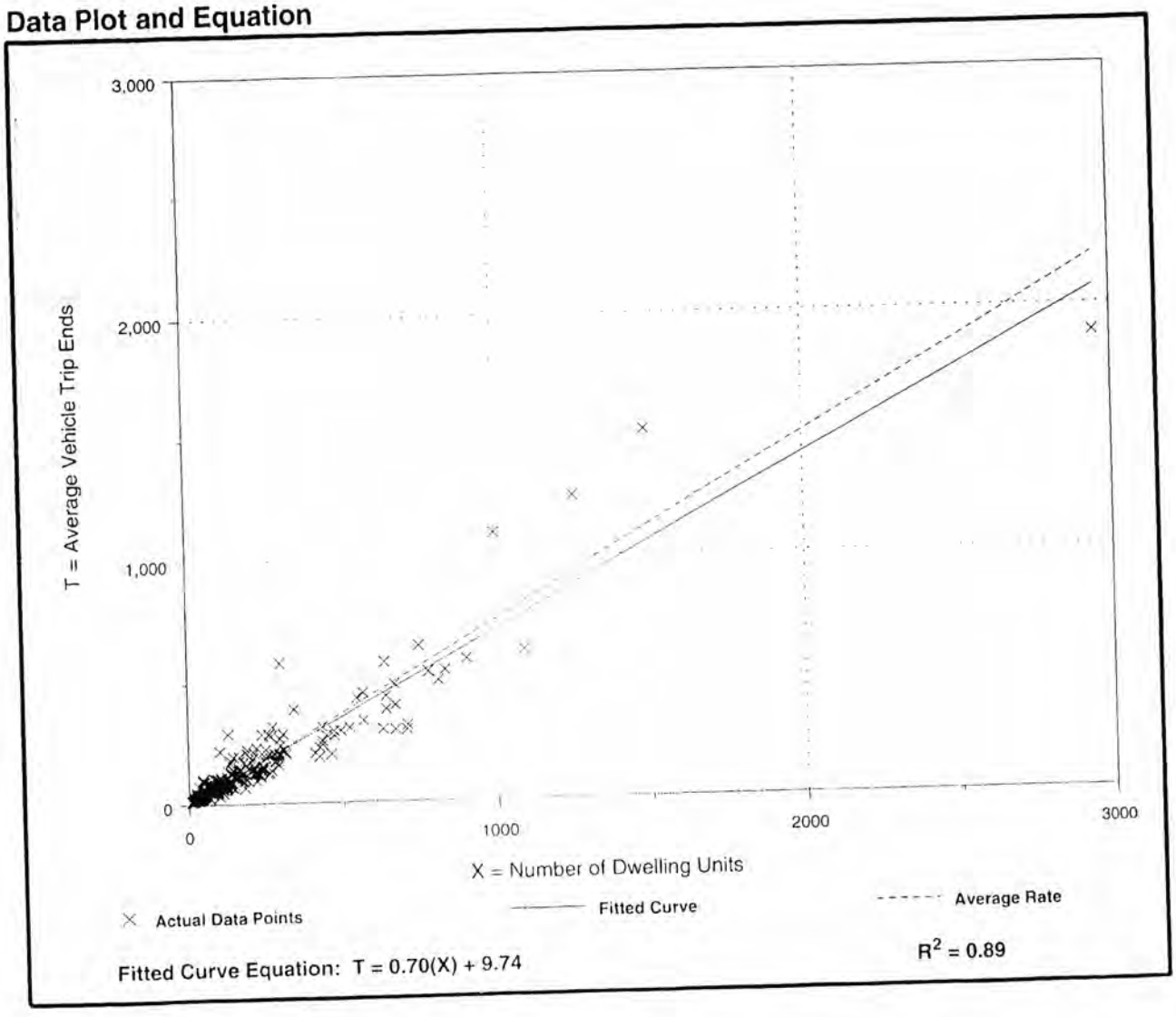
Average Vehicle Trip Ends vs: **Dwelling Units**
On a: **Weekday,**
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.

Number of Studies: 286
Avg. Number of Dwelling Units: 194
Directional Distribution: 25% entering, 75% exiting

Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.75	0.33 - 2.27	0.90

Data Plot and Equation



Fitted Curve Equation: T = 0.70(X) + 9.74

R^2 = 0.89

Single-Family Detached Housing
(210)

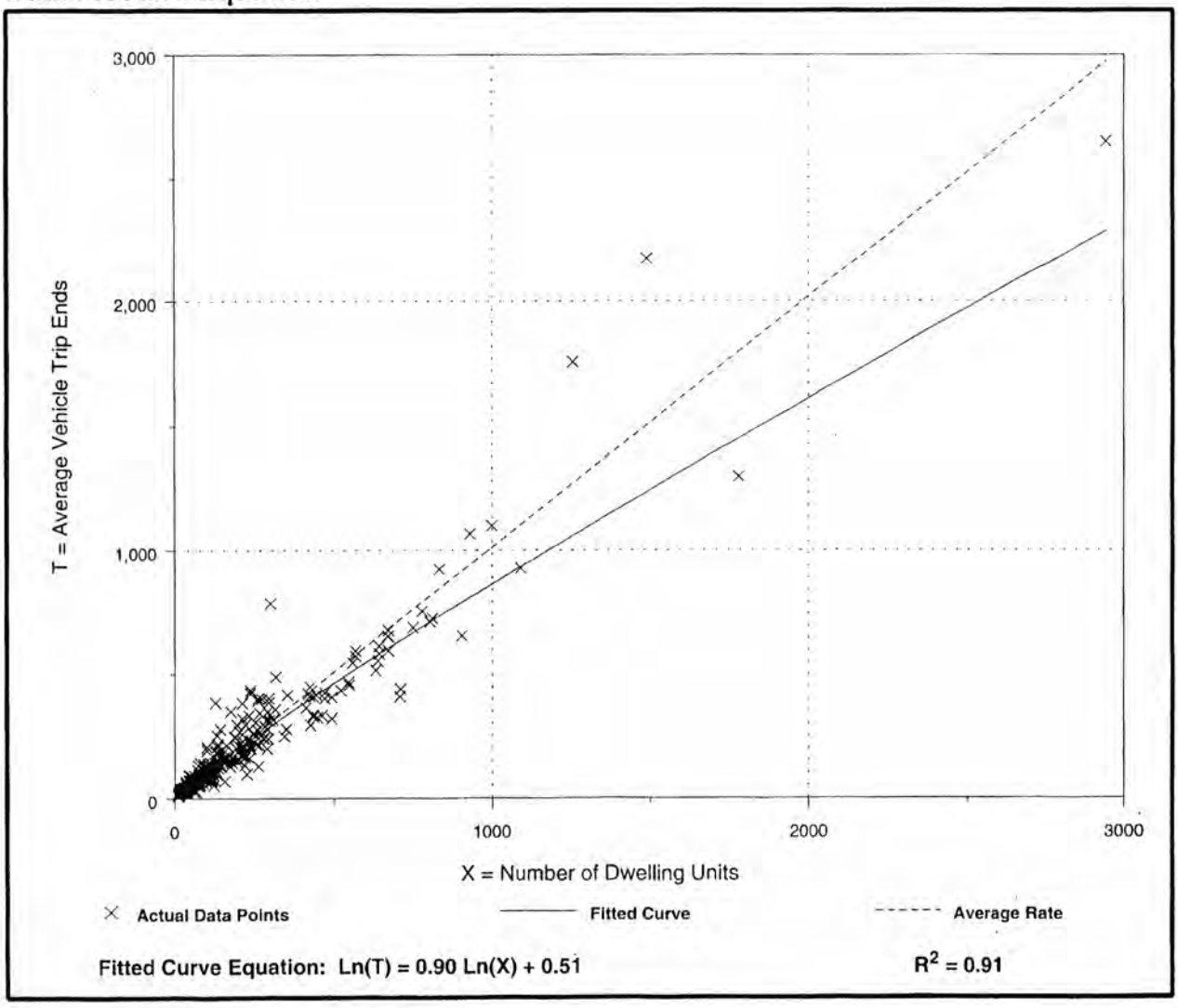
Average Vehicle Trip Ends vs: **Dwelling Units**
On a: **Weekday,**
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.

Number of Studies: 314
Avg. Number of Dwelling Units: 208
Directional Distribution: 63% entering, 37% exiting

Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
1.01	0.42 - 2.98	1.05

Data Plot and Equation



Fitted Curve Equation: Ln(T) = 0.90 Ln(X) + 0.51

R^2 = 0.91

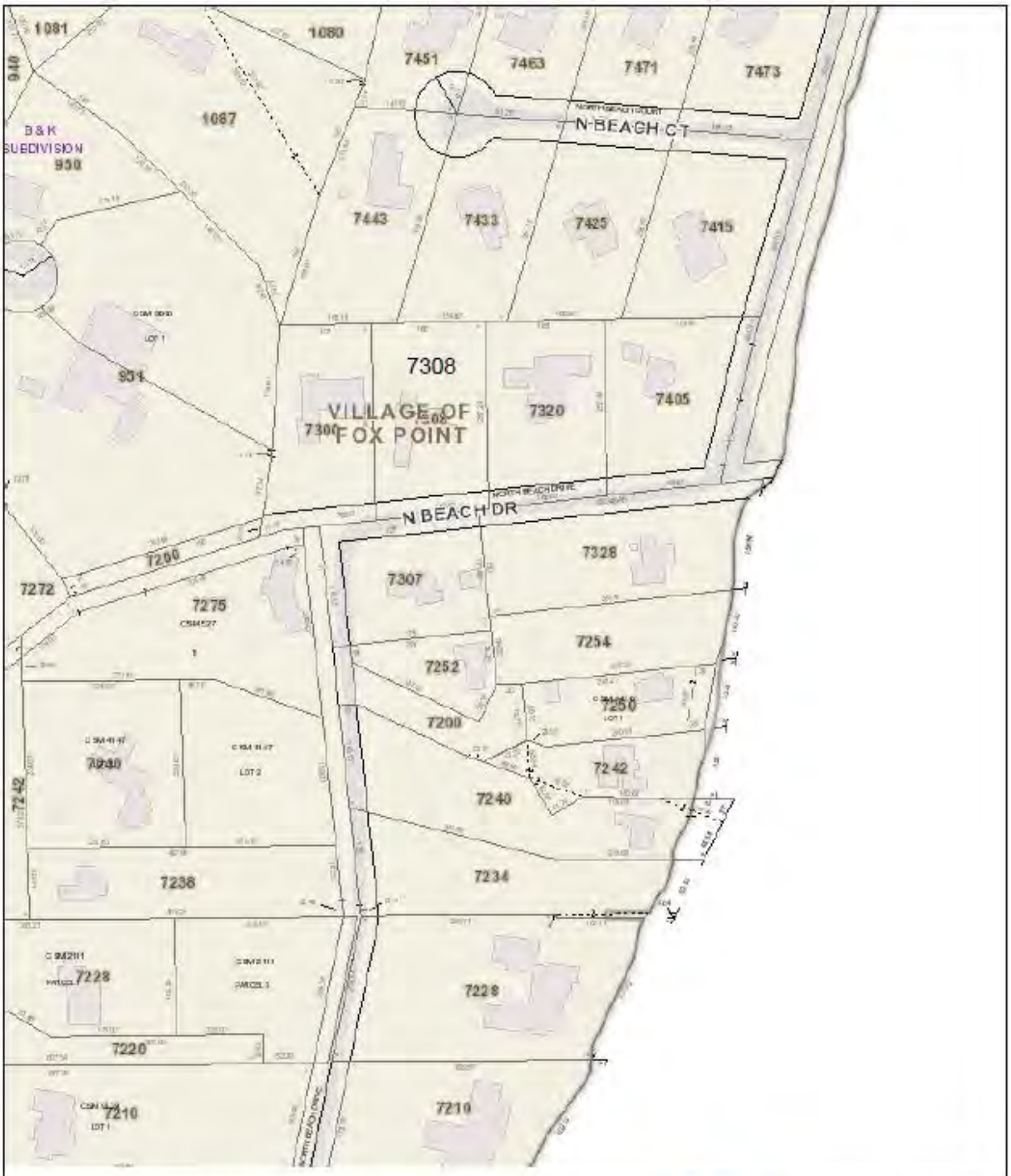
Assessed Values of Neighboring Properties

Property Address	Tax Key	Assessed value in 1996 when Mary Nohl gifted house to Kohler Foundation	Assessed value in 2012 when CAPP acquired title to 7328 North Beach Drive	2021 Assessed Value
7250 North Beach Drive	0959963000	$391,600.00	$815,500.00	$910,000.00
7252 North Beach Drive	0959965000	$123,100.00	$272,000.00	$357,100.00
7307 North Beach Drive	0959967000	$187,900.00	$352,000.00	$430,300.00
7405 North Beach Drive	0959972000	$250,500.00	$608,000.00	$683,600.00
7320 North Beach Drive	0959971000	$550,000.00	$935,700.00	$761,500.00
7308 North Beach Drive	0959970000	$300,000.00	$707,200.00	$1,101,000.00
7300 North Beach Drive	0959969000	$442,900.00	$745,300.00	$622,000.00

7275 North Beach Drive	0959004000	$350,800.00	$513,000.00	$616,000.00
7242 North Beach Drive	0959962000	$363,500.00	$730,500.00	$947,000.00
7240 North Beach Drive	0959961000	$513,700.00	$990,200.00	$1,198,500.00

The vicinity map attached hereto depicts the locations of these neighboring properties with respect to 7328 North Beach Drive and 7254 North Beach Drive.

Note, This chart does not include the Village owned immediately adjacent property associated with the address of 7200 North Santa Monica Blvd (Tax Key 0959964000) as this Village owned property has an assessed value of $0.



Village of Fox Point GIS

DISCLAIMER: The Village of Fox Point Does not guarantee the accuracy of the material contained here in and is not responsible for any misuse or misrepresentation of this information or its derivatives.

SCALE: 1" = 188'

VILLAGE OF FOX POINT
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Fox Point, WI 53217
(414) 351-8900

Print Date: 12/6/2022

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Tomás Clasen, Esq.
Direct Dial: 414-298-8391
tclasen@reinhartlaw.com

January 27, 2023

SENT BY FEDEX OVERNIGHT AND E-MAIL
(SBOTCHER@VILLAGEOFFOXPOINT.COM)

Scott Botcher, Village Manager
Village of Fox Point
7200 North Santa Monica Boulevard
Fox Point, WI 53217

Dear Mr. Botcher:

Re: Cultural Overlay for 7254 and 7328 North Beach Drive Fox Point, WI 53217 (Mary Nohl Residence)

This letter and its enclosures supplement the pending application of Creation and Preservation Partners, Inc. ("CAPP") to establish a Cultural Overlay District for the properties located at 7254 and 7328 North Beach Drive Fox Point, WI 53217 (collectively, the "Property"). To address questions and concerns that have been relayed to us since our initial submittal, we enclose the following additional information:

1. An updated dimensioned Site Plan, including the total size of the project area and area of open space. Please note that the area of the proposed auxiliary building has been *reduced* from 4,000 square feet to 3,000 square feet, so that that building, if built, will be smaller than the existing Mary Nohl home and smaller than the residence which previously existed on the south lot and was removed;

2. Updated architectural renderings and a floor plan for the proposed auxiliary building, including architectural drawings of the building looking east and west and a floor plan. The floor plan shows that the proposed auxiliary building is primarily living quarters for an artist-in-residence and caretaker with a living room, kitchen, 2 bedrooms, 2 bathrooms and a second-floor studio space which could serve as an office;

3. A chart summarizing the proposed uses of the Property under the Cultural Overlay District and uses allowed under the current zoning;

4. An analysis of the Fox Point Police Department Calls near the Property from 2014 to November 15, 2022 and the Fox Point Police Department Call Logs

related thereto indicating that the Property has not disrupted the quiet use and enjoyment of the Beach Drive/Beach Court neighborhood or adversely impacted municipal services;

5. A chart summarizing the stability of assessed values for the properties near the Chipstone properties since the Village adopted the Chipstone Overlay Agreement in 1988;

6. A Technical Memorandum by Traffic Analysis & Design, Inc. concluding that operations of the Property under the Cultural Overlay District would not create traffic beyond the capacity of the street system and would provide adequate off-street parking;

7. A statement outlining how the proposed Cultural Overlay District complies with the Village's Comprehensive Plan dated 2021;

8. The U.S. Department of the Interior's listing of the Mary Nohl Art Environment on the National Register of Historic Places documenting what a unique cultural asset the Property is to the Village;

9. A summary of programs developed and implemented by the John Michael Kohler Arts Center with the Fox Point-Bayside School District, documenting the significant artistic and cultural enrichment, centered on Mary Nohl's life work, provided at no cost to the District and page 2 of the Winter 2022 Fox Point-Bayside District Newsletter highlighting the success of these programs;

10. The July 24, 1996 Declaration of Gift in which Mary Nohl gifted her work and property to the Kohler Foundation, (providing for further gifting to an appropriate non-profit organization) such that her collection would "be preserved and exhibited to the public..." "providing it can remain in situ ..." "as a grassroots art environment in its present location, open to the public at appropriate times ..." and

11. Our letter dated January 25, 2023 sent directly to John Wirth in response to his January 20, 2023 letter representing concerns of Save the Beach Drive Neighborhood.

We also will be submitting, prior to the January 31, 2023 hearing, a professional appraiser's analysis of the potential impact of the proposed Cultural Overlay District on property values and use and enjoyment of property in the immediate neighborhood.

We truly regret that our request to establish a Cultural Overlay District at the Property is causing neighborhood angst. Our intention is just the opposite: to provide certainty and transparency for us and our neighbors.

Village officials and neighbors certainly are aware that Mary Nohl, her work and her property have inspired controversy from the time that Nohl began her work at the home in earnest in 1963 through her death in 2001. The enclosed articles, "The House Divided" by Matthew Reddin published in July 2014 and the "A New Battle Over Mary Nohl Home" by Michael Horne published in January 2023, chronicle this controversy. When CAPP and the John Michael Kohler Arts Center concluded that their attempts in the prior two decades to establish a Cultural Overlay District would be unsuccessful, they started a decade's long effort that culminated in our pending Cultural Overlay District application. $40 million was raised to find, fund, design, build, and open the Art Preserve in Sheboygan in 2021. The Art Preserve is the only museum to showcase artist-built environments, and intended to attract the general public (free of charge); it was to the Art Preserve that eighty percent of Mary Nohl's collection has been relocated and displayed. An artist-in-residence also took up residency in the Nohl home nearly six years ago, not only to restore Nohl's on-site work, but also to learn, firsthand, how best to preserve the remainder of Nohl's work in situ and in a manner which respected the neighborhood.

Our pending Cultural Overlay District proposal has been carefully crafted to transparently provide our long-term vision for the Mary Nohl property and to subject our plan to regulations enforceable by the Village. It is because we want to be transparent that we are sharing our plans for the auxiliary building on the southern lot—even though construction of that building may not occur for years (if ever). It is because we want to be transparent that we are proposing not more than two annual special events for not more than eighty attendees—even though no such events are planned for the immediate future and any such events will likely be less frequent and with fewer attendees. It is out of respect for our neighbors and the Village as a whole that we are willing to commit to make payments in lieu of taxes in any deed restriction/contract which accompanies approval of a Cultural Overlay District. We remain committed to preserving the Property in a manner consistent with its immediate neighborhood. It is what Mary Nohl entrusted us to do. It is what we have been doing with our artist in residence for nearly six years. We implore the Village to enable us to do so for years to come by approving our Cultural Overlay District proposal.

Please do not hesitate to contact me at 414-298-8391 or Deborah Tomczyk at 414-298-8331 with any questions or concerns. Thanks in advance for your assistance with this matter.

Yours very truly,

Tomás Clasen

48732478

Encs.

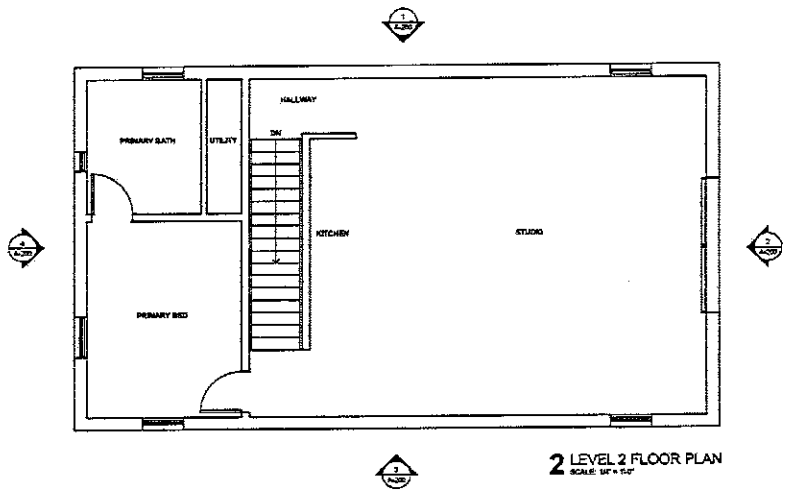
cc Village Attorney Eric J. Larson (w/encs. via email)
Mr. Steve Woods (w/encs. via email)
Mrs. Amy Horst (w/encs. via email)
Deborah Tomczyk

AREA CALCULATIONS*

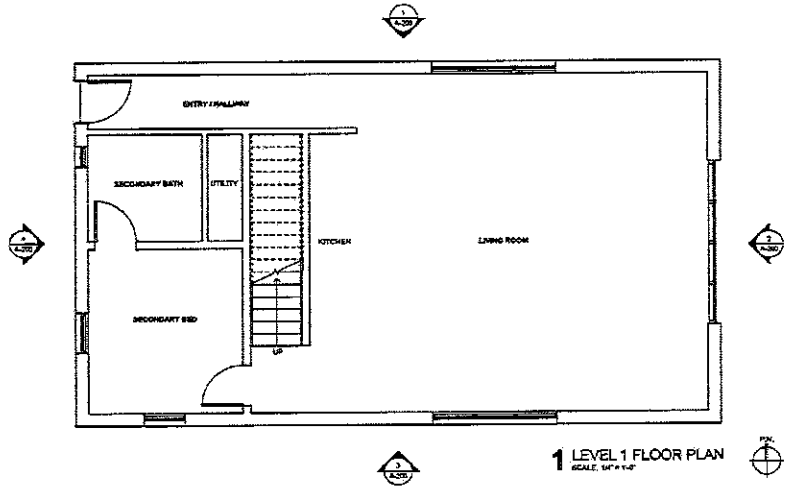
*NOTE: IMPACT ON MUNICIPAL SERVICES WILL BE: NONE

	TODAY	AT FULL BUILD-OUT	PRIOR TO THE DEMOLITION OF THE RESIDENCE AND SHED ON THE SOUTH LOT
TOTAL AREA OF BOTH LOTS	70,680 SF	70,680 SF	70,680 SF
TOTAL FOOTPRINT OF BUILDINGS (BOTH LOTS)	2,281 SF	3,914 SF	4,033 SF
TOTAL OPEN SPACE (BOTH LOTS)	66,538 SF 94%	58,146 SF 82%	62,500 SF 88%

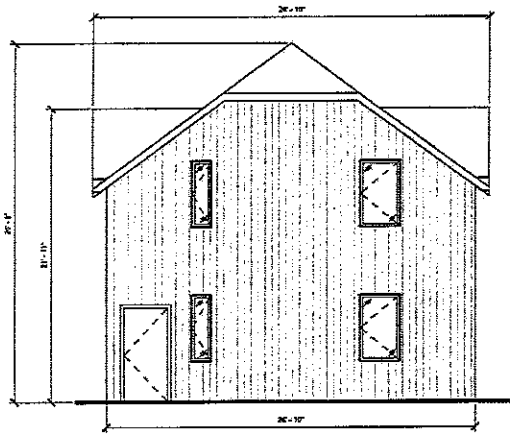
1 SITE PLAN
SCALE: 1" = 20'-0"



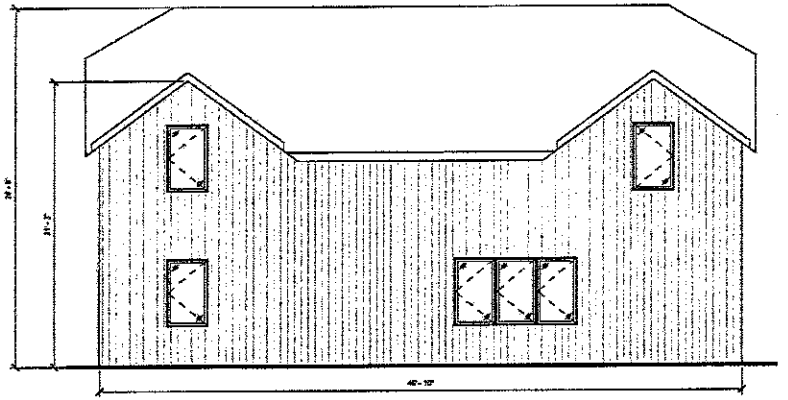
2 LEVEL 2 FLOOR PLAN
SCALE: 1/4" = 1'-0"



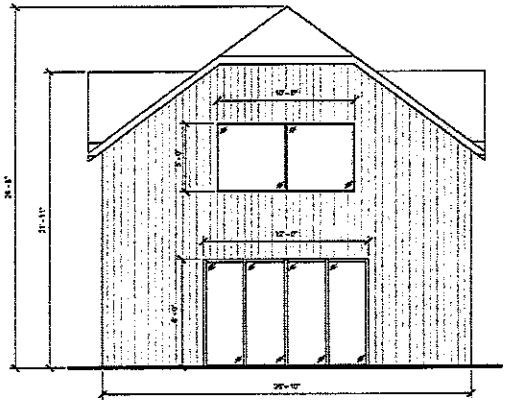
1 LEVEL 1 FLOOR PLAN
SCALE: 1/4" = 1'-0"



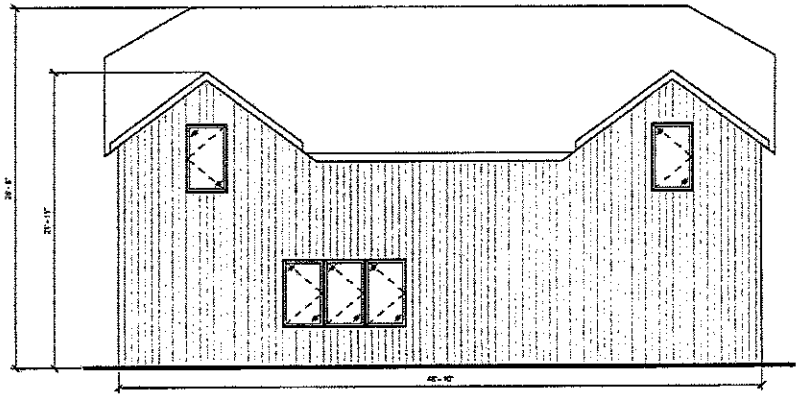
4 ELEVATION - WEST



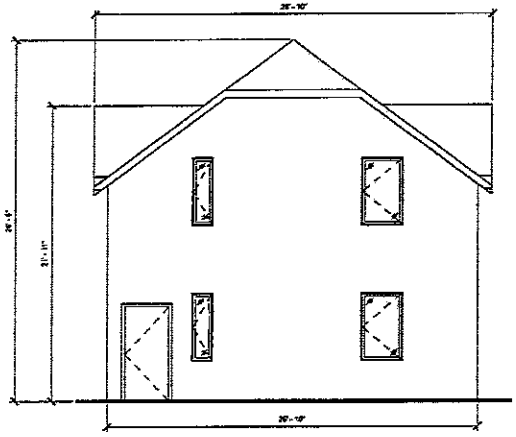
3 ELEVATION - SOUTH



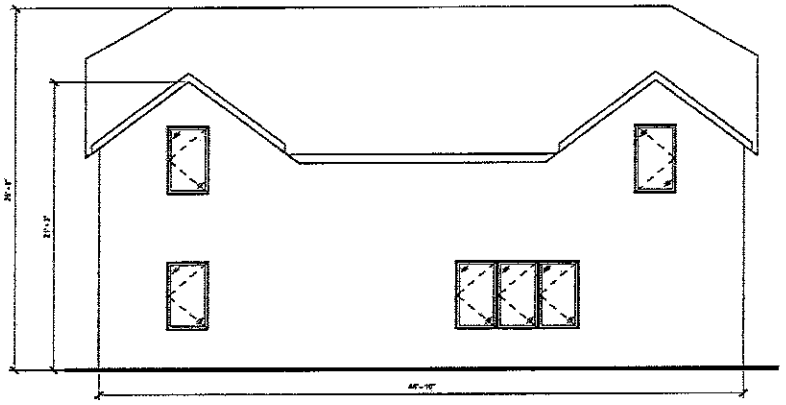
2 ELEVATION - EAST



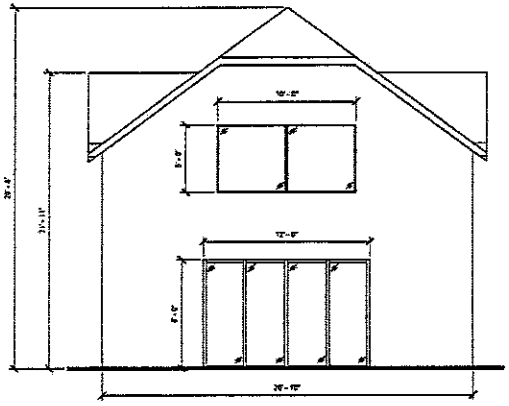
1 ELEVATION - NORTH



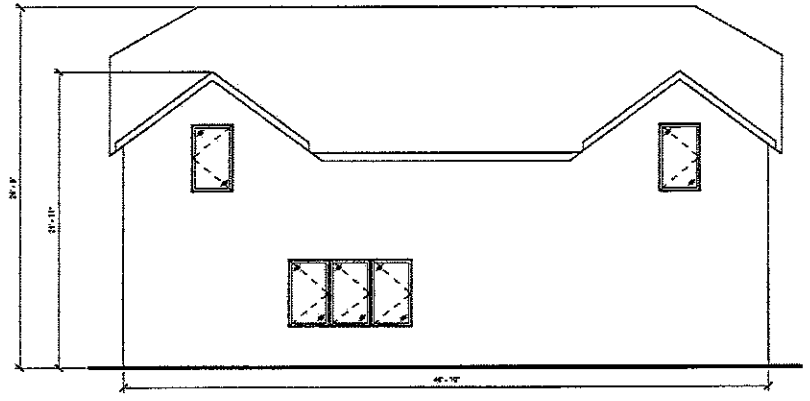
4 ELEVATION - WEST



3 ELEVATION - SOUTH



2 ELEVATION - EAST



1 ELEVATION - NORTH

Current Permitted Uses of the Mary Nohl Properties Compared with Permitted Uses Under the Cultural Overlay Proposal

Use	Today	Under the Cultural Overlay Proposal
Residency of artist-in-resident and/or caretaker.	Allowed.	Allowed.
Visits by Scholarly Research Groups of up to 4 individuals.	Allowed.	Allowed with restrictions on the number of visitors per day and time of day visits may occur. Third-party access will be limited to 3 days per calendar week and no more than 20 visitors per day. No visits prior to 9am and no visits during peak weekday evening hours (4 to 6pm).
Visits by Education Groups and School Groups.	Allowed with Special Event Permit – no limitations placed on the number of visits allowed per day or the time of day of visits.	Allowed with restrictions on the number of visitors per day and time of day visits may occur. Third-party access will be limited to 3 days per calendar week and no more than 20 visitors per day. No visits prior to 9am and no visits during peak weekday evening hours (4 to 6pm).
Special Events of up to 80 individuals.	Allowed with Special Event Permit – no limitation on the number allowed per year.	Allowed a maximum of 2 times per year with Village pre-approval required in each instance.
Parking on North Beach Drive / Beach Court.	Allowed with Special Event Permit.	Not allowed.

Analysis of Fox Point Police Department Calls near the Mary Nohl Properties

Below is an analysis of all of the calls to the Fox Point Police Department in the vicinity of the Mary Nohl properties (7328 & 7254 North Beach Drive) from 2014 to November 15, 2022.

Summary of Origin of Calls

Address	**Number of Calls**
7405 North Beach Drive	241 calls
Block of 7400 North Beach Drive	54 calls
7415 North Beach Drive	32 calls
7328 North Beach Drive	16 calls
Block of 7400	7 calls
Total Number of Calls:	350

Summary of Top Reasons for Calls

Primary Reason for Call	**Approximate Number of Calls**
Parking related complaints	300
Traffic Stops	7
Reported Open Doors at nearby properties	6
Burglar Alarm requests for assistance	5 (all appear to have been false alarms)
Welfare Checks	5
Trespassing/Suspicious Activity	5

Unauthorized Parking on Beach Drive Complaints – As noted above, the number one reason for requests for police assistance in the area are related to complaints that vehicles are parked in areas designated as "no parking" along Beach Drive. Also, the call records indicate the number one reason that people were parked in the area without authorization was related to their desire to view the lake, sunset, moon and/or stars (23 calls) in the area ***not*** to observe the Mary Nohl House or the artwork located on the Mary Nohl properties. (2 calls).

Summary of calls related to the Mary Nohl Properties – 17 total calls.

Unauthorized Parking Complaints Near Property – **6 calls**

- 2 calls relate to people observing the Mary Nohl House/artwork located on the Mary Nohl properties

- 4 calls not directly connected to the Mary Nohl properties

Burglar Alarmed Triggered – **4 calls**

- All 4 calls appear to have been false alarms

Trespassing – **3 calls**

- 3 calls related to people trespassing on the Mary Nohl properties (last call 8/11/18). Only one call were people actually located on the properties (10/24/2015).

Suspicious Activity – **2 calls**

- 1 call related to missing "No Parking Sign" near Mary Nohl properties

- 1 call related to car parked Mary Nohl properties littering

General Welfare Checks – **2 calls**

Fox Point Police Department

Roll Call Report

14-001454 **Burglar Alarm**
04/12/14 17:2205 7328 N Beach Dr;FP
Disposition **Finish**
Unit **519**
Officer **dr4772**

False alarm at Mary Nohl Property, no signs of fire or forced entry.

14-001459 **Parking Complaint**
04/12/14 21:1657 7405 N Beach Dr;FP
Disposition **Written Warning Issued**
Unit **530**
Officer **ja3050**

Individuals were out watching the storm over Lake Michigan. Individuals were advised of the no parking restrictions and informed they needed to leave.

14-001565 **Parking Complaint**
04/20/14 20:2233 7405 N Beach Dr;FP
Disposition **Written Warning Issued**
Unit **539**
Officer **jh2765**

Warned for no parkimg violation

14-001636 **Parking Complaint**
04/24/14 12:2105 7405 N Beach Dr;FP
Disposition **Finish**
Unit **501**
Officer **gl3012**

14-001639 **Burglar Alarm**
04/24/14 15:1024 7328 N Beach Dr;FP
Disposition **Finish**
Unit **535**
Officer **bb1307**

False alarm due to typing error. Dispatch notified of proper code with in seconds of the initial dipatch. Non chargeable.

14-001662 **Subject Stop for FI**
04/26/14 00:1555 7400BLK N Beach Dr;FP
Disposition **Finish**
Unit **506**
Officer **ch9917**

Vehicle was observed parked in a the 7400 block of N. Beach Dr. The driver stated he and his friend were stopped talking and unaware of the posted "no parking" sign. Driver was advised and moved his vehicle.

14-002336 **Parking Complaint**
06/07/14 19:2950 7328 N Beach Dr;FP
Disposition **Finish**
Unit **535**
Officer **bb1307**

Service van in front of address, Veh was GOA. RP refused to give name to Dispatch

14-002546 **Animal Complaints**
06/20/14 11:0826 7400 N Beach Dr;FP
Disposition **Incident Report**
Unit **503**
Officer **dd4002**

Dog at large, returned to property and subsequently cited.

14-003750 **Suspicious Activity**
09/02/14 13:4537 7405 N Beach Dr;FP
Disposition **Finish**
Unit **519**
Officer **dr4772**

Fox Point Police Department

Roll Call Report

14-003979	**Traffic Stop**	Disposition	**Citation Issued**
09/15/14 13:3512	7400BLK N Beach Dr;FP	Unit	**525**
		Officer	**cs5892**

cite uv

14-004395	**Trespassing**	Disposition	**Finish**
10/09/14 12:1543	7328 N Beach Dr;FP	Unit	**503**
		Officer	**dd4002**

GOA- Unable to locate

14-005442	**Suspicious Activity**	Disposition	**Finish**
12/22/14 00:4942	7405 N Beach Dr	Unit	**538**
		Officer	**js9460**

Report of a vehicle parked in the turnaround on Beach Dr. Vehicle was GOA.

15-000756	**Suspicious Activity**	Disposition	**Finish**
02/16/15 22:5741	7400BLK N Beach Dr	Unit	**513**
		Officer	**sg7147**

Resident reported a vehicle parked in the south turn around. Dispatch advised to cancel because vehicle left prior to squad arrival.

15-000841	**Fraud**	Disposition	**Incident Report**
02/23/15 08:4820	7415 N Beach Dr;FP	Unit	**519**
		Officer	**dr4772**

ID theft- unknown persons filed tax returns to IRS and State of Wisconsin in his name.

15-002100	**Code Violations**	Disposition	**Finish**
05/07/15 11:2040	7400BLK N Beach Dr;FP	Unit	**521**
		Officer	**do8848** **mm1249**

Warning for dog off leash.

15-002479	**Special Assignment**	Disposition	**Finish**
05/29/15 05:5221	7400BLK N Beach Dr;FP	Unit	**522**
		Officer	**ka1794** **ln4461**

foot patrol by South turn-around.

15-002968	**Suspicious Activity**	Disposition	**Finish**
06/25/15 23:5025	7405 N Beach Dr;FP	Unit	**518**
		Officer	**jh2765**

Vehicle was GOA.

15-003244	**Parking Complaint**	Disposition	**Finish**
07/10/15 21:2555	7405 N Beach Dr;FP	Unit	**520**
		Officer	**jp5735**

Fox Point Police Department

Roll Call Report

15-003326 — **Parking Complaint**
07/16/15 11:2101 — 7400BLK N Beach Dr;FP
Disposition **Finish**
Unit **503**
Officer **ka1794**

Vehicle's were parked on corner in 7400 blk of Beach Drive. Advised of no parking and subjects agreed to move on from area.

15-003777 — **Traffic Stop**
08/07/15 11:1248 — 7400BLK N Beach Dr;FP
Disposition **Citation Issued**
Unit **522**
Officer **ln4461**

Cite for OAS, 15 day cite for UV, warn for no insurance. Vehicle was removed by valid driver.

15-003859 — **Special Assignment**
08/10/15 20:4731 — 7400BLK N Beach Dr;FP
Disposition **Finish**
Unit **503**
Officer **ka1794**

Foot Patrol South end of Beach Drive

15-004532 — **Shots Fired**
09/09/15 20:5452 — 7400BLK N Beach Dr;FP
Disposition **Written Warning Issued**
Unit **503**
Officer **ka1794**

Dispatched to a report of shot fired. Determined to be fireworks going off. Advised of fireworks ordinance. Stated they would stop.

15-005283 — **Trespassing**
10/24/15 15:5344 — 7328 N Beach Dr;FP
Disposition **Written Warning Issued**
Unit **514**
Officer **ja3050**

Three juvs given warnings for trespassing. Caller didn't want them cited.

15-005757 — **Suspicious Activity**
11/24/15 00:3840 — 7405 N Beach Dr;FP
Disposition **Finish**
Unit **505**
Officer **bb1307**

Complaint of a car parked at the turn around:, while en route, the caller advised that the vehicle had left.

15-005871 — **Subject Stop for FI**
12/01/15 18:0348 — 7400BLK N Beach Dr;FP
Disposition **Finish**
Unit **505**
Officer **bb1307**

Parked at turn around, steamed windows. Advised of no parking.

16-000146 — **Parking Complaint**
01/09/16 16:0821 — 7415 N Beach Dr;FP
Disposition **Finish**
Unit **518**
Officer **jh2765**

Advised homeowner of parking ordinance and he stated he would park the cars in the driveway however a few may need to be on the road. Permission granted as the party will end at 530 PM.

16-002744 **Parking Complaint** Disposition **Finish**
06/02/16 01:1746 7400BLK N Beach Dr;FP Unit **520**
Officer **jp5735**

Verbal warning for parking. Vehicle moved.

16-004043 **Parking Complaint** Disposition **Finish**
08/07/16 01:0548 7400BLK N Beach Dr;FP Unit **520**
Officer **jp5735**

Vehicle parked in turnaround, removed by owner.

16-005374 **Parking Complaint** Disposition **Finish**
10/16/16 00:0407 7400 N Beach Dr;FP Unit **520**
Officer **jp5735**

Vehicle parked at turnaround. Unoccupied. While looking for the owner. The owner returned to the vehicle and removed it prior to my return to the turnaround.

16-006160 **Animal Complaints** Disposition **Finish**
11/22/16 14:0509 7415 N Beach Dr;FP Unit **519**
Officer **dr4772**

UTL

17-000563 **Subject Stop for FI** Disposition **Finish**
01/28/17 17:2731 7400BLK N Beach Dr;FP Unit **517**
Officer **js9460**

Subject at turn around looking at residence at 7328 N. Beach Drive. Advised of no parking and moved on.

17-001910 **Suspicious Activity** Disposition **Finish**
04/01/17 23:1826 7405 N Beach Dr;FP Unit **503**
Officer **ka1794**

FI Stop conducted on vehicle that was parked at the Beach Dr turnaround and began to leave the area. Subjects were looking for a place to pull over because the driver was crying. Passenger was warned for curfew and her parents were contacted. Driver was warned for parking violation. While out with the vehicle, dispatch advised that a caller had just reported another vehicle had just pulled into the Beach Dr. turnaround. Officer Morelli made contact with the subjects who were warned for a parking violation.

17-001969 **Open Door** Disposition **Finish**
04/04/17 02:5621 7415 N Beach Dr;FP Unit **503**
Officer **ka1794**

Observed garage door open on residence and found car door in driveway to be unlocked. Contact was made with the homeowner, who secured his possessions for the evening.

17-002017 **Parking Complaint** Disposition **Written Warning Issued**
04/05/17 20:1158 7405 N Beach Dr;FP Unit **517**
Officer **js9460**

Subject warned about parking, moved on

17-002290 **Open Door** Disposition **Finish**
04/15/17 02:1227 7415 N Beach Dr;FP Unit **513**
Officer **sg7147**

Open garage door. area checked-okay

17-003159 **Burglar Alarm** Disposition **Finish**
05/19/17 16:2639 7328 N Beach Dr;FP Unit **511**
Officer **cb4174** **jh2765**

Spoke with key holder. Confirmed testing the alarm. Non chargeable.

17-003686 **Open Door** Disposition **Finish**
06/10/17 01:2131 7415 N Beach Dr;FP Unit **513**
Officer **sg7147**

Open garage door. Area checked-okay.

17-004210 **Vacation/Business Checks** Disposition **Finish**
07/02/17 00:3405 7400 N Beach Dr;FP Unit **503**
Officer **ka1794**

Foot Patrol of drainage pipe on the South end of Beach Drive.

17-004654 **Road Hazard - PD** Disposition **Finish**
07/20/17 00:2607 7400BLK N Beach Dr;FP Unit **522**
Officer **ln4461**

Large branch removed from roadway

17-006152 **Parking Complaint** Disposition **Finish**
09/24/17 00:1536 7400BLK N Beach Dr;FP Unit **520**
Officer **jp5735**

Vehicle stopped at turn around. Advised of no parking. Vehicle removed by registered owner.

17-006578 **Traffic Stop** Disposition **Citation Issued**
10/14/17 08:4001 7400BLK N Beach Dr Unit **502**
Officer **ch9917**

15 day citation for UV.

17-006775 **Open Door** Disposition **Finish**
10/22/17 02:5308 7415 N Beach Dr;FP Unit **513**
Officer **sg7147**

Open garage door. area checked.

18-001170 **Suspicious Activity** Disposition **Written Warning Issued**
02/24/18 13:1703 7405 N Beach Dr Unit **519**
Officer **dr4772**

UWM student in turn around. Saudi Arabia DL. Verbal warning for parking.

18-001200 **Parking Complaint** Disposition **Written Warning Issued**
02/26/18 08:5824 7400 N Beach Dr;FP Unit **514**
Officer **ja3050**

Taxi driver resting after a drop off on Beach Dr. Verbal warning for parking.

18-002733 **Open Door** Disposition **Finish**
05/17/18 04:0702 7415 N Beach Dr;FP Unit **503**
Officer **ka1794**

Observed garage door of residence had been left open. Everything appeared to be in order. Crime Prevention card left on vehicle in garage.

18-002777 **Open Door** Disposition **Finish**
05/19/18 04:2850 7415 N Beach Dr Unit **515**
Officer **rm7526**

Open garage door. All appeared in order. Card left.

18-003067 **Subject Stop for FI** Disposition **Finish**
06/02/18 14:0251 7400BLK N Beach Dr Unit **517**
Officer **js9460**

Vehicle stopped in middle of south turn around point on Beach Drive. Spoke with driver who stated she forgot to take her medication and pulled over to do so. All in order. Vehicle moved on.

18-003807 **Subject Stop for FI** Disposition **Finish**
07/08/18 01:3206 7400BLK N Beach Dr Unit **515**
Officer **rm7526**

Observed two occupied vehicles in the 7400blk of Beach. Contact was made with all occupants, who were just talking. All was in order and subjects went on their way.

18-003847 **Subject Stop for FI** Disposition **Finish**
07/10/18 00:0544 7400BLK N Beach Dr Unit **522**
Officer **ln4461**

Subject verbally warned for parking violation. Subject left, all in order.

18-003967 **Subject Stop for FI** Disposition **Incident Report**
07/16/18 01:1544 7400BLK N Beach Dr Unit **522**
Officer **ln4461**

Subject was arrested for UAL, Possession of Marijuana, & Disorderly Conduct. See IR for further.

18-004066 **Parking Complaint** Disposition **Finish**
07/20/18 21:2721 7400BLK N Beach Dr Unit **518**
Officer **jh2765**

Juveniles were parked at south turn around 7400 block. Upon approach I observed both subjects in the rear of the minivan and the male quickly exited the van. Subjects were advised of no parking ordinance and parents were notified.

18-004463	**Suspicious Activity**	Disposition **Finish**
08/11/18 22:2747	7328 N Beach Dr	Unit **515**
		Officer **rm7526**

Caller reported observing flashlights near the Witch's House. Area checked, UTL.

18-004543	**Traffic Stop**	Disposition **Written Warning Issued**
08/16/18 22:0101	7328 N Beach Dr	Unit **517**
		Officer **js9460**

Vehicle parked at north Beach turn-around, warned and went on their way

18-006334	**Suspicious Activity**	Disposition **Finish**
11/07/18 22:1337	7405 N Beach Dr	Unit **518**
		Officer **jh2765**

Caller reported a vehicle in the south turnaround on beach with it lights off. Vehicle was GOA.

19-001343	**Subject Stop for FI**	Disposition **Finish**
03/23/19 23:2221	7400BLK N Beach Dr	Unit **503**
		Officer **ka1794**

Subject was FI'd and found to be star gazing. Subject agreed to move on his way for the evening.

19-001783	**Welfare Check**	Disposition **Finish**
04/15/19 14:5936	7400BLK N Beach Dr	Unit **522**
		Officer **ln4461**

Caller was taking a nap in his vehicle. Advised of village ordinance of no street parking. Subject left.

19-001861	**Traffic Control**	Disposition **Finish**
04/18/19 11:4911	7405 N Beach Dr	Unit **514**
		Officer **ja3050**

No contact made, vehicle was not in need of assistance and already had turned around and was NB on Beach Dr.

19-003116	**Parking Complaint**	Disposition **Finish**
06/22/19 22:3456	7405 N Beach Dr	Unit **511**
		Officer **cb4174**

Veh GOA. No violation observed.

19-003176	**Suspicious Activity**	Disposition **Finish**
06/24/19 23:4104	7405 N Beach Dr	Unit **503**
		Officer **ka1794**

Mutual Aid was requested from River Hills Police Department to respond to a report of a subject parked in the South turnaround of Beach Drive. Officer Cory responded and advised the vehicle was gone upon arrival.

19-003303 **Parking Complaint**
06/30/19 23:0433 7405 N Beach Dr
Disposition **Finish**
Unit **511**
Officer **cb4174**

Subjects parked looking out onto the lake. Advised no parking on Beach dr. Agreed to move along for the evening.

19-003481 **Parking Complaint**
07/07/19 22:4233 7405 N Beach Dr
Disposition **Incident Report**
Unit **522**
Officer **ln4461**

Parking complaint at turn-around. One subject arrested for POCS and possession of drug paraphernalia. See IR.

19-003722 **Parking Complaint**
07/17/19 23:2504 7405 N Beach Dr
Disposition **Finish**
Unit **511**
Officer **cb4174**

Subjects parked on Beach Dr. advised of ordinance. Agreed to move along for the evening.

19-003810 **Parking Complaint**
07/21/19 01:2911 7400BLK N Beach Dr
Disposition **Finish**
Unit **520**
Officer **jp5735**

Advised of parking ordinace.

19-003939 **Suspicious Activity**
07/27/19 22:5806 7400BLK N Beach Dr
Disposition **Finish**
Unit **503**
Officer **ka1794**

Located a "Lime" Scooter in the grass at the bottom of the Beach Hill. Company was contacted, and it was gone later in the evening. No contact with any persons.

19-004040 **Suspicious Activity**
08/02/19 21:0155 7400BLK N Beach Dr
Disposition **Finish**
Unit **505**
Officer **bb1307**

Subjects pulled over for the passenger to make a phone call, driver was leaning back in the seat and appeared to be sleeping. All was well, and they went on their way.

19-004103 **Suspicious Activity**
08/05/19 23:2530 7405 N Beach Dr
Disposition **Finish**
Unit **503**
Officer **ka1794**

Responded to South Beach turnaround for a report of a vehicle parked for an hour. Spoke with two female occupants of the vehicle, who stated they were talking. Subject were advised of parking restrictions and sent on their way for the evening.

Fox Point Police Department

Roll Call Report

19-004201 **Found Property**
08/10/19 10:0748 7400BLK N Beach Dr
Disposition **Finish**
Unit **502**
Officer **ch9917**

Flagged down by walkers, 7400 N. Beach Dr. who handed over a diabetic testing kit they had found on the side of the roadway. The items were placed into property inventory, report completed.

19-004503 **Noise Complaint**
08/23/19 22:5316 7405 N Beach Dr
Disposition **Finish**
Unit **520**
Officer **jp5735**

Caller canceled prior to arrival stating vehicles left.

19-005455 **Parking Complaint**
10/13/19 09:3919 7405 N Beach Dr
Disposition **Finish**
Unit **502**
Officer **ch9917**

NO NAME IN CALL. Vehicles were observed leaving the area upon arrival.

19-006429 **Subject Stop for FI**
12/05/19 09:0855 7400 N Beach Dr
Disposition **Finish**
Unit **517**
Officer **js9460**

Advised of no parking, subject moved on

20-000183 **Road Hazard - PD**
01/11/20 11:1607 7405 N Beach Dr
Disposition **Finish**
Unit **516**
Officer **do8848** **vw3317**

WAVES ARE REALLY CRAZY, BOULDERS ARE PULLING AWAY FROM THE GROUND AND WATER IS FILLING UP IN THE AREA ALONG BEACH.SOMEWHERE ALONG THE SOUTH BY THE BOULDERS.WATER MAY BE CRASHING UP ONTO THE ROAD.

DPW was made aware of complaint.

20-000605 **Welfare Check**
02/05/20 10:2404 7405 N Beach Dr
Disposition **Finish**
Unit **514**
Officer **ja3050**

Subject was checking emails. Advised to move due to complaint about parking.

20-001479 **Parking Complaint**
03/31/20 19:4115 7400BLK N Beach Dr
Disposition **Finish**
Unit **520**
Officer **jp5735**

Vehicle parked in turn around on beach drive. Subjects advised of no parking restriction. Vehicle moved. No names obtained.

20-002096 **Utilities**
05/17/20 11:5431 7415 N Beach Dr
Disposition **Finish**
Unit **502**
Officer **ch9917**

NO NAME IN CALL. While on patrol, I observed a large amount of water coming from the ground, adjacent to the roadway. Advised DPW of a possible water main break.

20-003206 **Noise Complaint** Disposition **Finish**
07/08/20 23:2926 7400BLK N Beach Dr Unit **513**
Officer **sg7147**

C/o vehs driving on beach dr. utl

20-004103 **Suspicious Activity** Disposition **Finish**
08/11/20 21:4317 7405 N Beach Dr Unit **522**
Officer **ln4461**

Subjects were warned and advised of No Parking. Subjects left.

20-004256 **Parking Complaint** Disposition **Finish**
08/16/20 14:5254 7405 N Beach Dr Unit **522**
Officer **ln4461**

Multiple vehicles warned/advised of Parking Ordinance. No names obtained.

20-004363 **Noise Complaint** Disposition **Finish**
08/19/20 22:2010 7405 N Beach Dr Unit **516**
Officer **vw3317**

Caller stated it sounded like there was a party in the area, prior to officers arrival caller stated kids left the area. Area checked, utl. No No Names.

20-004614 **Traffic Stop** Disposition **Written Warning Issued**
08/28/20 17:3214 7400BLK N Beach Dr Unit **515**
Officer **mk9311**

Warn uv, no parking.

20-004641 **Parking Complaint** Disposition **Finish**
08/29/20 15:1123 7405 N Beach Dr Unit **515**
Officer **mk9311**

Parking complaint south turn around. GOA.

20-004654 **Suspicious Activity** Disposition **Finish**
08/29/20 20:0621 7400BLK N Beach Dr Unit **515**
Officer **mk9311**

"blue car, caller says it is suspicious because there is a male and female having a picnic." Described contact from previous parking complaint. GOA.

20-004754 **Assist Other Agency** Disposition **Finish**
09/03/20 06:1850 7328 N Beach Dr Unit **511**
Officer **cb4174**

Poss suicidal sub Area checked UTL. MPD D6 notified.

20-004841 **Parking Complaint**
09/06/20 13:5228 7400BLK N Beach Dr
Disposition **Finish**
Unit **515**
Officer **mk9311**

Veh parked in turn around. Advised no parking. No names obtained.

20-005047 **Parking Complaint**
09/16/20 17:2037 7405 N Beach Dr
Disposition **Finish**
Unit **515**
Officer **mk9311**

CM reported several vehicles parked on side of road at south turn around. Contact with Valet company, KEEHN'S, advised party at 7240 N Beach. Event time scheduled to end at 10:00 PM. Advised to park vehicles on one side of roadway.

20-005198 **Parking Complaint**
09/23/20 10:5230 7400BLK N Beach Dr
Disposition **Written Warning Issued**
Unit **515**
Officer **mk9311**

Advised of no street parking. Vehicle moved.

20-005390 **Suspicious Activity**
10/03/20 02:5529 7405 N Beach Dr
Disposition **Incident Report**
Unit **511**
Officer **cb4174**

Caller at 7405 N Beach Dr. stated a susp veh was parked at the south turn around making noise. Driver arrested on MPD Felony warrant. See IR.

20-005651 **Parking Complaint**
10/20/20 11:2134 7400BLK N Beach Dr
Disposition **Written Warning Issued**
Unit **512**
Officer **do8848**

Warn park beach dr

20-005988 **Parking Complaint**
11/08/20 08:3716 7400BLK N Beach Dr
Disposition **Citation Issued**
Unit **517**
Officer **js9460**

Vehicle parked on Beach south turn around, cited for no parking

20-006259 **Parking Complaint**
11/28/20 15:3211 7405 N Beach Dr
Disposition **Written Warning Issued**
Unit **520**
Officer **jp5735**

Vehicles parked on west side of turn around. Verbal warning given. Vehicles moved. No names obtained.

20-006587 **Parking Complaint**
12/21/20 23:5756 7405 N Beach Dr
Disposition **Written Warning Issued**
Unit **515**
Officer **mk9311**

Veh parked in turn around, watching water to relax and get away. warned for no parking.

Fox Point Police Department

Roll Call Report

20-006691 **Burglar Alarm**
12/29/20 19:0636 7328 N Beach Dr
Disposition **Chargeable Alarm**
Unit **518**
Officer **jh2765**

Disp to BA. Upon arrival building appeared to be secured. Both gates were padlocked and officers did not observe footprints in the snow or signs that somebody was on scene. Security company advised they received proper code. Chargeable.

21-000184 **Parking Complaint**
01/12/21 17:0743 7400BLK N Beach Dr
Disposition **Finish**
Unit **520**
Officer **jp5735**

Vehicle parked in turn around. Subject advised of no parking sign. No name obtained.

21-000198 **Parking Complaint**
01/13/21 19:1437 7400BLK N Beach Dr
Disposition **Finish**
Unit **520**
Officer **jp5735**

Vehicle parked in turn around on beach dr. Obs two subjects seated in rear seat of vehicle. Subjects id verbally. Parents notified of contact. Verbal warning for parking violation.

21-000921 **Disabled Vehicle**
03/04/21 00:0818 7400BLK N Beach Dr
Disposition **Finish**
Unit **522**
Officer **ln4461**

Subjects were writing poetry. Advised of village ordinance. Subjects left.

21-000964 **Request for Police**
03/06/21 13:5403 7405 N Beach Dr
Disposition **Finish**
Unit **514**
Officer **ja3050**

Subject was advised there is no parking on Beach Dr. Subject packed up her exercise bike and left the area.

21-001057 **Subject Stop for FI**
03/13/21 01:5754 7400BLK N Beach Dr
Disposition **Finish**
Unit **522**
Officer **ln4461**

Subjects were eating pizza, all in order. Subjects were advised of village ordinance and left.

21-001482 **Request for Police**
04/08/21 12:2411 7400BLK N Beach Dr
Disposition **Finish**
Unit **510**
Officer **mw1328**

Referral made by the University School of Milwaukee Security Director of possible unwanted contact between two students, [redacted]

21-001800 **Parking Complaint**
04/26/21 22:4840 7405 N Beach Dr
Disposition **Written Warning Issued**
Unit **503**
Officer **ka1794**

Caller advised 3 cars were parked at South Beach Drive turnaround. Upon arrival contact was made with one vehicle. Warning for Parking on Roadway at Beach Turnaround South.

21-001804 **Parking Complaint**
04/27/21 06:2023 7400BLK N Beach Dr
Disposition **Written Warning Issued**
Unit **503**
Officer **ka1794**

Warning for Parking in South Beach Turnaround.

21-002210 **Driving Complaint**
05/23/21 08:4721 7328 N Beach Dr
Disposition **Finish**
Unit **517**
Officer **js9460**

Beach drive checked, vehicle gone

21-003092 **Parking Complaint**
07/12/21 22:5621 7328 N Beach Dr
Disposition **Finish**
Unit **518**
Officer **jh2765**

Juvenile subjects were parked 7300 block of N Beach Dr at the turn around directly in front of the no parking sign. I made contact with the subjects due to a noise complaint in this area. Subjects were advised of the no parking sign and I later located the source of the noise complaint 21.003091. Parents were notified.

21-003599 **Suspicious Activity**
08/08/21 22:4758 7405 N Beach Dr
Disposition **Finish**
Unit **513**
Officer **sg7147**

Subjects watching waves. warned for parking and left area.

21-003614 **Parking Complaint**
08/09/21 16:1616 7405 N Beach Dr
Disposition **Finish**
Unit **516**
Officer **vw3317**

Vehicle parked near south turn around, contact made with vehicle owner who was surfing. Vehicle owner stated he would be on his way. Advised surfing was at his own risk.

21-003888 **Suspicious Activity**
08/20/21 22:3909 7415 N Beach Dr
Disposition **Finish**
Unit **511**
Officer **cb4174**

Two subjects talking looking out at the lake. Advised of no parking on Beach and agreed to move on for the evening.

21-003910 **Subject Stop for FI**
08/22/21 01:1819 7400BLK N Beach Dr
Disposition **Finish**
Unit **522**
Officer **ln4461**

Two juveniles in back of vehicle. Contact made with parent who responded to scene and took custody of both juveniles. Parties counseled.

21-004072 **Parking Complaint** Disposition **Finish**
08/29/21 09:0316 7415 N Beach Dr Unit **512**
Officer **do8848**

WHITE FORD FUSION ON CALLERS YARD. caller xcld b/c they found the owner of veh and is moving it. No names obtained.

21-004080 **Suspicious Activity** Disposition **Finish**
08/29/21 21:0433 7415 N Beach Dr Unit **505**
Officer **bb1307**

Cllr advised that there is a old van unkn color that has been parked in the area for the past 15mins with lights on cllr is req the area checked.

Area checked, no van or veh parked anywhere. GOA/UTL. No contact.

21-004180 **Subject Stop for FI** Disposition **Verbal Warning Issued**
09/04/21 00:4934 7400BLK N Beach Dr Unit **515**
Officer **JR8159** **ln4461**

Vehicle was parked on Beach Drive 7300blk turn-around. Subjects were talking outside their vehicle. Verbal warning for Parking Vio.

21-004336 **Suspicious Activity** Disposition **Citation Issued**
09/12/21 19:0533 7328 N Beach Dr Unit **518**
Officer **jh2765**

Caller reported a silver vehicle parked in the turn around and subjects were throwing out trash. Officers observed the trash next to the passenger side of the vehicle. Driver was issued a cite for littering and advised parking was not permitted. Vehicle was removed.

21-004421 **Code Violations** Disposition **Finish**
09/16/21 22:1318 7415 N Beach Dr Unit **516**
Officer **vw3317**

Male asking female party to homecoming with candles on the beach. Resident thought there was a fire on the beach. All in order.

21-004441 **Request for Police** Disposition **Finish**
09/17/21 20:1742 7400BLK N Beach Dr Unit **505**
Officer **bb1307**

Report of people partying at the turn around, veh and people GOA.

21-004594 **Suspicious Activity** Disposition **Finish**
09/25/21 09:0155 7405 N Beach Dr Unit **515**
Officer **do8848** **JR8159**

Vehicle left before officer arrived.

21-004774 **Subject Stop for FI**
10/05/21 00:4837 7400BLK N Beach Dr
Disposition **Finish**
Unit **511**
Officer **cb4174**

Resident was stopped at the turn around, all in order.

21-004786 **Traffic Stop**
10/05/21 09:2150 7400BLK N Beach Dr
Disposition **Citation Issued**
Unit **515**
Officer **do8848** **JR8159**

15-day cite UV

21-004854 **Request for Police**
10/08/21 20:3643 7405 N Beach Dr
Disposition **Finish**
Unit **520**
Officer **jp5735**

Report of vehicles parked in turn around 7400 block of beach playing loud music. Vehicles GOA. No names obtained.

21-004918 **Parking Complaint**
10/13/21 09:1624 7400BLK N Beach Dr
Disposition **Written Warning Issued**
Unit **515**
Officer **JR8159**

Parking warning

Reference original call #21.004916

21-005082 **Noise Complaint**
10/23/21 22:3304 7415 N Beach Dr
Disposition **Finish**
Unit **515**
Officer **JR8159** **ln4461**

2 vehicles unrelated. All subjects advised of parking violation and subjects stated they would be heading home.

21-005113 **Parking Complaint**
10/26/21 19:4035 7400BLK N Beach Dr
Disposition **Finish**
Unit **515**
Officer **JR8159** **ln4461**

Vehicle was parked at the south beach road turn around. Vehicle left, no contact made. No names.

21-005229 **Noise Complaint**
11/01/21 20:2714 7415 N Beach Dr
Disposition **Finish**
Unit **520**
Officer **jp5735**

Vehicle parked playing loud music. Vehicle left prior to officer's arrival. No name obtained.

21-005305 **Utilities**
11/05/21 10:3642 7400 N Beach Dr
Disposition **Finish**
Unit **515**
Officer **ja3050** **JR8159**

Man-hole cover was ajar. DPW was notified and cover was put back in place. Resident stated vehicle was parked at turnaround at approximately 11:00 PM last night.

21-005312 **Suspicious Activity** Disposition **Finish**
11/05/21 17:5958 7400BLK N Beach Dr Unit **518**
Officer **jh2765**

Unknown caller reported two suspicious vehicles in the south turnaround. Vehicles were GOA. No contact with caller.

21-005329 **Parking Complaint** Disposition **Finish**
11/06/21 14:0634 7405 N Beach Dr Unit **502**
Officer **ch9917**

Report of vehicle parked on Beach Dr. Vehicle left upon arrival. NO NAME IN CALL.

21-005350 **Subject Stop for FI** Disposition **Incident Report**
11/07/21 20:5506 7405 N Beach Dr Unit **505**
Officer **bb1307**

Vehicle parked, facing a No Parking sign on the south turn around of Beach Dr. Female party arrested for Poss THC. booked, cited, released. See IR.

21-005615 **Welfare Check** Disposition **Finish**
11/24/21 07:5215 7328 N Beach Dr Unit **514**
Officer **ja3050**

21-005626 **Driving Complaint** Disposition **Finish**
11/24/21 18:1137 7415 N Beach Dr Unit **518**
Officer **jh2765**

Unknown caller reported vehicles drag racing. Area checked GOA, no contact with the caller.

21-005699 **Subject Stop for FI** Disposition **Finish**
11/29/21 02:3002 7400BLK N Beach Dr Unit **522**
Officer **ln4461**

Subjects were talking. Juveniles were warned of parking and curfew. Parents advised.

21-005745 **Parking Complaint** Disposition **Finish**
12/02/21 21:0312 7400 N Beach Dr Unit **518**
Officer **jh2765**

Subjects parked their vehicle to go for a walk. Subjects were advised of no parking sign and they agreed to leave.

21-005833 **Request for Police** Disposition **Finish**
12/08/21 20:3756 7328 N Beach Dr Unit **520**
Officer **jp5735**

Missing no parking sign 7400 blk Beach Dr. DPW notified. No name obtained.

Fox Point Police Department

Roll Call Report

21-005838	**Suspicious Activity**	Disposition **Finish**
12/09/21 00:2241	7415 N Beach Dr	Unit **511**
		Officer **cb4174**

Caller reported a vehicle parked in turn around. Vehicle GOA. No Names.

21-005867	**Driving Complaint**	Disposition **Finish**
12/10/21 15:2218	7415 N Beach Dr	Unit **504**
		Officer **mm1249**

Caller reported two cars doing doughnuts in the area, caller then stated on the phone she believed they were possibly casing the area. Located the vehicles and made contact with the subjects. Advised of the complaint.

21-005889	**Parking Complaint**	Disposition **Finish**
12/11/21 17:0516	7405 N Beach Dr	Unit **518**
		Officer **jh2765**

Subjects were watching the sunset and talking. Advised to leave and they did.

21-006082	**Suspicious Activity**	Disposition **Finish**
12/21/21 22:0423	7400BLK N Beach Dr	Unit **520**
		Officer **jp5735**

Vehicle parked in turn around. Vehicle left as officer arrived. No contact made as violation was resolved. no names

21-006165	**Parking Complaint**	Disposition **Finish**
12/27/21 18:5625	7400BLK N Beach Dr	Unit
		Officer

Refer Attachments.

22-000005	**Parking Complaint**	Disposition **Finish**
01/01/22 09:5042	7405 N Beach Dr	Unit **512**
		Officer **do8848**

Caller advised of a veh parked in turn around. 512 made contact and veh left.

22-000027	**Suspicious Activity**	Disposition **Finish**
01/02/22 21:3119	7405 N Beach Dr	Unit **516**
		Officer **vw3317**

Vehicle in turn around, plate obtained while leaving area, area checked, all appeared in order. No Names

22-000028	**Suspicious Activity**	Disposition **Finish**
01/02/22 23:2913	7405 N Beach Dr	Unit **511**
		Officer **cb4174**

Vehicle GOA.

Fox Point Police Department

Roll Call Report

22-000081 **Suspicious Activity**
01/06/22 21:3635 7415 N Beach Dr
Disposition **Finish**
Unit **518**
Officer **jh2765**

Vehicle was GOA. Spoke with the caller per his request.

22-000112 **Suspicious Activity**
01/08/22 23:1615 7415 N Beach Dr
Disposition **Written Warning Issued**
Unit **513**
Officer **sg7147**

Warned for parking.

22-000171 **Parking Complaint**
01/13/22 15:0343 7405 N Beach Dr
Disposition **Finish**
Unit **520**
Officer **jp5735**

Vehicle GOA. no names obtained.

22-000188 **Parking Complaint**
01/14/22 23:0628 7415 N Beach Dr
Disposition **Finish**
Unit **522**
Officer **ln4461**

Subjects were talking. Warned of parking and curfew.

22-000211 **Suspicious Activity**
01/17/22 05:4251 7415 N Beach Dr
Disposition **Written Warning Issued**
Unit **513**
Officer **sg7147**

Warn for parking

22-000266 **Parking Complaint**
01/20/22 16:4212 7415 N Beach Dr
Disposition **Finish**
Unit **522**
Officer **ln4461**

Report of vehicles parked in turn-around. Vehicles gone upon officer arrival. No names.

22-000385 **Suspicious Activity**
01/28/22 23:0756 7405 N Beach Dr
Disposition **Finish**
Unit **511**
Officer **cb4174**

Subjects left beach turn around before arrival. No names obtained.

22-000414 **Welfare Check**
01/30/22 14:5426 7405 N Beach Dr
Disposition **Finish**
Unit **520**
Officer **jp5735**

Area checked. GOA. no names obtained.

22-000416 **Suspicious Activity**
01/30/22 17:1342 7415 N Beach Dr
Disposition **Finish**
Unit **520**
Officer **jp5735**

Vehicle stopped at turn around. Determined to be Bayside resident who had dropped daughter off at residence on Beach Drive.

22-000458 **Parking Complaint** Disposition **Citation Issued**
02/03/22 08:4452 7405 N Beach Dr Unit **514**
Officer **ja3050**

Citation issued for parking on the roadway. CN was stopping by the last place she took her dog which passed away recently.

22-000514 **Parking Complaint** Disposition **Finish**
02/07/22 18:5943 7405 N Beach Dr Unit **516**
Officer **vw3317**

Caller stated red car parked at south turn around on beach drive. Contact made all in order, driver identified, and verbally warned for parking.

22-000586 **Suspicious Activity** Disposition **Finish**
02/11/22 20:4750 7405 N Beach Dr Unit **518**
Officer **jh2765**

Caller reported a suspicious vehicle in the turnaround. Veh was GOA and no contact made with the caller.

22-000694 **Parking Complaint** Disposition **Finish**
02/19/22 17:1132 7405 N Beach Dr Unit **520**
Officer **jp5735**

Vehicles goa. no names obtained

22-000715 **Suspicious Activity** Disposition **Finish**
02/20/22 19:4314 7405 N Beach Dr Unit **518**
Officer **jh2765**

Caller at 7415 reported suspicious veh in the turn around. Made contact with 16 yo resident who stated she was "getting some air." Subject's father arrived in a second vehicle and spoke with her before driving away. NO action.

22-000814 **Parking Complaint** Disposition **Finish**
02/27/22 14:0910 7405 N Beach Dr Unit **517**
Officer **js9460**

Vehicles moved on, no names

22-000817 **Suspicious Activity** Disposition **Finish**
02/27/22 20:4901 7405 N Beach Dr Unit **520**
Officer **jp5735**

Vehicle parked in turn around no parking zone. Advised of parking restriction. Name obtained.

22-000830 **Parking Complaint** Disposition **Finish**
02/28/22 18:4239 7405 N Beach Dr Unit **520**
Officer **jp5735**

Vehicle left upon officer's arrival. No names obtained.

22-000861 **Parking Complaint** Disposition **Finish**
03/02/22 18:4135 7405 N Beach Dr Unit **518**
Officer **jh2765**

Caller reporting a vehicle in the turnaround. No vehicles observed on Beach Drive or the turnaround. No contact made with the caller.

22-000923 **Parking Complaint** Disposition **Finish**
03/06/22 18:1544 7405 N Beach Dr Unit **516**
Officer **vw3317**

Caller stated vehicle parked at south turn around, vehicle not parked there upon arrival, no names

22-000931 **Parking Complaint** Disposition **Citation Issued**
03/07/22 07:0108 7405 N Beach Dr Unit **517**
Officer **js9460**

Parking citation issued to driver.

22-000944 **Parking Complaint** Disposition **Finish**
03/08/22 11:0357 7405 N Beach Dr Unit **517**
Officer **js9460**

vehicle gone prior to arrival, no names

22-000948 **Parking Complaint** Disposition **Finish**
03/08/22 14:2614 7415 N Beach Dr Unit **517**
Officer **js9460**

Subject had permit to park and was parked legally. Complainant was contacted and advised subject had permit. Complainant was upset subject was near his residence after he approached subject.

22-000955 **Parking Complaint** Disposition **Finish**
03/08/22 22:0226 7405 N Beach Dr Unit **520**
Officer **jp5735**

GOA. no name obtained.

22-001048 **Parking Complaint** Disposition **Finish**
03/14/22 19:5710 7405 N Beach Dr Unit **516**
Officer **vw3317**

Vehicle parked in no parking turn around, contact made and driver advised of no parking and left the area.

22-001083 **Parking Complaint** Disposition **Finish**
03/16/22 19:3502 7405 N Beach Dr Unit **520**
Officer **jp5735**

Vehicle GOA

22-001099 **Parking Complaint** Disposition **Finish**
03/17/22 12:1959 7405 N Beach Dr Unit **517**
Officer **js9460**

Vehicles moving on, advised of permit process, no names

22-001129 **Parking Complaint** Disposition **Verbal Warning Issued**
03/19/22 18:4133 7405 N Beach Dr Unit **513**
Officer **sg7147**

Sub prkd at turn around. on beach. warned for parking.

22-001142 **Parking Complaint** Disposition **Finish**
03/20/22 12:3041 7415 N Beach Dr Unit **516**
Officer **vw3317**

Caller stated a vehicle was parked in front of her home, near south turn around, vehicle ULT, all in order.

22-001231 **Parking Complaint** Disposition **Finish**
03/27/22 18:2953 7405 N Beach Dr Unit **520**
Officer **jp5735**

Vehicle left upon officer's arrival. no contact. no name obtained

22-001232 **Parking Complaint** Disposition **Finish**
03/27/22 20:4344 7405 N Beach Dr Unit **520**
Officer **jp5735**

Vehicles GOA. no names obtained.

22-001243 **Parking Complaint** Disposition **Finish**
03/28/22 20:5033 7405 N Beach Dr Unit **518**
Officer **jh2765**

Veh GOA

22-001275 **Parking Complaint** Disposition **Finish**
03/30/22 16:3724 7405 N Beach Dr Unit **518**
Officer **jh2765**

Caller reporting car in turn around for 30 min. Made contact with single occupant, who advised she was on a "therapy call" and a resident of the village, residing on Barnett Ln. Informed her of no parking sign and she said she did not see it but will move. Attempted to get a 28 but it was unreadable, so no name obtained.

Fox Point Police Department

Roll Call Report

22-001304 **Parking Complaint** Disposition **Finish**
04/01/22 16:2206 7405 N Beach Dr Unit **505**
Officer **bb1307**

Report of 2 vehicles in the turnaround. Obs 2 vehicles, one occupied x2, one not. Occupied vehicle appeared to be an older couple viewing the lake, and drove away after turning squad around. Blk VW SUV unoccupied, registered to a FP resident, unable able to locate driver, vehicle was not obstructing the flow of traffic. No action, no names obtained.

22-001333 **Parking Complaint** Disposition **Finish**
04/03/22 20:3348 7405 N Beach Dr Unit **520**
Officer **jp5735**

Vehicle GOA. no name obtained

22-001348 **Parking Complaint** Disposition **Finish**
04/04/22 14:2247 7405 N Beach Dr Unit **512**
Officer **do8848**

2 SUVS IN BUS TURN couple, on their 8th anniversary, reading the bible. Advised. No names.

22-001357 **Parking Complaint** Disposition **Finish**
04/05/22 06:4730 7405 N Beach Dr Unit **516**
Officer **vw3317**

Vehicle parked at turn around, vehicle left upon arrival, no contact, no names.

22-001410 **Parking Complaint** Disposition **Finish**
04/08/22 21:4601 7405 N Beach Dr Unit **518**
Officer **jh2765**

Veh GOA. No names obtained.

22-001428 **Parking Complaint** Disposition **Finish**
04/09/22 22:0002 7405 N Beach Dr Unit **518**
Officer **jh2765**

Veh GOA

22-001429 **Parking Complaint** Disposition **Finish**
04/10/22 02:5016 7405 N Beach Dr Unit **513**
Officer **sg7147**

Warned for parking

22-001442 **Parking Complaint** Disposition **Finish**
04/10/22 19:0337 7405 N Beach Dr Unit **505**
Officer **bb1307**

Report of a red Acura parked. Call had to be pended due to a family trouble call. Responded to area after previous call, no vehicle observed parked on any Village roadway.

22-001478 **Parking Complaint** Disposition **Finish**
04/12/22 18:2502 7405 N Beach Dr Unit **516**
Officer **vw3317**

Vehicle parked in south turn around, upon arrival vehicle drove away, no contact, ALL WAS IN ORDER. no names

22-001510 **Parking Complaint** Disposition **Finish**
04/14/22 13:5508 7405 N Beach Dr Unit **516**
Officer **vw3317**

Vehicles possibly working with DPW parked at south turn around, vehicle of concern left shortly after arrival, no names

22-001545 **Parking Complaint** Disposition **Finish**
04/16/22 08:0129 7405 N Beach Dr Unit **514**
Officer **ja3050**

Gone prior to arrival.

22-001602 **Parking Complaint** Disposition **Finish**
04/19/22 21:2823 7405 N Beach Dr Unit **516**
Officer **vw3317**

Caller stated Nissan SUV in south turn around, upon arrival no vehicle located, No Names, ALL WAS IN ORDER

22-001626 **Driving Complaint** Disposition **Finish**
04/21/22 13:3817 7405 N Beach Dr Unit **517**
Officer **js9460**

Elderly subjects parked vehicles on beach rd to take quick photograph. No drag racing took place. Subjects left area after photo. No names.

22-001650 **Parking Complaint** Disposition **Finish**
04/22/22 22:5541 7405 N Beach Dr Unit **522**
Officer **ln4461**

Report of a vehicle parked in the turn-around. Area checked, vehicle GOA.

22-001676 **Welfare Check** Disposition **Finish**
04/24/22 10:1940 7400BLK N Beach Dr Unit **514**
Officer **ja3050**

CN was taking a nap while his child was at religious school at Congregation Shalom. CN was advised to move elsewhere due to parking in a No Parking area.

22-001700 **Parking Complaint** Disposition **Finish**
04/25/22 22:1555 7405 N Beach Dr Unit **518**
Officer **jh2765**

Area checked GOA

Fox Point Police Department

Roll Call Report

22-001715	**Parking Complaint**	Disposition **Finish**
04/26/22 18:1738	7405 N Beach Dr	Unit **518**
		Officer **jh2765**

Subjects advised to move and they did

22-001762	**Parking Complaint**	Disposition **Finish**
04/29/22 22:2315	7405 N Beach Dr	Unit **516**
		Officer **vw3317**

NO CAR, UTL

22-001772	**Parking Complaint**	Disposition **Finish**
04/30/22 20:1923	7405 N Beach Dr	Unit **516**
		Officer **vw3317**

Couple Stopped, not parked, not in the way of flow of traffic, taking a video of the waves, advised they were leaving after video. NO Names.

22-001781	**Parking Complaint**	Disposition **Finish**
05/01/22 08:5037	7405 N Beach Dr	Unit **512**
		Officer **do8848**

UTL. No names

22-001782	**Parking Complaint**	Disposition **Finish**
05/01/22 19:3921	7405 N Beach Dr	Unit **505**
		Officer **bb1307**

Report of a vehicle parked in the "no parking zone." No vehicle present upon arrival. (3rd call of this in the past 24hrs / 47th of the year)

22-001818	**Parking Complaint**	Disposition **Finish**
05/04/22 07:2309	7405 N Beach Dr	Unit **514**
		Officer **ja3050**

No cars upon arrival.

22-001845	**Parking Complaint**	Disposition **Finish**
05/05/22 20:2041	7405 N Beach Dr	Unit **513**
		Officer **sg7147**

Goa

22-001851	**Parking Complaint**	Disposition **Finish**
05/06/22 18:3930	7405 N Beach Dr	Unit **516**
		Officer **vw3317**

Vehicle parked on south side of beach drive, vehicle left upon arrival, All in order, no names.

22-001858	**Parking Complaint**	Disposition **Finish**
05/06/22 21:5704	7405 N Beach Dr	Unit **516**
		Officer **vw3317**

4 guys on bikes taking a break from there ride at south beach turn around, vehicle also stopped there looking at water, all in order, No Names

22-001869 **Parking Complaint** Disposition **Finish**
05/07/22 17:1913 7405 N Beach Dr Unit **516**
Officer **vw3317**

Vehicle parked in south turn around on beach dr, upon arrival vehicle left, not in the way of traffic, no names

22-001875 **Parking Complaint** Disposition **Finish**
05/07/22 22:4453 7405 N Beach Dr Unit **504**
Officer **mm1249**

Complaint of vehicle parked with its lights on in the turn around. Vehicle left upon my arrival. No name.

22-001891 **Parking Complaint** Disposition **Finish**
05/08/22 14:5242 7405 N Beach Dr Unit **516**
Officer **vw3317**

Caller stated vehicle was parked at south turn around on beach dr. No vehicle there upon arrival, No Names.

22-001895 **Parking Complaint** Disposition **Finish**
05/08/22 20:5927 7405 N Beach Dr Unit **516**
Officer **vw3317**

Caller stated sedan parked on south side of beach dr flashing lights into his window, upon arrival officer observed a peaceful empty road with a great lake view! No car, No flashing lights, No Names.

22-001907 **Parking Complaint** Disposition **Finish**
05/09/22 13:0249 7405 N Beach Dr Unit **517**
Officer **js9460**

No cars at turn around, no names

22-001928 **Parking Complaint** Disposition **Finish**
05/10/22 19:4447 7405 N Beach Dr Unit **505**
Officer **bb1307**

Complainant reported of a red Acura in the turn around, that had been parked for an hour. No vehicle present upon inspection. (57th CFS this year / 12th for the month of May, reported by complainant)

22-001929 **Parking Complaint** Disposition **Finish**
05/10/22 20:5238 7405 N Beach Dr Unit **505**
Officer **bb1307**

Complainant reported of a sedan parked in the turn around. Upon inspection, there was a Dodge Challenger(coupe)occupied and stopped. Contact made with the driver who advised they were going to order some food and was holding his phone. Driver was made aware of the parking regulations and shown the posted sign, which was above his roof line which he could not see. Driver advised that if he going to be using his phone, it is preferable and safer to do so while parked/stopped. Driver understood. No names obtained. (58th CFS this year / 13th for the month of May / 2nd of the day; reported by complainants at 7415 N. Beach Dr.)

22-001947 **Parking Complaint** Disposition **Finish**
05/11/22 17:5748 7405 N Beach Dr Unit **505**
Officer **bb1307**

Report of a blue sedan parked in the turn around. No such vehicle, or any vehicle, present upon arrival. (59th CFS this year / 14th for the month of May / 3rd time in the previous 24 hours; reported by complainants at 7415 N. Beach Dr.)

22-001970 **Parking Complaint** Disposition **Finish**
05/13/22 06:0437 7405 N Beach Dr Unit **513**
Officer **sg7147**

Veh left prior to arrival

22-001984 **Parking Complaint** Disposition **Finish**
05/13/22 23:0618 7405 N Beach Dr Unit **503**
Officer **ka1794**

Responded to a report of a vehicle parked in the South Beach turnaround. Upon arrival I did not observe any vehicles.

22-002007 **Parking Complaint** Disposition **Finish**
05/14/22 22:3040 7405 N Beach Dr Unit **518**
Officer **jh2765**

2 MSOE students viewing the moon through a telescope. Advised not to park in the turn around. No name obtained.

22-002022 **Parking Complaint** Disposition **Finish**
05/15/22 20:5505 7405 N Beach Dr Unit **505**
Officer **bb1307**

Report of a SUV parked in the turn around, with a person on the beach. No such vehicle, or any vehicle, present upon arrival. (63rd CFS this year / 18th for the month of May / 2nd time in the previous 24 hours; reported by complainants at 7415 N. Beach Dr.)

22-002026 **Parking Complaint** Disposition **Finish**
05/15/22 21:4543 7405 N Beach Dr Unit **505**
Officer **bb1307**

Report of a vehicles parked in the turn around, with a people on the beach.
Upon arrival there were 2 vehicles parked, one containing younger individuals and another with older individuals. Both parties advised they were observing the Solar eclipse. The older couple, residents of East Dean Road, were eclipse enthusiasts and were given permission to remain until the total lunar eclipse. The other vehicle was advised to park on Beach court; however, they left the area. (64th CFS this year / 19th for the month of May / 3nd time in the previous 24 hours, 2nd time in 50 minutes; reported by complainants at 7415 N. Beach Dr.)

22-002043 **Parking Complaint**
05/16/22 19:5935 7405 N Beach Dr
Disposition **Finish**
Unit **516**
Officer **vw3317**

Caller stated a white toyota and a black bmw were parked at the turn around and be believed it was a drug deal due to the vehicles circling the area, talking, and then exchanging something. Caller stated the white toyota had been in the area since 6:30 PM. Caller stated he thinks it was a drug deal because he use to see them frequently in the Chicago area. Vehicles were not there upon arrival and north end of beach dr was checked. UTL

22-002046 **Parking Complaint**
05/16/22 22:0851 7405 N Beach Dr
Disposition **Finish**
Unit **516**
Officer **vw3317**

Multiple cars stopped on the south end of beach dr, taking pictures of the moon, upon officers arrival vehicles started leaving. All in order, No Names

22-002129 **Suspicious Activity**
05/21/22 23:4754 7405 N Beach Dr
Disposition **Finish**
Unit **513**
Officer **sg7147**

veh left prior to arrival.

22-002141 **Parking Complaint**
05/22/22 15:1041 7405 N Beach Dr
Disposition **Finish**
Unit **518**
Officer **jh2765**

Area checked, veh goa and was not observed leaving the area on beach drive to lake drive.

22-002165 **Parking Complaint**
05/23/22 22:0929 7405 N Beach Dr
Disposition **Finish**
Unit **518**
Officer **jh2765**

Veh GOA, did not observe a sports car leaving the area upon my arrival.

22-002186 **Parking Complaint**
05/25/22 16:1015 7405 N Beach Dr
Disposition **Citation Issued**
Unit **504**
Officer **mm1249**

Caller reported a vehicle parked in the no parking zone, upon arrival I observed a vehicle parked partially in the roadway on Beach Drive. Contact was made with the occupants who were taking photographs in the area. From outside of the vehicle, I could smell an odor of marijuana emitting from within, and observed a green leafy substance throughout the floorboards/ front of the vehicle. I also observed an open alcohol container, and a few empty bottles in the vehicle. Probable cause was conducted, and owner of the vehicle was issued a citation for Possess Open Intoxicants in MV. All occupants had appeared to be drinking, and were advised not to drive and contact someone to remove the vehicle.

22-002187 **Parking Complaint** Disposition **Finish**
05/25/22 20:4306 7405 N Beach Dr Unit **505**
Officer **bb1307**

Veh parked, spotlight shined on no parking sign, vehicle backed up and drove off. no contact.

22-002211 **Parking Complaint** Disposition **Finish**
05/27/22 14:5429 7405 N Beach Dr Unit **520**
Officer **jp5735**

Vehicles GOA. no names obtained

22-002214 **Parking Complaint** Disposition **Finish**
05/27/22 18:4549 7405 N Beach Dr Unit **520**
Officer **jp5735**

Vehicle moved.

22-002257 **Parking Complaint** Disposition **Finish**
05/29/22 21:2351 7405 N Beach Dr Unit **520**
Officer **jp5735**

Vehicle was observed driving from away prior to officer's arrival. No names obtained.

22-002261 **Parking Complaint** Disposition **Finish**
05/29/22 23:3057 7405 N Beach Dr Unit **503**
Officer **ka1794**

Responded to a report of a vehicle parked in the south turn-a-round. Contact was made with 2 subjects who agreed to move along for the evening.

22-002274 **Burglar Alarm** Disposition **Chargeable Alarm**
05/30/22 17:4806 7415 N Beach Dr Unit **518**
Officer **jh2765**

Residence checked, found secured. Chargeable.

22-002280 **Parking Complaint** Disposition **Finish**
05/30/22 20:5551 7405 N Beach Dr Unit **518**
Officer **jh2765**

Two vehicles in the turn around, left on my arrival.

Fox Point Police Department

Roll Call Report

22-002287 **Parking Complaint**
05/30/22 22:4250 7405 N Beach Dr
Disposition **Written Warning Issued**
Unit **513**
Officer **sg7147**

Warn for parking.

22-002303 **Parking Complaint**
06/01/22 00:5115 7405 N Beach Dr
Disposition **Finish**
Unit **513**
Officer **sg7147**

Veh goa

22-002328 **Parking Complaint**
06/01/22 21:1847 7405 N Beach Dr
Disposition **Finish**
Unit **518**
Officer **jh2765**

Vehicle left upon my arrival. No contact

22-002336 **Parking Complaint**
06/02/22 06:4613 7405 N Beach Dr
Disposition **Finish**
Unit **512**
Officer **do8848**

GOA. No names.

22-002374 **Parking Complaint**
06/03/22 22:2742 7405 N Beach Dr
Disposition **Finish**
Unit **516**
Officer **vw3317**

Report of parked vehicle, UTL.

22-002376 **Suspicious Activity**
06/03/22 23:2420 7415 N Beach Dr
Disposition **Finish**
Unit **513**
Officer **sg7147**

Cm said a car pulled into his driveway, then backed out and drove away. utl

22-002438 **Parking Complaint**
06/07/22 22:3608 7405 N Beach Dr
Disposition **Finish**
Unit **522**
Officer **ln4461**

Parking complaint, vehicle GOA.

22-002459 **Parking Complaint**
06/08/22 21:3631 7405 N Beach Dr
Disposition **Finish**
Unit **520**
Officer **jp5735**

No vehicle parked at time of officer's arrival. No name obtained.

22-002494 **Parking Complaint**
06/10/22 21:2428 7405 N Beach Dr
Disposition **Finish**
Unit **518**
Officer **jh2765**

Vehicle left upon my arrival

22-002497 **Parking Complaint** Disposition **Finish**
06/10/22 22:4319 7405 N Beach Dr Unit **513**
Officer **sg7147**

Veh goa

22-002511 **Suspicious Activity** Disposition **Cancelled**
06/11/22 21:5636 7405 N Beach Dr Unit
Officer

Black Mazda Sedan - ANF6134 caller will come in later to file report.

call cancelled

22-002531 **Parking Complaint** Disposition **Finish**
06/12/22 22:0424 7405 N Beach Dr Unit **518**
Officer **jh2765**

Contact made driver was advised of no parking sign. Driver advised she would leave.

22-002532 **Parking Complaint** Disposition **Finish**
06/12/22 23:2718 7405 N Beach Dr Unit **511**
Officer **cb4174**

Vehicle parked in turn around. Agreed to move on for the night.

22-002570 **Parking Complaint** Disposition **Finish**
06/14/22 18:2125 7405 N Beach Dr Unit **516**
Officer **vw3317**

Vehicle parked in no parking area, vehicle moved upon officers arrival, no names

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22-002575 **Parking Complaint** Disposition **Finish**
06/14/22 23:0223 7405 N Beach Dr Unit **522**
Officer **ln4461**

Subjects were looking at the moon. Subjects were advised of parking restrictions and left the area.

22-002592 **Parking Complaint** Disposition **Finish**
06/15/22 16:4107 7405 N Beach Dr Unit **520**
Officer **jp5735**

Vehicle moved. no names obtained

22-002601 **Parking Complaint** Disposition **Finish**
06/15/22 22:4705 7405 N Beach Dr Unit **522**
Officer **ln4461**

Vehicle GOA.

22-002602 **Parking Complaint** Disposition **Cancelled**
06/15/22 23:2521 7405 N Beach Dr Unit
Officer

Vehicle left prior to officers being dispatched.

22-002660 **Parking Complaint** Disposition **Finish**
06/18/22 21:4534 7405 N Beach Dr Unit **504**
Officer **mm1249**

Subject parked in turn around, stated they wanted to look at the lake. Subject moved out of the no parking area.

22-002703 **Parking Complaint** Disposition **Finish**
06/20/22 19:4853 7405 N Beach Dr Unit **516**
Officer **vw3317**

Car parked in south turn around on phone. Advised of no parking and other parking options, car moved, all in order, no names

22-002709 **Parking Complaint** Disposition **Finish**
06/20/22 23:2535 7405 N Beach Dr Unit **511**
Officer **cb4174**

Subjects just talking, agreed to move along for the evening.

22-002726 **Parking Complaint** Disposition **Finish**
06/21/22 21:2231 7405 N Beach Dr Unit **516**
Officer **vw3317**

Vehicle parked in no parking zone. Vehicle left upon arrival. No Names

22-002728 **Traffic Stop** Disposition **Written Warning Issued**
06/21/22 22:0529 7400BLK N Beach Dr Unit **516**
Officer **vw3317**

warn foss

22-002729 **Parking Complaint** Disposition **Finish**
06/22/22 00:1927 7405 N Beach Dr Unit **511**
Officer **cb4174**

Subjects sitting on beach looking at the stars. Agreed to leave.

22-002771 **Parking Complaint** Disposition **Finish**
06/23/22 10:1558 7405 N Beach Dr Unit **517**
Officer **js9460**

Subject advised of permit process, will remove vehicle, no names

22-002785 **Parking Complaint** Disposition **Finish**
06/23/22 22:2213 7405 N Beach Dr Unit **520**
Officer **jp5735**

Vehicle moved upon officer's arrival. no name obtained

22-002797 **Parking Complaint** Disposition **Finish**
06/24/22 22:2612 7405 N Beach Dr Unit **520**
Officer **jp5735**

Motorcyclist attempting to fix issue with motor. Stated issued would be resolved soon. No name obtained.

22-002836 **Parking Complaint** Disposition **Finish**
06/26/22 12:4401 7405 N Beach Dr Unit **504**
Officer **mm1249**

Report of vehicle parked in the turnaround. No vehicle parked in area. No name.

22-002841 **Parking Complaint** Disposition **Finish**
06/26/22 20:4549 7405 N Beach Dr Unit **518**
Officer **jh2765**

Vehs GOA

22-002855 **Parking Complaint** Disposition **Finish**
06/27/22 16:0832 7405 N Beach Dr Unit **520**
Officer **jp5735**

Vehicles moved. no names obtained

22-002859 **Parking Complaint** Disposition **Finish**
06/27/22 19:3003 7405 N Beach Dr Unit **518**
Officer **jh2765**

2 cars on scene. Advised of no parking. No names obtained.

22-002862 **Parking Complaint** Disposition **Finish**
06/27/22 22:0235 7405 N Beach Dr Unit **518**
Officer **jh2765**

Area checked. No vehicle observed. No names obtained.

22-002879 **Parking Complaint** Disposition **Finish**
06/28/22 21:4725 7405 N Beach Dr Unit **520**
Officer **jp5735**

Vehicle moved. no name obtained

22-002894 **Parking Complaint** Disposition **Finish**
06/29/22 20:2428 7405 N Beach Dr Unit **516**
Officer **vw3317**

3 vehicles parked at south turn around on Beach Drive, occupants advised of other parking options. All in order, no names

22-002917 **Parking Complaint** Disposition **Finish**
06/30/22 22:3545 7405 N Beach Dr Unit **511**
Officer **cb4174**

Subjects looking at the lake. agreed to move along for the night.

22-002961 **Parking Complaint** Disposition **Finish**
07/02/22 21:3140 7405 N Beach Dr Unit **520**
Officer **jp5735**

Vehicle moved. no name obtained.

22-002962 **Parking Complaint** Disposition **Finish**
07/02/22 22:0654 7405 N Beach Dr Unit **520**
Officer **jp5735**

Vehicle GOA. no names obtained

22-002981 **Parking Complaint** Disposition **Finish**
07/03/22 23:2715 7405 N Beach Dr Unit **503**
Officer **ka1794**

Responded to a report of a parking complaint. No vehicles were present upon arrival.

22-003011 **Parking Complaint** Disposition **Finish**
07/05/22 19:4910 7405 N Beach Dr Unit **520**
Officer **jp5735**

GOA. no name

22-003054 **Parking Complaint** Disposition **Finish**
07/07/22 20:3316 7405 N Beach Dr Unit **518**
Officer **jh2765**

SUV left upon arrival. Silver volvo with TN plates pulled in and parked. Driver explained she is from out of state visiting her family and wanted to see the lake. Advised them to take their time. No names obtained.

22-003055 **Parking Complaint** Disposition **Finish**
07/07/22 21:1853 7405 N Beach Dr Unit **518**
Officer **jh2765**

Vehs left on arrival

22-003113 **Parking Complaint** Disposition **Finish**
07/10/22 17:2827 7405 N Beach Dr Unit **504**
Officer **mm1249**

Subjects stated the would move the vehicles out of the no parking area, no name.

22-003133 **Parking Complaint** Disposition **Finish**
07/11/22 21:5817 7405 N Beach Dr Unit **520**
Officer **jp5735**

Vehicle moved. no names obtained

Fox Point Police Department

Roll Call Report

22-003134 **Parking Complaint** Disposition **Finish**
07/11/22 23:0041 7405 N Beach Dr Unit **503**
Officer **ka1794**

Responded to a report of a vehicle parked in the South turnaround on Beach Drive. Area checked and foot patrol conducted. Subjects were GOA.

22-003157 **Parking Complaint** Disposition **Finish**
07/12/22 22:2812 7405 N Beach Dr Unit **520**
Officer **jp5735**

Vehicle moved. No names obtained.

22-003206 **Parking Complaint** Disposition **Finish**
07/14/22 22:0858 7405 N Beach Dr Unit **520**
Officer **jp5735**

Vehicles moved. no names obtained

22-003207 **Parking Complaint** Disposition **Finish**
07/14/22 22:4024 7405 N Beach Dr Unit **513**
Officer **sg7147**

Veh goa

22-003220 **Parking Complaint** Disposition **Finish**
07/15/22 17:5751 7405 N Beach Dr Unit **518**
Officer **jh2765**

Veh GOA

22-003237 **Parking Complaint** Disposition **Finish**
07/16/22 21:1524 7405 N Beach Dr Unit **518**
Officer **jh2765**

3 subjects advised of no parking. No names obtained.

22-003276 **Parking Complaint** Disposition **Finish**
07/18/22 21:5708 7405 N Beach Dr Unit **516**
Officer **vw3317**

Caller stated car parked at south turn around on beach dr, vehicle leaving upon arrival, all in order. No Names.

22-003277 **Parking Complaint** Disposition **Finish**
07/18/22 23:0341 7405 N Beach Dr Unit **504**
Officer **mm1249**

Caller reported a vehicle parked in the turn around, vehicle was GOA.

22-003284 **Parking Complaint** Disposition **Finish**
07/19/22 08:4718 7405 N Beach Dr Unit **512**
Officer **do8848**

Silver minivan been parked half hour Caller says driver told him he'd be there until ten Eric Fonstad -wants to be anon 414-534-3990. Prior to 512's arrival, Caller stated vehicle had left.

22-003294 **Parking Complaint** Disposition **Finish**
07/19/22 22:1857 7405 N Beach Dr Unit **516**
Officer **vw3317**

Caller stated car parked at south turn around on beach dr, vehicle left upon arrival, all in order. No Names.

22-003343 **Parking Complaint** Disposition **Finish**
07/21/22 22:1053 7405 N Beach Dr Unit **520**
Officer **jp5735**

Vehicle moved. no names obtained

22-003377 **Parking Complaint** Disposition **Finish**
07/23/22 20:2139 7405 N Beach Dr Unit **518**
Officer **jh2765**

Vehicle left upon my arrival.

22-003378 **Parking Complaint** Disposition **Finish**
07/23/22 21:0111 7405 N Beach Dr Unit **518**
Officer **jh2765**

Subjects advised they had not been parked here earlier. Advised to move due to no parking sign. No names

22-003381 **Parking Complaint** Disposition **Finish**
07/23/22 22:0653 7405 N Beach Dr Unit **518**
Officer **jh2765**

Veh GOA

22-003382 **Driving Complaint** Disposition **Finish**
07/23/22 22:3032 7415 N Beach Dr Unit **518**
Officer **jh2765**

Did not observe a single vehicle from lake/beach to south turnaround. UTL. 520 checked north to turnaround and also did not observe a single vehicle, UTL.

22-003418 **Parking Complaint** Disposition **Finish**
07/25/22 21:1147 7405 N Beach Dr Unit **518**
Officer **jh2765**

Veh left upon arrival

22-003513 **Parking Complaint** Disposition **Finish**
07/30/22 15:1245 7415 N Beach Dr Unit **520**
Officer **jp5735**

Vehicle parked on Beach Court. No traffic obstruction observed. No contact with van owner. No names obtained. No action taken.

22-003520 **Parking Complaint** Disposition **Finish**
07/30/22 22:4024 7405 N Beach Dr Unit **513**
Officer **sg7147**

Veh goa

22-003534 **Parking Complaint** Disposition **Finish**
07/31/22 20:2857 7405 N Beach Dr Unit **520**
Officer **jp5735**

Vehicles moved. no names obtained

22-003558 **Parking Complaint** Disposition **Finish**
08/01/22 21:5329 7405 N Beach Dr Unit **518**
Officer **jh2765**

GOA

22-003578 **Parking Complaint** Disposition **Finish**
08/02/22 22:5208 7405 N Beach Dr Unit **513**
Officer **sg7147**

Warn for parking

22-003591 **Parking Complaint** Disposition **Finish**
08/03/22 19:5357 7405 N Beach Dr Unit **520**
Officer **jp5735**

Vehicle moved. no names obtained.

22-003592 **Parking Complaint** Disposition **Finish**
08/03/22 20:5931 7405 N Beach Dr Unit **518**
Officer **jh2765**

GOA

22-003595 **Parking Complaint** Disposition **Finish**
08/03/22 23:0456 7405 N Beach Dr Unit **513**
Officer **sg7147**

veh goa

22-003627 **Parking Complaint** Disposition **Finish**
08/05/22 22:4459 7405 N Beach Dr Unit **511**
Officer **cb4174**

Parking compl on beach. Vehicle GOA.

22-003651 **Parking Complaint** Disposition **Finish**
08/07/22 00:0221 7405 N Beach Dr Unit **511**
Officer **cb4174**

Parking complaint, vehicles GOA.

22-003653 **Parking Complaint** Disposition **Cancelled**
08/07/22 00:2027 7405 N Beach Dr Unit
Officer

22-003666 **Parking Complaint** Disposition **Finish**
08/07/22 21:2024 7405 N Beach Dr Unit **520**
Officer **jp5735**

Vehicle moved. no name obtained

22-003669 **Parking Complaint** Disposition **Finish**
08/07/22 22:0941 7405 N Beach Dr Unit **520**
Officer **jp5735**

Vehicle GOA. no names obtained

22-003688 **Parking Complaint** Disposition **Finish**
08/08/22 21:0523 7405 N Beach Dr Unit **516**
Officer **vw3317**

Car parked in south turn around, advised of legal parking areas. No Names

22-003693 **Parking Complaint** Disposition **Finish**
08/08/22 22:2135 7405 N Beach Dr Unit **516**
Officer **vw3317**

2 CARS IN south TURN AROUND, 1 vehicle goa, 2nd left after arrival, no names, all in order

22-003733 **Parking Complaint** Disposition **Finish**
08/10/22 22:1028 7405 N Beach Dr Unit **518**
Officer **jh2765**

GOA

22-003734 **Parking Complaint** Disposition **Finish**
08/10/22 22:4341 7405 N Beach Dr Unit **513**
Officer **sg7147**

Goa

22-003751 **Parking Complaint** Disposition **Finish**
08/11/22 21:3019 7405 N Beach Dr Unit **518**
Officer **jh2765**

Minivan was GOA, Escape still there occupied two older people taking pics of the moon. I advised them of the complaint and that they could continue to take pics if they wanted. Driver was upset and stated they would just go. No names obtained. Plate is in the call.

22-003752 **Parking Complaint** Disposition **Finish**
08/11/22 22:3104 7405 N Beach Dr Unit **518**
Officer **jh2765**

Veh left on my arrival. Plate attached no contact made.

22-003766 **Parking Complaint** Disposition **Finish**
08/12/22 21:3333 7405 N Beach Dr Unit **518**
Officer **jh2765**

GOA

22-003777 **Parking Complaint** Disposition **Finish**
08/13/22 21:1652 7405 N Beach Dr Unit **516**
Officer **vw3317**

Vehicle parked in south turn around, vehicle left the area upon arrival. No Names

22-003780 **Parking Complaint** Disposition **Finish**
08/13/22 22:4710 7405 N Beach Dr Unit **511**
Officer **cb4174**

Vehicle GOA.

22-003791 **Parking Complaint** Disposition **Finish**
08/14/22 18:4834 7405 N Beach Dr Unit **516**
Officer **vw3317**

People looking at the mary nohl house, parked in turn around, advised of parking. All in order no names

22-003794 **Parking Complaint** Disposition **Finish**
08/14/22 22:1727 7405 N Beach Dr Unit **516**
Officer **vw3317**

No parking. no car.

22-003816 **Parking Complaint** Disposition **Finish**
08/15/22 22:1020 7405 N Beach Dr Unit **513**
Officer **sg7147**

Goa

22-003818 **Parking Complaint** Disposition **Finish**
08/15/22 23:5700 7405 N Beach Dr Unit **513**
Officer **sg7147**

Veh was preparing to leave upon arrival. no names.

22-003946 **Parking Complaint** Disposition **Finish**
08/23/22 20:1152 7405 N Beach Dr Unit **505**
Officer **bb1307**

Report of silver RAV4 parked. Passed it on Beach hill while responding. GOA, no contact.

22-003969 **Parking Complaint** Disposition **Finish**
08/24/22 20:1106 7405 N Beach Dr Unit **516**
Officer **vw3317**

Vehicle parked south turn around, goa

22-003971 **Parking Complaint** Disposition **Finish**
08/24/22 21:3318 7405 N Beach Dr Unit **516**
Officer **vw3317**

Car in turn around, left upon arrival

22-004018 **Parking Complaint** Disposition **Finish**
08/27/22 00:5916 7415 N Beach Dr Unit **522**
Officer **ln4461**

Vehicle left prior to officer arrival.

22-004038 **Parking Complaint** Disposition **Finish**
08/27/22 22:5533 7405 N Beach Dr Unit **522**
Officer **ln4461**

Subjects advised of no parking and they left. No names obtained.

22-004051 **Driving Complaint** Disposition **Finish**
08/28/22 17:2621 7405 N Beach Dr Unit **518**
Officer **jh2765**

Veh UTL

22-004054 **Parking Complaint** Disposition **Finish**
08/28/22 20:2212 7405 N Beach Dr Unit **518**
Officer **jh2765**

Veh Goa

Fox Point Police Department

Roll Call Report

22-004138 **Parking Complaint** Disposition **Finish**
09/02/22 22:1451 7405 N Beach Dr Unit **505**
Officer **bb1307**

Report of a SUV parked. A truck drove away upon arrival. no contact.

22-004160 **Parking Complaint** Disposition **Finish**
09/03/22 21:3656 7405 N Beach Dr Unit **520**
Officer **jp5735**

Vehicle moved. no names obtained

22-004173 **Parking Complaint** Disposition **Finish**
09/04/22 12:3917 7405 N Beach Dr Unit **517**
Officer **js9460**

Vehicle moved on upon arrival, no names

22-004181 **Parking Complaint** Disposition **Finish**
09/04/22 22:1644 7405 N Beach Dr Unit **516**
Officer **vw3317**

Vehicle left upon arrival, no names

22-004184 **Parking Complaint** Disposition **Finish**
09/05/22 07:3634 7405 N Beach Dr Unit **517**
Officer **js9460**

Vehicle moved on, no names

22-004191 **Parking Complaint** Disposition **Finish**
09/05/22 21:0513 7405 N Beach Dr Unit **520**
Officer **jp5735**

Vehicle moved. no name obtained.

22-004210 **Parking Complaint** Disposition **Finish**
09/06/22 23:4813 7405 N Beach Dr Unit **513**
Officer **sg7147**

Veh goa

22-004260 **Parking Complaint** Disposition **Finish**
09/10/22 00:5926 7405 N Beach Dr Unit **504**
Officer **mm1249**

Report of vehicle parked in turn around for 20 minutes. GOA.

22-004273 **Parking Complaint** Disposition **Finish**
09/10/22 19:5222 7405 N Beach Dr Unit **516**
Officer **vw3317**

1 vehicle in turn around upon arrival, left, all in order, no names

22-004413 **Parking Complaint** Disposition **Finish**
09/18/22 18:3929 7405 N Beach Dr Unit **505**
Officer **bb1307**

Report of 3 cars parked for over an hour, upon arrival, only 1 car, with two ladies taking photos of the lake. no names, they were on their way.

22-004423 **Parking Complaint** Disposition **Finish**
09/19/22 11:3220 7405 N Beach Dr Unit **501**
Officer **dd4002**

GOA

22-004542 **Parking Complaint** Disposition **Finish**
09/25/22 23:1251 7405 N Beach Dr Unit **513**
Officer **sg7147**

Subjects leaving as sqd arrived. no names.

22-004569 **Parking Complaint** Disposition **Finish**
09/27/22 19:1437 7405 N Beach Dr Unit **516**
Officer **vw3317**

Vehicle parked in no parking area, vehicle, left, all in order

22-004597 **Parking Complaint** Disposition **Finish**
09/29/22 22:1915 7405 N Beach Dr Unit **513**
Officer **sg7147**

Goa

22-004726 **Parking Complaint** Disposition **Finish**
10/07/22 23:3339 7405 N Beach Dr Unit **511**
Officer **cb4174**

Vehicle GOA.

22-004825 **Parking Complaint** Disposition **Finish**
10/13/22 22:5252 7405 N Beach Dr Unit **513**
Officer **sg7147**

Warned for prk

22-004832 **Parking Complaint** Disposition **Finish**
10/14/22 19:0956 7405 N Beach Dr Unit **511**
Officer **cb4174**

Vehicle GOA.

22-004863 **Parking Complaint**
10/16/22 18:2558 7405 N Beach Dr
Disposition **Finish**
Unit **516**
Officer **vw3317**

Vehicle parked in south turn around, left upon arrival, No Names

22-004897 **Parking Complaint**
10/18/22 21:1445 7405 N Beach Dr
Disposition **Finish**
Unit **520**
Officer **jp5735**

GOA. no names obtained

22-004923 **Parking Complaint**
10/19/22 18:4104 7405 N Beach Dr
Disposition **Finish**
Unit **520**
Officer **jp5735**

Vehicle GOA. No names obtained.

22-004984 **Parking Complaint**
10/22/22 23:3800 7405 N Beach Dr
Disposition **Finish**
Unit **522**
Officer **ln4461**

Parking complaint, vehicle GOA.

22-005001 **Parking Complaint**
10/23/22 21:3229 7405 N Beach Dr
Disposition **Finish**
Unit **520**
Officer **jp5735**

Vehicle moved. no names obtained. Vehicle returned. Subject advised he was not feeling well and had stopped to regain his bearings before driving home. Subject was contacting parent to pick him up.

22-005014 **Parking Complaint**
10/24/22 06:4637 7405 N Beach Dr
Disposition **Finish**
Unit **512**
Officer **do8848**

GOA.

22-005054 **Parking Complaint**
10/26/22 19:0042 7405 N Beach Dr
Disposition **Finish**
Unit **511**
Officer **cb4174**

Vehicle GOA.

22-005070 **Parking Complaint**
10/27/22 18:3141 7405 N Beach Dr
Disposition **Finish**
Unit **520**
Officer **jp5735**

Vehicle moved. no name obtained

22-005073 **Suspicious Activity** Disposition **Finish**
10/27/22 23:4625 7405 N Beach Dr Unit **522**
Officer **ln4461**

Caller reports vehicle in No Parking with subjects near Mary Knoll house. Subjects left prior to officer arrival, all appeared in order.

22-005091 **Parking Complaint** Disposition **Finish**
10/28/22 21:2115 7405 N Beach Dr Unit **503**
Officer **ka1794**

Complaint of a truck parked in the turnaround area. Subjects were warned for parking and sent on their way for the evening.

22-005129 **Parking Complaint** Disposition **Finish**
10/30/22 08:0741 7405 N Beach Dr Unit **516**
Officer **vw3317**

Vehicle parked in turn around, advised of parking and left, no names

22-005134 **Parking Complaint** Disposition **Finish**
10/30/22 16:2120 7405 N Beach Dr Unit **504**
Officer **mm1249**

2 vehicles in turnaround, vehicles moved. 1 vehicle was taking photographs near the lake, second left prior to my arrival.

22-005145 **Parking Complaint** Disposition **Finish**
10/31/22 06:5524 7405 N Beach Dr Unit **522**
Officer **ln4461**

Subjects advised of no parking

22-005177 **Parking Complaint** Disposition **Finish**
11/02/22 18:1658 7405 N Beach Dr Unit **505**
Officer **bb1307**

Report of a car parked and a man standing next to a manhole cover. GOA.

22-005208 **Suspicious Activity** Disposition **Finish**
11/04/22 19:2736 7405 N Beach Dr Unit **518**
Officer **jh2765**

Mark Levin reported he followed a vehicle, he observed parked in the turn around at 7400 blk of N. Beach Dr. The vehicle stopped in the 7500 blk of N Santa Monica and the male driver asked if there was a problem. Levin asked what he was doing near his home and the driver swore at him. Levin provided a plate which lists to a female resident, who later called to complain about Levin's actions. Caller was advised to attend a village board meeting to address the parking issue on N. Beach Dr. No name obtained.

22-005218 **Parking Complaint** Disposition **Finish**
11/05/22 08:5456 7405 N Beach Dr Unit **512**
Officer **do8848**

BLUE/BLACK VEHICLE PARKED IN THE TURN AROUND APPEARS OCCUPIED BY 2 SUBJECTS IN THE BACK. GOA. No Name.

22-005235 **Parking Complaint** Disposition **Finish**
11/05/22 22:2340 7405 N Beach Dr Unit **520**
Officer **jp5735**

Vehicle moved. No name obtained.

22-005259 **Parking Complaint** Disposition **Finish**
11/07/22 18:4927 7405 N Beach Dr Unit **520**
Officer **jp5735**

Vehicle moved. no name obtained.

22-005325 **Parking Complaint** Disposition **Finish**
11/11/22 21:3154 7405 N Beach Dr Unit **505**
Officer **bb1307**

vehicle at turn around, subjects were leaving upon arrival. no names

22-005348 **Parking Complaint** Disposition **Finish**
11/12/22 22:3347 7405 N Beach Dr Unit **513**
Officer **sg7147**

Report of a vehicle parked in the turnaround on beach. Dispatch advised Mark confronted the subject in the vehicle and told them they were not able to park there and got into an argument with the subject. I spoke with Mark regarding not confronting subjects for his safety. Vehicle was GOA.

22-005379 **Parking Complaint** Disposition **Finish**
11/15/22 18:5125 7405 N Beach Dr Unit **520**
Officer **jp5735**

Caller advised that vehicle left prior to officer's arrival. last observed heading n/b on beach. North section of Beach Checked with negative results for suspect vehicle. Lake drive checked north to Dean Road. no names obtained.

Assessed Values of Properties Near Chipstone
7820 North Club Circle & 1500 East Lilac Lane

Property Address	Tax Key	1995 Assessed Value	2005 – Fair Market Value*	2015 Assessed Value	2021 Assessed Value
7912 North Beach Drive	0939993000	$720,900.00	$2,200,200.00	$2,803,000.00	$3,090,300.00
7900 North Beach Drive	0939992000	$1,141,000.00	$1,822,500.00	$1,973,000.00	$2,729,500.00
7834 North Beach Drive	0939991000	$618,900.00	$1,095,700.00	$1,200,800.00	$1,571,000.00
7828 North Beach Drive	0939990000	$753,400.00	$1,054,200.00	$2,920,000.00	$3,182,000.00
7818 North Beach Drive	0939989000	$0.00	$1,746,200.00	$1,740,400.00	$2,649,500.00
7810 North Beach Drive	0939988000	$667,400.00	$1,544,300.00	$1,669,600.00	$2,019,900.00
7736 North Beach Drive**	0939987000	$1,499,000.00	$3,683,300.00	$2,114,900.00	$3,526,000.00
7730 North Beach Drive	0939986000	$400,900.00	$796,700.00	$833,500.00	$1,261,500.00

7724 North Beach Drive	0939985000	$656,400.00	$1,002,900.00	$1,046,000.00	$1,767,100.00
1451 East Goodrich Lane	0939975006	N/A.	2012 Assessed Value - $1,456,000.00	$1,456,000.00	$1,697,000.00
1450 East Goodrich Lane***	0939975005	N/A.	2012 Assessed Value – $1,622,600.00	$1,622,600.00	$1,100,000.00
1449 East Goodrich Lane	0939975004	N/A.	2012 Assessed Value – $725,000.00	$725,000.00	$880,000.00
7828 North Club Circle	0939966000	$500,000.00	$709,400.00	$755,000.00	$682,200.00
7817 North Club Circle	0939962002	2004 Fair Market Value – $753,000.00	$753,000.00	$836,600.00	$832,900.00
7807 North Club Circle	0939963001	2002 Assessed Value – $587,600.00	$790,100.00	$996,500.00	$937,000.00
7800 North Club Circle	0939946000	$562,200.00	$882,900.00	$879,700.00	$928,500.00
1469 East Lilac Lane	0939947000	$702,200.00	$1,163,400.00	$1,782,000.00	$1,626,500.00
1479 East Lilac Lane	0939948000	$847,700.00	$1,560,600.00	$1,303,200.00	$1,573,500.00

1482 East Lilac Lane****	0939949000	$915,000.00	$1,444,900.00	$1,487,400.00	$1,340,500.00

* The Village's 2005 real estate tax summaries only list the Fair Market Value for properties.

** 7736 North Beach Drive – This property's assessed value fluctuated from the period of 2009 to 2021 as a result of litigation involving the property and the subsequent the razing and reconstruction of the residence on the property. The litigation and razing were a result of property defects with respect to the improvements located on the property.

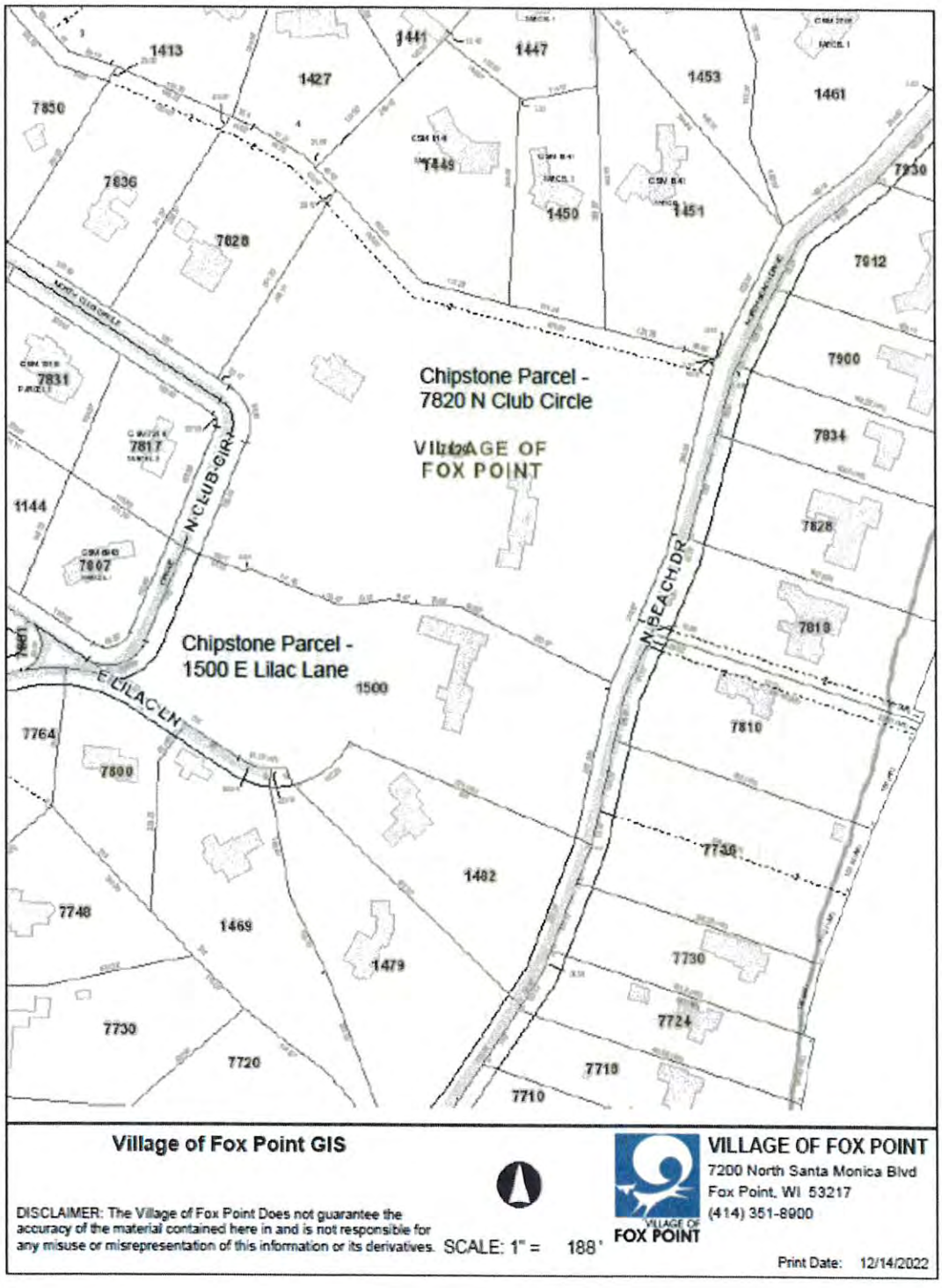
***1450 East Goodrich Lane – While this property's assessed value has fluctuated, this property was sold, above its assessed value, in 2020 for $1,530,000.00 and in 2022 for $1,550,000.00.

**** 1482 East Lilac Lane – While this property's assessed value has fluctuated, this property was sold, above its assessed value, in 2022 for $2,200,000.00.

The Village adopted the Chipstone Overlay Agreement in 1988. From 1988 to 2021, the assessed values for the properties neighboring the Chipstone Parcels have increased an average of 113.51%.

See vicinity map attached hereto depicting the relative locations of the neighboring properties with respect to the Chipstone Parcels.

Depiction of Neighboring Properties



TECHNICAL MEMORANDUM

Date: January 24, 2023

To: Village of Fox Point

From: Tammi Czewski, P.E., PTOE
Traffic Analysis & Design, Inc.

Subject: **Mary Nohl under Proposed Cultural Overlay**
Typical Weekday Trip Generation
Fox Point, WI

John Michael Kohler Arts Center ("JMKAC") retained Traffic Analysis & Design, Inc. to determine trip generation for "typical day" for the cultural overlay proposal for the Mary Nohl property on Beach Drive in Fox Point, Wisconsin. The cultural overlay proposal states the intended use of the Mary Nohl property for art preservation and observance, and for ancillary related uses including offices and meeting space plus an auxiliary residence for artists-in-residence and/or caretakers. The property will not be open to the general public, and non-resident visitors will be restricted on weekdays until after 9 a.m. and not between 4 p.m. and 6 p.m. Parking for the JMKAC cultural overlay proposal would be restricted to on-site only – parking on Beach Drive/Beach Court would not be allowed.

A typical day for the site has been identified as follows:

- Midnight to 10 a.m. – Only Artist-in-residence and/or caretaker on premises.
- 9 a.m. to 10 a.m. – CAPP/JMKAC employee arrives on premises for workday (vehicle parked on premises).
- 10 a.m. to 12 p.m. – Small group of 4 research scholars visit premises (vehicles parked on premises).
- 12 p.m. to 2 p.m. – College class of 15 visits premises (vehicles parked on premises).
- 6 p.m. – CAPP/JMKAC employee departs premises for workday.
- 6 p.m. to Midnight – Only Artist-in-residence and/or caretaker on premises.

Based on industry standards, traffic studies are completed for the peak AM and PM peak hours, which typically occur between 7 a.m. and 9 a.m. (AM peak hour) and between 4 p.m. and 6 p.m. (PM peak hour). These peak hours represent times when traffic on the roadway system is highest. As the Mary Nohl House will be closed to visitors during these hours, trips from

research scholars, college classes, or other visitors are included in the daily trip total but not the peak hour totals.

Trip generation for the typical day on site was completed based on trip rates for single-family residents and office employees as published in the *Institute of Transportation Engineer's (ITE) Trip Generation Manual, 11th Edition.* Due to lack of ITE data, trips for research scholars were based on an assumption of at least four persons per vehicle for research scholars and college classes. The JMKAC has indicated that this level of carpooling will be required for these types of visits.

The trip generation table developed for a typical day on site is shown in Table 1. Based on ITE trip rates and vehicle occupancy assumptions, the cultural overlay proposal for the Mary Nohl property generates about 23 trips on a typical weekday, one trip during the weekday AM peak hour, and two trips during the weekday PM peak hour.

Table 1. Typical Weekday Trip Generation

User	ITE Code	Indpendent Variable	Weekday Daily	AM Peak			PM Peak		
				In	Out	Total	In	Out	Total
Artist in Residence/Caretaker Building	210	2 Residents	5 (2.65)	0 (31%)	0 (69%)	0 (0.21)	0 (66%)	1 (34%)	1 (0.28)
CAPP/JMKAC Employee	712	1 Employee	8 (7.86)	0 (85%)	1 (15%)	1 (1.05)	0 (33%)	1 (67%)	1 (1.08)
Research Scholars - 4 Visitors *Assume 4.0 vehicle occupancy* *	n/a	1 Vehicle	2	0	0	0	0	0	0
College Class - 15 Visitors *Assume 4.0 vehicle occupancy* *	n/a	4 Vehicles	8	0	0	0	0	0	0
Total Trips			**23**	**0**	**1**	**1**	**0**	**2**	**2**

**The JMKAC intends to require that research scholars carpool together in one vehicle and that the college class carpools with at least four persons per vehicle.*

If the two lots on the Mary Nohl property were instead used as two independent single-family residences, then the property would generate an average of 19 trips during a typical weekday, with one trip during the AM peak hour and two trips during the weekday PM peak hour. Note that the ITE Trip Generation Manual for single-family residential uses (data plots are attached) is based on data ranging from 4.45 to 22.61 trips per unit per day.

Comparing the two uses on site (Table 2), the cultural overlay proposal for the Mary Nohl property generates about four more trips than two single-family residences on a typical weekday, but there is no difference in trips during the weekday AM and PM peak hours.

Table 2. Trip Generation Comparison

Single-Family Detached Housing	ITE Code	Indpendent Variable	Weekday Daily	AM Peak			PM Peak		
				In	Out	Total	In	Out	Total
Cultural Overlay Proposal (Total Trips)			23	0	1	1	0	2	2
Comparison: Two Residences on Site	210	2 Units	19 (9.43)	0 (25%)	1 (75%)	1 (0.70)	0 (63%)	2 (37%)	2 (0.94)
Difference in Trips			**4**	**0**	**0**	**0**	**0**	**0**	**0**

In summary, peak hour trips generated by typical use of the site with the JMKAC cultural overlay proposal are relatively low, and not expected to impact traffic operations on Beach Drive/Beach Court. During the AM and PM peak hours, there is not expected to be any difference in trips than if two single-family residences were occupied on the site instead. The JMKAC cultural overlay proposal will not create traffic beyond the capacity of the street system to reasonably serve it and there will be adequate off-street parking based on the need generated by the proposal.

Attachments:

ITE Trip Generation Manual Data Plots for Single-Family Residential and Small Office Land Uses

Professional Bio for Tammi Czewski, P.E., PTOE

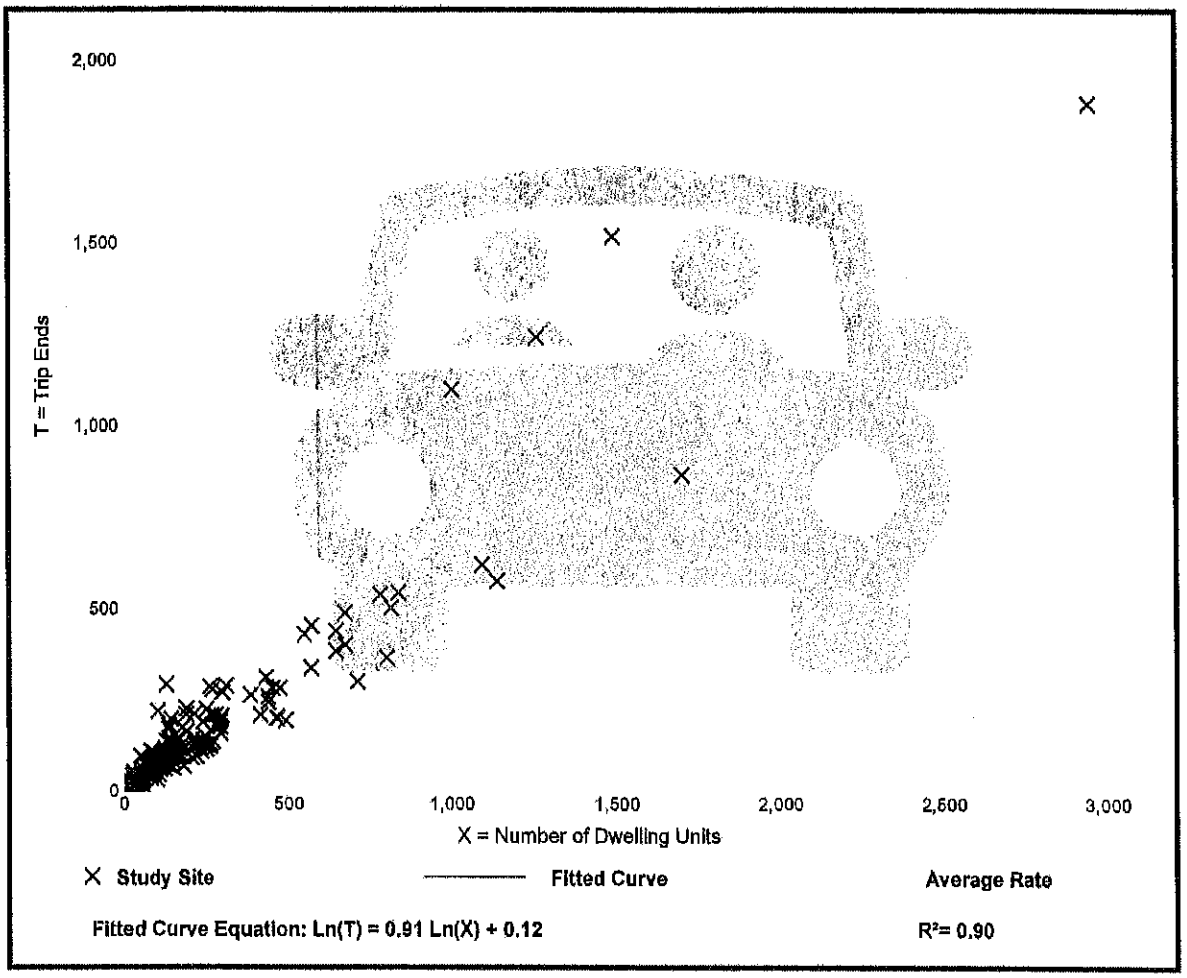
Single-Family Detached Housing
(210)

Vehicle Trip Ends vs:	**Dwelling Units**
On a:	**Weekday,**
	Peak Hour of Adjacent Street Traffic,
	One Hour Between 7 and 9 a.m.
Setting/Location:	**General Urban/Suburban**
Number of Studies:	192
Avg. Num. of Dwelling Units:	226
Directional Distribution:	25% entering, 75% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.70	0.27 - 2.27	0.24

Data Plot and Equation



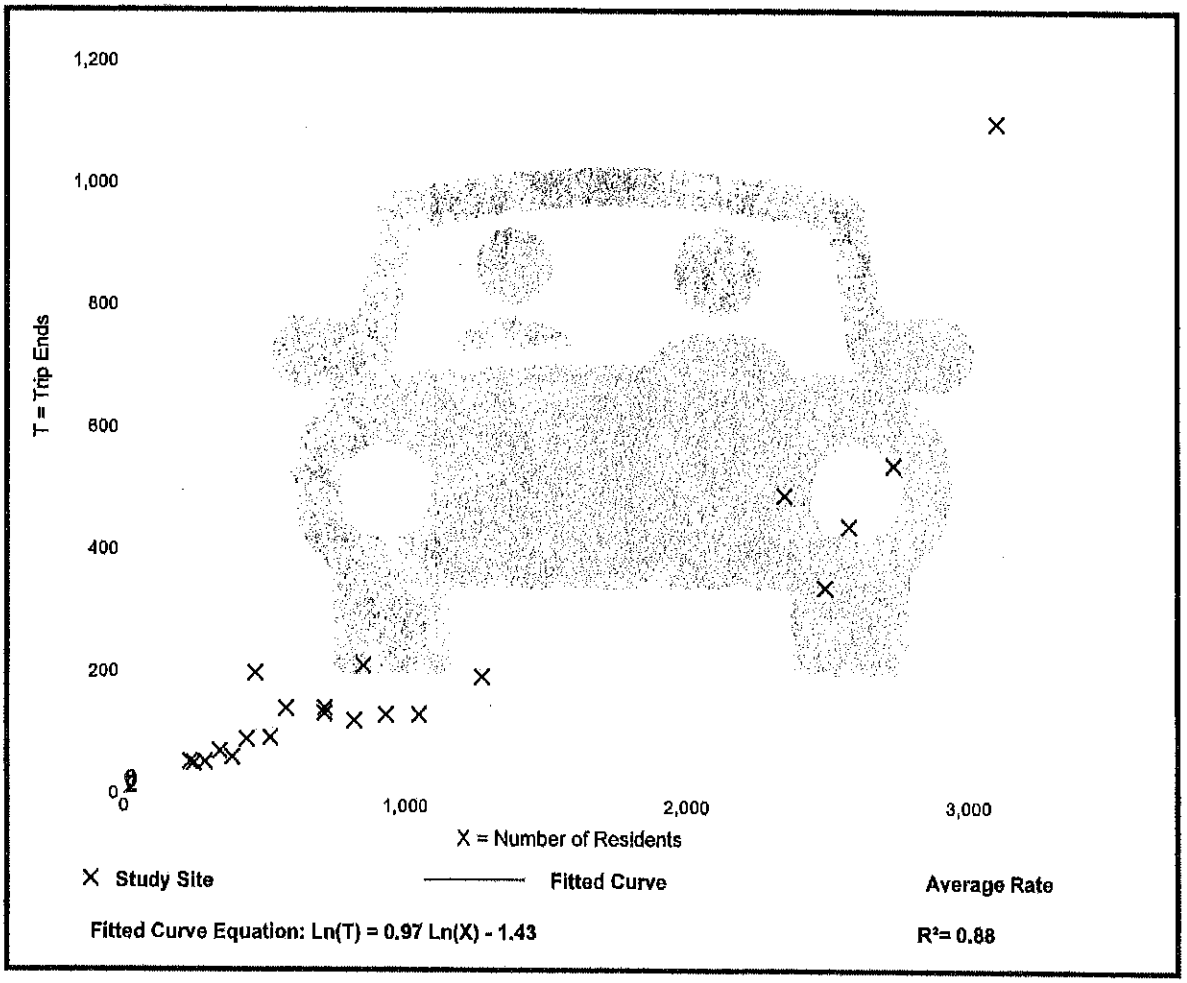
Single-Family Detached Housing
(210)

Vehicle Trip Ends vs:	**Residents**
On a:	**Weekday,**
	Peak Hour of Adjacent Street Traffic,
	One Hour Between 7 and 9 a.m.
Setting/Location:	**General Urban/Suburban**
Number of Studies:	21
Avg. Num. of Residents:	1100
Directional Distribution:	31% entering, 69% exiting

Vehicle Trip Generation per Resident

Average Rate	Range of Rates	Standard Deviation
0.21	0.12 - 0.42	0.08

Data Plot and Equation



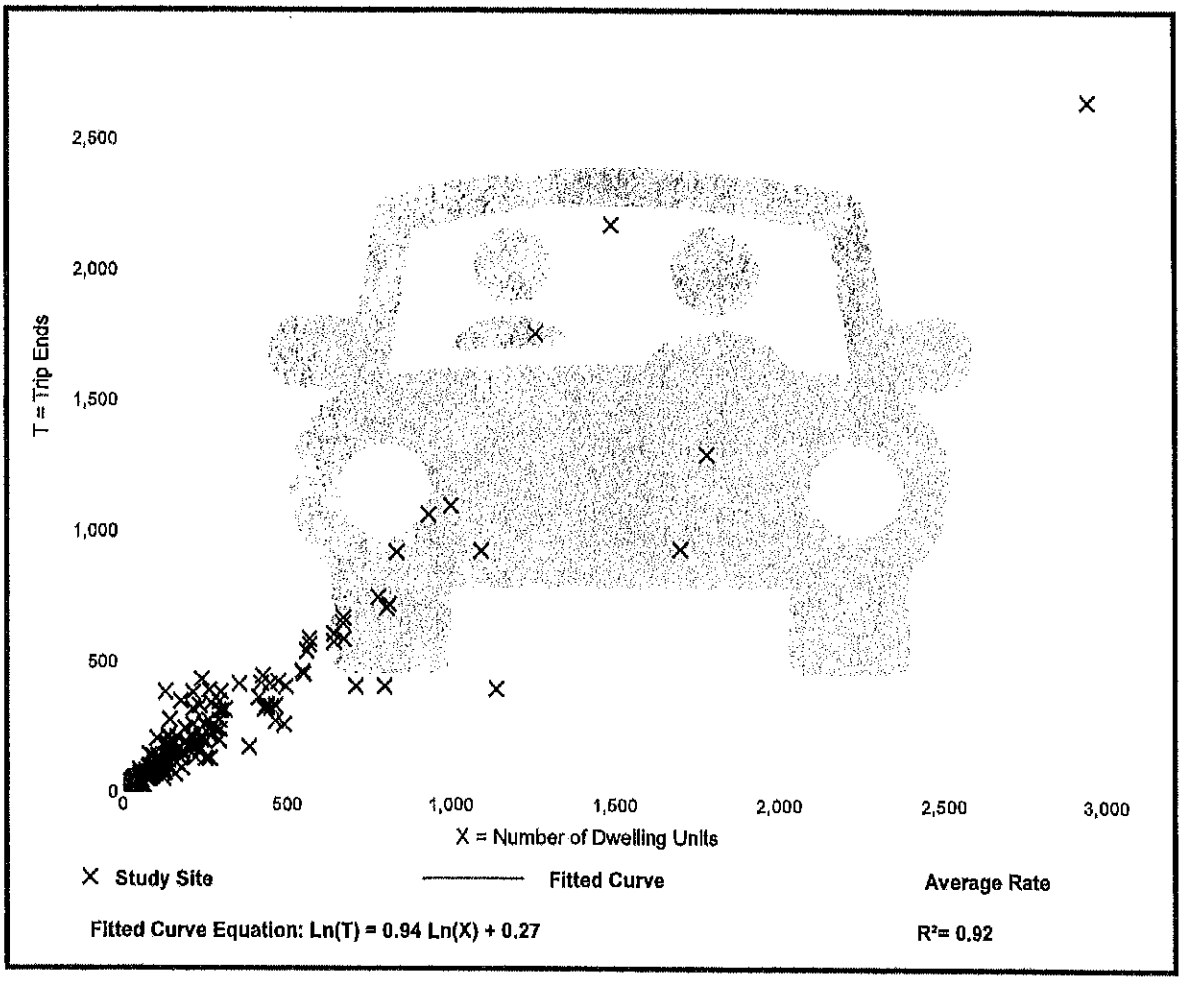
Single-Family Detached Housing
(210)

Vehicle Trip Ends vs:	**Dwelling Units**
On a:	**Weekday,**
	Peak Hour of Adjacent Street Traffic,
	One Hour Between 4 and 6 p.m.
Setting/Location:	**General Urban/Suburban**
Number of Studies:	208
Avg. Num. of Dwelling Units:	248
Directional Distribution:	63% entering, 37% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.94	0.35 - 2.98	0.31

Data Plot and Equation



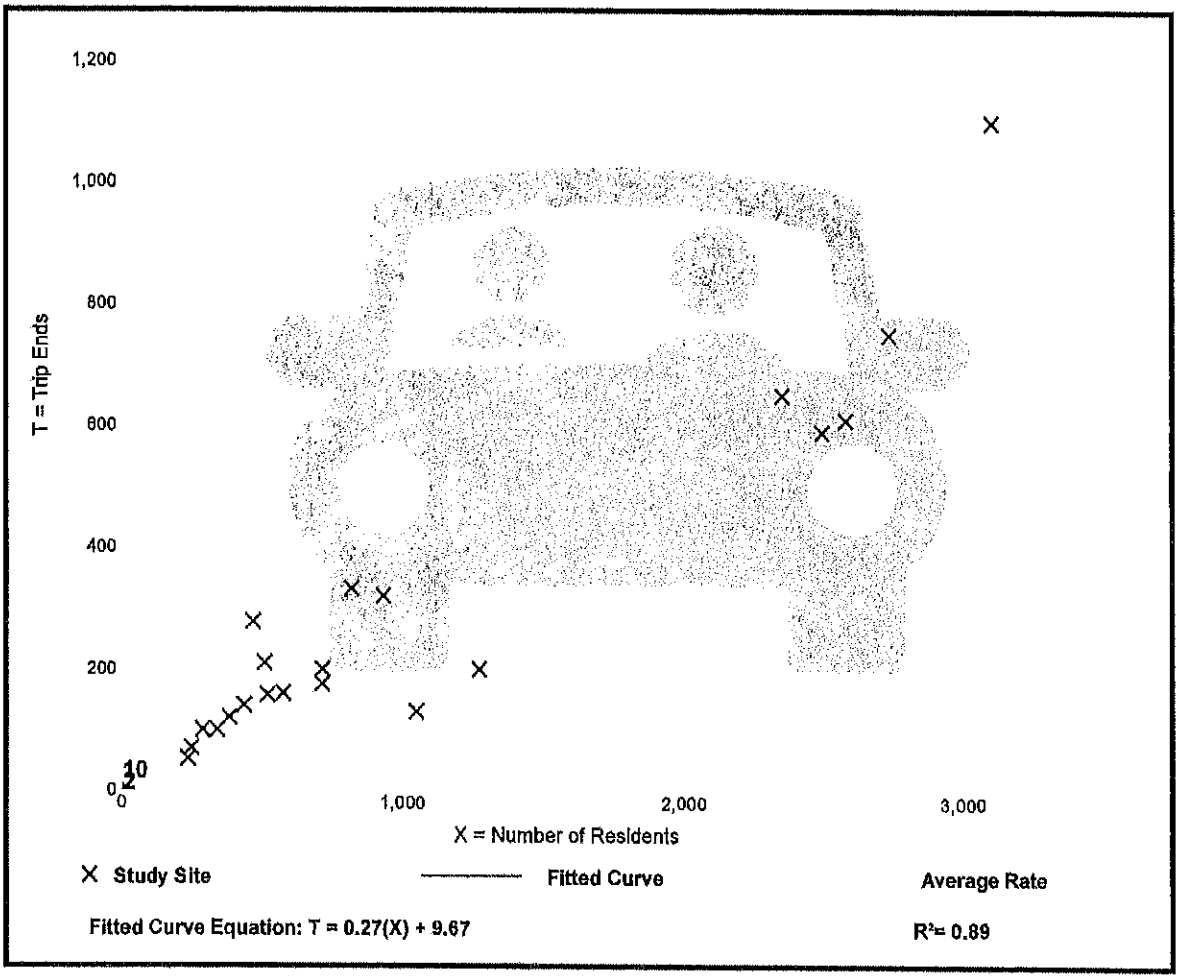
Single-Family Detached Housing
(210)

Vehicle Trip Ends vs: **Residents**
On a: **Weekday,**
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.
Setting/Location: **General Urban/Suburban**
Number of Studies: 21
Avg. Num. of Residents: 1083
Directional Distribution: 66% entering, 34% exiting

Vehicle Trip Generation per Resident

Average Rate	Range of Rates	Standard Deviation
0.28	0.12 - 0.60	0.08

Data Plot and Equation



Single-Family Detached Housing
(210)

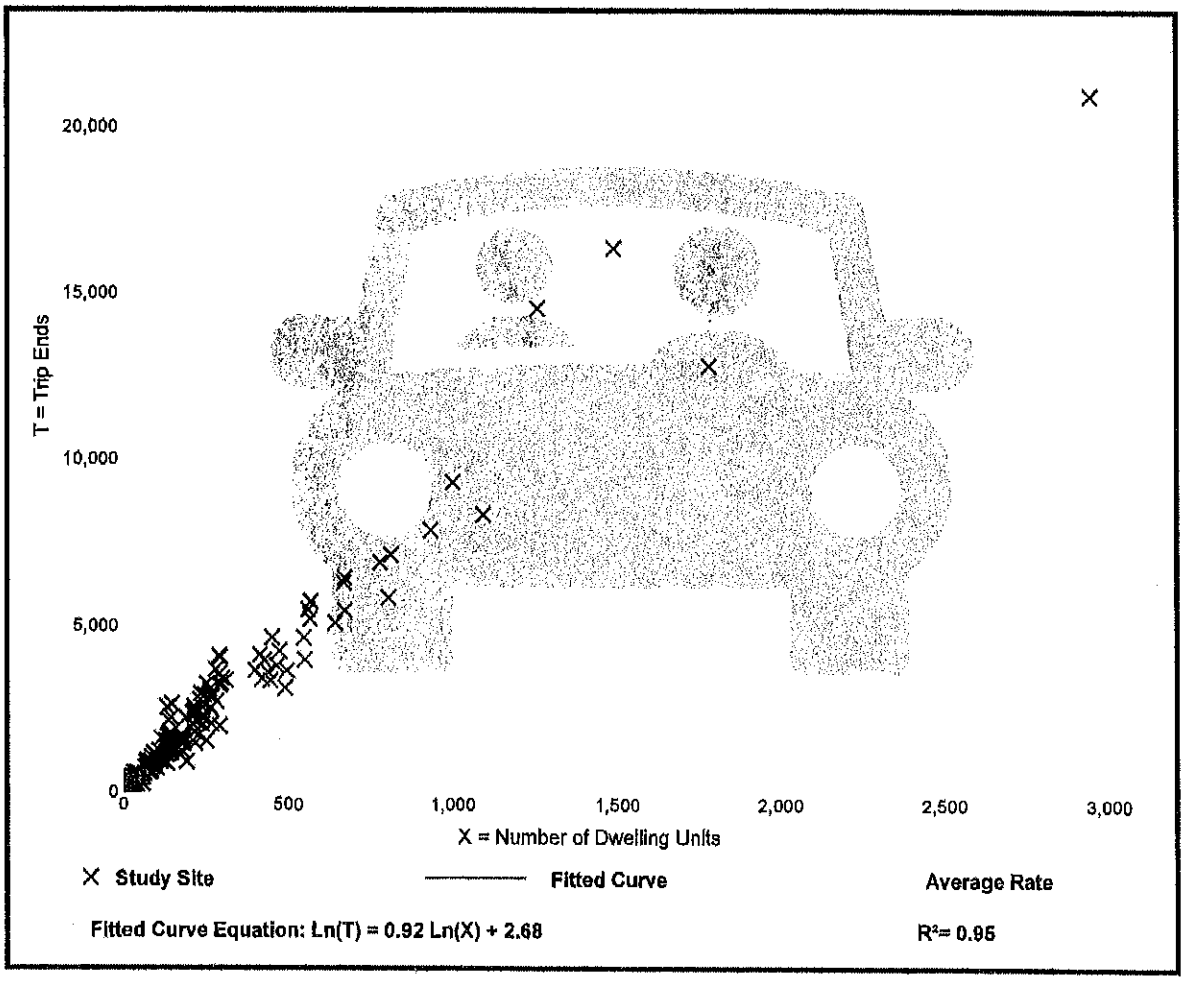
Vehicle Trip Ends vs: **Dwelling Units**
On a: **Weekday**

Setting/Location: **General Urban/Suburban**
Number of Studies: 174
Avg. Num. of Dwelling Units: 246
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
9.43	4.45 - 22.61	2.13

Data Plot and Equation



Single-Family Detached Housing
(210)

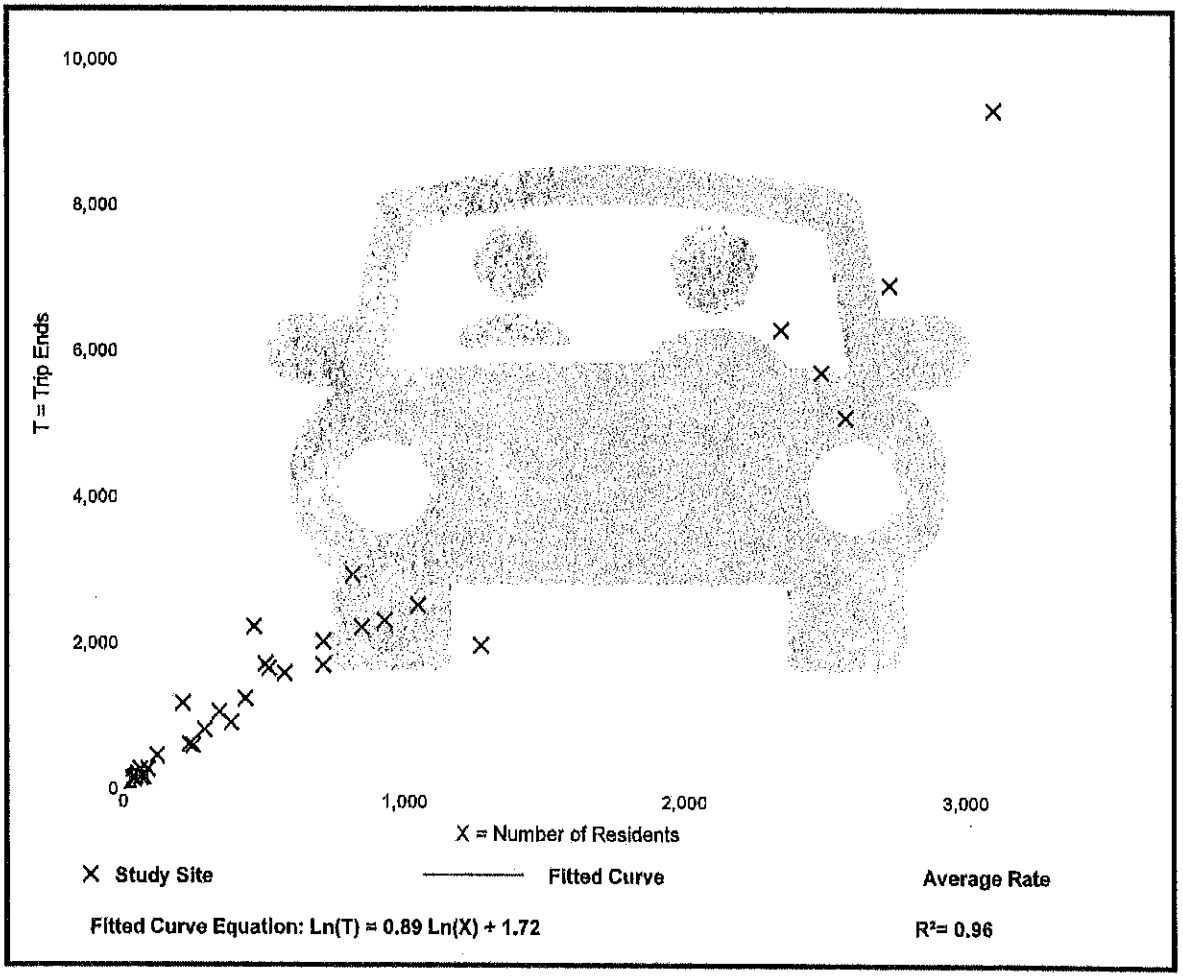
Vehicle Trip Ends vs: **Residents**
On a: **Weekday**

Setting/Location: **General Urban/Suburban**
Number of Studies: 30
Avg. Num. of Residents: 810
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Resident

Average Rate	Range of Rates	Standard Deviation
2.65	1.56 - 5.62	0.64

Data Plot and Equation



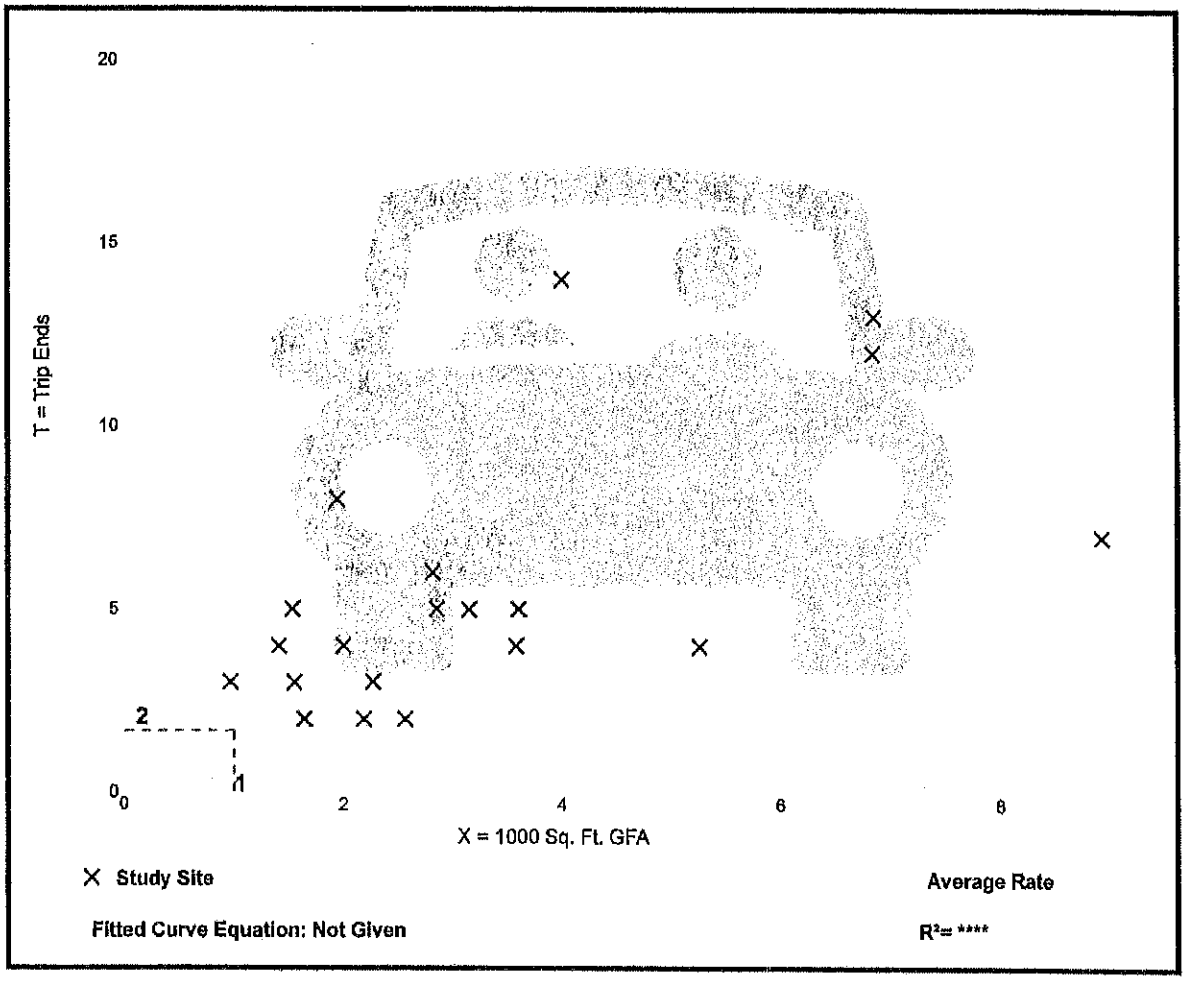
Small Office Building
(712)

Vehicle Trip Ends vs:	**1000 Sq. Ft. GFA**
On a:	**Weekday,**
	Peak Hour of Adjacent Street Traffic,
	One Hour Between 7 and 9 a.m.
Setting/Location:	**General Urban/Suburban**
Number of Studies:	21
Avg. 1000 Sq. Ft. GFA:	3
Directional Distribution:	82% entering, 18% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
1.67	0.76 - 4.12	0.88

Data Plot and Equation



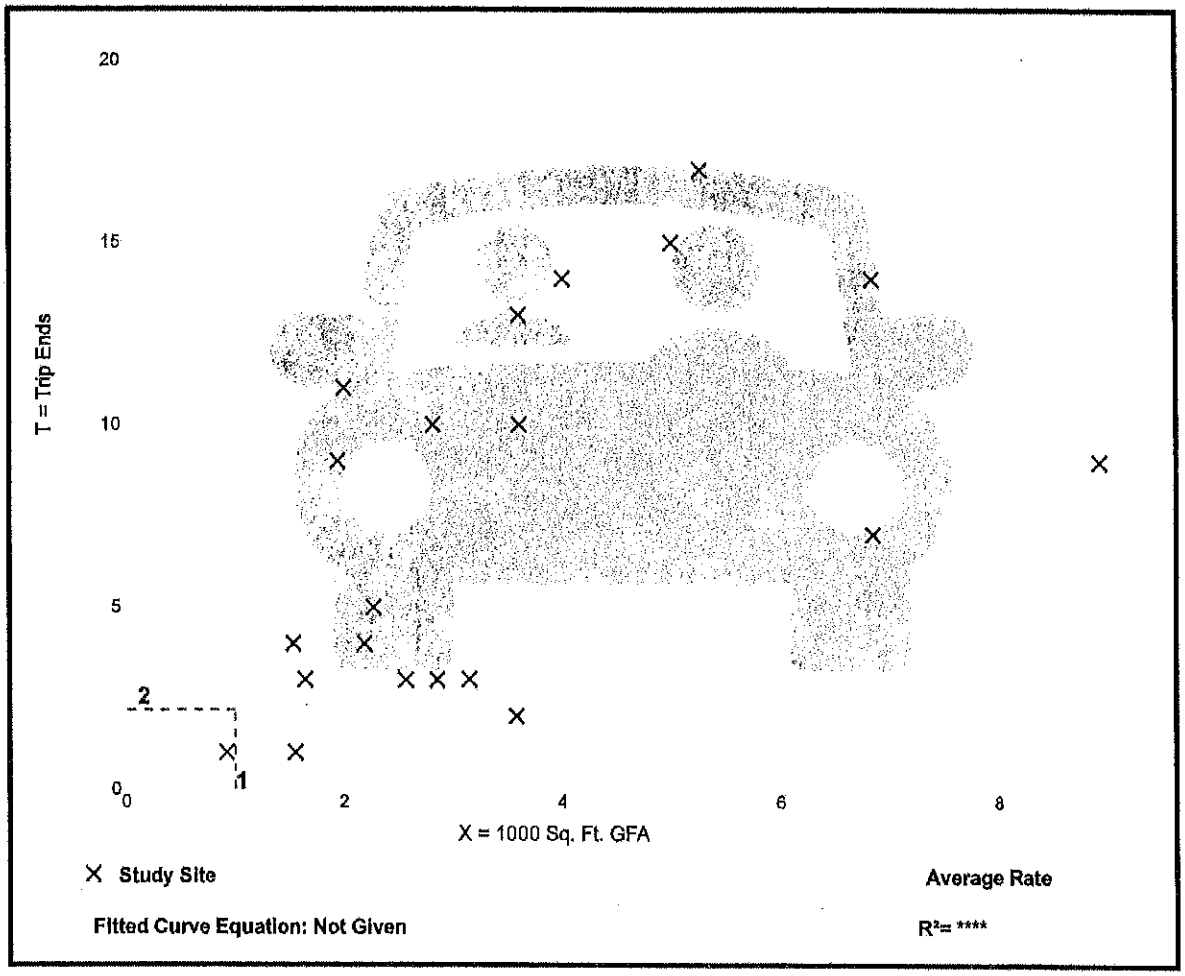
Small Office Building
(712)

Vehicle Trip Ends vs:	**1000 Sq. Ft. GFA**
On a:	**Weekday,**
	Peak Hour of Adjacent Street Traffic,
	One Hour Between 4 and 6 p.m.
Setting/Location:	**General Urban/Suburban**
Number of Studies:	21
Avg. 1000 Sq. Ft. GFA:	3
Directional Distribution:	34% entering, 66% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
2.16	0.56 - 5.50	1.26

Data Plot and Equation



Small Office Building
(712)

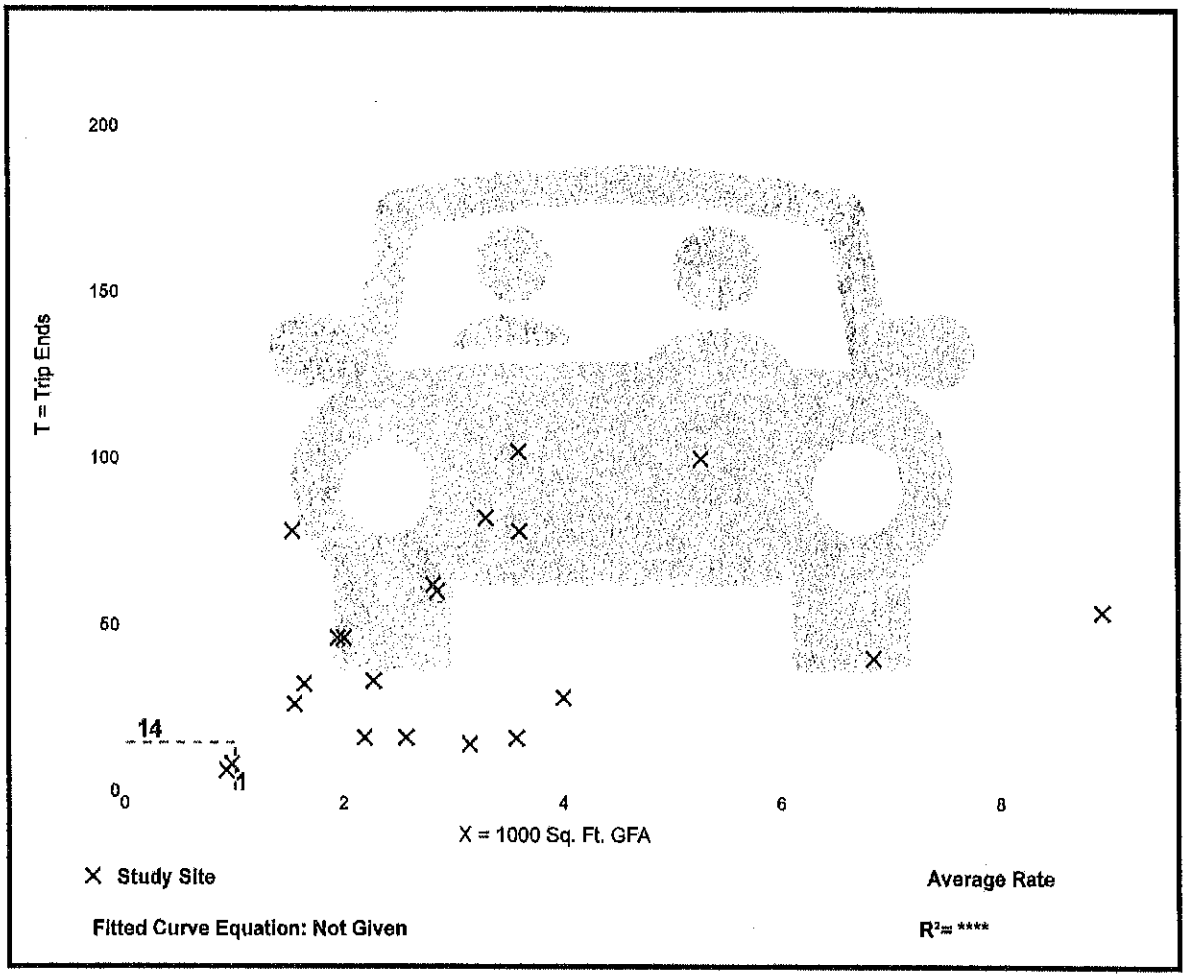
Vehicle Trip Ends vs: **1000 Sq. Ft. GFA**
On a: **Weekday**

Setting/Location: **General Urban/Suburban**
Number of Studies: 21
Avg. 1000 Sq. Ft. GFA: 3
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
14.39	4.44 - 50.91	10.16

Data Plot and Equation



TAMMI CZEWSKI, P.E., PTOE

Senior Traffic Engineer

1.800.605.3091 Ext. 84
Direct: 414.698.4951
tczewski@tadi-us.com
www.linkedin.com/in/tammiczewski

Specialties:

Traffic Signal Timing

Corridor Analysis & Progression

Traffic Impact Studies

Parking Studies

Traffic Simulation Modeling

Intersection Capacity Analysis

Roundabout Analyses

Education:

B.S. Civil Engineering,
Michigan State University, 1995

M.S. Civil Engineering,
Michigan State University, 1996

Certifications:

Professional Engineer, Michigan, Wisconsin, Iowa, Indiana, Tennessee

Professional Traffic Operations Engineer (PTOE)

WisDOT SE Region Certified
TIA Preparer (SE05-804-045)

Professional Affiliations:

Institute of Transportation Engineers,
Michigan Chapter

Chi Epsilon Civil Engineering Honor Society

Tammi Czewski is a Senior Traffic Engineer for Traffic Analysis & Design, Inc. She has over 25 years of experience managing and completing traffic engineering projects in the Midwest. Tammi's engineering experience includes complex traffic impact studies, corridor timing and progression studies, intersection capacity analysis/traffic modeling, signal and all-way stop control warrant studies, roundabout analysis, crash analyses, and traffic control or geometric recommendations to mitigate delays and/or safety issues.

Tammi's experience also includes evaluation of signalized corridors for development of temporary signal timing plans to accommodate large-scale events or construction projects. Tammi also prepares signal timing permits for new signal design projects.

Tammi has prepared many parking studies for existing and future development projects. The parking studies include documentation of the existing parking supply and demand, calculating new development parking demand, and estimating the parking needs to meet peak occupancy for the site.

Tammi has published a paper on transportation engineering for the Transportation Research Board, chaired committees for WTS in Michigan, and presented engineering projects at both local and national ITE meetings.

Compliance of Mary Nohl Cultural Overlay
With Fox Point Comprehensive Plan dated June 2021

Comprehensive Plan Reference	Cultural Overlay Proposal
Pg 8: "...preservation of residential character will continue to be priority for the Village."	Proposal was carefully crafted to maintain and fit within the character of its residential neighborhood.
Pg 10: 1st Housing Goal is to "encourage timely and proper maintenance of residences."	Proposal provides certainty necessary to ensure long term timely and proper maintenance and stewardship of both existing lots.
Pg 24: "Fox Point's exceptional quality of life can be attributed partly to the presence and condition of the Village's natural and cultural resources...preservation of cultural and historic resources are fundamental to maintaining this quality of life...cultural resources include historic structures...Historic resources include the historic homes and sites listed in the National Register of Historic Places."	Mary L. Nohl Art Environment was listed in the National Register of Historic Places in 2005. The entire homestead was listed, including the Nohl residence and the extensive exterior sculpture collection. Proposal is the means to preserve this cultural and historic resource.
Pg 29: 5th Natural and Cultural Resources Goal is to "encourage and promote awareness of the National Register of Historic Places to local residents."	Proposal encourages and promotes awareness of the Mary L. Nohl Art Environment to local residents.
Pg 52: 1st Land Use Goal is to "continue to support current land uses in the Village unless a determination is made by the Governing Body that an alternative use is desirable."	1924 – Mary Nohl's parents acquired the homestead and built the initial residence. 1926 – Fox Point was incorporated. 1963-2001 – Mary Nohl created the current Art Environment. 1988 – Village Board adopted Chipstone Cultural Overlay.

	1988 – Official Zoning Map No. 21 & 1/16/20 Zoning Map for Comp Plan Work Shop show both Chipstone and Mary Nohl properties zoned A-1 Residence District and Chipstone with a Cultural Overlay. 2005 – Mary L. Nohl Art Environment registered on National Register of Historic Places. 2021 – Future Land Use Map (pg 54 of Comp Plan) shows both Chipstone and Mary Nohl and "Low Density Residential" with no other qualifiers. Therefore, if the Village Board (the Governing Body) adopts a cultural overlay for Mary Nohl, its determination of appropriateness of the land use is determinative, just as it was for Chipstone.
Pg 99: "78% of respondents [to the Village's online study] agree the Village should make efforts to preserve and protect historic assets."	Proposal preserves and protects Mary Nohl Art Environment.
Pg 115: Mary Nohl Art Environment cited as one of only three sites listed on the National Register of Historic Places; Chipstone is not listed.	Proposal preserves and protects one of only three listed sites in the Village of Fox Point.

NPS Form 10-900-a
(8-86)

OMB Approval No. 1024-0018

United States Department of the Interior
National Park Service

National Register of Historic Places
Continuation Sheet

Section number _____ Page _____

~~SUPPLEMENTARY LISTING RECORD~~

NRIS Reference Number: 05001611 Date Listed: 10/3/05

Nohl, Mary L., Art Environment — Milwaukee — WI
Property Name — County — State

N/A
Multiple Name

This property is determined eligible for listing in the National Register of Historic Places in accordance with the attached nomination documentation subject to the following exceptions, exclusions, or amendments, notwithstanding the National Park Service certification included in the nomination documentation.

Signature of the Keeper — Date of Action 10/3/05

Amended Items in Nomination:

Level of Significance

The nomination documentation supports the exceptional significance of this visionary art environment at a statewide or regional level of significance and does not yet provide a sufficient comparative context to justify it at a national level.

This was discussed with WISHPO staff by telephone.

DISTRIBUTION:
National Register property file
Nominating Authority (without attachment)

NPS Form 10-900
(January 1992)
Wisconsin Word Processing Format (Approved 1/92)

OMB No. 10024-0018

1109

AUG 2 0 2005

United States Department of Interior
National Park Service

National Register of Historic Places Registration Form

This form is for use in nominating or requesting determinations for individual properties and districts. See instructions in *How to Complete the National Register of Historic Places Registration Form* (National Register Bulletin 16A). Complete each item by marking "x" in the appropriate box or by entering the information requested. If an item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials, and areas of significance, enter only categories and subcategories from the instructions. Place additional entries and narrative items on continuation sheets (NPS Form 10-900A). Use a typewriter, word processor, or computer, to complete all items.

1. Name of Property

historic name Nohl, Mary L., Art Environment
other names/site number Leo and Emma Nohl Residence, Mary L. Nohl Residence

2. Location

street & number 7328 North Beach Road N/A **not for publication**
city or town Fox Point N/A **vicinity**
state Wisconsin **code** WI **county** Milwaukee **code** 079 **zip code** 53217

3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this X nomination _ request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60. In my opinion, the property X meets _ does not meet the National Register criteria. I recommend that this property be considered significant X nationally _ statewide _ locally. (_ See continuation sheet for additional comments.)

Signature of certifying official/Title — Date 8/17/05

State Historic Preservation Officer-WI

State or Federal agency and bureau

In my opinion, the property _ meets _ does not meet the National Register criteria.
(_ See continuation sheet for additional comments.)

Signature of commenting official/Title — Date

State or Federal agency and bureau

Nohl, Mary L., Art Environment	Milwaukee County	Wisconsin
Name of Property	County and State	

4. National Park Service Certification

I hereby certify that the property is:

✓ entered in the National Register.
___ See continuation sheet.
__ determined eligible for the National Register.
___ See continuation sheet.
__ determined not eligible for the National Register.
___ See continuation sheet.
__ removed from the National Register.
__ other, (explain:)

Signature of the Keeper — Date of Action: 10-3-05

5. Classification

Ownership of Property (check as many boxes as as apply)		Category of Property (Check only one box)		Number of Resources within Property (Do not include previously listed resources in the count)	
				contributing	noncontributing
X	private		building(s)	2	buildings
	public-local		district	1	sites
	public-State		structure		structures
	public-Federal	X	site	60	objects
			object	63	0 total

Name of related multiple property listing:
(Enter "N/A" if property not part of a multiple property listing.
N/A

Number of contributing resources is previously listed in the National Register
0

6. Function or Use

Historic Functions (Enter categories from instructions)	Current Functions (Enter categories from instructions)
DOMESTIC/single dwelling	RECREATION AND CULTURE/work of art
LANDSCAPE/garden	LANDSCAPE/garden
RECREATION AND CULTURE/work of art	DOMESTIC/single dwelling

7. Description

Architectural Classification (Enter categories from instructions)	Materials (Enter categories from instructions)	
LATE 19TH & 20TH CENTURY REVIVALS	Foundation	Concrete
	walls	Weatherboard
		Wood
	roof	Asphalt
	other	Wood

Narrative Description

(Describe the historic and current condition of the property on one or more continuation sheets.)

8. Statement of Significance

Applicable National Register Criteria
(Mark "x" in one or more boxes for the criteria qualifying the property for the National Register listing.)

__ A Property is associated with events that have made a significant contribution to the broad patterns of our history.

X B Property is associated with the lives of persons significant in our past.

X C Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.

__ D Property has yielded, or is likely to yield, information important in prehistory or history.

Criteria Considerations
(Mark "x" in all the boxes that apply.)

Property is:

__ A owned by a religious institution or used for religious purposes.

__ B removed from its original location.

__ C a birthplace or grave.

__ D a cemetery.

__ E a reconstructed building, object, or structure.

__ F a commemorative property.

X G less than 50 years of age or achieved significance within the past 50 years.

Areas of Significance
(Enter categories from instructions)

Art

Period of Significance

1943-2001

Significant Dates

N/A

Significant Person
(Complete if Criterion B is marked)

Nohl, Mary L.

Cultural Affiliation

N/A

Architect/Builder

Hay, Henry Harshaw
Nohl, Mary L.

9. Major Bibliographic References

(Cite the books, articles, and other sources used in preparing this form on one or more continuation sheets.)

Previous Documentation on File (National Park Service):
- _ preliminary determination of individual listing (36 CFR 67) has been requested
- _ previously listed in the National Register
- _ previously determined eligible by the National Register
- _ designated a National Historic landmark
- _ recorded by Historic American Buildings Survey #_____
- _ recorded by Historic American Engineering Record #_____

Primary location of additional data:
- X State Historic Preservation Office
- _ Other State Agency
- _ Federal Agency
- _ Local government
- _ University
- X Other

Name of repository:
Kohler Foundation, Inc.

10. Geographical Data

Acreage of Property 1.37 acres

UTM References (Place additional UTM references on a continuation sheet.)

	Zone	Easting	Northing
1	16	427470	4777665
2			
3			
4			

☐ See Continuation Sheet

Verbal Boundary Description (Describe the boundaries of the property on a continuation sheet)

Boundary Justification (Explain why the boundaries were selected on a continuation sheet)

11. Form Prepared By

name/title	Timothy F. Heggland				
organization	Consultant for: The Kohler Foundation, Inc.			**date**	June 10, 2005
street & number	6391 Hillsandwood Rd.			**telephone**	1-608-796-2650
city or town	Mazomanie	**state**	WI	**zip code**	53560

Additional Documentation

Submit the following items with the completed form:

Continuation Sheets

Maps A USGS map (7.5 or 15 minute series) indicating the property's location.
A sketch map for historic districts and properties having large acreage or numerous resources.

Photographs Representative black and white photographs of the property.

Additional Items (Check with the SHPO or FPO for any additional items)

Property Owner

Complete this item at the request of SHPO or FPO.)

name/title	Ms. Terri L. Yoho/Executive Director				
organization	Kohler Foundation, Inc.			**date**	June, 2005
street & number	725 X Woodlake Road			**telephone**	920-458-1972
city or town	Kohler	**state**	WI	**zip code**	53044

Paperwork Reduction Act Statement: This information is being collected for applications to the National Register of Historic Places to nominate properties for listing or determine eligibility for listing, to list properties, and to amend existing listings. Response to this request is required to obtain a benefit in accordance with the National Historic Preservation Act, as amended (16 U.S.C. 470 et seq.).

Estimated Burden Statement: Public reporting burden for this form is estimated to average 18.1 hours per response including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding this burden estimate or any aspect of this form to the Chief, Administrative Services Division, National Park Service, P.O. Box 37127, Washington, DC 20013-7127; and the Office of Management and Budget, Paperwork Reductions Projects, (1024-0018), Washington, DC 20503.

Narrative Description:

The Mary L. Nohl Art Environment is located on the west shore of Lake Michigan in the village of Fox Point, one of the northernmost suburbs of Milwaukee, Wisconsin's largest city.[1] The Art Environment consists of a nearly flat 1.37-acre beach front lot that contains two buildings: a modest size period revival style-influenced single family residence, and a very small adjacent tool shed. Surrounding the house are some sixty concrete sculptures, most weighing many hundreds, even thousands of pounds, and all of which were created by Mary L. Nohl (1914-2001), who lived in this house for most of her life. Besides constructing these free-standing sculptures, Nohl also gradually transformed both the exteriors and the interiors of the house and the tool shed. In the process she turned them and the surrounding grounds into a single unified ensemble that is totally intact today and is one of Wisconsin's most original and outstanding works of art.

This lot was first acquired in 1924 by Nohl's parents, Leo and Emma Nohl, who resided in Milwaukee and purchased the lot with the intention of using it as a waterfront summer retreat. In the same year, the Nohls also erected the first building on their new property, a small prefabricated cottage originally located at the rear end of the lot that they would later move closer to the water. Today, the west half of this lot is densely planted with trees and undergrowth and a second stand of pine trees shades the northeast corner of the house and its north-facing front entrance. In 1924, though, when the Nohls took possession, both this lot and much of the surrounding area had been used as farmland and there were no trees or any other natural features here save for the beach itself. In addition, the paved two-lane North Beach Road of today that runs along the lake shore north of the Nohl property and also along the north side of the lot was then little more than a dirt track that was not plowed in winter. It immediately became the favorite place of the Nohl's 10-year-old daughter, Mary, and it would remain so for the rest of her life.

The North Beach Road property continued to be used just as a summer place until 1941, when improvements to North Beach Road coupled with the advent of winter plowing persuaded the Nohls to transform the cottage into a year-round residence. In order to accomplish this, they hired Milwaukee architect Henry Hay to design a new four-season house that would fill the space between the already existing 1924 cottage and a detached two-car garage building that had been built nearby a few years later. The new one-and-one-half-story period revival style-influenced house that Hay designed incorporated both the older one-story Astylistic L-plan cottage and the rectilinear plan garage into its fabric, creating the irregular plan house that is extant today. Construction was hampered by materials

[1] The population of Fox Point in 2000 was 7012 and the population of Milwaukee was 596,974.

shortages associated with the United State's entry into World War II, but the house was finally completed in 1943, whereupon the Nohls sold their Milwaukee house and moved permanently to North Beach Road. Also living at the Beach Road house was Mary Nohl, who in 1937, had graduated from the School of the Art Institute of Chicago with a bachelor's degree, a solid background in art, and a teaching certificate. Armed with this certificate she had then taught art in schools in Baltimore, Maryland and in Milwaukee until 1943, when she gave up teaching art for the more enjoyable act of creating it and established a production pottery studio in a building located not far from her family's Fox Point property. Nohl then moved in with her parents and remained in the North Beach Road house for the rest of her life.

The area that surrounds the Nohl property consists of a shallow mile-and-a-half-long 50-to-400-foot-wide shelf of flat land that lies at the foot of the 100-foot-tall bluffs that line the shore of Lake Michigan.[2] As previously noted, this shelf was farmed prior to being developed into lots and at the time the Nohls made their purchase it was essentially undeveloped and would remain so for many years thereafter. Today, however, all of this land has been subdivided into large lots that are occupied by very expensive single family residences, most of which were built after the end of World War II. Access to all of these mostly beach front properties is provided by North Beach Road, whose west end intersects with the north-south running Lake Drive, the principal lakefront thoroughfare that connects the several communities that line the Lake Michigan shore north of the Milwaukee city limits. North Beach Road descends the bluffs to the waterfront shelf and then runs north and south along the base of the bluffs before coming to dead ends at both its north and south termination points. Some 1500 feet north of the Nohl property, however, the road comes down from the base of the bluffs to the shore and runs south for about 1500 feet parallel to it. Upon reaching the northeast corner of the Nohl family lot, the road turns and runs west along the north edge of the Nohl lot until it once again reaches the base of the bluffs, whereupon it resumes its southerly path. This deviation had the merit of opening up a small portion of Fox Point's lakeshore to public access but at the same time it also gave the public access to Mary Nohl's work as well, with attendant consequences.

What follows are descriptions of the two buildings and the site that are associated with the Mary L. Nohl Art Environment. Each of these elements will be described first as originally built and then as it was subsequently modified by Mary Nohl. Because the three elements together contain hundreds of individual works of art, only a representative sampling of these works will be mentioned and described.

[2] These bluffs extend six miles south to the mouth of the Milwaukee River and north for many more miles.

Mary L. Nohl House **1924/1930/1943** **Contributing**

As previously noted, the earliest portion of this house was built in 1924. This was a one-story, rectilinear plan, jerkinhead gable-roofed, prefabricated cottage that was built by an as yet unknown manufacturer, and its exact original size and original floor plan are also unknown. It is believed, however, that it measured approximately 28.5-feet-long by 19.5-feet wide and it is known that it was originally located at the west end of the lot. In 1930, the Nohls had this building moved to its present location closer to the lake and its ridgeline now runs north-south. At the same time they also had a one-story jerkinhead gable-roofed wing measuring approximately 23.5-feet-long by 19.5-feet wide and containing one or more bedrooms added to the cottage's west-facing elevation. This wing has a ridgeline that runs east-west and it gave the overall building an L-shaped plan. In addition to the cottage itself, the Nohls also had a freestanding, one-story, two-car garage building built on the property between 1924 and 1940. This building measured approximately 20-feet-square, it had a concrete pad foundation, a jerkinhead gable roof whose ridgeline runs north-south, and it was located approximately 26.5-feet north of the north-facing elevation of the cottage.

Both of these buildings were still extant in 1940 when the Nohls decided to turn what was then their summer residence into a year-round one, and it was also their intent to have both buildings incorporated into the overall scheme of the larger residence they were planning. This they accomplished by having the space between the two existing buildings filled with a new 26.5-foot-wide by 40-foot-deep, one-and-one-half-story addition whose roof has a ridgeline that runs east-west. This addition was connected directly to the two existing buildings and it had a full basement story (there were no basements under the older buildings). Its first story contained a new living room, entrance hall, dining room, and kitchen, and its second story contained a stair hall, two new bedrooms, and a master bathroom and dressing room suite. The Nohl's architect, Henry Harshaw Hay, gave this new addition a period-revival style-influenced design that borrowed interior and exterior features from both the Colonial Revival and Tudor Revival styles. He also unified the three separate components of the combined building by giving the new addition a jerkinhead gable roof like the ones found on the other two buildings and by cladding the new addition in the same drop siding that was used to clad the two older buildings.[3] The resulting combined house has an irregular plan and asphalt shingle-clad roofs. It was first occupied in 1943 and is essentially intact today with an overlay of art works that Mary Nohl subsequently added to its exterior and interior.

[3] The still extant dated blueprints of the addition show that the drop siding used was "to match present buildings," both of which were apparently covered in similar siding. Mary Nohl Archives. Kohler Foundation, Inc.

Exterior, as Built

The main facade of the house faces north onto North Beach Road and it is asymmetrical in design and comprises the north-facing elevations of the 1943 addition, the earlier garage, and the still earlier 1924 cottage. The north-facing elevation of the 1943 addition is the easternmost (left-hand) of the three and it is three-bays-wide and its center bay contains the principal entrance to the house. This classically derived entrance consists of a six-panel wood door that is flanked on either side by five-light sidelights and it is surmounted by a simplified wood architrave. The left-hand bay contains a quadruple window group that provides light to the living room inside and this group consists of four identical eight-light, metal casement windows. Located on the slope of the roof above and positioned off center between the first story's left-hand and center bays is a nearly flat-roofed dormer that is sided in drop siding, and it contains a pair of six-light, metal casement windows that light the second story's east-facing bedroom. A second and larger five-sided, flat-roofed dormer that lights the stair hall inside is placed on the slope of the main roof to the right of the center bay and it is also sided in drop siding and contains two ten-light, metal casement windows.[4] The first story of the addition's right-hand-bay, however, is completely covered by the attached and older two-car garage, whose north-facing elevation consists of two large, identical garage door openings that are each filled with a sixteen-panel wood overhead garage door. The north-facing elevation of the 1924 cottage, meanwhile, is asymmetrical in design and two-bays-wide. Its left-hand bay consists of a small two-window group placed high up on the wall that contains a pair of side-hinged four-light wood sash windows, while the right-hand bay consists of a door opening.

The east-facing side elevation of the house faces Lake Michigan and it too is asymmetrical in design and comprises the east-facing elevations of the 1943 addition, the earlier garage, and the 1924 cottage. This elevation is dominated by the symmetrically designed east-facing elevation of the 1943 addltion. The first story of this elevation consists largely of a multi-window group that provides light to the living room and which is composed of a single large, fixed, plate glass center light that is flanked on either side by pairs of ten-light, metal casement windows. Centered in the gable end above is a smaller four-window group that is composed of four six-light, metal casement windows and which provides light to the second story's east-facing bedroom. The east-facing elevation of the garage wing is symmetrical in design and contains just a single bay. This bay is centered on the elevation and comprises another small, two-window group that is placed high up on the wall and it also contains a pair of side-hinged, six-light wood sash windows. The east-facing elevation of the 1924 cottage,

[4] All casement windows used on the 1943 addition are made out of metal and they originally had clear lights that were held in place with metal cames. There is also a chimney stack clad in cobblestones that straddles the peak of the roof and which is located between the two dormers.

meanwhile, is asymmetrical in design and three-bays-wide. The left-hand (south) bay contains a pair of eighteen-light wood French doors, the middle bay contains a triple window group composed of eight-light, metal casement windows, and the right-hand bay contains a single pair of eight-light, metal casement windows. The doors in the left-hand bay originally provided light for a bedroom but now provide light for what was to become Mary Nohl's wood workshop, while the windows in the middle bay provided light to a study room that was inserted into the original 1924 cottage during the 1943 remodeling. The windows in the right-hand bay provide light to an angled hallway that was also inserted during the 1943 remodeling. Both the middle and right-hand bays also look out onto a 13-foot by 11-foot, rectilinear plan, one-story screened porch that occupies the southeast corner formed by the intersection of the 1943 addition and the 1924 cottage. This porch was built in 1943 and has a concrete pad floor and a flat roof supported by wood posts.

The south-facing rear elevation of the house is also asymmetrical in design and comprises the south-facing elevations of the 1943 addition and the 1924 cottage. The 1943 addition dominates and it is asymmetrical in design and two-bays-wide.[5] The left-hand of the two bays is actually just about centered on this elevation and its first story contains a group of two ten-light, wooden French doors that are flanked on both sides with identical non-opening doors, and these doors open from the hall inside onto the screen porch. Located on the slope of the main roof above is a large, rectilinear plan, flat-roofed dormer that is inset several feet into the roof slope. This dormer is also clad in drop siding and it contains a single six-light metal casement window that provides light to the second story bathroom. This window is placed to the left of an eight-light wooden door that opens from the master suite's dressing room onto the roof of the porch. The first story of the right-hand (east) bay contains a quadruple window group that provides light to the living room inside and this group consists of four identical eight-light metal casement windows. Located on the slope of the roof above is a smaller, nearly flat-roofed dormer that is also sided in drop siding and it features a pair of six-light, metal casement windows that light the second story's east-facing bedroom.

The south-facing rear elevation of the 1924 cottage consists of the south-facing gable end of the original portion and the south-facing side elevation of the later bedroom wing. The gable end portion to the right is one bay wide. This bay is centered on the elevation and contains a triple window group composed of three small identical six-light side-hinged wood sash windows. The south-facing elevation of the bedroom wing is three bays wide and is symmetrical in design. Each bay features a small, six-light, side-hinged, wood sash window that is set high up on the wall.

[5] What would have been this elevation's third or left-hand (south) bay is covered by the attached 1924 cottage.

The west-facing side elevation of the house is also asymmetrical in design and comprises the west-facing elevations of the 1943 addition, the earlier garage, and the 1924 cottage's later bedroom wing. On this elevation, however, the bedroom wing and, to a lesser extent, the garage wing, both project out beyond the elevation of the 1943 addition, creating a modest three-sided courtyard. The elevation of the bedroom wing is located to the right and it is symmetrical in design and three-bays-wide and each bay contains a small six-light wood sash window that is set high up on the wall. The elevation of the 1943 addition is the center portion of this overall elevation and it is asymmetrical in design and three-bays-wide. The right-hand bay contains another group of four ten-light wooden French doors, this one of which opens from the dining room onto a terrace, while the middle bay contains a triple window group composed of three identical six-light, metal casement windows that lights the kitchen. Placed to the left of the kitchen windows in the left-hand bay is the rear entrance to the house, which consists of a six-light over two-panel door that is sheltered by a shed-roofed open porch whose roof is formed by an extension of the adjacent garage wing roof. Centered on the gable end above these three bays is a quadruple window group composed of four identical six-light, metal casement windows that light the west bedroom. This elevation is completed by the west-facing elevation of the garage, which is symmetrical in design and contains just a single bay. This bay is centered on the elevation and comprises another small two-window group that is placed high up on the wall and which contains two six-light wood sash side-hinged windows.

Exterior, as Transformed

As originally constructed, the house described above, despite being mostly architect-designed, was still an essentially modest house of pleasing but unexceptional design whose principal intent was to provide a comfortable setting for lakeside living. It was not until after Mary Nohl's father died in 1961 and her mother took up residence in a nursing home in 1963 that Nohl began to transform the family house into the strikingly original building it has since become. Part of this change involved completely covering the original painted exterior surface of the house with overlay of light blue, gray, or red sponged on paint. So uniform was Nohl's application of this paint that the casual visitor might not even notice, his or her attention being riveted instead by the numerous large and small painted wooden panels that Nohl attached directly to the building's drop siding-clad exterior walls. To most of these panels Nohl attached orderly assemblages of stylized human figures, fish, birds, and other natural subjects, all of which she cut out of wood on the band saw and table saw in her workshop. Other panels have figures attached to them that Nohl made of assemblages of driftwood that she picked up on her walks on the beach. She also attached a number of carved and found objects to her house. The end result of all these additions has been to give the entire exterior of the house a sculptural, bas-relief

quality that has effectively transformed it into the largest of the many sculptures that comprise the Mary Nohl Art Environment.

Upon entering the site, a visitor first encounters these panels when viewing the north end of the garage. The broad gable end above the double garage doors are completely covered by one of the largest of the panels that exhibit scroll-sawn figures. Smaller vertical panels covered with non-representational sawn elements are attached to the sides of the garage doors as well. As one approaches the main entrance to the house still more panels can be seen on the east-facing side of the garage, including a large one located beneath the two-window group that is covered with elongated wood figures that once formed a part of a 435-foot-long fence that Nohl built along the north edge of her property. There are three more panels placed to the left of these windows that are made of colored mosaic and which display dancing human figures. Upon reaching the entrance door itself one notices a row of six carved wooden heads suspended from the soffit of the main roof above, while panels covered in scroll sawn fish are located to the right of the door and below each of its sidelights. To the left of the entrance is another large panel that features a red-painted driftwood figure, while two more panels displaying smaller driftwood figures are located on either side of the four window group to the left of the door. Another large panel covered in elongated scrollsawn figures is located below the window group, the window surround itself consists of narrow panels covered with both abstract and representational scrollsawn figures, and a bleached animal skull is suspended from the wall surface above the window group.

The east-facing elevation of the house is similarly treated. The 1943 addition's centrally placed five-window group is entirely surrounded by a broad frame of panels covered in scrollsawn human figures, twin panels covered in scrollsawn leaf-like objects are attached to the wall surface on either side of this window group, a large panel centered on the spandrel between the first and second story window groups displays a stylized, scrollsawn, red-painted fish skeleton, and two more panels that display scrollsawn diving and swimming human figures are placed on either side of the gable end's quadruple window group. Turning the corner, one sees thin column-like panels covering the screen porch roof's supporting posts and another large panel covered in elongated scrollsawn figures is placed below the four window group that is located to the right of the porch on the 1943 addition's south-facing elevation. Just to the left of the porch, on the 1924 cottage's east-facing elevation, the wall surfaces that flank both sides of the French doors are completely covered with two large panels that are themselves covered with a multiplicity of scrollsawn animal, human, and fish shaped elements.

The wall surface of the south elevation is treated just as elaborately as the house's other, more visible elevations. The south elevation of the 1924 cottage has a large panel displaying horizontally arrayed scrollsawn serpent-like elements placed below its centered, paired window group and a panel placed

on either side of the window group that displays vertically orientated serpent-like elements of similar design. Two tall, narrow additional panels placed at the ends of this elevation display both scrollsawn fish and elongated human figures and a broad wooden stringcourse that spans this elevation at the level of the window lintels is enlivened with its own collection of scrollsawn creatures. Crowning the elevation is a large panel in the gable end of four figures in a red-painted boat. The south elevation of the bedroom addition to the cottage is similarly treated with panels displaying elongated scrollsawn human figures placed beneath each of the elevation's three windows.

The west-facing elevation of the 1924 cottage's bedroom wing is treated more lavishly. One of the largest of Nohl's panels spans the entire space below this elevation's three windows and it is completely covered with elongated scrollsawn human figures. Here too, Nohl placed a broad wooden stringcourse decorated with scrollsawn elements across the full width of elevation just above the windows. In addition, she decorated the ends of the elevation with pilaster-like panels complete with capitals decorated with scrollsawn fish and elongated human figures, and she placed a large panel decorated with a red-painted smiling fish in the center of the gable end above.

Turning the northeast corner of the bedroom wing, one finds that the entire wall surface to the right of the door on the wing's north-facing elevation has been covered with red-painted elongated human figures that in this instance have been affixed directly to the wall surface itself. A small panel with a driftwood figure is located to the left of the door and a somewhat larger panel depicting elongated female human figures is placed below the elevation's double window group. The most striking feature of this elevation, however, is the wood door itself, which Nohl painted dark slate blue and completely covered with a dense array of mostly abstract wood elements that were given a more three-dimensional treatment than she usually used.

The west-facing elevation of the 1943 addition has only a single small panel decorated with vertical scrollsawn serpent-like elements placed to the left of the French doors and a smaller group of elongated scrollsawn human figures is attached directly to the wall surface below the kitchen windows. Both the French doors and the quadruple window group in the gable end above are enframed with board surrounds that are covered in scrollsawn elements that Nohl made in September of 1965, the one surrounding the French doors being described as a "fish procession."[6]

The west-facing elevation of the garage wing is more densely decorated and its surface is covered by six panels. Placed below the centered two-window group is yet another panel covered in elongated

[6] Bianco, Jane. *Mary Nohl's Art — Her Best Beloved Home: Happy With Her Own Construction.* University of Wisconsin-Madison, M.A. Thesis, May 7, 2004, p. 20.

scrollsawn human figures, and to the left are two more panels, the upper one of which depicts human figures in small boats and the lower, two rows of elongated human heads. Placed to the right of the windows are three more panels, the bottom one of which displays elongated reclining human figures, while a scrollsawn whale-like element is attached directly to the wall surface between the two smaller upper panels.

Interior

Not surprisingly, the interior of Mary Nohl's house is every bit as original and extraordinary as the exterior. Even before one enters the house one senses this as one is about to step up onto the concrete pad that serves as the front entrance porch. To reach it, one first steps up on a smaller concrete step whose upper surface is covered with black cemented-on lake pebbles that spell out the word "BOO," a humorous but also ironic reference to her being called a witch by some local school age children. The six-panel wood entrance door itself is also notable, being painted bright blue and having a metal, claw-shaped door knocker. Notable too are the entrance's sidelights, which Nohl covered (inside) with blue stained glass set into abstract patterns.

The door opens into a 7.5-foot-wide by four-foot-deep entrance vestibule that has plaster walls and ceiling, a floor-to-ceiling mirror to the right (west) and a built-in seat with a lift-up lid to the left.[7] Sponged paint has been applied over the original paint here and a woven wire, floating figure Nohl made hangs from the ceiling above. The bottom part of the vestibule's walls is covered by a simple baseboard having a molded top portion and a quarter-round molding at its base. The floor is covered in blue linoleum and these tiles also extend further out into the hall beyond.[8] To reach the hall, one passes through an elliptically arched opening that is supported by two Tuscan Order wood columns that Nohl painted light blue and decorated with gold painted bands that spiras up from the floor like a barber pole.

The hall measures 11.5-feet-wide by 21.5-feet-long and it is rectilinear in plan. The north wall of the hall features the entrance vestibule to the right (east), a doorway in the center that provides access to a short hall that leads to the kitchen, and just to the left of this is the lower flight of the staircase that leads to the second story, which is placed against the west wall of the hall. Also placed on the west wall just a little further to the left (south) is a wide opening that leads to the dining room. Natural light is admitted to the hall by French doors that make up most of the room's south wall and which open

[7] All the walls and ceilings in the 1943 addition are plastered.
[8] Identical baseboards were used throughout the 1943 addition.

onto the screen porch outside.[9] The remainder of the south wall consists of a doorway positioned to the right that opens into a hall that leads to rooms in the 1924 cottage portion of the house. The east wall of the hall features two door openings placed equidistant along the wall, both of which give access to the living room beyond.

As soon as one enters this room one realizes that there are no plain surfaces in this house. All the walls originally were painted but they were then over-painted by Nohl using a sponge or daubing technique. Color is everywhere and is always the result of her handiwork. For instance, the floor of the hall is covered in linoleum tiles laid in blocks of color that resemble a Mondrian painting, one being dark blue and an extension of the tiles in the entrance vestibule, another being red, another, green and still another, pink and green. Also notable for its new color is the staircase, which is typical of Colonial Revival designs in having a turned newel post, a shaped wood handrail, and turned balusters. Originally, this may have been either varnished or painted but Nohl later painted the newel posts and balusters in fire engine red enamel while the handrail and the open stringers are sponge painted in red over white. Also painted fire-engine red is a swinging wooden gate Nohl made that has turned balusters set in a rectilinear frame, the whole being hinged to the casework of the north entrance to the living room that is located on the hall's east wall. This gate was used to block off access to the living room when Nohl allowed tours to visit her house.

Furniture in the hall belonged to Nohl's family and consists of a Victorian period two-seat sofa whose wood frame she repainted fire-engine red and which she recovered in purple corduroy speckled with red paint. Next to it is an upholstered chair of later vintage that she also reupholstered in purple corduroy. There is also a simple Victorian era four-drawer wooden chest in the southeast corner that she sponge painted with red, and a coffee table and a side table that have ceramic tops that she fashioned. Also present in this room are a number of carved wood sculptures, a sponge-painted telephone, and a wood assemblage hanging on the wall above the dresser and painted in gilt paint, all of which Nohl made, but the most numerous works here are Nohl's oil paintings, which ascend the west wall of the room up the length of the staircase. Somewhat incongruous in this otherwise intensely personal setting are two large 19th century portrait photographs of Nohl's maternal grandparents placed on the east wall above the sofa and these are the only historic photos or other two-dimensional works by someone other than Nohl on display in the house.

The living room is accessed from the hall and it takes up the entire east end of the 1943 addition and it is 25-feet-long and 14-feet-wide. Paired three-panel doors that Nohl later painted pink and covered

[9] The clear original lights in these doors were later replaced by Nohl with stained glass of her own manufacture and design.

with flat wood cutouts of people in conversation open into to the living room from the hall. What the hall lacks in the way of natural lighting is more than made up for by the living room. Both its north and south walls have quadruple window groups centered on them while the east wall, which looks out over the lake, features a large picture window that is flanked by four smaller windows. Even though Nohl later covered parts of these windows with stained glass assemblages of her own (especially those windows in the north wall that face Beach Road), the fact remains that this room was the heart of the house and was the place where Nohl communed with the lake she loved so much. Although the windows in this room and their views are its most important feature, there are several other original features of note. Centered on the west wall is a large fireplace having a classically derived wooden fireplace surround and mantel shelf and the ceiling is spanned by two broad boxed beams. Interestingly, the walls of this room are now covered with mass produced panels of fiber board whose surface is completely covered in very narrow vertical ridges. The original blueprints, however, show that these walls were to be plastered like the celling (which is) and it is not known if this wall treatment is original to the room or a later addition. Regardless, both the walls and the ceiling have since been transformed by Nohl's sponge painting, which, in the case of the walls is pink over the underlying white, and on the celling, black and blue over white. The floor here is also covered with linoleum tiles but the design is more formal than the hall, there being a large rectilinear area covered in gray tiles that is centered on the floor and which is surrounded by a broad border of cream tiles speckled with green. There are, however, two smaller areas of tiles leading into the room through the two hall doorways, the one to the north consisting of alternating squares of blue and gold, the one to the south being red.

The furniture in the living room is extremely varied in terms of styles and date of manufacture and consists mostly of pieces that Nohl inherited from her parents, as well as a later sofa and a chair and table (copies of works Eero Saarinen designed for Knoll) that Nohl may have acquired for herself.[10] Suffice it to say that Nohl subsequently repainted any piece of exposed woodwork on these pieces and she also experimented with a Jackson Pollock-like drip painting technique on the two overstuffed Art Deco style-influenced chairs in the room that the Nohls had bought from Sears-Roebuck in the 1930s. The living room also contains what is for all practical purposes a gallery of Nohl's work done in a wide variety of media. Her oil paintings can be found on all of the walls, carved heads, ceramic heads, and ceramic mosaic heads decorate the mantelshelf and table tops, driftwood figures are attached to several of the walls, and some of her extraordinary woven wire figures hang from the ceilings. Also hanging from the ceiling are elaborate ceiling light fixtures of Nohl's design that hang above the tables at either end of the room. Both fixtures feature multiple, mobile-like elements made of aluminum, those

[10] It is entirely possible that acquiring furniture designed for the similarly pronounced Knoll, Inc. appealed to Mary Nohl's considerable sense of humor.

associated with the south fixture consisting predominately of egg shapes and those of the north fixture, sailboat shapes. Nohl also made a red-painted wood fire screen covered in elongated human figures that she used to cover the fireplace opening in the summer months and she also covered the fireplace's hearth with beach stones.

The dining room occupies the southwest portion of the west end of the 1943 addition. It is almost square in plan and measures 11.5-feet-long by 11-feet-wide. The principal entrance to the room is from the hall and it is centered on the dining room's east wall. Directly opposite, on the room's west wall, is the French door group mentioned earlier and these doors opens onto the terrace outside. A second, smaller opening is located on the room's north wall and its six-panel swinging wood door opens into the kitchen. The walls of the dining room are plastered and are sponge painted in blue over white, while the plaster board ceiling is painted a flat slate blue. The floor is once again covered in linoleum tiles, there being a large center field of blue tiles surrounded by a cream border, and there are two smaller areas as well, the one leading into the hall being of blue and black tiles and the one leading into the kitchen being yellow. Hanging from the ceiling above the table is a fish mobile that Nohl made of old aluminum ice trays.

The kitchen occuples the northwest portion of the west end of the 1943 addition and it measures 10-feet-long by 11-feet-wide. The west wall of the room contains the outside entrance door to the right (north), while the kitchen sink and its associated counter space and cabinets are placed underneath the triple window group to the left. The door to the dining room is placed to the right on the room's south wall and the rest of this wall is covered by upper and lower wood cabinets that have associated counter space. These cabinets and the counter wrap around the room's southeast corner and also cover the right-hand portion of the room's east wall. Centered on this wall is a kitchen table whose east end is attached to the wall surface, and the door to the hall leading to the main hall occupies the left-hand portion of the wall. The right-hand portion of the room's north wall contains the door that opens into the garage and the remainder of the wall is occupied by a refrigerator and stove.

Nohl's alterations to the kitchen consist mostly of repainting. The walls have red paint sponged over white, the ceilings have blue and green paint sponged over white, and the kitchen cabinets are also overpainted with blue paint sponged over cream. The floor consists of red-speckled linoleum tiles, the counter surfaces and their back-splashes are covered in dark blue linoleum, and the kitchen tabletop is covered in bright red linoleum. Nohl also affixed several small panels to the surfaces of the doors of the wall cabinets and these display small human skeletons made out of chicken bones. Several of Nohl's oil paintings are hung on the walls and she also made three small three-dimensional, carved wood figures that rest on the countertop and appear to support the corners of the wall cabinets above.

The screened porch has a concrete slab floor and the walls on its east and south sides are screened and a screened door in the south wall opens to the yard beyond. The porch ceiling is made of beaded board that has been painted blue and the surround of the French doors on the north wall that open into the hall have been sponge-painted with a gray color paint.

The interior of the 1924 cottage and its bedroom wing contain several rooms of its own, including a bathroom that contains a bathtub, sink, and toilet, and two former bedrooms and a study that Mary Nohl subsequently used largely for storage purposes. The most significant of the spaces in this part of the house is Nohl's workshop, which takes up the south end of the 1924 cottage. This room measures 12.5 feet-long by 11 feet-wide. It has a floor covered in speckled blue linoleum tiles, walls that are covered in painted drywall, and a ceiling that is open up to the ridgeline of the roof and whose inner surface is composed of plywood sheathing supported by exposed 2x4" wood rafters. The entrance to this room is on the north wall and it opens into the angled hallway that opens into the stair hall. A small side-hinged six-light window is located towards the south end of the room's west wall, a triple group of identical windows is centered on the room's south wall, and a pair of 18-light French doors are centered on the east wall looking towards the lake.

The workshop contains a free-standing drill press, planer, table saw, and band saw. It also contains work benches Nohl made that have storage space below and work surfaces on which are located grinders and other small electric and non-electric tools. Mass-produced wooden bookcases that were originally placed on the walls of the adjacent study room were moved here instead and do duty as storage units as do bookcases of Nohl's own manufacture. Plywood panels on the walls hold an assortment of tools, most of which are as bought. Nohl, however, modified many others. The floors and shelves in the room also contain numerous works of art, many made of carved wood pieces, that were either considered to be unfinished or were simply being stored.

The second story of the house's 1943 addition contains a stair hall, two bedrooms and a bathroom suite. One ascends to the second story by the red-painted staircase noted earlier. This staircase has a dogleg design, its treads and risers are carpeted, and it is open up to the ceiling of the second story's hall. The staircase's balustrade ascends along the edge of both flights of stairs and it also encircles the open well of the staircase before terminating against the west wall of the second story hall. Both the staircase and the second story hall are lit by the polygonal dormer that is located on the north-facing slope of the addition's roof. The dormer's original clear lights now being entirely covered over by stained glass windows of Nohl's design and execution. The second story hall has a T-plan. The hall's principal space measures 12.5-feet-long by 6.5-feet-wide and its north end is polygonal in shape and

contains the stair landing. The hall also has a smaller 5-foot-wide by 6.5-foot-deep space that opens off of its east side and forms a vestibule leading to the east bedroom.

Most of the west side of the hall consists of the staircase, but a door opening just beyond and to the left (south) opens into the west bedroom. The south wall of the hall features a door that opens into the bathroom, while the east wall is partially taken up by the staircase and by the five-foot-wide opening that leads to the east bedroom. Like the living room below, the hall also functions as another gallery space for Nohl's work. The walls are densely covered with her oil paintings, sculptures of several different media hang from the ceiling, and large carved wood figures inhabit the corners. The floor is covered in cream-colored linoleum speckled with green. The east, west and north walls are sponge-painted with green paint over an off-white ground, and the south wall is sponge-painted with blue paint over an off-white ground.

The broad opening in the east wall of the hall that leads to the east bedroom has a shallow arched shape and the north wall of this vestibule consists of a large, built-in linen closet that has two large six-panel doors placed above two smaller one-panel doors. A semi-circular-arched door opening in the east wall of this vestibule opens, through a similarly shaped six-panel door, into the 12.5-foot deep by 16-foot-wide east bedroom, which was called the "daughter's room" on the 1940 blueprints. The west wall of this room has a second identical semi-circular-arched door opening located equidistant to the left (south) that opens into the dressing room off the bathroom, while the east wall opposite has a quadruple window group centered on it that overlooks the lake. Because the ceiling of this room follows the slope of the roof, the upper halves of the north and south walls slope up to the ceiling's flat central section. Inset into these slopes and placed opposite each other on the room's north and south walls are dormers, both of which have paired windows with bookcases placed below them that are protected by glass doors. The floor of this room has a central rectangular field that is covered in black linoleum and this is bordered by a broad band of cream-colored linoleum speckled with green, while the walls and ceiling are sponge-painted with gray paint over an off-white ground.

The dressing room occupies part of the south side of this story and it measures 8.5-feet-long by 5-feet-wide. The south wall of this room contains a door that opens onto the porch roof, the north wall has doors that serve a large built-in closet, the east wall has a door that opens into the east bedroom, and the west wall has another door that opens into the bathroom.

The bathroom is located just to the west of the adjoining dressing room and it measures 8.5-feet-long by 6-feet-wide. A door in the bathroom's east wall opens into the dressing room and a second door located in its north wall opens into the hall. The west wall of the bathroom features a sunken tub to the

right and a toilet to the left. The south wall features a single window opening, and the east wall has a sink centered on it that has a mirror above it and a counter top that is covered in smooth lake pebbles that Nohl cemented to it. The floor of the room is linoleum and the off-white walls have been sponge-painted with blue paint.

The smaller west bedroom measures 11.5-feet-deep by 15.5-feet-long. Centered on its east wall is the door that opens into the hall and centered on the west wall opposite is a quadruple window group. The south wall has an alcove centered on it that holds a dresser and there are closets placed on either side of the alcove that are accessed through six-panel wood doors. A small four-panel door in the north wall gives access to an attic space beyond. Here too, the ceiling shape follows the shape of the roof and the upper half of the north and south walls slope up to the ceiling's flat central section. The floor is covered in cream-colored linoleum tiles that are flecked with green and the walls and ceiling are off-white and have been sponge painted with blue paint. This room contains two single beds that have headboards decorated with Nohl's elongated scrollsawn wood figures and the dresser and chair in the room were also repainted by Nohl in fire-engine red.

Tool Shed **ca.1943** **Contributing**

Located just to the west of the garage wing of the house is a small, square plan, one-story building that was at least occasionally used as a tool shed.[11] This building measures about eight-feet-square and has a concrete pad foundation, walls that are covered in drop siding, and a hip roof that is clad in asphalt shingles and which has overhanging open eaves that are supported by exposed rafter tails. Each of the building's east, west, and north-facing elevations have a single small six-light wood sash window centered on them, while the south-facing elevation contains a door.

Here too, Nohl worked her transforming magic. All the walls have been sponge-painted like those on the house and the corner boards and window and door surrounds are even more densely covered with sponged-on black paint. Nohl also positioned small groups of elongated, gray-painted, scrollsawn human figures below the windows on both the north and west sides of the building and she placed additional groups of them on either side of the door on the south elevation. The most elaborate feature of the building, though, is the door itself, which Nohl completely covered in scrollsawn elements in a manner that echoes the design of the door in the north wall of the 1924 cottage's bedroom wing, which faces the tool shed's door on the other side of the rear courtyard.

[11] Not much is known about the use of this building, but judging from the different names shown on various maps associated with this property – frame shop, play house – it is probable that Mary Nohl and her parents used it for a number of different things, none of which could claim absolute priority.

Site & Sculptures **1963-2001** **Contributing**

The 1.37-acre lot associated with the Mary Nohl Art Environment is essentially flat land whose east end is formed by the Lake Michigan shore. The west half of this lot is now largely given over to unmanaged woods made up of a dense mixture of trees and shrubs, and similar growth covers most of the south lot line as well. It is the east half of the lot that contains the house, the tool shed, and the outdoor sculpture garden that encircles the house and extends down to the lake shore. The surface of the east half is essentially given over to mowed grass but there is a stand of pine trees in front of the house and encircling its northeast corner that Nohl planted to ease mowing demands and to decrease the visibility of her outdoor work.[12] The entire lot is also completely encircled by a six-foot-tall cyclone type wire fence that Mary Nohl had installed in 1970 to deter theft and vandalism, and portions of this fence are topped with barbed wire as well.

A visitor first becomes aware of the site when driving south on the asphalt-surfaced North Beach Road, the route of which closely parallels the lake shore at this point. Upon reaching the site, the road makes a 90-degree turn to the right and continues west along the entire north edge of the lot and for a short distance beyond before turning 90-degrees once again to continue south along the base of the bluffs that help define this area. Entrance to the site is gained by passing through a pair of wire gates located in front of the house on the north side of the encircling fence. These gates are made of the same cyclone fencing as the rest of the perimeter fence and they are attached to two six-foot-tall, one-foot-square cement gate posts that are studded with smooth, medium-size beach stones and topped with simple square concrete capitals, the street-facing surface of the right-hand (west) one of which bears the incised name "Nohl." Mary Nohl helped her father build these gate posts shortly after the family acquired the property in 1924. Two smiling concrete busts (1A and 1B) perched on top of the gate posts are Nohl's later additions to the gates.[13]

Just inside the gates is a concrete-surfaced area in front of the garage which serves the garage and provides a parking space for visitors. A curving flagstone sidewalk leads from the left edge of the driveway to the entrance of the house. Half-way up on the right is a short stretch of balustrade that consists of two three-foot-tall one-foot-square concrete pedestals that are covered in smooth beach stones and topped with flat, square, concrete capitals (5). Placed between these two pedestals is a short

[12] Nohl, Mary, *Newsletters to Friends*, 1967-1995. December, 1968. Mary Nohl Archives, Kohler Foundation, Inc. In this newsletter Nohl states that: "Each year I give more space to woods and less to lawn, and like it better. And just incidentally, woods don't have to be mowed or raked."

[13] Numbers in parentheses are keyed to the accompanying site map.

stretch of balustrade whose balusters consist of the elongated, scrollsawn wood human figures that are one of Nohl's signature creations.

Flanking both sides of the entrance walk are the first of the 60 mostly concrete yard sculptures that surround the east, north, and west sides of the house. The densest concentration of these sculptures is situated around the entrance to the house (2-15) but other tightly clustered concentrations also occur on the lake front portion of the yard (30-34 and 39-43), which is where most of the sculptures are located. No works are placed near the south lot line of the site because it is so close to the house, but three more significant concentrations of sculptures can also be found on the building's west side. The first of these is centered on the flagstone-covered courtyard and the sculptures here (45-48, 50) are easily visible from the dining room windows. The second group borders a path that leads west into the woods (49, 51-54), and the third group is located at the west end of the parking area (55-60).[14]

Helping to access the various sculptures on the grounds is a system of paths (27) that Nohl began building shortly after her mother moved into a nursing home in 1963. These paths consist of 14-inch-square cast concrete sections whose surfaces are covered in small pebbles that Nohl brought up from her beach. They were among the first works that Nohl made of concrete. Besides being functional, these paths also helped Nohl organize the site as well. As she noted in her diary:

> My sidewalks are growing--in about 4 different directions--and they are more than decorative--they sort of make spaces for outdoor sculpture.[15]

Some of these paths lead to specific destinations, such as the beach or around the perimeter of the house. Others lead to or partially enclose sculpture groups that Nohl built later.

A few of Nohl's yard sculptures are relatively small in scale, although they are still heavy enough to deter thieves, but others are massive, weighing many hundreds and even thousands of pounds. In her master's thesis on Nohl, Debra L. Brehmer divided these works into several distinct groups: monolithic heads, figures and groupings; mythic animals; and architectural ruins.[16] Brehmer described the building process as well:

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[14] Placed flat on the ground near #54 are two nineteenth century gravestones that Nohl "saved from the bulldozer," both of which memorialized earlier women named "Mary." A typical instance of Nohl's sense of humor.
[15] Nohl, Mary. *Diaries, 1960-1973*. December, 1967. Mary Nohl Archives, Kohler Foundation, Inc.
[16] Brehmer, Debra L. *The Handcrafted Universe of Mary Nohl*. University of Wisconsin-Milwaukee: M.A. Thesis, December, 1995, p. 35.

> To build these pieces, Mary first develops a rough idea on paper. She then makes armatures out of metal rods, old pipes, fence wire or tin and fills in the forms with stones she collects by the beach in an old red wagon. She applies concrete in sections, from the ground up, allowing each to dry for two or three days before adding the next. She often combs or trowels a texture into the wet medium and adds subtle decorative flourishes, such as beach stone, marbles or reflector eyes and ornamental bits of pottery or tile.[17]

The iconography of these pieces is complex and is sometimes specific to a particular piece, but several dominant themes can be seen. These themes can also be seen in all the other mediums she explored, be they scrollsawn wood, painting, or silver jewelry. Stylized human figures predominate and are found in many different guises, sometimes alone, sometimes in pairs, and sometimes in groups. Many of these figures are busts that have faces that are without expression and resemble maquettes for Easter Island figures (12). Others are more playful, especially if found in groups (9, 21, 23). Another commonly encountered theme is fish, which are sometimes grouped with human figures (10), and sometimes with each other (4, 20). Other water-related themes can also be found, including mermaids (25) and other water dwelling creatures (7).

Much more complex in form and design are several large scale works that reveal a vast multitude of small, carefully designed and crafted elements that when fitted together create a small world of their own. The fountain in the front yard (37) is one such creation, which Nohl described to friends in one of her biannual mimeographed newsletters.

> It will be a glass palace with about three or four hundred windows, colored glass windows, all different sizes and shapes, set in cement so light can come through. The water will go up the center with the aid of a fountain pump and it will drip from the top making nice water noises.[18]

Other examples of this type of work include the Wall of Faces (29) on the lake side of the house, and the Wall of People (56) that borders part of the parking area in front. Both are three-to-four-foot-tall concrete fences that enclose parts of the site, and the North Tower and the South Tower (52, 53), which flank the entrance to the path on the far west side of the house that gradually vanishes into the woods.

Nohl's earliest adult work in concrete actually dates from the summers of 1935-1937, when she was otherwise enrolled in school at the Art Institute of Chicago. This is a squat sculpture that resembles a

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[17] Brehmer, Debra L. Op. Cit. p. 36.
[18] Nohl, Mary. *Newsletters to Friends*, 1967-1995. June 1976. Mary Nohl Archives, Kohler Foundation, Inc.

nesting chicken covered in beach stones and Nohl soon moved it to the rear of the site where it still is today.(51) Nohl's later decision to work once again in concrete was partially a result of her renewed interest in the medium, and she was spurred on to some degree by her experience making the paths mentioned earlier. Working in concrete also possessed other advantages; it was easily worked, was cheap, and sand for the mlx was available at Nohl's doorstep. Sadly, though, the decision to work in concrete was also a response to the vandalism and theft that dogged Nohl from the beginning of her time living alone in the house. Nohl's earliest outdoor sculptures were frequently made of driftwood found on the beach, but these sculptures were relatively light and could be easily stolen and they could also be set on fire. To deal with the problem Nohl turned to concrete for its greater weight and greater degree of permanence. And just as her choice of material was partially dictated by necessity, so to a lesser extent were her designs. Nohl soon found that thinner pieces were far easier to damage than more substantial ones. Consequently, few of the human figures she made of concrete exhibit arms or fingers. And yet, from this adversity Nohl discovered a whole new medium, one that enabled her to leave a stunning legacy of sculptures that have a degree of permanence that her more fragile and easily damaged wooden sculptures could not have achieved.

Much fewer in number today than when Nohl was alive are the numerous wind chimes, wind mills, and hanging sculptures that she suspended from tree branches on the site. Nohl made these kinetic works out of a wide variety of materials, such as metal, wood, and glass, and she delighted in the sight and sound of them. She wrote: "When the waves roar and the windmills carry on a conversation with each other...and the glass chimes tinkle–all is right with the world."[19] Today only a few of these works still exist *in situ*. Time, the elements, and vandalism and theft have all contributed to the lessening of their numbers. A few, however, are still located where Nohl put them and others are in storage or are being conserved. Otherwise, the grounds and Nohl's North Beach Road home are still almost exactly as she left them when she died in 2001 and display the highest degree of integrity.

Inventory

For the purposes of this nomination, all of the extant outdoor sculpture groups are considered to be contributing resources within the scope of the overall Art Environment. What follows is a listing of these resources keyed to the site plan that is provided. All sculptures are made of concrete unless otherwise noted. Mary Nohl seldom gave her works formal names so the ones given below are the descriptive ones generated by Jane Bianco for her M.A. Thesis.

[19] Bianco, Jane. Op. Cit., p. 46.

Site Plan #	Sculptures
1A	Front Gate Post
1B (1A & 1B counted as 1 feature)	Front Gate Post
2	Dinosaur
3	Head & Shoulders
4	Standing Fishes
5	Front Door Posts
6	Network of Faces
7	Sea horse
8	Leaning Pair
9	Woman & Children
10	Man & Fish Conversing
11	Head w/Colored Glass Hair
12	Pointed Large Head
13	S-Shaped Figure
14	Two Facing Lions
15	Long Heads in Hats
16	Tall Green-Eyed Figure (wood)
17	Crowned Heads
18	Head w/Glass Necklace
19	Tall Horned Figure (wood)
20	Fish w/noses Upward
21	Four Seated Singers
22	Thick-Legged Creature
23	Embracing Couple
24	Dinosaur + Person
25	Mermaids
26	Three Witches
27	Pebble Pathways
28	Two Seated Fish
29	Wall of Faces
30	Straight Back Figures
31	Black-Eyed Bust

32	Long Head, facing South
33	Long Head, facing East
34	Black Eyes, facing East
35	Arches
36	People-Birds
37	Fountain
38	Leaning Torso
39	Large Ground Face
40	Smaller Ground Face
41a	Small Ground Face
41b (41a & 41b counted as 1 feature)	Small Ground Face
42	Torso in Hat
43	Armless Figure
44	Tree Stump Face
45	Couple Holding Hands
46	Happy Balancing Figure
47	Cylindrical Head
48	Elongated Head
49	Ring of Arohitecture
50	Cylindrical Heads
51	First Cement Animal
52	South Tower
53	North Tower
54	Large Face
55	Two Figures, Glass Medallion
56	Wall of People
57	Blue-Eyed Figure
58	Brown-Eyed Figure
59	Man & Woman Singing
60	Elongated Trio

Significance

The Mary L. Nohl Art Environment is nominated to the National Register of Historic Places (NRHP) for its national significance under National Register (NR) criteria B and C. Research was undertaken to assess this potential utilizing the NR significance area of Art, which is defined in NR Bulletin 16 as "The creation of painting, printmaking, photography, sculpture, and the decorative arts." The results of this research are detailed below and have determined that the Mary L. Nohl Art Environment, which is composed of a single family residence, a small outbuilding, and their surrounding grounds, meets NR criteria for listing in the NRHP. The interior and exterior of the house and its sculpture-filled grounds form a single unique artistic whole that was created single-handedly over a nearly 40-year period by Mary L. Nohl, whose extraordinary combination of energy and artistic vision produced one of the nation's most unusual and memorable artistic entities and one which has achieved international recognition. The property is also the resource most closely associated with Mary Nohl productive life as an artist. The period of significance begins in 1943 when she returned to this house after a period of teaching, and ends in 2001, the year of her death.

The Nohl Art Environment occupies a 1.37-acre beach front lot on the shore of Lake Michigan in the village of Fox Point in Milwaukee County. Prominent Milwaukee attorney Leo Nohl and his wife, Emma, purchased this lot, in 1924 to provide a summer retreat for themselves and their two children, Gene and Mary. To house the family during the summer months they purchased a small, rectilinear plan, prefabricated building that was originally placed at the west end of the lot and there it would remain for the rest of the 1920s.[20] In 1930, the cottage was moved to the east end of the lot to be nearer to the lake, a bedroom wing was added to it, and a separate two-car garage was built close by. Mary Nohl finished high school in Milwaukee in 1932 and began to take college level art courses, first at Rollins College in Winter Park, Florida, and then, beginning in 1933, at the School of the Art Institute of Chicago, from which she graduated in 1937 with a B.F.A. degree and, a year later, with a teaching certificate. In 1939, Nohl moved to Baltimore, Maryland and began to teach art at a junior high school in that city.

Meanwhile, Nohl's parents had decided in 1940 that the time was now ripe to turn their Fox Point summer residence into a permanent one and commissioned an architect to design an addition that could accommodate comfortable year-round living and also link the existing cottage and garage

[20] Prefabricated houses of this type were then offered by a number of local, regional, and national manufacturers of prefabricated houses including such well-known brands as the Simplex Ready Made Houses and Garages made by Sears, Roebuck & Co., and the widely distributed Hodgson Camp Houses manufactured by the E. F. Hodgson Co. of Boston, Massachusetts.

together into a single building.[21] The following year, Mary Nohl moved back to Milwaukee, taking a position as an art teacher at North Division High School. In 1943 she moved into her parent's new home where she would continue to live for the rest of her long life. After a second year teaching art at Steuben Junior High School, Nohl resigned, having decided that she would rather pursue a life making art than teaching about it. Within a year she created a pottery studio and factory in the nearby community of Whitefish Bay and she operated this as a successful commercial enterprise until 1954, when the factory property was taken for the construction of an adjacent highway. Fortunately, Nohl had also discovered silversmithing not long after she began to pursue her work as a production potter and she had begun to create jewelry of her own design in the studio she had established in her parents home. It was to this new medium that she turned after the loss of her studio. Some of the works she created there would subsequently be exhibited in a show at the Milwaukee Art Museum and in a traveling show sponsored by the Smithsonian Institution.

Nohl's father died in 1961, and her mother moved into a nursing home two years later. Nohl thus found herself alone in her home for the first time and not long afterwards began the process of transforming it and the surrounding lot into the total art environment that it was to become. After her mother died in 1968, Nohl inherited both the house and an estate of sufficient size to ensure that she would be completely independent for the rest of her life. With this legacy came the freedom to create a life dedicated to her art and the creation of a setting of her own choosing. As her work on the transformation of her house progressed and began to involve not only the interior but also the more visible and public exterior and grounds, Nohl began to achieve a degree of local fame (and notoriety) that she enjoyed but which also resulted in the vandalism and theft that would continue to dog her thereafter. For the next thirty-three years, Nohl devoted herself to her work and to the pleasure she found in everyday living, often taking time out from both to travel about the world. She was still hard at it in 1996, when she began the process of gifting her entire collection to the Kohler Foundation in order to ensure its preservation, a process that was completed after her death in 2001, at the age of 87, when the Foundation received ownership of her entire art environment. By this time, knowledge of Nohl's extraordinary creation had traveled far beyond Fox Point and Wisconsin, and she had achieved fame both as an artist and visionary and also as one of the very few women who has undertaken such an extensive transformation of her personal world.

[21] The Nohl's architect was Henry Harshaw Hay of Milwaukee, who had studied engineering at the University of Wisconsin in Madison, and spent 10 years in the Milwaukee architectural offices of Howland Russell, Kirckhoff & Rose, and Judell and Bogner before becoming a registered architect in 1931 and becoming a partner with Judell in the firm of Judell and Hay.

History

Mary Louise Nohl was born in Milwaukee in September 1914, and was the youngest of three children. Her oldest brother, Gene Nohl (1910-1960), was always called "Max" by the family and was one of Mary's heroes. Her second oldest bother, Frederick Nohl, died in an accident at the age of one the year before Mary was born. Their father, Leo F. Nohl (1877-1961), was a well known and successful Milwaukee attorney who had come to Milwaukee with his parents from Ripon, Wisconsin at the age of six and had subsequently graduated from the University of Wisconsin in Madison with a law degree. Their mother, Emma Parmenter Nohl (1875-1968), was the daughter of a wealthy Menomonee, Michigan, lumberman and she was a trained singer and pianist. The Nohl family lived on Stowell Avenue in Milwaukee and the children attended the public schools in that area.

The parent's decision to purchase a lot for a summer residence on Lake Michigan would appear in hindsight to have been a seminal event in the lives of both their children. Gene Nohl, for instance, would spend much of his life on and around water, becoming an engineer who achieved international fame at the age of twenty-seven for inventing the first helium/oxygen underwater breathing apparatus and for using it to set a world diving record in Lake Michigan in 1937 of 420 feet, a record that would stand until 1948. Nohl went on to a career that involved designing diving gear, orchestrating salvage dives, and designing submersible boats. Scrapbooks that Nohl compiled throughout her life show that she followed his very public career with great attention. Mary Nohl was also profoundly influenced by life on the lake and she appears to have treated it as her personal playground from her earliest days there. Debra L. Brehmer, whose thesis on Nohl's life and work was based in part on extensive interviews with Nohl, places considerable emphasis on the importance that this water world played in forming Nohl and her work:

> Nohl's specific "hybrid world" is one peopled with the mysteries and reveries of ancient cultures as well as the magical properties she remembers from her youth. She frequently recalls the fun she had as a child imagining mythic worlds where there were no streets, only waterways; secret underwater villages; dreams of being chased by Indians and flying away. As a child, Mary and the neighbor boy, John Willetts, would build makeshift rafts and sail to fantasy islands. The compelling freedom of these games whereby Mary could enter a transhistorical place of reverie (supported by the natural splendor of the site) was something she would continue to value all her life.[22]

[22] Brehmer, Debra L. Op, Cit., p. 31. John Willetts was Mary's life-long Beach Road neighbor and friend.

The two children were also lucky in their parents, who appear to have given them a remarkable degree of freedom for the time. Both children received an unusual amount of attention from their parents, most especially from their father, who was much more the social and gregarious of the two and who took them on trips all over the world: "As a girl, Mary saw India, Africa, Russia, Japan, Cuba, and Latin America. She sailed on ocean liners and sailed dinghies on Lake Michigan."[23] And it was their father who also appears to have given both children lessons and experience in the use of tools, experiences that were to be extremely important in both their lives. For instance, one of Mary Nohl's earliest memories of the lake site involved helping her father build the gate posts that still flank the entrance to it. (1A & 1B)

> Sometimes when I go through the 7328 gates I remember how much fun it was when Dad and I were making the gate posts. I was in grade school and I worked for dad for the magnificent sum of twenty-five cents an hour. The beach was all sand at that time and most of the right size stones had to be gotten from the lake. Dad knew all about wooden frames that moved up higher and higher as the gate posts grew bigger. The joy of being paid for having so much fun I have long remembered. The pleasure of mixing concrete in a wheelbarrow and straining sand from the beach for the concrete – I am sure my sculpture filled yard had its origin in the gate posts.[24]

Not surprisingly, Nohl was the first girl to ever enroll in the eighth-grade manual training class at her grade school. In 1928, when she was thirteen, she put her evolving shop skills to good use and received a considerable amount of recognition by winning a city-wide model airplane building and flying tournament in which she was the only girl competing against twenty-six boys.[25] As Nohl grew older she would often stand in for her mother at the numerous social events that her father attended and of which her mother had grown tired.[26]

By the time Nohl graduated from the Milwaukee University School in 1932 she had become an unusually confident and competent young woman for her time and social position and had decided to pursue a life as an artist.

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[23] Bianco, Jane. Op. Cit., p. 8.
[24] Nohl, Mary. *Newsletters to Friends*, 1967-1995. December, 1991, p. 3.
[25] *Milwaukee News*. March 25, 1928 (photo). Nohl's winning rice-paper and bamboo airplane was still hanging in her Beach Road bedroom at the time of her death and is now being conserved as part of the Mary Nohl Collection.
[26] Leo F. Nohl was a popular toastmaster and was at one-time the national president of the Optimist Club and was also a grand master in one of Milwaukee's Masonic Lodges.

> She [Nohl] and a high school friend then attended Rollins College in Winter Park Florida. There she took art classes for a year, but quickly realized that the small school of five hundred girls did not have enough of an art department to meet her needs. In 1933, she transferred to the School of the Art Institute of Chicago, which she attended for five years, receiving a Bachelor of Fine arts in 1937 and a teaching certificate the next year. While in Chicago, she lived in the Three Arts Club, a residence for women in art, dance, and music.[27]

Nohl always retained very fond memories of this period in her life and later wrote:

> Mother and Dad were so worried about my being in that big, bad city – at a school at Michigan and Adams with no campus after transferring from Rollins College in Florida with Palm trees and sandspurs. But the galleries of the Art Institute served as a nice campus, and the whole setup was certainly a fun time in my life.[28]

At the Institute, Nohl took classes in drawing, sculpture, fashion design and other related topics such as art history, but was especially fascinated by ceramics and the potential of working in clay. She was also fortunate to find herself attending the Institute school in the 1930s because this was a period in which the classically derived teaching of art that had predominated in the first three decades of the twentieth century was beginning to be challenged by Modernism. Excellent examples of works exhibiting both aspects of artistic creation were readily available to Nohl at the Art Institute and at local galleries, as were outstanding examples of ethnographic art in the Field Museum of Natural History. Aspects of all of them would find a place in Nohl's later works. She was also good at making art. Work she created as a student at the school was exhibited in an exhibition there in 1939, a fact that was reported in the *Milwaukee Sentinel*, which noted that "Mary Nohl of Milwaukee has several pieces of craftwork – a wooden bowl and three ceramics – in the current exhibition of work by students of the School of the Art Institute of Chicago."[29]

After graduation, Nohl moved to Baltimore, Maryland and taught art at a high school there for a year, then returned to Milwaukee and taught first at North Division High School and a year later at Steuben Junior High. Teaching as a career did not satisfy her needs, however. As she was to note later in life: "It was very hard work and I was really too interested in doing my own art to continue teaching."[30] Instead, she moved with her parents into their newly constructed year-round residence on North Beach

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[27] Brehmer, Debra L. Op. Cit., p. 13.
[28] Nohl, Mary L. *Newsletters to Friends*, 1967-1995. June, 1985, p. 3.
[29] *Milwaukee Sentinel*, July 5, 1939. This carved wooden bowl is still part of the Mary Nohl Collection.
[30] Brehmer, Debra. "One Corner of the World." *Milwaukee Magazine*, October, 1997, p. 56.

Road and constructed a 40-foot by 40-foot square pottery studio and factory at 5644 Green Bay Road in 1943.

> For the next 10 years, she designed, molded, and mass-produced ceramic wares and retailed them to florist and gift shops in five states. She made fish-shaped lamp bases, bells, angels, vases in the shape of female torsos and "spooks," ghost-like figures with concave faces (prototypes for later yard sculptures). Her pottery seemed influenced by the American art deco movement, which drew from mixed cultural sources: Minoan, archaic Greek, Egyptian, Mayan and Aztec. Yet her work had its own distinction--a persistent whimsical sensibility.[31]

Her pottery studio work also once again brought Nohl to the attention of the local media, something that she and her work have always managed to enjoy without any special effort on her part. Partly, this is a tribute to the work itself and to its decidedly individualistic creator, but it also happened because Nohl was a member of a well-known Milwaukee family and was also one of the very few women that made a career out of making art in Wisconsin in the years just after World War II. Nohl's business hours at her studio were from 8:00 a.m. to 5:00 p.m. and, as one article emphasized, hers was a one-woman operation, with Nohl making the works, handling the orders, and doing the delivering.[32]

Nohl's creativity, curiosity, and strong work ethic were by no means exhausted by her work with ceramics.

> Nohl worked in the pottery studio every day, and at home in the evenings she painted and made silver jewelry. Between 1950 and 1960, she created some 350 pieces of jewelry with mermaids, fish and boat motifs, dancing bodies and smiling faces – images that recur throughout her work.[33]

This work and her other work in painting and watercolors would continue throughout the rest of her life, but Nohl's large scale work in ceramics came to a premature end in 1954.

> In 1954, the year she turned 40, Nohl closed her pottery studio when the building was demolished to make room for the new I-43 expressway. That year also marked one of her

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[31] Brehmer, Debra. "One Corner of the World." *Milwaukee Magazine*, October, 1997, p. 56-7. 'Spooks" was Nohl's own name for these pieces.
[32] *Milwaukee Journal*, December 2, 1951, p. 28. In this article Nohl also was quoted as saying; "Idea's are what is fun."
[33] Brehmer, Debra. "One Corner of the World." *Milwaukee Magazine*, October, 1997, p. 57. Nohl's work in silver began in earnest after she attended classes at the Oxbow Summer School in Saugatuck, Michigan, in the summer of 1943.

> infrequent gallery shows: fifty pieces of silver jewelry at the Wisconsin gallery of the Milwaukee Art Institute (now the Milwaukee Art Museum). The next year, several pieces of her silver work traveled in a Smithsonian Institution craft show.

These were to be the last formal public showings of any of her works until 1991. Nohl spent the rest of the decade producing small scale works, primarily watercolors and paintings, enjoying her life in the place she loved most, and becoming the principal care-giver for her increasingly elderly parents. In 1960, her brother and sister-in-law were killed in an auto accident and the following year her father also died at the age of 84. Suddenly, Nohl was alone in the world except for her 90 year-old mother, who by this time was bedridden and in failing health.

In 1964, Emma Nohl moved into a nursing home. Even the year before, though, Mary Nohl had begun to sense the change that her mother's inevitable leaving would have on her own life. As she admitted in a diary entry of that year, "I'm really coming into my own at last—even if it does mean Mother's departure...and,...I get such satisfaction...now that I'm the boss."[34] It is clear that the desire to control her environment and to expand the scope of her work had been building for some time.

> Until 1961, her working areas at home were relegated to the basement, back yard, or bedroom; she still had to be careful about offending her parent's sensibilities with display of her work in a domestic setting.[35]

After the death of her mother, all this changed, and it changed quickly too. Fortunately, a great deal is known about the years that followed because, beginning in December 1967, Nohl began to write a mimeographed letter to a large list of friends and acquaintances every six months in which she detailed the highlights of the previous six months. Fortunately, too, Nohl continued this practice until at least December of 1995 and she kept copies of them all. Consequently, a great deal is known about this most fruitful and important period in Nohl's creative life and these letters, coupled with the diary entries that she made every day from 1960 through 1973, make it possible to look over her shoulder as she went about creating her art environment.[36]

Soon after her mother died, Nohl began to reorganize the house to suit her work methods and she also began to refurbish the house. Both efforts were considerably hindered by the fact that Nohl was a

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[34] Nohl, Mary. *Diaries, 1960-1973.* As quoted in: Bianco, Jane. Op. Cit., p. 9.
[35] Bianco, Jane. Op. Cit., p. 8.
[36] Nohl, Mary. *Diaries, 1960-1973.* Op. Cit. Nohl noted that she wrote eight lines a day in her diaries "so that she would know where the time goes."

compulsive saver of just about everything and she also was a compulsive organizer, which meant that while she could hardly ever bear to throw anything away, she at least knew where it was.

> My very best guest room [in the 1924 cottage] has just been converted into a tool room – mostly machine tools up from the basement – band saw, circular saw, drill press, silver soldering, welding, stone cutting equipment. But I still have two guest rooms left if anyone wants to risk a visit.
>
> I spend a good deal of time condensing things in the basement, so I'll have room for more things, which in turn will probably have to be condensed, so I can at least walk sideways between the shelves. There are boxes labeled "leather" which include fragments of Dad's old brief cases. One box marked "mouse traps" I was able to eliminate because I prefer the poison method of attack, but then the mouse traps were added to the "miscellaneous" box, so I didn't really get rid of them after all. There are boxes marked "junk" which are not much different than the boxes marked "miscellaneous." There is even a box marked "boxes," which is a large box with smaller ones inside. There are boxes of colored church window glass, carved linoleum blocks, small picture frames, hotel paper, springs – clock and door, puppet heads. There is a box of chains, bracelet size to something large enough to hold a raft in position. There is a box of watches and clocks that don't work, pine cones, bamboo, kiln brick.[37]

All of these things were saved because Nohl believed they had at least some potential for being incorporated into her work, but they were also a product of her essentially frugal nature, a nature that she appears to have inherited in part from her equally frugal parents. Again, quoting from one of her newsletters:

> I am famed for some of my economies, I use rag mops long after they should be discarded, long after they begin to leave rotted strands over the wet mopped areas. Unwittingly, I used too much detergent on the dog trails around the house. In these areas the linoleum cracked into little crevasses. Had my choice of removing all the old linoleum or covering over the rough areas, which I did, but couldn't match the colors, so the next best thing was contrasting colors. So now my floors are beginning to look like abstract contemporary geometric paintings.[38]

Before long, Nohl's seemingly limitless energy turned from the reordering of the inside of the house to the transformation of the exterior and to the grounds of the house. One of her first exterior works was

[37] Nohl, Mary. *Newsletters to Friends*, 1967-1995. June, 1968, p. 2.
[38] Ibid, June, 1973, p. 2.

meant to cover the entrance gates to her yard. This work began in 1963 and consisted of sections of wood framing she assembled in her living room and which she covered with elongated silhouettes of fish and people, all of which was painted a "Lullaby Blue." "From the beginning she intended the gates for display, and wondered if she should cut the plant growth back, to make it worthwhile."[39] She also intended that this work should cover a fence that would ultimately extend from both sides of these gates along the entire 435-foot-long north edge of her property. The sizable portion of this fence that she completed she covered with flat, elongated cut-out wood human figures that represented her friends and family depicted in profile.[40] This proved to be too much for the teenagers and college age kids in the area, however, who quickly stole large numbers of the figures, which Nohl at first replaced but then realized would continue to be stolen. She, therefore, dismantled the fence and replaced it with the cyclone wire fence that is still in place today. The pieces that she salvaged were kept and many were recycled onto panels that she attached to her house. Others were turned into mobiles that she hung from the trees. Indeed, among Nohl's most endearing characteristics were her resourcefulness in the face of adversity, her never failing though sorely tried sense of humor, and her seemingly endless ability to channel her energy in new directions.

Her ability to turn adversity into something positive is nowhere better illustrated than in the story she recounted about the fate of an extraordinary fifteen-foot-tall painted driftwood figure that she had constructed on her front lawn.

> I was awakened early one Sunday morning to the sound of a crackling fire, and relieved to find that the fire was burning a driftwood figure in the front yard -- and not the house. This particular sculpture has been a target for the kids for years -- about fifteen feet high and so encrusted with paint and so dried in the sun, that the burning was like a series of explosions. Called the poor, overworked police who sat in three squad cars outside the fence and watched it burn. Sass, Basil and I sat inside and watched from the front window with the aid of a beer. All that was left were two ten-foot pipes anchored in cement, and before the last sparks had drifted off I had plans for my largest cement animal. The two pipes conveniently became the two front legs of a less destructible cement creation.[41]

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[39] Bianco, Jane. Op. Cit., p. 20.
[40] Dewey, Violet E. "Artist's Whimsies Overflow Home." *The Milwaukee Journal*, September 29 1968. The article has pictures of the fence when it was still in place.
[41] Nohl, Mary. *Newsletters to Friends*, 1967-1995. December, 1973, p. 1. The new sculpture was Dinosaur + Person (24). Sass and Basil were Nohl's dogs. A photo of the driftwood sculpture before the fire can be found in: Lewis, Robert E. "Art at the Grassroots." *The Milwaukee Journal*, Insight Magazine, p. 6. Sunday, August 20, 1972.

This fire occurred in 1973, by which time Nohl's evolving art environment and the problems she faced from vandalism were significant enough to be deemed newsworthy and resulted in a series of newspaper articles in the 1970s that kept her work in the public eye. But being in the public eye came with a price. When one reads Nohl's newsletters and diary entries from the 1960s and especially from the 1970s, with their tales of her ongoing battles with vandals and thieves, it is all the more remarkable that she continued to be so productive during this period. And yet, despite all the problems that Nohl had with kids, they fueled something in her that she was able to use to her advantage.

> During the day when car horns are tooting, and I look out to find out why – and there are five cars lined up at the gate, and the last two are honking because they can't get past the first three, and there are eight or ten kids standing at the gate looking in, with their cars parked in the "no parking" area at the corner – it is then that I am sure I've done something – not sure exactly what – but I am being noticed!!![42]

Like the untrained artists with whom she is frequently compared, Nohl gained inspiration from many sources, including photos in magazines and things she saw in her travels. She began to make wire sculptures, for instance, after a trip to New York and a visit to a show of the work of Alexander Calder. But her greatest source of ideas was her own imagination and her greatest inspiration was her beach front life. For instance, one motif that is frequently encountered in all of her media is that of a floating boat filled with people and one could be pardoned for imaging that seeing such a thing would be an ordinary part of Nohl's waterfront life. The actual inspiration, however, may have come from experiences that were far more poetic, however commonplace they might seem. As Nohl mentioned in one newsletter:

> And in front the freighters float in a vapor on the horizon – ships in the sky.[43]

Indeed, it would be impossible to overestimate how much Nohl's lakeside life meant to her and how central it was to her artistic life. Images of this life recur throughout her newsletters and diary entries. The following is just one of many:

> But it is the sunrises and the rear of the lake when it is stormy and the lightning that needles down along the horizon, and the sea gulls that wheel and turn a screech that make living here spectacular beyond what anyone – even a good kid like me – deserves.[44]

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[42] Nohl, Mary. *Newsletters to Friends*, 1967-1995. June,1981, p. 1
[43] Nohl, Mary. *Newsletters to Friends*, 1967-1995. June,1970, p. 2.
[44] Nohl, Mary. *Newsletters to Friends*, 1967-1995. December, 1983, p. 2.

Not even the constant vandalism and theft she had to contend with could make her contemplate leaving her lakeside home, and it needs to be remembered that Nohl had the financial ability to live anywhere she wished and could have had as much privacy as she desired.

> No amount of disorder will induce me to give up my front row seat on the changing moods of Lake Michigan – the ice hills against the blue water in the winter, and the afterglow of the sunsets in the summer, and the Infinite variety in between.[45]

During all of this period Nohl also enjoyed the more ordinary social pleasures as well. Her art may have been a solitary pursuit but Nohl was no recluse cut off from the rest of humanity. Sports were important to her and she was an enthusiastic bridge player, sometimes playing as often as five times a week, and she also curled and enjoyed lawn bowling, tennis, and volleyball. In addition, she treated herself to travel, at one point mentioning in her newsletter that she had crossed the ocean twelve times in the first twelve years after her mother died.

As Nohl grew older, though, she spent less time with the most physically demanding of the media she had previously worked with and turned instead to her old love/hate affair with oil painting. Not surprisingly, her capacity for work in this medium once again bordered on the obsessive.

> I am going through life convinced that I will never really feel that even one of my oil paintings is really finished. I have something like 150 to 200 of them – all sizes but mostly 24 by 36. They are hanging all over the place and also resting in recently constructed racks, First I discovered I wasn't getting enough dark parts in one and upon further investigation decided that they all needed some more dark parts. And when 150 to 200 paintings need more dark parts – that spells trouble. Soon after I concluded that there were not enough light contrasts. At first I noticed this problem in just one painting and then found they all likewise needed the same thing. And suddenly awakened to the fact that that they all without question needed more detail. So for the last two years I have disciplined myself by not allowing me the fun of new paintings.[46]

Towards the end of her life, Nohl began to give thought to what would happen to her work after her death. She ultimately entered into an agreement with the Kohler Foundation of Kohler, Wisconsin, in which the Foundation would ultimately be responsible for the conservation and preservation of her

[45] Ibid, June,1972, p. 3.
[46] Ibid, December, 1992, p. 2.

work. In 1996, she deeded her entire collection to the Foundation while retaining the right to live in her house for the remainder of her life. Employing live-in caregivers allowed her to continue working, which she did until shortly before her death in 2001 at the age of 87. Subsequently, the Foundation received title to both the house and its grounds and it is now in the process of conserving the collections. Much of the remainder of Nohl's estate, some $11.3 million, Nohl gave to the Greater Milwaukee Foundation to provide continuing support for visual arts and art-education programs in the Milwaukee area, this last act being one final reaffirmation of Nohl's long-held belief in the value of art to society.[47]

Context

Lisa Stone is the co-author, with Jim Zanzi, of the important recently published guidebook entitled *Sacred Spaces and Other Places: A Guide to Grottos and Sculptural Environments in the Upper Midwest*, and she is also the author of the recently accepted NRHP nomination for the Fred Smith Concrete Park, an art environment located in Phillips, Wisconsin. In this nomination, Stone provides a general definition of art environments that can also be used when discussing the work of Mary Nohl.

> The Wisconsin Concrete Park relates to a tradition of combining elements of sculpture, architecture and landscape architecture into art environments that are integrally incorporated into, and extensions of, an artist's home. Such composite sites can include elements of some or all of the elements of art, architecture and landscape architecture, in varying degrees, according to the vision and inclination of their makers.[48]

Stone then goes on to state that such environments are typically associated with persons who "often lack an academic orientation to the fine and/or building arts." Certainly this was true of Fred Smith, who could neither read nor write, and it has also been true of many of the persons most closely associated with the creation of art environments both here and abroad, such as Simon Rodia, whose Watts Towers in Los Angeles, California was listed in the NRHP in 1977 and which has since been designated as an NHL, and S. P. Dinsmoor, whose Garden of Eden and Cabin Home in Lucas, Kansas, has also been listed in the NRHP (1977). It is not true of Mary Nohl, however, and it is this distinction that makes Nohl's work especially intriguing because while the individual creations that make up her environment can often be linked to her own earlier commercial ceramic works and sometimes to works made by other artists working in the larger art world of her time, the totality of her achievement is the

[47] Washburne, Carolyn Kott. "Art Enclave." *Milwaukee Home Magazine*, Jan./Feb. 2005, p. 35.
[48] Stone, Lisa. National Register of Historic Places Nomination of the Fred Smith Concrete Park, Phillips, WI. Written in December, 2004, pg. 8-1. On File at the Division of Historic Preservation, Wisconsin Historical Society.

product of her own unique vision and its size and scope places it into a realm of creative activity that she shares only with those who have made art environments of their own.

Surviving examples of art environments of the type described by Stone have been created in this country and in Europe since the end of the nineteenth century: Ferdinand Cheval's Palais Idéal in Hauterives, France, completed in 1912, and S. P. Dinsmoor's work in Kansas, completed in 1920s. Other well publicized examples located closer to home include two extensive Catholic devotional grottos: the Grotto of the Redemption in West Bend, Iowa, designed and built by Father Paul M. Dobberstein between 1912 and 1954, and the Dickeyville Grotto in Dickeyville, Wisconsin, designed and built by Father Mathias H. Wernerus between 1924 and 1930. These last two examples share work methods and materials with other regional artists who have built such environments, including both Smith and Nohl, but Stone and Zanzi have demonstrated that these religious works really belong to a centuries-old tradition of grotto building in Europe and should therefore be seen in a somewhat different light than more personal and site-reflective art environments such as Nohl's.

Partly as a result of the influence of the works of Father Dobberstien and Father Wernerus, Wisconsin, and especially southwest Wisconsin, has a particularly rich legacy of outdoor art environments whose creators used concrete as their primary medium.

> Artists inspired by these grottos, particularly by the Dickeyville Grotto due to its relative proximity, include Jacob Baker (individual embellished sculptures, Northwestern IL), Fred G. Zimmerman (garage and flagpoles, New Glarus, WI), Nick Engelbert's Grandview (Hollandale, WI), Bill Notzke's Jubilee Rock Garden (Brimfield, IL), the Paul and Matilda Wegner Grotto (Cataract, WI), James Tellen Sculpture Garden (Black River, WI), Molly Jensen's Art Exhibit (River Falls, WI), Herman Rusch's Prairie Moon Museum and Sculpture Garden (Cochrane, WI), and Fred Smith's Concrete Park (Phillips, WI). These sites can all be linked to the presence of the three religious grottoes, and reflect a strong tradition of creative expression within the contexts of home and landscape that is firmly rooted in the region, and contributes significantly to its cultural identity.[49]

Regardless of who built them or why, all art environments such as those listed above were seen more as local curiosities than as works of art until they began to come to the notice of students, academics, and members of the art establishment in the mid-1960s who were starting to look askance at the traditionally built environment they were inheriting and studying. Seminal works such as Bernard

[49] Stone, Lisa. Op. Cit., p. 8-2. Although Stone knew about and admired Nohl's work she did not include it in her book out of respect for what she believed was the then seventy-nine-year-old Nohl's desire for privacy.

Rudofsky's *Architecture Without Architects*, published in 1965, brought the architecture developed by indigenous peoples to a wide audience while various counter-culture publications began to discover the works of individuals such as Rodia and Dinsmoor, works that showed the youth of the day that there were alternative ways of living and thinking. These were soon followed by still other works such as the *Whole Earth Catalog*, first published in 1970, which showed how such alternative lives might actually be built. At the same time, and for some of the same reasons, interest in unschooled "folk artists" and in the works produced by the insane – the "Art Brut" celebrated by French artist Jean Dubuffet – began to stretch the definitions of what art was and could be. Out of this period came terms such as "Outsider Art" and "Visionary Art" that helped create conceptual frameworks within which works like those produced by Mary Nohl could finally be appreciated for the extraordinary artistic achievements that they are.

The art environment that Nohl created is similar to other outdoor art environments in that Nohl used concrete embellished with found objects to make the yard sculptures for which her environment is now best known. It is also similar in that the placement of these sculptures was carefully considered, although Nohl's potential for placement was more limited than her peers that lived in rural settings because of her relatively small urban lot, and her decisions about where to place pieces were also essentially personal and were not usually influenced by whether or not anyone else could see them. She also shared with these other artists an enormous capacity for work and a capacity for invention and for reinvention that was, in part, fueled by things she saw in her everyday life, be they magazines, television, or art produced by others that she encountered in her travels.

Still, Nohl's art environment also differs from others in some important ways. For one thing, it took form in an urban rather than a rural or small-town location and was the work of a trained artist. It was also created as a private pleasure and was never really intended to be a public place during Nohl's lifetime. Neither was Nohl's work limited just to the grounds surrounding the house, as was true of most other art environments in Wisconsin. The grounds of the Mary Nohl Art Environment are only one part of the whole, which also includes the exterior and interior of the house and all of its contents besides. Nohl was also unique in that she generated a substantial amount of written autobiographical material during her lifetime that has given scholars an unprecedented understanding of her work and of the artist who made them. The conclusion to Jane Bianco's thesis that follows (abridged), with its insights into Nohl's life and work, could only have been written by someone who had access to this wealth of personal material.

> The unconventional and profuse embellishment of Mary's yard and house has linked her with outsider artists, largely self-taught and highly productive—and particularly those who invent

their own self-contained environment by virtue of their creative output. Nohl did invent her own contained world, which she continued to modify and build, but she never fully retreated from the world beyond her gates, and she was comfortable in both settings. Mary Nohl's yard art, the product of a trained mind, reflected her affinity for the lake, a deliberate sense of playfulness and design—and it did not conform to notions of "tasteful" (and sparse) lawn decor prevalent in her own neighborhood. She did not consistently attempt to sell or exhibit her art work, but she was receptive to media coverage or occasional invitations to display work, or to modest requests for contributions of her talent towards worthy causes.

She is notable because she made things for the pleasure of making them. She was self-directed and exclusive to her work—she was honest in a most personal sense because she allowed her aesthetic sensibilities to flourish in and about her, as she surrounded herself with the things she made, and which pleased her. She was fortunate to have a flow of ideas that prompted her creativity, and in having the freedom to pursue art without concern for other basic needs.

What drove Mary Nohl to such a prodigious body of work? Initially, the catalyst may have been the death of her family, the ownership of the place with which she could most identify, and from which she became inseparable, as she transformed it. Nohl had already developed a strong work ethic, with many years of experience and ability in the arts, and she had great physical strength and an unending flow of potential projects.

Nohl's home was a work in progress, revised according to her need to continuously explore, and to delight her senses. The products which filled her home were products of that ongoing process. Dating art pieces would have been a finalization, a damper on the freedom for change, which managed to coexist with the order inherent in Nohl's home and activities.

She was conscious of response to her work and to her person, but she did not always conform to others' expectations. Though she enjoyed positive acclaim, Nohl's drive to make things was not dependent upon public response—her satisfaction in her material behavior came primarily from the process of doing it, and its relevance to the pattern of her days. It is evident through an examination of her creative practices, that Nohl worked out solutions to ideas through a practice of mulling out, through a wide range of expressive forms, over many years, and that her work is recognizable by her style, which she had formulated early in her career.

Nohl's *place* as an artist was most intimately tied to her sense of home—it defined her as a person and as an artist, for whom art was integral with life. Her art must be evaluated as a

> whole, in terms of the house, its interior, facade, the garden landscape which surrounds it—a gestalt. Mary Nohl attached value to her life's work and intended that it be seen after her death. She gave her art to the Kohler Foundation so that her home and garden would remain to be cared for—as a legacy to the generations of children and adults, including other artists, who come after those whose imagination may have been sparked by the evolving personal landscape of her 'best beloved home."[50]

Finally though, nothing can entirely explain why an individual will choose to step well outside the norm in order to create environments such as the one that Mary Nohl made. Such environments are, by definition, unique and intensely personal manifestations of the individual will, and they comprise some of the most wonderful and enigmatic works of art our society possesses. It is therefore believed that the Mary L. Nohl Art Environment is eligible for listing in the NRHP at the national level of significance in the area of art because of its importance as a unique, well documented, and highly intact artistic ensemble that contains literally thousands of works of art, all of which were created by Mary L. Nohl. Ensembles such as this are very rare and are highly endangered and intact ones of artistic significance are even more so and constitute an important cultural legacy for the inhabitants of Wisconsin and beyond.

Nohl's work is clearly exceptional in relationship to other surviving artist environments. Her scholarly artistic training was an anomaly among the artists who created such places, resulting in an environment steeped not in vernacular tradition, but fully embracing Modernism.

> Nohl absorbed and responded to the artistic trends of her time, and to the materials she worked with, with great fluidity. Rather than developing a tightly defined aesthetic (and like the work of the Milwaukee self-taught artist Eugene Von Bruenchenhein) she responded to various mediums with freshness and originality, allowing materials themselves to lead her into different ways of working. Her figural work, whether amorphous doll-like objects made of hemp, or the monolithic concrete sculptures rising from her yard, bring to mind the visual vocabularies of several Surrealist artists, notably Yves Tanguey, Paul Delvaux, and Rene Magritte. Her work was integral to and incorporated within her home environment and the environment itself brings to mind the sensibility of Surrealist space.[51]

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[50] Bianco, Jane. Op. Cit., pp. 47-49.
[51] Email correspondence Lisa Stone to Jim Draeger, dated 6/23/05.

It is Nohl's unique position between the conventional artistic context of her time and the work of so-called "outside" artists, which makes her work nationally important. She created personal work in a personal space, far removed from the context of mainstream art, but using an aesthetic approach firmly rooted in the Modernist community. Stone writes:

> "...choosing not just to work at home, but to have home be the entire context of one's work, is the single thing that makes most environments by self taught artists (and Nohl's), so remote from the art world. Among other things, the legacy of Modernism was to isolate the artist in the studio, where the mysterious activity of art, which had no nexus whatsoever (supposedly) with ordinary life, could take place."[52]

Mary Nohl saw no distinction between life and work. Although her work compares well to professional mainstream artists of her day, she consciously chose to go against prevailing notions of commercial art and craft an impressive body of work that in total, comprises one of America's most important art environments. As Lisa Stone writes, "Many artists leave behind important bodies of work, but more rare is the instance where the public can experience an entire home/studio environment, and thus connect with the intimate artistic process, as the artist lived and created within it."[53]

In addition to being eligible for NRHP listing under Criterion C, it is also believed that the Mary L. Nohl Art Environment is eligible for listing under Criterion B because of its close association with Mary L. Nohl, a noted artist. Nohl first came to public attention with student work produced during her college years, but it was the successful ceramics studio that Nohl operated from 1943 to 1954 that first brought her a measure of local fame at a time when she was one of few women in Wisconsin working as a professional artist. Her subsequent work in silver was accorded a museum show of its own at the Milwaukee Art Institute in 1954 and it was also shown in a traveling show sponsored by the Smithsonian Institution in 1955. It was not until word began to spread about the unique art environment she was creating at her own home after 1963, however, that Nohl's work began to be truly noticed and her importance as an artist appreciated. Newspaper accounts and magazine articles written about her and her art during her lifetime make it clear that Nohl quickly became one of the best known woman artists in the Milwaukee area, and an acknowledgment of this status came in 1991, when she was given a retrospective show in Milwaukee at the Cardinal Stritch College's Layton Gallery. Since then, knowledge of her work has spread around the world. Her subsequent involvement with the John Michael Kohler Art Center in Sheboygan has resulted in her work being included in several exhibitions

[52] Ibid.
[53] Ibid.

at that museum as well. Currently, her collection is being processed and her art environment conserved. When this work is completed it is likely that Nohl's life and her importance to the genre of art environments will become even better known.

Criteria Consideration G.

National Register Bulletin 16 states that a property that has achieved significance in the past 50 years can be listed in the National Register of Historic Places "if it is of exceptional importance." National Register Bulletin 15 expands on the concept of "exceptional importance" and states that "the phrase "exceptional importance" may be applied to the extraordinary importance of an event or to an entire category of resources so fragile that survivors of any age are unusual." The Bulletin then goes on to state that "the phrase "exceptional importance" does not require that the property be of national significance. It is a measure of a property's importance within the appropriate historic context, whether the scale of that context is local, state, or national." And finally, Bulletin 15 states that a "property that has achieved significance within the last fifty years can be evaluated only when sufficient historical perspective exists to determine that the property is exceptionally important. The necessary perspective can be provided by scholarly research and evaluation, and must consider both the historic context and the specific property's role in that context."[54] It is believed that the Mary Nohl Art Environment meets all the tests imposed in Bulletin 15. Art environments are, by their very nature, closely associated with the vision of usually just a single person and when that person dies or is compelled for some other reason to leave their site, the subsequent maintenance and preservation of the site becomes a matter of chance. This is especially true of privately owned sites that are not included among the sizable number of religious grottos associated with the Catholic Church. By way of illustration, seven of the 35 sites that Stone and Zanzi documented in *Sacred Spaces and Other Places*, published in 1993, had already been demolished by the time of publication. If it were not for private efforts to ensure their preservation there would be little hope for the continued survival of the sites that remain. Art Environments are fragile in construction and are often not built with longevity or continued maintenance in mind. They are often targets of vandalism due to their conspicuous nature, as in the case of the Nohl property, which has been repeatedly vandalized.

It should also be noted that artist created environments differ from other parts of the built environment due to the intention or need of their creators to continue building as a expression of their artistic vision. Unlike a building or piece of sculpture, which is designed, executed and considered complete, by their

[54] National Register Bulletin 15. *How to Apply the National Register Criteria for Evaluation.* U.S. Department of the Interior, National Park Service. U.S. Government Printing Office, 1991, p. 42.

very nature, art environments are organic and changeful. It is an inherent quality of that property type, that the artist never deems their work to be finished, consequently the most developed, ambitious, elaborate and significant examples have a long horizon of activity. Nohl's work, begun in 1943, first reflected in the output of a traditional artist's studio, but gradually came to encompass the embellishment of the house and its grounds and continued until her death. Any attempt to delineate an end date for the period of significance that precedes her death would be an arbitrary decision, since her art and life were exceptionally intertwined.

It is further believed that the amount of scholarly research that has so far been focused on the Mary Nohl Art Environment is in itself a recommendation for the claim of exceptional importance. Much of the information that is contained in this nomination is based on two accepted master's theses devoted to Mary Nohl and her work, both of which were written by candidates supported by committees of scholars who are members of the Art History departments of the University of Wisconsin-Madison and the University of Wisconsin-Milwaukee. An article devoted to Nohl and her work has been published in *Raw Vision,* a magazine published in England and devoted to outsider art, art brut, contemporary folk art, and marginal art that is the most important international publication of its kind, and other articles about Nohl have appeared in magazines devoted to Milwaukee and to Wisconsin. Nohl's work and Nohl herself have also been seen in television interviews conducted by both the BBC and by Milwaukee-area television stations, and her work has been included in two recent important publications devoted to art environments that are both international in scope: *Self-Made Worlds: Visionary Folk Art Environments*, by Roger Manley and Mark Sloan, published by the Aperture Press in 1997; and *Fantasy Worlds*, by John Maizels, published by Benedict Taschen in 1999. Inclusion of Mary Nohl's work in these publications is significant. She was also the subject of a retrospective show of her work at the Cardinal Stritch College in Milwaukee in 1991 and subsequent shows at the John Michael Kohler Art Center in Sheboygan, Wisconsin, in 1997 and again in 2001. Finally, the significance of the involvement of the John Michael Kohler Arts Center in Sheboygan, Wisconsin, and the Kohler Foundation in Kohler, Wisconsin, in the preservation of this site should also be noted. The Kohler Foundation has made it a part of its mission to preserve important art environments throughout the country and its choice of the Mary L. Nohl Art Environment as one of the latest of the sites it intends to conserve and preserve is in itself a significant acknowledgment of the exceptional importance of this property.

Major Bibliographical References:

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Stone, Lisa and Jim Zanzi. *Sacred Spaces and Other Places: A Guide to Grottos and Sculptural Environments in the Upper Midwest.* Chicago: School of the Art Institute of Chicago Press, 1993.

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BOUNDARY DESCRIPTION

All that part of the Southeast fractional quarter (SE frac. 1/4) of Section Sixteen (16), Town Eight (8) North, Range Twenty-two (22) East, Milwaukee County, Wisconsin, described as follows: to-wit:

Commencing at a point which is Fifteen Hundred Fifty-nine and Eighty-nine hundreths (1559.89) feet S-0° 42'-W of and Five Hundred Seventy-seven and Fifty-five hundreths (577.55) feet S-89-° 57'-E of the center of said Section Sixteen (16), said point being the intersection of the center line of the Northerly and Southerly course of the Public Highway with the center line of the Easterly and Westerly course of said Public Highway; thence N-84° 27'-E along the center line of said Public Highway; Two Hundred Twenty-five (225) feet to a point (which point is the point of commencement of the land to be described); thence N-84° 27'-E along the center line of said Public Highway and said center line produced, Four Hundred Thirty-two and Forty-eight hundreths (432.48) feet to the shore line of Lake Michigan; thence S-8° 59'-W along the shore line of Lake Michigan; One Hundred and Fifty-four and Ninety-six hundredths (154.96) feet to a point; thence S-84° 27'-W, Three Hundred Sixty-one and Ninety-one hundredths (361.91) feet to a point; thence N-5° 31'-W, One Hundred fifty (150) feet to the point of commencement containing 1.3677 acres more or less.

BOUNDARY JUSTIFICATION

The boundaries described above enclose all the land that has historically been associated with the nominated property.

Form 10-900-a
(Rev. 8-86)

Wisconsin Word Processing Format (Approved 1/92)

United States Department of the Interior
National Park Service

National Register of Historic Places
Continuation Sheet

Section **photos** Page 1

Nohl, Mary L., Art Environment
Village of Fox Point, Milwaukee Co., WI

Items a-d are the same for photos 1 - 20.

Photo 1
a) Mary L. Nohl Art Environment
b) Village of Fox Point, Milwaukee Co., WI
c) Timothy F. Heggland, April 14, 2005
d) Wisconsin Historical Society
e) General View looking SW
f) Photo 1 of 20

Photo 2
e). Entrance gates, View looking S
f) Photo 2 of 20

Photo 3
e) Entrance path, View looking SE
f) Photo 3 of 20

Photo 4
e) Main entrance, View looking S
f) Photo 4 of 20

Photo 5
e) General view looking WSW
f) Photo 5 of 20

Photo 6
e) General view looking ESE
f) Photo 6 of 20

Photo 7
e) General View looking ESE, w/#31-35
f) Photo 7 of 20

Photo 8
e) Two seated fish (#28), View looking S
f) Photo 8 of 20

Photo 9
e) Man & Fish Conversing (#10), View facing E
f) Photo 9 of 20

Photo 10
e) General view w/#33-36, View facing SW
f) Photo 10 of 20

Photo 11
e) Original 1924 wing, View facing W
f) Photo 11 of 20

Photo 12
e) View of west-facing elevation, looking E
f) Photo 12 of 20

Photo 13
e) North and South Towers and first cement animal (#51-53) View facing W
f) Photo 13 of 20

Photo 14
e) View of west-facing elevation, looking SE
f) Photo 14 of 20

Photo 15
e) Interior of entrance hall, looking NNW, entrance door to right
f) Photo 15 of 20

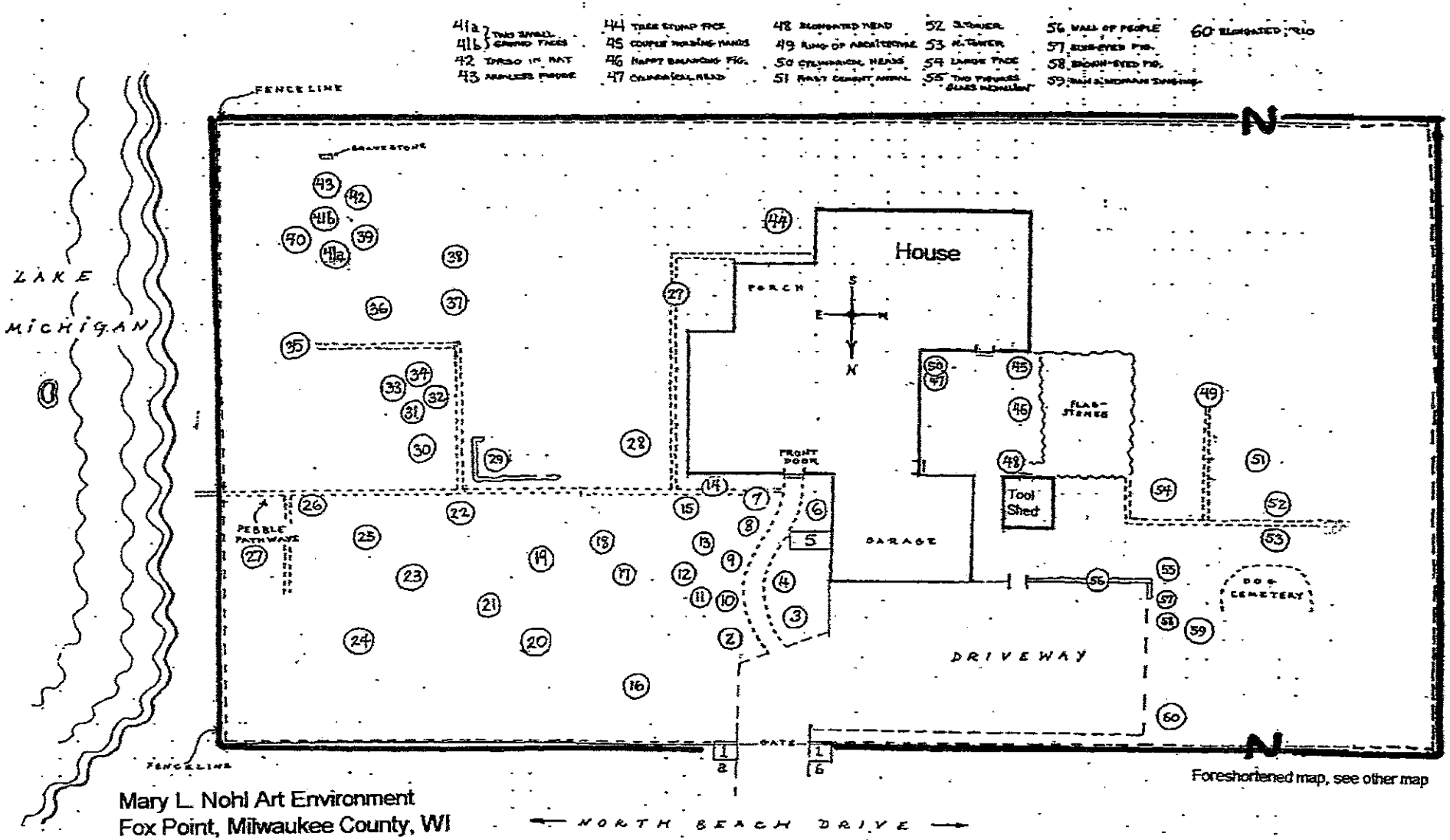
Photo 16
e) Interior of entrance hall, looking S toward porch doors
f) Photo 16 of 20

Photo 17
e) Interior of Living Room, General View looking NW
f) Photo 17 of 20

Photo 18
e). Interior of Living Room, General View looking SE
f) Photo 18 of 20

Photo 19
e) Workshop Interior, View looking SW
f) Photo 19 of 20

Photo 20
e) Second Story Stair Hall, View looking N
f) Photo 20 of 20



Foreshortened map, see other map

Mary L. Nohl Art Environment
Fox Point, Milwaukee County, WI

1 FRONT GATE POSTS
2 DINOSAUR
3 HEAD & SHOULDERS
4 STANDING FISHES
5 FRONT DOOR POSTS
6 NETTUNO OF FACES
7 SEAHORSE
8 LEANING PAIR
9 WOMAN & CHILDREN
10 MAN & FISH CONVERSING
11 HEAD W/ COLORED GLASS HAIR
12 PAINTED LARGE HEAD
13 S-SHAPED FIGURE
14 TWO FACING LIONS
15 LONG HEADS IN HATS
16 TALL GREEN-EYED HEAD
17 GRINNING HEAD
18 HEAD W/ GLASS HEADDRESS
19 TALL HORNED HEAD FIG.
20 FISH W/ FACES BEHIND
21 FOUR SEATED SURGEONS
22 THICK-LEGGED CREATURE
23 EMBRACING COUPLE
24 DINOSAUR & PERSON
25 MERMAIDS
26 THREE WITCHES
27 PEBBLE PATHWAYS *
28 TWO SEATED FISH
29 WALL OF FACES
30 STRAIGHT-BACK FIGS.
31 BLACK-EYED BABY
32 LONG HEADS → S
33 LONG HEAD → E
34 BLACK EYES → E
35 ARCHES
36 PEOPLE-BIRDS
37 FOUNTAIN
38 LEANING TORSO
39 LARGE GRINNING FACE
40 SMALLER GRINNING FACE

MARY NOHL'S YARD SCULPTURE

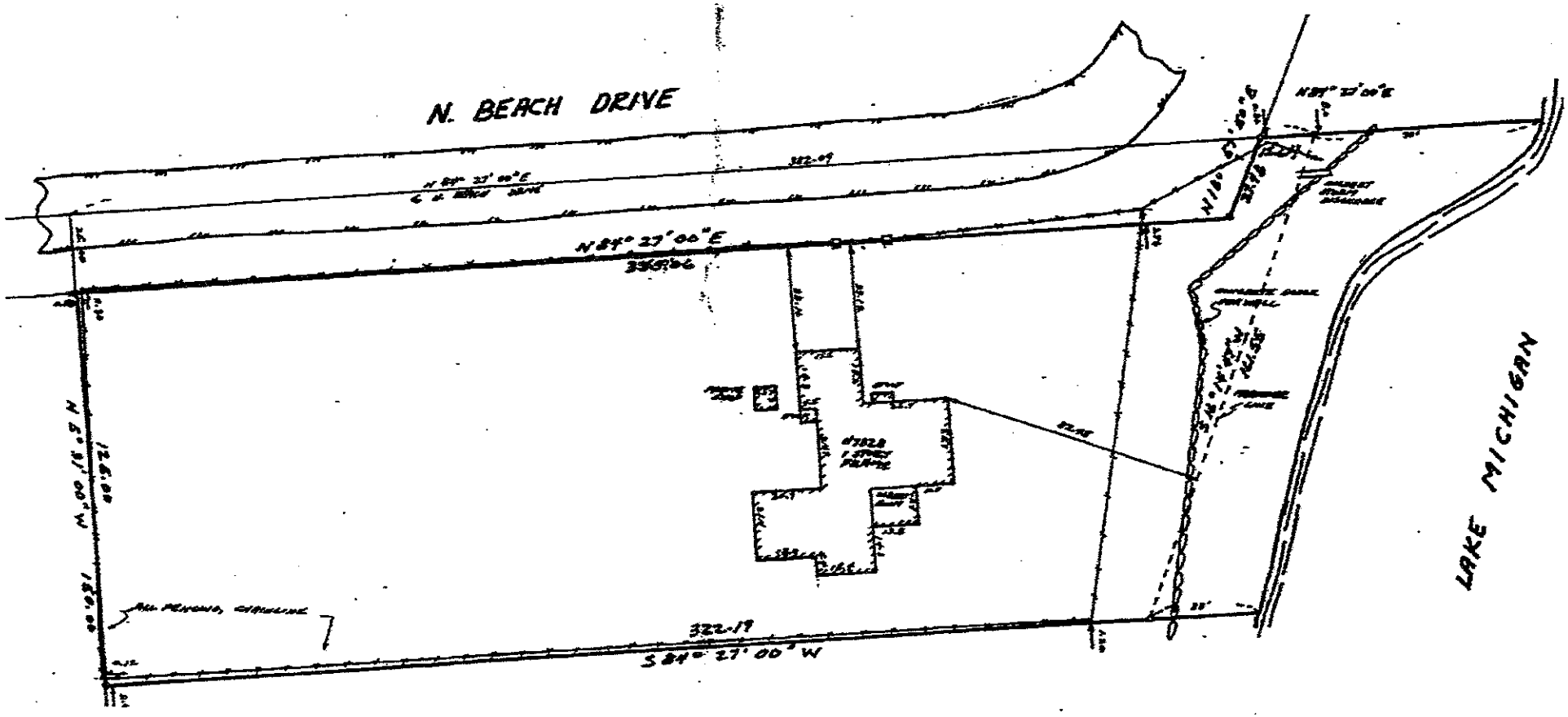
* (NOT A MEASURED DRAWING) *
* JANE BIANCO JUNE, 2005 *

All resources are contributing

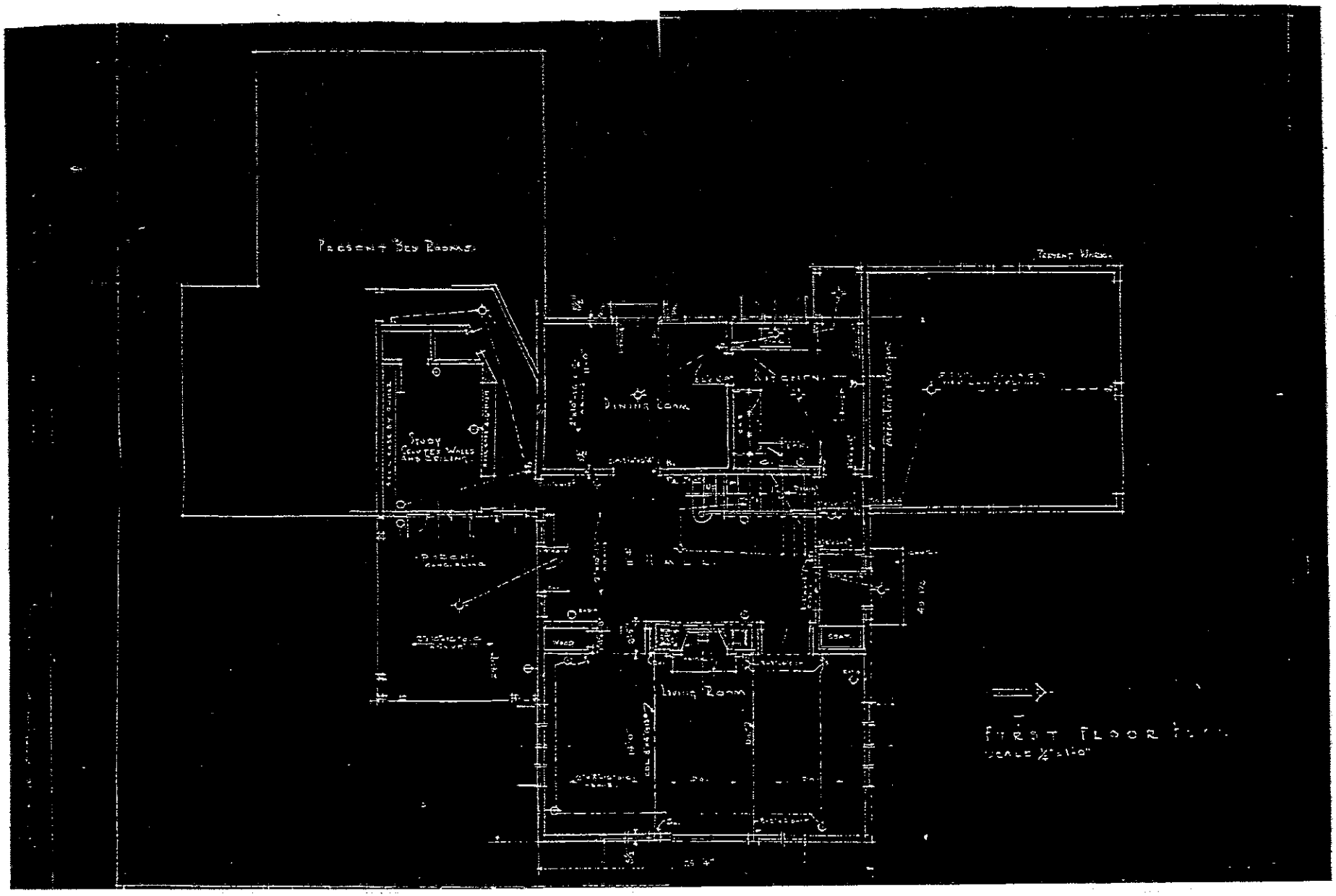
* ..... #27 Pebble Pathways

Boundary

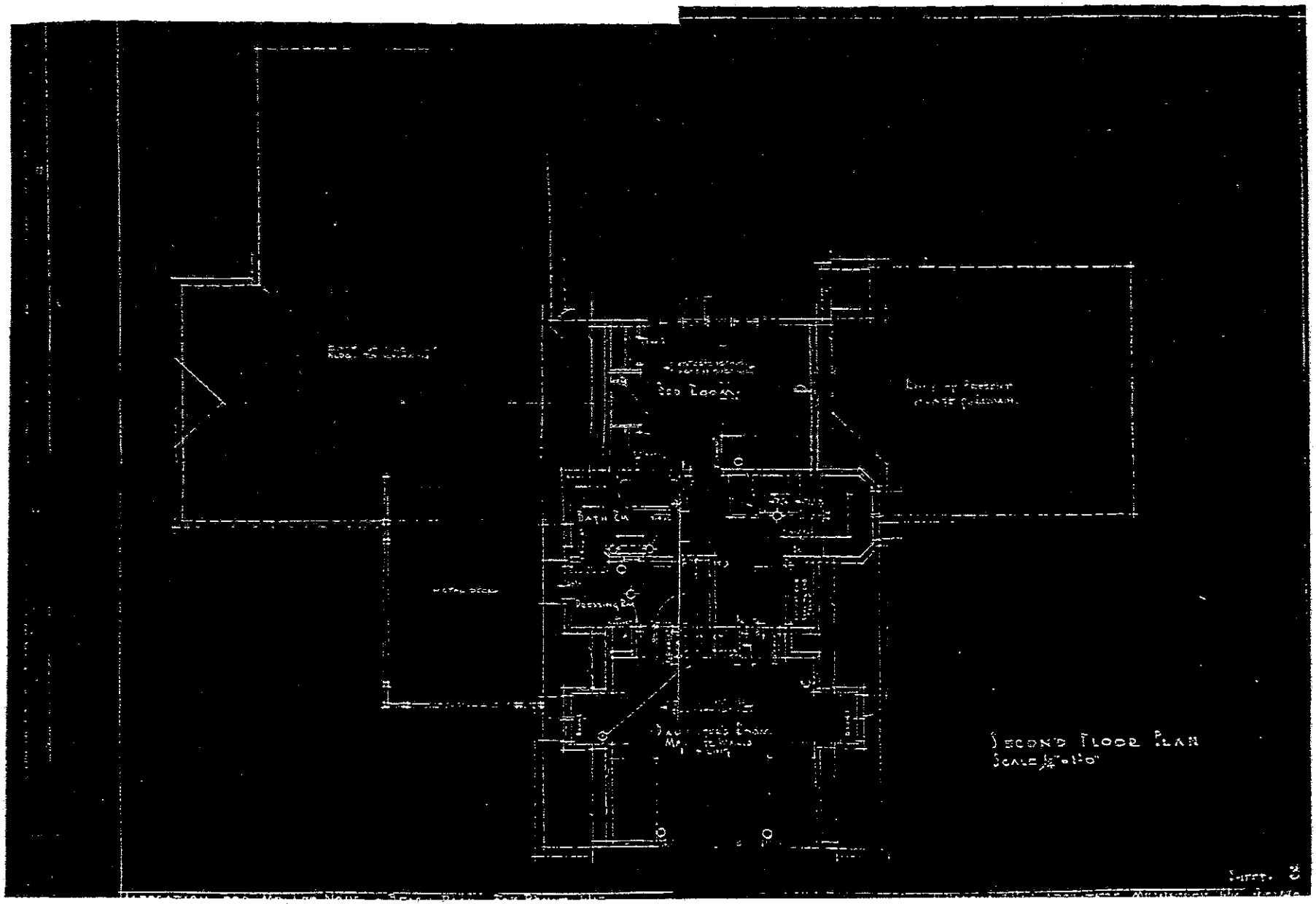
Mary L. Nohl Art Environment
Fox Point, Milwaukee County, WI
no scale



Mary L. Nohl Art Environment
Fox Point, Milwaukee County
Wisconsin



Mary L. Nohl Art Environment
Fox Point, Milwaukee County
Wisconsin



1

A Creative Collaboration

John Michael Kohler Arts Center and the Fox Point-Bayside School System

The Legacy of Mary Nohl (1914–2001)

In 1924, when Lake Michigan shores were lined with summer cabins in Fox Point, the Nohl family purchased a small cottage. In 1943, the small home became their full-time residence. In 1963, Mary Nohl began adorning the beachfront property both outside and inside with original artwork. This included concrete and wood sculptures in the yard, and attention to every surface in the home including paintings, hand-painted furniture, and more. As Nohl's creative output increased, a deep interest and appreciation of her remarkable artwork grew as she transformed her property into a unique art environment.

In 1996 Mary Nohl made a promised gift of her property and artwork to the Kohler Foundation, Inc., (KFI) to fulfill her wish that her world be preserved after her death. In 2012, KFI gifted the site to the John Michael Kohler Arts Center to steward Nohl's legacy moving forward. Although the site is closed to the public, JMKAC has been undertaking a long-term preservation and conservation project to maintain the property and artworks. Today, people interested in learning more can access 3,500 works of art by Mary Nohl at the Art Preserve.

2

Opened in June 2021, a few miles from Sheboygan's John Michael Kohler Arts Center, the Art Preserve is the first and only museum dedicated to artist-built environments. Home to over 25,000 artworks, including partial or complete environments by more than 30 artists, the collection includes more than 80% of Mary Nohl's creations. Visitors will discover her tools, paintings, jewelry, and sculptures on exhibit year round. The Art Preserve offers free admission and parking.

Visit Mary Nohl's collection. Free and open to the public at the Art Preserve.

John Michael Kohler Arts Center

JMKAC
608 New York Ave
Sheboygan, WI 53081
+1 920 458 6144
jmkac.org

Art Preserve
3636 Lower Falls Rd
Sheboygan, WI 53081
+1 920 453 0346
artpreserve.org

1 Mary Nohl, lake cottage environment (site view, exterior, 2021), Fox Point, WI, c. 1960–2001. Photo: Rich Maciejewski.

2 Photo by Durston Saylor.

EDUCATIONAL IMPACT

- 2021–22: An all-expense-paid Teacher Fellowship Program was established, engaging teachers in elementary, middle, and high school to develop curricula inspired by Mary Nohl.
- Fall 2022: Printed curriculum books were shared with art teachers in FPBS school district.
- More than 10,000 students, including 100+ from Bayside Middle School, have toured the John Michael Kohler Arts Center and Art Preserve in Sheboygan, WI.
- During the pandemic, educators and artists developed art kits which were distributed in their own districts and to low-income programs.
- Each year, schools within 75 miles of Sheboygan are eligible to bring one class on a fully funded field trip to the Arts Center and Art Preserve, giving thousands of school children the opportunity to participate in the arts.

> *"Students learned that the local lore around the witch's house was much less interesting than the actual life of a woman who, despite relentless harassment and vandalism, continued to create her art and live the life that she carved out for herself."*
>
> —Reflection from an educator

Educators and other art professionals have engaged with the Mary Nohl collection at the Art Preserve to create art curriculum for a variety of grade levels. Explore a variety of lesson plans, art-making activities, tutorials, and more at **jmkac.org/engage/educators/educator-resources**.

John Michael Kohler Arts Center

JMKAC
608 New York Ave
Sheboygan, WI 53081
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jmkac.org

Art Preserve
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artpreserve.org

2022.36.988

DISTRICT NEWS

EXPLORING HISTORICAL RESEARCH BY LEARNING ABOUT MARY NOHL

A hallmark of the 8th grade social studies curriculum has become the National History Day project. Every year, each 8th grader completes an extensive research project in line with the requirements of National History Day. This year, students embarked on this project through a unique introduction made possible through a collaboration between Bayside Middle School and the John Michael Kohler Arts Center (JMKAC).

Through the JMKAC Teacher Fellowship Program, Brandon Blahnik (7th and 8th grade social studies teacher) and Kris Lockhart (talent development coordinator) worked with museum educators to develop an introductory activity on how to use primary and secondary sources to build a historical argument by exploring documents related to Mary Nohl, an artist who lived in Fox Point. Students viewed images of Mary Nohl's desk drawer, reviewed an inventory, and read her newsletters to consider what inferences they could make about Mary Nohl and what additional information they would need to confirm their inferences.

To further students' understanding of using primary sources, each 8th grader brought in an item they felt represented the 2020-2021 school year. 8th graders viewed the items compiled into a primary source exhibit from the lens of historians 50 years in the future, who were trying to make sense of the collected items. In groups, students viewed the collected items and made inferences using these primary sources to determine what was important to individuals in 2020-2021.

Students exploring the primary source exhibit.

Students talking with artist Alex Gartelmann at the Art Preserve.

Students interested in extending their learning took on the role of student archivists who cataloged the primary source exhibit and interviewed each student contributor about the reason they contributed the selected items. **This exploration of primary and secondary sources to launch historical research will be featured at JMKAC Youth Art Month and will be made available to other educators as a lesson plan distributed by JMKAC.**

Students furthered their learning about Mary Nohl and how to use primary resources by attending a presentation by Barbara Manger, who has written books on Mary Nohl, and by attending a field trip to the newly-opened JMKAC Art Preserve. On the field trip, students met and asked questions of Alex Gartelmann, the artist living in and restoring the Mary Nohl Art Environment, and Dr. Charles Smith, the artist and founder of the The African-American Heritage Museum + Black Veterans Archive. While this experience started out as a way to launch students' work on their National History Day projects, the collaboration with JMKAC and their educators created an opportunity that helped students learn more about their community and their place in history. We are very grateful to the support of JMKAC and the wonderful individuals who work there for making this experience possible for our students.

DECLARATION OF GIFT

Declaration of gift made this 24 day of July 1996 by Mary L. Nohl, a Wisconsin artist (hereinafter NOHL) to the Kohler Foundation, Inc., a Wisconsin non-stock corporation (hereinafter KOHLER):

WHEREAS, NOHL desires that her artworks including but not limited to paintings, jewelry, pottery, furniture, and sculptures (hereinafter the Collection) be preserved and exhibited to the public as an asset of Wisconsin's cultural heritage, and

WHEREAS, NOHL will by separate deed of gift convey to KOHLER her property at 7328 North Beach Drive, Fox Point, Wisconsin (hereinafter the Site), and that part of her Collection which is real property;

NOW THEREFORE, NOHL hereby gives, transfers and assigns to KOHLER the balance of her Collection, consisting of paintings, jewelry, pottery, furniture, and sculptures not attached to the real property (and those attached to the extent any are deemed to be personal property not conveyed by the deed).

This gift is made upon the following expressed conditions:

1. During her lifetime, NOHL may continue to occupy the premises, pursuant to a retained life estate, and the Collection shall remain on the premises except as removal for exhibit or preservation activities shall require, or as otherwise authorized by NOHL, provided however, that if NOHL moves to other premises, she shall have use of such pieces of furniture and household items which are part of the Collection as she selects. Upon her death those items shall be returned to the Collection. During her life (or until she relinquishes her life estate to KOHLER), NOHL shall be responsible for the normal costs of maintaining the premises, including without limitation taxes, utilities, repairs and insurance.

2. NOHL agrees to permit KOHLER reasonable and pre-arranged periodic entry to photograph the Collection and Site and interior of residence during her occupancy to assist in documentation of the art environment.

3. Upon NOHL's death, or such earlier time as she might choose to relinquish her life estate, KOHLER will take possession of the real property and the Collection and assume responsibility for the maintenance of the Site and the preservation of the Collection providing it can remain in situ as an art environment.

4. Upon taking possession of NOHL's property and Collection, KOHLER shall make its best effort to maintain and preserve them as a grassroots art environment in its present location, open to the public at appropriate times, and shall make parts of the Collection available for exhibit, and generally make reasonable efforts to promote the exposure of the Collection to the public.

5. It is contemplated that at some time KOHLER will gift the Site and Collection to an appropriate non-profit organization (RECIPIENT) upon the condition that the donee organization shall undertake to provide for the preservation, promotion and periodic exhibition of the Collection. Such gift document shall specify the RECIPIENT's obligations, subject to reversion to KOHLER, for the preservation, promotion and exhibition of the Site and Collection, and KOHLER shall provide ongoing oversight that the ultimate RECIPIENT satisfies its obligations.

6. Should the operation of the Site as an art environment in its present location become impracticable KOHLER or RECIPIENT shall be entitled, at its own expense, to remove so much of the Collection as it wants from the Site and retain title thereto, but shall forfeit its title to the real property and so much of the Collection as is left thereon, which shall pass to and vest in the Milwaukee Foundation, Milwaukee, Wisconsin, as a gift from Mary Nohl.

July 24, 1996
Date

X Mary Nohl
Mary L. Nohl

Reinhart
Attorneys at Law

Reinhart Boerner Van Deuren s.c.
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January 25, 2023

SENT BY E-MAIL
jwirth@mallerysc.com

John M. Wirth, Esq.
Mallery s.c.
731 North Jackson Street, Suite 900
Milwaukee, WI 53202

Dear John: Re: Mary Nohl Cultural Overlay Proposal

Creation and Preservation Partners, Inc. ("CAPP") asked me to respond to your letter to Fox Point officials dated January 20, 2023 regarding our application for a Cultural Overlay District at 7254 and 7328 North Beach Drive (collectively, the "Property"). I obtained a copy of your letter from the Village Manager.

As an initial matter, CAPP welcomes any opportunity to discuss its plans for the Property with you and your clients. One of CAPP's primary reasons for establishing an artist-in-residence at the Property nearly six years ago was to obtain firsthand knowledge from neighbors about how best to fit within the neighborhood. Our artist-in-residence, Alex Gartelmann, personally has spoken with many of your clients and hosted at the Mary Nohl house 22 individuals from the 27 addresses you list as your clients. (Alex's log of neighborhood visits hosted just in 2021 and 2022 is enclosed for reference.) We also invited all Beach Drive/Beach Court neighbors to open houses in November. We adjusted our plans based on feedback provided at the open houses, including from the 8 attendees from the addresses that you identify as your clients. We appreciate the opportunity to address concerns raised in your January 20 letter as well—and invite you and your clients to direct dialog with us.

1. No Museum Open to Public. Your letter characterizes our proposal for the Property as a "Museum." Use of the "Museum" label in Village Code Section 745.22(A)(2)(b) has created confusion. The "museum" for most of Mary Nohl's work is the multimillion dollar "Art Preserve" opened in Sheboygan in 2021 to attract the general public (free of charge). While the Property stores and exhibits the twenty percent of Mary Nohl's work not able to be relocated to the Art Preserve, the Property will not be open to the general public--ever.

2. Traffic. Enclosed is a copy of the traffic analysis that CAPP commissioned from Traffic Analysis & Design, Inc. As you would expect from your experience as a Mequon

official, traffic from CAPP's proposal will not "create traffic beyond the capacity of the street system" contrary to Village Code section 745.22(E)(7).

3. Parking. Parking for all visitors to the Property will be provided on-site. CAPP has committed not to allow visitors to the Property to park on Beach Drive and not to seek any special event permit that would be available under Village Code chapter 546.

4. Proposed Auxiliary Building. As you note in your letter, architectural renderings are not ordinarily required for a zoning application and applicants would normally balk at having to fully design a building not yet intended to be built. CAPP has authorized me to state, unequivocally, that there is no current plan to build the auxiliary building. However, CAPP wants to address your concerns and concerns raised in other objectors' letters about what has been characterized as a "4,000 square foot event space." CAPP engaged internationally-acclaimed, Denver-based Tres Birds, the architect who designed the Art Preserve, to design the proposed auxiliary building. Tres Birds is a firm centered around residential architecture, and used the Mary Nohl home as inspiration to create an auxiliary building that complements Mary Nohl's home. We will be submitting additional plans to the Village in the next few days. If built, the auxiliary building will be:

- 3,000 square feet (down from the 4,000 square feet originally proposed). For comparison, the existing Mary Nohl house is 4,222 square feet of building area, and many homes along Beach Drive are much larger;
- primarily occupied by one artist-in-residence and one caretaker;
- have a living room, kitchen, 2 bedrooms, 2 bathrooms and a second-floor studio space, which could serve as an office for the artist-in-residence;
- the two bathrooms would be available to invited guests and the living room could be a place for invited guests to congregate;
- No catering or other commercial use would be permitted.

Since there is no current timeline to build the auxiliary building, CAPP would agree that at least the Building Board and Plan Commission should review detailed plans for the auxiliary building before it could be built.

5. Educational and School Groups. On average, CAPP does not expect to host more than one or two school groups in any one month. By contrast, 3,000 to 3,500 school children from 60 to 70 schools tour the Art Preserve every school year.

6. Shuttles. The vast majority of visits to the Property would be by private vehicles, carpooling as much as possible. Shuttles would be used rarely and, except for the requested

twice a year special events, not more than one shuttle would visit the Property at any given time and the shuttle would park on-site.

7. Through Traffic. The proposed on-site driveway will be gated and would not allow any through traffic.

8. Signage. No new signage is proposed.

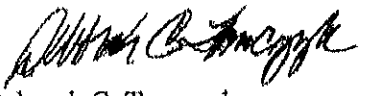
9. Property Values. Contrary to your assertion, Fox Point actually does have experience with two properties similar to Mary Nohl's Property: Chipstone and the Fox Point Beach Club. The Chipstone Overlay Agreement is attached for your reference. The Fox Point Beach Club is described in the enclosed January 23, 2023 article in Urban Milwaukee. No decrease in property values has been shown at either location.

10. Conditions. CAPP is aware that Village Code section 745.22(b) requires deed restrictions or a contract with the Village to impose appropriate conditions. So, as you requested, you and your clients will have an opportunity to review and comment on conditions. We appreciate your acknowledgement that these conditions could alleviate some of the public's concerns.

As noted above, John, CAPP remains ready and willing to discuss its proposal with you and your clients, and to incorporate reasonable changes as we have for the nearly six years we have worked on this proposal. Bottom line, we propose to use the Property consistent with its residential neighborhood and consistent with how it has been used for the past six years.

Please feel free to call me anytime.

Yours very truly,



Deborah C. Tomczyk

48727715

cc Amy Horst (via email)
Alex Gartelmann (via email)
Scott Botcher (via email)
Eric Larson (via email)
Kelly Meyer (via email)
Tomas Clasen (via email)

Encs.

Date	Visitor Name	Address	Company	Additional Information	
	Matt Kirchner	7250 Beach Drive	LAB Midwest		
	Renee Kirchner	7250 Beach Drive	LAB Midwest		
	Barbara Patterson	7481 Beach Drive	Retired Attorney		
	Patrick Patterson	7481 Beach Drive	Civil rights Lawyer (Former Obama Appointee)		
	Kira Patterson			Daughter	
	Douglas Gregor	7275 Beach Drive			
	Melissa Gregor	7275 Beach Drive	Froedert Head of ICU Nursing		
	Ania Gregor			Daughter	
	Ethan Gregor			Son	
	Don Kroll	7134 Beach Drive	Retired Phyiscal Therapist		
	Taryn Kroll			Daughter	
	Katie Stensberg			Taryn's Wife	
	Toni Stoessl	8000 Beach Drive			
	Hailey Stoessl			Daughter	
	Steve Tenley	7307 Beach Drive			
	Scott Mullins	7463 Beach Court			
	Laura Mullins	7463 Beach Court			
	Griselda Apple	7106 Beach Drive			
	Diane Tomasini	7473 Beach Drive			
	Glen Salzeberg				
	Jordana Joseph				
11/7/2021	Amy Rust Levin	7415 Beach Drive	Neighbor	Psyche Nurse	Alex Gartelmann
				Chief Marketing & Business Development Officer at Marshall, Gerstein & Borun LLP	
	Mark Levin	7415 Beach Drive	Neighbor		Alex Gartelmann
8	Noah Kirchner	7250 Beach Drive	Neighbor (adult children)		
	Sarah Kirchner	7250 Beach Drive	Neighbor (adult children)		
8/11/2022	Kelly Levin	7234 Beach Drive	Neighbor		
	John Levin	7234 Beach Drive	Neighbor		
	Jackson Levin	7234 Beach Drive	Neighbor (adult children)		
	Charlie Levin	7234 Beach Drive	Neighbor (adult children)		
	Samson Levin	7234 Beach Drive	Neighbor (HS)		
28-Aug	Doug Podzilni				
	Lynn Podzilni				
	Daughter				
10/7/2022	Beth Kohl plus 2 friends	Not a BD resident	Friend of Jordana Joseph	Author	Jordana Joseph
12/13/2022	Betsy Horsfield				
1/4/2022	Suzie Bortz	Not a BD resident	Friend of Beth Kohl		Via Jordana Joseph

	MOVED		
	Jane Behrens	7200	
	Tim Behrens	7200	
	Steve Forrer	7152	
	Shelly Cannistra	7152	
	Judy White	7250 Beach Drive	
	Gail Kuehn	7252 Beach Drive	
	Andy Sheisel	7000 Beach Drive	
	Ali Scheisel	7000 Beach Drive	
	Mary Terese Duffy	7242 Beach Drive	
	Gloria Golding	7300 Beach Drive	
	Leann Beehler	7619	
	Bruce Beehler	7619	

3/07/88.

AGREEMENT

THIS AGREEMENT, entered into this 3 day of MARCH, 1988 by and between the Village of Fox Point, a municipal corporation of Milwaukee County, Wisconsin (herein called the "Village"), the Trustees of the Polly M. Stone Marital Trust No. 1 dated March 31, 1982 (Polly M. Stone, Allen M. Taylor, Jere D. McGaffey and W. David Knox II, Trustees, and referred to herein as the "Trust") and The Chipstone Foundation, a nonprofit Delaware corporation (herein called the "Foundation");

W I T N E S S E T H :

Whereas, the Trust has acquired title from Stanley Stone, deceased, to a tract of land and improvements thereon in the Village of Fox Point, Milwaukee County, Wisconsin, more particularly described on Exhibit A annexed hereto, which tract of land and improvements thereon is referred to herein as the "Property"; and

Whereas, the Trust has also acquired from Stanley Stone, deceased, a unique and nationally prominent collection of American Decorative Arts, including furniture, furnishings, accessories and objects of art, largely from the American colonial period (the term "Collection" as used herein refers to such collection as constituted from time to time, including additions thereto or deletions therefrom);

1. Use. Subject to the limitations herein, the Village agrees that during and after the lifetime of Mrs. Stone, the Property may be used as a museum utilizing the existing principal residence as a site at which the Collection will be exhibited and made available for examination and study by scholars, collectors, historians, educators and others pursuant to procedures described below.

2. Occupancy; Outside Use; Limitations.

(a) Occupancy. Occupancy of the premises on the Property will be restricted to curatorial, custodial and maintenance personnel and their personal guests who are not present for the purpose of visiting the museum, plus Mrs. Stone and her servants and guests during her lifetime.

(b) Outside Use. The procedures set forth herein take into account the size of the facility, the resources of the Foundation and its staff and the residential character of the neighborhood. The procedures also take into account the desire to permit use of the museum for scholarly purposes by undergraduate and post-graduate students and educators of American Decorative Arts (including particularly students and educators affiliated with the Foundation's intended graduate program in American Decorative Arts in affiliation with the University of Wisconsin), museum curators and affiliated members of their staffs, and authors of research publications or articles (herein referred to as "Scholars"). In addition,

the procedures are intended to accommodate access on a reservation basis by others with special procedures for residents of the Village of Fox Point and students in local secondary and pre-secondary schools. Notwithstanding anything to the contrary herein contained (other than the provision providing access to Fox Point residents contained in the first sentence of subparagraph (iii) below), due to the need for security of the Collection it is acknowledged and agreed that the Foundation shall be empowered in its absolute discretion to limit to less than the permitted maximum the total number of persons at any time, and from time to time, present on the Property.

(i) Scholars. Scholars (as defined above) and museum staff, including without limitation the Board of Directors and officers of the Foundation and persons attending Foundation business meetings at their request, may utilize the museum and its resources and library in connection with their research, publications and activities in accordance with procedures established by the Foundation.

(ii) Other Access. Access to the Property by persons other than Scholars and staff will be restricted to the period from 9:00 A.M. to 5:00 P.M. during weekdays and further restricted to not more than two days in any week. Access will be permitted only by prior arrangement pursuant to procedures to be established by the Foundation. It is understood that there will be infrequent (not to exceed two

times in a calendar year) quasi-public events by prior arrangement such as garden club events consistent with those held in the past during Mr. and Mrs. Stone's lifetime, or a social event associated with museum activities. Except for such infrequent quasi-public events, the number of persons, other than Scholars and staff, physically present on the Property will not exceed thirty (30) persons on any given day or ten (10) persons at any one time.

(iii) Village of Fox Point Residents. At all times when the museum is open for visitors, at least ten (10) advance reservations per week for access to the museum will be held for residents of the Village of Fox Point and their guests until three (3) weeks prior to the beginning of each such week. In addition, within one (1) year of the time the museum begins actual operation as a museum, the Foundation will meet with the Advisory Board described below to determine jointly what, if any, further preferences to residents of the Village of Fox Point will be appropriate and consistent with the intent hereof that residents of the Village of Fox Point will be given adequate opportunity and preference to view the Collection. Any waiver of any limitation or restriction in this Agreement to effect such mutually agreed further preferences, including any change in the restriction of the number of daily visitors for any period of time,

shall be subject to the procedures for waiver, including Village approval, set forth in paragraph 10 below.

(iv) Students in Local Secondary and Pre-Secondary Schools. The Museum will accomodate scheduled group visits by students in local secondary and pre-secondary schools. For this purpose only, the limitation in subparagraph (ii) above to ten (10) visitors at any one time is waived. In addition, the thirty (30) visitor per day limitation shall not be deemed violated if such a local school visit includes more than thirty (30) students so long as the museum staff generally attempts to keep the size of such group at about thirty (30) persons.

3. Security. From and after the date of this Agreement, a 24-hour security and/or alarm service will be established at the expense of the Property owner. After establishment of the museum, it is contemplated that access to the Property will require clearance through a guard system at the expense of the Property owner.

4. Parking; Roads; Vehicles; Signage. Adequate on-premises parking will be provided by the museum except in the case of the infrequent quasi-public events referred to in paragraph 2(b) above. Outdoor parking shall be limited to the existing twenty (20) parking spaces as reflected on Exhibit B attached hereto, unless the Board of Trustees of the Village of Fox Point approves the location and number of additional parking spaces. No private roads, additional

parking areas or material change in existing parking areas as reflected on Exhibit B, will be made without the prior appropriate approvals of the Village and in accordance with normal building code and related procedures. Any additional parking area shall be screened. The museum will adhere to parking restrictions established for Club Circle, Merrie Lane and other Village rights of ways, which restrictions may not be changed except pursuant to action by or permission from the Village. The administrators of the museum will not permit use by museum visitors of any motor vehicle designed to seat more than ten (10) passengers, except that this limitation shall not apply to school buses carrying groups of students from local schools. There will be no museum signage on Lake Drive.

5. Landscape Treatment. Any change in the general landscape treatment as presently existing will be in keeping with the colonial architectural nature of the existing main residence on the property. In keeping with the foregoing, the vegetable garden on the north side of the Property abutting the garage building may be put into lawn or a garden when the museum is operating, but shall not be used for parking. It is recognized that the Village has the right to enter the Property and do such building or lawn/garden maintenance work as shall keep the Property from ever being a public nuisance or in violation of any Village ordinance on property

maintenance and upkeep, and that the cost of any such work, if it should ever be necessary, is a responsibility of the Property owner.

6. Architectural Considerations. No new buildings or changes in existing buildings will be made except pursuant to the requirements of Village ordinances regarding same, including necessary approvals. It is contemplated that at some time in the future the barn on the Property may be replaced and that a guardhouse may be constructed to accommodate the guard service referred to in paragraph 3 above. With respect to those two matters, it is agreed and acknowledged that the only necessary approvals shall be building permit issuance and Village Building Board approval so long as, in the case of the barn, the replacement building is built in approximately the same location and covers no more than approximately the same amount of ground area as the barn.

7. Organizational Structure. The By-Laws of the Foundation will be amended and maintained in such a manner as to establish an Advisory Board which will be responsible for relationships between the museum and its neighbors and the Village. In order to limit traffic during times that school buses are picking up or unloading school-age children who live in the neighborhood, the Foundation will consult from time to time with the Advisory Board about the scheduling (within permitted museum hours) of visitors

to arrive at and depart from the Property. In addition, the Foundation will consult from time to time with the Advisory Board about scheduling the use of the Museum by Scholars, in order to assure that the residential character of the neighborhood remains unchanged. The Foundation will also review with the Advisory Board any plans for signage on the Property or construction of a guardhouse prior to submitting the plans for Village approval.

Such Advisory Board shall consist of six Fox Point residents who include at all times at least one member who is also an incumbent Village Trustee, at least three persons who reside on Club Circle, Lilac Lane or Merrie Lane in Fox Point, Wisconsin and at least two Fox Point residents who do not reside on Club Circle, Lilac Lane or Merrie Lane. Determination of the membership of the Advisory Board shall be made by the Board of Directors of the Foundation after consultation with and receiving the approval of the President of the Board of Trustees of the Village. No member of the Advisory Board may be related by blood or marriage to any person who is employed by or affiliated with the Foundation, or by any corporation, partnership, or organization which provides significant services or products to the officers or directors of, or the Foundation, nor may any member of the Advisory Board be employed by or affiliated with any such partnership or organization. For the purposes of this Agreement, compliance with the preceding sentence shall be conclusively presumed upon

approval of a nominee to the Advisory Board by the President of the Board of Trustees of the Village.

8. Taxes. It is contemplated that the Property will remain subject to real estate taxes so long as Mrs. Stone resides on the Property but that, upon the Foundation's acquiring full legal title to the Property, the Property will not be subject to the imposition of real property taxes. So long as any portion of the Property is not subject to the imposition of real property taxes, the Foundation will nonetheless make an annual payment to the Village on or before the last day of February of each year in lieu of general property taxes and, in addition, until and including the last day of February, 2001, will also make an annual payment on the last day of February of each year to each School District in which the Property is currently subject to taxation in lieu of general property taxes. The amount of such payments shall be determined as follows:

(a) Subject to subparagraph (c) below, the payment to the Village shall be one hundred percent (100%) of that portion of the total real estate taxes levied in the year prior to the year in which such payment is due solely for general Village of Fox Point purposes (net of an aggregate portion of any state or other credits applicable thereto) and is equal to a fraction the numerator of which is the equalized valuation of the Property in the year preceding

the year in which the Property becomes exempt and the denominator of which is the total of the equalized value of all taxable property in the Village of Fox Point (as determined by the Wisconsin Department of Revenue) for the year prior to the year in which such payment is due plus the equalized valuation of the Property in the year preceding the year in which the Property becomes exempt; provided, that the aforesaid amount of the equalized valuation of the Property in the year preceding the year in which the Property becomes exempt shall for any such year be increased or decreased, as the case may be, in proportion to any percentage increase or decrease after the year in which the Property becomes exempt in the total equalized value of all property in the Village of Fox Point based solely upon economic adjustment factors as determined by the Wisconsin Department of Revenue.

(b) Subject to subparagraph (c) below, the payment to each School District shall be one hundred percent (100%) of that portion of the total real estate taxes levied in the year prior to the year in which such payment is due with respect to property in the Village of Fox Point but solely for the purposes of the School District for which payment is being calculated (net of any aggregate portion of any state or other credits applicable thereto) as is equal to the fraction calculated for payment of Village taxes in subparagraph (a) above.

(c) The amount determined in subparagraphs (a) and (b) above shall be reduced by the amount of any net general real property taxes paid or payable by the Foundation with respect to the year prior to the year in which the payment is due by the Foundation on any portion of the Property which was subject to real property taxation.

(d) Notwithstanding anything to the contrary herein contained herein or any otherwise available exemption from property taxes, the Property will at all times be subject to special assessments levied with respect to street repair, sewer repair, etc.

9. Enforcement.

A. Certificate of Compliance. On or before the last day of February of each year, so long as this Agreement is in effect, the Foundation, by one of its duly authorized officers or representatives, shall file with the Village a certificate, in such form as shall be reasonably satisfactory to the Village, stating that it has reviewed the provisions of this Agreement and that all obligations and duties of the owner of the Property imposed hereby are then being performed and complied with, or, if not, specifying any items of non-compliance.

B. Inspection. The Village, by its duly authorized representatives, shall have the right with prior notice to enter upon and inspect the Property at reasonable times for the purpose of assuring continued compliance of the owner of

the Property with its agreements herein contained and/or for the purpose of determining compliance with applicable public health, safety and building code ordinances, rules or other requirements. The presence of one or more such representatives on the Property for this purpose shall not be counted toward the daily limitation on the number of persons visiting the Property as set forth above.

C. Enforcement Alternatives.

(1) Closing the Museum. In the event the owner of the Property shall fail to comply with any of its agreements herein contained for a period of thirty (30) days after written notice specifying such default from the Village (or such longer period of time as may reasonably be required to effect such compliance), or immediately as to any default which constitutes a present danger to public health or safety, the Village shall have the right to order the temporary closing of the museum to the public pending such compliance or to obtain appropriate legal and/or equitable relief by means of injunction or similar remedy to compel such compliance by order of any court of competent jurisdiction. Unless a present danger to public health or safety is involved, the aforesaid temporary closing of the center to the public shall not affect the use or occupancy of the museum by staff and/or Scholars pursuant to the above provisions of this Agreement.

(2) Fines and Forfeitures. As an alternative to closing down the museum as provided in 9(C)(1), the Village may proceed in court to seek such forfeiture or other remedy as may be authorized for a violation of a Village ordinance or, where no ordinance applies, to require the Foundation to forfeit an amount not to exceed $250 for each violation of a provision in this Agreement.

10. Continued Operation of the Museum. Nothing herein shall be deemed to require the continued operation of the Property as a museum; provided, however, that if at any time after the museum begins operation as a museum, a museum is no longer operated on the Property (except for a temporary closing pursuant to order of the Village or a court, as provided above, or as a result of causes beyond the reasonable control of the museum), this Agreement may be terminated by either the Village or the owner of the Property upon thirty (30) days prior written notice of termination to the other party.

11. Waiver of Museum Restrictions. Any restriction or limitation on the operation of the museum set forth herein, including limitations on access, numbers of visitors, parking and size of visitor vehicles, may be waived generally or for any particular proposed event by and at a meeting of the Board of Trustees of the Village of Fox Point upon receiving the prior approval of a

majority of the members of the Advisory Board and after the Foundation has given notice of the proposed change by first class mail addressed to owners of record (as shown on the Village's property tax records) of property with an address on Club Circle, Lilac Lane or Merrie Lane; provided, that any general waiver shall be revoked upon action by the Village of Fox Point Board of Trustees or upon the Village Manager's receiving the written request of a majority of the Advisory Board to do so.

12. Successors; Assigns. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns and all future owners of the Property, and shall be enforceable by the Village against all such persons and entities; provided, that the Foundation agrees that it will not assign its rights hereunder to any person or entity except to a person or entity approved by the Village.

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Milwaukee more inclusive GATHER at Deer District

JULY 7, 2014 / FEATURE STORY

A House Divided

OUTSIDER ART: The former home of artist Mary Nohl has become a flash point in Fox Point. Photo by Adam Ryan Morris There's a small bend in Beach Drive in Fox Point with two spectacular views. The first, an easy-access view of Lake Michigan that irks neighbors who are sick of traffic to the shady spot, isn't going anywhere. It's the second view, even more infamous, that's departing. It's a house – familiarly known as "the witch's house," to the chagrin of many – owned by Fox Point artist Mary Nohl until her death in 2001 at age 87. The...

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OUTSIDER ART: The former home of artist Mary Nohl has become a flash point in Fox Point. Photo by Adam Ryan Morris

There's a small bend in Beach Drive in Fox Point with two spectacular views. The first, an easy-access view of Lake Michigan that irks neighbors who are sick of traffic to the shady spot, isn't going anywhere. It's the second view, even more infamous, that's departing.

It's a house – familiarly known as "the witch's house," to the chagrin of many – owned by Fox Point artist Mary Nohl until her death in 2001 at age 87.
The property was transformed by Nohl for over 40 years into a bizarre, magical and transfixing landscape, filled with sculpted stone heads, concrete poets, driftwood sentinels, sea-stone ruins, wooden silhouettes, beach-pebble mosaics, and figures of all shapes and sizes, built out of the elements surrounding the home and the beach below.
On March 27, the John Michael Kohler Arts Center (JMKAC), the current owner and curator of the property, announced it would be relocating the entire house and all its work from Beach Drive to an undetermined location in Sheboygan County, where the arts center is based.

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up the fight and return to Sheboygan with the entire house in tow, even after an informational meeting as recently as October 2013 revealed neighbors to be as adamantly against the plan as they had been a decade before.

More importantly, no one I spoke to for this story – not the leadership of Kohler Arts Center, nor the Kohler Foundation, the grieving local artists or even the nearby neighbors – says they actually want the site to be moved. It's the only thing they can all agree on.

Yet in the process of trying to preserve the house on Beach Drive – in the form and function defined by each player's interest – all their collective efforts have done is ensure that this artistic treasure must be taken elsewhere. It's anyone's guess whether Mary Nohl's legacy will remain intact, once her work is evicted from its natural home.

ART FOR ART'S SAKE: Nohl's home became her canvas as works covered nearly every corner of the structure. Photo courtesy of John

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her work would pilgrimage to pay their respects. But with the artist herself so often unseen, it's unsurprising a lore as unorthodox and enigmatic as her work would spring up around her life. Rumor would have her a grieving widow trying to re-create her drowned husband and child out of stone, or a murderess with those same corpses interred beneath her sculptures.

The truth is simpler and more intriguing. Mary Nohl never married, living practically her whole life in her home on Beach Drive. She was born the second child in a wealthy family, although her parents practiced a thrifty frugality that Mary would end up using in her own work. After graduating from the Art Institute of Chicago, Mary worked as an art teacher and ran her own pottery studio, but she wouldn't find her true calling until the 1960s, when the death of her father and brother, and her mother's admission into a nursing home, gave her free reign over the Beach Drive property.

She took it. In addition to her still-visible works on the lawn, built up and altered over the years as dictated by her fancies and numerous thefts by vandals, Mary transformed the interior of her house, painting every surface available (including the furniture), hanging mobiles from the ceilings, and filling the space with smaller versions of her outdoor works and miscellaneous craftings. Her creative output was mind-blowingly vast; by the time the Kohler Foundation began taking pieces for preservation, her works easily numbered in the thousands.

Mary's work would be notable in and of itself. But it's especially important due to the circumstances of its creation, says Debra Brehmer, a Milwaukee artist who wrote her master's thesis about Mary in 1995 (and who contributes to *Milwaukee Magazine*).

"There's not an academic in the world who knows anything about art environments who doesn't know about Mary's site," Brehmer says. "There aren't that many sites built independently by women, first of all ... and she's acting in a way that wealthy people don't act. She was one of them, but she had an independent mindset."

Convincing Mary to entrust the foundation with her work was a decades-long project in and of itself. Ruth DeYoung Kohler, the former president of the Kohler Foundation and current director of the Kohler Arts Center, says she first heard of Mary's work in

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impressed upon her the importance of preserving the site as a whole. "We told her we really wanted to preserve it in situ [intact] because the lake had meant so much to her."

They almost weren't able to. At one point, negotiations with the wary and untrusting artist were severed unexpectedly when Mary took umbrage with a male lawyer the foundation sent over to work on the will – "the meekest, mildest lawyer on God's green earth," Kohler says, "but he wasn't meek enough, I guess." But after several years, friends of Mary's convinced her to make contact again, and she updated her will in 1996 to grant her home and art to the foundation after her death. Most of Nohl's remaining wealth would go to the Greater Milwaukee Foundation, which created the $9.6 million Mary L. Nohl Fund Fellowships, an annual grant program for artists looking to create works in Milwaukee, Waukesha, Ozaukee and Washington counties. By that point, Kohler Foundation officials probably thought the hard part was over. They couldn't have been more wrong.

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UPROOTED: Nohl's abode will soon make the trek to Sheboygan County. Photo by Adam Ryan Morris

The Kohler Foundation's normal methodology in preserving sites like Mary's, which it calls "art environments," is rudimentary: Once it takes ownership of an environment, it catalogs the works within, restores as needed, and gifts it to another nonprofit for ongoing care and maintenance. But the foundation held onto the Nohl house for more than a decade after assuming caretaker duties, only granting it to the Kohler Arts Center in 2012.

Most of that time was spent either fighting to open the site publicly or licking its wounds. After Mary's death, foundation members had hoped to quickly convert the home into a public museum and have the house designated a historical landmark, which would ultimately be achieved at the county, state and national levels.

But there were several obstacles in the foundation's way: the house's infamous reputation, structural damage to the house and works themselves, and a municipal maze of restrictions and ordinances.

All were problems encountered elsewhere. The Kohler Foundation has been preserving art environments for almost 40 years, beginning in 1976 with a northern Wisconsin park filled with concrete sculptures by artist Fred Smith. Since then, the foundation had built a national reputation for saving almost a dozen more art environments

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expected and unexpected. Motivated, affluent Beach Drive residents didn't want the house turned into a museum, and used zoning requirements that shackled the foundation and JMKAC's ability to operate from the home. Additionally, and maybe more fatally, few Fox Point sympathizers were willing to support the museum publicly and attract the ire of their neighbors in the process.

It also didn't help that the foundation didn't know how big the problem was until it blew up in its face. It had known from the start there were members of the community opposed to the plan. But the foundation's executive director, Terri Yoho, says that's a response often seen when it enters a neighborhood, and assumed those feelings would soften as time passed.

If anything, they only intensified. A Lamers bus that pulled up to the front of the house for a tour in April 2003 was a flash point for several, including Eric Fonstad, who lives within viewing distance of the Nohl house and has been a particularly public crusader against the Kohler Foundation and JMKAC. (Yoho denies the Foundation ever organized a tour with a bus so large, although on one occasion, it used significantly smaller shuttles, which didn't park outside the home.)

"It was very concerning to a lot of people living down here," says Fonstad, a retired corporate attorney in his 60s. Shortly afterward, he and other neighbors began discussing ways to force the foundation to again begin using the home as a residence – and not to remove the art from the property, as he says the museum's supporters have unfairly and mistakenly stated. "People want to blame somebody ... it's easy to say the immediate neighbors want it moved, and that's not the case," Fonstad says. "All we've been trying to do is preserve the residential character of the neighborhood."

As years passed, both parties worked behind the scenes to achieve their aims, clashing on occasion. JMKAC staged a fundraiser in 2004 at a nearby supporter's home that featured trips to the house, and invited graduate students from the University of Wisconsin-Madison to live there and catalog the works in 2005. Neighbors responded in kind, circling a petition after the fundraiser that denounced the increase in traffic and monitoring the house's mail, trash and visitors for evidence of "museum activity" that violated the town's residential zoning laws to report to the village, resulting in 19

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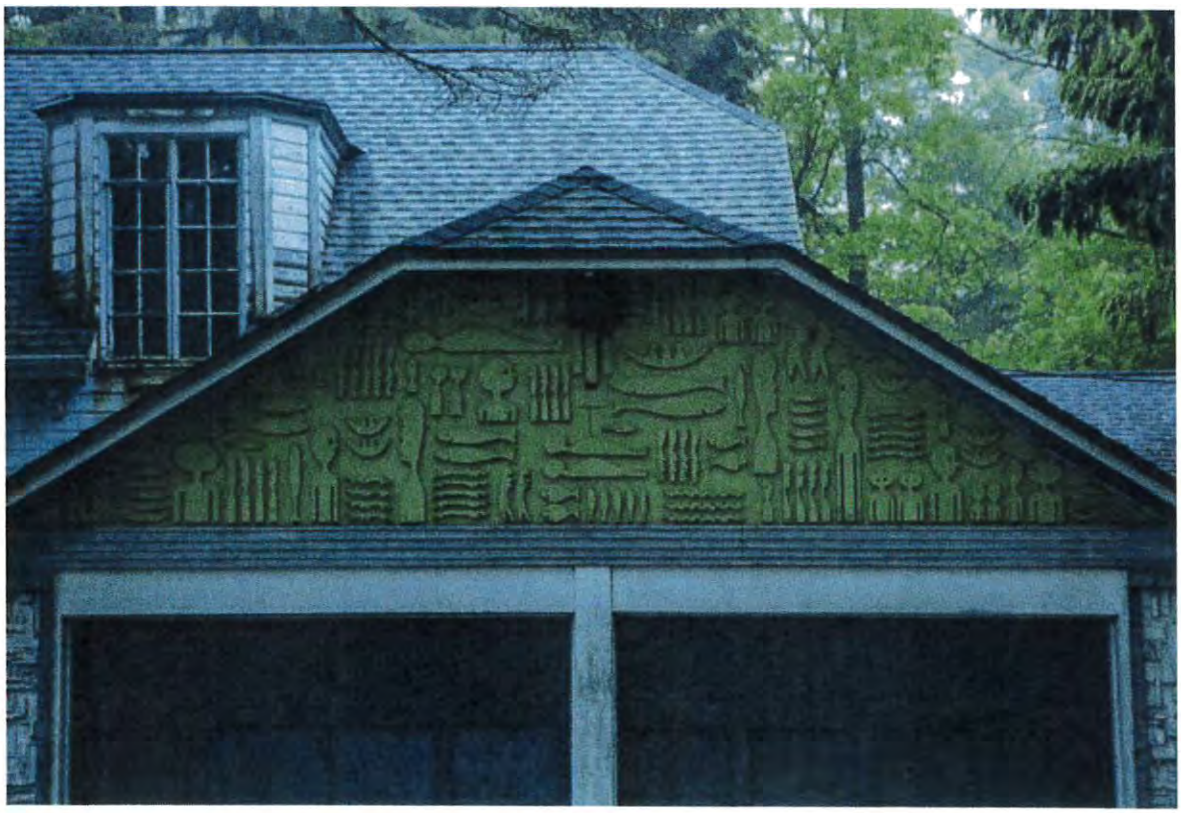
as something other than a private residence. It never got the chance to go after one. At a meeting in August 2005 with the village's Historic Preservation Committee, more than 100 residents showed up wearing buttons stating "No Museum" and abruptly changed the playing field. "We were somewhat taken aback," Yoho says, adding that the meeting was only meant to be an information session. "This swell of negative energy showed up."

The protesters couldn't directly hurt the foundation's efforts then, but their participation in a public hearing to establish that overlay would. With its objective blocked, Ruth DeYoung Kohler says neighborhood allies recommended the foundation drop the issue. "They were told by a couple of people to just lay low, be as quiet as you can and hope it blows over. So that's what happened."



See more photos of Nohl's house in our photo gallery here.

Photo by Adam Ryan Morris

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preservationists to remove most of the interior art. Yoho says the foundation took it as a wake-up call. Hoping the JMKAC would have better luck after the détente, the foundation transferred the property to the Creation and Preservation Partners (CAPP), an affiliate of the JMKAC.

Once CAPP had a hold of the property, things accelerated quickly – driven, Kohler says, by a desire to not repair the house's damaged heating and plumbing until it was sure that would be worth the expense. But things didn't look promising.

Representatives of the arts center spoke to the village board again (a body now including Fonstad himself, who now says he planned to recuse himself from any proposals brought regarding the Mary Nohl house), and were told they would need between 100 and 200 public advocates to have their zoning alteration approved. The JMKAC subsequently hired a team from the Milwaukee public relations firm Mueller Communications to survey the 300 households on Beach Drive and nearby streets, and found about 45 supporters of varying degrees.

It was enough to convince Mueller Communications to stage an "information exchange" in October 2013, which featured the presentation of a plan for public observation and commentary.

But the desired dialogue never happened.

Lori Richards, vice president of Mueller Communications, says the intentions were to lead off with the JMKAC's current plans – which included a driveway and small parking lot to alleviate traffic concerns, and openings by appointment only to exclude drop-in tourists – and then break off into small groups for further discussion. But that wasn't what most of the approximately 40 neighbors in attendance were looking for.

"They wanted to sit down and they wanted to have a person to talk to," Richards says. "I took the lead as facilitator, and it was a firing squad. It was clear that people were just angry, and they just wanted to vent."

Kohler is less diplomatic: "It was unbelievable. Negative after negative after negative. People that you would think would have enough background in the arts that they would agree to it. ... After a while, we just didn't even say anything, or very little,

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when alternatives were seriously considered. Once JMKAC officials discovered that repairs to make the home a residence again would cost more than completely rebuilding it, moving the house became the best option.

"We're really disappointed we had to come to this decision," he says, "but I think it's important to note it's taken us quite a long time. If we could have figured out a way to keep it there, we would have done it a long time ago."

Photo by Adam Ryan Morris

Disappointment in the move seems most strongly felt by members of Milwaukee's art community. Several of them, including Brehmer, Barbara Manger (a close friend of Mary's who published a biography of her life and work) and Polly Morris, who currently oversees the artists' fellowships set up by the Greater Milwaukee Foundation, have spoken out against the plan, and a number of online petitions and support groups on social media sites have sprung up protesting the decision.

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should be the determinant of the fate of this house. ... Sites such as Mary Nohl's are rare, and to be treasured – a jewel in the crown."

Brehmer, who runs Portrait Society Gallery in Milwaukee, thinks there's blame to be cast on how the JMKAC handled the situation as well. "I knew they were having trouble," Brehmer says, "but I thought they would find a solution, some compromise." Although she acknowledges the neighbors' opposition hurt the center's efforts, she says the abrupt announcement would have been easier to take – or maybe not come at all – if the center had included anyone from outside Fox Point in the discussion, instead of taking it all on themselves.

"I personally felt kind of cheated," Brehmer says. "I didn't get to weigh in, Milwaukee didn't get to weigh in, the people who care who have a history with that site – nobody got to say a word."

To promote that conversation after the fact and call attention to the loss of Mary's home, Brehmer has helped organize a **public forum at the Milwaukee Art Museum on Thursday, July 10, from 7:15-9 p.m.** Speakers will include preservationists Matthew Jarosz and Lisa Stone, local historian John Gurda, Ruth DeYoung Kohler and Brehmer herself.

Kohler says outside support might have been even more detrimental. She says Village Board President Michael West was clear the board's decision would be based on the desires of Fox Point residents, and that even neighbors more distant from Mary's house, west of North Lake Drive, wouldn't be weighed as heavily, much less artists from the city.

Kohler and Cisler were equally dismissive, if understanding, of the grassroots groups hoping to change the center's plans. "We've talked to a few of those people, and their concerns are no different than the ones we've had," Cisler says. "But a lot of them don't know the amount of effort we've put in to getting it to the point we're at. There's a lot of things we've already tried. And what we've been hearing from these grassroots

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Mary passed away – the neighbors' opposition ensured there were only two options for the site. There was the path they chose, to evict it from its present location and hope the magic of its surroundings would come with it – or the opposite, to leave it where it is with its gates forever barred, knowable only as it always has been, an unexplained yard filled with beautiful and strange sculptures.

In the end, after decades of trying to save Mary's home intact, the fate of this practical woman's work has come down practicalities.

"I think [Mary] would be sad," Kohler says, taking great care with each word. "But I think, somehow, that she would understand."

***

But even practicality has its limits.

While I'm in Sheboygan at the John Michael Kohler Arts Center, someone suggests that I stop by a place called the James Tellen Woodland Sculpture Garden, an art environment a couple minutes away named for the sculptor who built it, James Tellen. Armed with an address and my phone's GPS, I set out, following the route it charts out of the city and into the woods.

I drive past it the first time. And a second.

When the third time proves the charm, I find myself alone in a gravel parking lot beside a forest-green house. Not just the-only-visitor alone. Alone-alone. No patrons, no docent, no caretaker. There's a stack of pamphlets, though, so I take one and tramp off along a path into the site.

It's gorgeous. Back in the 1940s and '50s, Tellen began making sculptures of imagined and historical figures, realistic in every detail except their incongruous placement in the middle of the Sheboygan woods. Behind that forest-green house are a half-dozen miniature pioneer-life vignettes separated by life-sized statues of people like Abraham Lincoln, splitting rails as a young man, and mischievous elfin characters, as well as a scarcely tamped-down path with more figures. It winds away from the home until it comes to an end with a thorn-clad bust of Jesus and a re-creation of the famous Our

north of the place it's truly meant to be?

It's colder up here than it was when I left Milwaukee in the morning, but that isn't the reason for the chill that goes through me at the thought. ■

Write to freelancer Matthew Reddin at letters@milwaukeemag.com.

»*This article appears in the upcoming August 2014 issue of* Milwaukee Magazine.

Read the July issue online here, or subscribe to *Milwaukee Magazine*.

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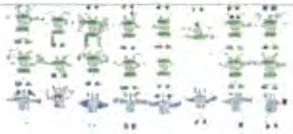

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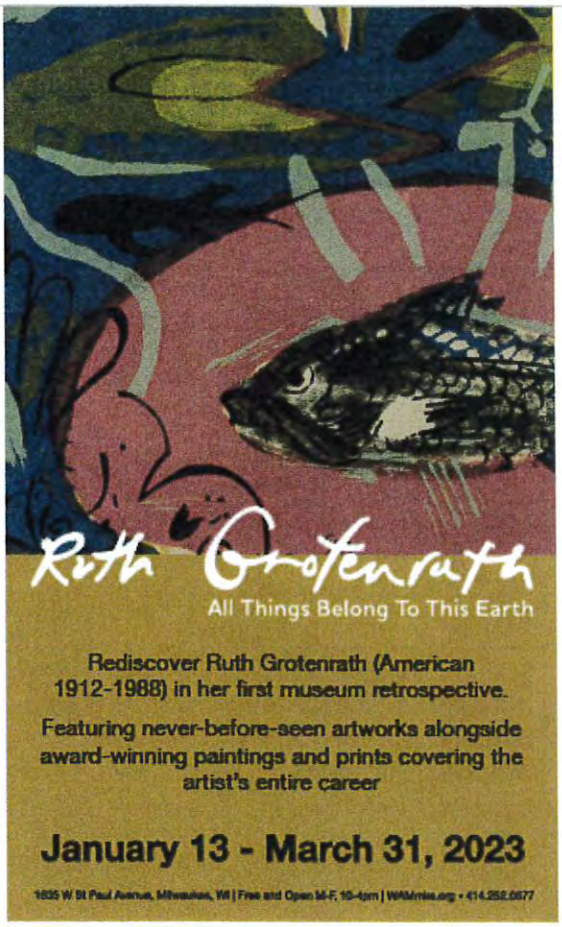
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By Michael Horne - Jan 23rd, 2023 12:09 pm

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A Geopolitical Divide of the First Class

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To meet the requirements of the ordinance, any proposal must be:

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These three items are hot points of contention and may lead to fireworks at the public hearing. There, Nohl supporters from all over must face opposition from residents of a narrow strip of about 60 lake-level properties. The sinuous Beach Drive is the single street connecting them to the mainland and the great metropolis 125 feet above, where the winding, bluff-hugging road dead-ends at N. Lake Drive and where the real world begins.

The geopolitical divide between the residents of Beach Drive's 200 or so acres (depending on how much of the uninhabitable bluff you count) and the remainder of Fox Point's 1,700 acres, where the great majority of its 6,000 residents are housed in over 3,000 residential units, is striking. On Beach Drive, powder blue signs reading "No Nohl Museum," are seen in abundance, yet are visible nowhere else in the village, strikingly demonstrating the NIMBY nature of the opposition.

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The groups also would like to:

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Neither Ruth Kohler nor Mary Nohl married or had children. Ms. Nohl left a $11 million endowment to fund the annual juried artist competition bearing her name. The century-old home predates 80 per cent of the other dwellings on Beach Drive, where many newer buildings have been demolished for new construction.

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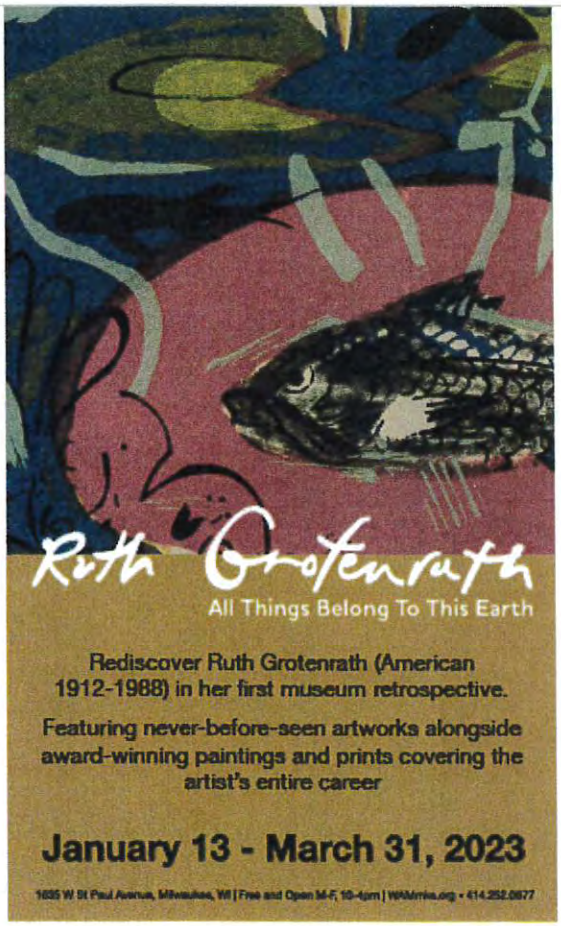
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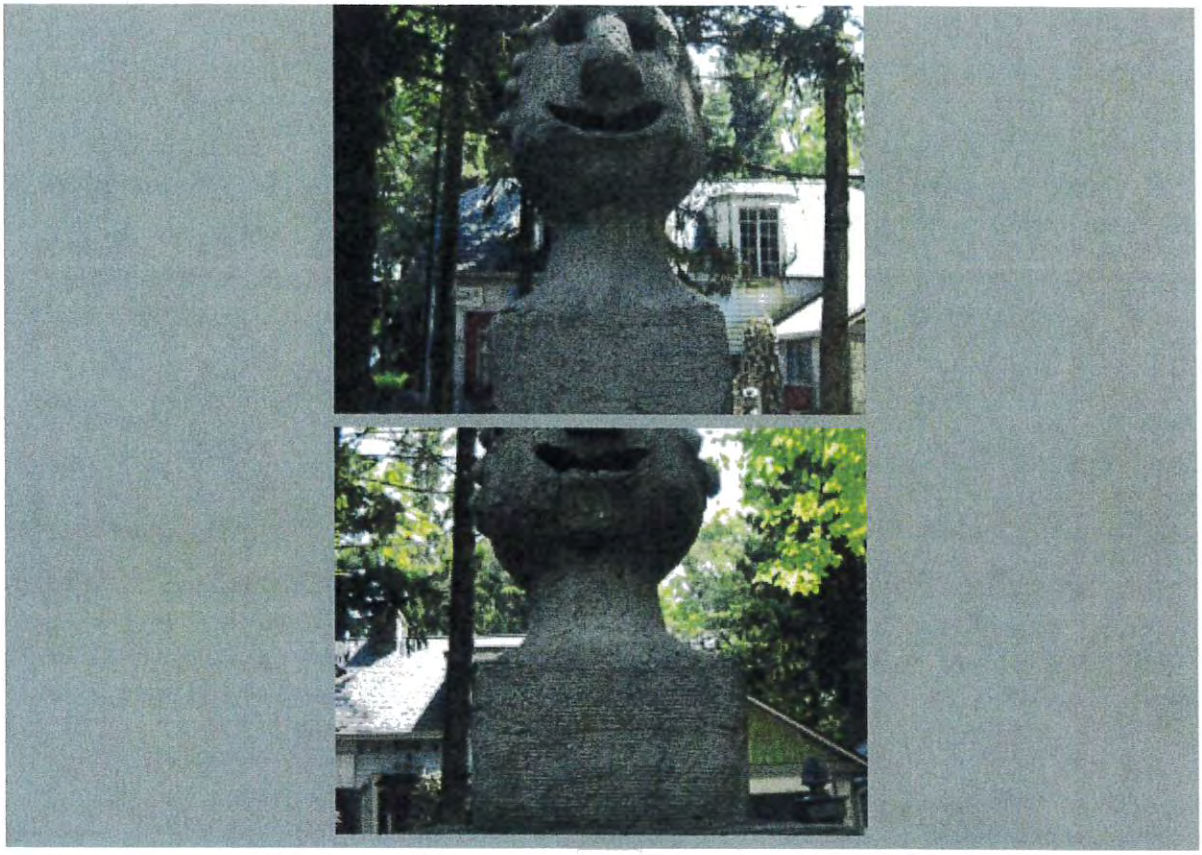

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February 20, 2023

Deborah C. Tomczyk, Esq.
Direct Dial: 414-298-8331
dtomczyk@reinhartlaw.com

SENT BY E-MAIL
(SBOTCHER@VILLAGEOFFOXPOINT.COM)

Scott Botcher, Village Manager
Village of Fox Point
7200 North Santa Monica Boulevard
Fox Point, WI 53217

Dear Mr. Botcher:

Re: Cultural Overlay for 7254 and 7328 North Beach Drive Fox Point, WI 53217

This letter and its enclosures supplement the pending application of Creation and Preservation Partners, Inc. ("CAPP") to establish a Cultural Overlay District for the Mary Nohl art-environment located at 7254 and 7328 North Beach Drive. All changes are proposed entirely in response to concerns voiced in letters and emails submitted to the Village, comments at the January 31 and February 6, 2023 public hearing, and direct conversations with neighbors including substantial comments provided by Save the Beach Drive Neighborhood Association counsel John Wirth ("Beach Drive Neighbors"). We are only aware of two remaining points of disagreement with the Beach Drive Neighbors. First, they want to subject the guests of our residents to the other numeric caps on visitors which, we think, is too restrictive. Second, they want to make our new drive one way with all vehicles entering at Beach Drive and exiting at Willett's Way, which we think is unsafe.

Please add the following to the record for this matter:

- An updated dimensioned Site Plan;
- A clean and blacklined version of a revised Written Statement showing changes from the version submitted December 7, 2023;
- A summary chart of the names and addresses of interested parties both in support of and opposed to CAPP's proposal who sent letters or emails to the Village and/or who spoke at the public hearing;

- A summary of other artist-built environments in residential areas including each such property's underlying zoning designations and general information regarding their operation;

- A summary of CAPP's Fox Point-Bayside School District programing costs; and

- A letter to Village Attorney Eric Larson responding to legal issues raised by Mr. Wirth.

Please do not hesitate to contact me at 414-298-8331 with any questions or concerns. Thanks in advance for your assistance with this matter.

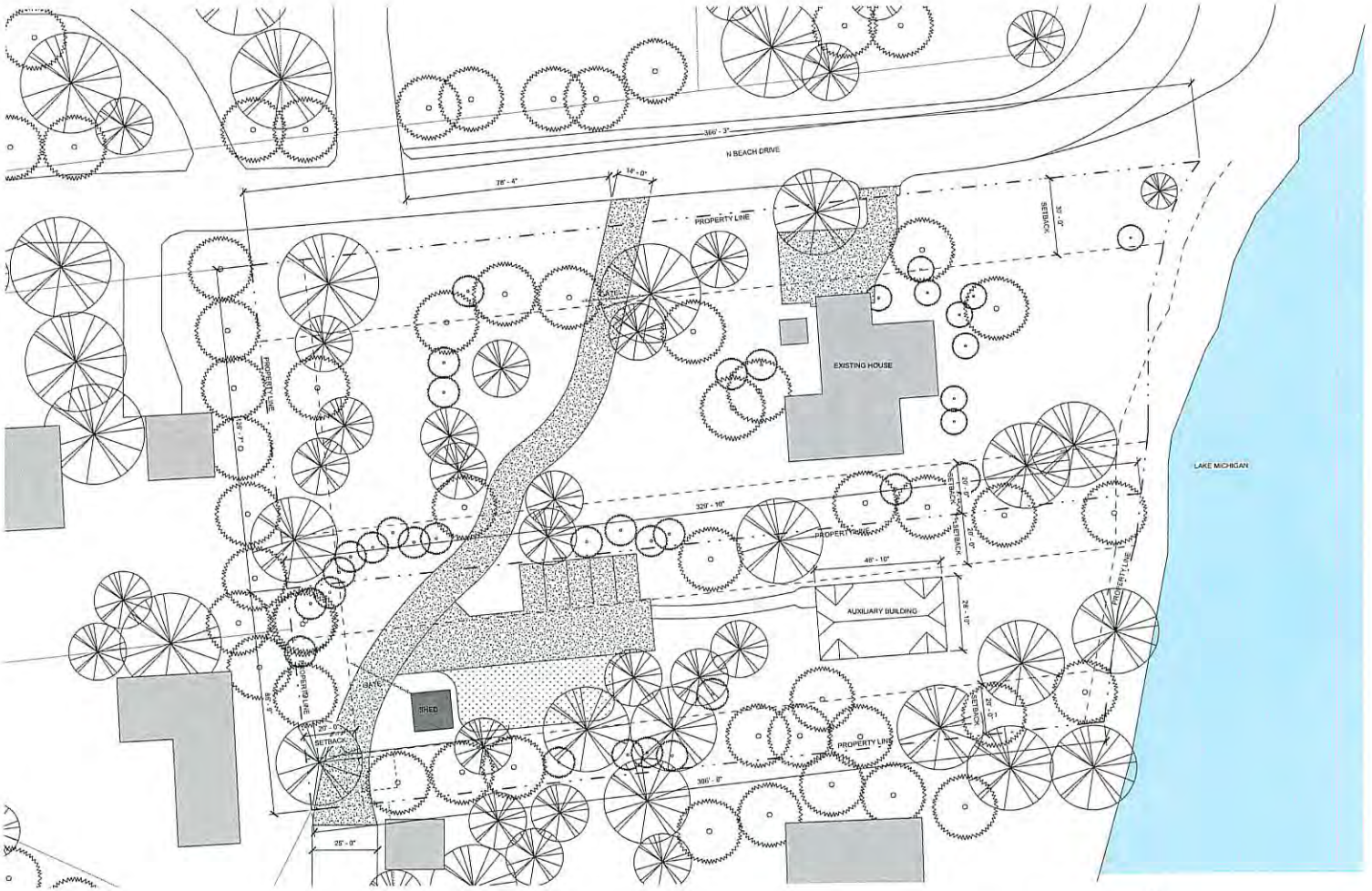
Yours very truly,

Deborah C. Tomczyk

48894936

Encs.

cc Village Attorney Eric J. Larson (w/encs. via email)
Mr. Steve Woods (w/encs. via email)
Mrs. Amy Horst (w/encs. via email)



1 SITE PLAN
SCALE: 1" = 20'-0"

AREA CALCULATIONS*

*NOTE: IMPACT ON MUNICIPAL SERVICES WILL BE: NONE

	TODAY	AT FULL BUILD-OUT	PRIOR TO THE DEMOLITION OF THE RESIDENCE AND SHED ON THE SOUTH LOT
TOTAL AREA OF BOTH LOTS	70,680 SF	70,680 SF	70,680 SF
TOTAL FOOTPRINT OF BUILDINGS (BOTH LOTS):	2,281 SF	3,914 SF	4,033 SF
TOTAL OPEN SPACE (BOTH LOTS):	66,538 SF 94%	58,146 SF 82%	62,500 SF 88%

1 SITE PLAN
SCALE: 1" = 20'-0"

TN

REVISED WRITTEN STATEMENT DESCRIBING GENERAL CHARACTER OF INTENDED USES, POTENTIAL BUILDING, ORGANIZATIONAL STRUCTURE AND MAINTENANCE AND OPERATION

This Statement ("Statement") supports the establishment of a Cultural Overlay District under §745-22 of the Village of Fox Point Code. This Statement has been revised as of February 20, 2023 to address concerns raised in letters and emails to the Village, by neighbors at the January 31 and February 6, 2023 public hearing and in other neighbor feedback provided directly.

1. Ownership of Project; Organizational Structure. Creation and Preservation Partners, Inc., a Wisconsin non-stock corporation ("CAPP") is the owner of that certain real estate located at 7254 and 7328 North Beach Drive in the Village of Fox Point, County of Milwaukee, Wisconsin described on Exhibit A attached hereto (the "Real Estate") currently zoned A-1 Residence District under the Village of Fox Point Code. CAPP is an affiliate of John Michael Kohler Arts Center, Inc. ("JMKAC"), a Wisconsin non-stock corporation and 501(c)(3) nonprofit organization founded in 1967, the mission of which is to generate a creative exchange between artists and the public. (See www.jmkac.org). JMKAC supports CAPP with endowed funding and professional staff.

The Real Estate contains the former residence of prominent local artist Mary Nohl ("Mary Nohl House") and a collection of her artwork, including paintings, sculptures, jewelry, drawings, and other assemblages (collectively, the "Collection"), some of which is in the Mary Nohl House and some of which is placed elsewhere on the Real Estate. Mary Nohl gifted her Collection to the Kohler Foundation (www.kohlerfoundation.org) in 1996 acknowledging that the Kohler Foundation could further gift the Collection to an appropriate non-profit such as JMKAC. JMKAC has already invested nearly $4 million in maintenance and upkeep of the Mary Nohl House and significant additional investment is anticipated with the establishment of a Cultural Overlay District. CAPP leases the Real Estate and the Mary Nohl House (collectively, the "Property") to JMKAC for JMKAC to use and operate the Property consistent with JMKAC's mission.

CAPP and JMKAC's primary purposes are (1) to preserve and protect the Mary Nohl House and the Collection; (2) for the exhibition, examination and study by smaller groups of invited scholars, collectors, historians, educators, and others; and (3) to encourage interested parties and larger groups to visit the Art Preserve opened by JMKAC in 2021 at 3636 Lower Falls Road in Sheboygan, Wisconsin, which houses the vast majority of Mary Nohl's work.

2. Intended Uses. The Property will be used primarily for art preservation and observance, and for ancillary related uses including offices and meeting space for CAPP and JMKAC and a residence for artists-in-residence and/or caretakers. The Property may be used as a display site for the Collection to be exhibited and made available for examination and study by limited groups of invited scholars, collectors, historians, educators and others with affiliation as further described below. These intended uses serve the primary purposes of preserving and protecting the Mary Nohl House and the Collection, as well as fit the residential character of the surrounding neighborhood.

3. Residential Uses. As used in this Section, a "Primary Resident" means an artist-in-residence or caretaker of the Mary Nohl House and/or Collection. No more than two Primary Residents, or one Primary Resident and his or her family (in either instance, the "Residents"), may reside at the Property at any time. Residents may use the Property for all residential purposes allowed under the Code and applicable law, and pursuant to any additional rules and regulations promulgated by CAPP. Notwithstanding the foregoing, there may be periods when no Residents reside at the Property.

4. Not Open to Public. Subject to the terms of this Statement, at no time shall the Mary Nohl House or the Property be open to the public. Residents, paid personnel employed by CAPP or JMKAC and maintenance, delivery and service providers shall not be deemed to be members of the public and shall not be subject to the numeric limits described in this Statement.

5. Larger Groups Directed to the Art Preserve. Excessive traffic and visits to the Property would frustrate preservation, disrupt the residential setting integral to Mary Nohl's work and threaten the fragility of the Mary Nohl House, the Collection, and the Property's unique "artist-built environment." Accordingly, CAPP and JMKAC have determined that larger groups interested in Mary Nohl's art should be encouraged to visit the Art Preserve in Sheboygan, Wisconsin. The Art Preserve is a freestanding building developed, financed and maintained by JMKAC to showcase artist-built environments with a section specifically designed for and devoted to Mary Nohl and her Collection. Use of the Property shall be strictly limited as described in this Statement.

6. Invited Visitors. Visitors to the Property shall be limited as follows:

(a) General Visitors. CAPP and/or JMKAC may allow the following people at the Property (each being a "General Visitor"): art scholars, teachers, students, admirers, supporters, donors and unpaid personnel working on the Mary Nohl House and/or the Collection including, but not limited to college professors, graduate and undergraduate students, school children, curators, artists, writers, unpaid museum personnel, collectors, donors and others with affiliation and/or interest. No more than ten (10) General Visitors may be at the Property at any time, and no more than 20 General Visitors shall be allowed at the Property on any day.

(b) Village Residents. At all times when the Property is open for General Visitors, but subject to the prior scheduling of any other visits described in this Statement, ten (10) advance reservations per week will be held for residents of the Village and their guests. Any Village resident may use up to four (4) available reservations in any one week (not more than 20 available reservations in any one year) by sending an email to JMKAC at least 30 days in advance. Any advance reservations not timely requested by Village residents may be used by other visitors consistent with this Statement.

(c) School Groups. CAPP and/or JMKAC may allow groups of students (each being a "School Group") from local primary, intermediate and secondary schools to visit the Mary Nohl House and view the Collection provided that no more than two School Group visits may occur per month. Visits by School Groups shall be free of charge. A School Group, including

students, teachers and chaperones, shall not exceed 30 people, provided that School Groups from primary or intermediate age students shall be limited to not more than 20 people before the Auxiliary Building (defined in Section 15(b) below) is built.

(d) Business Meetings. CAPP and/or JMKAC may hold or allow up to one meeting per month at the Property of up to 30 people (each a "Business Meeting") for their boards of directors, staff and/or employees provided that up to a single vehicle (not to exceed a 12-person vehicle) of paid personnel may meet at the Property at any time and shall not constitute a "Business Meeting."

(e) Occasional Special Events. Subject to Village approval as described, CAPP and JMKAC and/or their respective affiliates, may hold up to two (2) special events (each a "Special Event") on the Property each calendar year. No Special Event shall exceed sixty (60) individuals (including catering staff and other service providers who remain on site during the Special Event). Special Events may include, but are not limited to, fundraisers to secure funding to maintain and care for the Property and the Collection, educational symposiums to examine the Collection and other works of art created by Mary Nohl, community events to engage with invited visitors in constructive, positive ways, or for any other purposes consistent with the goals and purposes of CAPP and/or JMKAC for the Mary Nohl House and the Collection. Special Events shall not include weddings, corporate events or similar for-profit events for individuals unrelated to CAPP or JMKAC. At least 30 days before CAPP or JMKAC desires Village approval of a Special Event, the Special Event host shall deliver to the Village a detailed plan addressing safety, traffic, parking, temporary structures and hours, among other details (an "Event Proposal") for Village review and approval.

(f) Frequency; No Simultaneous Uses.

(i) General Visitors shall not be present at the time of any School Group visit, Business Meeting or Special Event.

(ii) Only one School Group visit, Business Meeting or Special Event shall occur on any day.

(iii) At least four days per week, no General Visitors, School Groups, Business Meeting participants and Special Event participants shall be on the Property.

(g) Hours. Hours during which the Property may be used by General Visitors, School Groups, Business Meeting participants and Special Event participants on the three days per week on which they are allowed shall be limited to the following hours:

Day	General Visitors	Business Meetings & School Groups	Special Events
Monday	9:00 am – 9:00 pm	9:00 am – 7:00 pm	9:00 am – 9:00 pm
Tuesday	9:00 am – 9:00 pm	9:00 am – 7:00 pm	9:00 am – 9:00 pm
Wednesday	9:00 am – 9:00 pm	9:00 am – 7:00 pm	9:00 am – 9:00 pm
Thursday	9:00 am – 9:00 pm	9:00 am – 7:00 pm	9:00 am – 9:00 pm

Friday	9:00 am – 10:00 pm	9:00 am – 7:00 pm	9:00 am – 11:00 pm
Saturday	until 10:00 pm	until 7:00 pm	until 11:00 pm
Sunday	until 9:00 pm	until 7:00 pm	until 9:00 pm

In addition to the foregoing, no General Visitors, School Groups, Business Meeting participants or Special Event participants shall arrive at, or depart from, the Property during the hours of 4:00-6:00 p.m. on weekdays.

7. Driveway and Parking Restrictions; Use of Shuttles. Under the Village Code, parking is not allowed on North Beach Drive abutting the Property to the north, except as authorized by permitted special events. To avoid on-street parking and manage the number of vehicles visiting the Property, visitor parking shall be limited to the area on the Property depicted on the attached Exhibit B. No street parking shall be allowed and, despite Village Code allowance for requests for street parking for Special Events, CAPP and JMKAC shall not request street parking on Beach Drive or Beach Court. To the extent that additional parking is required by visitors to the Property, in-lieu of on-street parking, shuttle services will be used to transport visitors to and from the Property. No buses (which accommodate 20 or more passengers at any one time) shall be allowed at the Property. All shuttles and allowed smaller vehicles, when not in use, shall park in the designated parking area on the Property or legally offsite.

8. Noise Restrictions. In addition to applicable provisions of the Code adopted from time-to-time, noise, music and sound amplifying devices used on the Property (i.e. microphones) shall at all times be kept at conversational levels and shall not be audible at the external property lines of the Property after 10:00 p.m. on Friday or Saturday or after 8 p.m. on any other day.

9. Required Improvements and Landscaping. Routine yardwork and landscaping will be completed on the Property, including but not limited to mowing grass, trimming trees, and removing weeds.

On or before September 1, 2026:

(a) CAPP shall close the existing driveway to the Mary Nohl House for all but vehicles servicing the Mary Nohl House and/or Collection and construct a new gated driveway and parking on the Property as shown on the attached Exhibit B. The new driveway has been moved as far east as reasonably possible without damaging the Collection in any way, and reduced to 14 feet in width. To avoid traffic back-ups, gates shall be constructed in a manner that allows stacking of at least two vehicles on the Property and so that gates will automatically open without a person in a vehicle having to exit the vehicle. CAPP shall ensure that allowed visitors are able to access the Property without backing up traffic onto Beach Drive. The gates shall be kept in good condition and repair and shall be replaced from time to time as necessary.

(b) The parking area shown on Exhibit B shall be screened with vegetation so that, at maturity of such vegetation, the parking area is not visible from any public street. Any trees planted shall have an initial caliper of no less than two inches at a height of three-and-one-half feet and a height of at least seven feet. Such vegetation shall be maintained and replaced as necessary to maintain such screening.

(c) CAPP shall plant additional vegetation along Beach Drive to further screen the Mary Nohl House from public view but not endangering the Collection in any way and except as recommended by Village Police. Any trees planted shall have an initial caliper of no less than two inches at a height of three-and-one-half feet and a height of at least seven feet. Such vegetation shall be maintained and replaced as necessary to maintain such screening.

(d) The existing chain link perimeter fencing shall be replaced with a more decorative fence, the location and aesthetics of which shall be subject to approval of the Building Board, but which location and height may be the same as the existing fencing (or as otherwise approved by the Building Board) subject to the vehicle stacking requirements in this Statement. Such fence shall be kept in good condition and repair and shall be replaced from time to time as necessary.

Each of the foregoing shall be subject to all necessary zoning approvals and any required building permits. Not more than 20 people may be on the Property to attend any School Group visit, Business Meeting or Special Event at any one time until the improvements described in this Section 9 are complete.

10. No Signage. No signs shall be installed on the Property except as approved by the Village staff for safety or security purposes or to implement the terms of this Statement. Despite the Village Code that allows requests for signage, CAPP shall not request approval of any advertising, property name or similar signs.

11. Portable Toilets. Portable toilets shall not be used on the Property, except by contractors for the limited duration of construction or any major conservation activity.

12. Laws. CAPP shall comply with all federal, state, county and local rules, codes, ordinances and regulations in the construction, operation and maintenance of the Property.

13. Building and Fire Inspection. CAPP shall keep the Property in compliance with all applicable federal, state and local laws, statutes, codes, ordinances, policies and guidelines as determined by the Building Inspector of the Village and Fire Inspectors of the North Shore Fire Department and, upon reasonable notice, to grant the Village's Building Inspector and the Fire Inspectors of the North Shore Fire Department access to the Property for the purpose of inspection.

14. Aesthetics and Maintenance. CAPP shall maintain the Property at all times and in full compliance with the Village Code and to seek all approvals required under the Village Code.

15. Other Future Improvements.

(a) The footprint of the Mary Nohl House is to be maintained as it is, with limited improvements and structural changes to the building.

(b) CAPP may develop an additional building of not more than 3,000 square feet (the "Auxiliary Building") in the future on the Property, which Auxiliary Building may include

one or two dwelling units that may be used primarily as the residences and workspaces of the Residents. The Auxiliary Building shall not increase the levels of visitors but, instead, shall help ensure the preservation of the Mary Nohl House and the Collection. An Auxiliary Building generally consistent with the floor plan attached hereto as Exhibit B (not more than 3,000 square feet in area and consisting of two bedrooms, two bathrooms, a living room, a kitchen and a studio/workspace with kitchenette) may be constructed on the Property subject to Building Board approval as to location and aesthetics.

(c) A small storage shed, not to exceed 15 feet by 15 feet, may be constructed on the Property subject to Building Board approval as to location and aesthetics. Any such storage shed shall contain architectural details consistent with, and shall be harmonious with, the Mary Nohl House.

(d) Any other structures on the Property not described in this Statement would constitute a material amendment or change as described in Section 745-22H of the Village Code.

16. PILOT. The Property is eligible for property tax exemption. As a condition of rezoning, CAPP offers to pay to the Village a payment in lieu of taxes under the following terms and conditions:.

(a) Services.

(i) Services Typically Covered by Property Tax. The Village shall continue to furnish governmental services and benefits to the Property of the same type, and to the extent, as are furnished from time to time, without cost or charge (except by means of property tax and authorized fees and charges), to other similarly situated projects in the Village. The Village shall provide public services to the Property subject to the same terms and conditions as apply to properties owned by citizens or the public generally. Moreover, Residents may use schools and the technical college. Services and benefits may include but are not limited by specific enumeration in this Section, those typically covered by the property tax such as fire and police protection, and on public streets, snow removal, and street lighting, and use of the schools and technical college.

(ii) Special Assessments; Special Charges and Fees. Notwithstanding paragraph (a)(i), or any future property tax exempt status of the Property, the Property will be subject to applicable special assessments, special charges, and special taxes as defined in Section 74.01 of the Wisconsin Statutes (and as also referred to in Wisconsin Statutes Chapter 66) and fees charged by the Village in the same manner that such special assessments, special charges, special taxes, and fees are charged for similar services and/or undertakings to residential development and property within the Village. Nothing contained in this paragraph shall preclude CAPP or its successors and assigns from appealing, as provided by law, the imposition of such special assessments, special charges, special taxes, or fees by the Village.

(b) PILOT Payments.

(i) Calculations. In recognition of those services and benefits covered by paragraph (a)(i) of this Section, beginning in the year the Property or any portion of the Property

becomes exempt from property tax, and so long as the Property or any portion of the Property continues to be exempt, in whole or in part, under Section 70.11 of the Wisconsin Statutes ("Section 70.11"), or other statutory provision, CAPP or its successors and assigns shall pay the Village an annual partial PILOT Payment for the Property or the portion of the Property which is exempt for each calendar year; provided, however, that the foregoing shall not apply with respect to any portion of the Property that becomes exempt by virtue of a conveyance to the Village. The method to be used in determining the PILOT shall be the Value for that tax year times the Village and School District Tax Rates only for the tax year. "Value" means the Village's Assessor's determination of the fair market value of the tax-exempt portion(s) of the Property on January 1 of each tax year. "Village and School District Tax Rate" means the net rate for the share of taxes due only to the Village and the Fox Point/Bayside School District and not the rate for any other taxing bodies reflected on the Village's tax bills from time to time specifically excluding the rate imposed by Milwaukee County, MATC or MMSD.

(ii) Payment Due Date. PILOT Payments for the year in which the Property or a portion thereof becomes exempt and subsequent years shall be due and payable: (1) in full on or before January 31 of the year following the calendar year for which the PILOT Payment was calculated; or (2) if CAPP or its successor(s) or assign(s) elects to pay in installments, according to the following schedule: one-tenth of the PILOT Payment by the last day of each month for the first 10 months in the year following the calendar year for which the particular PILOT Payment was calculated. CAPP or its successor(s) or assign(s) shall be deemed to have elected to pay the PILOT Payment in installments by making the first full installment payment on or before January 31 in the respective year in which the PILOT Payment is due.

(iii) Use. The Village and other taxing authorities may use and expend PILOT Payments in such manner and for such purposes as the Village desires.

(iv) Mandatory Payment for Services to Offset PILOT Payment. Notwithstanding anything herein to the contrary, if the State of Wisconsin enacts a mandatory payment for municipal services to be paid by owners of property exempt from general property tax or similarly situated owners of exempt property, PILOT Payments shall be reduced dollar for dollar by any such mandatory payment paid by CAPP or its successors or assigns to the Village.

(c) Exempt Status. Nothing in this Statement shall be construed as granting tax-exempt status to the Property. It is CAPP's obligation to apply for tax-exempt status. At such time that CAPP is granted tax exempt status pursuant to Section 70.11, or other statutory provision, CAPP shall then make PILOT Payments pursuant to this Statement. No PILOT Payment shall be due from CAPP until such time that all or any part of the Property is deemed to be exempt from payment of property taxes pursuant to Section 70.11, or other statutory provision.

EXHIBIT A

Description of the Property

All that part of the Southeast 1/4 of Section 16, Town 8 North, Range 22 East, Village of Fox Point, County of Milwaukee, State of Wisconsin, described as follows:

Commencing at a point which is 1559.89 feet South 0° 42' West of and 577.55 feet South 89° 57' East of the center of said Section 16 said point being the point of intersection of the centerline of the Northerly and Southerly course of the public highway with the centerline of the Easterly and Westerly course of said public highway; thence North 84° 27' East along the centerline of said public highway, 225 feet to a point (which point is the point of commencement of the land to be described); thence North 84° 27' East along the centerline of said public highway and said centerline produced 432.48 feet to the shoreline of Lake Michigan; thence South 8° 59' West along the shore line of Lake Michigan, 154.96 feet to a point; thence South 84° 27' West 361.91 feet to a point; thence North 5° 31' West 150 feet to the point of commencement.

Address: 7328 North Beach Drive;

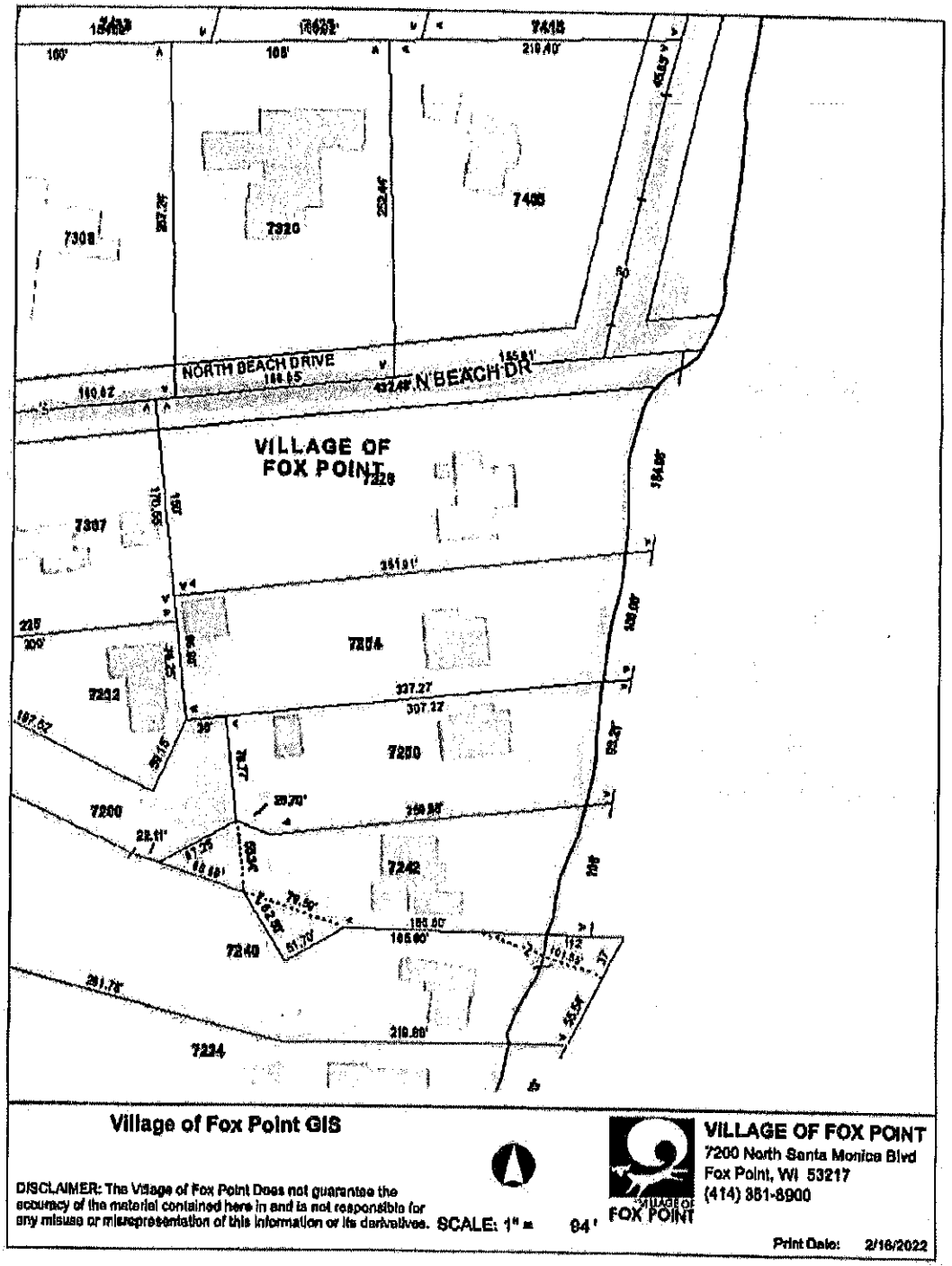
Tax Key No. 095-9968-000.

All that part of the Southeast 1/4 of Section 16, in Township 8 North, Range 22 East, in the Village of Fox Point, described as follows: Commencing at a point, which point of commencement is described as follows: Starting at the intersection of the center lines of a North and South road and the center line of an East and West road, said intersection being 1559.89 feet South 0 degrees 42 minutes West of and 577.55 feet South 89 degrees 57 minutes East of the center of said Section; thence South 5 degrees 31 minutes East along the center line of said road, 195.49 feet to a point; thence North 84 degrees 27 minutes East 25 feet to the East line of said North and South road; thence South 64 degrees 23 minutes East 197.52 feet to a point; thence North 26 degrees 47 minutes East 69.15 feet to a point (being the point of commencement above referred to); running thence North 5 degrees 31 minutes West 96.80 feet to a point; thence North 84 degrees 27 minutes East 361.91 feet to the shore of Lake Michigan; thence South 8 degrees 59 minutes West 100 feet to a point; thence South 84 degrees 27 minutes West 337.22 feet to the place of commencement.

Together with a Right of Way in common with others, as set forth in Warranty Deed executed by Amelia Robert and D. E. Roberts, her husband to David E. Detienne and John M. Niven, dated April 2, 1925 and recorded in the office of the Register of Deeds for Milwaukee County, Wisconsin on April 4, 1925, in Volume 1047 of Deeds at page 598, as Document No. 1342356, over the following-described lands in the Southeast 1/4 of Section 16, in Township 8 North, Range 22 East; commencing at a point (which point is described as follows: starting at the intersection of the center line of a North and South road with the center line of an East and West road, said intersection being 1559.89 feet South 0 degrees 42 minutes West of and 577.55 feet South 89 degrees 57 minutes East of the center line of said Section; thence South 5 degrees 31 minutes East along the center line of said road, 253.90 feet; thence North 84 degrees 27 minutes East 25 feet to the East line of said road); running thence North 5 degrees 31 minutes West 68.41 feet to a point; thence South 84 degrees 23 minutes East 197.52 feet to a point; thence North 25 degrees 47 minutes East 69.15 feet to a point; thence North 84 degrees 27 minutes East 30 feet to a point; thence South 5 degrees 31 minutes East 134.70 feet to a point; thence North 70 degrees 08 minutes West 90.80 feet to a point; thence North 84 degrees 23 minutes West 172.66 feet to the place of commencement.

Address: 7254 North Beach Drive;

Tax Key No. 095-9966-000.

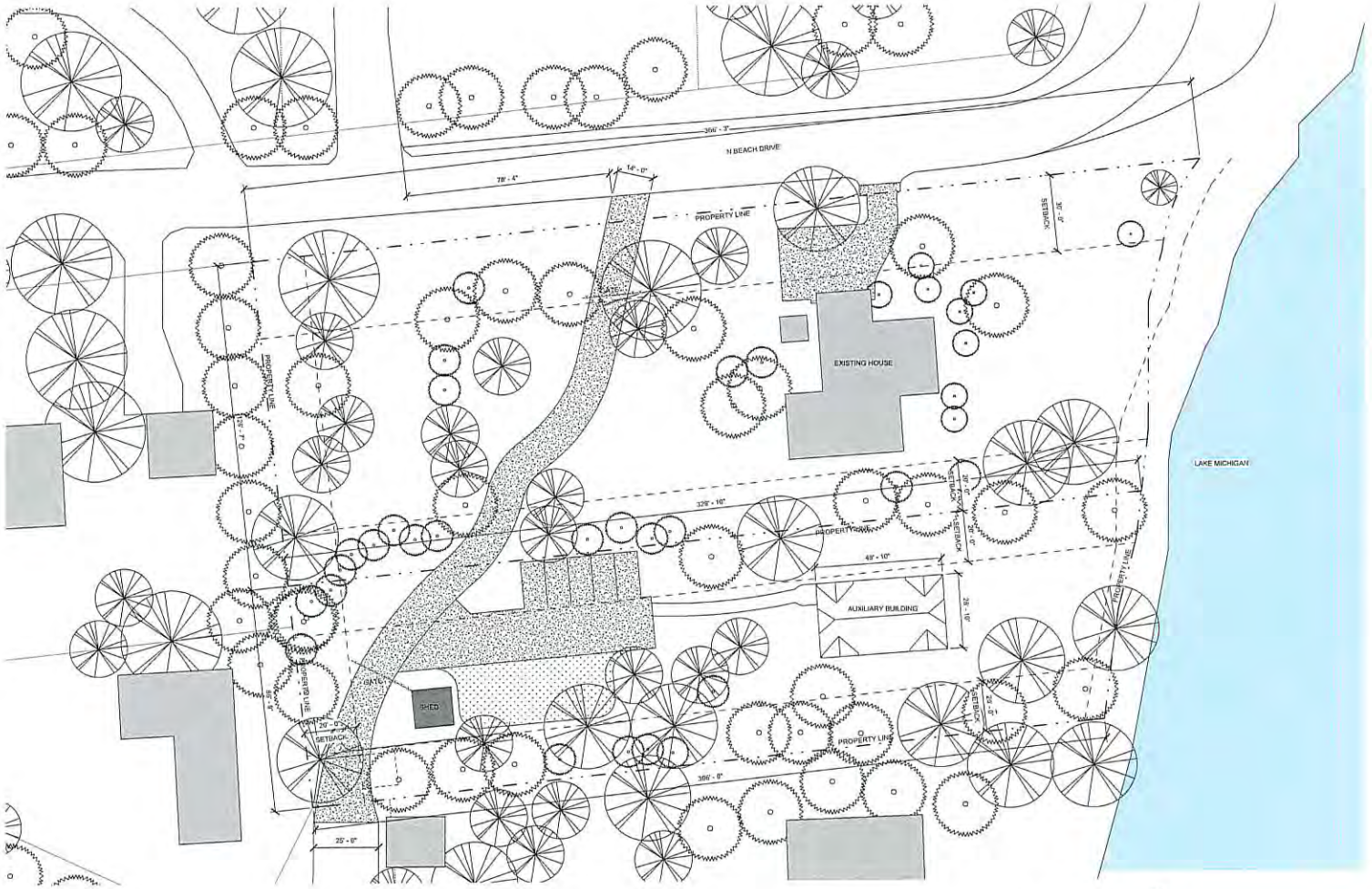

NORTH BEACH DRIVE
N BEACH DR
VILLAGE OF FOX POINT
7308
7320
7405
7415
7307
7226
7234
7252
7250
7242
7240
Village of Fox Point GIS
DISCLAIMER: The Village of Fox Point Does not guarantee the accuracy of the material contained here in and is not responsible for any misuse or misrepresentation of this information or its derivatives.
SCALE: 1" = 84'
VILLAGE OF FOX POINT
7200 North Santa Monica Blvd
Fox Point, WI 53217
(414) 351-8900
Print Date: 2/16/2022

48468310

EXHIBIT B

Depiction of Gated Drive, Plantings, and Structures

[See attached]



1 SITE PLAN
SCALE: 1" = 20'-0"

T.N.

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2. Intended Uses. ~~The Property will not be open to the general public.~~ The Property will be used primarily for art preservation and observance, and for ancillary related uses including offices and meeting space for CAPP and JMKAC and a residence for artists-in-residence and/or caretakers. The Property may be used as a display site for the Collection to be exhibited and made available for examination and study by limited groups of invited scholars, collectors, historians, educators and others with affiliation as further described below. These intended uses serve the primary purposes of preserving and protecting the Mary Nohl House and the Collection, as well as fit the residential character of the surrounding neighborhood.

3. Residential Uses. As used in this Section, a "Primary Resident" means an artist-in-residence or caretaker of the Mary Nohl House and/or Collection. No more than two Primary Residents, or one Primary Resident and his or her family (in either instance, the "Residents"), may reside at the Property at any time. Residents may use the Property for all residential purposes allowed under the Code and applicable law, and pursuant to any additional rules and regulations promulgated by CAPP. Notwithstanding the foregoing, there may be periods when no Residents reside at the Property. ~~Potential Building. The footprint of the Mary Nohl House is to be largely maintained as it is, with limited improvements and structural changes to the interior. An additional auxiliary building of not more than 4,000 square feet and/or a storage shed measuring not more than 15 feet by 15 feet may be developed in the future on the Property. The auximilary building and shed would replace similar structures which had to be demolished due to extensive damage and neglect by a previous owner.~~

4. Not Open to Public. Subject to the terms of this Statement, at no time shall the Mary Nohl House or the Property be open to the public. Residents, paid personnel employed by CAPP or JMKAC and maintenance, delivery and service providers shall not be deemed to be members of the public and shall not be subject to the numeric limits described in this Statement. ~~Occupancy. The auxiliary building is intended to shift occupancy by artists-in-resident and/or caretakers away from the Mary Nohl House.~~

~~5. Scholarly Research Groups. Invited groups of scholars, collectors, historians, educators and others with affiliation may visit the Property, from time to time, as pre-arranged by JMKAC. These groups may range in size from one (1) individual to four (4) individuals.~~

~~6. Educational Visits. Invited educational groups including, but not limited to museum groups and college classes may visit the Property, from time to time, as pre-arranged by JMKAC.~~

~~7. School Groups. Invited groups of students from local secondary and pre-secondary schools may visit the Property, from time to time. Procedures by which local schools may request such access to the Property will be prescribed and administered by JMKAC. All tours provided to school groups will be free of charge.~~

~~8~~5. Larger Groups Directed to the Art Preserve. Excessive traffic and visits to the Property would frustrate preservation, disrupt the residential setting integral to Mary Nohl's work and threaten the fragility of the Mary Nohl House, the Collection, and the Property's unique "artist-built environment." Accordingly, CAPP and JMKAC have determined that larger groups interested in Mary Nohl's art should be encouraged to visit the Art Preserve in Sheboygan, Wisconsin. The Art Preserve is a ~~$40 million~~ freestanding building developed, financed and maintained by JMKAC to showcase artist-built environments with a section specifically designed for and devoted to Mary Nohl and her Collection. Use of the Property shall be strictly limited as described in this Statement.

6. Invited Visitors. Visitors to the Property shall be limited as follows:

(a) General Visitors. CAPP and/or JMKAC may allow the following people at the Property (each being a "General Visitor"): art scholars, teachers, students, admirers, supporters, donors and unpaid personnel working on the Mary Nohl House and/or the Collection including, but not limited to college professors, graduate and undergraduate students, school children, curators, artists, writers, unpaid museum personnel, collectors, donors and others with affiliation and/or interest. No more than ten (10) General Visitors may be at the Property at any time, and no more than 20 General Visitors shall be allowed at the Property on any day.

(b) Village Residents. At all times when the Property is open for General Visitors, but subject to the prior scheduling of any other visits described in this Statement, ten (10) advance reservations per week will be held for residents of the Village and their guests. Any Village resident may use up to four (4) available reservations in any one week (not more than 20 available reservations in any one year) by sending an email to JMKAC at least 30 days in advance. Any advance reservations not timely requested by Village residents may be used by other visitors consistent with this Statement.

(c) School Groups. CAPP and/or JMKAC may allow groups of students (each being a "School Group") from local primary, intermediate and secondary schools to visit the Mary Nohl House and view the Collection provided that no more than two School Group visits may occur per month. Visits by School Groups shall be free of charge. A School Group, including students, teachers and chaperones, shall not exceed 30 people, provided that School Groups from primary or intermediate age students shall be limited to not more than 20 people before the Auxiliary Building (defined in Section 15(b) below) is built.

(d) Business Meetings. CAPP and/or JMKAC may hold or allow up to one meeting per month at the Property of up to 30 people (each a "Business Meeting") for their boards of directors, staff and/or employees provided that up to a single vehicle (not to exceed a 12-person vehicle) of paid personnel may meet at the Property at any time and shall not constitute a "Business Meeting."

(e) ~~9.~~ Occasional Special Events. Subject to Village approval as described, CAPP and JMKAC and/or their respective affiliates, may hold up to two (2) special events (each a "Special Event") on the Property each calendar year. No Special ~~e~~Events shall ~~not~~ exceed ~~eighty~~ sixty (6080) individuals ~~at a time~~ (including catering staff and other service providers who remain on site during the Special Event). ~~Possible s~~Special ~~e~~Events may include, but are not limited to, fundraisers to secure funding to maintain and care for the Property and the Collection, educational symposiums to examine the Collection and other works of art created by Mary Nohl, community events to engage with invited visitors in constructive, positive ways, or for any other purposes consistent with the goals and purposes of CAPP and/or JMKAC for the Mary Nohl House and the Collection. Special Events shall not include weddings, corporate events or similar for-profit events for individuals unrelated to CAPP or JMKAC. At least 30 days before CAPP or JMKAC desires Village approval of a Special Event, the Special Event host shall deliver to the Village ~~Any special event would occur only with~~ a detailed plan, ~~preapproved by the Village,~~ addressing safety, traffic, parking, temporary structures and hours, among other details (an "Event Proposal") for Village review and approval.

(f) Frequency; No Simultaneous Uses.

(i) General Visitors shall not be present at the time of any School Group visit, Business Meeting or Special Event.

(ii) Only one School Group visit, Business Meeting or Special Event shall occur on any day.

(iii) At least four days per week, no General Visitors, School Groups, Business Meeting participants and Special Event participants shall be on the Property.

(g) Hours. Hours during which the Property may be used by General Visitors, School Groups, Business Meeting participants and Special Event participants on the three days per week on which they are allowed shall be limited to the following hours:

Day	General Visitors	Business Meetings & School Groups	Special Events
Monday	9:00 am – 9:00 pm	9:00 am – 7:00 pm	9:00 am – 9:00 pm
Tuesday	9:00 am – 9:00 pm	9:00 am – 7:00 pm	9:00 am – 9:00 pm
Wednesday	9:00 am – 9:00 pm	9:00 am – 7:00 pm	9:00 am – 9:00 pm
Thursday	9:00 am – 9:00 pm	9:00 am – 7:00 pm	9:00 am – 9:00 pm
Friday	9:00 am – 10:00 pm	9:00 am – 7:00 pm	9:00 am – 11:00 pm
Saturday	until 10:00 pm	until 7:00 pm	until 11:00 pm
Sunday	until 9:00 pm	until 7:00 pm	until 9:00 pm

In addition to the foregoing, no General Visitors, School Groups, Business Meeting participants or Special Event participants shall arrive at, or depart from, the Property during the hours of 4:00-6:00 p.m. on weekdays.

~~10~~7. Driveway and Parking Restrictions; ~~and~~ Use of Shuttles. Under the Village Code, parking is not allowed on North Beach Drive abutting the Property to the north, except as authorized by permitted special events. To avoid on-street parking and manage the number of vehicles visiting the Property, visitor parking shall be limited to ~~an~~ the area on the Property ~~itself~~ depicted on the attached Exhibit B. No street parking shall be allowed and, despite Village Code allowance for requests for street parking for Special Events, CAPP and JMKAC shall not request street parking on Beach Drive or Beach Court. To the extent that additional parking is required by visitors to the Property, in-lieu of on-street parking, shuttle services will be used to transport visitors to and from the Property. ~~A gated driveway as more particularly identified on Exhibit B attached hereto will be constructed on the Property.~~ No buses (which accommodate 20 or more passengers at any one time) shall be allowed at the Property. All shuttles and allowed smaller vehicles, when not in use, shall park in the designated parking area on the Property or legally offsite.

~~11. Access and Hours of Operation. Given the fragile nature of the Mary Nohl House and the Collection, visits must be limited and controlled. At no time will the Property be open to the general public. All visits to the Property shall be by invitation and pre-arrangement with~~

~~JMKAC only. Third-party access will be restricted to only three (3) days per calendar week and not more than twenty (20) visitors per day, and no more than ten (10) guests will be allowed inside the Mary Nohl House at any one time. In addition, no third-party access may occur prior to 9am or during the weekday evening peak traffic hours of 4 to 6 pm; the majority of third-party visits will occur between the hours of 9 am to 2 pm. To avoid entry by the general public, the Property shall be equipped with a security system, motion detection lighting and locked gate(s). The restrictions on the number of visitors allowed on the Property outlined in this Section should not apply to residential occupancy of artists-in-residences and caretakers under Section 4n above, to occasional special events consistent with Section 9 above or to local school group visits as described in Section 7 above.~~

8. Noise Restrictions. In addition to applicable provisions of the Code adopted from time-to-time, noise, music and sound amplifying devices used on the Property (i.e. microphones) shall at all times be kept at conversational levels and shall not be audible at the external property lines of the Property after 10:00 p.m. on Friday or Saturday or after 8 p.m. on any other day.

~~12~~9. Required Improvements and Landscaping ~~and Security~~. Routine yardwork and landscaping will be completed on the Property, including but not limited to mowing grass, trimming trees, and removing weeds. ~~Additional trees and plantings also may be installed as generally depicted on~~ Exhibit B ~~attached hereto. Existing perimeter fencing may be repaired and/or replaced from time to time. In addition, at the request of neighbors, CAPP is willing to install a motion-activated light and camera at the northeast corner of the Property and to provide Village police access and electrical and WIFI services.~~

On or before September 1, 2026:

(a) CAPP shall close the existing driveway to the Mary Nohl House for all but vehicles servicing the Mary Nohl House and/or Collection and construct a new gated driveway and parking on the Property as shown on the attached Exhibit B. The new driveway has been moved as far east as reasonably possible without damaging the Collection in any way, and reduced to 14 feet in width. To avoid traffic back-ups, gates shall be constructed in a manner that allows stacking of at least two vehicles on the Property and so that gates will automatically open without a person in a vehicle having to exit the vehicle. CAPP shall ensure that allowed visitors are able to access the Property without backing up traffic onto Beach Drive. The gates shall be kept in good condition and repair and shall be replaced from time to time as necessary.

(b) The parking area shown on Exhibit B shall be screened with vegetation so that, at maturity of such vegetation, the parking area is not visible from any public street. Any trees planted shall have an initial caliper of no less than two inches at a height of three-and-one-half feet and a height of at least seven feet. Such vegetation shall be maintained and replaced as necessary to maintain such screening.

(c) CAPP shall plant additional vegetation along Beach Drive to further screen the Mary Nohl House from public view but not endangering the Collection in any way and except as recommended by Village Police. Any trees planted shall have an initial caliper of no less than

two inches at a height of three-and-one-half feet and a height of at least seven feet. Such vegetation shall be maintained and replaced as necessary to maintain such screening.

(d) The existing chain link perimeter fencing shall be replaced with a more decorative fence, the location and aesthetics of which shall be subject to approval of the Building Board, but which location and height may be the same as the existing fencing (or as otherwise approved by the Building Board) subject to the vehicle stacking requirements in this Statement. Such fence shall be kept in good condition and repair and shall be replaced from time to time as necessary.

Each of the foregoing shall be subject to all necessary zoning approvals and any required building permits. Not more than 20 people may be on the Property to attend any School Group visit, Business Meeting or Special Event at any one time until the improvements described in this Section 9 are complete.

10. No Signage. No signs shall be installed on the Property except as approved by the Village staff for safety or security purposes or to implement the terms of this Statement. Despite the Village Code that allows requests for signage, CAPP shall not request approval of any advertising, property name or similar signs.

11. Portable Toilets. Portable toilets shall not be used on the Property, except by contractors for the limited duration of construction or any major conservation activity.

12. Laws. CAPP shall comply with all federal, state, county and local rules, codes, ordinances and regulations in the construction, operation and maintenance of the Property.

13. Building and Fire Inspection. CAPP shall keep the Property in compliance with all applicable federal, state and local laws, statutes, codes, ordinances, policies and guidelines as determined by the Building Inspector of the Village and Fire Inspectors of the North Shore Fire Department and, upon reasonable notice, to grant the Village's Building Inspector and the Fire Inspectors of the North Shore Fire Department access to the Property for the purpose of inspection.

14. Aesthetics and Maintenance. CAPP shall maintain the Property at all times and in full compliance with the Village Code and to seek all approvals required under the Village Code.

15. Other Future Improvements.

(a) The footprint of the Mary Nohl House is to be maintained as it is, with limited improvements and structural changes to the building.

(b) CAPP may develop an additional building of not more than 3,000 square feet (the "Auxiliary Building") in the future on the Property, which Auxiliary Building may include one or two dwelling units that may be used primarily as the residences and workspaces of the Residents. The Auxiliary Building shall not increase the levels of visitors but, instead, shall help ensure the preservation of the Mary Nohl House and the Collection. An Auxiliary Building generally consistent with the floor plan attached hereto as Exhibit B (not more than 3,000 square

feet in area and consisting of two bedrooms, two bathrooms, a living room, a kitchen and a studio/workspace with kitchenette) may be constructed on the Property subject to Building Board approval as to location and aesthetics.

(c) A small storage shed, not to exceed 15 feet by 15 feet, may be constructed on the Property subject to Building Board approval as to location and aesthetics. Any such storage shed shall contain architectural details consistent with, and shall be harmonious with, the Mary Nohl House.

(d) Any other structures on the Property not described in this Statement would constitute a material amendment or change as described in Section 745-22H of the Village Code.

~~13~~16. PILOT. The Property is eligible for property tax exemption. As a condition of rezoning, CAPP offers to pay to the Village a payment in lieu of taxes under the following terms and conditions: ~~, under CAPP's ownership and JMKAC's usage, is exempt from real and personal property taxes pursuant to Wisconsin Statute §70.11. Notwithstanding the Property's property tax exempt status, CAPP and JMKAC shall make the following services available to the Village, at no cost to the Village, provided that CAPP, JMKAC and the Village may pursue alternate funding sources such as grants and donations:~~

(a) Services.

(i) Services Typically Covered by Property Tax. The Village shall continue to furnish governmental services and benefits to the Property of the same type, and to the extent, as are furnished from time to time, without cost or charge (except by means of property tax and authorized fees and charges), to other similarly situated projects in the Village. The Village shall provide public services to the Property subject to the same terms and conditions as apply to properties owned by citizens or the public generally. Moreover, Residents may use schools and the technical college. Services and benefits may include but are not limited by specific enumeration in this Section, those typically covered by the property tax such as fire and police protection, and on public streets, snow removal, and street lighting, and use of the schools and technical college.

(ii) Special Assessments; Special Charges and Fees. Notwithstanding paragraph (a)(i), or any future property tax exempt status of the Property, the Property will be subject to applicable special assessments, special charges, and special taxes as defined in Section 74.01 of the Wisconsin Statutes (and as also referred to in Wisconsin Statutes Chapter 66) and fees charged by the Village in the same manner that such special assessments, special charges, special taxes, and fees are charged for similar services and/or undertakings to residential development and property within the Village. Nothing contained in this paragraph shall preclude CAPP or its successors and assigns from appealing, as provided by law, the imposition of such special assessments, special charges, special taxes, or fees by the Village.

(b) PILOT Payments.

(i) Calculations. In recognition of those services and benefits covered by paragraph (a)(i) of this Section, beginning in the year the Property or any portion of the Property

becomes exempt from property tax, and so long as the Property or any portion of the Property continues to be exempt, in whole or in part, under Section 70.11 of the Wisconsin Statutes ("Section 70.11"), or other statutory provision, CAPP or its successors and assigns shall pay the Village an annual partial PILOT Payment for the Property or the portion of the Property which is exempt for each calendar year; provided, however, that the foregoing shall not apply with respect to any portion of the Property that becomes exempt by virtue of a conveyance to the Village. The method to be used in determining the PILOT shall be the Value for that tax year times the Village and School District Tax Rates only for the tax year. "Value" means the Village's Assessor's determination of the fair market value of the tax-exempt portion(s) of the Property on January 1 of each tax year. "Village and School District Tax Rate" means the net rate for the share of taxes due only to the Village and the Fox Point/Bayside School District and not the rate for any other taxing bodies reflected on the Village's tax bills from time to time specifically excluding the rate imposed by Milwaukee County, MATC or MMSD.

(ii) Payment Due Date. PILOT Payments for the year in which the Property or a portion thereof becomes exempt and subsequent years shall be due and payable: (1) in full on or before January 31 of the year following the calendar year for which the PILOT Payment was calculated; or (2) if CAPP or its successor(s) or assign(s) elects to pay in installments, according to the following schedule: one-tenth of the PILOT Payment by the last day of each month for the first 10 months in the year following the calendar year for which the particular PILOT Payment was calculated. CAPP or its successor(s) or assign(s) shall be deemed to have elected to pay the PILOT Payment in installments by making the first full installment payment on or before January 31 in the respective year in which the PILOT Payment is due.

(iii) Use. The Village and other taxing authorities may use and expend PILOT Payments in such manner and for such purposes as the Village desires.

(iv) Mandatory Payment for Services to Offset PILOT Payment. Notwithstanding anything herein to the contrary, if the State of Wisconsin enacts a mandatory payment for municipal services to be paid by owners of property exempt from general property tax or similarly situated owners of exempt property, PILOT Payments shall be reduced dollar for dollar by any such mandatory payment paid by CAPP or its successors or assigns to the Village.

(c) Exempt Status. Nothing in this Statement shall be construed as granting tax-exempt status to the Property. It is CAPP's obligation to apply for tax-exempt status. At such time that CAPP is granted tax exempt status pursuant to Section 70.11, or other statutory provision, CAPP shall then make PILOT Payments pursuant to this Statement. No PILOT Payment shall be due from CAPP until such time that all or any part of the Property is deemed to be exempt from payment of property taxes pursuant to Section 70.11, or other statutory provision.

~~(a) opportunities for neighors to view the Collection and the Mary Nohl House as mutually agreeable;~~

~~(b) regular educational programming relating to the Collection for students and teachers in the Fox Point/Bayside School District; and~~

~~(c) electrical and WIFI services to cameras and lighting installed at the northeast~~

~~corner of the Property, which may be accessed by the Village Police Department.~~

~~In addition, in recognition of the services provided by the Village to the Property, CAPP and/or JMKAC offer to make payments in lieu of taxes ("PILOT") to the Village as described in this Section. In the year following any year that the Property is exempt from annual real and personal property taxes, CAPP and/or JMKAC shall pay to the Village, on or before the last day of February of the following year, an amount equal to (a) the total assessed value of the Property multiplied by (b) the mill rate levied in the prior year only by and for the Village (excluding the mill rate levied by and for Milwaukee County, any school district, MATC or MMSD). By way of example only, if the Property were exempt from real and personal property taxes in the year 2023, on or before February 28, 2024, CAPP and/or JMKAC would pay to the Village an amount equal to (a) the total assessed value of the Property of $2,198,500 multiplied by (b) the Village mill rate of .00596 or (c) a PILOT of $13,103.06. Notwithstanding any available exemption from property taxes, the Property will remain subject to special assessments levied with respect to street repair, sewer repair, etc. pursuant to Wisconsin Statute §66.703 et. seq.~~

EXHIBIT A

Description of the Property

All that part of the Southeast 1/4 of Section 16, Town 8 North, Range 22 East, Village of Fox Point, County of Milwaukee, State of Wisconsin, described as follows:

Commencing at a point which is 1559.89 feet South 0° 42' West of and 577.55 feet South 89° 57' East of the center of said Section 16 said point being the point of intersection of the centerline of the Northerly and Southerly course of the public highway with the centerline of the Easterly and Westerly course of said public highway; thence North 84° 27' East along the centerline of said public highway, 225 feet to a point (which point is the point of commencement of the land to be described); thence North 84° 27' East along the centerline of said public highway and said centerline produced 432.48 feet to the shoreline of Lake Michigan; thence South 8° 59' West along the shore line of Lake Michigan, 154.96 feet to a point; thence South 84° 27' West 361.91 feet to a point; thence North 5° 31' West 150 feet to the point of commencement.

Address: 7328 North Beach Drive;

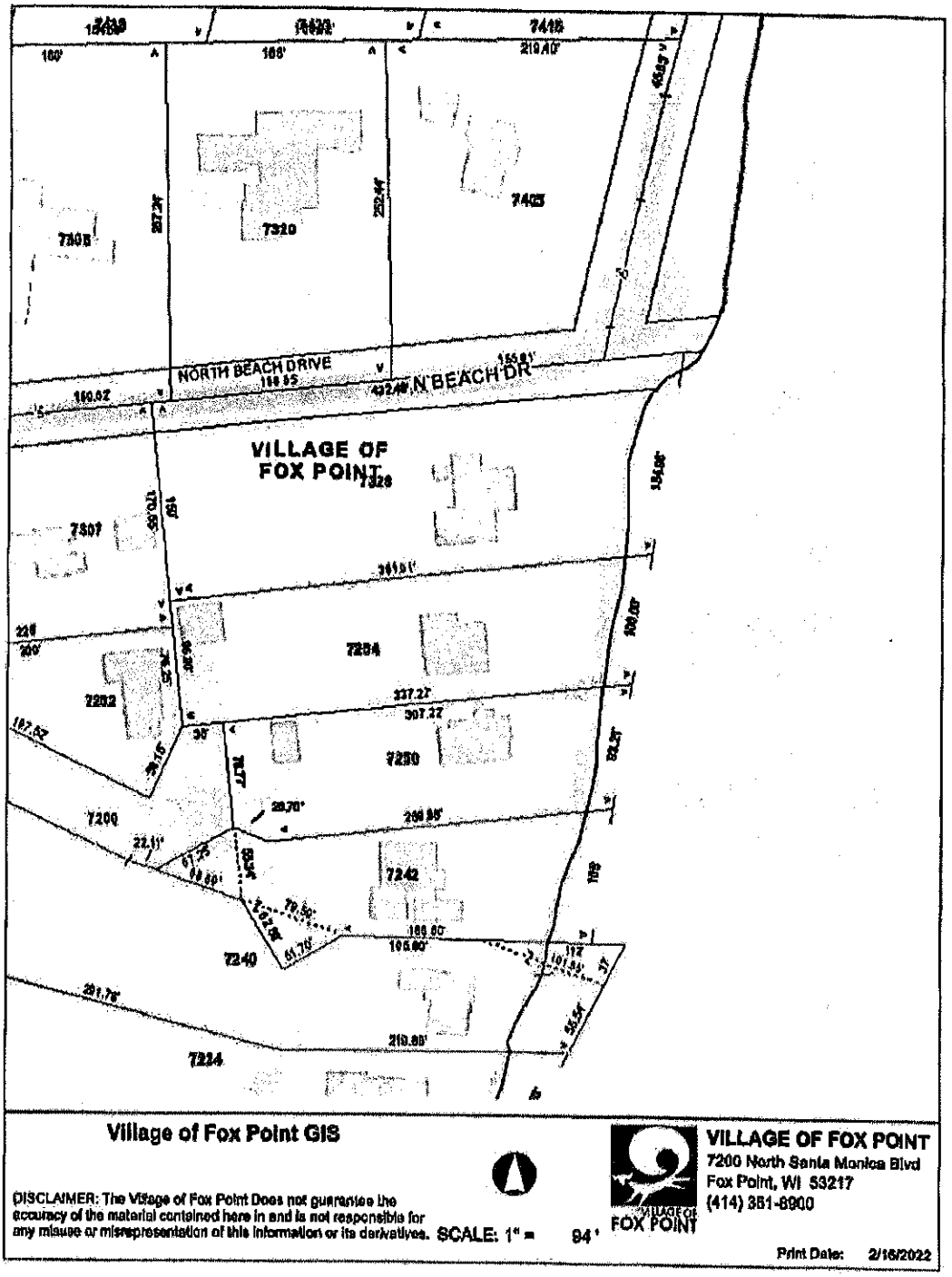
Tax Key No. 095-9968-000.

All that part of the Southeast 1/4 of Section 16, in Township 8 North, Range 22 East, in the Village of Fox Point, described as follows: Commencing at a point, which point of commencement is described as follows: Starting at the intersection of the center lines of a North and South road and the center line of an East and West road, said intersection being 1559.89 feet South 0 degrees 42 minutes West of and 577.55 feet South 89 degrees 57 minutes East of the center of said Section; thence South 5 degrees 31 minutes East along the center line of said road, 195.49 feet to a point; thence North 84 degrees 27 minutes East 25 feet to the East line of said North and South road; thence South 64 degrees 23 minutes East 197.52 feet to a point; thence North 25 degrees 47 minutes East 59.15 feet to a point (being the point of commencement above referred to); running thence North 5 degrees 31 minutes West 96.80 feet to a point; thence North 84 degrees 27 minutes East 361.91 feet to the shore of Lake Michigan; thence South 8 degrees 59 minutes West 100 feet to a point; thence South 84 degrees 27 minutes West 337.22 feet to the place of commencement.

Together with a Right of Way in common with others, as set forth in Warranty Deed executed by Amelia Robert and D. E. Roberts, her husband to David E. Detienne and John M. Niven, dated April 2, 1925 and recorded in the office of the Register of Deeds for Milwaukee County, Wisconsin on April 4, 1925, in Volume 1047 of Deeds at page 598, as Document No. 1342358, over the following-described lands in the Southeast 1/4 of Section 16, in Township 8 North, Range 22 East; commencing at a point (which point is described as follows: starting at the intersection of the center line of a North and South road with the center line of an East and West road, said intersection being 1559.89 feet South 0 degrees 42 minutes West of and 577.55 feet South 89 degrees 57 minutes East of the center line of said Section; thence South 5 degrees 31 minutes East along the center line of said road, 253.90 feet; thence North 84 degrees 27 minutes East 25 feet to the East line of said road); running thence North 5 degrees 31 minutes West 58.41 feet to a point; thence South 64 degrees 23 minutes East 197.52 feet to a point; thence North 25 degrees 47 minutes East 59.15 feet to a point; thence North 84 degrees 27 minutes East 30 feet to a point; thence South 5 degrees 31 minutes East 134.70 feet to a point; thence North 70 degrees 08 minutes West 90.80 feet to a point; thence North 64 degrees 23 minutes West 172.66 feet to the place of commencement.

Address: 7254 North Beach Drive;

Tax Key No. 095-9966-000.


NORTH BEACH DRIVE
N BEACH DR
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FOX POINT
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Village of Fox Point GIS
DISCLAIMER: The Village of Fox Point Does not guarantee the accuracy of the material contained here in and is not responsible for any misuse or misrepresentation of this information or its derivatives.
SCALE: 1" = 94'
VILLAGE OF FOX POINT
7200 North Santa Monica Blvd
Fox Point, WI 53217
(414) 351-6900
Print Date: 2/16/2022

48468310

EXHIBIT B

Depiction of Gated Drive, Plantings, and Structures

[See attached]

SUMMARY OF COMMENTS RECEIVED
FOR
MARY NOHL CULTURAL OVERLAY

FOX POINT RESIDENTS IN SUPPORT			
	NAME	***ADDRESS***	***SUMMARY COMMENT***
1.	Liz and Larry Brewer	7841 N. Mohawk Road	For, per e-mail dated 2/8.
2.	Larry Brewer	7841 N. Mohawk Road	For, per e-mail dated 2/8.
3.	Kathryn "Murph" Burke	7710 N. Merrie Lane	For, per letter not dated.
4.	Kim Caviggiola	7911 N. Links Circle	For, per e-mail dated 1/27.
5.	Bennett Choice	8641 N. Regent Road	For, per e-mail dated 1/16.
6.	Mary Choice	8229 N. Poplar Drive	For, per e-mail dated 1/26.
7.	Marie Cieslik	8641 N. Regent Road	For, per e-mail dated 1/16.
8.	Peter Coffey	Fox Point Resident	For, per e-mail dated 1/22. All residents deserve to be heard, but the concerns of a vocal few don't result in JMKAC stepping back their generosity.
9.	Kristine Coffey	Fox Point Resident	For, per e-mail dated 1/28.
10.	Nancy Coyle	7575 N. Boyd Way	For, spoke on 2/6.
11.	Margaret Czaplewski, Board Member of Joy Engine	1610 E. Fox Lane	For, per e-mail dated 1/18. Supports Cultural Overlay District with possible compromise to limit large events to once a year.
12.	Maureen Daly	7100 N. Lake Drive	For, per e-mail dated 1/30. Use of property on controlled basis for artists in residence, curators, scholars would not impact neighborhood.
13.	Michael J. Day	7629 N. Bell Road	For, per e-mail dated 1/26.
14.	Patrice A. Day	7629 N. Bell Road	For, per e-mail dated, 1/21.
15.	Margaret "Peggy" Dickson	712 E. Green Tree Road	For, per e-mail dated 1/30.
16.	Audrey Dulmes	8641 N. Point Drive	For, per e-mail dated 1/31.
17.	Amanda Elliott	6406 N. Berkeley Boulevard	For, per e-mail dated 1/30.
18.	Steve Elliott	6406 N. Berkeley Boulevard	For, per e-mail dated 1/30.

19.	Linda Ellis	36830 65th Ct, Burlington	For, per e-mail dated 1/29.
20.	James Flesch	1323 E. Winkler Lane	For, per e-mail dated 1/31.
21.	Ellen Flesch	1323 E. Winkler Lane	For, per e-mail dated 1/31.
22.	Matt Fratney	7306 N. Longacre Road	For, spoke on 2/6 in favor with qualified support.
23.	Barbara Fuldner	7764 N Club Circle	For, per e-mail dated 1/31.
24.	Ceil Grabner	1100 E. Bywater Lane	For, spoke on 1/31 in favor of and presented petition signed by 55 Nicolet High School students in favor
25.	Michelle Grabner	1100 E. Bywater Lane	For, spoke on 2/6 in favor to foster education.
26.	Beth Gregg	7414 N. Boyd Way	For, as per e-mail dated 1/31.
27.	Therese Griepentrog	8145 N. Navajo Road	For, spoke on 1/31 in favor to make Fox Point a cultural powerhouse.
28.	Jerry Hammond	7218 N. Longacre Road	For, per e-mail dated 1/28.
29.	Laura Hammond	7218 N. Longacre Road	For, per e-mail dated 1/28.
30.	Amy Hand		For, per e-mail dated 1/31.
31.	Michael Hostad	204 E. Calumet Road	For, but grant cultural overlay for a period of 1 or 2 years and have JMKAC provide funding to cover the cost of an independent assessment of impact of cultural overlay on nearby properties.
32.	Barbara Hussin	1016 E. Quarles Place	For, spoke on 2/6 in favor.
33.	Gerry Hussin	1016 E. Quarles Place	For, per e-mail dated 1/27.
34.	Brooke Kanther	7629 N. Seneca Road	For, per undated letter.
35.	Michael Kenney	7033 N. Crossway Road	For, per e-mail dated 2/4. Build visual obstruction so that the art, property and house are not as visible from the road.
36.	Deborah Kern	7710 N. Beach Drive	For, per letter dated 12/13 and spoke on 2/6.
37.	Brad Kilam	1100 E. Bywater Lane	For, per letter dated 1/20 and spoke on 1/31 in favor.
38.	Renee Kirchner	7250 N. Beach Drive	For, per e-mail dated 1/17.

			Provided that size of visiting groups are limited to small number and specific times of day and parking area accommodates just few cars.
39.	Matt Kirchner	7250 N. Beach Drive	For, per e-mail dated 1/17. Provided that size of visiting groups are limited to small number and specific times of day and parking area accommodates just few cars.
40.	Claudia Koehler	7531 N. Boyd Way	For, per e-mail dated 1/30. Willingness to make payments in lieu of taxes is a win.
41.	Bob Kowalsky	7020 N. Fairchild Circle	For, per e-mail dated 1/30.
42.	Jim Krahn	7633 N. Boyd Way	For, per d-mail dated 2/14.
43.	Susan Krausen	6820 N. Barnett Lane	For, per e-mail dated 1/31.
44.	Tony Krausen	6820 N. Barnett Lane	For, per e-mail dated 1/31
45.	Scott C. Kuesel	6365 N. Sunny Point Road	Advocates for Max Nohl to be honored as well as Mary Nohl.
46.	Lisa Kurtz	6879 N. Lake Drive	For, per e-mail dated 1/31. One element that appears off is bringing up to 80 people twice a month for special events.
47.	Mike Lanke	317 E. Green Tree Road	For, per e-mail dated 2/7. Concerned about taking any property off the tax rolls.
48.	Madeleine K. Lubar	6433 N. Lake Drive	For, per e-mail dated 1/10.
49.	Ruth Lebed	7536 N. Boyd Way	For, spoke on 2/6 in favor
50.	Diane F. McGauran	308 E. Willow Road	For, per undated letter.
51.	Susan Schroeder (Melchert)	401 E. Bradley Road	For, per e-mail dated 1/31.
52.	Tim Melchert	401 E. Bradley Road	For, per e-mail dated 1/31.
53.	Claire Menck	7430 N. Santa Monica Boulevard	For, per e-mail dated 1/30.
54.	David Miller	7401 N. Crossing	For, spoke on 2/6 in favor and sent letter in support on 2/9.
55.	Jeremy Mohelnitzky	7535 N. Navajo Road	For, per e-mail dated 1/30.
56.	Martha Mohs	7535 N. Navajo Road	For, per e-mail dated 1/30.

57.	Brian Molstad	1530 Goodrich Lane	For, per e-mail dated 2/19.
58.	Melissa Mooney	7861 N. Fairchild Road	For, per e-mail dated 1/31.
59.	Sharon Moore, docent at the Milwaukee Art Museum	8209 N. Whitney Road	For, per e-mail dated 1/29.
60.	Dan Murphy	230 W. Suburban Court	For, per e-mail dated 1/20.
61.	Dr. Mary Ann Nicoud	370 E. Daphne Road	For, per e-mail dated 1/22.
62.	Barbara Patterson	7481 N. Beach Drive	For, per e-mail dated 1/29.
63.	Barb Paulini	8222 Dove Cable Drive	For, per e-mail dated 1/30 and spoke on 1/31 in favor.
64.	Frank Pitsoulakis	7619 N. Fairchild Road	For, per e-mail dated 1/24.
65.	Nirmal Raja, Milwaukee Arts Board Mildred L. Harpole Artists of Year	8036 N. Santa Monica Boulevard	For, per e-mail dated 1/29
66.	Sharath Raja	8036 N. Santa Monica Boulevard	For, per e-mail dated 1/29.
67.	Keri Sarajan	1015 E. Quarles Place	For, per e-mail dated 1/30.
68.	Lucy Saunders	8700 N. Point Drive	For, per e-mail dated 1/27. Limited usage two days per week for prescheduled, private visitors arranged by JMKAC and one day per week for residents of Fox Point with one event per year.
69.	Marjorie Schaefer	7633 N. Boyd Way	For, per e-mail dated 2/14.
70.	Karen M. Schapiro	6405 N. Berkeley Boulevard	For, per letter date 2/19.
71.	Phillip Schultz	7861 N. Fairchild Road	For, per e-mail dated 1/31 and spoke on 2/6 in favor as use is institutional not commercial
72.	Judy Shirley	8235 N. Mohawk Road	For, per e-mail dated 1/30 and spoke 2/6. Would like to reduce footprint of proposed new building and parking lot.
73.	Meghan Spaude	404 E. Apple Tree Road	For, per e-mail dated 1/29.
74.	Chris Spaude	404 E. Apple Tree Road	For, per e-mail dated 1/29.
75.	Randall Stevens	712 E. Green Tree Road	For, per e-mail dated 1/28.
76.	Steven R. Tenley	7307 N. Beach Drive	For, per e-mail dated 1/30.
77.	Gisela Terner M. Ed.	8650 N. Seneca Road	For, per e-mail dated 1/25
78.	Jill Tobin	8118 N. Links Way	For, per e-mail dated 1/26.
79.	Judith Z. Tolkan	7329 N. Santa Monica Boulevard	For, per e-mail dated 1/30. Concerns about parking and how property will used have been addressed.

80.	Ginny Wagner	6831 N. Barnett Lane	For, per e-mail dated 1/23.
81.	Roy Wagner	6831 N. Barnett Lane	For, per e-mail dated 1/23 and spoke 2/6.
82.	Laj Pershad Waghray		For, per e-mail dated 2/7.
83.	Mary Bellis Williams	8316 N. Regent Road	For, per e-mail dated 1/23.
84.	Allison Witek		For, per e-mail dated 1/31.
85.	Gary Witt	7769 N. Club Circle	For, per undated letter and e-mail dated 1/26. Wants Beach Drive area residents' voices to have a greater weight than those who will not be impacted directly.
86.	Eric Witkowski	7629 N. Seneca Road	For, per letter and spoke on 2/6.
87.	Christina Wurlitzer	1304 E. Goodrich Lane	For, per e-mail dated 2/1.
88.	Scott Yauck	7240 N. Beach Drive	For, per e-mail dated 1/30.
89.	Linda Zetley	7431 N. Lake Drive	For, per e-mail dated 1/30.

Total Fox Point Residents Registering Support: 89

NON-FOX POINT RESIDENTS IN SUPPORT

	NAME	***ADDRESS***	***SUMMARY COMMENT***
1.	Linda Adams	c/o Berkshire Hathaway HomeServices Metro Realty	For, per e-mail dated 1/24.
2.	Marielle Allschwang, Education Manager at Milwaukee 20-17-Present		For, per e-mail dated 1/30.
3.	Steve Baker		For, per e-mail dated 2/2.
4.	Jennifer Balge	642 Rivermoor Circle, Waterford, WI	For, per e-mail dated 1/31
5.	Valerie A. Balint		For, per e-mail dated 1/31.
6.	Stephanie Bartz		For, per e-mail dated 1/25.
7.	Mary Baum		For, per undated letter.
	Roberta Bechtel	San Francisco, CA	For, per e-mail dated 2/20
8.	Olav Bjornerud		For, per e-mail dated 1/24.
9.	Zac Bleicher	c/o Edgar Miller 1366 N. Sedgwick Street, Chicago, IL	For, per e-mail dated 1/30.
10.	Sharon Bolingbroke	716 E. Silver Spring Drive, Whitefish Bay, WI	For, per e-mail dated 1/29.
11.	Dana Boutin		For, per e-mail dated 1/28.
12.	Theresa Braun		For, per e-mail dated 1/25.
13.	Debra Brehmer	c/o Portrait Society Gallery Contemporary Art	For, per e-mail dated 1/29.

		207 E. Buffalo Street Milwaukee, WI	Would like to keep needs and desires of neighbors in mind and should be heard and respected.
14.	Kellie Brown		For, per e-mail dated 1/24.
15.	Carla Therese Bruni, Lecturer, Historic Preservation, School of the Art Institute		For, per e-mail dated 1/25.
16.	Diane M. Buck	3559 N. Summit Avenue, Shorewood, WI	For, per e-mail dated 1/25.
17.	ML Cable		For, as per e-mail dated 1/24.
18.	Sara Caron		For, as per the e-mail dated 1/30.
19.	Jonas Carvellis	3222 Cambridge Avenue, Milwaukee, WI	For, spoke on 2/6 in favor
20.	Monique Charlier		For, per e-mail dated 1/31.
21.	Laurie Christopherson	St. Paul, MN	For, per e-mail dated 1/31.
22.	Elizabeth Colacino		For, per e-mail dated 2/10.
23.	Kimberly J. Cosier, Co-Chair Department of Art and Design, Professor, Art Education and found of Milwaukee Visionaries Project		For, per e-mail dated 2/9.
24.	Robert Cozzolino	Minneapolis Institute of Art	For, spoke on 1/31 in favor.
25.	Robin Davies		For, per e-mail dated 2/20.
26.	Mary Loise Dean	9299 N. Regent Road, Bayside, WI	For, spoke on 1/31, in favor and 2/6 and trusts JMKAC to compromise
27.	Josh Dorf	2010 E. Olive Street, Shorewood, WI	For, per e-mail dated 1/26.
28.	Emily Duke		For, per e-mail dated 1/31. Artist and educator.
29.	Emily Eagle		For, per post card dated 1/26.
30.	Olivia Edlund, Education and Outreach Manager at Philadelphia's Magic Gardens	c/o Philadelphia's Magic Gardens 1020 S. Street Philadelphia, PA	For, per e-mail dated 1/25.
31.	Tom Finley, Director of Education Schlitz Audubon Nature Center		For, per e-mail dated 2/1.
32.	Sarah Fredrikson		For, per e-mail dated 1/31.
33.	Kathy Gerhardt		For, per e-mail dated 1/31.
34.	Pete Gershon	The Orange Show Center for Visionary Art World	For, per e-mail dated 2/8.

		2334 Gulf Terminal Drive Houston, TX	
35.	Lee Gierke	3122 W. Celeste Court, Mequon, WI	For, per e-mail dated 1/29. The accommodations should respect homeowners' desire for privacy and help maintain a unique cultural treasurer for further generations.
36.	Dani Graf	2914 S. Pine Avenue, Milwaukee, WI	For, per e-mail dated 1/29. Former art teacher.
37.	Hattie Grimm		For, per e-mail dated 1/29.
38.	Annette Griswold		For, as per e-mail dated 1/26.
39.	Holly Hansen-Grotbeck		For,per e-mail dated 1/30.
40.	Judy Haddad		For, per letter not dated. Understand that residents in area would like to look out their windows and see and hear only lake but it would be a disservice not to protect the Mary Nohl house.
41.	Don Howlett	c/o Preservation Services, Inc. W5447 Cumberland Lane, Nashboro, WI	For, per letter dated 1/24.
42.	Jill Iverson		For, per e-mail dated 1/31.
43.	James Iverson		For, per e-mail dated 1/31
44.	Ken Kehl	414 E. Norwich Street, Milwaukee, WI	For, per e-mail dated 1/25. Valuable contribution to the village.
45.	Prairie Kozil	Chicago, IL	For, per e-mail dated 2/20.
46.	Gail Kuech	1105 Nesheim Road, Deerfield, WI	For, per e-mail dated 1/31.
47.	John Laundry	5825 N. Santa Monica Boulevard, Whitefish Bay, WI	For, spoke on 2/6.
48.	Robin Leenhouts		For, per e-mails dated 1/25 & 1/27.
49.	Doug Leenhouts		For, per e-mail dated 1/25.
50.	Chrissie Lindemann	W1476 Idlewood Court, Oostburg, WI	For, per e-mail dated 2/1.
51.	Deb Lisberg	415 Timberlake Road, Sheboygan, WI	For, per e-mail dated 1/31.
52.	Kris Lockhart		For, as per the e-mail dated 1/31.

53.	Nicholas C. Lowe, President, John H. Bryan Chair of Historic Preservation	116 South Michigan Avenue, Chicago IL	For, per e-mail dated 1/18. It is possible to preserve fragile homes and studio environments by managing light visitor impact, and to preserve trust by ensuring limited vehicular access and only small groups.
54.	Lynn Lucius		For, per e-mail dated 1/31.
55.	Chuck and Patty Luckenbill		For per e-mail dated 1/29. Mary Nohl was a unique artist, and her work deserves to be preserved for the future.
56.	Sarah Gail Luther		For, per e-mail dated 1/23.
567.	Heidi Maetzold	11127 N. West Drive, Apt. 313, Mequon, WI	For, per e-mail dated 2/2.
58.	Jane Barcley Mandel, member, CAPP Board		For, per e-mail dated 1/25.
59.	Amy Smart Martin		For, per e-mail dated 1/25.
60.	Joan Mayer		For, per e-mail dated 1/24.
61.	Molly McCarty		For, per e-mail dated 1/31.
62.	Clara McElfresh		For, per e-mail dated 1/29.
63.	Jackie Mich		For, per e-mail dated 1/24. Through a limited usage plan, Mary Nohl Art Environment will preserve this important piece of community history.
64.	Jeffrey Morin, President, Milwaukee Institute of Art & Design		For, per e-mail dated 1/20.
65.	David Moss, MD	5770 N. Shore Drive, Whitefish Bay, WI	For, per e-mail dated 1/25.
66.	Kate Muth	4901 N. Lake Drive, Whitefish Bay	Interested in Mary Nohl property remaining "as is" and in favor of offering very limited access to the public
67.	LeAnn Oertel		For, per e-mail dated 1/24.
68.	Josie Osborne, Teacher of Art at UWM Art Survey.		For, per e-mail dated 1/31.
69.	Karen Patterson, Executive Director for Ruth Foundation of the Arts		For, per e-mail dated 1/31.
70.	Lois Pauls	1858 N. Prospect, #21L, Milwaukee	For, per e-mail dated 2/17.

71.	Richard Pauls	1858 N. Prospect, #21L, Milwaukee	For, per e-mail dated 2/17.
72.	Angela Pierro		For, per e-mail dated 1/30.
73.	Kathy Pilat		For, per e-mail dated 1/30.
74.	Carol Pomeday		For, per e-mail dated 1/25.
75.	Mindy Lubar Price		For, as per e-mail dated 1/23.
76.	David Ravel		For, per e-mail dated 1/29.
77.	Bambi Riehl	4345 N. Wildwood Avenue, Shorewood, WI	For, per e-mail dated 2/1.
78.	John Riepenhoff		For, per e-mail dated 1/31.
79.	Lynn M. Rix		For, per e-mail dated 1/29.
80.	Darlene Wesenberg Rzezotarski	1917 E. Wood Place, Shorewood, WI	For, per e-mailed dated 1/30.
81.	Svapna Sabnis		For, per e-mail dated 1.31.
82.	Steph Salvia, Executive Director of Joy Engine		For, per e-mail dated 1/30.
83.	Annemarie Sawkins		For, per e-mail dated 1/30.
84.	Virginia Small, Landscape Historian & Writer	2860 N. Shephard Avenue, Milwaukee, WI	For, per e-mail dated 1/29.
85.	Emily Smith, Executive Director of Philadelphia's Magi Gardens	1020 South Street, Philadelphia, PA 19047	For, per e-mail dated 1/31 Understands that Mary Nohl's site should have respectful limitations but allow it to live on through thoughtful research and educational purposes.
86.	Jean Sobon	4473 N. Larkin Street	For, per e-mail dated 1/27.
87.	Leslie Speicher, Owner of Chicago Glass Collective		For, per e-mail dated 1/25.
88.	Laurie Stephan		For, per e-mail dated 1/29.
89.	Lisa Stone, Member of the Historic Artists' Homes and Studios	W5441 Cumberland, Neshkoro, WI	For, spoke on 1/31 in favor of the and sent letter dated 1/18.
90.	Wendy Strauch (Nelson), Professor Emerita UW-Oshkosh		For, per e-mail dated 1/18.
91.	Andrew Swant		For, per e-mail dated 1/24. If cultural overlay does not go through, house could fall into disrepair and/or be sold and turned into an Airbnb.
92.	William Swislow		For, per e-mail dated 1/23.

93.	Janelle VanderKelen, Assistant Profession, Milwaukee Institute of Art and Design		For, per e-mail dated 1/25.
94.	Mark Walczynski		For, per e-mail dated 1/24.
95.	Steve Westphal, JMKAC board member		For, spoke on 2/6 in favor of proposal.
96.	Jaymee Harvey Willms, Executive Director, Charles Allis, Villa Terrace Art Museums		For, per letter not dated. With Wisconsin as the lowest ranked state in arts and cultural funding, cultural overlay must be approved.
97.	Natasha Woods		For, per e-mail dated 1/23.
98.	Steve Woods, CAPP Board President		For, per e-mail dated 1/27. Mary Nohl gifted her site and collection to Kohler Foundation with the understanding that at some time the Kohler-Foundation to preserve, promote and periodically exhibit.
99.	Kristina Wurlitzer	1304 E. Goodrich Lane	For, as per e-mail dated 2/1.
100.	James M. Zanzi III, Professor Emeritus, The School of the Art Institute of Chicago		For, per letter dated 1/24.
101.	Sarah Zaske	Bayside, WI	For, per e-mail dated 1/28.
102.	Karen Zukowski		For, per e-mail dated 1/30.

Additional Supports From Outside Fox Point: 102

FOX POINT RESIDENTS IN PROPOSED NON-SUPPORT

	NAME	***ADDRESS***	***SUMMARY COMMENT***
1.	David Albert	7308 N. Beach Drive	Against, per e-mail dated 1/2.
2.	Bruce A. Arbit	7900 n. Beach Drive	Against, spoke 2/6; 5000 visitors.
3.	Carl Artman	6921 N. Barnett	Against, spoke 2/6; move Mary Nohl to Doctor's Park.
4.	Griselda Apple	7106 N. Beach Drive	Against, per e-mail dated 2/13.
5.	Diane M. Buck		For, per e-mail dated 2/11.
6.	Andrea Cataldo	7451 N. Beach Court	Against, per e-mail dated 1/27.

7.	Douglas Gregor	7275 N Beach Drive	Against, per e-mail dated 1/27.
8.	Debra Grossman	8040 Beach Drive	Against, per e-mail dated 1/30.
9.	David Gutterman	8025 N. Beach Drive	Against, per e-mail dated 2/19.
10.	Lily Gutterman	8025 N. Beach Drive	Against, per e-mail dated 2/19.
11.	Jade Hearst	8050 N. Beach Drive	Against, spoke 2/6.
12.	Mark E. Hodgson	7810 Beach Drive	Against, per e-mail dated 12/17.
13.	Bonnie Bockl Joseph	8130 N. Beach Drive	Against, per e-mails dated 12/20, 1/25 and 1/26.
14.	Leon Joseph	8130 N. Beach Drive	Against, per e-mails dated 12/20, 1/25 and 1/26.
15.	Mosh Katz	7718 N. Beach Drive	Against, spoke 2/6.
16.	Meg Kinney	7575 N. Beach Drive	Against, per letter not dated; spoke against 2/6.
17.	Ella Kinney	7575 N. Beach drive	Against, per letter not dated; spoke against 2/6.
18.	Don Kroll	308 E. Willow Road	Against, per e-mail dated 2/5. No additional expense to citizens should be imposed.
19.	Kathe Lake	7471 N. Beach Court	Against, per letter delivered by hand on 1/23; spoke against 1/31.
20.	Debbie Lemont	7475 N. Beach Drive	Against, per e-mails dated 1/11 and 2/20. Numerous concerns including the maximum number of visitors.
21.	Tim Lemont	7475 N. Beach Drive	Against, per e-mails dated 1/11, 1/31, 2/5, and 2/9; spoke against 1/31.
22.	Amy Levin	7415 N. Beach Drive	Against, spoke on 1/31.
23.	Mark Levin	7415 N. Beach Drive	Against, letter not dated; spoke 2/6.
24.	Kelly Levin	7234 N. Beach Drive	Against, spoke on 2/6.
25.	Jane A. Lewis	7433 N. Beach Court	Against, per letters dated 1/4 and 1/12. Concerned about increased traffic.
26.	Joan McDonagh	7425 N. Beach Court	Against, per letters dated 1/12 and 2/9 and per e-mail dated 1/31; spoke against 2/6.

27.	Michael McDonagh	7425 N. Beach Court	Against, per letters dated 1/12 and 2/9 and per e-mail dated 1/31; Spoke on 1/31.
28.	David R. Miller	7401 N. Crossway Road	Against, per e-mail dated 2/8.
29.	Thomas Noble		Against, are courteous to neighbors.
30.	Louise Petering	7229 N. Santa Monica Boulevard	Against, memo dated 1/28 and per memo dated 2/6.
31.	Kevin Peterson	7242 Longacre Road	Against, per letter not dated. Concerned about increased traffic.
32.	Richard B. Price	7834 N. North Beach Drive	Against, per e-mail dated 12/13.
33.	Wendy Simeone	8045 N. Beach Drive	Against, spoke on 2/6.
34.	Thomas Simeone	8045 N. Beach Drive	Against, spoke on 2/6.
35.	Teri Sparacino	176 E. Bradley Road	Against, per letter not dated. Great lake is a public property and no one owns it and therefore the house should not be moved.
36.	Al Sparacino	175. E. Bradley Road	Against, per letter not dated. Lake is a public property and no one owns it and therefore the house should not be moved.
37.	Paul Stemlieb	7644 N. Beach Drive	Against, per e-mail dated 12/12
38.	Mike Stoessel	8000 N. Beach Drive	Against e-mail dated 2/6; spoke on 1/31. Concerned about costs of cultural overlay.
39.	Michael Tarney	7308 N. Beach Drive	Against, spoke 1/31.
40.	Brooke Borelli (Wendorf)	8333 N. Regent Road	Against, per e-mail dated 1/30.
41.	Matt Wendorf	8333 N. Regent Road	Against, per e-mail dated 1/30.
42.	April Zucchi	7619 N. Beach Drive	Against, spoke 1/31.

Total Registering Opposition: 42

Comparable Artist-Built Environments in Residential Areas

Albin Polasek Museum and Sculpture Garden, 633 Osceola Avenue, Winter Park, Florida

- Owned by 501(c)3 – Albin Polasek Foundation.
- House, gallery and sculpture garden are open to the public.
- https://polasek.org/
- Here is the street view
- Zoned "Public and quasi-public (PQP) district."

Aerial Map of Ibin Polasek Museum and Sculpture Garden, 633 Osceola Avenue, Winter Park, Florida

Site located at

James Castle House, 5015 Eugene Street, Boise, Idaho

Owned by the City of Boise and operated by the Boise City Department of Arts & History Cultural Sites program.
Tours, artists-in-residence, exhibitions and programs allowed.
https://www.jamescastlehouse.org/
Here is the street view
Zoned "R-2 Medium Density District."

Aerial Map of James Castle House, 5015 Eugene Street, Boise, Idaho

Site located at

Mary's Gone Wild, 2431 Holden Beach Road SW, Supply, North Carolina

- Mary Paulsen lives here and gives tours – her website advertises that it's open 365 days a year
- https://marysgonewild.com/
- Here is the street view
- Zoned "Commercial-Low Density."

Mary's Gone Wild, 2431 Holden Beach Road SW, Supply, North Carolina

Site located at

Hartman Rock Garden, 1905 Russell Avenue Springfield, Ohio

- Owned and operated by Friends of Hartman Rock Garden.
- Open all day every day for self-guided tours.
- https://hartmanrocks.org/
- Here is the street view
- Zoned "RS-5 Low-Density, Single-Family Residential District." This zoning is intended to regulate land used with a "neighborhood orientation" such that parks, schools, religious institutions and neighborhood commercial facilities are expected to be located in close proximity to residential development. Section 1107.01 of the Springfield Municipal Code.

Aerial Map of Hartman Rock Garden, 1905 Russell Avenue Springfield, Ohio

Site located at

Louis Lee's Oriental Rock Garden, 4015 East McDonald Drive, Phoenix, Arizona

Currently owned by the Louis Lee Family Trust and is not open to the public.
https://bucketlistjourney.net/louis-lees-oriental-rock-garden/#
Here is the street view
Zoned "R1-18 (Single Family Residential District)."

Aerial Map of Louis Lee's Oriental Rock Garden, 4015 East McDonald Drive, Phoenix, Arizona

Site located at

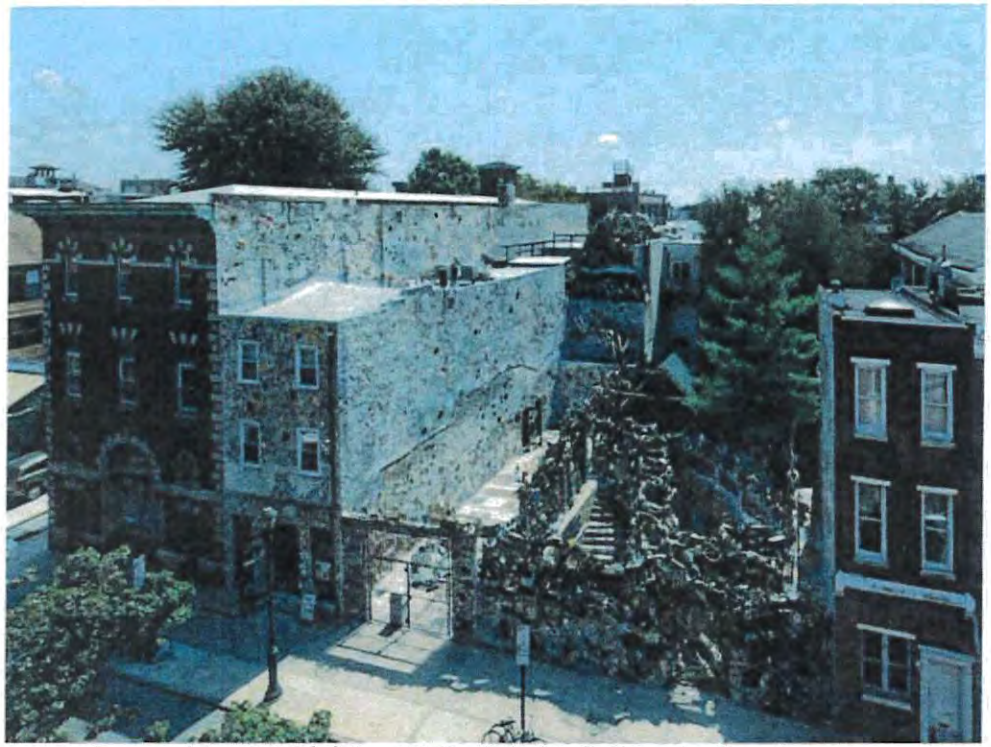
Beer Can House, 222 Malone Street, Houston, Texas

- Owned by the Orange Show Foundation.
- Open to group tours, field trips and to the public.
- https://www.full.orangeshow.org/beer-can-house
- Here is the street view
- No zoning in Houston, but City's land use map indicates "Single Family Residential" use. Property is surrounded by condominiums and other residential properties.

Aerial Map of Beer Can House, 222 Malone Street, Houston, Texas

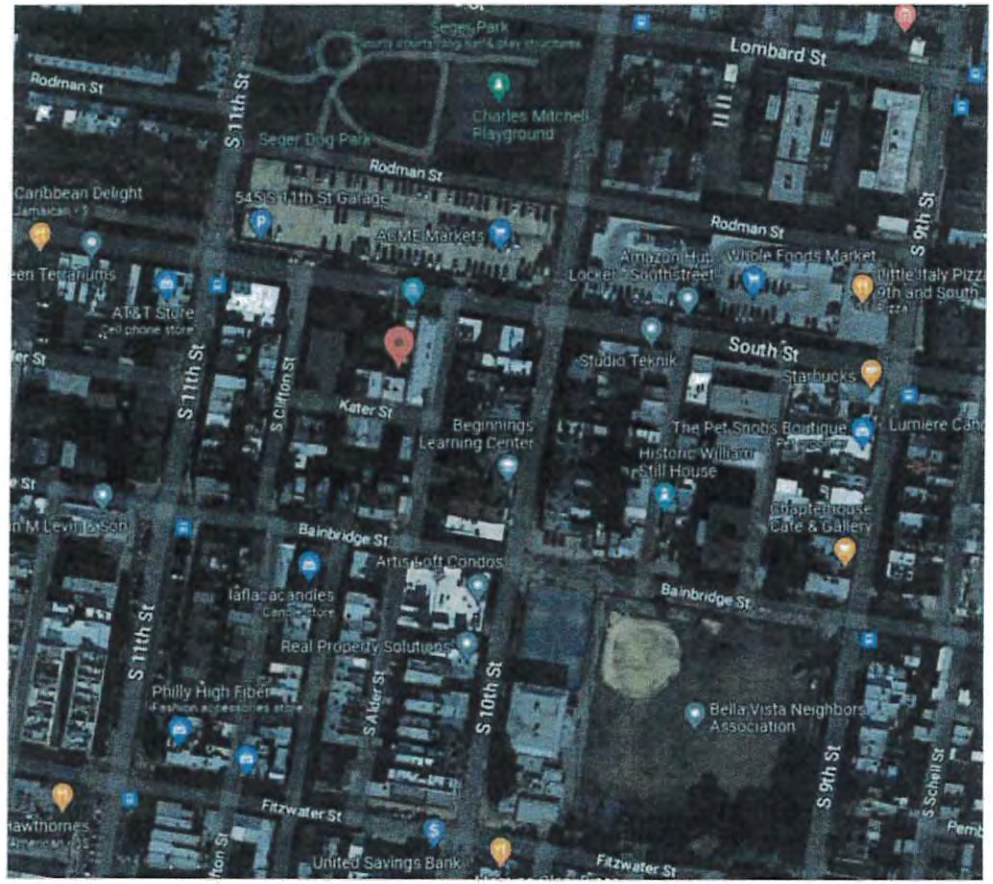
Site located at

Philadelphia Magic Gardens, 1020 South Street, Philadelphia, Pennsylvania



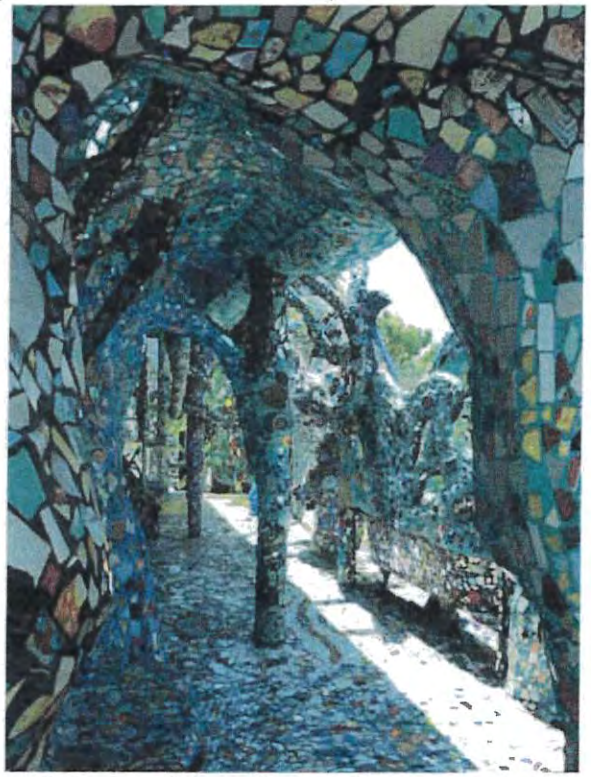
- Owned by 501(c)3 – Philadelphia's Magic Gardens .
- Open to the public with tours and exhibition space.
- https://www.phillymagicgardens.org/
- Zoned "Neighborhood Commercial Mixed-Use- 2.5."

Aerial Map of Philadelphia Magic Gardens, 1020 South Street, Philadelphia, Pennsylvania



Site located at

Mosaic Tile House, 1116 Palms Boulevard, Venice Beach, California



Currently lived in by the artists who offer tours through their website on Saturdays.
https://cheripann.com/
Here is the street view
Zoned "R1 One-Family Zone."

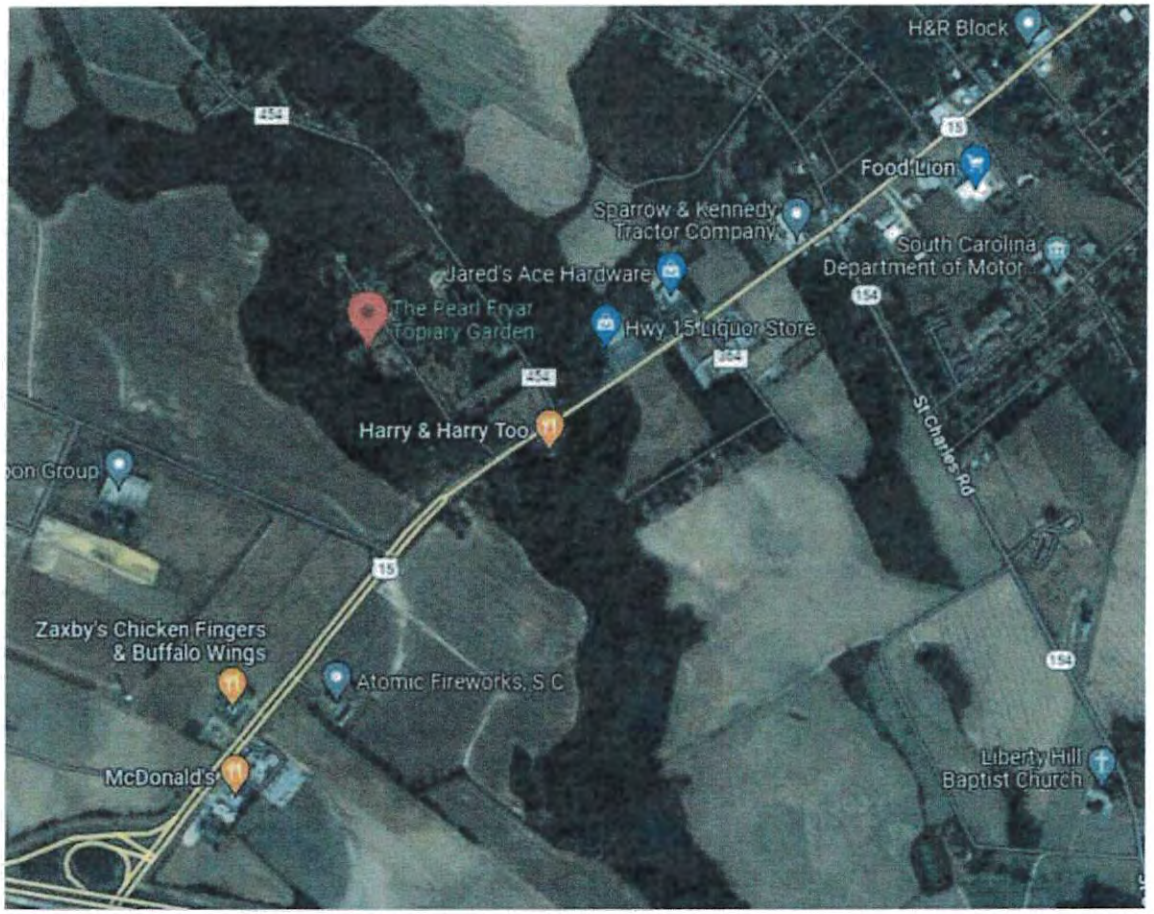
ıerial Map of Mosaic Tile House, 1116 Palms Boulevard, Venice Beach, California

Site located at

Pearl Fryar Topiary Garden, 145 Bishop Acres Road, Bishopville, South Carolina

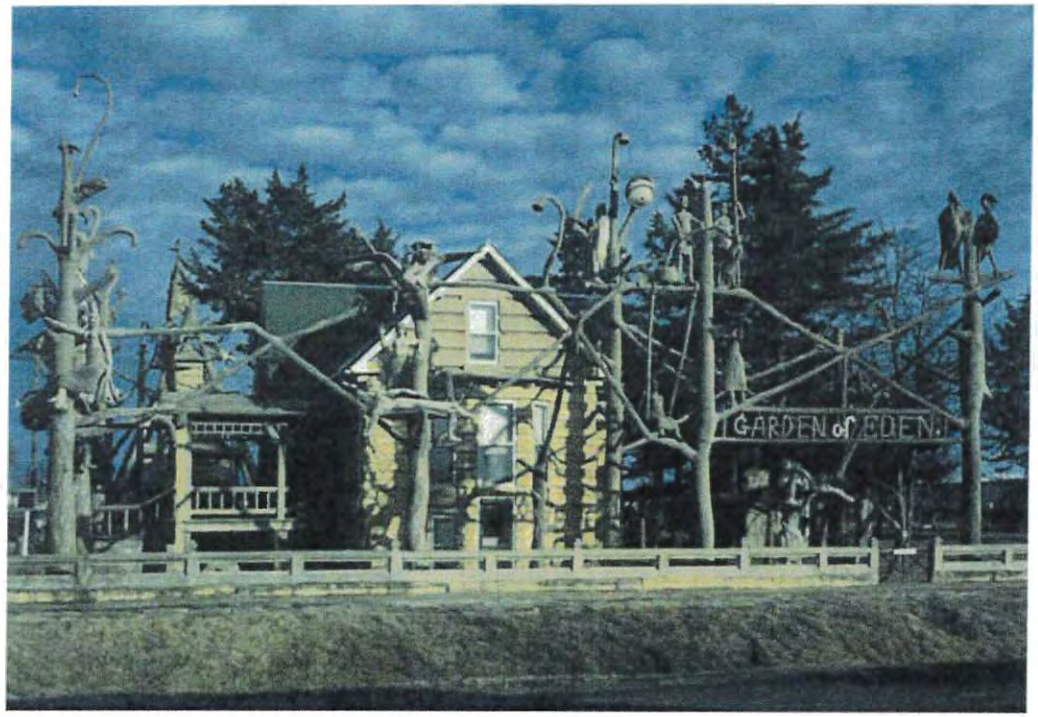
Pearl Fryar and his wife live here.
Open to the public Tuesday – Saturday.
Hosts artists-in-residence.
https://www.gardenconservancy.org/preservation/pearl-fryar
Here is the street view
Zoned "Residential."

Aerial Map of Pearl Fryar Topiary Garden, 145 Bishop Acres Road, Bishopville, South Carolina



Site located at

Garden of Eden, 305 East 2nd Street, Lucas, Kansas



- Owned by 501(c)3 – Friends of SP Dinsmoor's Garden of Eden.
- Open to the public with guided tours.
- http://www.gardenofedenlucas.org/
- Here is the street view
- Lucas does not have zoning, but the Assessor's Office classifies the use as "Commercial and Industrial."

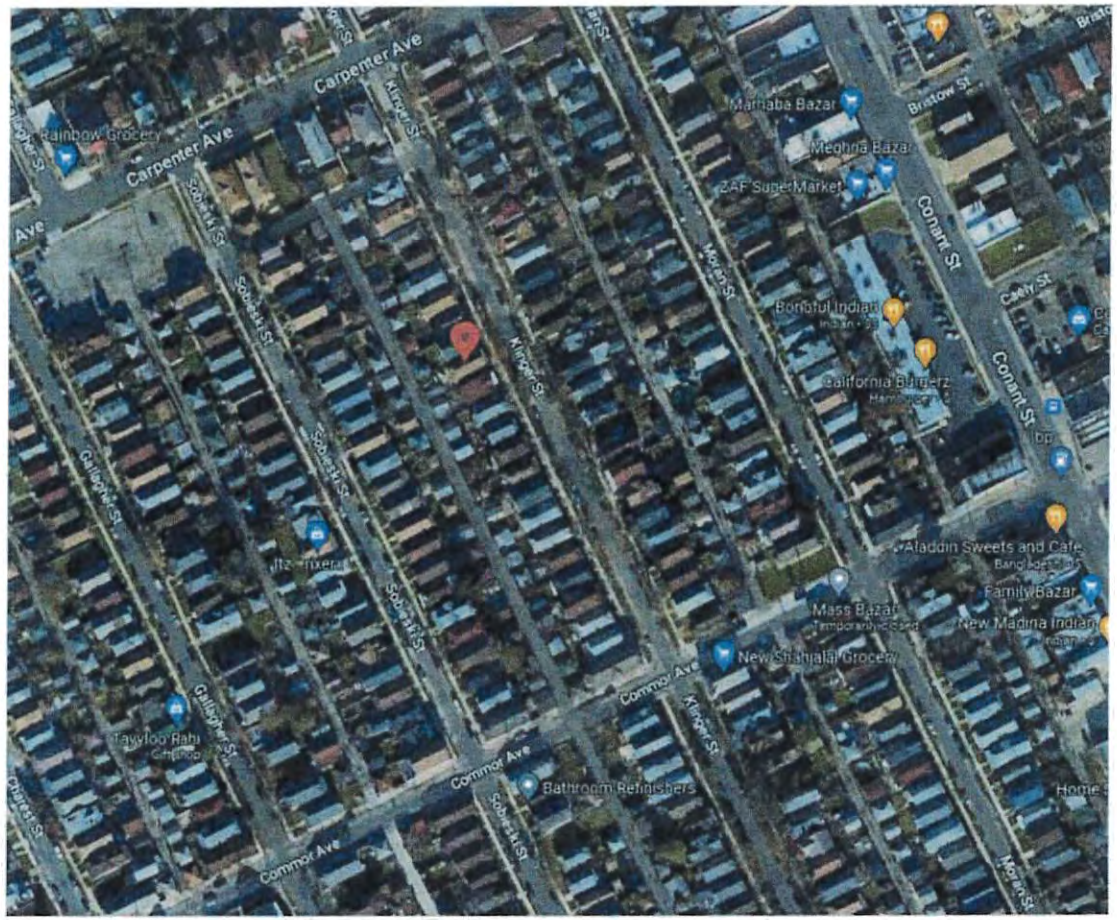
Aerial Map of Garden of Eden, 305 East 2nd Street, Lucas, Kansas

Site located at

Hamtramck Disneyland, 12087 Klinger Street, Hamtramck, Michigan

- Owned and operated by 501(c)3 – Hatch A. Hamtramck Art Collective.
- The site is currently visible from the alley.
- https://www.hatchart.org/hamtramck-disneyland
- Here is the street view
- Zoned "Residential" and surrounded by single family homes.

Aerial Map of Hamtramck Disneyland, 12087 Klinger Street, Hamtramck, Michigan

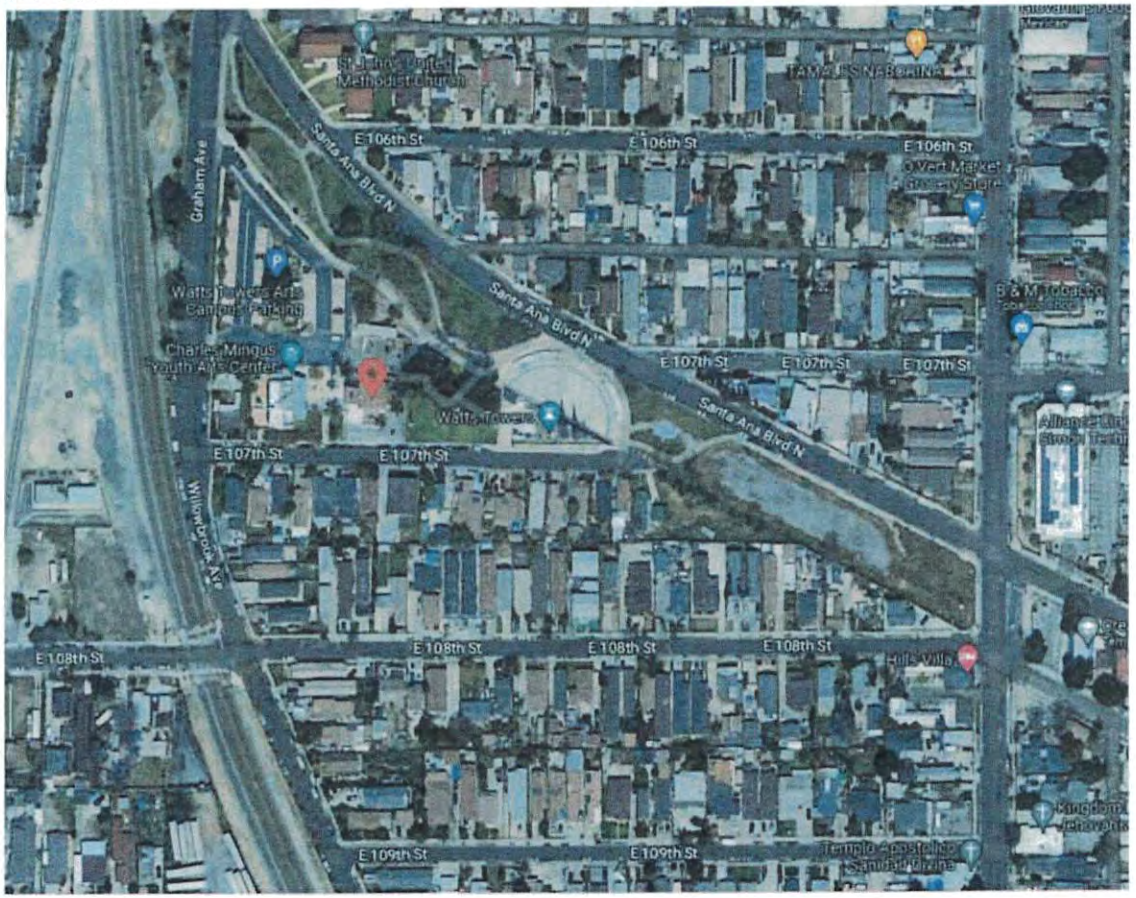


Site located at

Watts Towers, 1727 East 107th Street, Los Angeles, California

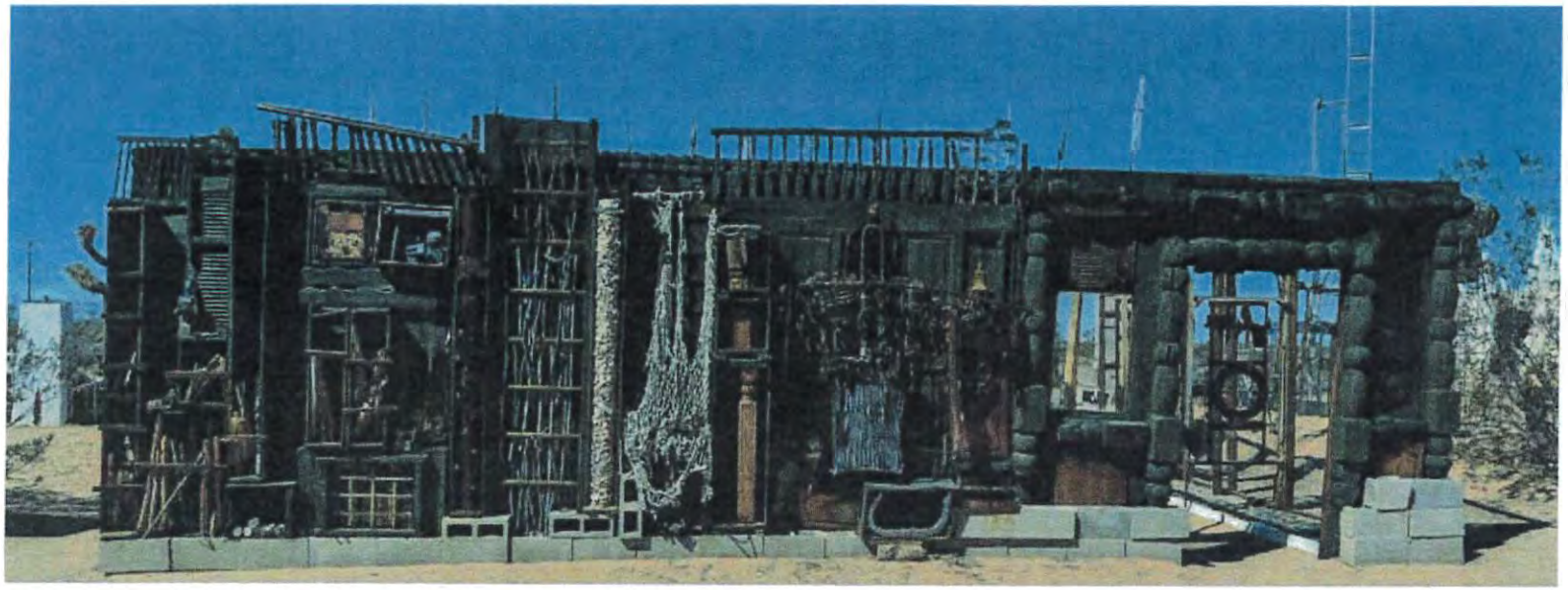
- Owned and operated by Watts Towers Arts Center.
- Open for guided tours.
- https://www.wattstowers.org/
- Here is the street view
- Zoned "Open Space Zone." This zoning is intended to regulate land used as recreation, parks and open space.

Aerial Map of Watts Towers, 1727 East 107th Street, Los Angeles, California



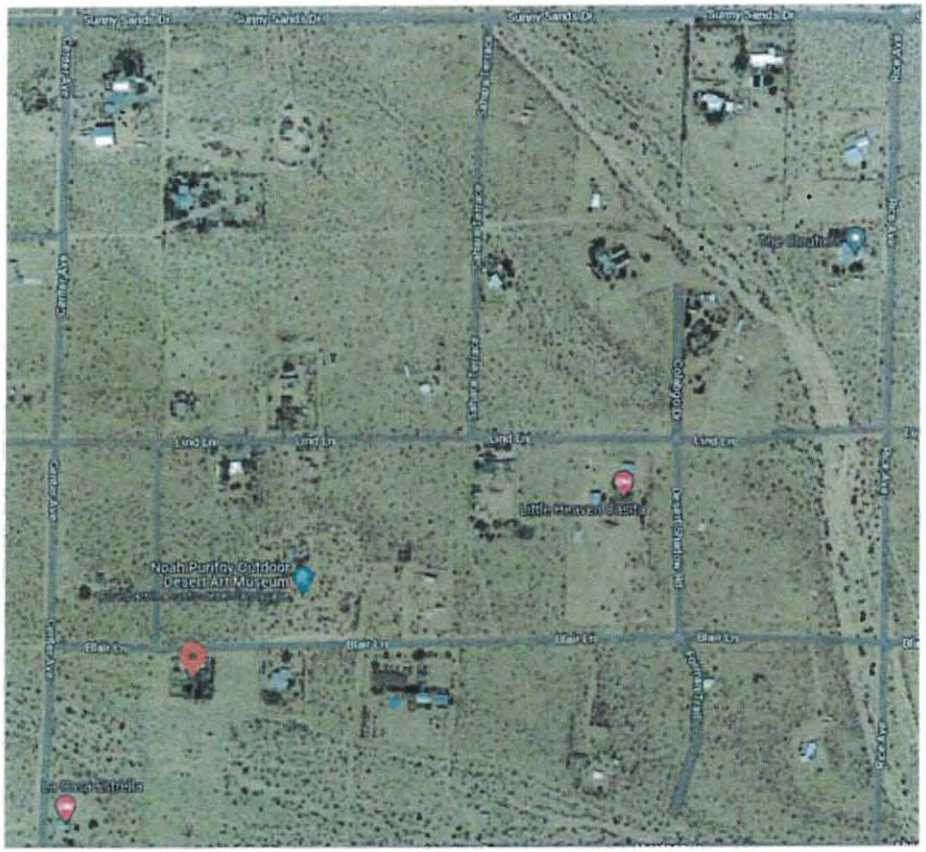
Site located at and where indicated in map.

Noah Purifoy Outdoor Desert Art Museum of Assemblage Sculpture, 62975 Blair Lane, Joshua Tree, California



Owned by 501(c)3 – Noah Purifoy Foundation.
Self-guided tours allowed.
http://www.noahpurifoy.com/joshua-tree-outdoor-museum/
Zoned "Rural Living."

Aerial Map of Noah Purifoy Outdoor Desert Art Museum of Assemblage Sculpture, 62975 Blair Lane, Joshua Tree, California



Site located at

Clyde Jones' Critter Crossing, 137 Bynum Hill, Pittsboro, North Carolina

© L. SCOTT CAMPBELL

- Jones' house is located near the banks of the Haw River.
- Welcomes visitors.
- Here is the street view
- Zoned "R-1 (Residential)."

Aerial Map of Clyde Jones' Critter Crossing, 137 Bynum Hill, Pittsboro, North Carolina

Site located at

rederick C. Robie House, 5757 S. Woodlawn Avenue/1248 E. 58th Street, Chicago, Illinois

- Owned by the University of Chicago and is on the National Register.
- Open for tours – public, private and self-guided.
- https://architecture.uchicago.edu/locations/robie_house/
- Zoned – "Institutional Planned Development."

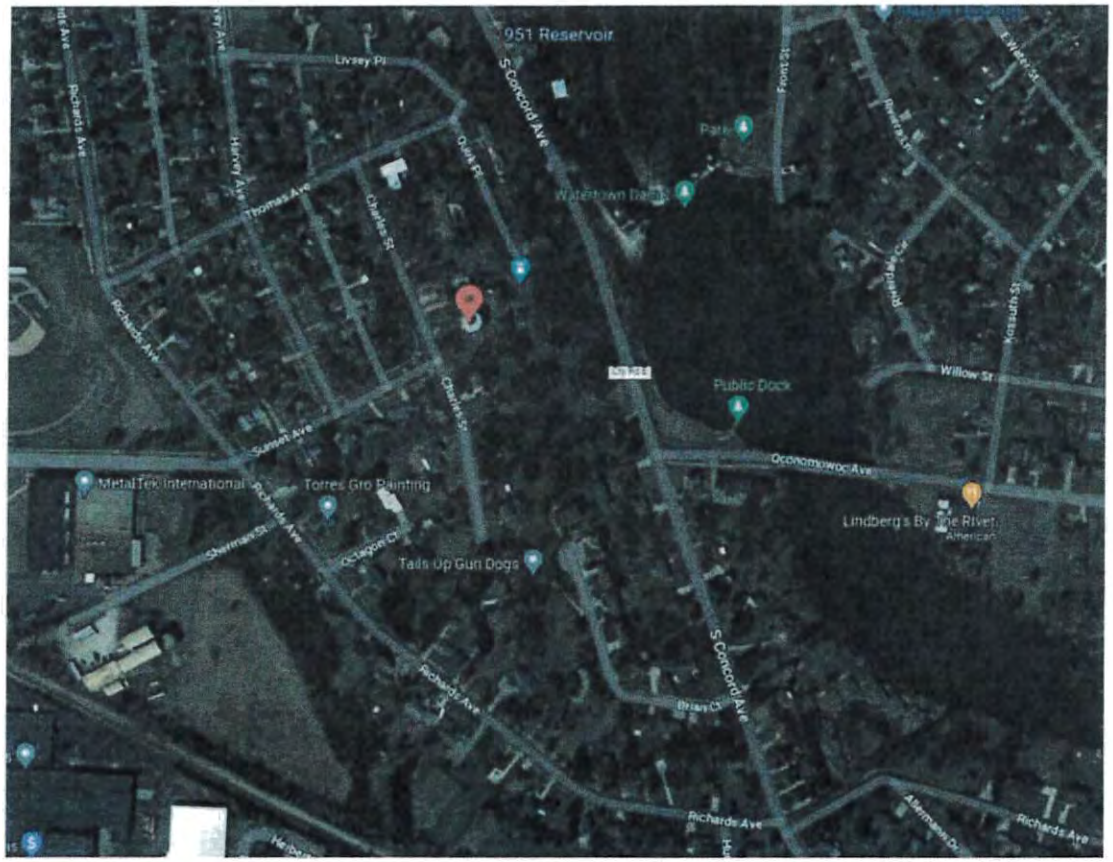
Aerial Map of Frederick C. Robie House, 5757 S. Woodlawn Avenue/1248 E. 58th Street, Chicago, Illinois

Site located at

Octagon House Museum, 919 Charles Street, Watertown, Wisconsin

- Owned and operated by Watertown Historical Society.
- Open for tours seasonally.
- https://www.octagonhousemuseum.org/
- Zoned "Single-Family Residential-4."
- Property is located in a residential neighborhood.

Aerial Map of Octagon House Museum, 919 Charles Street, Watertown, Wisconsin

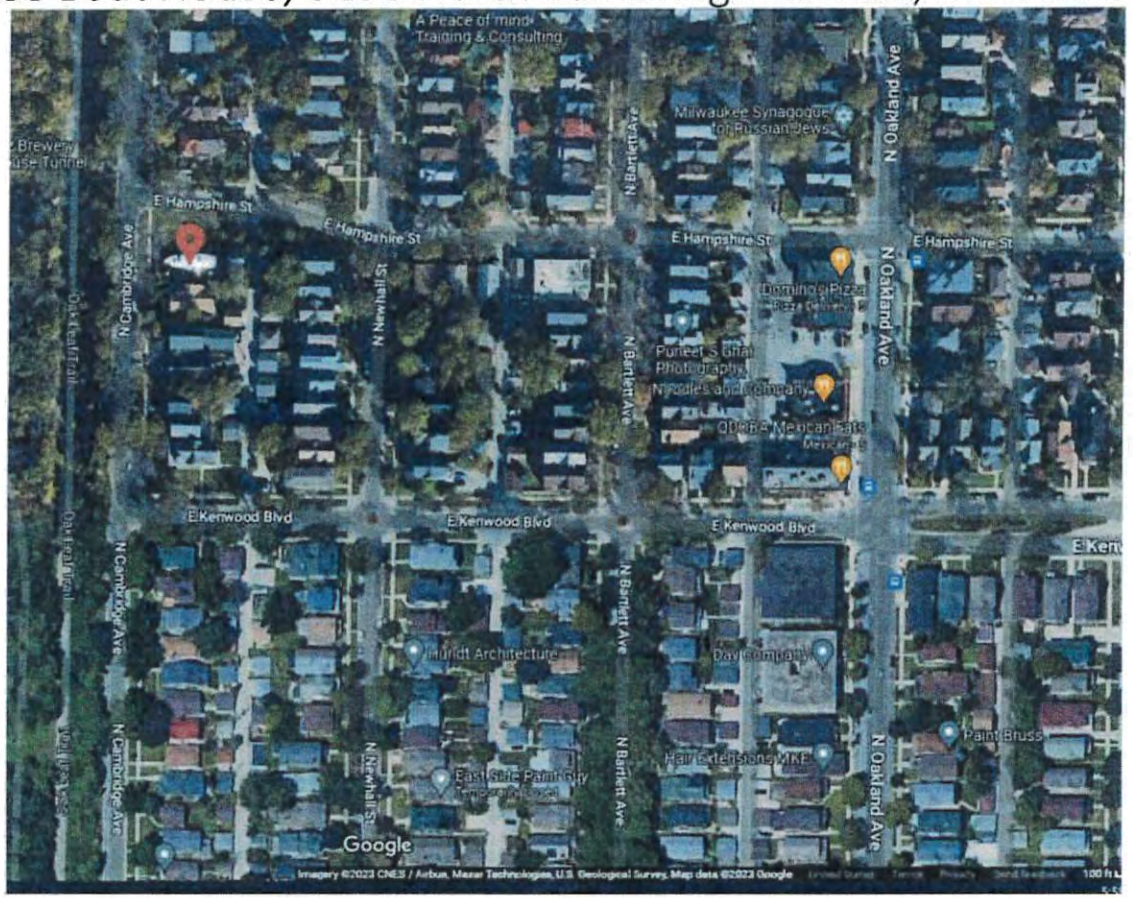


Site located at

Milwaukee Boat House, 3138 North Cambridge Avenue, Milwaukee

- Currently rented as an Airbnb.
- https://www.wuwm.com/arts-culture/2019-07-19/milwaukee-boat-house-has-been-a-symbol-of-nonconformity-for-100-years
- Zoned "Residential – Single Family.
- Property is located in a residential neighborhood.

Aerial Map of Milwaukee Boat House, 3138 North Cambridge Avenue, Milwaukee



Site located at

Educational Programming Costs Per Year

	2023	2022	2021*
Costs			
Artist Fees (Geo Rutherford, Phoenix S. Brown)			$ 2,700
Supplies	$ 1,275	$ 690	$ 560
Curricula Development & Printing	$ 800	$ 800	
Travel (Busing and Staff Mileage)	$ 1,700	$ 275	$ 230
Teacher Fees (Subs, Teacher Recharge)	$ 500		$ 50
Personne: Teaching Artist Alex Gartlemann and JMKAC Education Team	$ 13,420	$ 14,545	$ 19,175
Total	**$ 17,695**	**$ 16,310**	**$ 22,715**

2023 Education Programming
Art and Beyond History Project with 5th-8th grade students
Alex Gartlemann Residency in Fox Point Bayside School

Fox Point Bay Side School Teacher Inservice Days

2022 Education Programming
8th Grade National History Day Project with Bayside Middle School
Teacher Fellowship Program Middle School

2021 Education Programming
DPI Gifted and Talented Grant for an Outreach Program* Kris Lockhart secured grant

2400 kits distributed to Fox Point Bayside, Glendale River Hills and Maple Dale Indian Hill Schools
Teacher Fellowship Program Middle School

Reinhart
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February 20, 2023

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dtomczyk@reinhartlaw.com

SENT BY EMAIL TO:
elarson@ammr.net

Eric J. Larson, Esq.
Municipal Law & Litigation Group, SC
Arenz, Molter, Macy, Riffle, Larson & Bitar
730 North Grand Avenue
Waukesha, WI 53186

Dear Mr. Larson: Re: Mary Nohl Cultural Overlay

Creation and Preservation Partners, Inc. ("CAPP") appreciates the Village's invitation to submit additional information before the record is closed on its pending Cultural Overlay application for 7254 and 7328 North Beach Drive (the "Property").

As an initial matter, CAPP remains committed to addressing concerns of neighbors. Together with this letter, CAPP is submitting significant modifications to the application materials initially submitted on December 7, 2022. The initial application was shaped by nearly six years of feedback shared with the artist-in-resident at the Property and discussions at the two meetings in November of 2022 to which all Beach Drive and Beach Court neighbors were invited. Similarly, the modifications submitted today derive entirely from concerns voiced in letters and emails submitted to the Village, comments at the January 31 and February 6, 2023 public hearing, and direct conversations with neighbors, including substantial comments provided by Save the Beach Drive Neighborhood association's counsel John Wirth. Further, CAPP is committed to entering into deed restrictions and/or a contract with the Village consistent with Village Code Sec. 745-22(G) which assures continued compliance with its application materials and regulated use and maintenance of the Property.

Unfortunately, opposition remains and Village decision makers face a tough decision. We offer the following comments as to why the Village Board should approve CAPP's Cultural Overlay application notwithstanding the opposition.

1. The Cultural Overlay Is a "Special Zoning Permission" and All Evidence (Other than Personal Preferences or Supposition) Supports Approval the Cultural Overlay.

We concur with the analysis in your January 27 letter to Village Manager Scott Botcher that our request should be considered as a "special zoning permission" under Wis. Stat. Sec. 62.23(7)(de). As you know, the Wisconsin Legislature adopted Wis. Stat. Sec. 62.23(7)(de) to override the denial of a permit for non-metallic mineral mining. In the case that precipitated that statute, Trempealeau County denied the mining permit based on "uncorroborated hearsay...and...representations of people describing their first-hand experiences..." *AllEnergy Corporation v. Trempealeau County Environment & Land Use Committee*, 375 Wis. 2d 329, 370 (2017). This is strikingly similar to the evidence submitted to oppose CAPP's Cultural Overlay.

Wis. Stat. Sec. 62.23(7)(de), as adopted, places severe limits on a municipality's ability to deny similar permits. Counsel for the League of Wisconsin Municipalities opined that this statute "shifts the legal burden from a CUP applicant to the municipal governmental body responsible for making the CUP decision...and...makes CUP applications much harder to deny." D. Olson, "Legislature Curtails Municipal Conditional Use Permit Authority," *The Municipality* (Feb, 2018, p. 23).

- Wis. Stat. sec. 62.23(7)(de)(1)(a) applies to conditional uses, special exceptions, or other special zoning permission issued by a municipality. As you noted, "special zoning permission" is defined in another context in Wis. Stat. Secs. 23.23(7)(i)(7) and 59.69(15)(g) to include special exceptions, special permits, conditional uses, zoning variances, conditional permits and words of similar intent.

- These types of permits, like the Cultural Overlay under Village Code Sec. 745-22, have unique, well-defined procedures, specified standards and bases for approval and authorization to impose conditions.

- Village Code Sec. 745-22 is in stark contrast to a zoning amendment under Village Code Sec. 745-35 for which no procedures, standards or bases for approval are specified.

Wis. Stat. Sec. 62.23(7)(de)(2)(a) dictates "If an applicant...meets or agrees to meet all of the requirements and conditions specified in city ordinance...the city *shall* grant the conditional use permit. Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence."

Similarly, Wis. Stat. Sec. 62.23(7)(de)(2)(b) commands that requirements and conditions be *reasonable* and, to the extent practicable, *measurable*. The municipality's decision to approve or deny the permit must be based on *substantial evidence*.

"*Substantial evidence*" is defined in Wis. Stat. Sec. 62.23(7)(de)(1)(b) as "facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain" a permit.

2. CAPP's Application Satisfies the Basis for Approval of a Cultural Overlay in Village Code Sec. 745-22(E). CAPP has provided the only "evidence" (as defined under Wis. Stat. Sec. 62.23(7)(de) and as opposed to personal preferences or speculation) to satisfy the requirements of Village Code Sec. 745-22(E).

(a) CAPP's application is consistent with the spirit and intent of the Village's zoning code, is in conformity with the general character of the Village and will not be contrary to the general welfare and economic prosperity of the Village or the immediate neighborhood. To comply with Wis. Stat. sec. 62.23(7)(de)((2)(b) and avoid being "unconstitutionally vague," as in the legislatively-overturned *AllEnergy* case, this provision must be interpreted to be "reasonable and, to the extent practicable, measurable." In other words, this provision must be tied to some reasonable, measurable standard to be given effect.

As Wis. Stat. sec. 66.1001(3) requires zoning ordinances to be consistent with comprehensive plans, compliance with the Village's comprehensive plan evidences compliance with the Village's zoning code. As outlined at Tab 7 of our January 26 submittal, the Village Comprehensive Plan dated June 2021 prioritizes cultural and historic resources, specifically naming the Property as worthy of preservation and protection. From the Village Comprehensive Plan:

- On page 24, "Fox Point's exceptional quality of life can be attributed partly to the presence and condition of the Village's natural and cultural resources...preservation of cultural and historic resources are fundamental to maintaining this quality of life...cultural resources include historic structures...Historic resources include the historic homes and sites listed in the National Register of Historic Places."

- On page 29, the 5th Natural and Cultural Resources Goal is to "encourage and promote awareness of the National Register of Historic Places to local residents."

- On page 52, the 1st Land Use Goal is to "continue to support current land uses in the Village..." The Property and structures on the Property pre-date the Village's 1926 incorporation thus qualifying as current land uses to be supported.

- On page 99, "78% of respondents [to the Village's online survey] agree the Village should make efforts to preserve and protect historic assets."

- On page 115, the Mary Nohl Art Environment is cited as one of only three sites listed on both the National and the State of Wisconsin Registers of Historic Places. Notably,

Chipstone, the only other Village property with a Cultural Overlay, is not listed on either Register.

In addition to the Property's cultural and historic significance, JMKAC and the Property in particular provide significant benefits to the Fox-Point Bayside School District, as outlined at Tab 9 of our January 26 submittal. And, as one of the significant modifications to its initial submittal, CAPP also is committing to make payments in lieu of taxes to the Village in the amount of both the Village's and the School District's share of taxes if the Cultural Overlay is approved. In other words, the Cultural Overlay would secure enhancements to the Village and neighborhood's general welfare and economic prosperity.

(b) CAPP's application is economically sound with adequate arrangements to reasonably assure continued maintenance of the Property. The significant investment in, and high-quality stewardship of, the Property by CAPP and its tenant affiliate John Michael Kohler Arts Center, Inc. ("JMKAC") are readily apparent. General information from JMKAC's Form 990 is available at: www.guidestar.org to confirm the financial stability of that organization and its ability to continue to invest in and maintain the Property. Even opponents have complimented JMKAC's maintenance and preservation efforts at the Property.

(c) CAPP's application will not (i) cause material depreciation in property values in the immediate neighborhood, nor (ii) materially adversely affect the use and enjoyment of property in the immediate neighborhood.

- A chart summarizing how property values in the immediate neighborhood have remained stable or appreciated since JMKAC acquired the Mary Nohl home was included with our December 7, 2022 application.

- A chart summarizing how property values in the Chipstone neighborhood have remained stable or appreciated since Chipstone's Cultural Overlay was approved in 1988 was included with our January 26, 2023 supplement.

- On January 30, 2023, we also submitted the opinion of Kevin Dumman, an MAI-designated professional appraiser with over 30 years' experience. Dumman opined that adopting the Cultural Overlay requested by CAPP would not cause material depreciation in property values in the immediate neighborhood or adversely affect the use or enjoyment of neighboring properties. In fact, Dumman concluded that imposing the restrictions contemplated in our application would reduce traffic, improve privacy, reduce noise and improve aesthetics.

(d) Setbacks will be maintained along any boundary street of the project area as required by the A-1 Residence District. As shown on the site plans submitted, more

than 20 foot setbacks will be maintained for all buildings on the Property consistent with Village Code Sec. 745-13(B)(3) and (4).

(e) No building will be closer to the side or rear boundary line of the project area than required by the applicable side or rear yard requirements of the A-1 Residence District. As shown on the site plans submitted, the 30 foot front yard setback required under Village Code Sec. 745-13(B)(2) will be maintained.

(f) No building shall exceed the height limitation of the A-1 Residence District. While Village Code Sec. 745-13(B)(6) allows a single family residence in the A-1 Residence District to be up to 40 feet in height (55 feet in height with a special exception from the Board of Appeals), as shown on the elevations at Tab 2 of our January 26 submittal, the auxiliary building that CAPP proposes to construct would be less than 30 feet in height. Generally, the development proposed by CAPP *with* the Cultural Overlay is much less intense than development allowed under the A-1 Residence District *without* any Cultural Overlay.

(g) The project will not create traffic beyond the capacity of the street system to reasonably serve it and there will be adequate off-street parking based upon the need generated by the proposed project. In our January 26 submittal, we included at Tab 6 a traffic analysis by a senior traffic engineer at Traffic Analysis and Design, Inc. ("TADI") (the same traffic engineers that the Village and many other municipalities often retain).

- Applying industry standards, TADI concluded that, if the two lots on the Property were used as single family homes, they would generate an average of 19 trips during a typical weekday.

- TADI also concluded that traffic generated under CAPP's Cultural Overlay proposal would be about 23 trips on a typical weekday.

- In other words, use of the Property consistent with CAPP's Cultural Overlay would generate an average of 4 more trips during a weekday than two single family homes would generate. No reasonable person could suggest that an average of 4 more trips in an entire day would create traffic beyond the capacity of Beach Drive. TADI also concluded that the proposed site plan provides adequate off-street parking.

- TADI summarized: "[P]eak hour trips generated by typical use of the site with the JMKAC cultural overlay proposal are relatively low, are not expected to impact traffic operations on Beach Drive/Beach Court. During the AM and PM peak hours, there is not expected to be any difference in trips than if two single-family residences were occupied on the site instead. The JMKAC cultural overlay proposal will not create traffic beyond the capacity of the street system to reasonably service it and there will be adequate off-street parking based on the need generated by the proposal."

(h) Care and maintenance of the grounds and buildings will be assured by an appropriate management organization. As noted in paragraph (b) above, CAPP and JMKAC have adequately cared for and maintained the Property, and no opponents have suggested that CAPP and JMKAC are incapable of continuing to do so.

3. Even If CAPP's Cultural Overlay Were Reviewed as a Rezoning, the Village Still Should Approve It.

Mr. Wirth asserts, incorrectly, that reviewing CAPP's Cultural Overlay proposal is a legislative act and that the Village Board has nearly unfettered discretion to reject it. For all of the reasons set forth above, the plain language of the Village's Code and Wisconsin Statutes shows the Village's Cultural Overlay is a special zoning permission subject to the strict standards which CAPP has met. To find to the contrary would render Village Code Sec. 745-22 (especially as applied to a site listed on both the National and State Registers) nearly meaningless. If, however, CAPP's Cultural Overlay application were evaluated as a legislative act, it still would be entitled to approval under applicable rezoning standards.

(a) Rezonings must pass constitutional muster. Zoning ordinances must satisfy constitutional requirements; zoning ordinances are unconstitutional when "provisions are clearly arbitrary and unreasonable having no substantial relation to the public health, safety, morals or general welfare." *Town of Rhine v. Bizzell,* 311 Wis.2d 1 (2008) (quoting *Village of Euclid v. Ambler Realty Co.,* 47 S. Ct. 114 (1926)). Rezoning decisions will be overturned if "arbitrary, oppressive, or unreasonable, representing an act of will instead of judgment." *Eternalist Foundation, Inc., v. City of Platteville,* 225 Wis. 2d 759, 776 (1999).

Treating similarly situated applicants differently "for no rational reason" violates substantive due process and equal protection. *Eternalist,* 225 Wis. 2d at 780.

Leading legal commentators and courts in other jurisdictions recognize rezoning as more of an act of policy application to a specific small land area, rather than an act of policy for an entire community. The trend is to reclassify rezonings as administrative or quasi-judicial decisions subject to more exacting review standards. 3 Rathkopf's The Law of Zoning and Planning Sec. 40:6 (4th ed.); *Pearson v. City of Grand Blanc,* 961 F.2d 1211, 1221-23 (6th Cir. 1992). Similarly, Wisconsin courts recognize rezoning a single parcel as "a fact-intensive, individualized determination..." *Miller v. Zoning Board of Appeals of Village of Lyndon Station,* 404 Wis.2d 539, 555 (2022).

Wis. Stat. Sec. 66.1001(3) also requires that zoning comply with the municipality's comprehensive plan.

(b) Rejecting CAPP's cultural overlay application would be arbitrary and unreasonable. Here, the Village's comprehensive plan recognizes cultural and historical

resources as fundamental to quality of life and seeks to preserve and raise awareness of properties listed on the National Register of Historic Places. The Property is one of only three Village properties listed on the National and State Registers. The Village previously approved a Cultural Overlay for Chipstone, a cultural resource not listed on the National or State Registers and located in the same residential neighborhood. There is no evidence that Chipstone's cultural overlay has triggered the parade of horribles that opponents allege CAPP's Cultural Overlay will set off. To deny a Cultural Overlay for the Property, when a Cultural Overlay was previously granted for Chipstone, would violate CAPP's rights to substantive due process and equal protection.

Even setting aside the Chipstone precedent, denying CAPP's Cultural Overlay proposal has no substantive relationship to the public health, safety, morals or general welfare. No evidence (other than personal preference or supposition) has been presented that land use at the Property under CAPP's proposed Cultural Overlay will differ materially from the land use if the Property were used as two single family residences. There is no evidence of depreciating property values; no evidence of noticeably increased traffic; and no evidence of significant increased intensity of use compared to two single family residences. As Dumman concluded in his appraiser's opinion, imposing the restrictions contemplated in CAPP's Cultural Overlay application actually reduces traffic, improves privacy, reduces noise and improves aesthetics to benefit the general health and welfare. In other words, considering the similarities in the actual uses of the Property under CAPP's Cultural Overlay proposal relative to two single family residences, denying the Cultural Overlay would have no relation to public health, safety, morals or general welfare, rendering such a denial arbitrary and unreasonable.

Since CAPP's Cultural Overlay proposal meets or exceeds all standards under Village Code Sec. 745-22 and Wis. Stat. Sec. 62.23(7)(de) and since it advances the general welfare and spirit and intent of the Village's code and comprehensive plan, it should be approved.

Yours very truly,

Deborah C. Tomczyk

48810119

cc Mr. Scott Botcher (via email)
Ms. Amy Horst (via email)
Mr. Steve Woods (via email)

March 1, 2023

SENT BY EMAIL TO:
SBOTCHER@VILLAGEOFFOXPOINT.COM

Scott Botcher, Village Manager
Village of Fox Point
7200 North Santa Monica Boulevard
Fox Point, WI 53217

Dear Mr. Botcher: Re: Mary Nohl Cultural Overlay

As you know, Reinhart Boerner Van Deuren, s.c. represents Creation and Preservation Partners, Inc. (the "Applicant"), the owner of the property at 7254 and 7328 North Beach Drive (the "Property"), and Mallery s.c. represents Save the Beach Drive Neighborhood (collectively, "Neighbors"), 56 residents residing in 30 homes proximate to the Property who authorized five residents to negotiate an agreement on behalf of Neighbors. Village of Fox Point officials have received voluminous information from our respective clients regarding the Applicant's request for a Cultural Overlay District for the Property and Neighbors' opposition to that request.

Today, the lawyers join in this letter, on behalf of our respective clients. This letter confirms that, after significant back and forth and compromise from both parties, our clients have come together to endorse the terms of the attached Agreement and Deed Restriction ("Agreement").

The Agreement is the culmination of several weeks of work. The Applicant and Neighbors engaged in substantial give-and-take and made significant concessions. The terms of the enclosed Agreement are substantially similar to an earlier version of the Agreement submitted on behalf of the Neighbors and a revised written statement submitted by the Applicant on February 20, 2023, but this Agreement reflects the parties' further compromise over the last 10 days. Neither party is entirely happy with the terms of the Agreement—which is often the result of two opposing parties finding middle ground.

We fully recognize that Village officials are not bound by our collective efforts and, in no way, do we pre-suppose any outcome. However, our clients respectively request Village Plan Commissioners and Trustees to weigh heavily our joint appeal that the Cultural Overlay District and the Agreement be adopted together. Some individual residents who are among the Neighbors oppose certain provisions of the Agreement; however, collectively through the designated representatives, the Agreement has been endorsed by Neighbors. The Applicant understands that the Neighbors are reluctantly withdrawing their collective objections to the

Cultural Overlay District for the Property (recognizing that there are still opponents) only on the conditions that the Applicant honors the terms of the Agreement and that the Village substantially adopts the Agreement as the contract/deed restrictions required under Village Code sec. 745-22G. And, the Applicant and the Neighbors all prefer a streamlined approval process over a prolonged series of public meetings which will exacerbate divisiveness and delay the healing process to which all parties are committed.

Please do not hesitate to contact either of us with questions or concerns.

Yours very truly,

Deborah C. Tomczyk

John M. Wirth

48965313

Enc.

Document Number Name and Return Address Village of Fox Point Attn: Village Clerk 7200 N. Santa Monica Blvd. Fox Point, WI 53217	AGREEMENT AND DEED RESTRICTION (Mary Nohl House)	
0959968000 and 0959966000 Parcel Identification Number (PIN)		Recording Area

THIS AGREEMENT AND DEED RESTRICTION ("Agreement") is made as of _____, 2023 between the VILLAGE OF FOX POINT, a Wisconsin municipal corporation (the "Village"), and CREATION AND PRESERVATION PARTNERS, INC., a Wisconsin non-stock corporation ("Owner").

RECITALS

A. Owner owns the real property commonly known as 7254 and 7328 North Beach Drive, Fox Point (the "Property"). The legal description for the Property is set forth on the attached Exhibit A.

B. Pursuant to Village Ordinance _____, Owner has applied for, and the Village Board of Trustees (the "Village Board") has granted, Owner's application (a) to rezone the Property to Cultural Overlay District, as described in Section 745-22 of the Village's Code of Ordinances (the "Code"); and (b) to conditionally approve use of the Property as a museum, as described in Section 745-22A(2)(b) of the Code, subject to the terms and conditions of this Agreement.

C. Owner and the Village enter into this Agreement pursuant to Section 745-22G of the Code.

D. This Agreement takes into account both (1) the residential character of the neighborhood surrounding the Property and (2) Owner's intent to preserve and protect the house on the property at 7328 North Beach Road (the "Mary Nohl House") and the art displayed on the Property (the "Collection") and to use the Property for the low impact uses described in this Agreement.

AGREEMENTS

In consideration of the foregoing, Owner and the Village agree:

1. Residential Uses. As used in this Section, a "Primary Resident" means an artist-in-residence or caretaker of the Mary Nohl House and/or Collection. No more than two Primary Residents, or one Primary Resident and his or her family (in either instance, the "Residents"), may reside at the Property at any time. Residents may use the Property for all residential purposes allowed under the Code and applicable law, and pursuant to any additional rules and regulations promulgated by Owner. Personal guests of the Residents (other than family members and overnight guests) shall be subject to the numeric limitations for General Visitors, as described below, but not the time limits. Notwithstanding the foregoing, the Village acknowledges that there may be periods when no Residents reside at the Property.

2. Not Open to Public. Subject to the terms of this Agreement, at no time shall the Mary Nohl House or the Property be open to the public.

3. Larger Groups Directed to the Art Preserve. The Property's primary purpose is to preserve and protect the Mary Nohl House and the Collection now and into the future. Excessive traffic and visits to the Property would frustrate this purpose and threaten the Mary Nohl House, the Collection, and the Property's "artist-built environment." Accordingly, Owner and John Michael Kohler Arts Center, Inc. ("JMKAC") have determined that larger groups interested in Mary Nohl's art will be encouraged to visit JMKAC's Art Preserve in Sheboygan, Wisconsin; therefore, the use of the Property is strictly limited as described in this Agreement.

4. Invited Visitors. Visitors to the Property shall be limited as follows:

(a) General Visitors. Owner may allow the following people at the Property (each being a "General Visitor"): art scholars, teachers, students, admirers, supporters, donors and personnel working on the Mary Nohl House and/or the Collection including, but not limited to college professors, graduate and undergraduate students, school children, curators, artists, writers, museum personnel, collectors, donors and others with affiliation and/or interest. No more than ten (10) General Visitors may be at the Property at any time, and no more than 20 General Visitors shall be allowed at the Property on any day.

(b) Village Residents. At all times when the Property is open for General Visitors, but subject to the prior scheduling of any other visits described in this Agreement, ten (10) advance reservations per week will be held for residents of the Village and their guests. Any Village resident may use up to four (4) available reservations in any one week (not more than 20 available reservations in any one year) by sending an email to _____ at least 30 days in advance. Any advance reservations not timely requested by Village residents may be used by other General Visitors consistent with this Agreement.

(c) School Groups. Owner may allow groups of students (each being a "School Group") from local primary, intermediate and secondary schools to visit the Mary Nohl House and

view the Collection provided that no more than two School Group visits may occur per month. Visits by School Groups shall be free of charge. A School Group, including students, teachers and chaperones, shall not exceed 30 people, provided that School Groups from primary or intermediate age students shall be limited to not more than 20 people before the Auxiliary Building is built.

(d) Business Meetings. Owner may hold or allow up to one meeting per month at the Property of up to 30 people (each a "Business Meeting") for the boards of directors, staff and/or employees of Owner and/or JMKAC, provided that up to a single vehicle (not to exceed a 12-person vehicle) of paid personnel may meet more regularly at the Property, subject to the time limits for General Visitors set forth in (h) below, and such meetings of paid personnel shall not constitute a "Business Meeting."

(e) Special Events. Subject to the Village's approval as described, Owner and/or JMKAC may hold up to two special events (each a "Special Event") at the Property each calendar year. No Special Event shall exceed 60 people (including catering staff and other service providers who remain on site during the Special Event). Special Events may include, without limitation, fundraisers to secure funding needed to maintain and care for the Property and the Collection, educational symposiums to examine the Collection and other works of art created by Mary Nohl, community events to engage with invited visitors in constructive, positive ways, or for any other purposes consistent with the goals and purposes of Owner and/or JMKAC for the Mary Nohl House and the Collection. Special Events shall not include weddings, corporate events or similar for-profit events for individuals unrelated to Owner or JMKAC. At least 30 days before Owner desires approval of a Special Event, Owner or its designee shall deliver to the Village a Special Event proposal (an "Event Proposal") in the form attached as Exhibit B. The Village shall review and in its reasonable discretion approve or deny such Event Proposal within 10 days following receipt of the Event Proposal.

(f) Exceptions. The following visitors shall not be subject to the numeric limits described in this Agreement: (i) building contractors, subcontractors and materials suppliers in connection with any construction, repair and replacement of improvements allowed pursuant to this Agreement; (ii) plumbers, electricians and similar tradespeople visiting the Property to work on building systems, utilities, structural issues, and other repairs and replacements; (iii) delivery people while delivering packages to the Property; (iv) mail and courier delivery people while delivering to the Property; (v) police, fire, ambulance and other safety personnel; and (vi) building inspectors.

(g) Frequency; No Simultaneous Uses.

(i) General Visitors shall not be present at the time of any School Group visit, Business Meeting or Special Event.

(ii) Only one School Group visit, Business Meeting or Special Event shall occur on any day.

(iii) At least four days per week, no General Visitors, School Groups, Business Meeting participants and Special Event participants shall be on the Property.

(h) Hours. Hours during which the Property may be used by General Visitors, School Groups, Business Meeting participants and Special Event participants on the three days per week on which they are allowed shall be limited to the following hours:

Day	General Visitors	Business Meetings & School Groups	Special Events
Monday	9:00 am – 9:00 pm	9:00 am – 7:00 pm	9:00 am – 9:00 pm
Tuesday	9:00 am – 9:00 pm	9:00 am – 7:00 pm	9:00 am – 9:00 pm
Wednesday	9:00 am – 9:00 pm	9:00 am – 7:00 pm	9:00 am – 9:00 pm
Thursday	9:00 am – 9:00 pm	9:00 am – 7:00 pm	9:00 am – 9:00 pm
Friday	9:00 am – 10:00 pm	9:00 am – 7:00 pm	9:00 am – 11:00 pm
Saturday	until 10:00 pm	until 7:00 pm	until 11:00 pm
Sunday	until 9:00 pm	until 7:00 pm	until 9:00 pm

.

In addition to the foregoing, no General Visitors, School Groups, Business Meeting participants or Special Event participants shall arrive at or depart from the Property during the hours of 4:00-6:00 p.m. on weekdays.

5. Parking and Driveway Restrictions. To comply with the Code and to avoid, to the extent possible, managing the number of vehicles present in the vicinity of the Property, visitor parking shall be limited to the parking pad area on the Property depicted on the attached Exhibit C. Notwithstanding the foregoing, the new driveway described in Section 7(b), including its shoulders, may be used for parking during Special Events. No street parking shall be allowed and, despite the Village's Code that allows requests for street parking for special events, Owner shall not request street parking on Beach Drive or Beach Court. Owner shall be responsible for ensuring that its employees, visitors and guests do not park on Beach Drive or Beach Court. To the extent that additional parking is required by visitors to the Property, shuttle services will be used to transport visitors to and from the Property. No buses (which accommodate 20 or more passengers at any one time) shall be allowed on the Property. All shuttles and allowed smaller buses, when not in use, shall park in the designated parking area on the Property or legally offsite.

6. Noise Restrictions. In addition to any applicable provisions of the Code adopted from time-to-time, noise, music and sound amplifying devices used on the Property (e.g., microphones) shall at all times be kept at conversational levels and shall not be audible at the external property lines of the Property after 10:00 p.m. on Friday or Saturday or 8:00 p.m. on any other day.

7. Required Improvements and Landscaping. On or before September 1, 2026:

(a) Owner shall close the existing driveway to the Mary Nohl House for all but vehicles servicing the Mary Nohl House and/or the Collection.

(b) Owner shall construct a gated driveway and parking on the Property as shown on the attached Exhibit C. As set forth on Exhibit C, Owner has moved the new Beach Drive driveway as far east as reasonably possible without damaging the Collection in any way and has angled such driveway northeasterly as it reaches Beach Drive. Such driveway is designed to keep headlights from shining into the home on the property located at 7320 North Beach Drive ("7320 NBD"). The west edge of the driveway will be as far as possible from the east edge of the driveway at 7320 NBD without damaging the Collection, an existing fountain and buried pets and their headstones (estimated to be 78 feet but subject to confirmation by a licensed surveyor). If after construction the Village determines that headlights shine into the windows of the home at 7320 NBD, the Village may require Owner to install additional landscaping on the Property and/or on 7320 NBD to shield that home from the lights. The owner of 7320 NBD may decline to allow any additional landscaping on such owner's property if such owner does not like the location or type of landscaping required by the Village. The new driveway shall not exceed 14 feet in width. To avoid traffic back-ups, gates shall be constructed in a manner that allows stacking of at least two vehicles on the Property and so that gates will automatically open without a person in a vehicle having to exit the vehicle. Owner shall ensure that allowed visitors are able to access the Property without backing up traffic onto Beach Drive. The gates shall be kept in good condition and repair and shall be replaced from time to time as necessary.

(c) The parking area shown on Exhibit C shall be screened with vegetation so that, at maturity of such vegetation, the parking area is not visible from any public street. Any trees planted shall have an initial caliper of no less than two inches at a height of three-and-one-half feet and a height of at least seven feet. Such vegetation shall be maintained and replaced as necessary to maintain such screening.

(d) Owner shall plant additional vegetation along Beach Drive to further screen the Mary Nohl House from public view but not endangering the Collection in any way and except as recommended by Village Police. Any trees planted shall have an initial caliper of no less than two inches at a height of three-and-one-half feet and a height of at least seven feet. Such vegetation shall be maintained and replaced as necessary to maintain such screening.

(e) The existing chain link perimeter fencing shall be replaced with a more decorative fence, the location and aesthetics of which shall be subject to approval of the Building Board, but which location and height may be the same as the existing fencing (or as otherwise approved by the Building Board) subject to the stacking requirements of this Agreement at driveway entrances. Such fence shall be kept in good condition and repair and shall be replaced from time to time as necessary.

(f) A motion activated light, and camera directed at the Beach Drive turnaround will be installed.

Each of the foregoing shall be subject to all necessary zoning approvals and any required building permits. No School Group visits or Special Events that would exceed the number of General Visitors allowed on the Property shall be held at the Property until these improvements are completed.

8. No Signage. No signs shall be installed on the Property except as approved by the Village staff for safety or security purposes or to implement the terms of this Agreement. Despite the Village Code that allows requests for signage, Owner shall not request approval of any advertising, property name or similar signs.

9. Portable Toilets. Portable toilets shall not be used on the Property except by contractors for the limited duration of construction or any major conservation activity and then shall be screened from roadways and adjacent properties.

10. Laws. Owner shall comply with all federal, state, county and local rules, codes, ordinances and regulations in the construction, operation and maintenance of the Property.

11. Building and Fire Inspection. Owner is required to keep the Property in compliance with all applicable federal, state and local laws, statutes, codes, ordinances, policies and guidelines as determined by the Building Inspector of the Village and Fire Inspectors of the North Shore Fire Department and, upon reasonable notice, to grant the Village's Building Inspector and the Fire Inspectors of the North Shore Fire Department access to the Property for the purpose of inspection.

12. Aesthetics and Maintenance. Owner is required to properly maintain the Property at all times and in full compliance with the Code and to seek all approvals required under the Code.

13. Other Future Improvements.

(a) The footprint of the Mary Nohl House is to be maintained as it is, with limited improvements and structural changes to the building.

(b) Owner has indicated that it might want to develop an additional building of not more than 3,000 square feet (the "Auxiliary Building") in the future on the Property that may include one or two dwelling units that may be used primarily as the residences and workspaces of the Residents. The Auxiliary Building shall not increase the levels of visitors but, instead, shall help ensure the preservation of the Mary Nohl House and the Collection. An Auxiliary Building generally consistent with the floor plan attached hereto as Exhibit D (not more than 3,000 square feet in area and consisting of two bedrooms, two bathrooms, a living room, kitchen and a studio/work space with kitchenette) may be constructed on the Property subject to Building Board approval as to location and aesthetics. If the Auxiliary Building when proposed will exceed 3,000 square feet in size or have a materially different floor plan, the Auxiliary Building shall constitute a material amendment or change as described in Section 745-22H of the Code. No School Group visits that would exceed the number of General Visitors allowed on the Property shall be held at the Property until the Auxiliary Building is completed. Similarly, no Special Event that exceeds 20 people on site at any one time shall be held at the Property until the Auxiliary Building is completed.

(c) A small storage shed, not to exceed 15 feet by 15 feet, may be constructed on the Property subject to Building Board approval as to location and aesthetics. Any such storage

shed shall contain architectural details consistent with, and shall be harmonious with, the Mary Nohl House.

(d) Any other structures on the Property are not approved by this Agreement and would constitute a material amendment or change as described in Section 745-22H of the Code.

14. PILOT Payment. As of the date of this Agreement, the Property is not tax exempt, but the Property is eligible for property tax exemption. As a condition of rezoning, Owner has offered to pay to the Village a payment in lieu of taxes. This offer was material to the Village's approval of the rezoning. As such, the following terms and conditions shall apply:

(a) Services.

(i) Services Typically Covered by Property Tax. The Village agrees to continue to furnish governmental services and benefits to the Property of the same type, and to the extent, as are furnished from time to time, without cost or charge (except by means of property tax and authorized fees and charges), to other similarly situated projects in the Village. Nothing in this Agreement shall be construed to give Owner or its successors and assigns a contractual right to specific governmental services, or to impose upon the Village any additional duties, it being the parties' intent that the Village provide public services to the Property subject to the same terms and conditions as apply to properties owned by citizens or the public generally. Moreover, Owner intends to have people live on site, making the use of schools and the technical college possible. Such services and benefits include but are not limited by specific enumeration in this Section, those typically covered by the property tax such as fire and police protection, and on public streets, snow removal, and street lighting, and use of the schools and technical college. The Village shall not have breached its obligations under this Agreement if it is prevented from providing benefits and/or services to the Property because of force majeure (e.g. war, flood, fire, labor dispute, supply shortage, act of God, natural disaster, disease, a pandemic, etc.), budgetary constraints, changes in services typically provided in the Village or other taxing authorities or because any person or entity shall assert a right which prevents delivery of such benefits and/or services.

(ii) Special Assessments; Special Charges and Fees. Notwithstanding paragraph (a)(i), or any future property tax exempt status of the Property, Owner understands that the Property will be subject to applicable special assessments, special charges, and special taxes as defined in Section 74.01 of the Wisconsin Statutes (and as also referred to in Wisconsin Statutes Chapter 66) and fees charged by the Village in the same manner that such special assessments, special charges, special taxes, and fees are charged for similar services and/or undertakings to residential development and property within the Village. This provision shall not affect the Village's powers, consistent with the law, to determine the services and benefits (other than those typically covered by the property tax) that shall be provided to the Property and/or similarly situated properties pursuant to this paragraph (a)(ii). Nothing contained in this paragraph shall preclude Owner or its successors and assigns from appealing, as provided by law, the imposition of such special assessments, special charges, special taxes, or fees by the Village.

(b) PILOT Payments.

(i) Calculations. The parties have determined that the Property will be receiving benefits equal to the amount that would be levied as the annual general property tax upon the real and personal property were it not exempt from taxation. In recognition of those services and benefits covered by paragraph (a)(i) of this Section, beginning in the year the Property or any portion of the Property becomes exempt from property tax, and so long as the Property or any portion of the Property continues to be exempt, in whole or in part, under Section 70.11 of the Wisconsin Statutes ("Section 70.11"), or other statutory provision, Owner or its successors and assigns shall pay the Village an annual partial PILOT Payment for the Property or the portion of the Property which is exempt for each calendar year; provided, however, that the foregoing shall not apply with respect to any portion of the Property that becomes exempt by virtue of a conveyance to the Village. The method to be used in determining the PILOT shall be the Value for that tax year times the Village and School District Tax Rates only for the tax year. "Value" means the Village's Assessor's determination of the fair market value of the tax-exempt portion(s) of the Property on January 1 of each tax year. "Village and School District Tax Rate" means the net rate for the share of taxes due only to the Village and the Fox Point/Bayside/Nicolet School District and not the rate for any other taxing bodies reflected on the Village's tax bills from time to time specifically excluding the rate imposed by Milwaukee County, MATC or MMSD.

(ii) Payment Due Date. PILOT Payments for the year in which the Property or a portion thereof becomes exempt and subsequent years shall be due and payable: (1) in full on or before January 31 of the year following the calendar year for which the PILOT Payment was calculated; or (2) if Owner or its successor(s) or assign(s) elects to pay in installments, according to the following schedule: one-tenth of the PILOT Payment by the last day of each month for the first 10 months in the year following the calendar year for which the particular PILOT Payment was calculated. Owner or its successor(s) or assign(s) shall be deemed to have elected to pay the PILOT Payment in installments by making the first full installment payment on or before January 31 in the respective year in which the PILOT Payment is due.

(iii) Use. The Village and other taxing authorities may use and expend PILOT Payments under this Agreement in such manner and for such purposes as the Village desires.

(iv) Mandatory Payment for Services to Offset PILOT Payment. Notwithstanding anything herein to the contrary, if the State of Wisconsin enacts a mandatory payment for municipal services to be paid by owners of property exempt from general property tax or similarly situated owners of exempt property, PILOT Payments shall be reduced dollar for dollar by any such mandatory payment paid by Owner or its successors or assigns to the Village.

(c) Exempt Status. Nothing in this Agreement shall be construed as granting tax-exempt status to Owner or the Property. If Owner qualifies for tax-exempt status under Wisconsin law, it is Owner's obligation to apply for tax-exempt status. At such time that Owner is granted tax exempt status pursuant to Section 70.11, or other statutory provision, Owner shall

then make PILOT Payments pursuant to this Agreement. No PILOT Payment under this Agreement is due from Owner until such time that all or any part of the Property is deemed to be exempt from payment of property taxes pursuant to Section 70.11, or other statutory provision. The Village Assessor's Office may review the Property's exempt status under Section 70.11, or other applicable statutory provision, from time to time with the respective January 1 dates being the reference dates for those exemption reviews. If the Village, as a result of those reviews or otherwise, determines that all or any portion of the Property no longer qualifies (or does not qualify) for exemption from property tax: (1) the Village will provide notice of such determination to Owner or its successor(s) or assign(s); (2) this Agreement shall be suspended with respect to any years and, if applicable, with respect to any portions of the Property for which exemption no longer applies; (3) if PILOT Payments have been erroneously made for such tax years, Village shall promptly refund such PILOT Payments, or, at the option of the Village, offset such PILOT Payments against any property taxes due, or to become due, from Owner or its successor(s) or assign(s), in which case the Village will treat such offset as having been made under protest; and (4) the Property, or any portion of the Property which does not qualify for exemption, shall be placed on the property tax rolls for all years for which whole or partial exemption has been determined not to apply. If Owner or its successor(s) or assign(s) disagree with the Village's determination that the Property or any part of the Property no longer qualifies for tax exemption, Owner or its successor(s) or assign(s) may challenge such determination by following the procedure set forth in Section 74.35 of the Wisconsin Statutes or as otherwise provided by law. Notwithstanding any contrary provision of this Agreement, Owner acknowledges that it is or may be bound by the reporting requirement, in the Section 70.11 preamble, and that under Wis. Section 70.109 of the Wisconsin Statutes: exemptions are strictly construed; it is presumed that property is taxable; and the burden is on the person claiming exemption. Owner, on its behalf and that of its successors and assigns, also acknowledges that if it leases, or otherwise allows another person to use and/or occupy all or a portion of the Property, such use may affect the Property's exempt status. See, e.g., the preamble of Section 70.11, Wis. Stat. § 70.1105, and *Deutsches Land, Inc. v. Village of Glendale*, 225 Wis. 2d 70, 591 N.W.2d 583 (1999). For example, if Owner is exempt but only uses and occupies 90% of the Property for exempt purposes and leases the other 10% of the Property to a for-profit, nonexempt entity, and if the assessor applies a square footage, taxed in part analysis, the Property is to be taxed on a 10% basis and exempt on a 90% basis and the PILOT Payment would be paid on the 90% portion.

(d) Successors and Assigns. The terms and conditions of this Section shall inure to the benefit of and bind Owner, the Village and their respective successors and assigns.

(e) Term. This PILOT Agreement shall remain in effect in perpetuity absent the occurrence of any of the following potential termination condition(s) event(s). This Agreement shall terminate effective on the December 31 of the year immediately prior to the year during which the Village Assessor concludes that as of or prior to the determination date any of the following events has occurred: (i) enactment by the State of Wisconsin of a mandatory payment for municipal services by owners of property exempt from the general property tax or similarly situated owners of exempt property; and/or (ii) repeal by the State of Wisconsin of the property tax exemption for the Property and other similarly situated property.

15. Amendments. Compliance with this Agreement is required at all times. Except as provided below, no amendment to this Agreement shall be effective unless a written agreement is signed by both Owner and the Village. A request by Owner for an amendment shall first be submitted for approval to the Plan Commission, and if in the Commission's opinion such change or addition is not substantial, it may recommend approval to the Village Board; however, changes to Section 4 of this Agreement shall be deemed substantial. If an amendment is determined to be substantial, or if the Village Board determines in its discretion that a public hearing is advisable, a public hearing shall be held prior to affirmative action by the Village Board on such recommendation.

16. Enforcement; Change in Circumstances.

(a) Certificate of Compliance. On or before the last day of February of each year, so long as this Agreement is in effect, Owner, by one of its duly authorized officers or representatives, shall file with the Village a certificate, in such form as shall be reasonably satisfactory to the Village, certifying that such representative has reviewed the provisions of this Agreement and that all obligations and duties of the Owner imposed by this Agreement are then being performed and complied with, or, if not, specifying any items of noncompliance.

(b) Inspections. The Village, by its duly authorized representatives, shall have the right with prior notice to enter upon and inspect the Property at reasonable times for the purpose of assuring continued compliance of Owner of the Property with this Agreement and for the purpose· of determining compliance with applicable public health, safety and building code ordinances, rules and requirements. The presence of one or more such representatives on the Property for this purpose shall not be counted toward the daily limits on the number of people visiting the Property as set forth above.

(c) Remedies. In addition to other enforcement powers allowed under the Code and applicable law, including the right to assess fines and forfeitures and to seek injunctive relief, the Village shall have the following rights and remedies:

(i) The Village Board, after public hearing, may modify the permissible uses described in this Agreement under the following circumstances:

[1] If Owner's use does not conform with the conditions of this Agreement or the conditional use permit; or

[2] If there is a substantial change in the nature, character, extent or intensity of the use of the Property which causes the uses approved in this Agreement to be a substantial change under Section 745-22H of the Code.

(ii) If Owner breaches this Agreement, the Village Board may provide written notice outlining the breach in detail. If the breach is not remedied within 60 days (or such longer time as may reasonably be required), the Village Board may hold a public hearing to

determine whether a material breach exists and whether a remedy is reasonable. If the Village Board finds that a material breach exists and cannot reasonably be remedied, or if the Village Board determines that the breach was willful or that there has been a pattern of breaches, the Village Board may terminate the conditional use permit and the rights described in this Agreement.

(d) Discontinuance of Use of the Property as a Museum. Nothing in this Agreement shall be deemed to require the continued operation of the Property as a museum; provided, however, that if the museum ceases operating as a museum for 60 days or more, or upon the substantial destruction of the Mary Nohl House and/or the Collection such that the Property is no longer reasonably deemed an "artist-built environment.", this Agreement may be terminated by Owner upon 30 days' written notice to the Village or by the Village Board after public hearing.

17. Other Properties. Owner has represented to the Village that it will not in the future apply to rezone or for a conditional use grant for any adjacent or surrounding properties. This representation was a material inducement to the Village to enter into this Agreement.

18. Miscellaneous Provisions.

(a) No promise, inducement or agreement not expressed in this Agreement regarding the use of the Property has been made by the Village to Owner or by the Owner to the Village except as described in this Agreement and the ordinance amending the zoning for the Property and the conditional use permit. This Agreement contains the entire agreement between the parties regarding such use. All prior discussions, oral or written, are merged into this Agreement.

(b) This Agreement binds and inures to the benefit of Owner, the Village and their respective assigns, legal representatives, and successors in interest. This Agreement runs with the land and any subsequent owner of the Property shall be deemed the Owner. Notwithstanding the foregoing, Owner may not transfer its rights and obligations under this Agreement without the prior written consent of the Village. Such written consent shall be approved by the Village Board after a public hearing.

(c) This Agreement has been, and shall be, construed to have been drafted by both the Village and Owner so that the rule of construing ambiguities against the drafter shall have no force and effect.

(d) If any material provision of this Agreement is held to be invalid by any court, the entirety of the conditional use grant and this Agreement shall be null and void.

(e) This Agreement shall in all respects be interpreted, enforced and governed under the internal laws of the State of Wisconsin. All disputes under this Agreement shall be filed with and heard by the Circuit Court for Milwaukee County, Wisconsin.

[SIGNATURE PAGES ATTACHED]

VILLAGE OF FOX POINT
SIGNATURE PAGE TO
AGREEMENT AND DEED RESTRICTION

VILLAGE OF FOX POINT

By: _____
Name: _____
Title: _____

Attest: _____
Name: _____
Title: _____

STATE OF WISCONSIN)
) ss
MILWAUKEE COUNTY)

The foregoing instrument was acknowledged before me on _____, 2023, by _____ and _____, as _____ and _____, respectively, of Village of Fox Point.

_____
Name: _____
Notary Public, State of Wisconsin
My commission _____

CREATION AND PRESERVATION PARTNERS, INC.
SIGNATURE PAGE TO
AGREEMENT AND DEED RESTRICTION

CREATION AND PRESERVATION
PARTNERS, INC.

By: _____
Name: _____
Title: _____

Attest: _____
Name: _____
Title: _____

STATE OF WISCONSIN)
) ss
MILWAUKEE COUNTY)

The foregoing instrument was acknowledged before me on _____, 2023, by _____ and _____, as _____ and _____, respectively, of Creation and Preservation Partners, Inc.

_____
Name: _____
Notary Public, State of Wisconsin
My commission _____

Drafted by:

_____

_____

Attachments:

Exhibit A – Legal Description of Property
Exhibit B – Event Proposal
Exhibit C – Site Plan
Exhibit D – Floor Plan

EXHIBIT A
Legal Description of the Property

All that part of the Southeast 1/4 of Section 16, Town 8 North, Range 22 East, Village of Fox Point, County of Milwaukee, State of Wisconsin, described as follows:

Commencing at a point which is 1559.89 feet South 0° 42' West of and 577.55 feet South 89° 57' East of the center of said Section 16 said point being the point of intersection of the centerline of the Northerly and Southerly course of the public highway with the centerline of the Easterly and Westerly course of said public highway; thence North 84° 27' East along the centerline of said public highway, 225 feet to a point (which point is the point of commencement of the land to be described); thence North 84° 27' East along the centerline of said public highway and said centerline produced 432.48 feet to the shoreline of Lake Michigan; thence South 8° 59' West along the shore line of Lake Michigan, 154.96 feet to a point; thence South 84° 27' West 361.91 feet to a point; thence North 5° 31' West 150 feet to the point of commencement.

Address: 7328 North Beach Drive;

Tax Key No. 095-9968-000.

All that part of the Southeast 1/4 of Section 16, in Township 8 North, Range 22 East, in the Village of Fox Point, described as follows: Commencing at a point, which point of commencement is described as follows: Starting at the intersection of the center lines of a North and South road and the center line of an East and West road, said intersection being 1559.89 feet South 0 degrees 42 minutes West of and 577.55 feet South 89 degrees 57 minutes East of the center of said Section; thence South 5 degrees 31 minutes East along the center line of said road, 195.49 feet to a point; thence North 84 degrees 27 minutes East 25 feet to the East line of said North and South road; thence South 64 degrees 23 minutes East 197.52 feet to a point; thence North 25 degrees 47 minutes East 59.15 feet to a point (being the point of commencement above referred to); running thence North 5 degrees 31 minutes West 96.80 feet to a point; thence North 84 degrees 27 minutes East 361.91 feet to the shore of Lake Michigan; thence South 8 degrees 59 minutes West 100 feet to a point; thence South 84 degrees 27 minutes West 337.22 feet to the place of commencement.

Together with a Right of Way in common with others, as set forth in Warranty Deed executed by Amelia Robert and D. E. Roberts, her husband to David E. Detienne and John M. Niven, dated April 2, 1925 and recorded in the office of the Register of Deeds for Milwaukee County, Wisconsin on April 4, 1925, in Volume 1047 of Deeds at page 598, as Document No. 1342356, over the following-described lands in the Southeast 1/4 of Section 16, in Township 8 North, Range 22 East; commencing at a point (which point is described as follows: starting at the intersection of the center line of a North and South road with the center line of an East and West road, said intersection being 1559.89 feet South 0 degrees 42 minutes West of and 577.55 feet South 89 degrees 57 minutes East of the center line of said Section; thence South 5 degrees 31 minutes East along the center line of said road, 253.90 feet; thence North 84 degrees 27 minutes East 25 feet to the East line of said road); running thence North 5 degrees 31 minutes West 58.41 feet to a point; thence South 64 degrees 23 minutes East 197.52 feet to a point; thence North 25 degrees 47 minutes East 59.15 feet to a point; thence North 84 degrees 27 minutes East 30 feet to a point; thence South 5 degrees 31 minutes East 134.70 feet to a point; thence North 70 degrees 08 minutes West 90.80 feet to a point; thence North 64 degrees 23 minutes West 172.86 feet to the place of commencement.

Address: 7254 North Beach Drive;

Tax Key No. 095-9966-000.

EXHIBIT B

Special Event Proposal

Pursuant to Section 4(e) of the Agreement, CAPP and/or JMKAC submits to the Village for its review and approval this special event proposal as of [_____ __, 20__]. The Village shall approve or deny this special event proposal within 10 days following receipt of this proposal or [_____ __, 20__].

Purpose – The purpose of the special event is to [_____ _____].

Date and Hours – The special event will take place on [_____ __, 20__] from [__ a.m./p.m.] to [__ a.m./p.m.]. The proposed schedule for the special event is attached hereto as **Exhibit A**.

Number of Attendees – The special event will have [__] attendees.

Event Site Setup – The special event [will/will not] include outdoor site setup external to the buildings located on the property including without limitation outdoor tables and/or tents. If the special event will include any outdoor site setup, please find a map of such site setup attached hereto as **Exhibit B**.

Shuttle Service / Permitted Vehicles – The special event [will/will not] utilize shuttle services and/or permitted vehicles (which accommodate less than 20 passengers at a time). Shuttles and permitted vehicles will park [_____] during the special event.

Parking Plan – On-site parking for the special event will be located at [_____].

Special Providers – The special event will include the use of the following service providers:

Service Provider	Service Provided	Anticipated Number of Providers on Site	Time of Service

Exhibit A

Schedule of Special Event

Exhibit B

Map of Outdoor Site Setup For Special Event

EXHIBIT C
Site Plan

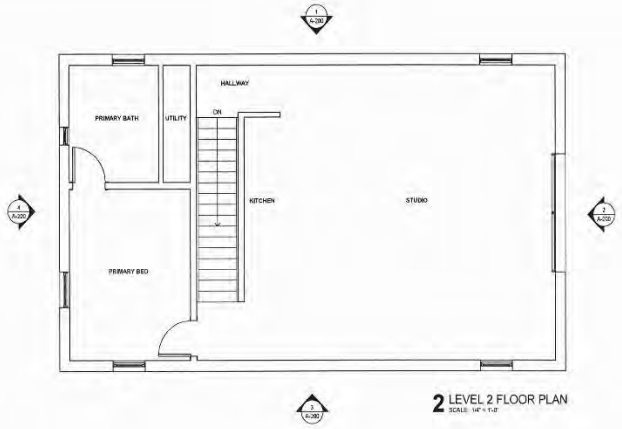
1 SITE PLAN

tres birds 02/20/23

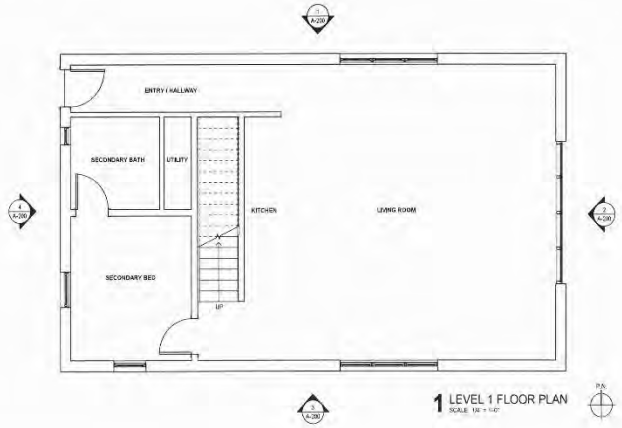
FOX POINT A-100

48905960

EXHIBIT D
Floor Plan



2 LEVEL 2 FLOOR PLAN



1 LEVEL 1 FLOOR PLAN

tres birds 12/27/22

FOX POINT A-110

Scott Botcher

From: Scott Botcher
Sent: Tuesday, December 13, 2022 8:32 AM
To: Catie Anderson Knight (cknight@villageoffoxpoint.com); Christine Symchych; Douglas Frazer; Elizabeth Aelion (eaelion@villageoffoxpoint.com); Elizabeth Sumner; Eric Fonstad; Greg Ollman
Cc: Kelly Meyer; Kevin Ausman
Subject: FW: Opposition to Nohl Museum

FYI

Scott A. Botcher
Village Manager
Village of Fox Point
414-247-6620

VILLAGE OF
FOX POINT

From: Paul Sternlieb <paul_sternlieb@yahoo.com>
Sent: Monday, December 12, 2022 8:17 PM
To: Scott Botcher <sbotcher@villageoffoxpoint.com>; Kelly Meyer <kmeyer@foxpointwi.gov>; Douglas Frazer <dhfrazer@villageoffoxpoint.com>
Subject: Opposition to Nohl Museum

To Whom It May Concern:
We are property owners at 7644 N. Beach Dr. and we are writing to express our strong opposition to the Nohl Museum. We are concerned that moving forward with the project would create a very significant negative threat to the residential character of the neighborhood, negative impacts on both the use and enjoyment of the Beach Drive area, and negative impacts on property values of all homes along Beach Drive. Additionally, we are also concerned about the safety issues with the increase traffic expected in the neighborhood. I understand there is a meeting scheduled tomorrow to hear the proposal. Unfortunately, I am unable to attend due to a business conflict, so I'm writing to formally register my opposition to this project.
Thank you,
--Paul Sternlieb
paul@sternlieb.com

November 2, 2022

Dear Beach Drive Resident,

As you probably know, an affiliate of the John Michael Kohler Arts Center acquired the Mary Nohl House at 7328 North Beach Drive to preserve Mary Nohl's legacy, artwork, and home. The Arts Center and its Art Preserve are at a critical juncture to further Mary Nohl's legacy and create a path to future investments in protecting and preserving the home, the artwork, and the property.

To facilitate our preservation efforts and to realize our commitment to remain a good residential neighbor, we need to apply to the Fox Point Village Board to establish a Cultural Overlay zoning district for the property.

We want you to be among the first to hear about our plans.

We invite you to drop in at any time during one of two open houses to preview our plans for the Mary Nohl property. At the open houses, we will have several people from the Arts Center and the Art Preserve on hand to share our current thinking and solicit your input. You also can learn about the certainty the Cultural Overlay creates, hear about our plans for an artist-in-residence program, see our growing partnership with the Fox Point-Bayside School District, as well as see early-stage concept drawings.

We hope you can attend:

Monday, November 14
6-8 p.m.
Stormonth School Gym
7301 N Longacre Rd., Milwaukee, WI

Wednesday, November 16
4-6 p.m.
Stormonth School Gym
7301 N Longacre Rd., Milwaukee, WI

We look forward to meeting and talking with you at one of our open houses. If you have further questions, please contact me at (920) 694-4712.

Sincerely,

Amy Horst, Director
The Art Preserve of the John Michael Kohler Arts Center

Art Preserve
John Michael Kohler Arts Center

3636 Lower Falls Road
Sheboygan, WI 53081
+1 920 453 0346
artpreserve.org

Scott Botcher

From: Scott Botcher
Sent: Tuesday, December 13, 2022 11:57 AM
To: Catie Anderson Knight (cknight@villageoffoxpoint.com); Christine Symchych; Douglas Frazer; Elizabeth Aelion (eaelion@villageoffoxpoint.com); Elizabeth Sumner; Eric Fonstad; Greg Ollman
Cc: Kelly Meyer; Kevin Ausman
Subject: FW: Cultural Overlay District Proposal
Attachments: nohl letter 12-13-22.pdf

FYI

Scott A. Botcher
Village Manager
Village of Fox Point
414-247-6620

VILLAGE OF
FOX POINT

From: Deborah Kern <debskern@netscape.net>
Sent: Tuesday, December 13, 2022 11:57 AM
To: Scott Botcher <sbotcher@villageoffoxpoint.com>; elarson@ammr.net; tclasen@reinhartlaw.com; dtomczyk@reinhartlaw.com
Subject: Cultural Overlay District Proposal

Dear Mr. Botcher,

Attached is my letter expressing my full approval to create a Cultural Overlay District for 7254/7328 North Beach Drive. As a long time resident of Beach Drive and a long time admirer of Mary Nohl's work, it is important that the proposal is accepted.
I have received an anonymous letter from the No Nohl Museum group and am dismayed at their alarmist and exaggerated disapproval. I sincerely hope that the Village does not get swayed by a few over the good of all.

Sincerely,
Deborah Kern

Deborah Kern
414-659-6592

7710 North Beach Drive
Fox Point, WI 53217

December 13, 2022

Sent by Email to sbotcher@villageoffoxpoint.com

Scott Botcher, Village Manager
Village of Fox Point
7200 North Santa Monica Boulevard
Fox Point, WI 53217

Re: Cultural Overlay for 7254/7328 North Beach Drive

Dear Mr. Botcher:

I am writing to express my full approval to create a Cultural Overlay District to preserve and protect the Mary Nohl house, its collection and property for the following reasons:

1. This property is listed in the National and State Register of Historic Places and deserves to be protected.
2. Mary Nohl is an important Wisconsin woman artist who has not only created a body of work specific to this location but has also created the Mary Nohl Fellowship at the Greater Milwaukee Foundation to further other artists' careers.
3. Creation and Preservation Partners Inc and John Michael Kohler Arts Center (the world's leading center for research and presentation of this important and unique art form) have shown their commitment to preserving this property.
4. The property will not be open to the general public. Invited groups will be small.
5. The project will not create traffic beyond the capacity of the street system to reasonably serve it, and there will be adequate off-street parking based upon the need generated by the proposed project.
6. The Chipstone Foundation has shown that a Cultural Overlay District does not cause depreciation in property values nor adversely affect the use and enjoyment of property in the immediate neighborhood.
7. Doctors Park, which is open to the general public, also does not cause depreciation in property values or adversely affect the use and enjoyment of property in the immediate neighborhood.

Sincerely,

Deborah Kern
414-659-6592
debskern@netscape.net

cc: Village Attorney Eric Larson
Tomas Clausen
Deborah Tomczyk

Scott Botcher

From: Scott Botcher
Sent: Tuesday, December 13, 2022 12:14 PM
To: Catie Anderson Knight (cknight@villageoffoxpoint.com); Christine Symchych; Douglas Frazer; Elizabeth Aelion (eaelion@villageoffoxpoint.com); Elizabeth Sumner; Eric Fonstad; Greg Ollman
Cc: Kevin Ausman
Subject: FW: Kohler Proposal for the Mary Nohl Property

FYI

Scott A. Botcher
Village Manager
Village of Fox Point
414-247-6620

From: Kelly Meyer <kmeyer@foxpointwi.gov>
Sent: Tuesday, December 13, 2022 12:14 PM
To: Scott Botcher <sbotcher@villageoffoxpoint.com>
Subject: FW: Kohler Proposal for the Mary Nohl Property

See below.

Sincerely,

Kelly A. Meyer, CMC/WCMC/CMTW
Professional Village Clerk Treasurer
Village of Fox Point, Population 6733
Milwaukee County
7200 N Santa Monica Blvd.
Fox Point, WI 53217
(414) 351-8900 – Main
(414) 351-8909 – Fax
E-mail: kmeyer@foxpointwi.gov
Website: http://www.villageoffoxpoint.com
MyVote Wisconsin: https://myvote.wi.gov/en-us/

The message originates from the Village Clerk Treasurer. It contains information that may be confidential or privileged and is intended only for the individual names above. It is prohibited for anyone to disclose, copy, distribute or use the contents of this message without permission, except as allowed by the Wisconsin Public Records Laws. If this message is sent to a quorum of governmental body, my intent is the same as though it were sent by regular mail and further distribution is prohibited. All personal messages express views solely of the sender, which are not attributed to the municipality I represent, and may not be copied or distributed without this disclaimer. If you receive this message in error, please notify me immediately.

From: Richard Price <rprice@rbprice.com>
Sent: Tuesday, December 13, 2022 12:11 PM
To: Kelly Meyer <kmeyer@foxpointwi.gov>
Subject: Kohler Proposal for the Mary Nohl Property

Dear Ms. Meyer,

I am unable to attend the meeting this evening at the Village Hall where the topic of the Kohler proposal for the rezoning and land use of two property parcels (7328 and 7254 North Beach Drive) will be discussed.

Kindly inform the appropriate Village representatives that I am adamantly opposed to granting the request by Kohler for rezoning. Among the reasons for my opinion are 1) the detrimental effects on our right to the "quiet enjoyment" of our neighborhood (resulting from, among other things, increased traffic, on street parking, and non-resident/unknown persons walking our streets); 2) the inevitable decline in property values of adjacent properties, and 3) the loss of tax revenue for Fox Point.

In the near future I plan to take further actions to support my point of view, but I wanted to make you aware of my opinion prior to the Village Hall meeting this evening.

Thank you for your kind consideration.

Sincerely,

Richard B. Price
7834 North Beach Drive
Milwaukee, WI 53217

Scott Botcher

From: Scott Botcher
Sent: Monday, December 12, 2022 2:15 PM
To: Catie Anderson Knight (cknight@villageoffoxpoint.com); Christine Symchych; Douglas Frazer; Elizabeth Aelion (eaelion@villageoffoxpoint.com); Elizabeth Sumner; Eric Fonstad; Greg Ollman
Cc: Kevin Ausman; Kelly Meyer
Subject: FW: Dec 13 Village Board Meeting, comment on Nohl Proposal

FYI

Scott A. Botcher
Village Manager
Village of Fox Point
414-247-6620

VILLAGE OF
FOX POINT

From: Mike Stoessl <mikestoessl@gmail.com>
Sent: Monday, December 12, 2022 11:22 AM
To: Scott Botcher <sbotcher@villageoffoxpoint.com>
Subject: Dec 13 Village Board Meeting, comment on Nohl Proposal

Hi Scott,

I was planning on attending tomorrow's meeting, but am now scheduled for shoulder surgery this afternoon and will likely not attend.

The Cultural Overlay proposal is on the agenda for tomorrow. I don't know if the decision to send it to the Plan Commission is an automatic one or not, or how much debate there will be at this point in the process. But having gone to CAPP's open house last month, I wanted to make these objections to the proposal. If now is the time to air them, perhaps you can forward to the Board?

Currently, the cost of supporting the Nohl House is borne by the supporters of the Kohler Arts Center. That's a good thing. The people who care about her art, and her legacy, are also the people paying to maintain it. The people who happen to just be in the neighborhood aren't impacted.

This Cultural Overlay proposal is an attempt to shift some cost from the Kohler Arts Center to the property tax payers in Fox Point, and to force Beach Dr to become a fundraising venue for Kohler:

- We fund two school districts with our property taxes, both of whom have just passed large capital referendums. Creating this cultural overlay would allow two properties to drop off the property tax rolls, ending their support for our schools (the PILOT mentioned in the proposal only addresses Fox Point itself). Effectively, the Village would be raising the property taxes for everyone in Fox Point (and everyone else who funds our schools) to give the Kohler Arts Center a cost reduction.

- The proposal calls for two special events / fundraisers each year. While residents of Beach Dr occasionally have special events that involve shuttles or street parking, they are rare: over 17 years, I've only seen a handful. Having a single residence plan on holding semi-annual large events, with shuttles running back and forth all night long, plus the occasional school or other high attendee visit, would unquestionably "materially adversely affect the use and enjoyment of property in the immediate neighborhood".

Overall, between the reduction in property taxes and the increase in fundraising activity, this is simply not what this residential area is designed for, and I'd ask that the Board not entertain the proposal.

Thanks,
Mike

Scott Botcher

From: Scott Botcher
Sent: Monday, December 19, 2022 7:20 AM
To: Catie Anderson Knight (cknight@villageoffoxpoint.com); Christine Symchych; Douglas Frazer; Elizabeth Aelion (eaelion@villageoffoxpoint.com); Elizabeth Sumner; Eric Fonstad; Greg Ollman
Cc: Kelly Meyer; Kevin Ausman
Subject: FW: Noel Property

FYI-

Scott A. Botcher
Village Manager
Village of Fox Point
414-247-6620

VILLAGE OF
FOX POINT

From: Mark Hodgson <mhodgson@wi.rr.com>
Sent: Saturday, December 17, 2022 8:45 AM
To: Scott Botcher <sbotcher@villageoffoxpoint.com>
Subject: Noel Property

Hello Scott:

I am pretty far to the North on Beach, such that my impact is less in this situation. But I have some thoughts to share with you.
They are likely felt by others here on Beach Dr.

I am contacting you as the property owner at 7810 N Beach Dr to register my strong opposition to establishing a Noel house zoning change or creep in zoning to make this some sort of artist retreat with other public venue .... They have tried a number of maneuvers, but basically a public facility in the middle of a residential area is inappropriate at so many levels. The neighbors and folks on Beach Dr should not have to contend with this hi-jacking of a property adjacent and attendant issues in a subordinate position.

It is basically a bad headstone to one's-self and dead property forever from the perspective of new families and others to live there and for it to thrive. To allow this stuff to happen, let alone migrate the zoning to further accommodate is a crime of opportunity in my view. This happens when someone has money and no heirs with suitable levels of vanity and

narcissism to set up such a massive tombstone to themselves. Endowing these entities as non-profits and funds to fight these battles is terrible. Allowed at all to continue, robs the Village of taxes and funds paying vastly less than market taxation, steals financial assets from neighbors that are harmed or will fight for their homes (as they had purchased), and encourages more of this behavior for these 'orphaned estates.'

Many of the great or desirable properties held by wealthy individuals will continue to migrate to these 'family mosoleums' upon death, if these estate practices continue and enough money is there to establish such. Human history is rife with large properties and vast resources squandered to 'vanity' large headstones to oneself (pyramids etc...), such that I expect there is a basic issue with human sensibilities and aspirations that individuals wish to control the narrative and/or be remembered beyond death. Nevertheless, to allow this practice outside of the societal norms in formal graveyards, makes no sense except to satisfy the perverse incentives that money from an endowed estate present to charitable entities and city administrators and/or governance.

Please consider these comments to register my strong opposition to the Noel property being anything other than a single family home with continued use in that capacity. Changes to such will likely be pitched with a number of different angles and financial twists, but I would submit that it should be seen for what it is.

Sincerely,

Mark E. Hodgson, MD

Scott Botcher

From: Scott Botcher
Sent: Wednesday, December 21, 2022 2:43 PM
To: Kelly Meyer; Kevin Ausman; Catie Anderson Knight (cknight@villageoffoxpoint.com); Christine Symchych; Douglas Frazer; Elizabeth Aelion (eaelion@villageoffoxpoint.com); Elizabeth Sumner; Eric Fonstad; Greg Ollman
Subject: Mary Nohl email

Hello,

At the request of Trustee Fonstad, I am forwarding this email for Board distribution.

Thank you.

From: lbjoseph@aol.com
Subject: no nohl museum
Date: December 20, 2022 at 1:21:56 PM CST
To: "dhfrazer@villageoffoxpoint.com" <dhfrazer@villageoffoxpoint.com>, "efonstad@gmail.com" <efonstad@gmail.com>, "russell.yale@att.net" <russell.yale@att.net>, "jayicraig@juno.com" <jayicraig@juno.com>, "jordanajoseph@gmail.com" <jordanajoseph@gmail.com>
Reply-To: lbjoseph@aol.com

we are bonnie and leon joseph at 8130 n beach drive--allbeit the furthest house from mary nohl's house.

we however are the grandparents of sushi and jonah saltzberg 12 and 9 years old who live with their parents jordana joseph and glen saltzberg at 7242 north beach drive. this home will be adversely affected by any attempt to gather many many cars to this spot. i understand the nonohl does not qualify as a museum so i will not designate as such.

they are attempting to cross over the drive that leads to our daughters house...it will be off the tax rolls..it will have buses often in a parking lot on the lake??? it will have debris and will encourage site-seers to travel the one lane roads that will be a danger to us all on beach drive .

please consider leon and i to be very against this overlay. the ms hurst i spoke to about this was not truthful when she described what their plan was. jordana and glen will also contact you.

as the planning commission, i hope you will consider the wishes of the neighbors who will be impacted

thanks you for your consideration

bonnie bockl joseph
414-351-1314

Scott A. Botcher
Village Manager
Village of Fox Point
414-247-6620

VILLAGE OF
FOX POINT

Scott Botcher

From: David Albert <dia64@mac.com>
Sent: Monday, January 2, 2023 4:52 PM
To: Scott Botcher
Subject: DAVID ALBERT 7308 N BEACH DRIVE

Hello Scott,

Please forward this email to the village board and plan commission.

I am David Albert at 7308 N Beach Drive.

Thank you for giving me the opportunity to address the board and plan commission.

My husband Michael and I have lived at our property for 25 years. We purchased the property in 1997 while Mary Nohl was still alive. I would see her occasionally, walking with her caretaker from her house to our house and back. She was a very quiet, private person. If we saw each other, we would say "hello" and sometimes have a brief conversation. I always respected her privacy.

Twenty years ago, the Kohler Foundation came into Fox Point and started to utilize the Nohl house as a museum. They did this without consulting the Village of Fox Point, without permits and without acknowledging any of the residents of Beach Drive. Kohler continued with this agenda until they were shut down by the village and the neighbors of Beach Drive.

Kohler also began promoting the property. There were articles in newspapers. There were tv segments on the news. There were articles in magazines. Milwaukee Magazine printed an article titled "A House Divided" and described the residents of Beach Drive in a very negative and patronizing way. We had tv reporters on our property wanting comments and interviews. The residents of Beach Drive were dubbed "the one percenters".

Since Kohler acquired the property twenty years ago, the entire dynamic of the house changed. There is a new gate at the west end of the property large enough to drive trucks into. Most of the large, old trees at the west end of the property have been cut down, along with Mary's artwork which was hanging from those trees. Art that should have been preserved. There is now a clear-cut lot to the west of the house with a new large gate.

The Nohl house that stands today is not the same house that stood 25 years ago when Mary was alive. Kohler has not preserved the integrity of the house as they said they would. They have molded it into their own vision.

For the Kohler Foundation, this is not about preserving and maintaining the integrity of the Nohl house. This is about the Nohl house becoming a fundraising entity on a residential street, while at the same time being taken off the tax roll of Fox Point.

This is the third time in twenty years that Kohler has tried to turn the Nohl house into a museum. The first time was twenty years ago. The second time was ten years ago. Neither time succeeded.

Now they are again trying to turn it into a museum. But this time they are far more ambitious than in the past. Now, for the first time, they are attempting to get a cultural overlay, which they had not requested in the past.

Here is an example from their website of what Kohler is proposing for the Nohl house:

1. "Invited groups of 1-4 scholars, teachers and supporters, may be on site from time to time".

What does "from time to time" mean? What does "may be on site" mean? This is completely ambiguous. How often? How many days per week? How many hours per day will "1-4 scholars, teachers and supporters" be on site? How many times per day will "1-4 scholars, teachers and scholars" be at the house? This leaves the door entirely for them to come and go at will.

2. "Museum and educational groups may be invited up to 3 days per week, not with more than 20 visitors on any one day and not more than 10 visitors in the Nohl house at any one time."

"Twenty visitors on any one day", "up to three days per week". How many times per day would groups of twenty people be allowed into the Nohl house three days per week? Does this mean that different groups of twenty people could be coming and going all day?

Would this be in addition to #1... "invited groups of 1-4 scholars, teachers and supporters"? Would these "scholars, teachers and supporters" be allowed onto the property at the same time since they are not considered "visitors"?

3. "JMKAC and/or CAPP board members, staff and volunteers could also meet on-site from time to time".

"Could meet on-site from time to time". Again, this does not designate the number of people to which they refer. How many people? How often? How many days per week? How many hours per day? Is this also in addition to #1 and #2?

Add to that the number of people that would be required to maintain the infrastructure of the property. Employees. Support staff. Deliveries. Trucks. Catering. Events. Maintenance. Art maintenance. Yard maintenance. Snow plowing. Etc...

We bought our home in Fox Point for its quiet, residential ambience. We did not buy in Fox Point to have a museum and event space on our street.

The homes on Beach Drive and many of the residents were here long before the Kohler Foundation took over the Nohl house. Kohler came onto our street with an agenda. We did not ask for this intrusion and disruption. This will cost us, the residents, our time and our money to fight something that never should have been allowed in the first place. This should have been shut down before it began.

From the very beginning, twenty years ago, Kohler did not inform the residents of their plans. They did not ask for permission from the village or the residents. They did not ask for our input, comments, suggestions or concerns. They did not ask questions. They just moved in and quietly began changing the integrity of the Nohl house from a private residence into a museum and hoped that nobody would notice.

I urge you to deny Kohler's request for the re-zoning of this property.

TO THE MEMBERS OF THE VILLAGE BOARD AND PLAN COMMISSION:

I want you to seriously contemplate this question: If a museum and event space were to move onto your street or next door to your house, how would you feel? Would you be for it or against it?

Thank you,

David Albert
7308 N Beach Drive
Fox Point WI. 53217

January 4, 2023

Scott Botcher
Village Manager
Village of Fox Point
7200 N Santa Monica Blvd
Fox Point WI 53217

Re: Cultural Overlay District for the Mary Nohl House

Dear Mr. Botcher:

We write in opposition to the proposed Cultural Overlay District for the Mary Nohl House on Beach Drive. We are neighbors who would be directly affected by the proposed changes and are concerned with changes to the existing neighborhood – as are our neighbors. We are also concerned about the impact increased public access will have on our property value.

By way of background, we bought our house on Beach Court about two years ago. We were living in a condo on the Riverwalk in the City of Milwaukee. I grew up in Whitefish Bay, raised a family in Shorewood and then moved downtown to be closer to work and enjoy a walkable neighborhood with many attractions. After living there for 13 years, we decided that we needed a change for the next phase of our life and wanted a ranch instead of a three story townhouse. Fox Point had a lot to offer and I was familiar with it from growing up in the area.

We engaged a broker to search for our next home and eventually focused on Beach Court. We found a ranch house with the features we wanted in a great quiet neighborhood with a tremendous view of the lake. It was more expensive – a third more than comparable ranch houses we looked at on Grey Log Lane which was also in a nice quiet neighborhood.

Our due diligence concerned two items not directly covered by the house inspection report. One was the erosion on Beach Drive caused by rising lake levels. The second was the prospect of the Mary Nohl House becoming a public site with increased traffic. Conversation with Scott Brandmeier helped us get confident that the former was not an unmanageable risk. Research on past unsuccessful attempts to put in a parking lot on the Nohl property and amplify public access and traffic as reported online and in conversation helped convince us that what we saw as a nice quiet, walkable neighborhood with stunning views of the lake was worth the premium. Restrictions on parking in the local zoning laws also reassured us.

The past municipal court and police complaints about increased traffic from fundraising and touring activities at the Nohl House seemed to have been resolved in favor of quiet enjoyment for everyone. This was a small interesting residential plot, unlike the Lynden Sculpture Gardens with facilities to host crowds for events and fundraisers. There are facilities in Sheboygan to accommodate this if the John Michael Kohler Art Museum so desires.

So we bought in and are happy residents of Fox Point and appreciate the amenities and services. We support the school referenda and are willing to increase taxes for the school system even though our kids are long past school age because we believe strong communities need strong schools. We also think that like other North Shore Communities subject to state caps on local taxation, that Fox Point needs to protect the property tax base. Non-profit PILOT payments are not prudent long term alternatives. Are you going to ask me what amount I would like to or can afford to pay for property tax? We don't think non-profits should have that discretion either.

We would appreciate it if you would forward this letter to members of the Village Board and the Plan Commission in advance of their next scheduled meeting. We plan to attend online but will limit our remarks if we are confident that we have been heard by the powers that be.

Sincerely,

John Michael (Mickey) Maier

Jane A. Lewis

7433 N Beach Court

Trustee;

I would ask you to consider not approving of the Cultural Overlay for the Kohler Foundation for the following reasons and in no particular sequence:

- Kohler states that they are all about "transparency" and "working with the residents." Which could be further from truth. They had one meeting with the "residents," 10 years ago and did not like what they heard. Since then, it has been crickets.

- They are putting in a 4000 square foot addition, which "nobody will be able to see," per Kohler. That property cannot withstand that without impact. Redoing access roads and thinking the traffic will be negligent.

- I do believe that the Board looks at us like crybabies and 1 percenter's, other than constituents, and people who moved here with a purpose. Myself, because it has a "ruralness" and "quietness" about it. Not because I have money. I don't have that much money. It was a personal choice to live down here.

- I knew Mary personally as a young girl and as an adult. My grandmother lived down here and was a former artist friend of Mary's. I even have pieces from Mary that she gave me. If anyone knew Mary, she would be appalled at what Kohler is proposing. Yes, she willed her place to Kohler but not for these reasons. The reason being is she knew Kohler would protect her coveted artwork and possibly residence without turning it into a "museum" with thousands of people wantonly trampling through her home with alcohol.

- It is easy for all to say that this is just a wonderful place for the whole world to see, 3 days per week!!! As many busses and fundraising events with no end times and as much as 80 people. Again, this is per Kohler. For everyone who does not live down here it's just NIMBY. I can guarantee you that many people would feel the same way about their neighborhoods if they lived in a quiet neighborhood like this.

- I know you don't care about the PILOT. I also am concerned for people that live in the very near area and adjacent to Mary's house, there will be, absolute, property depreciation.

- I believe this is a very slippery slope and I ask you to please consider these points and not approve the Cultural Overlay.

Kind Regards,

Meg Kinney
7575 N Beach Drive

Scott Botcher

From: Scott Botcher
Sent: Wednesday, January 11, 2023 12:06 PM
To: kaycrichton@wi.rr.com; Jay Craig; J Craig; Bill Langhoff; ROBERT SMITH; russell yale; Catie Anderson Knight (cknight@villageoffoxpoint.com); Christine Symchych; Douglas Frazer; Elizabeth Aelion (eaelion@villageoffoxpoint.com); Elizabeth Sumner; Eric Fonstad; Greg Ollman
Cc: Kelly Meyer; Kevin Ausman; Deborah C. Tomczyk
Subject: FW: Mary Nohl Proposal

FYI.

Scott A. Botcher
Village Manager
Village of Fox Point
414-247-6620

VILLAGE OF
FOX POINT

From: Madeleine Lubar <mklubar@gmail.com>
Sent: Tuesday, January 10, 2023 11:54 AM
To: Scott Botcher <sbotcher@villageoffoxpoint.com>
Subject: Mary Nohl Proposal

Dear Village Trustees,
They message is **IN SUPORT** of the proposal submitted by the **Mary Nohl** preservation organization to designate the Mary Nohl house on Beach Drive as an art district location.

I have reviewed the plan submitted to preserve this house and its surroundings and believe it to be a reasonable and wise way to protect this important piece of village history and an enriching art environment.

I understand that neighbors could be concerned about traffic and parking in the area. The proposal addresses these concerns thoughtfully and thoroughly and the preservation of the house would benefit the community as a whole.

Thank you,
Madeleine K. Lubar
6439 N. Lake Drive
Fox Point WI 53217

Scott Botcher

From: Scott Botcher
Sent: Wednesday, January 11, 2023 1:30 PM
To: kaycrichton@wi.rr.com; Bill Langhoff; Jay Craig; J Craig; russell yale; ROBERT SMITH; Catie Anderson Knight (cknight@villageoffoxpoint.com); Christine Symchych; Douglas Frazer; Elizabeth Aelion (eaelion@villageoffoxpoint.com); Elizabeth Sumner; Eric Fonstad; Greg Ollman
Cc: Kelly Meyer; Kevin Ausman; Eric Larson; Deborah C. Tomczyk
Subject: FW: Opposed to Nohl Cultural Overlay

Forwarded as requested.

Scott A. Botcher
Village Manager
Village of Fox Point
414-247-6620

-----Original Message-----
From: Debbie Lemont <debbielemont1@gmail.com>
Sent: Wednesday, January 11, 2023 12:17 PM
To: Scott Botcher <sbotcher@villageoffoxpoint.com>
Subject: Opposed to Nohl Cultural Overlay

Hello Scott,
Please forward this email to the Village Board and the Plan Commission members.

As a neighbor to the Nohl facility, I am strongly opposed to the Cultural Overlay and believe that if it is approved, it will adversely change the character and integrity of this residential neighborhood as it now stands.

It is just very disheartening to me to imagine that this beautiful residential Fox Point neighborhood along Beach Drive could become a destination event for over 3,000 visitors every year to the Nohl property. (20 per day, 3 times a week X 52 weeks = 3,120). Not only will this area be inundated by additional traffic from the museum visitors, but also would include traffic from all the auxiliary people involved coming in to coordinate the fundraising events in that proposed space.

I can't imagine sitting on my porch, being outside planting flowers, enjoying nature, visiting with neighbors, or just simply walking down the road and experiencing a daily parade of cars going past to visit the museum, heading toward a parking lot and disturbing the quietude of the area.

This is a quiet residential neighborhood, where one would usually expect to enjoy these simple pleasures. Beach Drive is a residential neighborhood. It is not urban downtown Milwaukee, where museums thrive. It is a small, narrow road where people walk, ride bikes, walk dogs, and children play.

Please consider denying the Nohl Cultural Overlay application and preserve the integrity and welfare of this Fox Point neighborhood.

Sincerely,
Debbie Lemont
7475 N. Beach Drive
Fox Point, Wi 53217

Sent from my iPhone

Scott Botcher

From: Tim Lemont <tlemont@gmail.com>
Sent: Wednesday, January 11, 2023 4:23 PM
To: Scott Botcher
Subject: Opposition to Mary Nohl House Cultural Overlay Application

Dear Scott,

Please forward this email to the Village Board and Plan Commission members so that they may know of my concerns and opposition to the Mary Nohl House Cultural Overlay rezoning application in preparation for their January 31st joint public hearing on the matter.

For purposes of providing background and context to my views, my wife and I have lived at 7475 N Beach Drive for over 11 years now. Our home is five houses directly north of the Mary Nohl house on the west side of Beach Drive, inset from the street about 70 yards. As a result of the location of our modest 1,600 square foot ranch home, we have a unique view out our front windows of the amount of traffic passing by on this beautiful stretch of Beach Drive with its panoramic views of Lake Michigan, whether that is motor vehicles, hikers, bikers, dog walkers or children playing. It is a special area to say the least and we treasure its peacefulness. As a result of our home's location, any vehicle traffic to or from the Mary Nohl house passes directly in front of our house.

Since we have lived here, the John Michael Arts Center has embarked on significant preservation efforts of the house and the art collection including moving the vast majority of the art collection to their Art Preserve in Sheboygan, which opened in 2021. Although there have been multiple efforts by them to open more access to touring and visiting the house itself about 20 years ago and again about 10 years ago, both times they have faced stout and overwhelming resistance from the immediate neighborhood. The resistance both times in large part was because of concerns as to the adverse consequences to the nature of the residential neighborhood from the increased traffic. As a result, they backed down each time. In recent years they have placed an artist-in-residence at the Mary Nohl house. We believe over the years they have done a laudable job of preserving the house and art collection. As it has been operated in the time we have been in our home, we are pleased to have this very interesting historic site just down the street from us.

With the above as background, the relevant sections of the Village Code in listing the basis for approval of a rezoning application, states in part in Section 745.22(E), paragraph (1) "That the proposed development...would not be contrary to the general welfare...of the...immediate neighborhood." In addition, paragraph (3) states "That the contemplated use will not: ...(b) Materially adversely affect the use and enjoyment of property in the immediate neighborhood."

In determining whether the proposed development would be "contrary to the general welfare or materially adversely affect the use and enjoyment of property in the immediate neighborhood", I have attempted to summarize below all the incremental changes in activities at the Property in the application including: ancillary related uses to art preservation and observation including offices and meeting space; study by limited groups of invited scholars, collectors, historians, educators (including but not limited to museum groups and college classes); visits by invited school groups from local schools; and others with affiliation; occasional special events (including, but not limited to, fundraisers, educational symposiums, community events and limited to up to 2 special events per year not to exceed 80 individuals at a time); adding to the Property a new additional auxiliary building of up to 4,000 square feet; and the addition of a parking lot to avoid on-street parking for the additional visitors (the size of which is not described specifically but a diagram in the application shows 5 parking spaces in the new parking lot).

In summarizing just the third-party access to the property, the application states it will be limited to 3 days per week and 20 visitors per day, not including special events or local school groups. Over a full year the limits proposed result in up to 3,000 or more third-party visitors (3 x 20 x 52 weeks = 3,120) going in and coming out of that property. This level of

potential incremental visitors to the property just from third-party visitors is unsettling and disheartening as it would obviously result in a material increase in traffic and become a public nuisance to the immediate residential neighborhood.

I am also concerned about the slippery slope we could be on if the Cultural Overlay is granted in the first place. Once granted it will be difficult to put the genie back in the bottle. The proposal provides the limits of the third-party visitors as detailed above but what will be the consequences if these limits are exceeded? What mechanisms could possibly monitor these limits? What will prevent them from asking for higher limits as time passes?

Similarly, I am concerned that they are clearly planning to build a sizable event space with the addition of the 4,000 square foot building and yet they state at the start they will limit the special events to no more than two a year. It strains belief to think someone would justify building a facility of that size and limit its special events to only two a year. What mechanism will be in place to avoid having its special events use creep up to additional special events per year as time goes on? As the years pass and they request additional limits on visitors and special events, what will prevent this from happening? As I indicated above, I am very concerned about the slippery slope granting the Cultural Overlay would put us on.

In summary, I oppose the granting of the Cultural Overlay for the Mary Nohl property. To-date they have done a laudable job of preserving Mary's art work while managing the limits of being in the middle of a residential neighborhood. Due to the incremental level of visitors and activities, the proposed development would be contrary to the general welfare of the immediate neighborhood. As was the case 20 years ago and 10 years ago, the immediate neighborhood overwhelmingly opposes this application.

Respectively submitted,

Tim Lemont
7475 N Beach Drive

January 12, 2023

Dear Village Trustee,

I oppose the John Michael Kohler Arts Center desire for a cultural overlay district zoning designation for the Mary Nohl house and the adjoining parcel next door.

My reasons are:

1. The commercial use of the 2 properties for Kohler's benefit is incongruous with a single family neighborhood. The proposed 4000 square foot event space and parking lot on the parcel next to Mary Nohl's house does not benefit the Fox Point neighbors.

2. Increased traffic is a detriment to the neighbors and their children. It is a detriment to the residents of Fox Point and is a detriment to all the pedestrians, cyclists, and joggers who enjoy the tranquility of Beach Drive.

3. The Village Trustees are obligated to represent the interests of the Village and the residents. Not Kohler. The adjacent homeowners and the surrounding residents are opposed to the proposal.

4. The proposed cultural overlay district zoning designation takes those 2 valuable parcels of land off of the Village tax rolls. This will not benefit the schools. The offer of payments-in-lieu-of-taxes are voluntary and unenforceable.

Please do not allow Kohler to expand into our neighborhood.

Sincerely,

Jane A. Lewis
7433 N. Beach Ct.
Fox Point, WI 53217

Michael & Joan McDonagh
7425 N. Beach Ct.
Fox Point, WI 53217

January 12, 2023

Sent by email: SBotcher@VillageofFoxPoint.com

Scott Botcher, Village Manager
Village of Fox Point
7200 N. Santa Monica Boulevard
Fox Point, WI 53217

Re: Request to add a Cultural Overlay District zoning designation for 7254 and 7328 North Beach Drive (the Nohl Property)

Dear Mr. Botcher:

Please distribute a copy of this letter to each Trustee-member of the Village Board, and each member of the Village Plan Commission.

We are writing in opposition to the request from the owner of the Nohl Property (Kohler) to add a Cultural Overlay District zoning designation that would permit various uses of the Nohl Property that are prohibited in the A-1 Residence District in which it is located. Our concerns are as follows:

1. **The request does not, and cannot satisfy the requirements of Village Code Sec. 745-22.**

The request includes permission to conduct the following activities:

- Construct a 4,000 square foot public building, plus a shed
- Construct a public parking area
- Bring in an unspecified number of educational groups for an unspecified number of times at the discretion of Kohler
- Bring in school groups from "local" (i.e., not limited to Fox Point) schools
- Hold special events of up to 80 guests twice a year, such as fundraisers
- Bring in groups of visitors up to 3 days a week of up to 10 per visit, not to exceed 20 per day

Section 745-22 allows for the granting of a Cultural Overlay District zoning designation only if the following conditions (among others) are satisfied:

- The proposed development would not be contrary to the general welfare and economic prosperity of the immediate neighborhood.
- The contemplated use will not materially adversely affect the use and enjoyment

of property in the immediate neighborhood.

- The project will not create traffic beyond the capacity of the street system to reasonably serve it and there will be adequate off-street parking based on the needs generated by the proposed project

The immediate neighborhood consists solely of private residences on Beach Drive and Beach Court. We purchased our home on Beach Court in 2021, and the privacy and safety of the neighborhood were key factors in our decision (we have lived on cul-de-sacs for over 25 years). The request to build a large public building and parking lot, allow what amounts to an unlimited number of visits from the public, hold fundraisers with up to 80 *guests* (not counting others including hosts, servers, caterers, drivers, etc.) where undoubtedly alcohol will be served, and bring in busloads of students and possibly "educational groups" is inconsistent with the general welfare of the immediate neighborhood, and the use and enjoyment of property owners in the immediate neighborhood. We bought our home in order to enjoy the privacy, safety, and peace that is available to *all* Fox Point residents who bought homes in neighborhoods that are zoned Residential Districts. We did not buy it to be neighbors with a public and commercial enterprise that will routinely accommodate carloads and busloads of strangers.

Safety, traffic and parking are also key concerns. The request contains irrelevant data from a survey conducted over 20 years ago in Canada and the U.S. suggesting that the average homeowner takes 9.57 trips per day[1]. It does not support any assertion that the addition of the Cultural Overlay District will not increase traffic, or that it will not jeopardize the use or enjoyment or safety of the immediate neighborhood, especially given Kohler's plan to hold large gatherings where alcohol will flow freely, and the general plan to have buses of schoolchildren and 10 visitors 2x-day. It does not address the parking issue of what to do with all the trucks, buses and cars that will be coming and going to serve the Nohl Property and its many visitors.

2. The request is inconsistent with the Code because the resulting lost tax revenue is contrary to the economic prosperity of the Village as a whole, and its schools in particular.

Section 745-22 of the Code states that the granting of a Cultural Overlay District must be consistent with the general welfare and economic prosperity of the Village and not cause material depreciation in property values in the immediate neighborhood.

The request is to take two lakeside parcels off the residential real estate tax rolls. In lieu thereof, Kohler states that it will voluntarily make PILOT payments in amounts substantially less than what the current tax bills are for the Nohl Property, none of which would be allocated to Fox Point schools. Because of the increase in public and commercial activity, traffic and noise, and the decrease in the use and enjoyment of our

[1] My husband and I are empty-nesters who work primarily from home and our average number of round trips per day is 1-2. Many neighbors are similarly situated.

property that will result from Kohler's intended use of the Nohl Property, we intend to seek a lower assessment of our property's value. We understand many of our neighbors will do the same. We would not have paid the price we paid in 2021 for this house if the Nohl Property was in use at that time as now requested; we may not have purchased the house at all. The request notes the increases in property values between 1996 and 2021, but there is no cause-and-effect link between the Nohl Property and increases in neighboring property values, and it is absurd to suggest otherwise. Rather, the request fails to address the only relevant consideration: how will converting the Nohl Property to a public facility and using it as described in the request impact property values? The only logical conclusion is: negatively.

The request offers no benefits to Fox Point, along Beach Drive or anywhere else in the Village. The requested use of the Nohl Property is not unique to Village residents (the request references mostly outside parties), substantial tax revenues will be lost, negatively affecting mostly our schools, and the precedence of converting a neighborhood where people bought homes with the expectation that they would be protected by existing zoning into a neighborhood where public buildings and access are permitted will damage the reputation of the Village and the willingness of people to invest in homes here. The only persons or entities that stand to benefit from the request are Kohler and the guests it invites at its discretion.

3. The request, even if scaled down in several respects, should not be granted.

Kohler has shown over the past 20 years that it is eager to change the character and use of the Nohl Property. Our concern is that Kohler will attempt to assuage fears by pointing to discrete parts of the request that are benign, such as visits by scholarly research groups of 1-4 people. But, there is likely no need for a Cultural Overlay District for that and similar activities. It is most other parts of the request that are inconsistent with residential zoning and should not be permitted.

When Kohler accepted the bequest of the Nohl Property, it was as a residential property in a residential neighborhood. Kohler acknowledged this by moving the vast majority of the artwork located there to Sheboygan where public access is permitted. But in too many ways Kohler has made known its intention to convert the Nohl Property to a public space, by time-and-again openly violating zoning restrictions and forcing residents to expend significant resources to have those restrictions enforced. Kohler has positioned its request as an effort to honor Mary Nohl both individually and as a female artist. But the decisions Mary Nohl actually made about allowing public access to her art on Beach Drive show that there is every reason to believe she would be appalled by what Kohler is requesting and its potential impact on the neighborhood.

The intended uses outlined in the request are problematic enough, but we are greatly concerned that, if the request is granted, there is nothing to ensure that Kohler will restrict its activities to those outlined in the request. Who will monitor the number and hours of

the 2x-day, 3x-week visits? Who will monitor the number, size and hours of "special events" and the increased traffic? What is the consequence of Kohler not abiding by the supposed limits? How will the remaining residential portion of the neighborhood be protected from all this additional activity and traffic? It is not fair or appropriate to place the burden of monitoring activities on the immediate neighborhood, but we fear that is exactly what will happen if the request is granted. Also – what can the neighbors even do in response? What would be the enforcement method or mechanism?

For all of these reasons we request that the Village deny Kohler's request for a Cultural Overlay District.

Sincerely,

Mike and Joan McDonagh

Cc: Board Members of the Fox Point-Bayside School District

Scott Botcher

From: Mark Levin <markjlevin@gmail.com>
Sent: Thursday, January 12, 2023 9:59 PM
To: Douglas Frazer; Eric Fonstad; Christine Symchych; Elizabeth Sumner; Greg Ollman; Elizabeth Aelion; Catie Anderson Knight
Cc: Scott Botcher
Subject: Please oppose the oppose the Cultural Overlay application of John Michael Kohler Art Center
Attachments: Mark Levin letter to Fox Point Trustees.pdf

Dear Fox Point Trustees and Plan Commission members,

My name is Mark Levin, and I live at 7415 N. Beach Drive. My family and I live a 200 feet or so from the Mary Nohl property, and I am asking you to oppose the Cultural Overlay District zoning application of John Michael Kohler Art Center / Creation and Preservation Partners, Inc. (herein "Kohler") for 7254 and 7328 North Beach Drive. There are many reasons why Kohler's plans to convert the current Mary Nohl property into a museum, create new auxiliary buildings, create a private parking lot and connect two existing public roadways with a private drive are all bad ideas, and it is worth detailing a few of them.

First, there is no residential neighborhood in Fox Point with a museum and a public fundraising space. No one in Fox Point would want that in their neighborhood – it is a commercial use of a residential property, and is completely incongruous in a neighborhood of single family homes.

Second, the proposal is dangerous for all residents of Beach Drive and anyone coming to the area to enjoy it. The proposal would greatly increase traffic along Beach Drive and ruin the serenity of the area enjoyed by so many Fox Point residents. That traffic – both approved visitors to the property and those just stopping to gawk - will overwhelm the area infrastructure and endanger all runners, pedestrians and children in the area. Traffic and illegal parking will be everywhere, and all of those who enjoy the area currently will lose this peaceful place. Our neighborhood has a lot of kids, and this proposal puts every one of them at risk – particularly as they walk or bike along Beach Drive.

Third, that scenario – with insane amounts of traffic – is exactly what happened in 2005, when the village of Fox Point had to take the Kohler Foundation to court after the organization held fundraisers, tours, bus tours and operated the house like a museum. **The village won on the grounds that a museum does not comply with the residential zoning of the area.** The Village denied a similar request from Kohler for a cultural overlay in 2013 for the same reason. The new Kohler proposal is even more offensive than 2005 or 2013, as it also creates administrative offices and a fundraising space in the middle of a residential neighborhood.

Fourth, none of Kohler's proposals actually benefits Fox Point or the Beach Drive neighborhood. The Cultural Overlay proposal, even with PILOT payments, deprives Fox Point and its school system of much needed tax dollars. It also creates an additional strain on the Fox Point Police Department to handle increased traffic and safety issues – all to support a museum and ancillary structures that will only benefit the Kohler Foundation.

Fifth, Mary Nohl's property and her artwork have coexisted with the Fox Point community in their current form for decades. There is NO reason that the current structure or current tax arrangement should change. If Kohler needs to create a museum and fundraising space, then they should move the house to another location which has the proper zoning and has infrastructure in place to handle the parking and traffic issues. If they want to keep the structure in Fox Point, might I suggest the site of a currently vacant service station and former Chinese restaurant on the corner of Port Washington and Bradley roads? To paraphrase Michael Scott, that is a win-win-win situation – Kohler gets a museum,

the village gets a productive, cultural use out of an underutilized piece of land, and we all preserve the safety and sanctity of the neighborhood that Mary herself loved so dearly.

I never got the chance to meet Mary Nohl, but many of my neighbors were friends of hers. Mary Nohl did not give tours of her property or artwork during her life, and she went so far as to put up a barbed-wire fence to keep people out. She cherished living on Beach Drive. She walked along the lakefront, up the hill on Beach, and back to her house almost every day until her death. She would want her neighbors to have that same tranquility that she enjoyed. She would not want Kohler to alter the character of Beach Drive and the neighborhood she loved so dearly.

Thank you,

Mark Levin
7415 N. Beach Drive
Fox Point

P.S.: Scott Botcher, would you please forward this email to the members of the Plan Commission? I could not find their email addresses on the Village website. Thanks!

--

Mark Levin
markjlevin@gmail.com

Dear Fox Point Trustees and Plan Commission members,

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piece of land, and we all preserve the safety and sanctity of the neighborhood that Mary herself loved so dearly.

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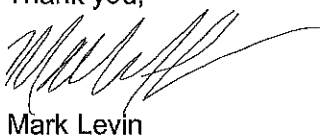
Thank you,



Mark Levin
7415 N. Beach Drive
Fox Point

Scott Botcher

From: Maria Cieslik <maria@formspace7.com>
Sent: Monday, January 16, 2023 1:00 PM
To: Scott Botcher
Subject: Mary Nohl Cultural Overlay Proposal

Mr. Botcher,

I am writing to you as a resident of Fox Point as well as a supporter of the arts community to express my support for the Mary Nohl project.

As one of the only artist-built environments constructed by a woman, the Village should seek to preserve and protect the Mary Nohl property. As such, I strongly encourage the Village to adopt the Mary Nohl Cultural Overlay proposal. I believe that Mary Nohl's artist-built environment must be experienced in the location it was created. By preserving the property, scholars will be able to explore her work in the same place it was created, and artists will be able to generate artwork to continue her legacy. Scholarly study and art creation in the same environment is very unique and special. The proposal will ensure that the property will continue to be used in this way for years to come. Please preserve and protect this exceptional property and approve the Cultural Overlay District.

Thank you
Maria Cieslik

8641 N Regent Road
Fox Point, WI 53217

Carnegie - Clarus - Kirei - Surfaceworks

Scott Botcher

From: Bennett Choice <bennettchoice@gmail.com>
Sent: Monday, January 16, 2023 1:40 PM
To: Scott Botcher
Subject: Mary Nohl House

As a long-time resident of Fox Point, I am writing to express my support for the proposed Cultural Overlay District for the Mary Nohl house and property. The property is a cultural asset to the Village that deserves preservation and protection. Given the limited basis on which the property will be open, I believe it will continue to fit within the residential neighborhood surrounding the property. The Kohler Art Center is an extraordinary institution with a well-deserved national reputation for outsider art and artist-built environments. Please protect this property and approve the proposed District.

Bennett Choice, 8641 N Regent Rd, Fox Point, WI 53217

Scott Botcher

From: Scott Botcher
Sent: Monday, January 16, 2023 1:43 PM
To: John Crichton; Jay Craig; J Craig; Bill Langhoff; russell yale; ROBERT SMITH; Catie Anderson Knight (cknight@villageoffoxpoint.com); Christine Symchych; Douglas Frazer; Elizabeth Aelion (eaelion@villageoffoxpoint.com); Elizabeth Sumner; Eric Fonstad; Greg Ollman
Cc: Kelly Meyer; Kevin Ausman; Eric Larson; Deborah C. Tomczyk
Subject: FW: Mary Nohl House

FYI-

Scott A. Botcher
Village Manager
Village of Fox Point
414-247-6620

VILLAGE OF
FOX POINT

From: Bennett Choice <bennettchoice@gmail.com>
Sent: Monday, January 16, 2023 1:40 PM
To: Scott Botcher <sbotcher@villageoffoxpoint.com>
Subject: Mary Nohl House

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Bennett Choice, 8641 N Regent Rd, Fox Point, WI 53217

Scott Botcher

From: Wendy Strauch-Nelson <wstrauch512@gmail.com>
Sent: Wednesday, January 18, 2023 11:04 AM
To: Scott Botcher
Subject: Mary Nohl Property

Village Manager, Scott Botcher,

I am writing in support of the JMKAC application for a cultural overlay district zoning designation for the Mary Nohl property. The JMKAC has created a responsible and respectful proposal for the property that will preserve and honor this important site while facilitating ongoing study and future learning. At the same time, the proposal provides for accountability to neighbors about the use and care of the property.

The Village of Fox Point must be quite proud of Mary Nohl, her lifetime achievements, and her body of work. Please work with JMKAC to manifest that pride into action.

Thank you for your time,
Wendy Strauch-Nelson, Ph.D.
Professor Emerita
University of Wisconsin Oshkosh

Scott Botcher

From: Lisa Stone <lstone@saic.edu>
Sent: Wednesday, January 18, 2023 1:47 PM
To: Scott Botcher
Subject: Letter of support: cultural overlay zoning district for the Nohl property
Attachments: L. Stone Mary Nohl letter of support.pdf

Dear Mr. Botcher,

Attached is my letter of support for the Village of Fox Point to adopt a cultural overlay zoning district for the Nohl property. Please kindly share this with the board of trustees.

I plan to attend the meeting on January 31. I look forward to the discussion, which I hope can finally resolve this issue for the benefit of all parties.

Sincerely,

Lisa Stone

Please note: I retired from the Roger Brown Study Collection.
For RBSC-related emails, please contact James Connolly, jconno@saic.edu

Preservation Services Inc.

W5447 Cumberland Lane · Neshkoro, WI 54960
Don Howlett 920-765-2781 · distone@centurytel.net
Lisa Stone 920-765-2281 · stonelisa54960@gmail.com
www.preservationservicesinc.com

18 January 2023

Scott Botcher
Village Manager
7200 N. Santa Monica Blvd.
Fox Point, WI 53217

Dear Mr. Botcher,

I'm writing to you and Fox Point Village Trustees to respectfully urge you to establish a cultural overlay zoning district for the Mary Nohl property. I worked as curator of the Roger Brown Study Collection (RBSC), an artist's house museum and special collection of the School of the Art Institute of Chicago (SAIC) for 23 years, and was senior lecturer in the Department of Art History, Theory, and Criticism, also at SAIC, from 1995 to 2020. I have enormous institutional pride that Mary Nohl is one of many outstandingly creative and art historically significant artists who got their start in brilliant art careers at SAIC. Unlike many SAIC alumni, Nohl chose to live her creative life richly, deeply, and entirely in and around her home. Mary Nohl redefined notions of home and studio, not as separate places, but as inseparable, integrally linked to each other. She animated every facet of the property, and filled it, inside and out, into a strikingly original work of art, all as a resident, friend, and neighbor in her Fox Point community.

I represented the RBSC as a member site in the Historic Artists' Homes and Studios (HAHS) program of the National Trust for Historic Preservation from its inception in 2000, to 2020. HAHS is a coalition of 55 sites that were the homes and studios of significant American artists. I served on the Executive Committee from 2017 to 2020 (when I retired) and have served on the Advisory Committee since 2020. I have over 2 decades' experience in the many issues and challenges that stewards of important American artists' sites navigate. There are examples of HAHS member sites that have similarly managed relations with their surrounding communities, steering concerns or opposition from neighbors into win-win relationships that preserve outstanding cultural resources as places of hometown pride, within acceptable limitations. Just one example is the Winslow Homer Studio in Prouts Neck, Maine, owned and operated by the Portland Museum of Art. The PMA successfully negotiated a policy for limited visitation with the immediate neighbors and community. Other sites have managed limited visitation deftly and successfully, nurturing community pride in artists who were rooted—perhaps none more than Mary Nohl—in their home and community landscapes.

I'm currently advising an SAIC art history graduate student on her thesis on Mary Nohl. There have been a few academic theses written on Nohl previously. Due to the incredible resources of the Art Preserve (just 48 miles north of Fox Point), the collection of over 2500 of Nohl's works will doubtlessly inspire countless scholars, artists, educators, and others. The JMKAC's plan to create an artist's residency and allow very controlled visitation will offer scholars and artists incomparable experiences.

I spoke at the public forum about the future of the Nohl site on July 10, 2014 at the Milwaukee Art Museum. This meeting was precipitated when the JMKAC announced a plan to move the entire Nohl site to Sheboygan. I recall that Fox Point residents and many Milwaukee area artists (especially recipients of the Mary Nohl Fellowship) and others rejected this proposal outright, rallying around the imperative to keep Nohl's home, studio, and garden at 7328 North Beach Drive in Fox Point. Quite fortunately the Nohl site is intact, in situ, due to the enormous commitment and resources of the Creation and Preservation Partners (CAPP) of the JMKAC, and the impressive work of site steward Alex Gartlemann, as well as some tolerant and appreciative neighbors.

Who knows what this little stretch on Beach Drive will hold in 30 or 50 years? If the cultural overlay zoning district is granted, Mary Nohl's home/studio will be an important cultural connective tissue, from our time into the future, for the Village of Fox Point, students in local schools, and artists, scholars, and art appreciators from afar. Mary Nohl voiced her love for her place poetically,

"No amount of disorder will induce me to give up my front row seat on the changing moods of Lake Michigan—the ice hills against the blue water in the winter and the afterglow of the sunsets in summer."

Please ensure that her site can perform, into the future, as a Fox Point, Wisconsin, American, and World cultural treasure.

Respectfully yours,

Lisa Stone

Scott Botcher

From: Margaret Czaplewski <mkern.cza@gmail.com>
Sent: Wednesday, January 18, 2023 4:09 PM
To: Scott Botcher
Cc: ahorst@jmkac.org; dtomczyk@reinhartlaw.com; elarson@ammr.net
Subject: Support for Mary Nohl
Attachments: YES to Mary Nohl.docx

Scott,
Please find my letter of endorsement for the Cultural Overlay District to preserve and protect Mary Nohl's art and property.

Thank you.

--
Margaret Czaplewski
213 LLC
207 LLC
Joy Engine
414.659.6502

https://joyengine.org
https://broadwayinterlacethirdward.com

1610 East Fox Lane
Fox Point, Wisconsin 53217

January 18th, 2023

Sent by Email to sbotcher@villageoffoxpoint.com
Cc: Amy Horst, ahorst@jmkac.org, Deborah Tomczyk, dtomczyk@reinhartlaw.com, Eric Larson, elarson@ammr.net

Scott Botcher, Village Manager
Village of Fox Point
7200 North Santa Monica Boulevard
Fox Point, Wisconsin 53217

Re: Cultural Overlay for 7254/7328 North Beach Drive

Dear Mr. Botcher,

I am writing you today to emphatically **support the approval** to create a Cultural Overlay District to preserve and protect the Mary Nohl house, its collection and property. I have been a resident of Fox Point at 1610 East Fox Lane since 2013. We moved into an architectural gem designed by Abe Tennenbaum who dreamed up many beautiful mid century homes in the area. I am also on the board of Joy Engine, a non profit organization that promotes public art that everyone can enjoy, creating events that host local artists and community members around temporary art installations. We see the joy, the new perspectives gained and the importance of art to our communites every time we engage. I also have renovated two turn of the century cream city brick warehouses into commercial and residential space in the Third Ward to preserve their legacy, one of those buildings being where

I owned an art gallery. As you can see I am very passionate about the arts, structures, and preservation and have met many others with these ideals. Mary Nohl was an exceptional artist, forging her own path in her fully immersed environment. Tragically many women artists never garner the audience or respect they deserved.

From the article, "Saving the Art and Home of Mary Nohl, Whose Neighbors Called Her a Witch" published on August 16, 2017, at: hyperallergic.com

"In the history of art in the 20th century, what little success or critical attention women artists received was often inexplicably constructed around personal narratives," Morris states in an exhibition text. "Biography seemed to be the primary means critics, curators, or dealers had for talking about the work of women artists; these same reductive methodological tools just didn't get applied to male artists of the same period." Morris notes how, for example, Frida Kahlo's medical trauma is frequently highlighted in discussing her work; Jackson Pollock's alcoholism is not. "These undermining narratives sometimes calcify into fables and myths of witchcraft," Morris adds. "And, as the history of 'witchiness' teaches us, rather than confirming any actual threat of danger, the designation is an invitation to persecution and ostracism."

I pull this paragraph to relate to you all how important it is we honor and preserve the works of women artists. The last line in particular – there is no "threat of danger" to the Beach Dr. community in JMKAC's efforts, and it certainly has invited "persecution and ostracism" from its residents.

I have been reading the submitted letters of opposition to this project and have pulled some quotes I find exaggerated or simply untrue and would like to address them with you.

"Negative impacts on property values"
- Chipstone contradicts this statement, as it **did not** affect property values in its neighborhood.

"Our right to "quiet enjoyment" of our neighborhood (resulting from, among other things, increased traffic, on street parking, and non-resident/unknown persons walking our streets)"
- Richard B. Price

Beach Drive is not a gated community but is sometimes treated as such by its residents. On the neighborhood app, Next Door, there are several posts regarding a certain Beach Drive resident who will approach Fox Point resident's publicly parked vehicles to enjoy the lake view and yell at them to leave. Beach Drive should be treated as any other street in our Village. As a resident up the hill on East Fox Lane, we frequently experience neighbor's parties, street parked vehicles, "unknown persons walking our streets", and traffic. We have Doctor's Park nearby that draws people from all over. We have no problem with this activity as we enjoy living in a vibrant community such as Fox Point. It is expected when you live in a suburb for these activities to be happening.

1. "Having a single residence plan on holding semi-annual large events, with shuttles running back and forth all night long, plus the occasional school or other high attendee visit, would unquestionably 'materially adversely affect the use and enjoyment of property in the immediate neighborhood.' "

2. *"The Cultural Overlay proposal is an attempt to shift some cost from the Kohler Arts Center to the property tax payer and to force Beach Dr to become a fundraising venue for Kohler."*
- Mike Stoessl

1. The invited persons will be scholars, historians, and/or donors – hardly a rowdy or untrustworthy bunch. With the influx of online shopping, delivery trucks are constantly circling our neighborhoods. The increased vehicle activity at the Nohl house seemingly would blend in. A possible compromise could be to limit the large event to once a year, which would be in line with the large events held by neighbors for graduations, weddings, etc. and the Fox Point Beach Club's events on Beach Drive.

2. **The main goal of JMKAC's proposal is to preserve Mary Nohl's art and environment.** All funds raised would go directly into that goal. It is unsustainable for the JMKAC to shoulder this burden alone. If this proposal fails, many of Mary Nohl's works that cannot be transported to another location would have to be abandoned.

"In 2014 there was a plan to relocate Nohl's home to Sheboygan County, where JMKAC is based. By 2015, that idea was reversed due to the logistical challenges and risk to the art. Instead, the aim is to restore and preserve the environment in situ, including stabilizing the outdoor sculptures, and getting local zoning changes for an artist residency." -from the 2017 article published on hyperallergic.com

1. *"...to make this some sort of artist retreat with other public venue. They have tried a number of maneuvers, but basically a*

public facility in the middle of a residential area is inappropriate at so many levels."

2. *"This happens when someone has money and no heirs with suitable levels of vanity and narcissism to set up such a massive tombstone to themselves."*

- Mark E. Hodgson, MD

1. This is an exaggeration. Per the letter distributed to Beach Drive residents by Amy Horst, Director of JMKAC, dated January 9, 2023, "The Mary Nohl property will not be open to the general public nor will it become a public museum."

2. I believe Mark does not understand the value art has in our society and the importance to preserve it for future generations. This is not a vanity project.

Thank you for your consideration on this matter. I truly hope the Board can find the value in this extraordinary property and approve the Cultural Overlay District to ensure future generations can learn and be inspired by Mary Nohl's work.

Sincerely,

Margaret Czaplewski
1610 East Fox Lane
Fox Point, Wisconsin 53217

414.659.6502

Scott Botcher

From: Nicholas Lowe <nlowe1@saic.edu>
Sent: Thursday, January 19, 2023 1:54 PM
To: Scott Botcher
Subject: In Support of MARY NOHL's Beach Drive cottage - cultural overlay zoning
Attachments: Mary-Nohl.pdf

Dear Mr. Botcher,

I wish to voice my support for the village of Fox Point to adopt a cultural overlay zoning district for the Nohl property on Beach Drive. My concerns and reasoning are outlined below and in the attached letter - **Please forward this communication to the Board of Trustees** - in advance of the forthcoming meeting.

As professor and chair of the School of the Art Institute of Chicago's Historic Preservation program, it's gratifying to work in the same institution where Mary Nohl studied from 1933 to 1937. I now take seriously my responsibility to advocate for Nohl's home and studio, which has been so painstakingly preserved and cared for, that it warrants at least limited availability. Being experienced and studied by others the site deserves to continue to be a place of inspiration, as it was for Mary Nohl herself.

Mary Nohl was a singular artist of great originality. Many artists leave behind important bodies of work, and fortunately some left legacies of place, where people can experience an entire home/studio environment and connect with artistic processes, as the artist lived and created within them. I am originally from England, and bring a long experience of working on preservation projects in rural communities. In the United Kingdom there are many highly successful examples of artist's homes and studios that exist comfortably within intimate communities. Indeed, many are embraced by both urban and rural populations as places of convergence, quiet interest and peaceful contemplation. Just a few I could name include, the David Parr House in Cambridge; Charleston, home of Bloomsbury Group of artists, Venessa Bell, Duncan Grant, and others; Sissinghurst, the retreat home and garden of Vita Sackville West; and Perry Green, Henry Moore's home and studio. Mary Nohl's life and work stands as an important American equivalent of these well know British artist cohorts. The stewards and curatorial teams of these and of many other sites work hard to balance preservation with access. It is well understood in places where a home has become an important cultural site, that maintaining the focus and charm which their creators valued so highly is a key to their continued access. It is possible to preserve extremely fragile home and studio environments by managing light visitor impact, and to preserve community relationships and trust by ensuring limited vehicular access and only small groups, all of which would be no different than neighboring residents' activities in Fox Point.

I'm aware of the John Michael Kohler Arts Center's proposed plan, which outlines carefully managed visitation, similar to many sites around the U.S. and abroad. Institutions and municipalities are often responsible for the preservation of irreplaceable cultural resources, at times before their full significance is understood. I hope the Village of Fox Point and its residents will find a way to coexist with, support, and take pride in the Mary Nohl site, as tangible evidence that exceptional creativity can be centered at home and in the context of daily life.

For years I have wanted to bring very small groups of students to the Nohl site. It's been hard to understand why this has not been possible, why the surrounding community objects to a few respectful people coming, now and then, to appreciate Nohl's life and work at her Beach Drive cottage. It's my fervent hope that you, the Trustees, and the community will adopt the cultural overlay zoning district.

Thank you for kindly sharing this with the Village Trustees and concerned residents of Fox Point.

Yours Sincerely - Nicholas Lowe

--

Nicholas C Lowe - Professor
John H Bryan Chair of Historic Preservation
Office: SULLIVAN CENTER, 36 S. Wabash, (14th Floor) Room 1402F

HPRES Department Studios: 1506/1507 Lakeview Building
116 S. Michigan Ave.
Chicago, IL 60603-6005

SAIC FACULTY PROFILE - https://www.saic.edu/profiles/faculty/nicholas-lowe

PERSONAL WEBSITE - https://www.nicholas-lowe.com

Digital Portfolio:
https://www.behance.net/Nicholas_Lowe

RESEARCH BLOGs -
- Itinerary - Landscape - Process. 2017 - 2018 **https://ruftydogblog.wordpress.com** - #HonorNativeLand

- Roger Brown Calif USA/La Conchita CA collection - 2010 - 2012 http://ruftydog.wordpress.com/

WE REFUSE - SAIC Moving Forward -

SAIC School of the Art Institute of Chicago | Historic Preservation

Department of Historic Preservation
The School of The Art Institute of Chicago
116 South Michigan Avenue,
Chicago, IL 60603,
USA

nlowe1@saic.edu

January 18, 2023

Scott Botcher
Village Manager
7200 N. Santa Monica Blvd.
Fox Point, WI 53217

Dear Mr. Botcher,

I join many colleagues concerned with Mary Nohl's legacy to add my support for the Village to adopt a cultural overlay zoning district for the Nohl property in Fox Point. As professor and chair of the School of the Art Institute of Chicago's Historic Preservation program, it's gratifying to work in the same institution where Mary Nohl studied from 1933 to 1937. I now take seriously my responsibility to advocate for Nohl's home and studio, which has been so painstakingly preserved and cared for, that it warrants at least limited availability. Being experienced and studied by others the site deserves to continue to be a place of inspiration, as it was for Mary Nohl herself.

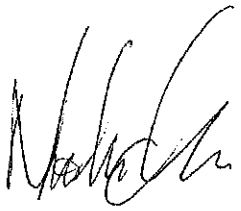
Mary Nohl was a singular artist of great originality. Many artists leave behind important bodies of work, and fortunately some left legacies of place, where people can experience an entire home/studio environment and connect with artistic processes, as the artist lived and created within them. I am originally from England, and bring a long experience of working on preservation projects in rural communities. In the United Kingdom there are many highly successful examples of artist's homes and studios that exist comfortably within intimate communities. Indeed, many are embraced by both urban and rural populations as places of convergence, quiet interest and peaceful contemplation. Just a few I could name include, the David Parr House in Cambridge; Charleston, home of Bloomsbury Group of artists, Venessa Bell, Duncan Grant, and others; Sissinghurst, the retreat home and garden of Vita Sackville West; and Perry Green, Henry Moore's home and studio. Mary Nohl's life and work stands as an important American equivalent of these well know British artist cohorts. The stewards and curatorial teams of these and of many other sites work hard to balance preservation with access. It is well understood in places where a home has become an important cultural site, that maintaining the focus and charm which their creators valued so highly is a key to their continued access. It is possible to preserve extremely fragile home and studio environments by managing light visitor impact, and to preserve community relationships and trust by ensuring limited vehicular access and only small groups, all of which would be no different than neighboring residents' activities in Fox Point.

I'm aware of the John Michael Kohler Arts Center's proposed plan, which outlines carefully managed visitation, similar to many sites around the U.S. and abroad. Institutions and municipalities are often responsible for the preservation of irreplaceable cultural resources, at times before their full significance is understood. I hope the Village of Fox Point and its residents will find a way to coexist with, support, and take pride in the Mary Nohl site, as tangible evidence that exceptional creativity can be centered at home and in the context of daily life.

For years I have wanted to bring very small groups of students to the Nohl site. It's been hard to understand why this has not been possible, why the surrounding community objects to a few respectful people coming, now and then, to appreciate Nohl's life and work at her Beach Drive cottage. It's my fervent hope that you, the Trustees, and the community will adopt the cultural overlay zoning district.

Thank you for kindly sharing this with the Village Trustees and concerned residents of Fox Point.

Yours Sincerely,



Nicholas C. Lowe,
Professor, John H Bryan Chair of Historic Preservation

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A LIMITED LIABILITY SERVICE CORPORATION

John M. Wirth
Direct Telephone: 414-727-6276
E-mail: jwirth@mallerysc.com

January 20, 2023

VIA EMAIL

The Honorable Douglas H. Frazer
Village of Fox Point Board of Trustees
Village of Fox Point Plan Commission Members

Dear President Frazer, Trustees
and Commissioners:

RE: Mary Nohl Museum
7254 and 7328 North Beach Drive

My firm and I represent Save the Beach Drive Neighborhood, an association of residents concerned with the proposed rezoning for the Mary Nohl Museum. The association includes, among others, the owners of the 27 residences listed on the attached document. We believe there are others joining our association who have not yet provided positive confirmation.

For good reason, members of Save the Beach Drive Neighborhood are vehemently opposed to this proposed rezoning. Many have written to express the reasons for their opposition. They include the increased traffic, diminished neighborhood value and increased parking that the rezoning would bring. This "cultural" proposal serves no benefit to the residents of Fox Point. I will provide more detail in future correspondence, and we will do so at future meetings. The Village should reject the application for obvious reasons.

However, if the Village does not summarily reject the application at its first opportunity, it should insist on far more information, and allow further public input on it. The application does not meet the letter or spirit of the requirements of Section 745-22B of the Village Code and certainly does not provide sufficient information for a reasonable analysis. There are many questions left open by the publicly available application, including:

1. What conditions will staff recommend to the Plan Commission and Village Board? Obviously, the applicant is making a lot of promises. We assume those will be written into the conditions of any potential approval. Presumably, staff will have other suggestions based on their

review of the application. In most communities, the public has the opportunity to review and comment on these proposed conditions. The conditions could conceivably alleviate some of the public's concerns.

2. A more specific description of the uses and limitations that the applicant proposes and staff will recommend. Specifically, the application fails to explain:

(a) How will the proposed new 4,000 square foot auxiliary structure be used? That is an incredibly large structure for a couple of artists-in-residence and caretakers. As described in Section 11 of the applicant's written statement, the occupancy limits described in the application will not apply to this use. Is this purely a residential structure? Will it have offices and, if so, how many? Will it provide catering out of the building?

(b) How many educational and school groups would the property accommodate? As described in Section 11 of the applicant's written statement, the occupancy limits described in the application will not apply to this use.

(c) How many shuttles might visit the property at a time, and where would they park? If there are no hours or occupancy limits for the accessory structure and the educational groups, this could be a significant issue.

(d) Will there be limitations on through traffic on the proposed new private road?

(e) What is the traffic impact of the project? I understand that the applicant has engaged a traffic analysis from Traffic Analysis & Design, Inc. (TADI). That analysis should be available for comment and review by Save the Beach Drive Neighborhood's traffic engineer and the public before any decisions are made. We question how TADI can do any analysis without the answers to (a) through (d) and paragraph 4 below.

(f) What signage does the applicant propose? Conspicuous signage in a residential neighborhood changes the character of the neighborhood,

3. What is the impact of this development on the value of surrounding homes? The applicant draws broad conclusions but provides no legitimate substantiation. Fox Point has no experience with inserting a commercial venture on such a small property in the middle of a secluded neighborhood. We are engaging a qualified real estate professional to provide some guidance to the Village.

4. Architectural renderings. Please note:

(a) Counsel for the applicant states in his letter (sixth bullet point on page 2 of the letter dated December 7, 2022 – packet page 4) that he encloses "Architectural Renderings depicting the replacement house/auxiliary building that may be constructed …" Nothing in the packet comes close to architectural renderings and nothing depicts that structure.

(b) I assume counsel added that bullet point because Section 745-22B(6) of the Village Code requires "architectural drawings and sketches illustrating the design and character of [any] proposed new building or addition or changes."

(c) Ordinarily, architectural renderings are not part of a rezoning application. The Village, however, wisely requires them for a Cultural Overlay District rezoning application because of the uniquely intrusive nature of putting such a facility in the middle of a residential district. The Village should know in advance the applicant's expectations and should be able to review fully the intended impact of the rezoning and the expected primary facility.

(d) The applicant will certainly argue that it should not be required to submit the required drawings now because it is not constructing the building now. However, nowhere does the applicant state that the building is not in its immediate plans. It appears it is absolutely necessary for the business plan described.

(e) Without the plans, the Village cannot fully analyze the impact on the neighborhood (traffic, parking needs, impacts on value, etc.). *If* (but see below) the applicant must come back to the Commission and Board for approval of the building, it will then argue necessity and that you already gave tacit approval to the building. You let the camel's nose under the tent.

(f) However, if the rezoning is approved, you arguably will have no say about the big new auxiliary building. It would not be a change or addition because it was included in the original application. It would only require the approval of the Building Board, taking the decision out of the hands of the elected representatives. That is fine for a customary residential home; however, for a business venture in a neighborhood, the elected representatives should have a say.

(g) The applicant is circumventing the Village's carefully constructed requirements for Cultural Overlay District approval. The appropriate way to address the requirements for an approval, if an approval is forthcoming (and it should ***not*** be), would be to review and generally approve or mandate modification of the depictions required by the Code and, if the applicant later wants to change them, it can come back for a modification.

Unless the Village is prepared to make the appropriate decision and reject this application at its first opportunity, thereby saving the community a great deal of angst, we urge the Commission and Board to allow time for a careful analysis of these issues and to require the applicant to complete its application. We will have our own traffic engineer analyze the TADI report and will have an independent residential appraisal analysis. These reports should assist the Commission and the Board in making their decisions.

I spent over two decades as a mayor, alderman, plan commission member and economic development board member in a nearby community. I did not like saying no to applicants; however, before approving a rezoning application, I wanted to be reasonably certain that the new use was compatible with the uses and rights of nearby property owners. That is not being NIMBY. Instead, it respects the thought that went into the existing zoning code, the traditions and character of the community and the reasonable expectations of the people who have already invested in the community.

I emphasize that there is no compelling benefit to Fox Point in granting this rezoning application and nothing under Wisconsin law dictates that you do so. Moreover, nothing in this application is time sensitive. The applicant has owned the property for over 20 years. An approval today will impact the area for generations to come. Again, this should be rejected but, if the application is to proceed, there should be adequate information to consider it.

I am certain you will want to get this right and will want your neighbors to be given a fair opportunity to be heard.

Thank you for your consideration.

Sincerely,

John M. Wirth

JMW:aw

cc: Mr. Scott Botcher
Eric J. Larson. Esq.
Ms. Kelly Meyer

SAVE THE BEACH DRIVE NEIGHBORHOOD

RESIDENCES - 27
7425 North Beach Court
7433 North Beach Court
7443 North Beach Court
7463 North Beach Court
7471 North Beach Court
7000 North Beach Drive
7210 North Beach Drive
7228 North Beach Drive
7234 North Beach Drive
7242 North Beach Drive
7275 North Beach Drive
7308 North Beach Drive
7320 North Beach Drive
7415 North Beach Drive
7473 North Beach Drive
7475 North Beach Drive
7481 North Beach Drive
7515 North Beach Drive
7575 North Beach Drive
7644 North Beach Drive
7718 North Beach Drive
7900 North Beach Drive
7912 North Beach Drive
8025 North Beach Drive
8130 North Beach Drive
7500 North Navajo Road
6824 North Reynard Road

Scott Botcher

From: Matt Kirchner <mkirchner@labmidwest.com>
Sent: Friday, January 20, 2023 8:00 AM
To: Scott Botcher
Cc: Renee Kirchner
Subject: Kirchner Letter - Mary Nohl House
Attachments: Kirchner Letter - Mary Nohl House.pdf

Hi Scott,

Please see attached. Enjoy the weekend!

Matt

Matt Kirchner
LAB Midwest LLC

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www.labmidwest.com
Mobile: **414-534-1500**
Email: mkirchner@labmidwest.com

January 17, 2023

Mr. Scott Botcher
Village Manager
Village of Fox Point
7200 N Santa Monica Boulevard
Fox Point, WI 53217
Via email:

Re: Cultural Overlay Zoning District - 7254 and 7328 North Beach Drive

Dear Mr. Botcher:

Please share this letter with the members of the Fox Point Village Board and members of the Fox Point Plan Commission.

Our property at 7250 North Beach Drive is perhaps more affected by the cultural overlay zoning district proposed by the John Michael Kohler Art Center (JMKAC) than any other in the Village given that we share several hundred feet of contiguous property line with the property at 7254 North Beach Drive. We are generally supportive of the proposal and encourage the Village Board and Plan Commission to work with the JMKAC toward a reasonable outcome.

We support preserving Mary Nohl's legacy in Fox Point. I (Matt) have been visiting Beach Drive and peering through her fence to appreciate the mystery and genius of her art for more than 35 years, an activity that in part caused me to fall in love with the Beach Drive neighborhood and prompted us to purchase our house there. Hers is a fascinating story and part of Beach Drive's history. Within reason, more people should have the opportunity to quietly appreciate her life's work both inside and outside of her home on Beach Drive.

We have met several times with the leadership of the JMKAC and have found them to be genuine and very open to feedback. In fact, they made several modifications to their plan following our early discussions. We don't get the sense that their intentions for the properties are anything beyond what has been proposed.

Provided that the size of the visitor groups is limited to a small number and specific times of day, any larger events take place just a couple of times each year (no different than a neighbor hosting a larger party for friends) and the parking area accommodates just a few cars and is and shielded from view from both Beach Drive and the surrounding properties we believe the goals of the JMKAC can be met without compromising the quiet nature and enjoyment of our home and neighborhood.

Given in part that the shared driveway that services the properties at 7240, 7250, 7252 and 7254 (known to some as Willetts Lane) is extremely narrow and barely accommodates one vehicle at a time we understand that its use would be limited to the resident at 7254 and to the program director for the Mary Nohl House. We believe this stipulation is important.

With the above in mind we submit this letter of support and ask both the Village Board and Plan Commission to consider the MJKAC proposal in good faith and to work toward an outcome that honors both Mary Nohl's legacy and the interests of our neighborhood.

Sincerely,

Matt Kirchner

Renee Kirchner

7250 North Beach Drive
Fox Point, WI 53217

Scott Botcher

From: michelle grabner <michellegrabner@gmail.com>
Sent: Friday, January 20, 2023 8:00 AM
To: Douglas Frazer; Eric Fonstad; Christine Symchych; Elizabeth Sumner; Greg Ollman; Elizabeth Aelion; Catie Anderson Knight; Scott Botcher
Subject: Please SUPPORT the Cultural Overlay application from the JMKAC

LETTER IN SUPPORT OF THE CULTURAL OVERLAY FOR THE MARY NOHL HOUSE

Dear Fox Point Trustees and Plan Commission members,

First, I would like to start by thanking you for your Village leadership.

I live at 1100 Bywater Lane, Fox Point WI and I am currently the only Wisconsin artist who has ever received both a Guggenheim Fellowship and awarded an Academicianship by the National Academy of Design. I am currently the Crown Family Professor of Art at the School of the Art Institute of Chicago where I have taught since 1996. I am also a Milwaukee Art Museum Trustee and I am an Executive Board Member for Sculpture Milwaukee.

In 2015 I moved to Fox Point from Oak Park, IL where I had lived adjacent to Frank Lloyd Wright's Home and Studio for 20 years. Needless to say, Oak Park and its relationship to this architectural masterpiece is the cornerstone of Oak Park's celebrated cultural identity. I was always proud to be in juxtaposition with FLW's Home and Studio because art and its transformative powers must always eclipse privilege and its social ascendancy.

If we agree with the unambiguous claim made by our region's flagship art institution, the Milwaukee Art Museum that, *"Art transforms and inspires people. It is, at its core, a celebration and expression of human creativity, and our experiences with it change all of us for the better and enrich society,"* then it is the village's responsibility to make sure that the celebrated cultural masterpiece that is the Mary Nohl House is available to inspire not only all of the village's taxpayers and their children, but any individual regardless of their social stature.

In 2015, my family moved into one of only two Mendel Glickman commissioned homes built in the entire county. Glickman, an associate of Wright and longtime Dean at the prestigious architecture school at the University of Oklahoma is lauded for his design and engineering of cantilevers, including their use in FLW's Falling Waters *tour de force*. We moved into this celebrated house with our children because we knew that culture had long flourished in Fox Point, and that the Village is dotted with iconic cultural artifacts. Mary Nohl and her environment is a part of this history, and it gives me great pride to know that her environment lives in our community amongst the Chipstone Foundation, a host of influential artist's studios, and a sea of extraordinary mid-century specimens.

Needless to say, I am disturbed by my Beach Drive neighbors' absurd and profoundly selfish claims. Their attempt to wall off culture and art from the public does not reflect our village's cultural history nor do I believe that it reflects the majority of the Village's tax paying citizens. Culture and artistic experimentation here in Fox Point must be celebrated and shared, and not suppressed.

There are countless examples where communities in the US and across the globe benefit by taking pride and showcasing their cultural treasures, enriching their local identities and benefiting from expressions of human creativity. To evoke one of the Milwaukee Art Museum's most lauded strategic pillars, that of "EXPANSIVE HOSPITALITY," the Beach Drive residents by contrast are instead choosing to censor Mary Nohl's extraordinary cultural imagination and her environment from the public.

I have full trust that the stewards of the Nohl environment, the John Michael Kohler Art Center, will work in the best interest of our history, art, culture, and even our Beach Drive neighbors. Clearly, JMKAC wants to be good partners, so please allow them to elevate and share an example of our Village's unique and historic culture.

Sincerely, Michelle Grabner

Michelle Grabner, Crown Family Professor of Art
Chair of Painting and Drawing
The School of the Art Institute of Chicago
112 S. Michigan Avenue 15th Floor, Chicago, IL 60603
708-305-2657
mgrabn@saic.edu
michellegrabner@gmail.com
http://www.michellegrabner.com/

Scott Botcher

From: Daniel Murphy <dannygeorgemurphy@gmail.com>
Sent: Friday, January 20, 2023 8:06 AM
To: Scott Botcher
Subject: Mary Nohl

Mr. Botcher,

I am writing you to express my support for the proposed Cultural Overlay District for the Mary Nohl house and property. When my wife and I moved to Fox Point in 2017, we did not know about Mary Nohl. But as we explored Beach Drive, typically pushing our kids in a stroller, we were pleasantly surprised to find such a cool cultural space nestled within our community. Such a unique and fragile resource deserves protection. I urge the Village to approve the District so that our community can continue to benefit from Ms. Mojo's work for years to come.

Best,

Dan Murphy
230 W Suburban Ct
Fox Point, WI

Scott Botcher

From: kkpetersons@juno.com
Sent: Saturday, January 21, 2023 9:08 PM
To: Scott Botcher
Subject: opposition to Mary Nohl Cultural Overlay District designation

Scott,

My wife Karin and I are in opposition to the proposal for the designation of the Cultural Overlay District to the Mary Nohl house.
Specifically opposed to the increased traffic and commercialization that will occur to a tranquil area that we frequent 3 to 4 times a week.

Kevin Peterson
7242 Longacre Rd
Fox Point

Scott Botcher

From: P Day <Day.p8@pm.me>
Sent: Saturday, January 21, 2023 11:43 AM
To: Scott Botcher
Subject: Mary Knohl property

DrMr Botcher,

I am writing in support of the Cultural Overlay District designation for Mary Nohl's residence, property and art collection on Beach Drive. I believe that the artwork is unique and that the village should support the KohlerArt Museum in preserving and expanding access to this unique gem in our community.

Thank you.

Patti Day
7629 N. Bell Road
Fox Point, WI

Scott Botcher

From: Coffey, Peter L (14984) <PLCoffey@michaelbest.com>
Sent: Sunday, January 22, 2023 9:22 AM
To: Scott Botcher
Cc: KCleary@cmclax.com
Subject: Mary Nohl House/John Michael Kohler Arts Center

Dear Village Trustees,

We are writing to you to ask that you support the John Michael Kohler Arts Center's cultural overlay zoning proposal submission for the Mary Nohl property. Having spent a good part of my childhood in Fox Point and recently returning to live here we appreciate the uniqueness of the Village. My mother was an artist and often would paint on Mary's property and always found her to be an interesting personality as is the case with many artists as you would expect. We consider the willingness of the Center to support the artists of today and tomorrow invaluable and a gift like the Lynden Sculpture Garden and The Chipstone to the entire North Shore.

We believe the zoning papers that have been shared with you address important resident concerns and demonstrate the Kohler Center has been thoughtful in addressing usage and mitigating and addressing issues like parking. All residents deserve to be heard, but hopefully the concerns of a vocal few don't result in the John Michael Kohler Arts Center stepping back from their generosity or deprive our artists and those that enjoy their work from utilizing this beautiful gift from May Nohl.

We are hopeful that this can be approved at your upcoming meeting so you as Trustee's can focus on other important issues to the Village.
Sincerely,
Kristine Cleary and Peter Coffey

Email Disclaimer
****
The information contained in this communication may be confidential, is intended only for the use of the recipient(s) named above, and may be legally privileged. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please return it to the sender immediately and delete the original message and any copy of it from your computer system. If you have any questions concerning this message, please contact the sender.

Scott Botcher

From: Mary Ann Nicoud <mnicoud740@aol.com>
Sent: Sunday, January 22, 2023 10:24 PM
To: Scott Botcher
Subject: Mary Nohl Property - Beach Dr.

For the record, I am in favor of the proposed Cultural Overlay District zoning that would preserve the Nohl property and collection as an important site in Fox Point. As a newer village we have little in the way of established culture and historical interest. The Mary Nohl property should be seen as a point of pride, valued by our community. Let's not be dictated by the few vocal, small-minded "not in my backyard" individuals who will eventually move on when this residence, property and art collection is a we'll established, unique treasure for the entire Village.

Dr. Mary Ann Nicoud
370 E. Daphne Rd

Scott Botcher

From: Mindy Price <mindy@leadingtransitions.com>
Sent: Monday, January 23, 2023 11:01 AM
To: Scott Botcher
Subject: Mary Nohl Property

Hi Scott-

I hope all is well with you. I am writing to let you know that I feel that the preservation and maintenance of the property and sculptures, on Beach Drive, will enhance the Fox Point community.

Thanks much.

Mindy

LeadingTransitions
Advancing Leadership
Advancing Organizations

Mindy Lubar Price
President & CEO
mindy@leadingtransitions.com
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Scott Botcher

From: natasha woods <natashamwoods4@gmail.com>
Sent: Monday, January 23, 2023 3:32 PM
To: Scott Botcher
Subject: In support of Mary Nohl Environment preservation plan.

Dear Scott and Village Trustees,

My name is Natasha Woods. I am a filmmaker, programmer, and artist. Before moving to Columbus, Ohio for graduate school, I had been living and working in Milwaukee for nearly a decade. Milwaukee is such a special place to be an artist, it will always feel like home to me and so many others.

In 2019, I was awarded the Mary L. Nohl fellowship in the emerging artist category. Before winning this award, I had the honor of visiting the Mary Nohl house as a guest of the caretaker, Alex Gartelman, and former JMKAC employee, Faythe Levine. Both visits were incredibly rich and vibrant. Their knowledge of her life stories, the materials she used, and other approaches was the most inspiring. Walking through her carefully adorned house you can see how much her environment has impacted her art. Mary seemingly had a response to everything from the lake sunrises and sets to neighborhood pranksters which she wrote about in her later years as she crafted some of the most beautiful handmade locks I have ever seen. I felt an overwhelming sense of connection to one of the biggest and most exclusive gems in Milwaukee County. I left in total awe of all that she was able to build and accomplish, knowing her legacy continues on through the fellowship.

These visits were formative for me as an artist. A beautiful reminder to devote fully to the thing you love and that fills you up, to preserve and cherish those people and spaces that help pave the way while carving out the spaces that you wish to see in the world. Since winning this award I have helped found a Moving-Image program at Cactus Club, a storied music venue and community arts space (that continues and thrives after my departure) that shows a variety of artist-made films. I also sit on the board for the art residency program in the former ghost town in Cisco, Utah, called Home of The Brave. This was founded by Milwaukee native, Eileen Muza. Through my engagement with these two spaces, however different they might be, both encapsulate a similar ethos as Mary Nohl has. All three share a generous spirit that is rooted in sharing resources, supporting artists, and creative practices that reflect back onto and draw people toward Milwaukee's ever-evolving art community.

To this end, I would like to give my full support in rezoning her estate to allow for more visits and experiences that I was lucky enough to have. I believe that this would not only open up the possibility to so many others to be inspired by her life's work but give those applying to the fellowship more context of who she was as an artist. By allowing limited small-scale educational visits, scholars, and possibly an artist in residency program, more and more people will be able to speak and respond to the environment and help shape the discourse around who Mary Nohl was as an artist. A courtesy that I think she deserves.

Thank you for your time and consideration.

Warmly,
Natasha Woods

--
Natasha Woods
she/her
natashawoods.com

TO: The Village Board -- Messrs. Frazer, Fonstad, Ollman, and Mses. Aelion, Sumner, Symchych, Knight

The Village Plan Commission – Messrs. Frazer, Fonstad, Crichton, Yale, Smith, Craig, Langhoff

RE: Kohler et al Rezoning Application

By hand: January 23, 2023

"THEY PAVED PARADISE AND PUT UP A PARKING LOT..." Joni Mitchell, Yellow Taxi, 1970

I am writing to express my opposition to Kohler's and their octopus of organizations' attempt to rezone residential property for commercial purpose under the aegis of a cultural overlay district.

I have opposed their machinations for the past twenty years. Kohler has now hired a politically connected law firm to promote their interests; one tactic will be to entangle the Village in expensive and extensive legal maneuvers and litigation in order to force capitulation--- death by a thousand cuts.

Kohler admits that eighty percent of Nohl's artwork is held in their Sheboygan facilities. Why is the remaining twenty percent deserving of its own "museum?" Kohler repeatedly uses the excuse that this remainder is too expensive, too fragile, and too site-specific to move, either by barge or freight to Sheboygan. The house is a catalog kit from Sears, Roebuck; the outdoor statues are cement. I submit that if seventy-foot, two-hundred-fifty-ton obelisks were moved from Egypt to London, Paris, Rome, New York, and Istanbul over one-hundred years ago, a competent engineering firm could move Nohl.

I submit that when anything "cannot" be done it's because Kohler doesn't want to do it.

I suggest that Kohler uses distraction and disinformation to confuse the issue and Fox Point residents.

Kohler uses amorphous terminology: scholars, historians, artists, donors, caretakers. Who are these people? What makes one a scholar? I study trees and research Fox Point; does that make me a scholar and a historian? What amount of money, and to whom, makes one a donor? Will one dollar get me in?

There is no reason to trust Kohler's assertions, promises or long-term objectives based on their previous actions. Kohler knowingly purchased adjacent residential property. Kohler may purchase additional residential property. Kohler may intend to create "The Kohler/Nohl College of Art and Design" to supplement their existing art/industry factory program and complement their commercial business.

Fox Point already has an existing cultural overlay district, i.e. Chipstone. I suggest Kohler access that site and organization and use them to accomplish their objectives. These districts do NOT benefit Fox Point; they benefit their private and commercial creators. In the twenty years I have been a resident of Fox Point I have never been allowed to visit either Chipstone or the Nohl house. There is always some ludicrous excuse. Have you ever been inside or even on the grounds of either one? Why is that?

Fox Point residents constitute a living culture. Ethnologists can study our daily life, habits, and social connections; they can describe and interpret aspects and characteristics of our culture. We do not need another cultural overlay. Our culture is threatened by a crassly commercial enterprise which cloaks itself with a pseudo-cultural label. Please see though this sham and deny Kohler's application.

Kathe Lake (7471 N. Beach Court)

(courtesy copies)

Scott Botcher

From: Bill <bill@swislow.com>
Sent: Monday, January 23, 2023 5:42 PM
To: Scott Botcher
Subject: Mary Nohl zoning

Hi Mr. Botcher

I was introduced to the Mary Noel site many years ago by a close friend who grew up in Fox Point. My appreciation of this unique place has only deepened with the years. Artistically, it represents an example of talent, creativity and persistence that is of global importance. And I believe that for Fox Point it is a unique cultural treasure. Do I wish access to the site could be opened to the public? Would I love to be able to wander the grounds at will and actually go inside? Sure. But I also understand the concerns of the neighbors. It seems to me that the Kohler proposal strikes a reasonable balance. Having Kohler oversee the site gives the village a great opportunity to honor the heritage of one of its most distinguished residents while also having a custodian who can work to address any visitor issues that may arise. So please, move forward with the proposing zoning change.

Please forward my comments to the board of trustees,

Thank you,

William Swislow
bill@swislow.com
312-286-3486

Scott Botcher

From: Sarah Gail Luther <whatsth@gmail.com>
Sent: Monday, January 23, 2023 7:41 PM
To: Scott Botcher
Subject: Mary Nohl's Legacy

Hello Mr. Botcher and the Village Board,

Thanks for taking the time to read my letter regarding the preservation of the Mary Nohl art environment and support of the proposed cultural overlay.

The legacy that Mary Nohl has left behind on the art community in Milwaukee is immeasurable. The Mary Nohl Fellowship is one of the only large funding sources that supports local artists in their practice. As an artist the Nohl fellowship funded my work and provided me with the support, exposure, and encouragement I needed to keep my practice alive in Milwaukee. Staying in Milwaukee meant that my effort and impact as an artist always go back to bettering our city through creating public artwork, teaching, and developing projects that support my community.

Years after receiving the Mary Nohl fellowship I was invited to create work that was inspired by Mary's for an exhibition at the John Michael Kohler Art Center. After studying her work I came to truly appreciate the unique creative mind of Mary. There were so many great lessons to be mined from the art and life that she created for herself in Fox Point. I was lucky to be able to share some of those ideas with students as an artist in residence at the JMKAC during the exhibition, and I'm equally glad that Alex Gartleman (and hopefully many other teachers) continue to share her story with other young people around the state. What an amazing local role model.

The preservation of the Mary Nohl and the cultural overlay that will allow artists and scholars more access to the environment has a chance to bring more positive attention to the village of Fox Point, Milwaukee, and Wisconsin on a much larger scale. It's this type of creative culture that drives investment and inspiration from new and old residents alike.

The Mary Nohl house should be promoted as a point of Pride in the Fox Point community! Please allow the cultural overlay and keep inspiring young people and artists to appreciate our Local History and the Arts!

Thank You,
Sarah Gail Luther

Brooke Kanther
7629 N Seneca Rd
Fox Point Wi, 53217

Dear Scott Bocher,

Why should we care about the Mary Nohl house?

- It is one of the 3 Fox Point properties on the National Register, Mary's has been listed for almost 20 years!!!
- **Generational touchstone:** The house has been in the neighborhood since the 1960s. I have heard of "rights of passage" stories from residents back in the 70's, 80's and 00's that would involve a trip to the Mary Nohl House… This house is part of residents' identity of coming of age, generation to generation, and that is a singular experience here in Fox Point.
- Most long time residents spanning generations and decades have a Mary Nohl story, it is part of the identity of Fox Point.
- Mary Nohls is part folktale, part "insider knowledge"/mystique and totally **LEGENDARY.** Really. Since it is not ***nor will it ever be open to the public,*** it adds a layer of culture and intrigue that is unique to homes on Lake Michigan. (Chicago does not have Mary Nohl!)
- If you have positive differentiation you have value. Can you imagine the statement: My house lives next to a house on the national register of houses and is run by a museum with one of the largest endowments in the country? I didn't think so. That just doesn't make sense.

What's in it for Fox Pointers?

- **Preserving a "one of a kind" brilliant artist estate.** Preserving tradition, and especially historic and artistic tradition, are values I stand behind. I would be hard pressed if you asked a Fx Point resident, do you value preserving artistic landmarks? They would say "yes". The issue with Marys is personal, emotional and is rooted is something else that is not the actual house and the few "hipster" types that quietly go in and out.
- **Kohler has invested over $3M in restorations in the property, without which, the house would surely be an eyesore and who knows what kind of problems we would be having without a generous incision to take care of Marys!**
- I would argue that the residents along beach drive have been feeling the positive effects in terms of home equity for almost two decades.
- And in terms of our identity, Mary's is a very singular place that cannot be replicated or commodified.
- My limited understanding of the conflict is rather emotional and fear driven, if you look at the facts NOT MUCH IS CHANGING AT ALL in terms of how it will affect Fox Point on a daily basis.

What will change?

- Nothing. This is not a disruption, the status quo is not being rocked here.
- In order to maintain a standard of care for the building some very academic, intellectual and bookish types will occasionally come to the house. Nothing deviant here! Couldn't be more harmless or wholesome.

It is with a full heart and clear eyes that I give my FULL endorsement to support the Mary Nohl house.

I stand on the side of historic preservation, valuing artistic endeavors and recognizing that without culture, we are not a society, but merely transactions.

With love and support for Mary's,

Brooke Kanther

FROM THE DESK OF ERIC WITKOWSKI

Eric Witkowski
7629 N Seneca Rd
Fox Point, WI 53217

Dear Scott Bocher,

It is with unreserved enthusiasm that I stand in solidarity with JMAC position to help preserve and protect the historic landmark of the Mary Nohl House. As I understand it, there is no change to the status quo, JMKAC has been running the show since 2005 and has helped maintain the integrity of the building and not let it fall to ruin! We should be proud to have an artistic cultural landmark in our village, we should be protecting it. Culture attacts culture and in turn that ends up making our real estate that much more valuable.

Preservation of the Nohl artist-built environment is central to JMKAC's unique mission of promoting the understanding and appreciation of the work of self-taught and contemporary artists.

- JMKAC needs to provide limited access to the Nohl property for scholarly research, including hosting artists in residence.
- While JMKAC has shouldered the substantial cost of preserving the Nohl property and collection, our preservation efforts are not sustainable without opening the property to donors on a very limited basis.
- JMKAC has crafted its proposal to fit within the residential neighborhood.
- JMKAC is only proposing uses of the Nohl property consistent with the current uses of their properties by residential neighbors.
- As the Nohl sculptures and residence are fragile, JMKAC has no intention of opening the Nohl property to larger groups or to the general public—ever.
- JMKAC consistently directs larger groups and the general public to the Art Preserve, which it developed specifically as a destination museum for artist-built environments.

In Solidarity with Mary Nohl,

Eric Witkowski

Scott Botcher

From: Frank Pitsoulakis <frank.pitsoulakis@gmail.com>
Sent: Tuesday, January 24, 2023 8:38 AM
To: Scott Botcher
Subject: Mary Nohl Cultural Overlay District

Mr. Botcher,

I urge the Village Board to approve the Cultural Overlay District for the Mary Nohl property. The proposal is a sensible way for the Village to assist in preserving and protecting Mary Nohl's legacy and artwork.

Frank Pitsoulakis
7619 N. Fairchild Road

Scott Botcher

From: Brad Killam <bkillam2000@gmail.com>
Sent: Tuesday, January 24, 2023 9:28 AM
To: Scott Botcher
Subject: Nohl/Kohler Proposal
Attachments: Cultural Overlay District - Nohl.pdf

Hello Mr Botcher,

Attached please find a pdf document/letter that I respectfully submit to the Village of Fox Point.

Please forward to the members of the Board of Trustees and the Plan Review Commission respectively.

Thank you for your assistance.

Brad Killam

Board of Trustees, Review Commission
Village of Fox Point
7200 North Santa Monica Boulevard
Fox Point, WI 53217

January 20, 2023

Hello Board of Trustees and Review Commission,

I live at 1100 East Bywater Lane and I support the proposal for Cultural Overlay District submitted by Creation and Preservation Partners (further referred to as Kohler).

Section 745-22 of the village code provides for such a variance and it is my belief that if the Kohler submission meets the provided criteria, then the proposal should be approved. If the criteria is not met, the Planning Commission should make the recommendation that the Board ask for additional information.

I further believe the Planning Commission and the Board of Trustees should primarily seek to advise and approve proposals when required code criteria is met. The decision should be based on code review and compliance, not opinion, not emotion, not conjecture nor unfounded accusation.

I have read the Kohler proposal and it appears to be earnest and forthright in its efforts to comply with the code while also taking into consideration the impact on quality of life in the immediate neighborhood. If missing information is needed, the Board should advise the applicant to submit additional material.

I have also read the available material published by No Nohl Museum, that does not support the proposal. The plea is emotional and it seems to have created a lot of discussion in the community. However, it is crucial to keep in mind the Cultural Overlay provision in the code exists to create opportunity and enrichment.

An Emotional Campaign

Presented on the pages of the web site nonohlmuseum.com the author(s) present an argument that seems rooted in opinion while leaning toward a distortion of facts. For example, in relation to the impact on municipal services, the website states: "With groups of 80+ for parties, and buses of school children, the impact on services can be nothing less than significant, yet Kohler is silent on this required point."

The No Nohl argument does not demonstrate what impact on services are concerning. Would it be premature degradation of asphalt surfaces? Excessive storm run-off due to impervious surfaces? Overflow parking? Too much demand on the water supply?

The "Kohler" proposal states in section 10, which addresses parking and use of shuttles; "no buses (which accommodate more that 20 passengers at any one time) shall be allowed at the property." This statement seems definitive while clearly demonstrating the proposals concern for limited traffic.

Further in Section 11 and 12 the Kohler proposal addresses Access and Hours of Operation and Landscaping and Security respectively. It appears the Kohler group has taken seriously the concerns of the community and in good faith has addressed capacity impact and security.

Regarding fundraisers or large gatherings: Section 12 of the Kohler proposal states they will limit gatherings to two annually. That seems reasonable. We've all attended more than one gathering at a private residence in Fox Point including many vehicles parked on the street for a reasonable time period.

Safety and Quality of Life

Lest I mention the precious few sidewalks throughout the village (a problem that forces pedestrians into the street) I submit the number one public safety hazard in Fox Point is not the Nohl House, rather it is moving and parked maintenance vehicles. The physical environment hazard(s) created by landscape trucks, trailers and maintenance vehicles (such as skid loaders and chippers) are present year-round.

Parked vehicles create sightline interference. When a vehicle is forced to drive in oncoming lanes, any pedestrians in the immediate area are potentially in danger. If that driver isn't familiar with the large number of pedestrians walking the streets of Fox Point, the danger immediately increases. Anyone who walks, runs or bikes through the village regularly experiences this hazard. I regularly step into a ditch to let vehicles pass. Thus, tightly regulated visitors (and their accompanying vehicles) to the Kohler property presents far less of a hazard in the proposed neighborhood than the constant parade of service teams and their vehicles.

Further, it should be noted that a continual parade of school buses won't be a weekly occurrence despite the fear of it. Why? School groups take an art related trip once per academic year at most. The regulation on mandated instruction days, the cost of transportation and staff, and the vacancies left on campus are all factors that limit the options. Thus, that art related field trip will most likely end up at the Milwaukee Art Museum if it happens at all. Simply stated, the return on investment is better served at a large institution with an educational department and the infrastructure to accommodate large numbers of students, staff and vehicles in one day.

Property Value in Decline

Until properties sell after a completed project in a Cultural Overlay District, and until someone with real estate industry knowledge creates a convincing case-study, we will not know if property values decline. To state that value decline is imminent, as proposed by the No Nohl argument, cannot be verified. It is a speculative position. As well, it would be conjecture to insist that purchasing a home in proximity to a historical landmark will guarantee a value-added increase in two years.

An online survey (January 20, 2023) on the Zillow real estate aggregator lists 5 properties (sold between 2020 and 2022) near Frank Lloyd Wright's Home and Studio, at the corner of Chicago Avenue and Forrest Avenue in Oak Park, Illinois. The following valuations are for sold properties that exist within one block of the museum: 980 K, 921 K, 1.98 M, 1.10 M, 1.05 M. The median home value in Oak Park hovers just below 471K. These properties are in what many might consider the most exclusive Oak Park neighborhood due to their proximity to FLW designed homes.

How often is history made, then preserved, in a residential home and neighborhood?

I ask the Board and Commission members to consider that question then consider the list below naming historically significant homes and studios , located in residential neighborhoods, in the United States. There are enough that have been transformed into locations of research, education, scholarship and culture to chart a lineage. That number, however, is still small enough to describe their occurrence as rare. I also ask you to consider how fortunate the few communities are that have such a unique opportunity within their borders. Again, rare.

Frank Lloyd Wright Home and Studio, Oak Park, Illinois **Thomas Cole National Historic Site**, Catskill, New York **Alice Austen House and Museum**, Staten Island, New York **Georgia Okeefe Home and Studio**, Abiquiu, New Mexico **Chinati Foundation,** Marfa, Texas, **Rauschenberg Residency on Captiva**, Captiva, Florida **Winslow Homer Home and Studio,** Prouts Neck, Maine **DeMuth Museum**, Lancaster, Pennsylvania **Edward Hopper House and Museum**, Nyack, New York **Grant Wood Studio**, Cedar Rapids, Iowa **Pollock Krasner House and Study Center** East Hampton, New York

Fox Point, A Visionary Community

I consider myself a devoted modernist. With that aspiration in mind I moved with my family to Fox Point for a few but pointed reasons. Excellent public schools for my youngest child now a senior at Nicolet Union High School. A desire to leave the bustle of Chicagoland behind. And, a house with a pedigree, designed and built with the influence of Frank Lloyd Wright's Usonian vision.

In the early and middle twentieth century, modernist homes were not the norm. Studying the Fox Point / Bayside area, we can find moderately scaled single family structures with the seriousness of modernism's finest aspirations and the influence of its greatest practitioners. In the United States many of those individuals passed through Taliesin in Spring Green, WI.

Schindler, Neutra, Goff, Glickman the list goes on. These architects, designers and engineers would go on to practice throughout the country and their influence and vision created a movement. Fox Point and its built environment is in no small measure a descendent of this movement.

Why then is Fox Point visionary? Because it approved the building permits of so many outstanding homes that it became a prime example of what is now celebrated as mid-century modern. And, it is the approval of those many residential projects that laid the foundation for this community to be visionary and progressive. One would be hard pressed to find another community in Upper Middle America with the same quantity of engaging modernist single family homes.

In conclusion, the approval of the Kohler Cultural Overlay proposal would create a dynamic partnership with community, a historical landmark, a revered cultural institution and a host of exceptionally lucky stakeholders.

Thank you for your time and consideration.

Brad Killam

1100 East Bywater Lane
Fox Point, WI 53217

Scott Botcher

From: Jackie Mich <jaclyn.mich@gmail.com>
Sent: Tuesday, January 24, 2023 10:49 AM
Subject: Mary Nohl Cultural Overlay Public Hearing: January 31

Village Board Members:

I am writing in support of the cultural overlay district for the Nohl Property.

The Mary Nohl Art Environment is a cultural treasure that should be preserved for generations to come. The limited usage plan proposed by JMKAC will result in only minimal impact to neighboring properties on Beach Drive, no different than other uses, sites, and homes in the area. The cultural, social, and artistic value of retaining this unique and irreplaceable site far, far outweighs the perceived impacts to neighboring properties.

Through a limited usage plan, the Mary Nohl Art Environment will preserve this important piece of community history, and it will allow for a sustainable long-term financial support plan to preserve the artwork and property into the future. This will ensure the preservation of the site for the benefit of future generations of Fox Point residents .

Sincerely,

Jackie Mich

Scott Botcher

From: ML Cable <ladyceridwen55@yahoo.com>
Sent: Tuesday, January 24, 2023 3:17 PM
To: Scott Botcher
Subject: Mary Nohl house

I would love to see this house!! And also we should have more artistic influences in our lives especially in our younger generation. SO PLEASE SAVE MARY'S HOUSE!!

Sent from Yahoo Mail on Android

Scott Botcher

From: Christine Symchych
Sent: Tuesday, January 24, 2023 4:29 PM
To: Scott Botcher
Subject: Fw: Mary Nohl House

Scott,
I don't know if my collegaues got the below letter but if you could circulate I'd appreciate it.

Thank you
Christine

From: Linda Adams <lindacadamss@gmail.com>
Sent: Tuesday, January 24, 2023 3:03 PM
To: Christine Symchych <csymchych@villageoffoxpoint.com>
Subject: Mary Nohl House

Dear Christine,
What a great opportunity the Village of Fox Point has for free renovation and maintenance of a site dear to Ruth Kohler's heart. She was a genius in finding and supporting vernacular artists world wide and you have one of the best sites right in Fox Point! Neighbors can worry over change, so I'm sure there will be complaints, but neighbors will see with time that this site will add to the value of their properties in tangible and intangible ways. I've been opposed to changes in my neighborhood to find that when they happened, they improved rather than detracted.

Please lend your support to this artistic endeavor.
Sincerely,
Linda Adams

Linda Adams - Realtor
Berkshire Hathaway HomeServices Metro Realty - Sheboygan County
(920) 467-1368 / (920)946-9089
lindacadamss@gmail.com

Scott Botcher

From: Christine Symchych
Sent: Tuesday, January 24, 2023 4:40 PM
To: Scott Botcher
Subject: Fw: Mary Nohl House

I don't know if this was shared either

From: Olav Bjornerud <olavbjornerud@gmail.com>
Sent: Tuesday, January 24, 2023 4:01 PM
Subject: Mary Nohl House

Hello,

I am sending this email to indicate my strong support for the creation of a cultural overlay district for the Mary Nohl house and property.
Nohl was a pioneer and her work continues to bring needed vibrancy to the area. It should be preserved not only for her own legacy, but for the benefit of generations to come.

Thank you,
Olav Bjornerud

Scott Botcher

From: Andrew Swant <andrewswant@gmail.com>
Sent: Tuesday, January 24, 2023 8:27 PM
To: Scott Botcher
Subject: In support of the cultural overlay for the Nohl House

Dear Mr. Botcher,

Please share this email with all the Village Trustees.

I encourage the village board to support the cultural overlay zoning proposal submitted by the John Michael Kohler Arts Center for the Mary Nohl property.

I received the Nohl Fellowship in 2008 & 2013, as well as several Nohl Suitcase travel grants. Because of Mary Nohl I've been able to finish multiple films, travel to far-off places to present my work, and make connections and partnerships that wouldn't otherwise have been possible.

Mary Nohl's legacy lives on through her generous scholarship programs, as well as through her body of work, which includes her home. Her legacy in the Fox Point and Milwaukee community needs to be preserved for future generations of artists. Her house is one of the most significant gems in Fox Point and the village should do all it can to protect this property.

If the cultural overlay designation does not go through I can picture the house falling into disrepair and/or being sold and turned into an Airbnb (which would be constant traffic from people who don't even live in the area).

Very few places like this exist (and almost none are made by women), so there is a national movement to save them. Please do the right thing and let the Kohler Art Center continue to preserve this historic home.

Sincerely,
Andrew Swant

Scott Botcher

From: LeAnn Oertel <l.oertel@att.net>
Sent: Tuesday, January 24, 2023 9:08 PM
To: Scott Botcher
Subject: Save Mary Nohl's home

Please save Mary Nohl's home

I fell in love with her art when I discovered it at JMK ART CENTER Her soulful style is unique to the art world.
It is a treasure to have in your city. Embrace your treasure!

I feel JMK ART CENTER's proposal is not invasive to your neighborhood.
I can almost bet that neighbors with teenagers create more traffic often than proposed.

Regards,
LeAnn Oertel

Sent from my iPhone

Scott Botcher

From: Joan Mayer <joaniedoh@yahoo.com>
Sent: Tuesday, January 24, 2023 9:54 PM
To: Scott Botcher
Subject: Mary knoll

Her art should live on. Figure it out!

Sent from my iPhone

Scott Botcher

From: Christine Symchych
Sent: Wednesday, January 25, 2023 10:33 AM
To: Scott Botcher
Subject: Fw: Please consider the Mary Nohl house for a cultural overlay district

This one went to all trustees but not PC

From: Carla Therese Bruni <carlabruni@gmail.com>
Sent: Wednesday, January 25, 2023 9:44 AM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>; Eric Fonstad <efonstad@villageoffoxpoint.com>; Christine Symchych <csymchych@villageoffoxpoint.com>; Elizabeth Sumner <lsumner@villageoffoxpoint.com>; Greg Ollman <gollman@villageoffoxpoint.com>; Elizabeth Aelion <eaelion@villageoffoxpoint.com>; Catie Anderson Knight <cknight@villageoffoxpoint.com>
Subject: Please consider the Mary Nohl house for a cultural overlay district

Dear Trustees,

Years ago, I came into Milwaukee to see an art exhibit and was told to also visit the Mary Nohl home. I was totally blown away and literally couldn't wipe the smile off of my face as I walked around and craned my neck into unnatural angles trying to see as much as I could of this magical environment. I never forgot it and how it made me feel.

We need more of these places and we need to do whatever we can to protect the very few that remain as oases for the soul. Please consider adding these protections as a gift to the imaginations of future generations. As a professor at the School of the Art Institute, I can tell you very seriously that younger generations are desperate for these encounters (and so am I!).

Many thanks for your consideration,

Carla Bruni
Lecturer
Historic Preservation
School of the Art Institute

Scott Botcher

From: Diane Buck <dianebuck016@gmail.com>
Sent: Wednesday, January 25, 2023 10:59 AM
To: Scott Botcher
Cc: Steve Woods; Amy Horst
Subject: Mary Nohl issue

Dear Scott,
First, thank you for your public service. Working as trustees and taking on leadership roles in any small village or town is a true commitment to community.

I am writing to you as a retired art educator and preservationist with a long dedication to the Mary Nohl site, the John Michael Kohler Art Center and CAPP. The Mary Nohl site is truly unique and should be celebrated by the Fox Point community.

How can we move forward into the future without understanding the past. Mary Nohl's creations and giving to the larger Milwaukee community is well known and appreciated in the Milwaukee area. Her artistic legacy needs to be preserved and celebrated with opportunities for young people in Fox Point to experience her art.

I hope your leadership will bring the trustees to this understanding and grant the cultural overlay.

Diane M. Buck
414-803-8681

Since it is impossible to escape the results of our deeds, let us practice good works. Buddha

Scott Botcher

From: Christine Symchych
Sent: Wednesday, January 25, 2023 11:05 AM
To: Scott Botcher
Subject: Fw: Mary Knoll House
Attachments: Screenshot_20230125-084827_Chrome.jpg

FYI

From: panapet888 <panapet88@gmail.com>
Sent: Wednesday, January 25, 2023 10:51 AM
To: Christine Symchych <csymchych@villageoffoxpoint.com>
Subject: Re: Mary Knoll House

See screen shot and please share!
Thanks again!

On Wed, Jan 25, 2023, 8:34 AM Christine Symchych <csymchych@villageoffoxpoint.com> wrote:

> Kellie
> Thank you
> Can you tell me if you sent this to Scott Botcher and the rest of the board? If not I'll forward for distribution.
> Thank you
> Christine

From: panapet888 <panapet88@gmail.com>
Sent: Tuesday, January 24, 2023 8:24 PM
To: Christine Symchych <csymchych@villageoffoxpoint.com>
Subject: Mary Knoll House

> Hello,
> Please approve the cultural overlay application for the Mary Knoll House. The home is an important part of Knoll's legacy and should be preserved for future generations.
> Knoll generously supported art education and her work deserves widespread attention.
> Thank you!
> Kellie Brown

Scott Botcher

From: Christine Symchych
Sent: Wednesday, January 25, 2023 11:06 AM
To: Scott Botcher
Subject: Fw: Mary Nohl house

Please forward

thank you!

From: Mark Walczynski <walczynski@wi.rr.com>
Sent: Wednesday, January 25, 2023 11:01 AM
To: Christine Symchych <csymchych@villageoffoxpoint.com>
Subject: Re: Mary Nohl house

No, I don't think so. Thank you for forwarding.

Sent from my iPhone

> On Jan 25, 2023, at 10:33 AM, Christine Symchych <csymchych@villageoffoxpoint.com> wrote:
>
> Mark
> Can you tell me if you sent this to Scott Botcher and the rest of the board? If not I'll forward for distribution.
>
> Thank you
> Christine
>
> ---
>
> **From:** Mark Walczynski <walczynski@wi.rr.com>
> **Sent:** Tuesday, January 24, 2023 9:13 PM
> **To:** Christine Symchych <csymchych@villageoffoxpoint.com>
> **Subject:** Mary Nohl house
>
> Please save this wonderful art exhibit.
>
> Sent from my iPhone

Scott Botcher

From: Christine Symchych
Sent: Wednesday, January 25, 2023 11:05 AM
To: Scott Botcher
Subject: Fw: Save the Mary Nohl House

From: Stephanie Bartz <heybartzie88@gmail.com>
Sent: Wednesday, January 25, 2023 10:21 AM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>; Eric Fonstad <efonstad@villageoffoxpoint.com>; Christine Symchych <csymchych@villageoffoxpoint.com>; Elizabeth Sumner <lsumner@villageoffoxpoint.com>; Greg Ollman <gollman@villageoffoxpoint.com>; Elizabeth Aelion <eaelion@villageoffoxpoint.com>; Catie Anderson Knight <cknight@villageoffoxpoint.com>
Subject: Save the Mary Nohl House

Dear president and trustees,

I'm writing in favor of keeping the Mary Nohl home stay put.
It's a part of the Fox Point community and has a rich history. This home and the art work inside and out should be celebrated and experienced for people now and for generations to come.
In favor of this for its future.

"JMKAC is currently asking the Village of Fox Point to consider the creation of a cultural overlay district for the Nohl property, which will:

- Create a pathway to host opportunities for local community members, educators, and artists to access the property.
- Support the production of work that deepens the legacy, understanding, and value of this important piece of community history.
- Allow for the development of a committed and sustainable long-term financial support plan to preserve the artwork and property into the future, ensuring that future generations of Fox Point residents will be able to say "Mary Nohl is a part of my community." "

Please consider my vote in favor of staying right where it is.

Thanks,
Stephanie Bartz
artist and community member

Stephanie Bartz
Photographer & Location Scout, Stephanie Bartz Photography
414 640 7976
https://www.sbartzphotography.com/ | http://www.sbartzlocations.com/

Scott Botcher

From: Christine Symchych
Sent: Wednesday, January 25, 2023 11:35 AM
To: Scott Botcher
Subject: Fw: Cultural Overlay application/Mary Nohl

From: Leslie Speicher <chicagoglasscollective@gmail.com>
Sent: Wednesday, January 25, 2023 11:32 AM
To: Christine Symchych <csymchych@villageoffoxpoint.com>
Subject: Re: Cultural Overlay application/Mary Nohl

Thank you for your quick response! I sent it to this list of folks-

Douglas H. Frazer, President
dhfrazer@villageoffoxpoint.com

Eric Fonstad, Trustee
efonstad@villageoffoxpoint.com

Christine Symchych, Trustee
csymchych@villageoffoxpoint.com

Liz Sumner, Trustee
lsumner@villageoffoxpoint.com

Greg Ollman, Trustee
gollman@villageoffoxpoint.com

Elizabeth Aelion, Trustee
eaelion@villageoffoxpoint.com

Catie Anderson Knight, Trustee
cknight@villageoffoxpoint.com

On Wed, Jan 25, 2023 at 10:33 AM Christine Symchych <csymchych@villageoffoxpoint.com> wrote:

> Leslie
> Can you tell me if you sent this to Scott Botcher and the rest of the board? If not, I'll forward for distribution.
>
> Thank you
> Christine

From: Leslie Speicher <chicagoglasscollective@gmail.com>
Sent: Wednesday, January 25, 2023 10:10 AM
To: Christine Symchych <csymchych@villageoffoxpoint.com>
Subject: Cultural Overlay application/Mary Nohl

Please approve the cultural overlay application to secure the future of Mary Nohl's artist-built environment.

Thank you,

Leslie Speicher
Chicago, IL

Sent from my iPhone

--

*Upcoming classes-*Check out our workshops on Dabble.co

New workshops and classes are listed on www.chicagoglasscollective.com

Take Care,
Leslie Speicher, Owner
Chicago Glass Collective
www.chicagoglasscollective.com
216-543-2329

Scott Botcher

From: lbjoseph@aol.com
Sent: Wednesday, January 25, 2023 1:02 PM
To: Scott Botcher
Subject: Fwd: no no-hl museum

mr. Botcher

Might you forward this letter to the trustees and the planning commissioners ?

thank you

bonnie joseph
8130 North Beach Drive

414-737-9898

-----Original Message-----
From: lbjoseph@aol.com
To: mtarney@gmail.com <mtarney@gmail.com>; jordanajoseph@gmail.com <jordanajoseph@gmail.com>; gsaltz9@gmail.com <gsaltz9@gmail.com>; leon@reillyjoseph.com <leon@reillyjoseph.com>
Sent: Wed, Jan 25, 2023 10:49 am
Subject: no no-hl museum

To Scott Botcher, the village trustees, the planning commissioners, and all thoughtful residents of fox point:

My husband Leon and i have lived in Fox Point for over 50 years. We have raised our two children a mile away from our present home on Beach Drive. We accept the skinny roads and the fat taxes.

For all the reasons you have heard from the vast majority of those who live on Beach Drive and oppose an overlay zoning change for our neighborhood:

more traffic
less privacy
more property off the tax roll
less ability to control where we live

I also wonder-
who will monitor the numbers Kohler and CO. propose?
who can guarantee that they follow the parking rules?
who can we complain to if the fund raisers are excessive?

BUT, in addition, we have a yard sign "no no-hl museum because we have two small grandchildren also residing on the beach (7242 Beach Drive). They live in a 1 bedroom 1 bath cottage 1 door away from the proposed housing for a caretaker, a parking lot, and the so-called museum used mainly for fund raising. This does not benefit Fox Point at all.

BUT , my grandchildren ride bikes, take walks, and enjoy the safety of a small neighborhood. They and other children deserve their Fox Point where trustees and planning commissioners care. Busses and daily traffic on the skinny roads do not fit the bill.

Please consider how this Kohler proposal will be a hindrance, not a benefit for Fox Point.

Thank you for your concern and strength in saying no no-hl with all of us.

thanks you in advance

bonnie joseph
Sushi Saltzberg
Jonah Saltzberg

Scott Botcher

From: Christine Symchych
Sent: Wednesday, January 25, 2023 9:37 PM
To: Scott Botcher
Subject: Fw: Cultural Overlay District for Mary Nohl home

It doesn't look like this went to you and the plan commission-

---

From: david dhmoss.com <david@dhmoss.com>
Sent: Wednesday, January 25, 2023 8:11 PM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>
Cc: Greg Ollman <gollman@villageoffoxpoint.com>; Eric Fonstad <efonstad@villageoffoxpoint.com>; Christine Symchych <csymchych@villageoffoxpoint.com>; Elizabeth Aelion <eaelion@villageoffoxpoint.com>; Catie Anderson Knight <cknight@villageoffoxpoint.com>; Elizabeth Sumner <lsumner@villageoffoxpoint.com>
Subject: Cultural Overlay District for Mary Nohl home

Dear Fox Point Plan Commission and Board of Trustees-

I'm writing about the proposed Cultural Overlay District for the Nohl Art Environment requested by CAPP. I respectfully request this communication be made a part of the public record.

Though I'm not a Fox Point resident, I hope you'll take my perspective into consideration for the following reasons: 1) I have been inside the Nohl house and in fact met Mary Nohl before she passed away 2) A few years ago I considered purchasing a home on Beach Drive south of the Nohl home so I'm quite familiar with the local neighborhood. 3) As a Whitefish Bay resident who's lived on Lake Michigan for 43 years, I understand the concerns residents in the area have with respect to maintaining the quality of a neighborhood like Beach Drive.

That said, I hope you will approve the CAPP request for a Cultural Overlay District for this outstanding property. I have read many of the comments from local Beach Drive residents who oppose approval of such - frankly, many of the concerns are exaggerated and border on the histrionic. Though I ended up not purchasing the home on Beach Drive for other reasons, at the time I was well aware of JMKAC's potential proposals for use of the Nohl home. As a prospective neighboring homeowner I had no concerns about purchasing a property near the Nohl home. In fact, my perspective was that living near the Nohl home would be a net positive.

This proposal will add to the cultural environment not just of Fox Point, but will also benefit the greater Milwaukee community.

Contrary to the assertions of some of the residents on Beach Drive, I believe the proposed use would not *be* contrary to the general welfare and economic prosperity of its immediate neighborhood. Opponents of this proposal have not established to any degree of likelihood that it will:

- Cause material depreciation in property values in the immediate neighborhood.
- Materially adversely affect the use and enjoyment of property in the immediate neighborhood.
- Create traffic beyond the capacity of the street system to reasonably serve it.

While residents on Beach Drive have every right to expect the Village of Fox Point to protect the quality of their neighborhood and property values, NIMBY hyperbole and overblown fears should not be allowed to carry the day.

I hope you'll take the high road here.

Thank you,

David Moss

David Moss, MD
5770 N. Shore Dr.
Whitefish Bay, WI 53217-4864
414-418-6080 (C)
david@dhmoss.com

This email is a natural product made from recycled electrons. As in all things quantum, the slight variations in spelling & grammar enhance the individual character & beauty of the message & in no way are to be considered flaws or defects.

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Neither this information block, the typed name of the sender, nor anything else in this message is intended to constitute an electronic signature unless a specific statement to the contrary is included in this message.
==========
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If you are not the intended recipient, please promptly delete this message and notify the sender of the delivery error by e-mail or you may call David Moss at (414)418-6080

==========

Scott Botcher

From: CenturyLink Customer howlett <dlstone@centurytel.net>
Sent: Wednesday, January 25, 2023 12:26 PM
To: Scott Botcher
Subject: Letter in support of the Nohl cultural overlay district
Attachments: Don Howlett Nohl.pdf

Dear Mr. Botcher,

Attached is a letter of support for the Village of Fox Point to establish a cultural overlay district for the Mary Nohl property. Kindly pass this along to the board trustees.

Thank you and all best,

Don Howlett

Preservation Services Inc.

W5447 Cumberland Lane · Neshkoro, WI 54960
Don Howlett 920-765-2781 · dletone@centurytel.net
Lisa Stone 920-765-2281 · stonelisa54960@gmail.com
www.preservationservicesinc.com

January 24, 2023

Scott Botcher
Manager, Village of Fox Point
7200 N. Santa Monica Blvd.
Fox Point, WI 53217

Dear Mr. Botcher,

I was born and raised in Wauwatosa and as a young artist in the 1970s I was aware of Mary Nohl, although then, through the unfortunate, unkind, and untrue reference to Nohl as "the Witch of Fox Point." On occasions I drove by and observed her remarkable house and sculptures from a respectful distance.

By the late 1970s I became involved in the preservation of artists' home/studio environments, having been hired in 1977/78 by Ruth Kohler and Kohler Foundation, Inc. to work on the first major restoration of Fred Smith's Wisconsin Concrete Park, in Phillips, Wisconsin. Smith, a retired lumberjack, created 237 life sized and larger-than-life sculptures on property surrounding his home and tavern between 1948 and 1964. I returned to work with teams of artists on the conservation at the WCP, each summer, from 1988 to 2018.

I realized that while Fred Smith and Mary Nohl came from completely different backgrounds, they both created enormous bodies of work throughout their home landscapes. They both were derided by some of their neighbors and townspeople for doing something different, something unexpected, for making home/studio art-filled settings that had no precedence in their communities. Smith's and Nohl's sites are now internationally known, highly regarded by artists, scholars, and others, and both are listed in the National Register of Historic Places, an honorific designation. Importantly, both offer incomparable examples of unfettered creativity and enthusiastic artmaking to school children in their communities. Local kids are the Fox Point ambassadors of the future. Acknowledging and supporting Nohl's legacy is just one of the benefits that a cultural overlay district for the Mary Nohl property will ensure for the community.

Over the decades I observed as residents of Phillips evolved from outright rejection of Fred Smith's work, to embracing the site and Smith's legacy as a major point of hometown pride. Fox Point has the opportunity, and I would say the responsibility, to establish the cultural overlay district. The types and scale of access JMKAC has outlined is no different from and does not exceed the coming and going of residents and their guests in the neighborhood. This isn't an issue of a vacation house rental with loud parties, nor will it bring tour busses and groups of people to the neighborhood. The Village of Fox Point has a cultural gem in its midst and should not hesitate to create the cultural overlay district for it, so it can gently perform, educate, and inspire.

I'll thank you for sharing my letter with the Fox Point trustees.

Sincerely,

Don Howlett
Preservation Services, Inc.

Scott Botcher

From: jane Mandel <mkejane@gmail.com>
Sent: Wednesday, January 25, 2023 2:32 PM
To: Douglas Frazer; Christine Symchych; Elizabeth Sumner; Eric Fonstad; Elizabeth Aelion; Greg Ollman; Catie Anderson Knight; Scott Botcher
Cc: Jane Mandel
Subject: Mary Nohl home and sculpture garden

To Village of Fox Point Manager,President and Trustees;
I write in support of approval for the Cultural Overlay for the Mary Nohl home and sculpture garden, listed in the state and national historical registers. It is a rare example of an art environment built by a woman artist that should be preserved, and studied by scholars and artists.

My impression of the plan proposed by CAPP and JMKAC is that it limits access, both to time and number of visitors. The adjacent property now owned by CAPP will provide off-street access and limited off street parking for such visitors. The plant proposed seems thoughtful, and respectful of the neighborhood in which the property is located.
I urge approval of the Cultural Overlay for the Mary Nohl house and sculpture garden as proposed.

Jane Barclay Mandel, member, CAPP Board
mkejane@gmail.com

Scott Botcher

From: Theresa Braun <tmbraun@wi.rr.com>
Sent: Wednesday, January 25, 2023 3:17 PM
To: Scott Botcher
Subject: Nohl proposal comment

Mr Botcher

I want to comment on the Nohl house proposal, as I am out of town and unable to attend the village meeting virtually.

I am in favor of the proposal. It seems a waste to not allow the structure to be studied. The described traffic seems equivalent to what would be expected from two occupied lots which I believe the Nohl property encompasses. I appreciate that the Beach Drive residents want privacy but it is a public road. (Although there has been talk in the past of taking the road private, it's worth considering that the beach reinforcements were paid for by FEMA, and thus by all taxpayers).

Thanks.

Theresa Braun

Scott Botcher

From: Christine Symchych
Sent: Wednesday, January 25, 2023 4:19 PM
To: Scott Botcher
Subject: Fw: In Support of Mary Nohl's Art Environment

From: Olivia Edlund <oedlund@phillymagicgardens.org>
Sent: Wednesday, January 25, 2023 1:12 PM
Subject: In Support of Mary Nohl's Art Environment

Dear Fox Point Village Trustees,

As the Education and Outreach Manager at another artist-built environment, Philadelphia's Magic Gardens (www.phillymagicgardens.org), I am writing to you to request your support for the cultural overlay zoning designation for Mary Nohl's Art Environment.

In 13 years of working at an artist-built environment, I have seen firsthand how this type of work can inspire and delight a host of different people.

I have seen people from around the world connect to the artwork on a pure aesthetic level, without knowing anything about the art or artist's history.

I have seen people of all ages express wonder at a sight that is like nothing they have ever experienced before.

I have seen people experiencing extreme crisis respond to the idea that one "regular" person can use their creativity to make something amazing.

I have seen people who haven't made art since elementary school be inspired to go home and do something creative. And I have seen professional artists be inspired to look at their practice in a new way.

I have seen neighborhood residents who are thrilled to show off this special one-of-a-kind place to their friends and relatives.

By providing even the limited access to Mary Nohl's art environment that has been proposed, I believe you will see all this and more from people who are able to experience and study the artwork.

I've seen firsthand that these places matter. Please, let the work be seen.

Best,
Olivia Edlund

Olivia Edlund
Education and Outreach Manager
(she, her, hers)

Philadelphia's Magic Gardens

1020 South Street, Philadelphia, PA 19147
215.733.0390 ext.116
www.phillymagicgardens.org

Philadelphia's Magic Gardens respectfully recognizes that it is located on the ancestral homeland of the Lenape.

Scott Botcher

From: Gisela Terner <gisela.terner@gmail.com>
Sent: Wednesday, January 25, 2023 8:12 PM
To: Scott Botcher
Subject: Mary Nohl House

Good evening Mr. Botcher,
Hope this finds you well. We are formally reaching out to let you know that we are in total support of Kohler's Overlay Application to secure the future of the Mary Nohl house. As art appreciators and supporters, the Nohl house is a gem that we are lucky to have in our village. I have read the proposal by the Kohler Foundation and it appears that they are taking every step to preserve the integrity of Beach Drive and be respectful of the neighborhood.
We would appreciate it if you would kindly circulate this email to members of the board and the plan commission.
We will be at the meeting on the 31st.
Best regards,
Gise Terner and Glenn Kleiman
8650 North Seneca Road
Fox Point
Gisela Terner M.Ed
College Planning and Educational Consulting
Member IECA, NACAC, WACAC

Scott Botcher

From: Tom Noble <thomasnoble@me.com>
Sent: Thursday, January 26, 2023 10:44 AM
To: Scott Botcher
Subject: Noll House

Huge supporter for this as long as they are courteous to their neighbors

Regards,

Tom Noble
414-708-7600

Scott Botcher

From: Gary Witt <gwitt@ptglive.com>
Sent: Thursday, January 26, 2023 10:47 AM
To: Douglas Frazer; Eric Fonstad; Christine Symchych; Elizabeth Sumner; Greg Ollman; Elizabeth Aelion; Catie Anderson Knight; Scott Botcher; laura.roenitz@kohler.com; beth.wiza@kohler.com; liesl.testwuide@kohler.com
Subject: the Mary Nohl House

Hello Fox Point Village Trustees and Kohler Foundation, Inc.,

As a Fox Point resident, I would like to share my thoughts on the the Mary Nohl art environment issue as I am unable to attend the upcoming meeting.

I feel that the goals of the John Michael Kohler Arts Center and other groups seeking to save Mary Nohl's art environment are noble. While I do have personal feelings about this situation, I do not feel that my opinions, even as a Fox Point resident, should be used to create an outcome here. I feel that this is a neighborhood issue that should be decided solely by the Beach Drive area residents as this situation directly impacts their daily lives, home values and their families safety.

Please find a way to have these Beach Drive area residents voices have a greater weight than those who will not be impacted directly by this decision.
Thank you.

Gary Witt
The Pabst Theater Group | Milwaukee
(414) 242-8253

P.S.
Oh, and please eventually realize the positive impact that bicycling has on the image of a city like Fox Point and do all that you can to make it easier to ride a bike on the roads within and through Fox Point. Lake Drive alone is just a horror show for a bicycle and a terrible headline waiting to happen. Bike lanes in as many places as possible please....

Scott Botcher

From: lbjoseph@aol.com
Sent: Thursday, January 26, 2023 12:54 PM
To: Scott Botcher
Subject: a letter from leon joseph to please send to the trustees and planning commssioners- thanks

To Scott Botcher , the Fox Point trustees and planning commissioners:

Zoning is a covenant between property owners and the municipality.

This covenant is intended to insure the quiet enjoyment for the residents and the stabilization of the property values.

If the municipality elects to change the covenant, the real question is whether the change enhances the quality of life and the property values of the Fox Point residents.

This covenant is not to enhance the lifestyle and economics of the people outside the community or other parts of the state, but to protect Fox Point residents.

Any breach of the covenant that does not benefit Fox Point residents would be inappropriate.

If in the opinion of the trustees, this zoning change will enhance the quality of life of the Fox Point residents or increase the economic value of their properties, then a change would be appropriate. However, if a breach of the covenant fails to provide these zoning protections, then it is the duty of the trustees to deny the zoning change.

Leon Joseph
8130 North Beach Drive

414-351-1314

Scott Botcher

From: Jillian Tobin <joztobin@gmail.com>
Sent: Thursday, January 26, 2023 1:54 PM
To: Scott Botcher
Subject: Mary Nohl home/property

Mr. Botcher,

I am writing to express my full support of the Mary Nohl Cultural Overlay proposal. Mary Nohl, her home and her artwork play an important role in the history of the Fox Point community and should be preserved and protected. As the proposal itself specifies, the Cultural Overlay District will continue to fit within the residential neighborhood surrounding the property. For instance, the Mary Nohl property will not be open to the general public and no parking will be allowed on North Beach Drive near the property. The proposal simply seeks to open the property, on a very limited basis, to artists-in-residence, scholars, caretakers and donors. In short, the Village should approve the Mary Nohl Cultural Overlay District and help protect one of our community's most unique properties.

Thanks,
Jill Tobin
8118 N. Links Way
Fox Point

Sent from my iPhone

Scott Botcher

From: Sharon Moore <sharonmoore1207@gmail.com>
Sent: Thursday, January 26, 2023 8:00 PM
To: Scott Botcher
Subject: Mary Nohl house

I have been a resident of Fox Point for over 35 years. I consider it a privilege to be able to walk down Beach Drive and visit the amazing sculptures in Mary Nohl's yard.

It is obvious by all the boulders placed beside the street that the residents of that area are very protective of public access to the lakefront. I understand wanting to protect their tranquility, but I have not seen anything in the Kohler Arts Center proposal that is disrespectful to their property rights.

The Nohl house cannot be moved and the conservation of her legacy is important.

I urge you to support their proposal.
Sharon Moore

Scott Botcher

From: Mary Choice <mtammeschoice@gmail.com>
Sent: Thursday, January 26, 2023 6:52 PM
To: Scott Botcher
Subject: Mary Nohl house

I think the current plan for the Mary Nohl house is fantastic. I hope it's approved by the village board. It is very important to Fox Point.

Mary Choice
8229 N Poplar Drive
Fox Point, WI

Sent from my rotary phone

Scott Botcher

From: Josh Dorf <josh@dorf.org>
Sent: Thursday, January 26, 2023 5:22 PM
To: Douglas Frazer; Eric Fonstad; Christine Symchych; Elizabeth Sumner; Greg Ollman; Elizabeth Aelion; Catie Anderson Knight; Scott Botcher
Subject: In support of JMKAC cultural overlay district zoning designation

To Village of Fox Point Trustees:

My name is Josh Dorf and I grew up in Fox Point on Indian Creek Parkway. During my teenage years, it was a rite of passage to try to get a glimpse of the art outside of the Mary Nohl home. While we were not fully appreciative of her work, it was honestly the only great example of unique artistic expression visible from a street in our little community. I read the plan for the cultural overlay district zoning designation to protect the Mary Nohl art environment and I write in support of adopting that plan. I think this is a good compromise to preserve the location and provide access without impacting the neighborhood negatively. Thank you.

Josh Dorf
2010 E Olive St.
Shorewood, WI 53211
josh@dorf.org
C: 415-999-0322

Scott Botcher

From: Christine Symchych
Sent: Thursday, January 26, 2023 4:10 PM
To: Scott Botcher
Subject: Fw: Mary Nohl Artist Environment

FYI

From: annettegriswold@aol.com <annettegriswold@aol.com>
Sent: Thursday, January 26, 2023 4:07 PM
To: Christine Symchych <csymchych@villageoffoxpoint.com>
Subject: Mary Nohl Artist Environment

Dear Ms. Symchych,

I'm writing you to ask that you support the cultural overlay zoning designation for the Mary Nohl house and surrounding property. Her life and creative work has been, and is, an inspiration to artists, scholars, educators, and children. It would mean so much for her work to be further studied and enjoyed.

Thank you and sincere good wishes,

Annette Griswold
concerned citizen and arts supporter

Scott Botcher

From: Eric Fonstad <efonstad@gmail.com>
Sent: Thursday, January 26, 2023 3:38 PM
To: Scott Botcher
Subject: Kohler letter to Beach Drive residents
Attachments: Kohler letter addressed to Beach Drive residents 1-26-2023.pdf

Scott,

I found the attached undated letter addressed to "Current Resident" in my mailbox today. I didn't check my mail yesterday so it may have come then. Please see that a copy is forwarded to the members of the Village Board and Plan Commission.

Thank you,

Eric Fonstad

Dear Fox Point Resident:

On behalf of John Michael Kohler Arts Center (JMKAC), I wanted to share with you our plans for the Mary Nohl home and property, one of the few "artist-built environments" in the world created by a woman, who also was a life-long Fox Point resident.

Mary Nohl, lake cottage environment (site view, exterior, 2006), Fox Point, WI, c. 1960–2001

As you may know, the Nohl family bought the Beach Drive property in 1920 for a summer cottage. In 1940, the family built an addition to the cottage, and it became their primary residence. Mary inherited the property from her parents, and she was a Beach Drive resident until her death in 2001.

Mary gifted her work and property to JMKAC. We have worked for more than two decades to steward this gift responsibly, investing more than $3.6 million to preserve this unique community asset, which is listed on both the state and national registers of historic places. In 2021, we opened the Art Preserve in Sheboygan. Free and open to the public, the Art Preserve showcases the collections of more than 35 artist-built environments, including 80 percent of Mary's artworks. We encourage you to visit and consistently direct groups and the general public to the Art Preserve as the best place to experience the depth and breadth of Mary's artwork.

After much expert research and exploration, we determined that the sculptures and home creating the Nohl art environment are best preserved in place. The success of our preservation efforts hinges on providing limited access to the Nohl art environment for scholarly research and limited fundraising.

Ever mindful that our use of the property must be entirely consistent with the Beach Drive neighborhood, we moved an artist-in-residence into the Nohl home five years ago to listen directly to neighbor concerns. In addition, we held two open house meetings in November at Stormonth School to share our plans with our neighbors and gather their feedback. We received a good deal of "neighborly-advice," and we crafted a responsible plan based on the feedback.

You also can visit www.jmkac.org/marynohl to learn more details about our plans and watch a short video.

We recently applied to the Village of Fox Point for a *cultural overlay district* zoning designation for the Nohl property. The cultural overlay will provide transparency for our neighbors and the Village about what will happen, and not happen, at the Mary Nohl property. It also provides JMKAC the certainty for the planning and fundraising required to protect and preserve this special artist-built environment.

Accurate information is critical. So, we'd like to highlight some key facts:

1. The Mary Nohl property will not be open to the general public, nor will it become a public museum. The Art Preserve is the museum to which we intend to attract the public.

Art Preserve
John Michael Kohler Arts Center

3636 Lower Falls Road
Sheboygan, WI 53081
+1 920 453 0346
artpreserve.org

2. Our primary goal is to use the property, on a controlled basis, for artists-in-residence, scholars, caretakers, and donors.

3. Prescheduled, private visits of scholars and historians will be limited to 3 days per week, primarily between 9 a.m. and 2 p.m., with no more than 10 people at a time, capped at 20 visitors per day.

4. Limit of two special events per year, each with a maximum of 80 people, based on a detailed plan preapproved by the Village.

5. No parking will be allowed on Beach Drive. All parking will be on the property; private shuttles (capacity of 20 or less) will transport invited guests. No buses will be allowed at the property.

6. There are no plans to build a dormitory. The proposed auxillary building will house a caretaker and an artist-in-residence, similar to the occupancy at the home for the past five years.

7. In addition to our on-going contributions to the Fox Point-Bayside School District, we also have offered to make payments-in-lieu-of-taxes to the Village.

The Village Board and the Plan Commission will hold a joint public hearing on Tuesday, January 31, 2023, at 7 p.m. in the Village Hall. If you cannot attend in person, you can join the public meeting via this Zoom link:

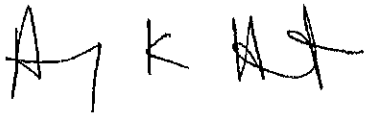
https://us02web.zoom.us/j/83896123111
Dial: (312) 626-6799
Meeting ID: 838 9612 3111

You also can offer your comments prior to the public hearing by sending an email to Scott Botcher, Village Manager sbotcher@villageoffoxpoint.com

Thank you for taking the time to listen and learn about our plans. Please call me if you want to talk in more detail: (920) 694-4712; or send me an email: ahorst@jmkac.org

We look forward to an open and transparent conversation about our plans to protect and preserve Mary Nohl's art environment as part of the rich history of Fox Point.

Sincerely,



Amy Horst, Director
The Art Preserve of the John Michael Kohler Arts Center

Art Preserve
John Michael Kohler Arts Center

3636 Lower Falls Road
Sheboygan, WI 53081
+1 920 453 0346
artpreserve.org

Scott Botcher

From: Cataldo, Andrea <ACataldo@gklaw.com>
Sent: Friday, January 27, 2023 10:20 AM
To: Scott Botcher
Subject: Mary Nohl Cultural Overlay Public Hearing

Good Morning!

I live on Beach Court. I have already communicated to a number of village trustees via e-mail my objection to the request (and the reasons for my objection). I am unable to attend the meeting on Tuesday evening due to a conflict that cannot be moved, but wanted to notify you as well.

Thank you for all that you do!

Kind Regards,

Andrea

Andrea Cataldo | Attorney
414.287.9623 direct
ACataldo@gklaw.com

GODFREY & KAHN S.C.
833 E. Michigan Street, Suite 1800 | Milwaukee, Wisconsin 53202-5615

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Scott Botcher

From: Barbara Hussin <lwvbh@sbcglobal.net>
Sent: Friday, January 27, 2023 11:15 AM
To: Scott Botcher
Subject: RE: Support for Cultural Overlay of Nohl House

My husband and I would like to add our voices to the many other village residents in support of a Cultural Overlay District zoning for the Nohl Property.
We support the preservation of this "artist-built environment" created by Mary Nohl, a renowned woman artist and life-long Fox Point resident, because it is and should remain, an important part of our Village.

We carefully read the information on the standards to be in place to preserve limited access and address neighborhood concerns. We find them reasonable and appropriate.

It should also be noted that the Chipstone Cultural Overlay District is successful using equally careful standards of access so no homeowner can claim to have lost property value. My goodness, what better neighbor can you have than an endowed Cultural District guaranteeing the upkeep, controlled access and preservation of near-by property?

We are grateful that the John Michael Kohler Arts Center will keep this historic property a part of our community. We are grateful for all of the improved preservation efforts that have been undertaken throughout Fox Point, because all of these efforts strengthen us as a diverse community.

Barbara and Gerry Hussin
1016 E. Quarles Pl.
Fox Point, WI 53217

CC: dhfrazer@villageoffoxpoint.com
efonsrtad@villageoffoxpoint.com
csymchych@villageof foxpoint.com
lsumner@villageoffoxpoint.com
gollman@villageoffoxpoint.com
eaelion@villageoffoxpoint.com
cknight@villageoffoxpoint.com

Scott Botcher

From: Caviggiola, Kim <KCaviggiola@rwbaird.com>
Sent: Friday, January 27, 2023 11:34 AM
To: ahorts@jmkac.org
Cc: Scott Botcher
Subject: Thank you Amy

Amy,

Thank you so very much for taking the time to write the informative letter to us residents in Fox Point, Wisconsin regarding the Mary Nohl house and property. I consider myself to be informed and updated on "all things Fox Point" but felt like I wasn't getting the full picture of what the John Michael Kohler Arts Center planned for the property. I've been hearing several negative comments that there will be buses, heavy traffic on Beach Drive and lots of parking at the property and street.

After reading your letter, it's very clear what the intentions are, who will be allowed and not allowed to view the property, the estimated number of visitors and the total number of fundraisers per year at the Nohl house. This all sounds extremely reasonable to me.

I'm in full support of the JMKAC plans and hope the Village will designate this property as a cultural overlay district. It will benefit the Village, residents and arts community by allowing the zoning to move forward.

I also want to state my sincere appreciation to the JMKAC for investing nearly $4 million to preserve the property, getting it listed as a historic site (which is not an easy thing to do), making contributions to the school district and offering to make payments to the Village in lieu of taxes. These are all things that enhance our Village and not impact our property taxes. THANK YOU!

Your direct, clear and honest communication are what will drive this project forward. I'll do my best to try and attend the meeting on Tuesday. If my workload does not allow, then I've copied Scott Botcher on this email so he's aware of my opinion in the hopes he'll share it with the Village board.

Thank you!

Kim Caviggiola
7911 North Links Circle
Fox Point, WI 53217
414-702-2256
****

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Scott Botcher

From: Robin Leenhouts <rleenhouts@sbcglobal.net>
Sent: Friday, January 27, 2023 9:14 AM
To: Scott Botcher
Subject: Mary Nohl Home

Dear Mr. Botcher,

I am tossing my 2 cents to you about Mary's home. Please save it as it is and where it is. Such care is being taken by the Kohler Museum and Foundation to not disrupt the neighborhood. This environment is a state treasure as well as local one. I am guessing it predates almost all owners on the Beach Road which I believes counts for something as well. The home has its own unique standing in the neighborhood. This splendid work of art should be enjoyed for generations to come. (And I am one of the generations. My mom and I would visit Mary when I was a kid. They were good friends.)

Thank you for considering my voice,
Robin Leenhouts

Scott Botcher

From: dave gess <davegess@yahoo.com>
Sent: Monday, January 30, 2023 10:26 AM
To: Douglas Frazer; Eric Fonstad; Christine Symchych; Elizabeth Sumner; Greg Ollman; Elizabeth Aelion; Catie Anderson Knight; Scott Botcher
Subject: Support for the Kohler proposal RE: Mary Nohl house

I am sending this email to you today to express my support for the "cultural overlay district" proposed by the folks from Kohler. I am a home owner and Fox Point resident, 8116 N Santa Monica Blvd.

The proposal from Kohler is terrific and will be a nice addition to Fox Point. The proposal is going to have very little impact on the direct neighbors, a very limited number of visitors, no more than 20 a day and only three days a week, is not going to result in any real impact on the neighborhood. These are not going to car loads of curious teenagers cruising by at all hours, something that as been happening for many decades, but scholars who will respect the house and the neighborhood.

There will not be any buses traveling to the site and no vehicles parked on Beach Drive. Overall this will be a real 'feather in our cap', rising the profile of Fox Point as a progressive, inclusive place to live. Add in the fact that Kohler is already making contributions to the school district and is willing to make payments in lieu of taxes this is a real plus for the village.

I am sure that many of the neighbors would like to see the the Nohl house simply go away with the property sold and developed into a new private home. I am pretty certain that the folks at Kohler are never going to let that happen. They have the resources and determination to at, the very least, keep the house as is for a very long time. Approving their proposal would recognize this fact, provide more resources for the village in the form of payments in lieu of taxes, honor a very special artist, and add to the unique quality of life here in Fox Point.

Thanks for your time.

Dave Gess
8116 N. Santa Monica

Scott Botcher

From: Annemarie Sawkins <annemariesawkins@yahoo.com>
Sent: Monday, January 30, 2023 9:34 AM
To: Douglas Frazer; JOHN SHANNON; Eric Fonstad; Christine Symchych; Elizabeth Sumner; Greg Ollman; Elizabeth Aelion; Catie Anderson Knight; Scott Botcher
Subject: CREATE a cultural overlay district for the Mary Nohl House

Dear Village Trustees,

What an opportunity to save the Mary Nohl House for future generations.

A cultural overlay is a perfect solution and supports the Kohler Foundation and all its investment in this historical, art-cultural artist's built environment.

I am STRONGLY in favor of the JMKAC's initiative. It will:

- Create a pathway to host opportunities for local community members, educators, and artists to access the property.
- Support the production of work that deepens the legacy, understanding, and value of this important piece of community history.
- Allow for the development of a committed and sustainable long-term financial support plan to preserve the artwork and property into the future, ensuring that future generations of Fox Point residents will be able to say "Mary Nohl is a part of my community."

Be custodians with VISION and protect this Fox Point Treasure today for all future generations.

Sincerely,
Annemarie Sawkins

612-850-5155

Scott Botcher

From: Scott Yauck <syauck@cobaltmke.com>
Sent: Monday, January 30, 2023 8:32 AM
To: Scott Botcher
Subject: Mary Nohl House -- Cultural Overlay Proposal

Mr. Botcher,

I reside at 7240 North Beach Drive, three houses south of the Mary Nohl home. As such, I am experiencing firsthand the angst that the John Michael Kohler Arts Center's cultural overlay proposal has caused within our neighborhood. While most people seem to oppose change simply because it represents something different, I anticipate that some type of change is inevitable at the Mary Nohl site. For that reason, I support a thoughtful approach to the overlay proposal that respects the serene residential nature of the Beach Drive neighborhood. In my view, a Kohler proposal that both preserves the Mary Nohl home and respects the neighbors is better than other possible fates for that site. Elements of an acceptable approach would be to limit all access to the site to Beach Drive and not the shared access road (to the south of the site) and to ensure that parking areas are very limited and self-contained. Finally, the cultural overlay must also require that Kohler enter into a perpetual agreement with the Village to create restrictions that the Village can promptly and readily enforce.

Respectfully,

SCOTT YAUCK
President/CEO

COBALT
PARTNERS

400 North Broadway, Suite 100
Milwaukee, WI 53202
(O) 414.271.5000 (C) 414.406.6558
sip

Scott Botcher

From: Deborah C. Tomczyk <dtomczyk@reinhartlaw.com>
Sent: Monday, January 30, 2023 7:48 AM
To: Scott Botcher
Cc: Eric Larson; Amy Horst; Tomás Clasen
Subject: Professional Appraiser Letter
Attachments: Nohl Rezoning Letter (Final2).pdf

Scott:

Please add the attached letter from Dumman Appraisal Group, LLC to the official record for the proposed Mary Nohl Cultural Overlay.

Thanks, Debby

Deborah C. Tomczyk
Reinhart Boerner Van Deuren s.c.
1000 North Water Street, Suite 1700 | Milwaukee, WI 53202
Office: 414-298-8331 | Cell: 414-530-0211 | Fax: 414-298-8097
dtomczyk@reinhartlaw.com | bio | vCard | reinhartlaw.com
Legal Secretary: Carol Wirkkula | 414-298-8405 | cwirkkula@reinhartlaw.com

Reinhart
Attorneys at Law

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DUMMAN APPRAISAL GROUP, LLC

923 LAKE STREET - P.O. BOX 65
ALGOMA, WI 54201-0065
Phone (920) 487-2345

January 30, 2023

Scott Botcher, Village Manager
Village of Fox Point
7200 North Santa Monica Boulevard
Fox Point, WI 53217

Re: Cultural Overlay for 7254 and 7328 North Beach Drive Fox Point, WI 53217 (collectively, Mary Nohl Property)

Dear Mr. Botcher:

This letter analyzes the effect the proposed cultural overlay requested for the Mary Nohl Property would have on the surrounding neighborhood property values. The precise issue is whether the proposed cultural overlay for the Mary Nohl Property would cause material depreciation in property values in the immediate neighborhood and/or materially adversely affect the use and enjoyment of property in the immediate neighborhood. In order for the other properties in the neighborhood to be negatively impacted, they would have to suffer proximity damages due to the effects of the rezoning of the Mary Nohl Property. These damages could come from sources such as increased traffic and congestion in the neighborhood decreasing safety, loss of privacy, nuisance issues due to increased noise, odor, etc., and aesthetic issues caused by rezoning of the Property. Each of these issues will be analyzed and discussed below to determine its likelihood of having a detrimental effect and adversely impacting property values in the neighborhood.

Traffic & Congestion – The Nohl home has been an attraction for people from outside the neighborhood since the time Mary Nohl began creating her art many years ago. This is unlikely to change in the future, but the proposed rezoning of the Property could introduce additional controls. The Property is presently open to invited guests only, and not open to the public. This policy will remain in effect after rezoning of the Property, so it will not increase traffic to the property or congestion in the neighborhood.

Invited visitors to the Property presently park on the Property and not on the street, as parking on the street in the neighborhood is presently not allowed. The owners intend to follow the same policy after the rezoning of the Property, so this also will not change. Any invited guests for special events hosted at the Property after the proposed rezoning will either park on the Property, or at a separate location away from the Property for larger events and be shuttled to the Property to prevent any future increased traffic and congestion that might result from the rezoning of the Property.

The Property is not presently open to the public and available to invited guests by appointment only. There is presently no established limit to the number of guests that can be invited to the Property or the frequency of the guest visits. The owners intend to limit the number of guests that can be invited to the Property and frequency of the visits after the rezoning, which would actually offer greater protection to the neighborhood residents.

Tenant occupants living on the Property have been present since approximately six years ago. The owners intend to limit the number of residents allowed to live on the Property in the future after the rezoning, which would actually offer greater protection to the neighborhood residents.

Size of vehicles or passenger limits of vehicles allowed on the Property is presently not limited. The owners intend to limit the size and passenger limit of vehicles allowed on the Property after the rezoning, which would actually offer greater protection to the neighborhood residents. The owners are proposing to change the access point to the Property for invited guests and add on-site parking after the rezoning. The new access point would not only decrease congestion in the neighborhood, but would also offer superior access to fire and other emergency vehicles than what is presently available, improving the overall safety of the neighborhood.

After analysis of these items, it is unlikely that the proposed rezoning would increase future traffic or congestion in the neighborhood thereby decreasing safety.

Loss of Privacy – The Property presently has a chain link fence, which has been installed for many years, on all sides around the improvements to prevent uninvited people from trespassing and venturing into the neighborhood. The fence also deters any vandalism or nuisance behaviors that may occur on the Property. The owners intend to maintain, repair, and replace the perimeter fence after the rezoning and also upgrade the security system, which would further improve the security of the neighborhood and be an even greater deterrent for trespassers coming to the neighborhood. Any replacement fence would likely be more appealing than the present fence improving the overall aesthetics of the neighborhood. The fence also deters uninvited people from trespassing across neighboring properties to gain access to the Property maintaining their privacy. The proposed fencing and security system after the rezoning would likely be even more effective, which would offer even greater privacy to the neighboring properties and neighborhood.

The Property borders Lake Michigan to the east and has private lake frontage, so there are no neighboring properties on that side. Neighboring properties to the north are separated from the Property by N. Beach Drive. There are adjacent properties to the west and south of the Property, but the properties to the south are further divided by the additional lot which is currently vacant. The Property presently has quite a bit of natural wooded area to the north, west, and south creating a privacy buffer between the Nohl home and neighboring properties. After the rezoning the owners intend to do additional landscaping to the Property creating a larger buffer, which would offer even greater privacy to the neighboring properties and neighborhood.

The hours of operation of the Property are not limited under the present zoning outside of applicable municipal ordinances. After the rezoning, the owners intend to limit and restrict the hours of operation to an even greater extent than what is presently allowed, which would act to increase the privacy of the surrounding properties and neighborhood.

After analysis of these items, it is unlikely that the proposed rezoning would decrease the privacy of the surrounding properties or neighborhood.

Nuisance Issues – The Property presently does not create any odor, dust, or pollution beyond what is typical of any other residential property in the neighborhood. This is expected to remain the same after the proposed rezoning with the exception of any limited construction projects that may be carried out on the Property. These projects will be limited in duration and will not be atypical from any other construction or maintenance projects routinely done in the neighborhood.

The largest open issue is whether there will be any increased noise on the Property after the proposed rezoning. All of the activity on the Property will remain largely unchanged after the proposed rezoning with the majority of the activity conducted indoors. The one major change would be the addition of up to two larger events per year hosted on the Property, possibly outside, after the rezoning. The owners plan to limit the size of these events and develop detailed plans to minimize any potential disturbance to the neighboring properties and neighborhood. These proposed limitations under the rezoning are even greater than those presently governing larger events in the neighborhood, which have no limits of event size, number of events per year, or hours of operation beyond any applicable municipal ordinances. Since the limitations proposed by the owners under the rezoning are more stringent than the regulations applicable to neighboring properties, they would actually act to protect the neighboring property owners and neighborhood. It is unlikely that any events hosted at the Property would create any more noise than other larger events typically hosted in the neighborhood by other property owners.

After analysis of these items, it is unlikely that the proposed rezoning of the property would result in additional noise that would be a nuisance or detrimental to the neighboring properties or neighborhood.

Aesthetic Issues – The Property has been maintained adequately and consistently to other properties in the neighborhood of a similar age. It is likely that the Property will be maintained similarly in the future; however, if the Property is rezoned, the owners plan to enhance preservation and restoration efforts that will increase the appeal of the Property, improving its overall aesthetics and the overall aesthetics and appeal of the neighborhood.

After analysis of these items, it is likely that the rezoning of the Property will be beneficial to the aesthetics of the Property and neighborhood.

An important example from the area relevant to the rezoning request for the Property and its impact on the neighborhood is the Cultural Overlay District adopted in 1988 for 7820 N. Club Circle, River Hills, WI owned by Chipstone Foundation, Inc. This property was a single-family estate for many years and was granted a rezoning (very similar to that requested for the Property) when it transferred to the present owners for use as a museum. This property has operated under a similar Cultural Overlay in this area since 1988, without any evidence of being a detriment to the neighborhood or adversely impacting property values in the neighborhood. Based on this example, it seems logical to conclude that rezoning the Mary Nohl Property would also not be a detriment to the neighborhood or adversely impact property values in the neighborhood.

The Mary Nohl Property has been used for purposes substantially similar to those proposed in the pending rezoning request for many years, without any evidence that its use is a detriment to the neighborhood that adversely affects property values in the neighborhood. Granting a

rezoning request will impose greater regulation of the Property that will protect and benefit property owners in the neighborhood as a result.

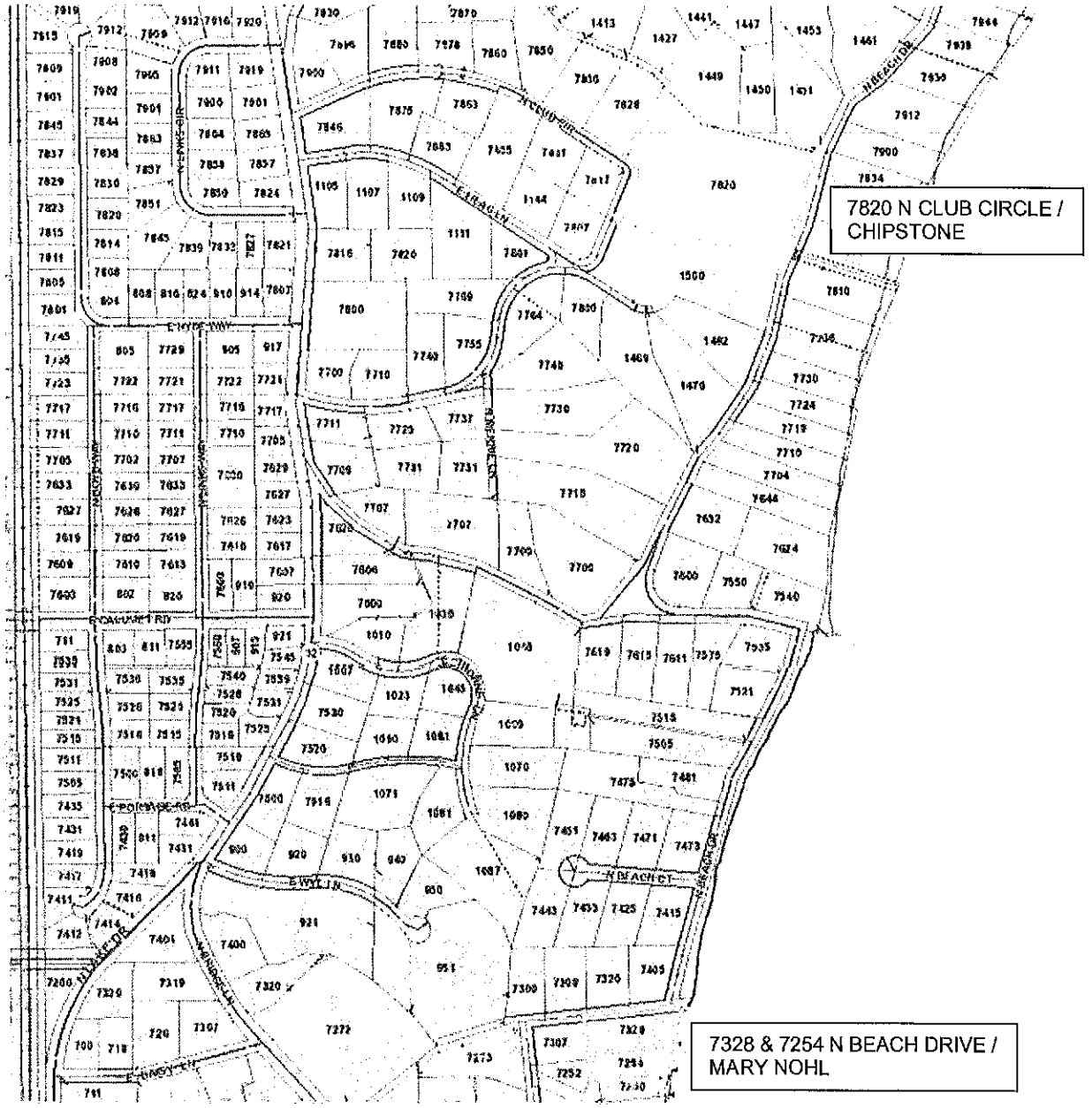
After review of the documents provided in this matter, visiting the Property and the neighborhood on January 26, 2023, and evidence presented and analyzed in the rezoning request for the Mary Nohl Property, it is my opinion, as a professional appraiser with 30 years' experience, that adopting the Cultural Overlay District as requested for the Property would not cause material depreciation in property values in the immediate neighborhood or adversely affect the use or enjoyment of neighborhood properties.

Sincerely,

Kevin J Dumman

Kevin J. Dumman, MAI, SRA, AI-GRS

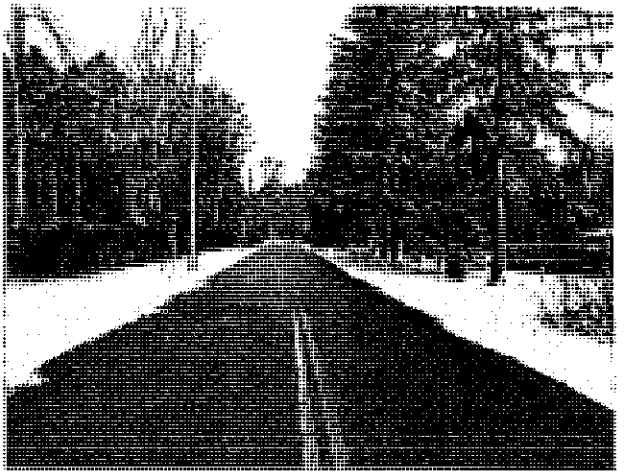
ADDITIONAL EXHIBITS



LOCATION MAP SHOWING PROXIMITY OF THE NOHL PROPERTY AND THE CHIPSTONE PROPERTY

7328 & 7254 N BEACH DRIVE MARY NOHL PHOTOGRAPHS TAKEN 1/26/2023

N BEACH DRIVE FACING EAST



N BEACH DRIVE FACING WEST

NEIGHBORHOOD

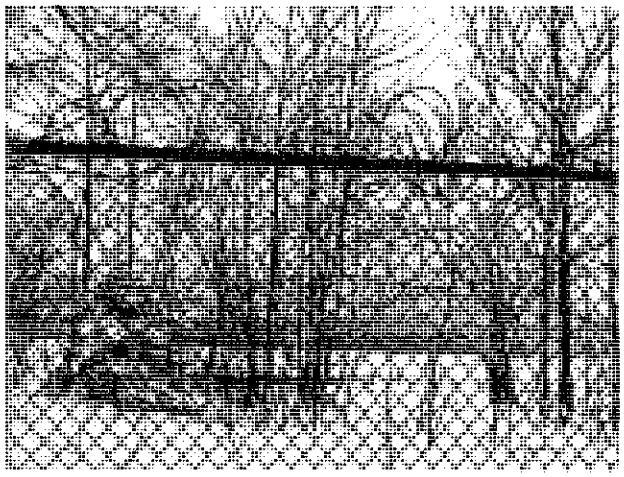
NEIGHBORHOOD

MARY NOHL FRONT

MARY NOHL FRONT

VIEW OF SCULPTURES

VIEW OF SCULPTURES

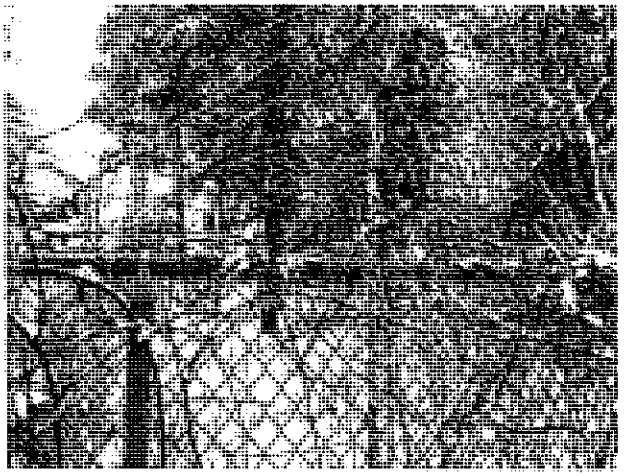


LAKE VIEW

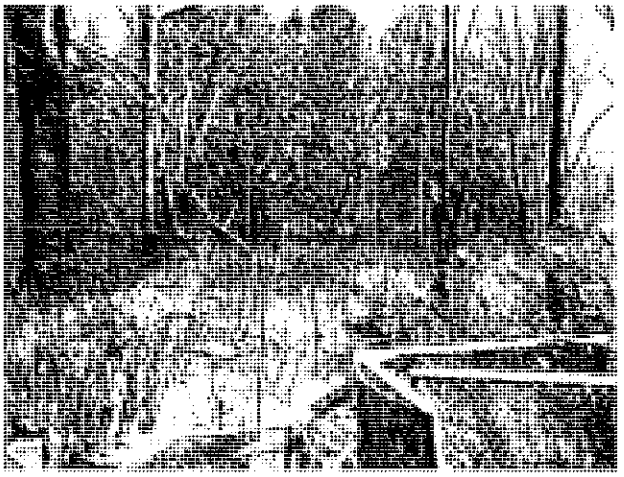
MARY NOHL SIDE AND REAR

MARY NOHL SIDE AND REAR

MARY NOHL VACANT LOT



MARY NOHL VACANT LOT



MARY NOHL SITE

MARY NOHL SITE

MARY NOHL SITE

NEIGHBORHOOD

NEIGHBORHOOD

N BEACH DRIVE FACING SOUTH

7820 N CLUB CIRCLE CHIPSTONE PHOTOGRAPHS TAKEN 1/26/2023

N CLUB CIRCLE FACING WEST

NIEGHBORHOOD

NEIGHBORHOOD

N CLUB CIRCLE FACING SOUTH

NEIGHBORHOOD

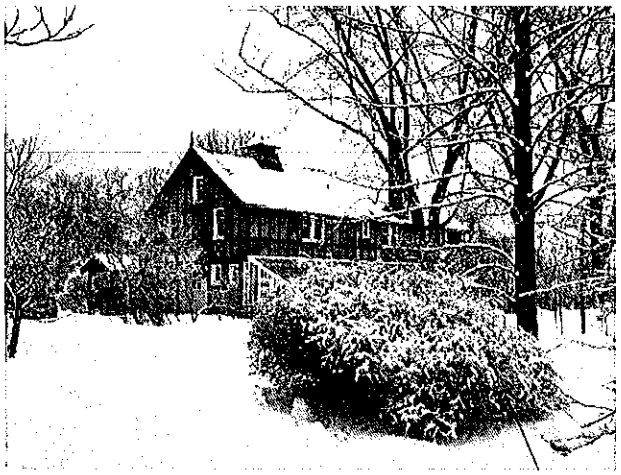
NEIGHBORHOOD

NEIGHBORHOOD

NEIGHBORHOOD

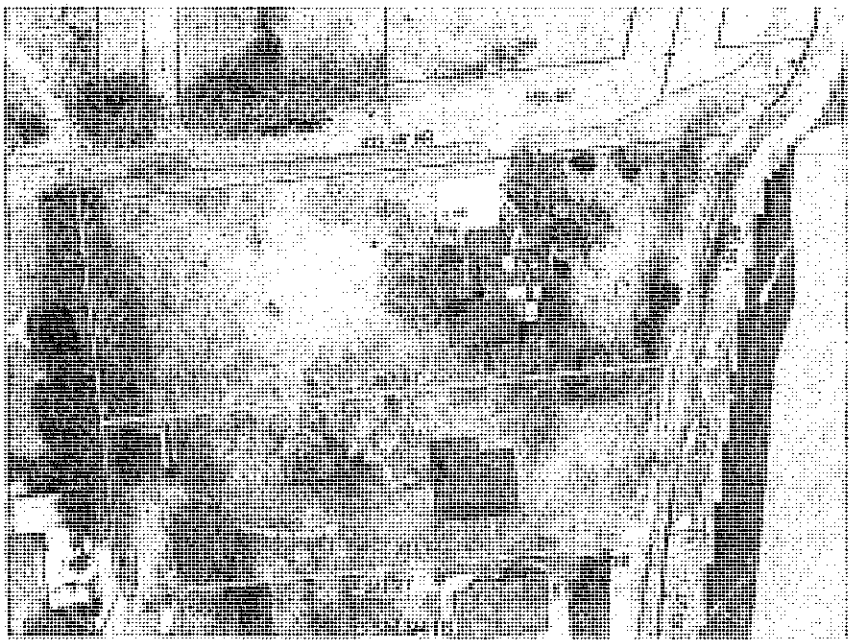
CHIPSTONE

CHIPSTONE



CHIPSTONE

CHIPSTONE



GIS AERIAL MAP OF MARY NOHL PARCELS

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Milwaukee County Web Portal - Property Summary

Property: 0959968000

Tax Year	Prop Type	Parcel Number	Municipality	Property Address	Billing Address
2021	Real Estate	0959968000	126 - VILLAGE OF FOX POINT	7328 N BEACH DR	CREATION & PRESERVATION PARTNERS INC 608 NEW YORK AVE SHEBOYGAN WI 53081

Tax Year Legend: = owes prior year taxes = not assessed = not taxed Delinquent Current

Summary

Property Summary	
Parcel #:	0959968000
Alt. Parcel #:	
Parcel Status:	Current Description
Creation Date:	
Historical Date:	
Acres:	0.000

Property Addresses

Primary	Address
	7328 N BEACH DR

Owners

Name	Status	Ownership Type	Interest
CREATION & PRESERVATION PARTNERS INC	CURRENT OWNER		

Parent Parcels

No Parent Parcels were found

Child Parcels

No Child Parcels were found

Abbreviated Legal Description

(See recorded documents for a complete legal description)

PART OF LOT 14, DESC. IN REEL 480 - IMAGES 1480-1483 INCL. 1.368 AC. SE1/4 SEC. 16-8-22

Assessments

Assessment Summary

Estimated Fair Market Value: **1438900**
Assessment Ratio: **0.9719**
Legal Acres: **0.000**

2021 valuations

Class	Acres	Land	Improvements	Total
G1 - RESIDENTIAL	0.900	1263500	135000	1398500
ALL CLASSES	**0.900**	**1263500**	**135000**	**1398500**

Details

Description	Amount	Paid	Due
Gross Tax	36668.95	-	-
School Credit	3130.73	-	-
Total	33538.22	-	-
FOX POINT J2	9403.88		
LOCAL	8324.80		
MATC	1446.22		
MILWAUKEE COUNTY	6141.44		
MMSD	2136.20		
NICOLET UHS	6085.68		
First Dollar Credit	65.61	-	-
Lottery Credit	0.00	-	-
Net Tax	33472.61	33472.61	0.00
Special Assessments	0.00	0.00	0.00
Special Charges	0.00	0.00	0.00
Delinquent Utility	0.00	0.00	0.00
PrivateForest Crop	0.00	0.00	0.00
Woodland Tax Law	0.00	0.00	0.00
Managed Forest Land	0.00	0.00	0.00
Other Charges	0.00	0.00	0.00
Interest	-	0.00	0.00
Penalty	-	0.00	0.00
TOTAL	**33472.61**	**33472.61**	**0.00**

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Milwaukee County Web Portal - Property Summary

Property: 0959966000

Tax Year	Prop Type	Parcel Number	Municipality	Property Address	Billing Address
2021	Real Estate	0959966000	126 - VILLAGE OF FOX POINT	7254 N BEACH DR	CREATION AND PRESERVATION PARTNERS, INC. 608 NEW YORK AVE SHEBOYGAN WI 53081

Tax Year Legend: = owes prior year taxes = not assessed = not taxed Delinquent Current

Summary

Property Summary

Parcel #:	0959966000
Alt. Parcel #:	
Parcel Status:	Current Description
Creation Date:	
Historical Date:	
Acres:	0.000

Property Addresses

Primary ▲	Address
☑	7254 N BEACH DR

Owners

Name	Status	Ownership Type	Interest
CREATION AND PRESERVATION PARTNERS, INC.	CURRENT OWNER		

Parent Parcels

No Parent Parcels were found

Child Parcels

No Child Parcels were found

Abbreviated Legal Description

(See recorded documents for a complete legal description)

PART OF LOT 14 DESC IN REEL 426 IMAGES 135-136 .776 AC. SE 1/4 SEC 16-8-22

Assessments

Assessment Summary

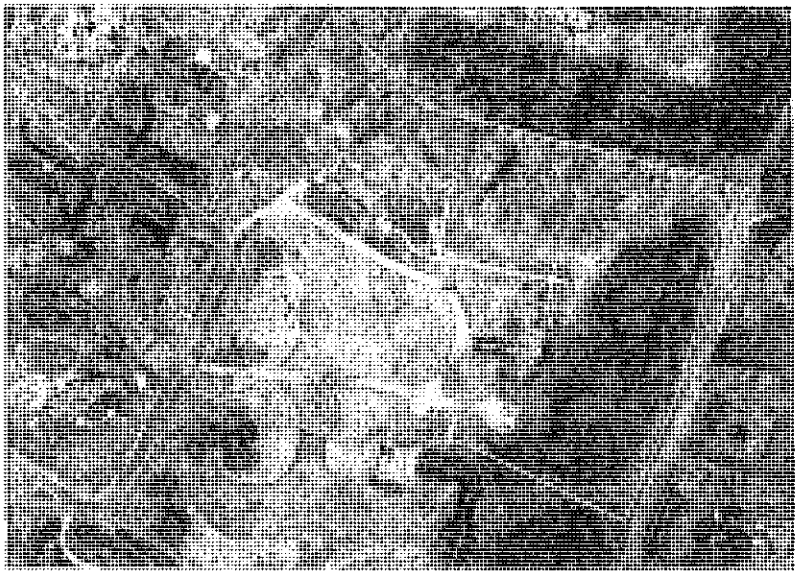
Estimated Fair Market Value: **823100**
Assessment Ratio: **0.9719**
Legal Acres: **0.000**

2021 valuations

Class	Acres	Land	Improvements	Total
G1 - RESIDENTIAL	0.791	800000	0	800000
ALL CLASSES	**0.791**	**800000**	**0**	**800000**

Details			
Description	**Amount**	**Paid**	**Due**
Gross Tax	20976.17	-	-
School Credit	1790.90	-	-
⊗ Total	19185.27	-	-
FOX POINT J2	5379.42		
LOCAL	4762.13		
MATC	827.30		
MILWAUKEE COUNTY	3513.16		
MMSD	1222.00		
NICOLET UHS	3481.26		
First Dollar Credit	0.00	-	-
Lottery Credit	0.00	-	-
Net Tax	19185.27	19185.27	0.00
Special Assessments	0.00	0.00	0.00
Special Charges	0.00	0.00	0.00
Delinquent Utility	0.00	0.00	0.00
PrivateForest Crop	0.00	0.00	0.00
Woodland Tax Law	0.00	0.00	0.00
Managed Forest Land	0.00	0.00	0.00
Other Charges	0.00	0.00	0.00
Interest	-	0.00	0.00
Penalty	-	0.00	0.00
TOTAL	**19185.27**	**19185.27**	**0.00**

7328 N Beach Drive / Google Street Scene



GIS AERIAL TAX MAP OF CHIPSTONE PARCEL

Search powered by GCS

Report-/Print engine List & Label® Version 19: Copyright combit® GmbH 1991-2013

Milwaukee County Web Portal - Property Summary

Property: 0939965000

Tax Year	Prop Type	Parcel Number	Municipality	Property Address	Billing Address
2021	Real Estate	0939965000	126 - VILLAGE OF FOX POINT	7820 N CLUB CIR	CHIPSTONE FOUNDATION INC 7820 N CLUB CIR FOX POINT WI 53217-2939

Tax Year Legend: = owes prior year taxes = not assessed = not taxed Delinquent Current

Summary

Property Summary	
Parcel #:	0939965000
Alt. Parcel #:	
Parcel Status:	Current Description
Creation Date:	
Historical Date:	
Acres:	0.000

Property Addresses

Primary ▲	Address
[ ]	7820 N CLUB CIR

Owners

Name	Status	Ownership Type	Interest
CHIPSTONE FOUNDATION INC	CURRENT OWNER		

Parent Parcels

No Parent Parcels were found

Child Parcels

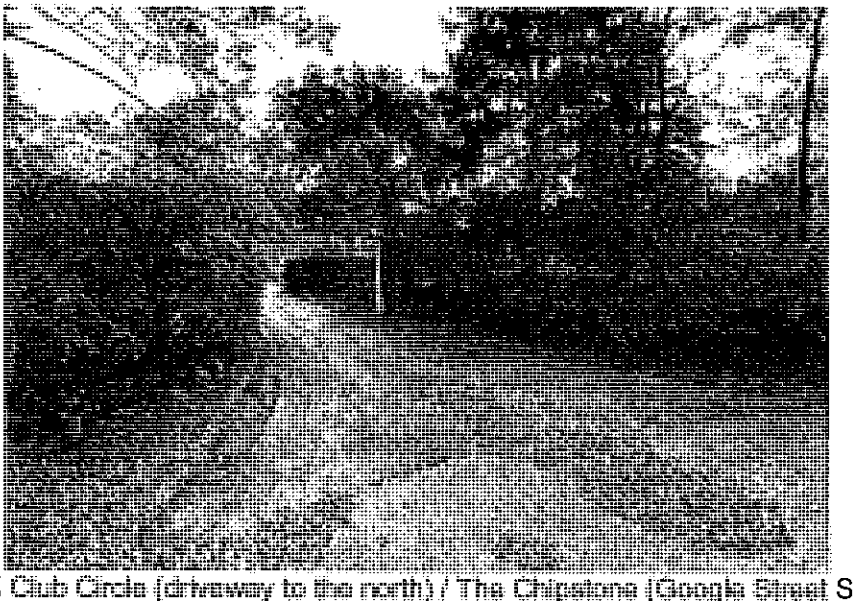
No Child Parcels were found

Abbreviated Legal Description

(See recorded documents for a complete legal description)

PART OF LOTS 1 & 2, DESC. IN VOL 2555 OF DEEDS ON PAGE 107. NE1/4 SEC. 16-6-12 8.2054 AC. D. 1 #21 AND 21A

Tax Exempt



7820 N Club Circle (driveway to the north) / The Chipstone (Google Street Scene)

7820 N Club Circle (driveway to the south) / The Chipstone (Google Street Scene)

QUALIFICATIONS OF APPRAISER OF REAL ESTATE

Kevin J. Dumman, MAI, SRA, AI-GRS
Dumman Appraisal Group, LLC
923 Lake Street – PO Box 65
Algoma, WI 54201-0065

Phone (920) 487-2345
Email kevin@dummanappraisals.com

Licensing:

Wisconsin Certified General Appraiser No. 1180-10

Education:

Bachelor of Science, UNIVERSITY OF WISCONSIN-GREEN BAY, 1995
Major: Business Administration Finance Emphasis
Minor: Economics
CUM LAUDE Grade Point Average: 3.66

Associates in Applied Science Mechanical Engineering Technology
MILWAUKEE SCHOOL OF ENGINEERING, 1992

Designations:

Appraisal Institute MAI (2013)
Appraisal Institute SRA (2014)
Appraisal Institute AI-GRS (2014)
Appraisal Institute Litigation Professional Development Program

Memberships:

Appraisal Institute
- Wisconsin Chapter Board of Directors 2007-2009 & 2013-2014
- Leadership Development Advisory Council 2014-2016
- Wisconsin Chapter Education Chair 2014-2016
- Wisconsin Chapter Education Committee 2013-2018
- Wisconsin Chapter Secretary 2015
- Wisconsin Chapter Treasurer 2016
- Wisconsin Chapter Finance Chair 2016
- Wisconsin Chapter Vice President 2017
- Wisconsin Chapter President 2018
- Wisconsin Chapter Finance Committee 2016-2018
- Regional Representative for Region III 2016-2018
- Wisconsin Chapter Immediate Past President 2019
- Wisconsin Chapter Nominating Committee Chair 2019
- Wisconsin Chapter Governance Committee 2020
- Region III Nominating Committee 2020-2021
- AI Candidate Advisor 2013-Present

Door County Board of Realtors
Realtors Association of Northeast Wisconsin
Manitowoc County Board of Realtors MCBR MLS, Inc.

Specialized Appraisal Education:

More than the 28 hours of continuing education courses required for certification renewal every two years.

Appraisal courses offered and sponsored by NWTC, Wisconsin Realtors Association, National Association of Realtors, American Society of Farm Managers and Rural Appraisers, and Appraisal Institute.

Subscriptions to publications, magazines, and informational materials pertaining to the appraisal profession.

Expert Witness Testimony:

Door County Circuit Court, Kewaunee County Circuit Court, Internal Revenue Service, and Town of Sturgeon Bay Board of Review.

Legislative Efforts:

2021 Wisconsin Act 194 (Section 1 893.895 Wisconsin Statutes) Limitations of actions regarding real estate appraisal services

Experience:

Appraisal of real estate for individuals, business firms, corporations, attorneys, educational facilities, religious institutions, lending clients for mortgage purposes, and other clients for tax, accounting, estate, insurance, litigation, buying, and selling purposes.

Types of Property Appraised:

Vacant land Subdivision development analysis Vacant water frontage Private island property	Easements Conservation easements Avigation easements DOT right-of-way Diminishment-in-Value (DIV)	Insurable loss Tax assessment appeal Litigation support Expert witness testimony Consultation
Apartment buildings Subsidized housing Condominiums Single-family residential Multiple-family residential Mobile home parks Mixed-use commercial property	CBRF care facilities Daycare facilities Churches Schools Funeral homes	Automotive service stations and service facilities Convenience stores Car washes Auto dealerships Boat/Snowmobile dealerships
Retail Property Strip malls/Shopping centers Laundromats Greenhouses	Industrial property Industrial warehouses Office warehouses Mini-storage facilities	Appraisal review
Professional and medical office buildings	Hotel/Motels Resorts	Health and fitness centers Golf courses
Campgrounds Marinas Waterfront property Recreational property	Supper clubs Taverns Restaurants including fast food restaurants	Dairy farms Veal farms Feed mills Mineral rights

Scott Botcher

From: Barbara Patterson <barbarahpatterson@gmail.com>
Sent: Sunday, January 29, 2023 10:06 PM
To: Scott Botcher
Subject: Letter of Support for the Mary Nohl House Proposal

Hi Scott - Please share this letter with the Decision Makers before the upcoming January 31 meeting.
Best, *Barb P*

To the Fox Point Village Board and Plan Commission,
As a relative newcomer to Milwaukee in the 1970s, I first discovered Beach Drive when a Milwaukee native drove me down the hill to see the Mary Nohl house. He said I wouldn't be a real Milwaukeean until I had seen this local jewel. On this drive, I was smitten with the lake view and Mary's sculpture garden, and thought how amazing it would be to live in a village offering natural and artistic beauty in one place. As fate would have it, on a subsequent drive, I saw a For Sale sign at a house close to Mary's, and I was so happy to be able to purchase it and live there for over 40 years. In all those years, I felt so lucky to be able to walk by the Mary Nohl house almost daily, and I frequently told my friends and family that the artist's house added a special charm to my neighborhood and to my village of Fox Point.

I later learned that seeing the Nohl grounds from the outside didn't compare with the opportunities I had when I had the good fortune to be invited inside. I will never forget those experiences, discovering the many dimensions of Ms. Nohl's art - her myriad paintings, mobiles, wall hangings, jewelry, whimsical kitchen shelf holders, as well as her designs on walls, ceilings, floors, staircases, and furniture. Though I lived on the lakefront, I experienced it so much more intensely while immersed in this lakefront artist's creations.

I am not an artist myself, but those experiences kindled my interest in learning more about Mary Nohl, women artists, folk art, handmade jewelry, and so much more - interests which continue even after I moved from my beloved Beach Drive. I have read about the wonderful work being done to introduce neighborhood kids to art in their own backyard and the transformative impact on some of them when they get to stand inside the Nohl home. So I can well imagine the importance to art scholars and artists of spending time in Mary's home and studio, surrounded by what she saw and what she created.

The John Michael Kohler Arts Center, and especially Alex Gartelmann, have done fantastic work bringing the Nohl property back to its best self and keeping it in good shape, in conformity with the beautiful neighborhood. I have had the pleasure of getting to know Alex over the last few years and he is as earnest, honest, and transparent a person as I have known. Even now, from far away, I can feel the depth and authenticity of his commitment to preserving and sharing Mary Nohl's gifts while respecting his neighbors and their wishes to leave the neighborhood safe, quiet, and unchanged. I urge you to hear him out and trust his word; he has dedicated years of his career to the Mary Nohl projects and I'm confident that he welcomes dialog and the chance to distinguish the facts of the proposal from rumors and fears.

I hope you will allow JMKAC and Alex to continue their good work and to share this unique property with more than just a few passersby. If Mary still owned the property, she'd be free to have guests and to host as many weddings, large parties, and even fireworks displays, as have other Fox Point residents. By contrast, the JMKAC has committed that they will not turn the Nohl property into a museum and will not open it to the general public, but will primarily use it for scholarly pursuits, with very limited fundraising to help it sustain itself.

The proposal by JMKAC sounds like a win-win: keeping this very special Fox Point/ Beach Drive diamond-in-the-rough in good condition and allowing more interested art lovers to experience Mary Nohl's work in its natural element. If JMKAC reneges on their commitments, then revoke their privileges. But in the meantime, I encourage you to give them a

chance to continue to be good neighbors, do good work, and keep Fox Point proud to have this National Register Historic Place in its midst.

Though I have moved, Beach Drive has my heart,
Barb Patterson

Scott Botcher

From: Christine Symchych
Sent: Sunday, January 29, 2023 8:41 PM
To: Scott Botcher
Subject: Fw: Mary Nohl site

From: Debra Brehmer <portraitsocietygallery@gmail.com>
Sent: Sunday, January 29, 2023 6:37 PM
To: Christine Symchych <csymchych@villageoffoxpoint.com>
Subject: Mary Nohl site

Dear Fox Point Village Board member,

I am writing to support measures to loosen the restrictions on the Mary Nohl property through this cultural overlay, while keeping the needs and desires of the neighbors fully in mind.

While I believe that Mary Nohl's property is of great national significance, I also agree that the neighbors have concerns and they should be heard and respected.

When the neighborhood was approached a number of years ago with proposals by the Kohler Foundation, to my understanding there were some misunderstandings. The Kohler board was perceived as aggressive by a few of the neighbors, or perhaps simply too confident of their mission.

I sincerely hope that this important matter can be re-approached with a better plan — one in which the neighbors have some control and might be consulted in an on-going process of approvals depending on what activities are taking place at the Nohl house. The neighbors should have a say and if they do, I believe they could become proud stewards of this important site. There is room for compromise in the proposed plan so please consider reaching an agreement rather than rejecting the plan.

I know that the Kohler has invested huge amounts of time, care, and resources to develop a mutually agreeable means to manage the house and preserve it for future generations.
It's time to develop trust and a partnership around this, and here is why:

While a small number of individuals have legitimate concerns about increased traffic, Mary Nohl's house is influential to legions. I researched and wrote my art history graduate thesis on Mary Nohl when she was alive and met with her regularly. I read the letters people left in her mail box, thanking her for inspiration and for her fearless commitment to an art practice. She privileged the life of an artist without relying on institutional permissions (which a woman artist would never get). Mary let nothing stop her in an era when women were curtailed and defined by societal conventions. She lived the most holistic, economical, environmentally sound life of any person I have ever encountered. In addition, she made art on a daily basis — giving us a model as well as permission to value curiosity, creativity, discovery, and productivity — even if society didn't.

Mary Nohl changed my life and determined its trajectory. I own one of the most important art galleries in the city which was founded on principles of equity for all art makers — not just the privileged ones. I write for the international art publication Hyperallergic and serve on several museum exhibition committees. It was Mary Nohl who determined my future and inspired the passion that has shaped my engagement in the art world.

Please do not take this away from the world. Her work cannot be moved. It belongs there. Her work depended on the site. She broke down the walls of interior and exterior, home and nature, as she swept up everything from the breeze to the call of the ducks to the softened beach stones into her work. She is unique and vitally important. There are no other Mary Nohls out there. Her legacy cannot be underestimated.

I am indeed sympathetic to the neighbors and their concerns. But I implore you to trust the Kohler this time around. Let them know you want to have some ongoing control and decision making. Put in a clause that if anything becomes objectionable, there is a process for negotiation. I strongly believe that this will go smoothly and you will realize that the quiet remove of your neighborhood will not be altered. Ask for modifications, but give it a try.

We are not in a cultural time when small groups should determine the greater good. Look at the magic Mary created and think about your grandchildren. Do you want them to be able to dream and have reverie in their lives, to be generous, to be innovative problem solvers, and care about others? Or do you want them to primarily think about their own interests?

Sincerely,

Debra Brehmer

Portrait Society Gallery of Contemporary Art
Hyperallergic, writer
Art Against the Odds

--

Debra Brehmer, Owner/Director
Portrait Society Gallery of Contemporary Art
207 E. Buffalo Street, Suite 526
Milwaukee, WI 53202
Hours: Thurs-Sat noon to 5 p.m.
Writer: Hyperallergic

Scott Botcher

From: Christine Symchych
Sent: Sunday, January 29, 2023 8:41 PM
To: Scott Botcher
Subject: Fw: Save Mary Nohl's Art Environment!

From: Hattie Grimm <hrgrimm@wisc.edu>
Sent: Sunday, January 29, 2023 6:32 PM
To: Hattie Grimm <hrgrimm@wisc.edu>
Subject: Save Mary Nohl's Art Environment!

Hello Fox-Point Village Trustees,

This is why the Mary Nohl Art Environment is Important to Support:

The Mary Nohl Art Environment has been a fixture of the Fox Point community as a space for creative inspiration and artistic practice since the mid 1960s. Because of this storied legacy, the home is one of only three Fox Point properties listed on the National Register of Historic Places (2005). As a prolific artist, Mary Nohl's (1914-2001) work is inextricably linked to her life on the edge of Lake Michigan. Mary drew constant inspiration from the changing colors of the sky, water and the natural world unique to her property.

Since 2012, the John Michael Kohler Art Center (JMKAC), long involved in the preservation and study of artist-built environments, has undertaken substantial restoration and conservation efforts to stabilize and maintain the property in its unique location.

JMKAC is currently asking the Village of Fox Point to consider the creation of a cultural overlay district for the Nohl property. The cultural overlay creates a pathway to host opportunities for local community members, educators, and artists to access the property. Through a limited usage plan, the Mary Nohl Art Environment will support the production of work that deepens the legacy, understanding, and value of this important piece of community history. Additionally, it will allow for the development of a committed and sustainable long-term financial support plan to preserve the artwork and property into the future. This will ensure that future generations of Fox Point residents will be able to say "Mary Nohl is a part of my community."

As the cultural overlay request moves toward a board vote, we need your support in letting the Village of Fox Point Trustees know that you want to keep Mary Nohl present and her environment preserved for future generations to come.

- Hattie Grimm

Scott Botcher

From: Christine Symchych
Sent: Sunday, January 29, 2023 8:40 PM
To: Scott Botcher
Subject: Fw: Mary Nohl House

From: chris spaude <chrisspaude@yahoo.com>
Sent: Sunday, January 29, 2023 4:15 PM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>; Eric Fonstad <efonstad@villageoffoxpoint.com>; Christine Symchych <csymchych@villageoffoxpoint.com>; Elizabeth Sumner <lsumner@villageoffoxpoint.com>; Greg Ollman <gollman@villageoffoxpoint.com>; Elizabeth Aelion <eaelion@villageoffoxpoint.com>; Catie Anderson Knight <cknight@villageoffoxpoint.com>
Subject: Mary Nohl House

Good afternoon,

I wanted to email the Fox Point Village Board to voice my support, as a resident of Fox Point, for the preservation of the Mary Nohl house on Beach drive. Additionally, I would like to see some capacity for public viewing of the house, art, and grounds in the future.

Regards and thank you for your consideration.

Chris Spaude
404 E. Apple Tree Rd

Sent from my iPhone

Scott Botcher

From: Christine Symchych
Sent: Sunday, January 29, 2023 8:40 PM
To: Scott Botcher
Subject: Fw: From new Fox Point Residents

From: Nirmal Raja <nirmalinbetween@gmail.com>
Sent: Sunday, January 29, 2023 3:25 PM
To: Christine Symchych <csymchych@villageoffoxpoint.com>
Subject: From new Fox Point Residents

Dear Ms. Symchych,

We moved to Fox Point last summer in search of a neighborhood surrounded by nature and art. We found the contemporary home of our dreams and continue to be inspired by our surroundings. I am an artist and I received the Mary L. Nohl award in 2020. It was a landmark in my career and I am deeply grateful for Mary Nohl's legacy and what she stood for as a female artist. My husband is a physician and is a solid supporter of the arts.
We are very concerned about the upcoming hearing regarding the Mary Nohl house. We feel that it is in good hands with the John Michael Kohler Foundation and that they are being very thoughtful in their plans to make Mary Nohl's legacy available for education and research. Their plans would not cause any disruption to immediate neighbors except perhaps during renovations and construction. Since the home will not be open to the public and will only be used by groups of less than 20 people, it is no more than anyone in the neighborhood having a small dinner party.
We have complete confidence that JMKAC will be careful and considerate of the neighborhood while also fulfilling Mary Nohl's amazing legacy.
As new residents, we hope to encourage you to accept JMKAC's proposal so the Mary Nohl home and environment can be preserved for future generations of Fox Point.
We are in support of cultural overlay district zoning.

Thank you for your consideration,

Nirmal and Sharath Raja

--

Nirmal Raja
Milwaukee Arts Board Mildred L. Harpole Artists of the Year
www.nirmalraja.com
Current and upcoming exhibitions:
https://gallery.arttruman.com
https://aurora.edu/museum/
Latest Newsletter:
https://mailchi.mp/98e7974745b0/letting-go-and-moving-on
On Instagram: @nirmal.raja
Studio: Marshall Building, #543

Scott Botcher

From: Christine Symchych
Sent: Sunday, January 29, 2023 8:40 PM
To: Scott Botcher
Subject: Fw: Mary Nohl Art Environment

From: David Stephan <1stephanfamily@gmail.com>
Sent: Sunday, January 29, 2023 2:41 PM
To: Christine Symchych <csymchych@villageoffoxpoint.com>
Subject: Mary Nohl Art Environment

Dear Village Board Member,

I write to express my support of the JMKAC's proposal regarding a cultural overlay designation for the Mary Nohl Art Environment.

While learning about the JMKAC's request, it seems to me as though they have very carefully and thoughtfully considered any potential impacts on the immediate neighborhood and have come up with a truly viable solution that finds common ground for all involved. This cultural overlay designation provides Fox Point with the wonderful opportunity to benefit not only its own immediate community but a much broader population, all while keeping frequency of visits and traffic at a minimum.

Mary Nohl's work along with the environment she created are truly inspired and unique making this something to be celebrated and shared. Some reasons why I would like the board to approve this cultural overlay designation include:

- While she may have been misunderstood in her time, she leaves behind a legacy that demonstrates her creative genius along with the power of perseverance and being true to oneself.
- As we look to promote good mental health, this is a venue that celebrates diversity and allows future generations to see examples of people truly expressing themselves and being appreciated for who they are.
- The educational benefit and inspiration can be appreciated by lifelong learners and artists at a wide range of ages and levels.
- The sheer expanse of her creativity is something to behold, preserve and allow to live on as an inspiration to all.
- If I was an immediate neighbor of the Mary Nohl house, I would want the property to be maintained and cared for rather than left to deteriorate. Keeping the neighborhood vital as a whole will have a more positive impact on property values.
- The Mary Nohl property has been there for many years and I would imagine immediate neighbors were aware of its presence when choosing this area as their home.
- This is a treasure, a truly unique and wonderful asset that should be preserved as well as celebrated, much like the many efforts being made to conserve natural areas, so that future generations can learn and appreciate the contribution Mary Nohl spent her life making.
- Only a few, if any, communities even have the opportunity to share an art environment of this nature with others.
- Personally, Mary Nohl's work and this environment in particular, MAKES MY HEART SING.

Please accept my sincere gratitude for considering my input as well as for all you do to serve your community.

Scott Botcher

From: Chuck Luckenbill <celuckenbill@gmail.com>
Sent: Sunday, January 29, 2023 8:38 PM
To: Scott Botcher
Subject: Luckenbill's Support To Preserve Mary Noll's Environment

Dear Scott,
As past residents of Fox Point we want to express our support to preserve this treasure in Fox Point.
Mary was a unique artist and her life's work deserves to be preserved for the future.
Hope that you support this important effort.
Best
Chuck and Patty Luckenbill

Scott Botcher

From: Christine Symchych
Sent: Sunday, January 29, 2023 8:37 PM
To: Scott Botcher
Subject: Fw: Save Marys Nohl's Art Environment

From: Linda Ellis <linmellis13@gmail.com>
Sent: Sunday, January 29, 2023 7:36 PM
To: Christine Symchych <csymchych@villageoffoxpoint.com>
Subject: Save Marys Nohl's Art Environment

Dear Village Trustees,

I am writing this message in support of all the wonderful work that JMKAC has done to preserve the treasure, that is the home of Mary Nohl. On a personal note, this property has been a special place, that has enhanced my life and understanding of what art can be. As a young mother, I accompanied my daughters class on a visit to Mary's home. I will never forget the amazing experience of being immersed in Mary's creative environment, as she talked to the children and shared her vision. I am now 76 years old, and walk often down Lake Drive to Beach Drive, and down to the Nohl property. As I stop and take it all in, I can hardly find the words to express what I am seeing - wonderful beyond words. On a recent walk, I was disheartening to see all the signs. I find it hard to understand why residents would be so selfish and short sighted regarding this unique art environment. My hope is that future generations can be inspired and fall in love with Mary Nohl's home and art, as I have.

Many thanks for allowing me to share my personal experiences with the Mary Nohl environment,
Lin Ellis

Gmail Tim Lemont <tlemont@gmail.com>

Opposition to Mary Nohl House Cultural Overlay Application

1 message

Tim Lemont <tlemont@gmail.com> Wed, Jan 11, 2023 at 4:22 PM
To: Scott Botcher <sbotcher@villageoffoxpoint.com>
Bcc: Lemont Debbie <debbielemont1@gmail.com>

Dear Scott,

Please forward this email to the Village Board and Plan Commission members so that they may know of my concerns and opposition to the Mary Nohl House Cultural Overlay rezoning application in preparation for their January 31st joint public hearing on the matter.

For purposes of providing background and context to my views, my wife and I have lived at 7475 N Beach Drive for over 11 years now. Our home is five houses directly north of the Mary Nohl house on the west side of Beach Drive, inset from the street about 70 yards. As a result of the location of our modest 1,600 square foot ranch home, we have a unique view out our front windows of the amount of traffic passing by on this beautiful stretch of Beach Drive with its panoramic views of Lake Michigan, whether that is motor vehicles, hikers, bikers, dog walkers or children playing. It is a special area to say the least and we treasure its peacefulness. As a result of our home's location, any vehicle traffic to or from the Mary Nohl house passes directly in front of our house.

Since we have lived here, the John Michael Arts Center has embarked on significant preservation efforts of the house and the art collection including moving the vast majority of the art collection to their Art Preserve in Sheboygan, which opened in 2021. Although there have been multiple efforts by them to open more access to touring and visiting the house itself about 20 years ago and again about 10 years ago, both times they have faced stout and overwhelming resistance from the immediate neighborhood. The resistance both times in large part was because of concerns as to the adverse consequences to the nature of the residential neighborhood from the increased traffic. As a result, they backed down each time. In recent years they have placed an artist-in-residence at the Mary Nohl house. We believe over the years they have done a laudable job of preserving the house and art collection. As it has been operated in the time we have been in our home, we are pleased to have this very interesting historic site just down the street from us.

With the above as background, the relevant sections of the Village Code in listing the basis for approval of a rezoning application, states in part in Section 745.22(E), paragraph (1) "That the proposed development...would not be contrary to the general welfare...of the...immediate neighborhood." In addition, paragraph (3) states "That the contemplated use will not: ...(b) Materially adversely affect the use and enjoyment of property in the immediate neighborhood."

In determining whether the proposed development would be "contrary to the general welfare or materially adversely affect the use and enjoyment of property in the immediate neighborhood", I have attempted to summarize below all the incremental changes in activities at the Property in the application including: ancillary related uses to art preservation and observation including offices and meeting space; study by limited groups of invited scholars, collectors, historians, educators (including but not limited to museum groups and college classes); visits by invited school groups from local schools; and others with affiliation; occasional special events (including, but not limited to, fundraisers, educational symposiums, community events and limited to up to 2 special events per year not to exceed 80 individuals at a time); adding to the Property a new

additional auxiliary building of up to 4,000 square feet; and the addition of a parking lot to avoid on-street parking for the additional visitors (the size of which is not described specifically but a diagram in the application shows 5 parking spaces in the new parking lot).

In summarizing just the third-party access to the property, the application states it will be limited to 3 days per week and 20 visitors per day, not including special events or local school groups. Over a full year the limits proposed result in up to 3,000 or more third-party visitors (3 x 20 x 52 weeks = 3,120) going in and coming out of that property. This level of potential incremental visitors to the property just from third-party visitors is unsettling and disheartening as it would obviously result in a material increase in traffic and become a public nuisance to the immediate residential neighborhood.

I am also concerned about the slippery slope we could be on if the Cultural Overlay is granted in the first place. Once granted it will be difficult to put the genie back in the bottle. The proposal provides the limits of the third-party visitors as detailed above but what will be the consequences if these limits are exceeded? What mechanisms could possibly monitor these limits? What will prevent them from asking for higher limits as time passes?

Similarly, I am concerned that they are clearly planning to build a sizable event space with the addition of the 4,000 square foot building and yet they state at the start they will limit the special events to no more than two a year. It strains belief to think someone would justify building a facility of that size and limit its special events to only two a year. What mechanism will be in place to avoid having its special events use creep up to additional special events per year as time goes on? As the years pass and they request additional limits on visitors and special events, what will prevent this from happening? As I indicated above, I am very concerned about the slippery slope granting the Cultural Overlay would put us on.

In summary, I oppose the granting of the Cultural Overlay for the Mary Nohl property. To-date they have done a laudable job of preserving Mary's art work while managing the limits of being in the middle of a residential neighborhood. Due to the incremental level of visitors and activities, the proposed development would be contrary to the general welfare of the immediate neighborhood. As was the case 20 years ago and 10 years ago, the immediate neighborhood overwhelmingly opposes this application.

Respectively submitted,

Tim Lemont
7475 N Beach Drive

Scott Botcher

From: Clara McElfresh <clara.mcelfresh1219@gmail.com>
Sent: Sunday, January 29, 2023 7:27 PM
To: Catie Anderson Knight; Christine Symchych; Douglas Frazer; Elizabeth Aelion; Eric Fonstad; Greg Ollman; Elizabeth Sumner; Scott Botcher
Subject: SAVE THE MARY NOHL HOUSE

Please support the cultural overlay district zoning designation for the Mary Nohl house. The house and grounds are a significant cultural treasure that will be effectively managed by the JMKAC. The interests of a few individuals should not be allowed to override the benefit this resource brings to our shared collective heritage. Act on the behalf of future generations and protect this treasure.

Respectfully,
Clara McElfresh
Bayside, WI

Scott Botcher

From: Matt Wendorf <mdwendorf@gmail.com>
Sent: Sunday, January 29, 2023 5:48 PM
To: Scott Botcher
Subject: Cultural Overlay District/Mary Nohl House

Dear Mr. Botcher,

We had the chance to review the proposal from CAPP for the introduction of a Cultural Overlay District at the site of the Mary Nohl House and neighboring property. We have several thoughts and questions below that we would like to be considered by the Village Board and Plan Commission when they conduct their review:

Below we look at the three goals listed in the application that provide the clearest understanding of CAPP/JMKAC's intent. The focus is on the factual information surrounding these with suggestions that better align with their goals.

(1) to preserve and protect the Mary Nohl House and the Collection. The House is on the State and National Register of Historical Places and has had extensive structural work performed to preserve it. Additionally, 80% of Mary Nohls collection has been moved to The Art Preserve in Sheboygan. While these are major steps in preserving the art and architectural artifact of Mary Nohl's work, no part of this proposal actually describes any efforts to further preserve the Mary Nohl House or her collection. Financial responsibility is one of the more difficult aspects of maintaining any art and architecture. As JMKAC states, they have spent nearly $4 million on the upkeep of the property alone, anticipating significantly higher costs if this application is approved. To put this in perspective, if they anticipate spending over that amount again, $4 million alone could cover the cost of taxes on the property for nearly 100 years. Therefore, rejection of this proposal would save JMKAC millions of dollars that could be utilized to maintain and preserve the Nohl House.

Furthermore, the number one way to preserve a piece of architecture is to use it as it was intended to be used. During Mary Nohl's life in the house, the discussion of preserving it was a non-topic; however, this application proposes to shift living away from the Nohl house. Similarly, as a member of the community, Mary Nohl paid taxes on the property, yet this proposes to remove the property from the tax roll, segregating it from the properties around it. The house already has a garage and driveway supporting a typical number of vehicles for a residence, whereas, this proposal plans to add parking for at least 10 vehicles and a wider than normal driveway (perhaps for parking along one side?) that goes all the way through the site.

(2) for the exhibition, examination and study by smaller groups of invited scholars, collectors, historians, educators, and others; and The house, as-is, can and has been used by smaller groups for research and examination. It is unclear how a Cultural Overlay District and additional development would further achieve this goal.

(3) to encourage interested parties and larger groups to visit the Art Preserve opened by JMKAC in 2021 at 3636 Lower Falls Road in Sheboygan, Wisconsin, which houses the vast majority of Mary Nohl's work. Bringing large groups for fundraising, twice a year, to the Nohl House may be a method of achieving this goal; nonetheless, it's certainly not the only method, nor the best. While fundraising events are necessary for the preservation of historic work, the proposal doesn't address why these events need to be held at this location in Fox Point. Although the Nohl House is there, the connection between fundraising and the house location isn't clear and perhaps not scrutinized. If they did not want to hold these fundraising events at one of their two Sheboygan facilities, maybe a commercial space in the Milwaukee area would be a more suitable fit and would provide better parking, access, and other services such as catering. Additionally, it would be one less building for them to maintain, again focusing funding towards the Nohl House.

There are some other segments in the proposal that raise additional questions:

The Property will be used primarily for art preservation and observance, and for ancillary related uses including offices and meeting space for CAPP and JMKAC and a residence for artists-in-residence and/or caretakers....as well as fit the residential character of the surrounding neighborhood.

There is a fair amount of verbiage in the proposal which uses the term 'primarily' to explain what uses are being targeted for the property - this implies there is a secondary use. We don't think the primary uses are of much concern here, it's the secondary uses that are questionable. In this excerpt they do name some secondary uses, but why do offices and meeting spaces need to be located next door to the Nohl House and not a more appropriate commercial location? For instance, there are vacant buildings in commercial areas of Fox Point that would be better suited for this purpose, providing better parking and access while also being in close proximity to the house.

The auximilary [sic] **building and shed would replace similar structures which had to be demolished due to extensive damage and neglect by a previous owner.**

If similarity is the goal, the new building could be a residence, for artists-in-residence and caretakers, remain zoned as it currently is, and remain on the tax roll. We will also note that the 'similar' structure was a house of only 2,700sf and not a commercial building to be used for offices, meetings, and events.

Possible special events may include, but are not limited to, fundraisers to secure funding to maintain and care for the Property and the Collection.

For those events categorized as 'not limited to' fundraisers, how are they helping preserve the Nohl House? Similar to previous comments, these special events can be held anywhere, so why in a residential area and not at the $40 million Art Preserve where most of the Mary Nohl collection is located? Or any event space in the metro Milwaukee area that would have appropriate parking, better access, and other services? The proposal does not provide any reason why these would need to be held here.

CAPP is willing to install a motion-activated light and camera at the northeast corner of the Property and to provide Village police access and electrical and WIFI services.

In an area without streetlights (which is something we personally love about Fox Point), we don't think this is a selling point by any means - if anything it is an example of a commercial detail, further alienating this development from fitting the character of the neighborhood.

There were also a couple things we noticed with the drawings: the southern driveway entrance is in violation of Village code (must be 3ft from neighboring property lines). Also note the driveway is wide enough to allow for multiple vehicles to pass at one time or possibly to allow for additional vehicles to park along one side. They stated there would not be an increase in traffic beyond the capacity of the street, but that is missing the point. The concern is *any* increase in traffic in a secluded, quiet neighborhood with one means in and out. If they conclude there wouldn't be an increase, then parking for 10 vehicles can be removed from the proposal as well as a driveway large enough to accommodate two-way traffic. Lastly, considering the expressed importance of fitting into the character of the surrounding neighborhood, we were disappointed that the proposed design work was prepared by a design/build firm from Colorado.

Knowing this proposal is really about the approval of a Cultural Overlay District, we think there should be some benefit to the Village in order to approve it. As proposed, this application appears to only have drawbacks in the way of taxes, resident lifestyle, and as a precedent for the future. Chipstone has been used as an example of a success, but we think it can't be considered unless data is provided supporting that theory.

Sincerely,

Matt Wendorf & Brooke Borelli
8333 N Regent Rd

Scott Botcher

From: Meghan Spaude <mmspaude@icloud.com>
Sent: Sunday, January 29, 2023 4:07 PM
To: Scott Botcher
Subject: Mary Nohl property

To whom it may concern:

I'm writing to make my support known for the creation of a cultural overlay district for the Nohl property. I would like to preserve the art and culture that the estate brings to our community.

Meghan Spaude
Fox Point resident
404 E Apple Tree Rd

Scott Botcher

From: sharon bolingbroke <bolingsd1730@gmail.com>
Sent: Sunday, January 29, 2023 4:02 PM
To: Scott Botcher
Subject: Comment on the Mary Nohl House

Fully support on save the Mary Nohl house. My dear friends owned the property next store that the Kohler foundation bought so know the house well. It is such a treasure for Fox Point, Milwaukee and Wisconsin and hope that in the future it will still be at the same spot for future generations to enjoy.

Sharon Bolingbroke
716 East Silver Spring Drive
Whitefish Bay, WI 53217
Cell: (414) 688.4770
bolingsd1730@gmail.com

Scott Botcher

From: David Ravel <davidcharlesravel@gmail.com>
Sent: Sunday, January 29, 2023 2:09 PM
To: Douglas Frazer; Eric Fonstad; Christine Symchych; Elizabeth Sumner; Greg Ollman; Elizabeth Aelion; Catie Anderson Knight; Scott Botcher
Subject: Support for Cultural Overlay for the Mary Nohl House

Dear Fox Point Trustees and Scott Botcher, Village Manager,

I wish to offer my support of your approval of the John Michael Kohler Arts Center's (JMKAC) cultural overlay application to secure the future of Mary Nohl's artist-built environment.

As one of the few intact art environments created single-handedly by a woman, Mary Nohl's lakefront home has played a rich and distinctive part in the culture and heritage of the Village of Fox Point, Wisconsin, since the mid 1960s. Additionally, its significance extends beyond our region. The United States Department of the Interior lists the Nohl Home as part of the National Historic Register of Historic Places.

I had the privilege of producing Marielle Allschwang's song cycle about Mary Nohl, "Precession Of A Day: The World of Mary Nohl" in Milwaukee, Sheboygan, Madison, and Minneapolis in 2019 and 2020. The performances were met with critical acclaim and wide audience appreciation, as many were moved not only by the beauty of Nohl's work but also with the poignancy of her story.

Throughout this process, JMKAC has clearly stated that the Nohl Home is and will continue to be a place of contemplation, not congregation, and at no time will the site be open to the general public.

The significance of Nohl and her work is beyond question. The JMKAC has shepherded their request for a cultural overlay with care, sensitivity and transparency. Their reputation for outstanding curatorial and community work guarantees the support of an important cultural landmark with ongoing respect and sensitivity for the neighborhood.

I strongly encourage Fox Point to grant JMKAC's application.

With kind regards,

David Ravel
Independent Producer
Artistic Director, Alverno Presents 2003-2016.

Scott Botcher

From: Lee Gierke <gierke48@yahoo.com>
Sent: Sunday, January 29, 2023 1:59 PM
To: Scott Botcher
Subject: Mary Nohl House

I want to let it be known that I am in support of the Kohler Art Center's efforts to open the Mary Nohl Property on a very limited basis. The accommodations should respect the homeowner desire for privacy and help maintain a unique cultural treasurer for future generations. Being a Mequon resident, I have limited standing and it is easy to support this as there is no negative impact on my life style. But I am a 74 year resident of the Wisconsin and appreciate all the state has to offer and would find this a terrible tragedy if some access was not granted. I would feel the same if I were a resident on Beach Drive. Please do the right thing

Thank you.

Lee Gierke
Mequon Wisconsin

Scott Botcher

From: Christine Symchych
Sent: Sunday, January 29, 2023 10:42 AM
To: Scott Botcher
Subject: Fw: Mary Nohl house

FYI

From: Sharon Moore <sharonmoore1207@gmail.com>
Sent: Sunday, January 29, 2023 10:39 AM
To: Christine Symchych <csymchych@villageoffoxpoint.com>
Subject: Mary Nohl house

I have been a resident of Fox Point for over 35 years. I consider it a privilege to be able to walk down Beach Drive and visit the amazing sculptures in Mary Nohl's yard.

I am a docent at the Milwaukee Art Museum. I constantly see the impact that art has on the lives of young and old alike. It is not always obvious how art impacts their lives, and sometimes I don't think that they realize it at the time. I know that you understand this phenomenon.

It is obvious that the residents of that area are very protective of public access to the lakefront. I understand wanting to protect their tranquility, but I have not seen anything in the Kohler Arts Center proposal that is disrespectful to their property rights.

The Nohl house cannot be moved and the conservation of her legacy is important.

I urge you to support their proposal.
Sharon Moore

Scott Botcher

From: Christine Symchych
Sent: Sunday, January 29, 2023 10:09 AM
To: Scott Botcher
Subject: Fw: Mary Nohl House

Fyi

From: lrixhome@aol.com <lrixhome@aol.com>
Sent: Sunday, January 29, 2023 9:47 AM
To: Christine Symchych <csymchych@villageoffoxpoint.com>
Subject: Mary Nohl House

Hello Ms Symchych, You don't know me, but I am very familiar with your name as a fellow philanthropist who supports the arts and creative thinking in Milwaukee area. I writing to you in support of granting the Mary Nohl Home and property a cultural overlay district status. It seems to me that the Kohler Art Center is being true to Mary's purpose in donating her entire estate to them. I am happy that they were able to move some of the collection and some of the home to the Arts Preserve for the general public to enjoy and learn from en masse, but I also feel very strongly that Mary's art is tied completely to the site of her home on the lake. Her house and property and where they sit are the PRIME inspiration and her life's work of art. This is very unique in the art world and needs to be saved for now and future generations. When I read the Art Center's proposal, they have shown respect for the neighbors' privacy while also showing respect for Mary's request. They are being extremely transparent in what they want to do rather than just doing what they can legally do as a property owner. .
Have people over twice a week , have large parties on their property, etc. They are not talking bus loads of people, or building another mansion along the lake shore. They are only talking " preserving and sharing a unique piece of art and creativity that could only have happened along the shores of Lake Michigan, by Mary Nohl." Please support their proposal and try to get your fellow Village Trustees to do the same.
Thank you, Lynn M Rix

Lynn M Rix *plein air artist in oil*
www.lynnrix.com

Scott Botcher

From: Christine Symchych
Sent: Sunday, January 29, 2023 9:40 AM
To: Scott Botcher
Subject: Fw: Mary Nohl Site

fyi

From: Virginia Small <virginiasmall7@gmail.com>
Sent: Sunday, January 29, 2023 9:34 AM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>; Christine Symchych <csymchych@villageoffoxpoint.com>; Elizabeth Sumner <lsumner@villageoffoxpoint.com>; Greg Ollman <gollman@villageoffoxpoint.com>; Eric Fonstad <efonstad@villageoffoxpoint.com>; Elizabeth Aelion <eaelion@villageoffoxpoint.com>; Catie Anderson Knight <cknight@villageoffoxpoint.com>
Subject: Re: Mary Nohl Site

- Dear Members of the Village of Fox Point Board of Trustees:

The late Mary Nohl's Fox Point home and yard embodies her unique and celebrated artistic expression. Many believe that we are fortunate that this special place remains intact. I am indeed grateful for Mary Nohl's art and other contributions.

As is the case with other significant "cultural landscapes," this home and grounds--the culmination of a singular creative and personal history--deserves to be honored and directly experienced.

Whether or not one is drawn to Nohl's body of work, I hope that neighbors and village elected officials can appreciate the community and cultural value that it offers. The proposed cultural overlay district would allow Mary Nohl's extant creative works, within the environment that inspired and housed it, be preserved under the attentive stewardship of the John Michael Kohler Arts Center. The proposed highly limited access for visitors to this legacy site allows appreciation and study of it without unduly impinging on the neighborhood.

Through Mary Nohl's generous endowed annual artist fellowship program, Nohl has nurtured, and will continue to nurture, countless artists in Greater Milwaukee. Her estate also funds millions for art education programs. May the community in which she lived make modest and reasonable accommodation to maintain this reciprocal circle of cultural nourishment.

Mary Nohl drew inspiration from the place that was her lifelong home. Please allow others, within strictly defined limits, to glimpse her sources of inspiration, to view the world as Mary saw it, to cross the boundaries of time while moving through her space.

Fox Point and Greater Milwaukee will be enriched and elevated by sustaining a generous, collaborative relationship with this irreplaceable place and cultural asset.

Thank you for your thoughtful consideration of this requested variance.

Virginia Small, Landscape Historian & Writer
2860 N. Shepard Avenue
Milwaukee, WI 5321

Land Acknowledgment: We acknowledge in Milwaukee that we are on traditional Potawatomi, Ho-Chunk and Menominee homeland along the southwest shores of Michigami, North America's largest system of freshwater lakes, where the Milwaukee, Menominee and Kinnickinnic rivers meet and the people of Wisconsin's sovereign Anishinaabe, Ho-Chunk, Menominee, Oneida and Mohican nations remain present."

-Shared by Electa Quinney Institute for American Indian Education at University of Wisconsin-Milwaukee

Recent Articles:

Milwaukee River Greenway Builds Upon Olmsted's Legacies

https://olmsted200.org/milwaukee-river-greenway-builds-upon-olmsteds-legacies/

Scott Botcher

From: Louise Petering <l.petering14@att.net>
Sent: Sunday, January 29, 2023 9:23 AM
To: Scott Botcher
Cc: tlemont@gmail.com; t.lemont@gmail.com
Subject: Nohl cultural overlay thoughts
Attachments: 2023 01 29 Nohl revision.docx

Scott, (cc Timothy Lemont)

Because I will be attending my grandson's piano recital Tuesday evening, I will not be present for the hearing on the Cultural Overlay District application for the Nohl site. Attached here with my perspective and thoughts is a memo directed to the Fox Point Village Board and Plan Commission. Please distribute before Tuesday's public hearing. Thank you.

Best regards,
Louise

Louise Petering
(h) 414-351-3617
(c) 414-324-2665
l.petering14@att.net

To: Fox Point Village Board and Fox Point Plan Commission

From: Louise Petering, 7229 N. Santa Monica Blvd.

Re: Mary Nohl Cultural Overlay proposal

Date: January 28, 2023

As a resident who understands the value of one's investment in a home is assured in great measure by retention of zoning districts, the request for a cultural overlay district by the Art Preserve of the John Michael Kohler Arts Center demands your very careful consideration.

The cultural overlay application has been made for a residential district and needs to be significantly scaled back to preserve the residential character of the area. At the same time, the scaled back proposal could allow preservation of Mary Nohl artifacts on the property as well as limited interactions with them and the environment that inspired them...

Below are my thoughts on the suggested scale back.

- Reduce the size of the auxiliary building to one that accommodates a workshop to preserve the artifacts and protect the property yet comports with the ambience of the neighborhood.
- Reduce the number of guests on the property at any one time; 80 guests are far too many.
- Transport all guests to the property by electric vehicle to reduce both noise and air pollution.
- Require CAPP and JMKAC to provide more directly relevant traffic information. The traffic study referenced on pages 30 to 33 of the agenda items furnished by the Village online is far too general. A traffic summary of vehicles to and from the Nohl property for at least the past 5 years is needed. The Plan Commission and Village Board should require a record of visits to the Nohl site that includes, but not be limited to, the following information: date with weekday of all visits; their purpose, number of persons vsiting, and time of day and duration of each visit.
- Require CAPP and JMKAC to pay for a baseline study of traffic on Beach Drive now before the cultural overlay is voted up or down. Measurement of traffic on N. Beach Drive would serve as a control for traffic on S. Beach Drive now. If the Cultural Overlay is permitted, measurement of traffic during work on the site and at least one year after completion of the work would facilitate adjustments to any agreement.
- Explicitly prohibit a dormitory now and in the future. This will assure that that space in the auxiliary building will never be converted to a dormitory.
- Assure that the number of impermeable surfaces on the property is minimally increased if at all.
- Require vegetative screening that assures least visually intrusive alterations to the property.

Scott Botcher

From: DANI GRAF <dmgart@mindspring.com>
Sent: Sunday, January 29, 2023 9:23 AM
To: Douglas Frazer; Eric Fonstad; Christine Symchych; Elizabeth Sumner; Greg Ollman; Elizabeth Aelion; Catie Anderson Knight; Scott Botcher
Subject: Support for the Mary Nohl Art Environment

Dear Fox Point Village Hall Members,

As a former art teacher who taught in the same classroom as Mary Nohl and has received a Nohl grant, I am voicing my support for the Mary Nohl Art Environment. It continues to be a unique creative space dedicated to the creative process.

The Art Preserve is a one-of-a-kind experience in Wisconsin.

Thank you,

Dani Graf
dmgart@mindspring.com (mailto:dmgart@mindspring.com)
2914 S. Pine Ave.
Milwaukee, WI 53207

ars longa, vita brevis

Scott Botcher

From: Christine Symchych
Sent: Sunday, January 29, 2023 9:21 AM
To: Scott Botcher
Subject: Fw: Please Save the Mary Nohl House

fyi

From: Sarah Zaske <szaske@wi.rr.com>
Sent: Saturday, January 28, 2023 9:56 PM
To: Christine Symchych <csymchych@villageoffoxpoint.com>
Subject: Please Save the Mary Nohl House

PLEASE support the cultural overlay district zoning designation for the Mary Nohl house. The house and grounds are a significant cultural treasure that will be effectively managed by the JMKAC. The interests of a few individuals should not be allowed to override the benefit this resource brings to our shared collective heritage. Act on the behalf of future generations and protect this treasure.

Respectfully,
Sarah Zaske
Bayside, WI

Sent from my iPhone

Scott Botcher

From: Douglas Frazer
Sent: Saturday, January 28, 2023 4:24 PM
To: Scott Botcher
Subject: Fwd: Mary Nohl House

I'm not sure these letters were delivered to others. Sorry if my forwarding is duplicative.

Get Outlook for iOS

From: Ken Kehl <kehl.ken@gmail.com>
Sent: Wednesday, January 25, 2023 11:36:42 AM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>
Subject: Mary Nohl House

Mr. Frazer,

As a Milwaukee resident, I urge Village Trustees to take action preserving the Mary Nohl house. Friends of ours lived adjacent to the house for a few years. It is a marvelous neighborhood feature and a valuable contribution to the village character. The unique situation resulting in the house captures the freedom and independence of the village citizens. As a piece of art it is a remarkable local resource.
Again, Please preserve the home.

Thank you,

Kenneth Kehl
kehl.ken@gmail.com
414 E Norwich Street, Milwaukee,WI 53207

Scott Botcher

From: Douglas Frazer
Sent: Saturday, January 28, 2023 4:23 PM
To: Scott Botcher
Subject: Fwd: Mary Nohl's home

FYI

Get Outlook for iOS

From: Robin Leenhouts <rleenhouts@sbcglobal.net>
Sent: Wednesday, January 25, 2023 5:23:32 PM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>
Subject: Mary Nohl's home

Dear Doug,

I am a huge fan of Mary Nohl. As a kid I would spend some of each summer time at my grandma's home on the Beach Road (one of the very first built there by my grandfather of the firm architectural Leenhouts and Guthrie. Mr Guthrie had a home just down the road. Both are torn down now... sigh). My mom was a good friend of Marys and we would visit her from time to time. Although I did not LIVE there I was always proud and excited that such an eccentric and wonderful artist lived near us. I remember others back in the 50's and 60's felt the same. Shortly before Mary died I was visiting her and she spoke of leaving her home to Kohler. It sounded like an answer to a prayer to me— that this place could remain so. And of course I was sure everyone would love that because who would not want to keep such a rare place in tact. That's what I thought...

I believe the Kohler Foundation will be respectful to the neighborhood and they will be good neighbors! "People, please have a little light hearted flexibility and keep this treasure in your neighborhood." That's what I say. And to new neighbors: she was here first— embrace the wonderful neighborhood you chose!

Please send this to anyone that should see it or just keep my opinion in mind when it might be important. I hope you can support this wonderful home!

Robin

Scott Botcher

From: Douglas Frazer
Sent: Saturday, January 28, 2023 4:22 PM
To: Scott Botcher
Subject: Fwd: Mary Nohl house

FYI

Get Outlook for iOS

From: carol pomeday <carolpomeday@gmail.com>
Sent: Wednesday, January 25, 2023 3:15:54 PM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>
Subject: Mary Nohl house

I support the efforts by the John Michael Kohler Art Center to preserve the Mary Nohl House and support a cultural overlay district over the area.

Scott Botcher

From: Laura <lauragardnerhammond@gmail.com>
Sent: Saturday, January 28, 2023 12:53 PM
To: Scott Botcher
Subject: Mary Nohl House

Dear Mr. Botcher,

We are writing in support of the Village granting a cultural overlay district zoning designation for the Mary Nohl property. The Kohler Arts Center has gone above and beyond in its efforts to provide this valuable resource and to accommodate the concerns of the Beach Drive residents. The property will not be open to the general public, and the limited access for scholars and historians seems eminently reasonable. The preservation and study of this unique property is a benefit to both the Village and the school community.

We wholeheartedly support the proposed zoning designation and feel the cultural benefits will be a great asset to the Village and Wisconsin.

Thank you for your consideration.

Laura and Jerry Hammond
7218 N Longacre Rd, Fox Point, WI 53217
317.258.2351

Scott Botcher

From: RANDALL STEVENS <randallstevens996@yahoo.com>
Sent: Saturday, January 28, 2023 10:16 AM
To: Scott Botcher
Subject: Mary Noel House

> Dear Scott,
>
> Please register my SUPPORT FOR the proposed cultural overlay district zoning for the Nohl property.

Randall Stevens
712 E. Green Tree Rd.
Fox Point, WI 53217

Sent from my iPad

Scott Botcher

From: Peggy Dickson <peggydickson24@yahoo.com>
Sent: Saturday, January 28, 2023 8:40 AM
To: Scott Botcher
Subject: Mary Nohl property

Dear Scott,

I would like to register my SUPPORT FOR the proposed cultural overlay district zoning for the Nohl property.

Margaret "Peggy" Dickson
712 East Green Tree Road
Fox Point, WI 53217

Peggy Dickson
Sent from my iPad

Scott Botcher

From: Christine Symchych
Sent: Saturday, January 28, 2023 8:15 AM
To: Scott Botcher
Subject: Fw: Tuesday Evening's Meeting

fyi

From: DARLENE RZEZOTARSKI <dwrz@aol.com>
Sent: Friday, January 27, 2023 10:17 PM
To: Christine Symchych <csymchych@villageoffoxpoint.com>
Subject: Tuesday Evening's Meeting

FROM:
Darlene Wesenberg Rzezotarski
1917 East Wood Place
Shorewood, WI 53211
January 27, 2023

ATTN:
Trustee Christine Symchych
Village of Fox Point

Dear Trustee Symchych:

I am a narrative ceramic artist, a local historian. I treasure our Wisconsin artistic heritage manifested through the work of the hands of Mary Nohl. It is a national treasure, and deserves to be preserved *in situ*, protected, and—on occasion—visited.

I promise you, people who are interested in art are not vandals; we will not litter your property or disturb your peace. We will honor your privacy and drive with utmost caution on those rare occasions that we travel down Beach Drive.

The JMKAC is making an honest effort to preserve this residence and yard and will continue to be a good neighbor. Their request is reasonable. I ask that you make a reasonable response.

Please grant a variance so the legacy of Mary Nohl, one of the few natural sculpture gardens in the nation created by a woman, can continue and be shared within the arts community in a limited, respectful way. I am 79 years old and will brave the winter weather to be there on Tuesday night to bear witness. I will be praying that you and the other trustees make the right decision on behalf of your neighbor Mary.

Sincerely,
Darlene Wesenberg Rzezotarski

Scott Botcher

From: Christine Symchych
Sent: Saturday, January 28, 2023 8:15 AM
To: Scott Botcher
Subject: Fw: Funding the Acquisition/New Iteration of the Mary Nohl property

fyi

From: Deb Lisberg <dzuraw@sbcglobal.net>
Sent: Friday, January 27, 2023 11:57 PM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>
Cc: Catie Anderson Knight <cknight@villageoffoxpoint.com>; Eric Fonstad <efonstad@villageoffoxpoint.com>; Christine Symchych <csymchych@villageoffoxpoint.com>; Elizabeth Sumner <lsumner@villageoffoxpoint.com>; Greg Ollman <gollman@villageoffoxpoint.com>; Elizabeth Aelion <eaelion@villageoffoxpoint.com>
Subject: Funding the Acquisition/New Iteration of the Mary Nohl property

Greetings!

I don't live in your tax base, so my exhortation to support this endeavor can admittedly be regarded as cavalier and without financial implications for me. (I'll donate to the limited extent that I am able, however).

For all the reasons that the Kohler Foundation has most eloquently expressed:

"JMKAC is currently asking the Village of Fox Point to consider the creation of a cultural overlay district for the Nohl property, which will create a pathway to host opportunities for limited numbers of local community members, educators, and artists to access the property. It also will support the production of work that deepens the legacy, understanding, and value of this important piece of community history. Finally, it will allow for the development of a committed and sustainable long-term financial support plan to preserve the artwork and property into the future, ensuring that future generations of Fox Point residents will be able to say "Mary Nohl is a part of my community."

.... I would add that ~ it's a remnant GEM installation of WI Folk Art. A limited number exist.

* Once lost, it's irretrievable. Value!

I believe it's a wonderful opportunity to buy in to, with a myriad of possibilities to explore - some that have revenue generating potential.

Please support this!

Thank you,

Deborah Lisberg
920-698-0558

Scott Botcher

From: Christine Symchych
Sent: Friday, January 27, 2023 4:48 PM
To: Scott Botcher
Subject: Fw: Nohl House

Scott,
I see that you weren't cc'd on this.

Christine

From: douglas.gregor@icloud.com <douglas.gregor@icloud.com>
Sent: Friday, January 27, 2023 4:09 PM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>; Christine Symchych <csymchych@villageoffoxpoint.com>; Elizabeth Sumner <lsumner@villageoffoxpoint.com>; Greg Ollman <gollman@villageoffoxpoint.com>; Elizabeth Aelion <eaelion@villageoffoxpoint.com>; Catie Anderson Knight <cknight@villageoffoxpoint.com>
Subject: Re: Nohl House

Is it fair that Kohler isn't telling the truth about the zoning re-designation? The Village isn't going to make Kohler knock down the Mary Nohl House if the village votes NO on their zoning request. The Mary Nohl House isn't going away because Kohler owns it. You can't even buy it from the Kohler Art Foundation. I started at $5M and stopped at $12M to buy the Mary Nohl House. The lawyer told me Kohler will not sell the Mary Nohl House. How is it going to vanish from Fox Point? My daughter, who went to the Bayside Middle School told me Kohler never showed up to educate them about the art of Mary Nohl. The YouTube video paints a different picture. A well down choreographed video. Alex's hairstyle is the same throughout the whole video. Alex told me the land bought to the south was bought as a buffer zone. I was waiting for a politician to spring up saying "and I approve the video". I was at a black tie party this week. A person I know flew in from wedding in Abu Dhabi. His neighbor is Obama. I only say it to add credibility so you don't think the guy is a nut. He told me I'm battling Kohler who knows how to play the game. He agreed the Mary Nohl House isn't going away; it's CPP, Inc. that needs to go away to preserve the whimsical Mary Nohl House. I told the folks "Save the Mary Nohl House" means keep CPP for erasing the word "whimsical" from it. I looked around and I had a whole bunch of dressed up folks listening to me. I never wanted the job. I'm not good at communicating to folks. I just wanted to sit in the corner to eat my pecan and bacon pie, which I was told was really good. The majority of the folks at the party, which was around 100, asked me why can't they just leave the Mary Nohl House alone. I told them Kohler needs a footprint on the north shore. They don't want office space in downtown Milwaukee, they don't want the artist-in-resident in a house they buy in another place in Fox Point, etc. They want their headquarters on the lakefront. The house on the property to the south would have sold. The owner would have fixed it up. Fox Point could have re-appraised the property for $20K to $35K. That's good money. But, CPP, Inc. will destroy the "whimsical" Mary Nohl House. They don't care. It's sad. The crap they're telling folks from Shorewood to Bayside to Mequon. Alex got married a few months ago. I told them to buy a place in Fox Point. Nope. They bought a place in Bayview. Does anyone working for CPP, Inc. live in Fox Point?

I was played by Alex. The property to the south is a buffer. The lawyer was shocked that I didn't support it, and I was shocked she said it to me. I lot of folks might think I'm stupid because I can't communicate, but the high ups at the black tie party understand it. I had to explain and talk about the funny farm for almost an hour. I'm waiting to be told I need to watch what I say about the Mary Nohl House.

It's all in your hands. I ain't showing up at the meeting on Tuesday. I don't need a heart attack over this funny farm. I was dragged into going to the Bucks game at the new place for the 1st time since it was built. I wanted to watch my shows on Amazon and Netflix but I had to watch the silly Bucks. The wife of an owner asked me about the funny farm

Mary Nohl House and I had to explain the funny farm to her. She said it's not getting the correct info. I told her the folks involved with all this shit are nuts. I saw the exit and made my get away.

My vote is NO. I don't want to deal with the funny. I don't want a zoning re-designation. I want the village to respect that I'm a resident living on Beach Dr. CPP, Inc. aren't residents of Fox Point. CPP, Inc. are a bunch of liars. Alex lied to me about the property they bought to the south. They managed to get the money to buy it. Kohler is hiding behind CPP, Inc. We don't need a funny farm to take away from the whimsical Mary Nohl House. No, the Mary Nohl House isn't going to be knocked down. Get office space for offices and meeting rooms in Milwaukee and I'll can get you a deal in the BMO building. Alex and his wife didn't even buy a house in Fox Point.

I'll invite who ever from the Village Board to go with me to fancy Bucks games, black tie parties, etc. so they can tell folks what's up with the Nohl House. I finally had to tell the owner to F off and went home to watch my shows on Amazon and Netflix. I told them to call up the village board and the lawyer on the CPP, Inc. side.

Note: The lawyer for CPP, Inc. is a really, really nice person! I respect her.

I'm out. You decide. You won't have to tell me I only have 3 minutes.

That's it from me. Good luck. What a fucking funny farm. T.ell CPP, Inc. I'll buy the Nohl House and they can hit the road. I'll let the public have access to the land and won't tell them to go to the museum in Sheboygan. The resident who wanted a beach will get the silly beach minus the parking. I'll build a silly beach house like to the north that folks can use. I'll be diverse. It won't be the silly stuck up beach place where the waiting list is a mile long. There's no parking worries at the beach house dump because of the limited few who can use the beach house. I can't use the dump, I'm on a foolish waiting list and I'm given a nasty look by the folks who use the place. Yes, I get a nasty look!

I'm the most down to earth person. Leave the Mary Nohl House the way it is so I don't have to deal with nuts who think it's going away. Here's an idea, let get rid of the silly beach house where I get nasty looks. Nobody who walks down here complains about those folks giving them nasty looks.

Good luck! I'm done. Do whatever you want to do. Don't tell me to shut up. Don't threaten me. Just leave me alone. I don't need a person to tell me to watch what I say about the Mary Nohl House. That took the cake. I'm told to watch what I have to say about CPP, Inc. funny farm deal.

I want to live on Beach Dr., and be left alone. I like talking to folks, waving to them, etc. I like meeting and talking to the residents of Fox Point. But, what a funny farm.

I would smoke ribs for Alex, who lived at the Mary Nohl House, now I need a few new folks who like ribs. I'm trying to perfect a type of southern style smoked ribs and a friend is starting a place that makes whiskey. Ribs and whiskey. I don't drink so the whiskey is all yours barrels of it. You can see I'm a happy person. If you come down on Beach Dr., stop by and say hello. But, I'm checked out. I'm done.

Good luck.

Scott Botcher

From: Mo Daly Consulting <mo@modalyconsulting.com>
Sent: Friday, January 27, 2023 4:46 PM
To: Scott Botcher
Cc: Mo Daly
Subject: Mary Nohl House - Cultural Overlay Application

Scott, Village Trustees and Plan Commission members:

I fully support the Mary Nohl house as a closed-to-the-public museum. JMKAC's running of the property for the past several years has been in keeping (more or less) with how Mary Nohl lived there - quietly and respectfull of the environment. Their use of the property on a controlled basis (their words) for artists in residence, curators, scholars - meaning very small groups of people would not impact the neighborhood any more than typical single-family home activity. Given that the majority of artifacts have been transferred to the Art Preserve, this makes sense.

I am not a disinterested party. While I do not live on Beach Drive, I exercise along it's entire length 4-5 days a week throughout the year in all weather. The Mary Nohl house is a highlight during the time I spend on Beach Drive. It warms my heart. It is a place for reflection. I have chatted up the artists residing there once in a while. Such a place to immerse themselves.

JMKAC's request to increase traffic to the site is concerning to me. Private visitors numbering as many as 20 three times a week is a considerable increase. For me it conjures the impact pedestrians like me experience when any homeowner on Beach embarks on a construction project. Considerable traffic and noise but it does not go on forever. It does not become a constant feature.

The request for 80 potential donors + caterers and JMKAC staff twice a year is just puzzling to me and is antithetical to Mary Nohl's way of life on the property. I don't think any resident in Fox Point would like to have something similar disrupt their neighborhood twice a year. And shuttle buses don't really solve the problem. Honestly, I think JMKAC would be far more successful fundraising by keeping access to the property very exclusive. One donor at a time for tours as a result of a donation would be far more appealing to many I should think. JMKAC can use the Art Preserve for events. I know they want folks that won't make the drive north, but I just do not see it as an appropriate activity at this very special location along Lake Michigan.

The impact for the nearest neighbors would be considerable and must be avoided. The disruption will not be as great for those situated farther from the house, or me during the 5 or so hours I am on Beach Drive each week. Still it is an impact that cannot be ignored. I would hope that more discussion can take place to modify what happens there. Restricting JMKAC's use of the property has its problems. However, it must be balanced so as to not be as intrusive as it is outlined in the application. There is a middle ground here and I hope the JMKAC will work to find the solution. Keep up the transparency.

Now if vehicles would just slow the heck down on Beach Drive.

Sincerely,

Maureen Daly
7100 N. Lake Drive - when not on Beach Drive

Scott Botcher

From: gusrules@charter.net
Sent: Friday, January 27, 2023 2:48 PM
To: Douglas Frazer; Eric Fonstad; Christine Symchych; Elizabeth Sumner; Greg Ollman; Elizabeth Aelion; Catie Anderson Knight; Scott Botcher
Subject: Mary Nohl

Please approve JMKAC's request. Mary Nohl's home is an invaluable art environment that generations to come will appreciate and treasure. Thank you.

Holly Hansen-Grotbeck

Scott Botcher

From: Robert Kowalsky <r.kowalsky1@gmail.com>
Sent: Friday, January 27, 2023 2:42 PM
To: Scott Botcher
Cc: Bob Kowalsky
Subject: Nohl property "cultural overlay district" designation

Mr. Botcher, I am writing to express my support for ensuring that the integrity of the Nohl property is approved. Mary Nohl spent her life on that property and her creativity there gave us much. Fox Point should do everything it can to keep that treasure maintained and nurtured.

I understand and appreciate the expressed concerns of the current residents of Beach Drive. However, I would point out that they all purchased their properties knowing that Nohl house was there and of the cultural and historical significance of it. Their "not in my backyard" attitude does not reflect the spirit and culture of Fox Point.

Thank you for your service to our community.

Bob Kowalsky
7020 N. Fairchild Circle

Scott Botcher

From: Steve Woods <sewoods35@gmail.com>
Sent: Friday, January 27, 2023 12:53 PM
To: Scott Botcher
Subject: Re: Mary Nohl Site Cultural Overlay

Dear Scott,

I am writing to you as the President of the Board of Creation and Preservation Partnership, (CAPP), the sole owners of the Mary Nohl Site. CAPP and the John Michael Kohler Arts Center work together to manage the site, and the CAPP Board maintains close oversight and a hands on approach to any and all preservation projects and activities that take place there. I currently live in Sheboygan Falls, WI, but I can honestly say that my position on the CAPP Board makes me a Village of Fox Point tax payer.

It should come as no surprise to you that I am in full support of the requested zoning change and Cultural Overlay application for the Mary Nohl Site. CAPP took ownership of the Mary Nohl Site approximately 8 years ago from the John Michael Kohler Arts Center. Since that time we have strived to and succeeded in having a peaceful coexistence with all of our North Beach Drive neighbors. With the approval of the Cultural Overlay we pledge to continue that. Our application clearly outlines why I can say that with confidence.

I had the honor and privilege of meeting Mary several times years ago while my company was doing work on her cottage. Mary was not in the best of health at that time, but even like that, she was the most direct person I have ever talked to in my life. Mary always knew what she wanted and knew how to tell you. It was refreshing.

I was able to review the original Gifting Document from 1996. Mary gifted her site and her complete collection to the Kohler Foundation. There was also the understanding that at some time the Kohler Foundation would in turn "gift the Site
and Collection to an appropriate non-profit organization." This recipient was the John Michael Kohler Arts Center. Mary was in total agreement with this with the condition that the donee organization "shall undertake to provide for the preservation, promotion and periodic exhibition of the Collection."

With our application for the Cultural Overlay, we are simply trying to continue to do what Mary expected and wanted. The rezoning allows us to do this with transparent and controlled guidelines so we don't disrupt the residential flavor of the neighborhood. I ask for your help in getting the Cultural Overlay for the Mary Nohl Site approved.

Thank you for your time and consideration.

Best regards,

Steve Woods
806B Settlers Lane
Sheboygan Falls, WI. 53085

Steve Woods

CAPP Board President
7328 N Beach Drive
Fox Point, WI. 53217

Scott Botcher

From: Lucy Saunders <lucysaunders@mac.com>
Sent: Friday, January 27, 2023 2:14 PM
To: ahorst@jmkac.org; Scott Botcher
Subject: Put agreement in writing for cultural overlay, support for Mary Nohl House and Kohler Art Center, VFP kids

To: Amy Horst, Art Preserve, JM Kohler Art Center
Scott Botcher, Village of Fox Point

I would like to indicate provisional support of the Kohler Art Center's proposed cultural overlay for the Mary Nohl House in Fox Point.

There are certainly pre-existing designations for usage of other nonprofit entities such as Chipstone and the Beach Club.

However, the agreement for usage needs to be put in writing and hours of operation agreed upon as a condition for the cultural overlay designation to be finalized.

I would like to see limited usage of two days per week for prescheduled, private visitors arranged by JMKAC (total 50 persons per week), and one day per week for residents of Fox Point to arrange reserved visits (total 20 persons per day), with one event per year for childrens' arts at the Nohl House (limit 50 attendees).

I would like to see additional sponsored field trips for arts education for children living in Fox Point, to go to the Art Preserve with educators from JMKAC.

Thank you for supporting the arts and historic preservation of the Nohl House.

Lucy Saunders
author, DINNER IN THE BEER GARDEN
lucysaunders@mac.com
800-760-5998
FAX 877-790-3930

Scott Botcher

From: noreply@civicplus.com
Sent: Friday, January 27, 2023 7:18 PM
To: Scott Botcher
Subject: Online Form Submittal: Contact the Village Manager

Contact the Village Manager

First Name	Jean
Last Name	Sobon
Address1	4473 N. Larkin Street
Address2	*Field not completed.*
City	Shorewood
State	WI
Zip	53211
Phone Number	414-712-5884
Email	jdsobon@wirr.com
Message:	As an artist and an elder woman still working in visual art, I was privileged to tour the Mary Nohl property with the current JMK artist-renovator in residence and 2 other women supporter of the Arts, 1 a Fox Point resident and the other a board member of the JMK. This entire property showcases the creativity and fortitude of a single woman who persisted in her creative work for at least 6 decades in this Beach Drive location. She persisted through superstious accusations by her parents' former neighbors, was labled a witch because of her surreal statuary, fended off vandals even when elderly and confined by disability to her home, and then requested the protection of her property and artwork as a future historical legacy, not only to her Village, but to all. The true value of all art lies not in dollars/pounds/pesos/cryptocurrency, but in it's place within human history and culture.

Email not displaying correctly? View it in your browser.

Scott Botcher

From: Christine Symchych
Sent: Monday, January 30, 2023 10:50 AM
To: Scott Botcher
Subject: Fw: Kate Muth support

FYI

From: Kate Muth <katemuth1@mac.com>
Sent: Monday, January 30, 2023 10:34 AM
To: Christine Symchych <csymchych@villageoffoxpoint.com>
Subject: Kate Muth support

Good morning Christine,
I'm very interested in the Mary Nohl property remaining "as is" and in favor of offering very limited access to the public. Ken and I support the JMKAC Art Preserve and appreciate the work they do to protect and share artist-built environments Including that of the Mary Nohl collection.

I hope to attend the meeting tomorrow night and hear all sides of the conversation.

Hoping you are well!
Sincerely,
Kate

Scott Botcher

From: Tina Wurlitzer <tinakwh@yahoo.com>
Sent: Monday, January 30, 2023 10:57 AM
To: Scott Botcher
Subject: The Mary Nohl house

Scott,
I am all in favor of the Mary Nohl house REMAINING IN PLACE. It is a treasure, which we should cherish, and is, in my opinion, tied to its location. As I see it, the house and its property are one.
All the best,
Kristina Wurlitzer
1304 East Goodrich Lane
Fox Point

Scott Botcher

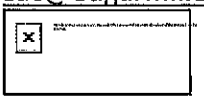
From: Zac Bleicher <zac@edgarmiller.org>
Sent: Monday, January 30, 2023 11:22 AM
To: Scott Botcher
Cc: Douglas Frazer; Eric Fonstad; Christine Symchych; Elizabeth Sumner; Greg Ollman; Elizabeth Aelion; Catie Anderson Knight
Subject: Support letter for Mary Nohl House
Attachments: Letter re Mary Nohl House - Fox Point , WI.pdf

Dear Mr. Botcher and Trustees,

Please see the attached letter supporting the cultural overlay district zoning designation for the Mary Nohl House. Thank you in advance for your consideration.

Very best,
Zac Bleicher

--
Zac Bleicher
Executive Director, Edgar Miller Legacy
Tel: 512.775.4594
zac@edgarmiller.org | www.edgarmiller.org



Edgar Miller LEGACY

January 30, 2023

Scott Botcher, Village Manager
Fox Point Village Hall
7200 N. Santa Monica Blvd.
Fox Point, WI 53217

Dear Mr. Botcher and Fox Point Village Board of Trustees,

I write to you *in support* of the cultural overlay district zoning designation for the Mary Nohl House.

I visited the Mary Nohl House for the first time in 2019, and I was blown away by the treasure your community has "hidden in plain sight" along the banks of Lake Michigan. Nohl's home and studio is a veritable work of art in and of itself. It is unique and irreplaceable.

Another incredible blessing is that there is a willing sponsor in the Kohler Arts Center which wants to own, maintain, and preserve the legacy of the site so that more students and learners of all ages can see Nohl's work for themselves, *in situ* right where she lived and created. It is incredibly rare for any organization to take an interest in maintaining a house museum. In this case, the organization is a well-established, internationally respected arts organization and museum.

When I visited the site, I came along with less than a dozen other scholars and was led through the home by Alex Gartelmann, one of JMKAC's experienced and dedicated staff members, who has been spearheading the effort to restore the Nohl House for many years, and whose passion and care for this project is also to thank for establishing this site so diligently and respectfully.

If this project is blocked from moving forward, it will be a great loss not only to the legacy of Mary Nohl, but also to Fox Point.

Sincerely,

Zac Bleicher

Zac Bleicher
Executive Director
Edgar Miller Legacy

Scott Botcher

From: Karen Zukowski <karenzukowski26@gmail.com>
Sent: Monday, January 30, 2023 12:30 PM
To: Scott Botcher
Subject: in support of cultural overlay for Nohl house
Attachments: Zukowski letter for Nohl house.pdf

Dr Mr Botcher

I attach a letter in support of the cultural overlay for the Mary Nohl site in Fox Point. Please forward this to the village board for consideration at the hearing o the cultural overlay. Thank you for your time.

Karen Zukowski
cell/text 914-643-4801

Karen Zukowski, Ph.D.

205 East 22nd Street, 5L
New York, NY 10010
212-213-8794
email: karenzuk@aol.com

Scott Botcher, Village Manager
7200 N. Santa Monica Blvd.
Fox Point, WI, 53217

January 29, 2023

Dear Mr. Botcher:

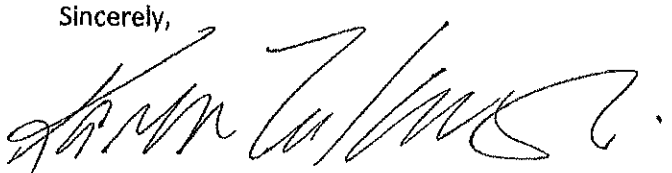
I write in support of the proposed cultural overlay zoning district for the Mary Nohl property on Beach Drive in Fox Point, WI. The Mary Nohl home, studio and garden – and all the creations there – constitute one of the most intact artists' environments in the United States, and indeed the world. Fox Point should not miss its opportunity to facilitate the preservation and interpretation of this treasure by approving this innovative zoning proposal.

I had the pleasure to visit the Mary Nohl home in July of 2022 with a friend of Alex Gartlemann and it surpassed my expectations – which were high! I have 30+ years of professional experience with artists' houses as a curator, consultant, and writer. I wrote my PhD thesis on American artists' studios of the late nineteenth century; I was the curator of Olana State Historic Site, the home and studio of Hudson River School painter Frederic Edwin Church, and I am a founding member of the advisory council for the Historic Artists' Homes and Studios program (HAHS), an affiliate of the National Trust for Historic Preservation. I've visited dozens (maybe hundreds) of extant artists' homes and studios in the United States and Europe. I've come to know many more vanished homes and studios through research and writing. None is more wonderful (ie, full of wonder) than the Mary Nohl house. My experience of the Mary Nohl house was a sensory delight: on a hot day under a blue sky I could smell the pine needles, feel the breeze off the lake while peering through colored glass embedded in concrete sculptures. Going inside, I relished color and pattern and texture, while sensing the spirits captured by the anthropomorphic sculpture. At every turn there was something else to delight the eye and mind. It is Fox Point's great good fortune that it has such a powerful testament to artistic vision. And my great good fortune to be able to visit the place and write this letter.

The John Michael Kohler Art Center and its Creation and Preservation Partners affiliate have had the foresight and commitment to invest in the Mary Nohl house. They have devised an administrative structure that will preserve the property AND allow for its continued life as a touchstone for artists, scholars, teachers and students AND safeguard the character of the

neighborhood and the lakefront. The zoning overlay will support this administrative structure. To me, it seems obvious that the plan is a win/win for the Mary Nohl house and the village of Fox Point. Please vote to approve the cultural overlay.

Sincerely,



Karen Zukowski

Dear Fox Point Trustees and Scott Botcher, Village Manager,

I wish to offer my support of your approval of the John Michael Kohler Arts Center's (JMKAC) cultural overlay application to secure the future of Mary Nohl's artist-built environment.

My name is Marielle Allschwang and I am the artist who created the multidisciplinary project called "Precession of a Day: The World of Mary Nohl," comprised of a song cycle and feature-length film about, and inspired by, the life, work, and environment (natural and artist-built) of Mary Nohl.

An immense factor in the privilege I had in creating "Precession of a Day: The World of Mary Nohl" over the course of five years was 1) the ability to spend time in Mary Nohl's home, with the guidance and edification of site steward Alex Gartelmann, who conducted his tour with utmost care, and discretion, and sensitivity to surrounding residents and 2) the absolute care, respect, and trusting support given by the project's producer David Ravel and lead commissioners, the John Michael Kohler Arts Center. While JMKAC allowed me the opportunity to experience Mary Nohl's archived work off-site at their museum, the experience of Mary Nohl's artist-built environment had incomparable potency for me. The impressions and sensations, reflections, and questions evoked there spurred invaluable research and creative approaches for this once-in-a-lifetime opportunity I had as an artist. The knowledge I gained from Gartelmann's expertise and the generous access JMKAC gave me to Nohl's artwork was vast, but it is incomparable to the wisdom gained from experiencing Mary Nohl's artist-built environment—the *very* few artist-built environments created by solely by a woman—in its context, including where it sits in Fox Point, that JMKAC understands and respects fully. I have no doubt that other artists will feel similarly when given the opportunity to spend dedicated time there.

Mary Nohl inherited her home, after assisting her father in pouring concrete, laying brick, and setting up the fence as a child, and later made it a work of art that has become the stuff of legend. While Nohl did not have children—a fact met by derision and, not infrequently, actual violence—but one could say that her "children" are artists. Before her death, Mary Nohl worked with the John Michael Kohler Arts Center and the Greater Milwaukee Foundation to leave a legacy that would give artists the means to focus on their creative work and accelerate their artistic growth and careers. Artists who receive the prestigious Mary L. Nohl Fellowship one year are given a rare beacon of support and nurturing which can then propel them on a path to becoming, say, a MacArthur Fellow another year (take a real example: Sky Hopinka, a 2017 Nohl Fellow and 2023 MacArthur Fellow). Our city shares great pride in the artists who are given such recognition, and their subsequent achievements. I cannot overemphasize what the legacy and support Mary Nohl, her generous trust, and her stewards the JMKAC means for artists like me and my peers. I picture artists in residence visiting Mary Nohl's house much like a family member staying at a beloved family member's home while they're out of town—settling in, entraining to the meditative hum of the lakeshore, contemplating Nohl's art, researching, reflecting on new inspirations in the quietude of this ever-inspiring space. Due to the fragility of Nohl's work, it would *not* be a heavily attended public museum with busloads of school children, but rather a few artists or researchers (and, on occasion, donors) periodically throughout the year.

From what I can tell in my years working in arts education at a variety of not-for-profit organizations, there are residents in Fox Point who care about the Milwaukee's cultural legacy,

expressed through generous donations to Milwaukee Film, where I am employed as Education Manager, by people who are motivated and heartened by the educational work we do to foster artists, youth education, and cultural vitality in our city. I believe that all of this aligns with the John Michael Kohler Art Center's mission and vision for site stewardship and artist residency program at Mary Nohl's artist-built environment. The residents of Fox Point have an incredible opportunity play a vital role, as a community, in the future of not just Milwaukee's culture, but through the John Michael Kohler Art Center's dedicated and brilliant network of highly respected artists, curators, and innumerable others across the nation and beyond, make this wonderous little piece of land a launchpad for boundless creative and cultural impacts.

Sincerely,

Marielle Allschwang

Artist, Musician, Educator

Education Manager, Milwaukee Film, 2017-Present

Scott Botcher

From: Karen Patterson <patkaren@gmail.com>
Sent: Monday, January 30, 2023 1:54 PM
To: Scott Botcher
Subject: Letter in support of JMKAC Cultural Overlay

My name is Karen Patterson, I urge you to support the zoning change to the Mary Nohl property. I am well aware of the many efforts the John Michael Kohler Arts Center (JMKAC) has and is taking to preserve the Mary Nohl house and property--a treasure that Fox Point residents should be proud to have in their community. As a point of identification, I am the Executive Director for the Ruth Foundation of the Arts, and I previously served as Senior Curator (2012-2019) at the John Michael Kohler Arts Center.

JMKAC is recognized internationally as a leader in studying and preserving artist-built environments, including the Mary Nohl home. It is a trusted name, with a sound financial background, and a reputation for approaching any initiative with vision and care. To me, the Trustees couldn't find a better steward for Mary Nohl's home, which is one of the few female artist-built environments and is crucial for future scholars and artists to study her work.

The cultural overlay plan filed with the Village ensures just that, future study for scholars and artists. They are not asking to open the site to the general public. Rather, they are seeking to allow access to the property to be for JMKAC-vetted artists-in-residence. JMKAC has an exceptional reputation for managing artist residencies, the most prominent example being the Arts/Industry residency, a world-renowned partnership with Kohler Co. Others include artists-as-teachers and artists working directly with communities. As such, I know that this residency will be managed with the utmost integrity, care, and respect. Their plan also makes it clear that they will only invite small groups of scholars and donors to the site (groups of less than 10, no more than 20 total people a day, 3 days a week, maximum). To me, this seems respectful to the surrounding neighbors while protecting the integrity of the property and related artworks. To know the staff at the Arts Center is to know that they leave no stone unturned. They are people who carefully and creatively consider all the options to ensure sustainability and success. They also take great pride in being "real" people. They have approached this plan as a neighbor, which shows in the time they took, the relationships they built, and the research they did to get to this decision point.

I am well aware of the crucial role that fundraising holds in the support of the arts. The plan to limit any fundraising-type events to two per year, with an 80-person max seems respectfully in line with any neighbors' hosting events at their homes.

To me, this proposal is an offer for transparency, and mutual respect. In a time when museums are facing criticism for being elitist and out-of-touch, this is a refreshing and much needed approach.

Thank you for your public service to the Village of Fox Point residents. Please support this change to preserve the Mary Nohl home.

Sincerely,

Karen Patterson

Scott Botcher

From: Claire Menck <claire.menck@gmail.com>
Sent: Monday, January 30, 2023 1:32 PM
To: Scott Botcher
Cc: ahorst@jmkac.org
Subject: Regarding the Mary Nohl Property

Dear Village Manager Botcher,

I am a resident of Fox Point (7430 N Santa Monica Blvd), and I would like to express my support for the John Michael Kohler Arts Center (JMKAC) plans for the Mary Nohl property. I strongly believe this property is a positive amenity for the Village of Fox Point. As a resident and tax payer I support the proposed plans for the Mary Nohl property put forward by the JMKAC.

I do understand the concerns of the residents on that street. However, as a resident some of my tax money has gone to help reinforce the retaining wall they benefit from and I never see. Much in the same way, I believe some of my rights as a village resident should be respected regarding the Nohl property. As a village we all prosper when we agree to support initiatives that are for the greater good, even those we disagree with. I respectfully ask those residents to accept the proposal by JMKAC and allow the property to continue to function under the proposal stipulations.

I am unable to attend the hearing on Tuesday, January 31st. In lieu of my attendance I request this letter of support for the JMKAC proposal for the Mary Nohl Property be entered into the official village record for the meeting and subsequent public discussion.

Thank you,

Claire Menck, PhD
7430 North Santa Monica Blvd.
Fox Point, WI 53217
www.clairemenck.com
claire.menck@gmail.com

Scott Botcher

From: Amanda Elliott <aeelliott414@gmail.com>
Sent: Monday, January 30, 2023 2:00 PM
To: Scott Botcher
Subject: Cultural Overlay District for the Village

Hello Mr. Botcher,

In regards to the upcoming Village Board and Plan Commission meeting, I wanted to express my support for the Village Board to approve the Cultural Overlay District for the Mary Nohl property.

The proposal is a sensible way for the Village to support preserving and protecting Mary Nohl's legacy and artwork, which ultimately benefits everyone in our community.

Regards,
Amanda Elliott
6406 N Berkeley Blvd
Fox Point, WI 53217

Scott Botcher

From: Karen Patterson <patkaren@gmail.com>
Sent: Monday, January 30, 2023 1:54 PM
To: Scott Botcher
Subject: Letter in support of JMKAC Cultural Overlay

My name is Karen Patterson, I urge you to support the zoning change to the Mary Nohl property. I am well aware of the many efforts the John Michael Kohler Arts Center (JMKAC) has and is taking to preserve the Mary Nohl house and property--a treasure that Fox Point residents should be proud to have in their community. As a point of identification, I am the Executive Director for the Ruth Foundation of the Arts, and I previously served as Senior Curator (2012-2019) at the John Michael Kohler Arts Center.

JMKAC is recognized internationally as a leader in studying and preserving artist-built environments, including the Mary Nohl home. It is a trusted name, with a sound financial background, and a reputation for approaching any initiative with vision and care. To me, the Trustees couldn't find a better steward for Mary Nohl's home, which is one of the few female artist-built environments and is crucial for future scholars and artists to study her work.

The cultural overlay plan filed with the Village ensures just that, future study for scholars and artists. They are not asking to open the site to the general public. Rather, they are seeking to allow access to the property to be for JMKAC-vetted artists-in-residence. JMKAC has an exceptional reputation for managing artist residencies, the most prominent example being the Arts/Industry residency, a world-renowned partnership with Kohler Co. Others include artists-as-teachers and artists working directly with communities. As such, I know that this residency will be managed with the utmost integrity, care, and respect. Their plan also makes it clear that they will only invite small groups of scholars and donors to the site (groups of less than 10, no more than 20 total people a day, 3 days a week, maximum). To me, this seems respectful to the surrounding neighbors while protecting the integrity of the property and related artworks. To know the staff at the Arts Center is to know that they leave no stone unturned. They are people who carefully and creatively consider all the options to ensure sustainability and success. They also take great pride in being "real" people. They have approached this plan as a neighbor, which shows in the time they took, the relationships they built, and the research they did to get to this decision point.

I am well aware of the crucial role that fundraising holds in the support of the arts. The plan to limit any fundraising-type events to two per year, with an 80-person max seems respectfully in line with any neighbors' hosting events at their homes.

To me, this proposal is an offer for transparency, and mutual respect. In a time when museums are facing criticism for being elitist and out-of-touch, this is a refreshing and much needed approach.

Thank you for your public service to the Village of Fox Point residents. Please support this change to preserve the Mary Nohl home.

Sincerely,

Karen Patterson

Scott Botcher

From: Debbi Grossman <dlg8040@gmail.com>
Sent: Monday, January 30, 2023 2:57 PM
To: Scott Botcher
Subject: Mary Nohl house

I live in my family home on 8040 Beach Dr, build in 1955. That makes me the longest living resident of what we called "The Beach Road". I obviously have seen many changes in my 67 years, but the one constant has been the beauty and serenity of our residential neighborhood.
I do understand the dilemma that the village faces, with the donation of Mary's property and art collection, to the Kohler foundation. I have read the paperwork and filings and feel that the solution is quite clear.
Nowhere is there any record of Mary requesting her beloved home or neighborhood to be turned into anything other than, the residential neighborhood that she lived in and loved.
I see the only options here are the following;
1. Her home can be and should be maintained, in the same manner that it has been, since the time of her death. No parking lots, No 4000 sq ft office building, on an adjacent property.
2. Her home and Art work, although fragile, could be moved to Kohler and recreated, in the same way that the Public Museum, created the streets of old Milwaukee.
I feel strongly that Beach Dr is presently designated as a residential neighborhood and should remain that way. It is and should be, very offensive to any and all Fox Point residents, (who pay their own yearly Real Estate Taxes)that there is a request even being considered, to change the designation of the Nohl property and make it a tax free proposition. Both properties presently generate somewhere around $40K in taxes. A changed designation, would place the financial burden on all of the residents of Fox Point.
I love Beach Drive and all of its history, as well as Mary Nohls art. After my many wonderful years being able to live in this neighborhood, I see no reason, no reason at all, to change its designation from residential.
Respectfully
Debra Grossman

Scott Botcher

From: Angela Pierro <apierro@icloud.com>
Sent: Monday, January 30, 2023 3:01 PM
To: Scott Botcher
Cc: Douglas Frazer; Eric Fonstad; Christine Symchych; Elizabeth Sumner; Greg Ollman; Elizabeth Aelion; Catie Anderson Knight
Subject: Support for Cultural Overlay

7607 N. Lake Drive
Fox Point, WI 53217

Greetings Mr. Scott Botcher,

I support the Cultural Overlay that JMKAC has applied for.

Art is a vital component of social capital, bringing people together and fostering public discourse, exchange of ideas, inspiration, and innovation. It is our heritage, and with proper care and support, it will continue to reflect our community well into the future.

I am a testament to the power of art attracting people and creating community. My family and I moved to Fox Point in 2015, drawn to the area by the Nohl House and its commitment to embracing artists and creative thinkers. I subsequently became rooted in the community as an artist, volunteer teacher, active fundraiser and donor for various non profit organizations in the area. There are several artists in the area that can speak to a similar experience.

Unfortunately, Mary Nohl was largely misunderstood, falsely maligned and vilified by her neighbors during her lifetime. All as a means to reduce her humanity. False narratives and lies about her practice as an artist have been perpetuated, turning lies into myth and folklore resulting in divisiveness that only serves to accelerate the agenda of those that are "inconvenienced" by nonconformity.

This same pattern is playing out today. It is imperative that the truth about this proposal be widely disseminated and understood. I fully support the Cultural Overlay proposed by JMKAC because it will continue to add cultural richness and value to Fox Point.

Contrary to false statements that are circulating in the community, JMKAC does not intend to make the Mary Nohl Art Environment a museum. JMKAC has made that abundantly clear. Please know that It is an art industry standard to provide access to a site of this scale to an artist or scholar for the purpose of research. The process of accepting an artist or scholar in that capacity entails rigorous screening and due diligence. This is consistent with how the Nohl House has been used for the past 5 years and it has proven to be successful.

Students from local schools will also benefit from learning about Mary Nohl and her enormous contribution to the arts.

JMKAC has already demonstrated a strong commitment to preserving Mary Nohl's legacy and fostering positive relationships with the community.
It is now up to The Village of Fox Point to show its commitment to supporting the far reaching benefits that the Cultural Overlay will have on this community for years to come.

Thank You.
Angela Pierro

Angela Pierro
Visual Artist
734-276-6441

www.angelapierro.com
www.instagram.com/angelapierroartist

Scott Botcher

From: Christine Symchych
Sent: Monday, January 30, 2023 3:23 PM
To: Scott Botcher
Subject: Fw: In support of cultural overlay for Mary Nohl House

fyi

From: Stacey Holder <facilities@phillymagicgardens.org>
Sent: Monday, January 30, 2023 1:57 PM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>
Subject: In support of cultural overlay for Mary Nohl House

Hello,

My name is Stacey Holder, I am the Preservation Manager at Philadelphia's Magic Gardens, an art environment located in the heart of Philadelphia. I am writing in support of the cultural overlay application for the Mary Nohl House.

I believe it is critical to preserve and celebrate Mary Nohl's house, because her house and art work demonstrate unbridled creativity, invention, and imagination. Nohl is also unique in the fact that she is one of only a few celebrated female art environment builders in the world. At a time when women were not seen as builders, Mary Nohl continued following her creative vision and broke the societal molds of what a woman should be doing with her life, and did it with conviction. Her home and art work are also reflections of the local environment, as she clearly drew inspiration from Lake Michigan which the house is seated at the edge of, making her a true local artist.

Spaces like these often need a little bit of extra care and consideration as they do not always fit into the standard context of a community. There is so much to be gained by working together to create a vision where Mary Nohl's house is a resource, and a source of pride and inspiration for Fox Point Village. The first step in a meaningful direction would be to approve the cultural overlay application for the Mary Nohl House.

Thank you,

Stacey Holder

--
Stacey J. Holder
(she, her, hers)
Preservation & Facilities Manager

Philadelphia's Magic Gardens
1020 South Street, Philadelphia PA 19147
(215) 733-0390 ext 117
phillymagicgardens.org

Philadelphia's Magic Gardens respectfully recognizes that it is located on the ancestral homeland of the Lenape.

Scott Botcher

From: Sarah Fredrikson <sfredrikson@cwasd.k12.wi.us>
Sent: Tuesday, January 31, 2023 8:08 AM
To: Scott Botcher
Subject: Mary Nohl Property

Dear Village Trustees,

Please consider this note as strong support for the cultural overlay zoning submission proposal by the John Michael Kohler Arts Center for the Mary Nohl property.

The Village of Fox Point is extremely lucky to have this property right in our backyard. It has become a local icon over the years and the generosity of both Ms. Nohl and the John Michael Kohler Arts Center has turned this into an incubator for talented artists. We must do everything within our power to keep this gem in our community.

The JMKAC has been a responsible partner in this endeavor and their cultural zoning submission proposal outlines how they will continue to be good neighbors, while addressing potential concerns like use of the property and traffic. This proposal is important for the future as the JMKAC plans on how to best use this environment for generations to come.

As an educator, who has taught about Mary Nohl, I believe preserving her home is invaluable for my students. Her unique perspective on use of materials shows my students art can be made from anything and by anyone. By preserving her legacy and making her home more accessible, it will open even more education opportunities for students around the state.

Sincerely,
Sarah Fredrikson
Art Teacher at Chetek-Weyerhaeuser Middle/High School

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Scott Botcher

From: Melchert, Timothy <timothy.melchert@marquette.edu>
Sent: Tuesday, January 31, 2023 7:54 AM
To: Scott Botcher
Cc: Susan Schroeder
Subject: Approve Mary Nohl proposal

Dear Village Trustees,

I am sending this note to indicate my support for the cultural overlay zoning submission proposal by the John Michael Kohler Arts Center for the Mary Nohl property.

I have seen the many signs on Beach Drive that argue for "No Nohl Museum," but as far as I know that's misleading. I understand why some residents dislike traffic from non-residents—(I don't like the heavy traffic on Lake Drive from sightseers on nice days either)—but the John Michael Kohler Arts Center is not proposing a museum and the cultural overlay district zoning they are proposing will result in little extra traffic.

My wife and I consider the Mary Nohl property to be a local treasure, a real gem in this community. It's not just highly significant artistically and built by a member of an early local family, but it's also a nationally significant site that's on the National Register of Historic Places. We would love to see this nationally significant artistic site preserved and protected properly.

The JMKAC appears to be a highly responsible partner in this endeavor. I have no doubts they would make good neighbors concerned about the use of the property, traffic, and the concerns of the neighbors. JMKAC certainly has been successful in developing the cultural reputation of Sheboygan.

We would love to see the Mary Nohl property preserved and protected as proposed by JMKAC. We urge the village trustees to approve this proposal.

Sincerely,

Tim Melchert and Susan Schroeder
401 E. Bradley Rd.
Fox Point, WI 53217
414-303-6122

Tim Melchert, Ph.D.
Professor, Department of Counselor Education and Counseling Psychology
Marquette University

Scott Botcher

From: John Riepenhoff <john@thegreengallery.biz>
Sent: Tuesday, January 31, 2023 7:31 AM
To: Scott Botcher
Subject: In support of Mary Nohl Art Environment

Dear Village of Fox Point Trustees,

As an artist, gallery owner, curator, and lifelong Milwaukeean, I support the cultural overlay application to secure the future of Mary Nohl's artist-built environment.

The importance of preserving the Mary Nohl Art Environment goes beyond the physical legacy, understanding, and value of this important piece of community history. The artist's home and studio represent a dedicated vision of an artist to create and to support other artists.

As a recipient of the Mary Nohl Fellowship award I can say that she has changed my life, helped me to realize a career as an artist was possible, and was a major contributor for me to remain in the region when many other creative professional peers did not.

Mary's desire to use her resources and legacy to support artists in our region serves as a model for artists to support one another. I have been inspired by this as an artist who runs an art gallery, advises art collection, administers an artist grant, and advocates for artists and arts industry in our region.

I urge you to support the cultural overlay request to preserve the Mary Nohl Art Environment so that generations to come can be proud of the artistic legacy of this place.

Sincerely,
John Riepenhoff
c 414 640-2595

artist
owner, The Green Gallery
director, The Open Fund

The Green Gallery
1500 N Farwell Ave
Milwaukee, WI 53202
www.thegreengallery.biz

Scott Botcher

From: Kristin Lockhart <kllockhart@hotmail.com>
Sent: Tuesday, January 31, 2023 6:40 AM
To: Scott Botcher
Subject: John Michael Kohler Arts Center

Hello Scott Botcher,

With all of the heightened discussions around the Mary Nohl house at the moment, I feel it's imperative to share my experiences regarding the John Michael Kohler Arts Center and their support of the Fox Point-Bayside School District, students and teachers. I know you will be hearing much about the importance of preserving the Mary Nohl Art Environment in situ so I will let others make that case. Instead, I'd like to share how truly wonderful the John Michael Kohler Arts Center partnership with the Fox Point-Bayside School District has been over the years in providing students with avenues to learn about and extend their creativity.

Many years ago, I got it into my head that I really, really wanted to take students into the Mary Nohl house. I sent a message to the general education email for the Arts Center. Eventually, I ended up talking with Xoe Fiss who told me in very clear unequivocal terms that taking a field trip to the Mary Nohl house would not be a possibility, but they could work with us to bring Mary Nohl, creativity, and art into the classroom. Since that time many years ago, the Arts Center and their staff have been incredibly generous, flexible, and collaborative. Each year, we have brought groups of students, ranging from whole grades to special interest groups to the Arts Center and, later, the Art Preserve, often including some educational component around Mary Nohl. This fall, when scheduling conflicts meant that we could not take our 8th grade to the Art Preserve, Alex Gartelmann and Xoe Fiss came to our school to share information about Mary Nohl and lead students through a pewter casting workshop right in the classroom. Alex Gartelmann is now serving as our Artist in Residence so all students at the middle school will have the opportunity to learn more about Mary Nohl and create art inspired by her creations. The programs we have developed in collaboration with the JMKAC staff and the field trips have been supported by the Arts Center both financially and through the providing of resources for students.

In all my work with the Arts Center, they have gone above and beyond to enrich our students' education. Each year, they are open to developing new ways to challenge students. In the summer of 2020, I, along with educators from neighboring districts, were awarded a state grant for an arts enrichment program to take place during the 2020-21 school year. Our plans were very challenging for even a normal school year, but when we saw the ravages of the pandemic on the educational landscape, we had to face the fact that we alone could not meet the terms of this grant. Xoe Fiss and the Arts Center came to our rescue. Only through her diligent work and the work of all the art education professionals and volunteers were we able to run a pandemic arts enrichment program.

These are just some examples from the time that I have worked with the John Michael Kohler Arts Center. Students in the Fox Point-Bayside School District have benefited from this community partnership for years. I hope you take into consideration the generosity and passion with which the John Michael Kohler Arts Center professionals approach their work when you consider the decision before you. The evidence of their past actions in relation to the school district speaks volumes about their good intentions as they ask for the change to the designation of the Mary Nohl House.

Thank you for your consideration of my input.

Kris Lockhart

Scott Botcher

From: Claudia Koehler <claudiarkoehler@yahoo.com>
Sent: Monday, January 30, 2023 11:02 PM
To: Douglas Frazer; Eric Fonstad; Christine Symchych; Elizabeth Sumner; Greg Ollman; Elizabeth Aelion; Catie Anderson Knight
Cc: Scott Botcher
Subject: Mary Nohl property

Village Board Members ~
I'm not able to attend the meeting Tuesday night but I would like to voice my support for cultural overlay district. The Nohl property is a treasure that the village should be proud to have and support. The proposal from the JMKAC is well thought out, detailed with input and consideration given to Beach Drive neighbors. The JMKAC is invested in the community with the partnership with the local schools. The willingness to make payments in lieu of taxes is a win!

Please support the cultural overlay district.

Regards,
Claudia Koehler
7531 N Boyd Way

Scott Botcher

From: Sara Caron <saradcaron@gmail.com>
Sent: Monday, January 30, 2023 10:09 PM
To: Douglas Frazer; Eric Fonstad; Christine Symchych; Elizabeth Sumner; Greg Ollman; Elizabeth Aelion; Catie Anderson Knight; Scott Botcher
Subject: Support of the Mary Nohl Art Environment

Dear Mr. Frazer and the Fox Point Village Trustees,

I am writing to urge support of a cultural overlay zoning designation for the Mary Nohl property. Mary Nohl's work and legacy has had a major impact on my life as an artist in this region. Mary Nohl was an independent and visionary female artist. She valued her own work, took her creativity and vision so seriously that she made it an integral part of her daily life. That model has directly inspired and motivated my own work as an artist. Experience of the Mary Nohl art environment in situ is crucial to deepening an understanding and exchange around her work and legacy.

I was honored to be selected as a Mary L. Nohl Fellow in 2017 and to receive two Mary L. Nohl suitcase export funds that allowed me to exhibit work in Tokyo, Japan and to form ongoing relationships with artists and galleries there. The support I've received as an artist from the Mary Nohl fund has allowed me to stay in the midwest, to make work, and develop a community here.

Providing more access to her art environment in the respectful and controlled way that JMKAC proposes can only deepen her impact on artists and scholars in this area. I urge the Village of Fox Point to consider the conversation and inspiration that limited access to the Mary Nohl Art environment will provide.

This site is something really special that has profoundly touched countless artists who live here. It deserves not only to be celebrated and preserved but to maintain the vitality and exchange that Mary Nohl imbued in its creation.

Please approve the creation of a cultural overlay zoning district for the Mary Nohl property.

Sincerely,

Sara Caron

Scott Botcher

From: Christine Symchych
Sent: Monday, January 30, 2023 10:06 PM
To: Scott Botcher
Subject: Fw: Mary Nohl house - an idea

FYI

From: Michael Hostad <michael@lightthehoan.com>
Sent: Monday, January 30, 2023 10:05 PM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>; Christine Symchych <csymchych@villageoffoxpoint.com>; Elizabeth Sumner <lsumner@villageoffoxpoint.com>; Greg Ollman <gollman@villageoffoxpoint.com>; Elizabeth Aelion <eaelion@villageoffoxpoint.com>; Catie Anderson Knight <cknight@villageoffoxpoint.com>
Subject: Mary Nohl house - an idea

Dear Trustees,

I was recently asked by a fellow Fox Point resident to weigh in on the Mary Nohl house debate. While I've lived in Fox Point since 2005, I've only ever heard of the house and have never actually visited it. As I read article after article to learn more about the issue, I was struck by the level of opposition, argument, and angst this issue has caused our village for decades.

I'll admit that while I don't really have a horse in this race, I'd sure hate to see such a unique cultural asset removed from our village simply because we couldn't figure out how to compromise. In that context, I offer an idea...take it or leave it...and maybe it has already been offered and rejected: what if you granted the cultural overlay in a provisional status? Grant it for a period of 1 or 2 years and have JMKAC provide funding to the village to cover the cost of an independent assessment of the impact of the cultural overlay on the nearby properties (e.g. property values, resident impact, traffic issues, crime, etc.).

If what JMKAC says about the impact of the cultural overlay on the neighborhood holds true, then surely an independent study will prove that and hopefully neighbors' worst fears won't ever be realized. If, however, the neighborhood goes to pieces and property values are suddenly more in line with my humble two bedroom ranch on the other side of Lake Drive, then by all means, revoke the district.

Good luck to you all...this is why I'm happy you're in this position and not I. I hope the meeting can come to a responsible conclusion.

Regards,
Michael Hostad

—
MICHAEL HOSTAD | Light the Hoan, Inc.
President & Co-founder
michael@lightthehoan.com

Scott Botcher

From: Elizabeth Aelion
Sent: Monday, January 30, 2023 9:51 PM
To: Scott Botcher
Subject: Fw: Mary Nohl house

From: Mark Walczynski <walczynski@wi.rr.com>
Sent: Tuesday, January 24, 2023 9:15 PM
To: Elizabeth Aelion <eaelion@villageoffoxpoint.com>
Subject: Mary Nohl house

Please save this wonderful art exhibit.

Sent from my iPhone

Scott Botcher

From: Elizabeth Aelion
Sent: Monday, January 30, 2023 9:50 PM
To: Scott Botcher
Subject: Fw: Cultural Overlay application/Mary Nohl

From: Leslie Speicher <chicagoglasscollective@gmail.com>
Sent: Wednesday, January 25, 2023 10:12 AM
To: Elizabeth Aelion <eaelion@villageoffoxpoint.com>
Subject: Cultural Overlay application/Mary Nohl

Please approve the cultural overlay application to secure the future of Mary Nohl's artist-built environment.

Thank you,

Leslie Speicher
Chicago, IL

Sent from my iPhone

Scott Botcher

From: Elizabeth Aelion
Sent: Monday, January 30, 2023 9:48 PM
To: Scott Botcher
Subject: Fw: Mary Nohl House

From: Judy <tolkanj@gmail.com>
Sent: Friday, January 27, 2023 12:30 PM
To: Elizabeth Aelion <eaelion@villageoffoxpoint.com>
Subject: Mary Nohl House

This is to let you know that I am in support of the Mary Nohl House and of the plan of JMKAC.
The Mary Nohl house is an important asset for our community.
The plans of JMKAC do not involve an abundance of traffic, and I think that is the main concern. The house is very small, and it would be very difficult to get a lot of ppl in there at once.
Yours truly,
Judith Z Tolkan
7329 N Santa Monica Blvd
Fox Point
414-828-0266

Sent from my iPhone

Scott Botcher

From: Elizabeth Aelion
Sent: Monday, January 30, 2023 9:46 PM
To: Scott Botcher
Subject: Fw: Save The Mary Nohl House....7254 & 7328 N. Beach Drive

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From: nancy coyle <nancylcoyle1618@gmail.com>
Sent: Saturday, January 28, 2023 12:09 PM
To: Elizabeth Aelion <eaelion@villageoffoxpoint.com>
Subject: Save The Mary Nohl House....7254 & 7328 N. Beach Drive

I am strongly in favor of the Village of Fox Point designating the property and the house, known as The Mary Nohl House, a Cultural Overlay District.

I believe the plan set forth by The John Michael Kohler Arts Center is thoughtful and respectful of the surrounding neighborhood.

This is a unique treasure that deserves to be preserved in the place where it was created

Please save The Mary Nohl House.

Respectfully.....nancy coyle
7525 n. boyd way,....fox point, wi

Sent from my iPad

Scott Botcher

From: Elizabeth Aelion
Sent: Monday, January 30, 2023 9:45 PM
To: Scott Botcher
Subject: Fw: Please save the Mary Nohl House

From: Dana Boutin <dana.boutin@gmail.com>
Sent: Saturday, January 28, 2023 4:44 PM
To: Elizabeth Aelion <eaelion@villageoffoxpoint.com>
Subject: Please save the Mary Nohl House

Dear Ms. Aelion,

I am writing to express my strong support for saving the Mary Nohl house. I hope future generations will be able to learn from and enjoy the work of this incredible artist.

Very sincerely,
Dana

Dana Boutin
Terra Foundation for American Art Research Fellow
dana.boutin@gmail.com
734-255-2603
she/her/hers

Joy Engine

activating creative community spaces

January 30, 2023

Dear Fox Point Village Trustees -

I am writing this letter on behalf of Joy Engine, a public art organization curating intentional, immersive art experiences to connect, uplift, and inspire the Milwaukee community. We believe public art and creative spaces are integral to the social vibrancy of our communities. It is also a well-accepted principle of urban design that public art contributes to a community's identity, fosters community pride and a sense of belonging, and enhances the quality of life for its residents and visitors.

We support the John Michael Kohler Center's application to establish a Cultural Overlay District for the Mary Nohl House. The Nohl house is a rare gem that deserves to be preserved and shared for future generations. The Kohler Center's application, which outlines limited hours and restricted entry, is a reasonable accommodation to the neighborhood concerns of traffic while still allowing access to the site for scholarly research and community enjoyment.

We believe The Mary Nohl House can and should coexist in harmony with the neighborhood and the greater Fox Point Community.

Thank you,

Steph Salvia

Steph Salvia on behalf of Joy Engine, Inc.
Executive Director

Scott Botcher

From: Christine Symchych
Sent: Monday, January 30, 2023 9:40 PM
To: Scott Botcher
Subject: Fw: Nohl Letter of Support Attached
Attachments: Nohl Support Letter 2023 .pdf

From: Steph@blackboxfund.org <Steph@Joyengine.org>
Sent: Monday, January 30, 2023 9:26 PM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>; Eric Fonstad <efonstad@villageoffoxpoint.com>; Christine Symchych <csymchych@villageoffoxpoint.com>; Elizabeth Sumner <lsumner@villageoffoxpoint.com>; Greg Ollman <gollman@villageoffoxpoint.com>; Elizabeth Aelion <eaelion@villageoffoxpoint.com>; Catie Anderson Knight <cknight@villageoffoxpoint.com>
Subject: Nohl Letter of Support Attached

January 30, 2023

Dear Fox Point Village Trustees -

I am writing this letter on behalf of Joy Engine, a public art organization curating intentional, immersive art experiences to connect, uplift, and inspire the Milwaukee community. We believe public art and creative spaces are integral to the social vibrancy of our communities. It is also a well-accepted principle of urban design that public art contributes to a community's identity, fosters community pride and a sense of belonging, and enhances the quality of life for its residents and visitors.

We support the John Michael Kohler Center's application to establish a Cultural Overlay District for the Mary Nohl House. The Nohl house is a rare gem that deserves to be preserved and shared for future generations. The Kohler Center's application, which outlines limited hours and restricted entry, is a reasonable accommodation to the neighborhood concerns of traffic while still allowing access to the site for scholarly research and community enjoyment.

We believe The Mary Nohl House can and should coexist in harmony with the neighborhood and the greater Fox Point Community.

Thank you,

Steph Salvia on behalf of Joy Engine, Inc.
Executive Director

Steph Salvia
Executive Director
Joy Engine (Formerly Black Box Fund)
Check out our new website!
414-202-5754

Scott Botcher

From: Elliott Stephen <scelliott@uwalumni.com>
Sent: Monday, January 30, 2023 9:31 PM
To: Scott Botcher
Subject: Mary Nohl Property

Mr. Botcher,

I am writing to express my full support of the Mary Nohl cultural overlay proposal. The artwork and property play an important role in the history of Fox Point community and should be preserved and protected in its current location. Approving the proposal is one way for the Village to support this preservation. My daughter and her friends are enjoying the John Michael Kohler Arts Center enrichment programs at Bayside Middle School and are excited to have the opportunity to see this unique artwork that are learning about in school right in the Village. Future Fox Point/Bayside School District students deserve this chance as well. I strongly urge the Village to approve the proposal.

Steve Elliott
6406 N Berkeley Blvd.
Fox Point WI 53217

Sent from my iPad

Scott Botcher

From: Roy Wagner <roywagner@wi.rr.com>
Sent: Monday, January 30, 2023 9:24 PM
To: Scott Botcher
Subject: Support the Kohler Art Center Proposition

Village Trustees,

I am writing to you to ask that you support the John Michael Kohler Arts Center's cultural overlay zoning proposal submission for the Mary Nohl property.

This property is a historic gem on the North Shore. The Center's commitment to keeping this in our community and using it to inspire future generations of artists should be wholeheartedly supported. Art is so important in our society, and we can cultivate it right here with the generous gift Ms. Nohl left to our community. I can't imagine the house not being here in Fox Point!

Concerns about parking, traffic, how the property will be used, and other potential issues have been addressed in the zoning papers filed with the Village, and I truly believe John Michael Kohler Arts Center has demonstrated it wants to be a good neighbor. With all of us working together, we can keep inspiring artists of all backgrounds.

Sincerely,

Roy and Ginny Wagner
6831 N Barnett Ln

Scott Botcher

From: Linda Zetley <lzpsyetc@aol.com>
Sent: Monday, January 30, 2023 8:23 PM
To: Scott Botcher
Subject: In favor of Cultural Overlay to Zoning

As a village resident for over 30 years, the presence of Mary Nohl, her art and then her legacy have always made me proud to live here. I am in favor of the serious consideration of a Cultural Overlay to the present zoning. The proposal by the JMKAC sounds positive. I do understand that for those folks who would be immediate neighbors of this "Museum", there are some specifics which need to be more clearly defined. (like the use of the words "from time to time" regarding visitors). These are details that can be worked out.

However, what is not a detail, is the feeling that comes across loud and clear from many of the residents of Beach Drive. In their communications to the village re this matter. They talk about this proposal as if with their home ownership comes the ability to dictate policy that impacts all of us in the village. Beach Drive is not a gated community. Along with many others, I walk down to the lake many days and feel at home enjoying the amazing ecosystem that helps define our community. In recent years, as Beach Drive has been in peril due to high lake levels, it has been incumbent upon the village to respond to the Beach Drive community and be supportive of their unique situation. It is in all of our interests to be concerned about the integrity of the roadway along the lake that is Beach Drive, and it is in Beach Drive residents best interests to live in a community enriched by cultural treasures like Mary Nohl's Home.

Thanks for your hard work on this and other village matters!
Linda Zetley
7431 N. Lake Dr

Scott Botcher

From: Kathy Pilat <pilatkathy@gmail.com>
Sent: Monday, January 30, 2023 7:57 PM
To: Scott Botcher
Subject: Mary Nohl property

Hello,
I am **in support of the creation of a cultural overlay district** for the Nohl property.

Please help protect this incredible, very important, site.

Thank you,
Kathy Pilat

Scott Botcher

From: Barb Paulini <barb@studiopaulini.com>
Sent: Monday, January 30, 2023 7:03 PM
To: Scott Botcher; Catie Anderson Knight; Christine Symchych; Elizabeth Sumner; Greg Ollman; Elizabeth Aelion; Douglas Frazer; Eric Fonstad
Subject: Nohl Cultural Overlay Consideration

To the Fox Point Village Board Members

Rare in this world are the generous souls who endow their fortunes to a personal focus. Rarer still are those that contribute beyond their own scope to enhance multi-generational cultures, ethnicities and disciplines in the discovery of expression. Fox Point's own Mary Nohl is one such visionary, universally loved - all the more reason to protect her.

Mary's generous multi-million dollar endowment toward the enrichment of independent artists is legendary, given after her death and asking nothing in return. Nohl Fellowships are intended to encourage artists to stay in Milwaukee and amplify underrepresented voices, diverse cultural perspectives and align with Greater Milwaukee Foundation's generational commitment to equity and inclusion in a broad range of visual artistic fields; installations, film, video, social practice, public art and new media. Mary is a heroic figure—locally, regionally, and nationally—and her memory needs to be both celebrated and protected.

JMKAC is thoughtfully seeking a productive conversation with the village leaders and residents to lay the foundation for Fox Point to formally protect the legacy of one of its own. To not do so, I believe, goes against the very spirit of this great artist and philanthropist. The generational pathology of female erasure and cultural destructive policies that sadly are still all too common in today's world effectively stifle the opportunity to celebrate our commonalities as well as our differences—which taken as a whole represent the very essence of what it means to be a conscious human being and a generous community member.

Fox Point has the opportunity to come together and acknowledge this brilliant past resident, and in the process show the world that that "community" has UNITY within. I have faith in our abilities to see the significance of this distinctive site, this living treasure that serves to remind us of creative expression and that will in the years to come continually inspire future souls.

Mary Nohl gave so much to this community, and at this time we should give a little stewardship back in return.

I have faith in the opposing voices to harmonize. Let us all lead without greed.

Kindly,
Barb Paulini - Fox Point Resident

--
Barb Paulini
Design Direction for Space + Brand

414-247-1488
www.studiopaulini.com

Scott Botcher

From: steve tenley <stevetenley@yahoo.com>
Sent: Monday, January 30, 2023 5:06 PM
To: Scott Botcher
Subject: JMKAC cultural overlay district zoning designation

I support JMKAC's efforts to preserve Mary Nohl's home and artworks
This current proposal appears consistent with development locally

Sent from Yahoo Mail for iPhone

Scott Botcher

From: Judy Haddad <judy@5purpleoranges.org>
Sent: Monday, January 30, 2023 4:13 PM
To: Scott Botcher
Subject: Mary Nohl House

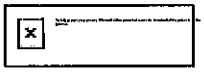
Mr. Botcher,

I formed 5 Purple Oranges as a charity to help children become more well-rounded in five areas, including the arts, after my son was killed. One of our grant ideas was to work with the JMKAC because my son loved to visit the Arts Center, and it wasn't too far from our home in Illinois. Our first planning session with the staff at the center coincided with an exhibit of Mary Nohl's work, and I found her work incredibly moving. In 2021, we were able to proceed with the Mary Nohl Teacher Fellowship, and I was able to visit the house to make plans for the grant. The house is a sight to behold! I had studied Mary Nohl in an art class I was taking at my local park district, but nothing beats walking within her creation. I know the staff at the arts center do a good job of honoring this local artist with works at the center and the Art Preserve, but it's simply not the same as educators being able to experience the house, and all the myriad of art forms Mary tried her hand in in creating her sacred space.

I can understand why residents of the area would like to look out their windows and see and hear only the lake, but it would be disservice to the state of Wisconsin and the children we serve with our organization, and the community that JMKAC serves to not protect this house, protect this local figure's gift to the community with the cultural overlay zoning designation.

Thank you for your time.

Judy
Founder/Executive Director
847-970-0361



5 Purple Oranges

Scott Botcher

From: Judy Shirley <judyshirley@wi.rr.com>
Sent: Monday, January 30, 2023 4:37 PM
To: Scott Botcher
Subject: Mary Nohl cultural overlay

Mr. Botcher: I am a current resident of Fox Point and have lived here for 43 years. I am in favor of approving the Cultural Overlay for the Mary Nohl property. I think this artist was a wonderful asset to Fox Point and her house and grounds continue to be such as asset. I leave it to the plan commission to address concerns of neighbors by lessening the footprint of the proposed new building by 1/3 and the parking lot also; judicious use of evergreen hedges could absorb sound and hide views of the new additions from the road. Otherwise these objecting neighbors have little sound evidence that this overlay will disrupt their way of life. The controlled traffic and visitation plans seem sound and can always be addressed again in the future.
Thank you for passing my opinion along to village trustees.
Judith Shirley, 8235 N. Mohawk Rd., Fox Point

Scott Botcher

From: Diane F McGauran <dmcgauran@icloud.com>
Sent: Monday, January 30, 2023 4:20 PM
To: Scott Botcher
Subject: Mary Nohl Home

Dear Scott,
This letter is in support of keeping the Mary Nohl Home and Art Preserve in the Village of Fox Point. I truly believe it is best preserved in the Village and has been an educational and interesting addition for many years. Surrounding neighbors have been aware of it for many years and perhaps assumed that with her passing, it would revert to an empty lot to eventually be developed. It is a valuable asset of the past for future artists and I believe part of the history of the Village of Fox Point. With the backing of a prestigious museum as the John Michael Kohler Arts Center, being able to control and limit the access for research and fundraising, as well as requesting a special zoning designation, to deny this would be a shame. I believe that we must be aware of the Chipstone Foundation, also in Fox Point. It seems to me that these two organizations have something in common in that they are acknowledging art and using the contents of both places for the education of future artists. The neighbors on Club Circle, the location of the Chipstone Foundation, I am sure, have no complaints and are pleased with the way the Milwaukee Art Museum has chosen to operate this historical collection. I quote from an article in the Journal Sentinel below:

The Fox Point campus of the Chipstone Foundation keeps a low profile. Located in a residential neighborhood, it is unable to accommodate large groups. Though somewhat sequestered, The Chipstone Foundation has created indelible marks on the study of art and how we experience it.
The Chipstone Foundation in Fox Point is open by appointment only.

I urge the Village Board to approve the request for an application for a cultural overlay district zoning designation for the Nohl property.

Sincerely,
Diane F McGauran

Diane McGauran
308 East Willow Rd
Milwaukee, WI 53217
414 351-2311
Dmcgauran@me.com

Scott Botcher

From: kerisarajian@gmail.com
Sent: Monday, January 30, 2023 4:37 PM
To: Scott Botcher
Subject: Mary Nohl Home

Dear Mr. Botcher,

As a resident of Fox Point (1015 E Quarles Place), I am writing to express my support for JMKAC's proposed plans for the Mary Nohl home and property. I believe the plan set forth ensures the continued celebration of Nohl's unique talents and creativity as an artist, while thoughtfully addressing the concerns of Beach Drive neighbors. The plan is responsible and will benefit the great Fox Point community as a whole.

I look forward to hearing continued discussion in the joint hearing tomorrow evening. My hope is the Commission will advance this proposal and support the next phase based on the plans shared by Amy Horst and the JMKAC.

Best regards,
Keri Sarajian
(414) 797-4084

Sent from my iPhone

Scott Botcher

From: Martha Mohs <marthamohs@gmail.com>
Sent: Monday, January 30, 2023 5:01 PM
To: Scott Botcher
Subject: Nohl Proposal

Mr. Botcher,

I am writing to express my full support of the Mary Nohl Cultural Overlay proposal. Mary Nohl, her home and her artwork play an important role in the history of the Fox Point community and should be preserved and protected. As the proposal itself specifies, the Cultural Overlay District will continue to fit within the residential neighborhood surrounding the property. For instance, the Mary Nohl property will not be open to the general public and no parking will be allowed on North Beach Drive near the property. The proposal simply seeks to open the property, on a very limited basis, to artists-in-residence, scholars, caretakers and donors. In short, the Village should approve the Mary Nohl Cultural Overlay District and help protect one of our community's most unique properties.

Thank you for your consideration.

Sincerely,
Martha Mohs and Jeremy Mohelnitzky

Nancy L. Coyle
7525 N. Boyd Way
Fox Point WI 53217
January 30, 2023

Scott Botcher, Village Manager
Village of Fox Point
7200 N Santa Monica Boulevard
Fox Point, WI 53217

Dear Sir:

I am strongly in favor of the Village of Fox Point designating the property and the house, known as The Mary Nohl House, a Cultural Overlay District.

I believe the plan set forth by The John Michael Kohler Arts Center is thoughtful and respectful of the surrounding neighborhood.

This is a unique treasure that deserves to be preserved and appreciated in the place where it was created.

Please save The Mary Nohl House.

Respectfully

Nancy L. Coyle

Scott Botcher

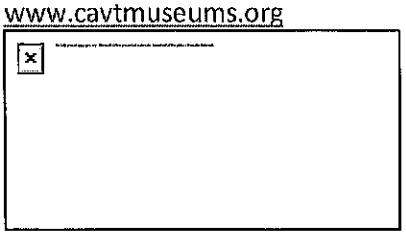
From: Jaymee Harvey Willms <jharvey@cavtmuseums.org>
Sent: Tuesday, January 31, 2023 11:13 AM
To: Douglas Frazer; Eric Fonstad; Christine Symchych; Elizabeth Sumner; Greg Ollman; Elizabeth Aelion; Catie Anderson Knight; Scott Botcher
Subject: Nohl Letter
Attachments: Nohl Advocacy Letter.pdf

Hello Trustees,

To address the meeting being held tonight, please see the attached letter. The Nohl home is dear to my heart, Mary has been a beacon in Milwaukee and her voice can continue to lead future artists and cultural workers through the opportunity before you.

Best,

Jaymee Harvey Willms
(she/her/hers)
Executive Director
Charles Allis and Villa Terrace Museums
(414)271-3656 x1
www.cavtmuseums.org



Not a member? Join Today!

Charles Allis • Villa Terrace Art Museums

Dear Fox Point Board of Trustees,

History repeats itself, but **the special call of an art which has passed away is never reproduced.** It is as utterly gone out of the world as the song of a destroyed wild bird.- Joseph Conrad.

The cultural significance of Mary Nohl, her home and the John Michael Kohler Foundation can not be overstated. The opportunity before the Fox Point Board on one of both making and preserving history is at a crucial flashpoint, ready to ignite a future generation of artists and cultural works. Mary paved the way for women, artists and creatives across the state of Wisconsin. Her work ethic whether in ceramic production, concrete innovation or the masterwork of her home deserves a place, and not just any place, but the location that inspired it all. At this time, by designating a cultural overlay for the future artist-in-residence program this community extends Mary's legacy to future generations.

As Joseph Conrad said, **there is a special call of an art which has passed away is never reproduced.** This cannot be the legacy of Fox Point, to allow this masterwork to fade away from the public. As two institutions who currently reside in residential neighborhoods, CAVT has a unique perspective on this specific experience. Our communities sit on our Boards, have helped define our own artist in residence programs, and enjoy our gardens. Our spaces create a strong community, not weaken it. Overwhelmingly members of CAVT reside in the neighborhoods of the two museums. The community response shows how beloved a cultural institution can become by a neighborhood, and how a neighborhood can become a cultural institution.

The request of JMKAC for a cultural overlay must be approved for the future of Greater Milwaukee, and Wisconsin. As the lowest ranked state in arts and cultural funding, taking a stand to support not just history but the future of art in Wisconsin is before. There is not a more trustworthy institution to handle this home and community with care. JMKAC has a reputation with the James Castle home and The Prophet Isaaish and His Second Coming home currently being restored in Niagara Falls, in creating successful, community building residencies that grow the culture of their surroundings without destroying the existing community.

For Fox Point, for artists, for Wisconsin, or the countless lives Mary has yet to impact, you must pass the cultural overlay.

With hope,

Jaymee Harvey Willms
Executive Director

Scott Botcher

From: Susan Krausen <susankrausen@icloud.com>
Sent: Tuesday, January 31, 2023 12:27 PM
To: Scott Botcher
Subject: Mary Nohl

Scott,
We are very much in favor of preserving Mary Nohl's art environment!!
Thanks,
Tony and Sue Krausen
6820 N. Barnett Lane
Sent from my iPad

Scott Botcher

From: Christine Symchych
Sent: Tuesday, January 31, 2023 12:46 PM
To: Scott Botcher
Subject: Fw: expressing support for Mary Nohl House

From: Amy Hand <amykhand@gmail.com>
Sent: Tuesday, January 31, 2023 10:53 AM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>; Eric Fonstad <efonstad@villageoffoxpoint.com>; Christine Symchych <csymchych@villageoffoxpoint.com>; Elizabeth Sumner <lsumner@villageoffoxpoint.com>; Greg Ollman <gollman@villageoffoxpoint.com>; Elizabeth Aelion <eaelion@villageoffoxpoint.com>; Catie Anderson Knight <cknight@villageoffoxpoint.com>
Subject: expressing support for Mary Nohl House

Hello,
I'm writing to express my enthusiastic support for the JMKAC's request to create a cultural overlay district for the Nohl property. I believe the specific plans provide appropriate consideration and respect to the residents of Beach Drive. Most importantly, as a Fox Point resident, the prospect of having a local artist and our community history celebrated and acknowledged through this proposal is deeply exciting. The plans would preserve Mary Nohl's legacy, provide character to the community, and demonstrate Fox Point's commitment to honoring culture and the arts.
Thank you for your consideration,
Amy Hand

Scott Botcher

From: Christine Symchych
Sent: Tuesday, January 31, 2023 12:45 PM
To: Scott Botcher
Subject: Fw: Mary's House

From: Jill Iverson <jillreneeiverson@gmail.com>
Sent: Tuesday, January 31, 2023 10:13 AM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>; Eric Fonstad <efonstad@villageoffoxpoint.com>; Christine Symchych <csymchych@villageoffoxpoint.com>; Elizabeth Sumner <lsumner@villageoffoxpoint.com>; Greg Ollman <gollman@villageoffoxpoint.com>; Elizabeth Aelion <eaelion@villageoffoxpoint.com>; Catie Anderson Knight <cknight@villageoffoxpoint.com>
Subject: Mary's House

Dear Fox Point board member,

I am writing to ask that you work with Kohler Arts Center to find ways to maintain Mary's house and allow people to participate in preservation and celebration of this important place. We lived nearby for 17 years - in Bayside - and we feel that this place is priceless.

In community,

Jill and James Iverson

Sent from my iPhone

Scott Botcher

From: Christine Symchych
Sent: Tuesday, January 31, 2023 12:44 PM
To: Scott Botcher
Subject: Fw: Mary Nohl Property

From: Monique Charlier <mcharlier@rivetllc.com>
Sent: Tuesday, January 31, 2023 9:02 AM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>; Eric Fonstad <efonstad@villageoffoxpoint.com>; Christine Symchych <csymchych@villageoffoxpoint.com>; Elizabeth Sumner <lsumner@villageoffoxpoint.com>; Greg Ollman <gollman@villageoffoxpoint.com>; Elizabeth Aelion <eaelion@villageoffoxpoint.com>; Catie Anderson Knight <cknight@villageoffoxpoint.com>
Subject: Mary Nohl Property

Village Trustees,

I am writing in support of the John Michael Kohler Center's application to establish a Cultural Overlay District for the Mary Nohl House. The Nohl house is a rare gem that deserves to be preserved and shared for future generations. The Kohler Center's application, which outlines limited hours and restricted entry, is a reasonable accommodation to the neighborhood concerns of traffic while still allowing access to the site for scholarly research and community enjoyment.

This proposal considers and respects both the immediate surrounding neighborhood and the benefit to the larger community and should be approved.

Thank you,
Monique Charlier

Scott Botcher

From: Molly McCarty <Molly10@new.rr.com>
Sent: Tuesday, January 31, 2023 11:36 AM
To: Scott Botcher
Subject: Support of Mary Nohl's House

I wish to keep Mary Nohl present and her environment protected for future generations. Please approve the cultural overlay application to secure the future of Mary Nohl's artist-built environment.

Molly McCarty
molly10@new.rr.com
920.944.5419
10 Matthias Ct, # 2
Appleton WI 54915

Analysis of Fox Point Police Department Calls near the Mary Nohl Properties

Below is an analysis of all of the calls to the Fox Point Police Department in the vicinity of the Mary Nohl properties (7328 & 7254 North Beach Drive) from 2014 to November 15, 2022.

Summary of Location of Incidents

Address	Number of Calls
7405 North Beach Drive	241 calls
Block of 7400 North Beach Drive	54 calls
7415 North Beach Drive	32 calls
7328 North Beach Drive	16 calls
Block of 7400	7 calls
Total Number of Calls:	350

Summary of Top Reasons for Calls

Primary Reason for Call	Approximate Number of Calls
Parking related complaints	300
Traffic Stops	7
Reported Open Doors at nearby properties	6
Burglar Alarm requests for assistance	5 (all appear to have been false alarms)
Welfare Checks	5
Trespassing/Suspicious Activity	5

Unauthorized Parking on Beach Drive Complaints – As noted above, the number one reason for requests for police assistance in the area are related to complaints that vehicles are parked in areas designated as "no parking" along Beach Drive. Also, the call records indicate the number one reason that people were parked in the area without authorization was related to their desire to view the lake, sunset, moon and/or stars (23 calls) in the area ***not*** to observe the Mary Nohl House or the artwork located on the Mary Nohl properties. (2 calls).

Scott Botcher

From: Valerie Balint <VBalint@savingplaces.org>
Sent: Tuesday, January 31, 2023 1:18 PM
To: Scott Botcher
Subject: Support for Cultural Overlay for Mary Nohl Site
Attachments: Balint_HAHS_Letter of Support of Mary Nohl Site_1 23.pdf

Dear Mr. Botcher,

I was informed by colleagues that this was the appropriate place to send this letter. Please see attached my letter in support of creating a cultural overlay district in relation to the Mary Nohl property.

Please note that working from home makes signing and scanning a document challenging, so I hope this e-mail serves as bona fides that the letter is in fact from me. And that you can accept my typed signature.

I am happy to answer any questions that may come from you, or any of your colleagues. Please feel free to reach out. Thank you for this opportunity to contribute my thoughts to this discussion.

All best,
Valerie

Valerie A. Balint (she/her)
DIRECTOR | HISTORIC ARTISTS' HOME AND STUDIOS
vbalint@savingplaces.org
P 413.298.2033
M 845.206.8009

PROGRAM OF THE NATIONAL TRUST FOR HISTORIC PRESERVATION
C/O Chesterwood
3 Williamsville Road, P.O. Box 827 Stockbridge, MA 01262
https://savingplaces.org
https://artistshomes.org

Dedicated to Telling a Site-Specific Story of our Nation's Art History – Come, Witness Creativity!

HISTORIC ARTISTS' HOMES & STUDIOS

Program of the National Trust *for* Historic Preservation

January 30, 2023

Scott Botcher
Village Manager
7200 N. Santa Monica Blvd.
Fox Point, WI 53217

Dear Mr. Botcher,

I'm writing to you and Fox Point Village Trustees to express my support for a proposed action of establishing a cultural overlay zoning district for the Mary Nohl property.

I serve as the Director of Historic Artists' Homes and Studios (HAHS), a program of the National Trust for Historic Preservation, and have long been aware of the Mary Nohl site, and its unique stature as a rare example of an extant and intact artist-designed environment created by a woman artist. In February 2020, I had the honor of participating on a panel focused on site-specific artist spaces for the College Art Association's annual conference, which included an outstanding presentation on Mary Nohl by Alex Gartelmann.

The HAHS network is an ever-growing select coalition of 61 sites that were the homes and working studios of American artists. These spaces, located throughout the country, have all been preserved as public sites, and their stewards are dedicated to preserving and interpreting the places where art was made. Collectively, these member sites represent the legacy of more than 300 visual artists across 25 states and 3 centuries. Together, they engage more than 1 million visitors annually in meaningful experiences that link creativity to place.

This network represents the only program in the nation dedicated to providing professional support to this unique category of preserved sites and to increasing their visibility. Currently, HAHS is focused on expanding the membership to include those artists and sites that have consistently been underrepresented including BIPOC, self-taught and women artists – adding 12 new member sites within the last 5 years that amplify female artist legacies and narratives. We have continued to watch the progress of the restoration and preservation efforts at the Nohl property, aptly led by the JMKAC, and evolving plans for possible public engagement at the site.

Advisory Committee
Wanda M. Corn, Chair
Halperin Professor in Art History, Emerita
Stanford University

Gwendolyn DuBois Shaw
Associate Professor
History of Art, University of Pennsylvania

Laura Esparza
Division Manager
Austin Parks and Recreation Department

Charles "Chas" Miller III
President
ForwardMiller

Lisa Stone
Senior Lecturer
School of the Art Institute of Chicago

Karen Zukowski
Independent writer

Executive Committee
Jeffrey Andersen, Chair
Director Emeritus
Florence Griswold Museum

Linda Cook
Superintendent
Weir Farm National Historical Park

Allison Cross
Executive Director
Manitoga/The Russel Wright Designer Center

Donna Hassler
Director Emerita
Chesterwood

Helen A. Harrison
Eugene V. and Clare E. Thaw Director
Pollock-Krasner House and Study Center

Victoria Munro
Executive Director
Alice Austen House

Robert Stahl
Director Emeritus
James Fitzgerald Legacy

Recent Past Committee Members
Rachel Reichert
Program Director
Ruth Arts Foundation

Staff
Valerie A. Balint
Director

Historic Artists' Homes and Studios, Program of the National Trust for Historic Preservation
P.O. Box 827, 4 Williamsville Rd, Stockbridge, MA 01262-0827
Telephone 413.298.2033 E-mail vbalint@savingplaces.org Web artistshomes.org

Within our current membership, we have many sites that have successfully navigated sensitive and complex challenges relative to stewarding a publicly accessible site within a residential neighborhood. There are a wide variety of innovative models that can be drawn upon, and that we would be happy to share, that could lead to a successful future for the Mary Nohl site.

Even within the robust network of sites that comprise the Historic Artists' Homes and Studios membership, the Mary Nohl site is unique as a holistic and home-site-specific work of art, representing the tangible and ongoing creative process and evolution of a truly singular creative voice – that of Mary Nohl.

Prior to coming to lead HAHS, I had the distinct privilege of working as a museum professional at three preserved artist homes. While each represented a different era and mode of art making, they all offered the unique opportunity for visitors to experience the intersection of process and biography, and the integration of art and life in ways completely distinct from seeing an artist's work in a gallery or museum exhibition or reproduced in a catalogue. What Nary Nohl created at her home in Fox Point, is a wonderful example of this entirely immersive type of experience, which can be transformative for living artists, academic scholars, as well as for visitors of any age.

Within the full context of the artistic legacy of our nation, these preserved sites of creativity are extremely rare, and offer the opportunity to understand not only an artist in new ways, but also their relationship to community. And these sites form a touchstone to the creative impulses that are universal to all of us. Mary Nohl and her former home are an embodiment and capture the essence of these ideas.

A cultural overlay will help ensure protection that will allow for a continued dialogue around the sustained preservation and viable activation of this magical place, and as testament to the contributions of this extraordinary talent.

Thank you for considering actions which will serve to benefit Nohl's former local community, as well as protecting this cultural treasure of national, and indeed, global importance.

Please know that should plans evolve to where it is appropriate, I and others in program leadership would be delighted to welcome the site into the HAHS family.

Please feel free to reach out to me for any additional information or with any questions.

All best,
Valerie Balint, Director, Historic Artists' Homes and Studios

Member Sites
Abiquiú Home and Studio
Albin Polasek Museum
Alice Austen House
Andrew Wyeth Studio
Ann Norton Sculpture Gardens
Arthur Dove/Helen Torr Cottage
Burchfield Homestead Society
Bush-Holley House
Chesterwood
Couse-Sharp Historic Site
C. M. Russell Museum
D'Amico Institute of Art
David Ireland House
Demuth Museum
Dorothy Riester House and Studio
Edward Hopper House
Edward V. Valentine Sculpture Studio
Elisabet Ney Museum
Florence Griswold Museum
Frelinghuysen Morris House & Studio
Gari Melchers Home & Studio
Grace Hudson Museum & Sun House
Grant Wood Studio
Historic Westwood
James Castle House
James W. Washington Home
John F. Peto Studio Museum
Judd Foundation, 101 Spring Street
Kirkland Museum
La Mansana de Chinati (The Block)
Madoo Conservancy
Manitoga
Melrose Plantation
Mercer Museum & Fonthill Castle
Noah Purifoy Foundation
N. C. Wyeth House & Studio
Norman Rockwell Studio
Olana State Historic Site
Pasaquan
Pond Farm Pottery
Pollock-Krasner House
The Renee & Chaim Gross Foundation
Rockwell Kent–James Fitzgerald Studio
Roger Brown Study Collection
Sam and Alfreda Maloof Foundation
T. C. Steele State Historic Site
Thomas & Mary Nimmo Moran Studio
Thomas Cole National Historic Site
Thomas Hart Benton Home and Studio
Saarinen House
Saint-Gaudens National Historical Park
Soldner Center
Weir Farm National Historical Park
Wharton Esherick Museum
Winslow Homer Studio

Affiliate Members
Aminah Robinson House
Arts Center at Duck Creek
Elaine de Kooning Home and Studio
Gertrude Vanderbilt Whitney Studio
Jonathan Fisher House
LongHouse Reserve

Historic Artists' Homes and Studios, Program of the National Trust for Historic Preservation
P.O. Box 827, 4 Williamsville Rd, Stockbridge, MA 01262-0827
Telephone 413.298.2033 E-mail vbalint@savingplaces.org Web artistshomes.org

Scott Botcher

From: Christine Symchych
Sent: Tuesday, January 31, 2023 1:09 PM
To: Scott Botcher
Subject: Fw: Nohl Art Environment

From: Allie Witek <alliewitek912@gmail.com>
Sent: Tuesday, January 31, 2023 1:08 PM
To: Catie Anderson Knight <cknight@villageoffoxpoint.com>; Christine Symchych <csymchych@villageoffoxpoint.com>; Douglas Frazer <dhfrazer@villageoffoxpoint.com>; Eric Fonstad <efonstad@villageoffoxpoint.com>; Greg Ollman <gollman@villageoffoxpoint.com>; Elizabeth Sumner <lsumner@villageoffoxpoint.com>
Subject: Nohl Art Environment

Hello,

I am writing to show my support for the Nohl Art Environment. I am a Fox Point resident and think this is a wonderful idea for our community.

Thank you,
Allison Witek

Scott Botcher

From: Lisa Stone <lstone@saic.edu>
Sent: Tuesday, January 31, 2023 1:32 PM
To: Scott Botcher
Subject: Re: Letter of support: cultural overlay zoning district for the Nohl property

Dear Mr. Botcher,

I live 2 hours north of Fox Point and am now unable to make it to the meeting tonight. I plan to attend the zoom session. I will appreciate the opportunity to read my letter (in under 3 minutes), so if there's a list I can be on, please put me on it. If it's possible for me to read Jim Zanz's and Don Howlett's letters, I'll be glad to do so as well.

Thank you,

Lisa Stone
920-765-2281

Please note: I retired from the Roger Brown Study Collection.
For RBSC-related emails, please contact James Connolly, jconno@saic.edu

On Wed, Jan 18, 2023 at 1:47 PM Lisa Stone <lstone@saic.edu> wrote:

> Dear Mr. Botcher,
>
> Attached is my letter of support for the Village of Fox Point to adopt a cultural overlay zoning district for the Nohl property. Please kindly share this with the board of trustees.
>
> I plan to attend the meeting on January 31. I look forward to the discussion, which I hope can finally resolve this issue for the benefit of all parties.
>
> Sincerely,
>
> Lisa Stone
>
> Please note: I retired from the Roger Brown Study Collection.
> For RBSC-related emails, please contact James Connolly, jconno@saic.edu

Scott Botcher

From: emily smith <esmith@phillymagicgardens.org>
Sent: Tuesday, January 31, 2023 9:14 AM
To: Scott Botcher
Subject: Cultural Overlay for Mary Nohl's House
Attachments: Mary Nohl's Name in Magic Gardens.jpg

Dear Mr. Botcher,

Thank you so much for considering the cultural overlay for the Mary Nohl House. I am the Executive Director of Philadelphia's Magic Gardens, an art environment created by artist Isaiah Zagar. Isaiah met Mary in the early 2000s and he has cited her as one of his main influences for making his own unique art environment here in Philadelphia. We study Mary's work, mention her and show photographs of the house during public/private tours, and also have her featured in our educational brochures. As a preservationist and advocate for this incredible genre of art, I had the absolute pleasure of visiting Mary's beautiful home years ago. Here at our site in Philadelphia, we have successfully worked for over a decade in partnership with our residential neighbors. While it often involved conversations like the one you will be having tonight, we were able to respect our neighbors' concerns and they also were able to understand that this site is a one-of-a-kind treasure to be researched and preserved. Years later, they are telling me more and more how proud they are that the site was able to be saved and thoughtfully managed.

I know a compromise is possible for all parties. In a world that is feeling more and more grey, how wonderful to have art and ideas that challenge us, that are wholly unique, that have such creative possibilities and educational value. I fully understand that Mary's site should have respectful limitations, but please allow it to live on through thoughtful research and educational opportunities. How incredible it will be if your legacy is one of communication, compromise, and partnership.

Best of luck to you all tonight; I will be joining the call in support of the cultural overlay. Thank you again.

Sincerely,
Emily Smith

--

Executive Director
(she/her)

Philadelphia's Magic Gardens
1020 South Street
Philadelphia, PA 19147
(215)733-0390 ext. 113
www.phillymagicgardens.org

MARY NOHL

Scott Botcher

From: Elizabeth Aelion
Sent: Tuesday, January 31, 2023 2:16 PM
To: Scott Botcher
Subject: Fw: Mary Nohl Art Environment

From: lisakurtz123@gmail.com <lisakurtz123@gmail.com>
Sent: Tuesday, January 31, 2023 7:16 AM
To: Elizabeth Aelion <eaelion@villageoffoxpoint.com>
Subject: Mary Nohl Art Environment

Hi, I wanted to send a note before this evening's meeting to convey my support of this cultural overlay. As a Fox Point resident this home and story brings me joy each time I walk by. I believe wholeheartedly in supporting and preserving it. In reading the proposal the one element that seems off to me is bringing up to 80 people twice a month for special events. That number seems too large for this intimate space and also that quaint curve on Beach Drive.

Lisa Kurtz

Scott Botcher

From: Elizabeth Aelion
Sent: Tuesday, January 31, 2023 2:15 PM
To: Scott Botcher
Subject: Fw: Tonight's hearing

From: Lynn Lucius <llucius@wi.rr.com>
Sent: Tuesday, January 31, 2023 11:39 AM
To: Elizabeth Aelion <eaelion@villageoffoxpoint.com>
Subject: Tonight's hearing

Hello Ms. Aelion,

I'm thinking of you and all of the Village board members in regard to tonight's hearing. For several years, I worked with Ruth Kohler and the Kohler Arts Center on the Mary Nohl property project, shepherding the property during the difficult days after the flood nearly decimated it. Ruth and her team cared so deeply for Mary Nohl's legacy and her unique property that they invested significant funds to preserve it as an important artistic and historic landmark, as you know.

So much progress has been made in the relationship with the neighbors in the past few years due to Alex Gartelman's residence at the Nohl house. I hope the community will see that they can build on this progress and accept a modicum of change as non-threatening. You likely have been flooded with multitudes of emails for and against the Cultural Overlay, so I will not belabor the rationale for supporting the proposal set forth by the Kohler Arts Center, although I know from my experience that their decision-making related to the Nohl property will always be rooted in respect for their environment and the residents, and that they would never engage in activity contrary to harmonious coexistence.

I will simply send wishes that order and tranquility will triumph within the hearing.

Thank you.

Lynn Lucius
Arts & Culture Program Consultant
Greater Milwaukee Foundation
llucius@wi.rr.com
414-708-5966

Scott Botcher

From: Elizabeth Aelion
Sent: Tuesday, January 31, 2023 2:15 PM
To: Scott Botcher
Subject: Fw: Mary Nohl

From: Emily Duke <emilydukestudio@gmail.com>
Sent: Tuesday, January 31, 2023 1:37 PM
To: Elizabeth Aelion <eaelion@villageoffoxpoint.com>
Subject: Mary Nohl

Ms. Aelion,

I am writing in favor of John Micheal Kohler Arts Center's request for a cultural overlay zoning designation for the Mary Nohl home in the village of Fox Point, WI.

As an artist and educator, I believe that the preservation and study of artist-built environments are critical. Nohl's home and studio fully encapsulated the legacy of an artist. A legacy filled with hard work, resourcefulness, creativity, and deep compassion for nature.

Alex Gartelmann and the team at JMKAC have worked tirelessly for years to re-construct crumbling portions of the home, conserve sculptures and beautify the property. The commitment by JMKAC towards the property should be celebrated by Fox Point residents.

We must ask ourselves, how are communities built? It happens through extending a hand, welcoming people in, and sharing what is inherent in a place. Fox Point has the Nohl home to share with scholars, art practitioners, museum professionals and local residents.

Approving the cultural overlay zoning designation is the next step in solidifying Mary Nohl's legacy in the Fox Point community.

Thank you,
Emily Duke

EMILY DUKE
• STUDIO LLC •

EMILY DUKE
Owner & Artist, Emily Duke Studio LLC
Handmade ceramic lighting for your home

Phone: 313 320 5028
Email: EmilyDukeStudio@gmail.com
Web: EmilyDukeSculpture.com

Studio located in Sheboygan, WI

Scott Botcher

From: Philip Schultz <P.Schultz@horizondbm.com>
Sent: Tuesday, January 31, 2023 2:07 PM
To: Scott Botcher; Douglas Frazer
Cc: melissa.mooney1560@gmail.com; Philip Schultz
Subject: Support for Mary Nohl Zoning Overlay

Dear Mr. Botcher and President Frazer, as residents of Fox Point, my wife and I strongly support the proposed cultural overlay district zoning for the Mary Nohl property. We feel that the proposal respects the neighbors and preserves an historic site in Fox Point. I have known and appreciated the Mary Nohl house my entire adult life and would hate to see this cultural asset removed or destroyed.

Sincerely,
Philip Schultz
Melissa Mooney

7861 N. Fairchild Rd.
Fox Point, WI 53217

Scott Botcher

From: Audrey Dulmes <atdulmes@gmail.com>
Sent: Tuesday, January 31, 2023 3:19 PM
To: Scott Botcher
Subject: Noll House

I am writing to let you know of my support for the preservation of the Mary Nohl House Please vote YES to keep this treasure and keep it in Fox Point!!
Thank you
Audrey Dulmes
Resident of Fox Point

Sent from my iPhone

Scott Botcher

From: James Flesch <nsoc1@aol.com>
Sent: Tuesday, January 31, 2023 3:06 PM
To: Scott Botcher
Cc: ahorst@jmkac.org; csymchych@wi.rr.com
Subject: Mary Nohl Property

Scott, we support the JMKAC application to the Village of Fox Point for a cultural overlay district zoning designation for the Nohl property. We have been Village residents for over 45 years. We have been long time supporters of the Milwaukee Art Museum and the JMKAC and recognize the value of this unique property. It needs to be preserved. Sincerely, Jim and Ellen Flesch

Scott Botcher

From: Mary Baum <marybaum3@gmail.com>
Sent: Tuesday, January 31, 2023 2:59 PM
To: Scott Botcher
Subject: Mary Nohl property

Dear Sir,

I support the cultural overlay district zoning designation for the Mary Nohl property. It allows for limited access, is respectful of the neighbors and allows for transparency and accountability to them.

This is a treasure that should be preserved!

Thank you!
Mary Baum

Sent from my iPhone

Scott Botcher

From: Jennifer Balge <jen.balge@gmail.com>
Sent: Tuesday, January 31, 2023 3:42 PM
To: Scott Botcher; Elizabeth Sumner; Christine Symchych; Catie Anderson Knight; Elizabeth Aelion; Greg Ollman; Eric Fonstad; Douglas Frazer
Subject: Writing in support of cultural overlay zoning

Hello,
My name is Jen Balge. My first home was in Fox Point (... just barely, we were on the end of Berkeley!) and I also lived in the area while attending Cardinal Stritch University. I'm writing to urge you to approve the cultural overlay zoning designation. Mary Nohl's life and work has impacted me far beyond ways I can comprehend or quantify. I know there are others who feel the same and even more people that could be inspired and motivated by Nohl's wit, resourcefulness, and creativity. I've written several lesson plans based on Nohl's work and it's amazing to see how teachers and students (both young and not-so-young) are so engaged and interested in her style. This place should be shared, celebrated, and respected!

Please don't block access due to a handful of people who aren't willing. It's unfortunate that they feel the way they do, but perhaps if they want to live in a bubble, they can find a nice gated community where they won't be entrusted with valuable cultural resources to hoard.

respectfully,
Jen Balge

--
Jen Balge
She/Her
Jen.balge@gmail.com
Info@spacesarchives.org
chaircitymedia@gmail.com

Scott Botcher

From: Beth Gregg <bethgregg@wi.rr.com>
Sent: Tuesday, January 31, 2023 4:02 PM
To: Scott Botcher
Subject: Cultural Overlay Proposal

Dear Village Manager, Village Board, and members of the Plan Commission,

I have reviewed the materials concerning the proposed cultural overlay for the Mary Kohl Residence at 7254 and 7328 N. Beach Drive. Having lived on the North Shore my entire life, I have always appreciated the beauty and uniqueness of the property which I know as the "Witch's House". I am pleased to see a proposal to give formal access to this hidden treasure. I believe the proposal is well thought out and addresses all major concerns in regard to preserving both the existing property and the surrounding neighborhood. The property will not be open to the general public and will have limited hours for visits and events. The parking and traffic should have little if any significant impact on the two block stretch of Beach Drive from the bottom of the hill to the Nohl Residence. As to the concern that the property would be taken off the tax rolls, I would point to other properties on Beach Drive that have been combined (or are currently just the property itself with no improvements--three or four within that same two blocks
actually) to prove that the village and the schools can absorb such a loss.

I strongly urge the Plan Commission and the Village Board to adopt the proposal to establish the cultural overlay for this property.

Thank you for your consideration,

Beth Gregg

7414 N. Boyd Way

Scott Botcher

From: Barbara Fuldner <barbara@macaccess.com>
Sent: Tuesday, January 31, 2023 4:25 PM
To: Scott Botcher; Douglas Frazer; Eric Fonstad; Christine Symchych; Elizabeth Sumner; Greg Ollman; Elizabeth Aelion
Subject: I support the Mary Nohl House

I support the Mary Nohl House and the JMKAC proposal!!

I believe entities like the Mary Nohl House, the Chipstone Foundation and the Bridge give our community character, which is missing in much of today's life. I believe that history and character improve the community and increase property values.

I believe that JMKAC has gone out of its way, above and beyond, to make this work.

Regular residents are able to have large gatherings of 100+ guests, be they personal, like weddings or holiday events, or even political events. What this proposal suggests for the Mary Nohl residence greatly narrows down what can be done on Mary's property.

I'm not sure I can make the meeting tonight in person due to a conflict.but I encourage the saving of the Mary Nohl house.

Thank you to all who have cared for the house and for Mary's legacy. Thank you to all who care for our special community.

Barbara Fuldner
7764 N Club Circle, Fox Point
barbara@macaccess.com
414-640-8072

Scott Botcher

From: Lynn Roginske <lroginske@yahoo.com>
Sent: Tuesday, January 31, 2023 4:51 PM
To: Scott Botcher
Subject: Mary Nohl Art Environment

Hello Mr. Botcher,

As a Milwaukee County resident and supporter of local art and cultural endeavors, I encourage you to lend support to preserve the Mary Nohl home and sculptures through the proposed cultural overlay zoning designation. Allowing time to plan and hear perspectives from the community in regard to this Fox Point treasure is essential and warrented.

Thank for your consideration.

Sincerely,

Lynn Roginske
7291 West Cody Circle
Milwaukee, WI 53223

Sent from Yahoo Mail

Scott Botcher

From: Svapna Sabnis <svapnasabnis@gmail.com>
Sent: Tuesday, January 31, 2023 4:57 PM
To: Scott Botcher
Subject: Support of mary nohl house

I think the proposal put forward is very reasonable.

Svapna Sabnis

Scott Botcher

From: Laurie <wyett54@yahoo.com>
Sent: Tuesday, January 31, 2023 5:04 PM
To: Scott Botcher
Subject: Mary Nohl site

Dear Sir-

Please, please, preserve the Mary Nohl site at Fox Point. It is unique in the U.S. and a place of beauty and cultural history. It could be utilized for so many different educational purposes and who knows how much importance it will come to hold in the future. It is truly a treasure.
Thanks for your consideration.

Laurie Christopherson
Saint Paul, MN

Scott Botcher

From: Michael J. McDonagh <mmcdonagh@mallerysc.com>
Sent: Tuesday, January 31, 2023 4:40 PM
To: Scott Botcher
Cc: John M. Wirth
Subject: Comments 7425 N Beach Ct submitted in writing
Attachments: Comments 7425 N Beach Ct (01346603xC3B04).pdf

Hi Scott:

Pursuant to the:
NOTICE OF MEETING, VILLAGE OF FOX POINT, JOINT PLAN COMMISSION AND VILLAGE BOARD, at
SCHWEMER HALL - MUNICIPAL BLDG.
TUESDAY, 7200 N. SANTA MONICA BLVD JANUARY 31, 2023
FOX POINT, WI 53217 7:00 P.M.

"CITIZENS ARE ENCOURAGED TO SUBMIT ANY COMMENTS IN WRITING IN ADVANCE OF THE MEETING TO THE VILLAGE MANAGER"

My comments in writing are attached. I plan to read them at the Meeting, which reading will be under the 3-minute limit.
Please also distribute to the Trustees and the Plan Commission Members.
Thank you.

Regards, Mike

Michael J. McDonagh
MALLERY s.c. | A Limited Liability Service Corporation
731 North Jackson Street, Suite 900 | Milwaukee, Wisconsin 53202-4697
414-727-6266 *Direct* | mmcdonagh@mallerysc.com
Website | Bio | LinkedIn | vCard

MALLERY SC

Best Lawyers BEST LAW FIRMS U.S.News 2023

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I am Michael McDonagh, residing 7425 N. Beach Ct.
I am speaking on behalf of our household and the Save the Beach Drive Neighborhood, and say:

1. Your fellow residents, the neighbors of Beach Drive, are exasperated and exhausted, finding themselves under assault for the 3rd time from the giant Kohler, who is trying to change the fundamental character of the neighborhood for the benefit of parties who have no connection to Fox Point.

2. The past 2 times the neighborhood was under assault, the Village Trustees stood up for the people they were elected to serve. Thank you.

We are asking the Village Trustees to once again step up for the persons you were elected to serve, and say no to the commercialization of our neighborhood.

3. Kohler's massive marketing campaign, "Save the Mary Nohl house" is particularly offensive, because there is no "saving" to be had, and no one to save it from. As listed on national, state and county historical registries the House CAN'T be changed and NO ONE is proposing otherwise. Kohler is completely free to continue "saving" the House into perpetuity. This misdirection by Kohler is so that no one will notice its quiet acquisition of the adjacent property on which it proposes to conduct a very substantial commercial business.

4. It is this OTHER activity to which the Neighborhood objects – the disruption of Beach Drive and the commercialization of the property, which will bring untold amounts of traffic from outside Fox Point, outside Milwaukee, and outside Wisconsin.

5. The key unanswered question is: WHAT DOES ALLOWING KOHLER TO COMMERCIALIZE THE PROPERTY DO FOR FOX POINT? WHAT IS THE BENEFIT?

It is NOT more tax revenue – it cuts off tax payments for schools.
It is NOT preservation of the Nohl House – that is already happening and doesn't need this rezoning.
It is NOT preservation or exhibition of art – that is already happening and doesn't need this rezoning – and 80% of the art is already long since gone to Kohler.
It is NOT adding any benefit to Fox Point residents.
It IS bringing lots increased notoriety to a house at the end of a residential dead-end street, which will bring increased traffic and crime.
It IS opening up the property to outside commercial interests, so that people from across the country can come to fancy parties, have their pictures taken and hopefully write checks to Kohler, an outside party.

6. PLEASE, look out for the <u>actual residents</u> of Fox Point, and DO NOT allow the Beach Drive Neighborhood to be commercialized for outside interests.

Scott Botcher

From: Tim Lemont <tlemont@gmail.com>
Sent: Tuesday, January 31, 2023 5:02 PM
To: Scott Botcher
Cc: John M. Wirth; Michael J. McDonagh
Subject: Comments from 7475 N. Beach Drive
Attachments: Opposition from Immediate Neighborhood 013123.doc; Opposition Petition Analysis 013123.xls

Hi Scott,

My comments for tonight's meeting are attached along with a supporting spreadsheet with two tabs. Please provide copies of all three pages to Board and Plan Commision members.

Thanks,

Tim Lemont

Village of Fox Point Public Hearing January 31, 2023
Topic: <u>Opposition from Immediate Neighborhood</u>

My name is Tim Lemont and my wife and I have lived at 7475 N. Beach Drive for 11 years now. I am a member of the Save the Beach Drive Neighborhood Association and have been working with our neighbors in an effort to coordinate activities opposing the Cultural Overlay application.

With these comments I am providing data that reflects the level of opposition to the Cultural Overlay within the immediate neighborhood.

For purposes of my comments, the immediate neighborhood is referred to as Beach Drive "Central". It consists of Beach Drive - South End houses on the way to, and a little past the Nohl house, to the point where Beach Drive curves and heads south again. The 20 houses in this area are considered the "immediate neighborhood" because they are most impacted by the increased level of activity contemplated by the proposal.

As a result of the effort to obtain opposition petition signatures, it has been determined within this 20 household neighborhood that 18 households, or 90%, oppose the application, 1 household is in support and 1 household is neutral.

These results are detailed in a spreadsheet I am submitting with these comments. Clearly, at 90% opposition, this is a reflection of overwhelming opposition by the immediate neighborhood. It is data that supports the belief that the use and enjoyment of these homes would be materially adversely affected by the proposal.

I am also submitting a spreadsheet reflecting the widespread opposition throughout the remainder of Beach Drive households. Excluding households we were unable to reach, 23 of the households, or 82%, are opponents and only 3 households, or 11%, support the application. For all of Beach Drive residents then, we know 41 households are in opposition and 4 are in support, a 10 to 1 ratio. We believe this reflects overwhelming opposition throughout the entire length of Beach Drive.

Through efforts over just the past 2 weeks, we have obtained 104 opposition petition signatures. Of those, 65 were from Beach Drive residents and 39 were from other Fox Point non-Beach Drive residents, reflecting significant opposition to the application through the rest of Fox Point as well.

We urge the denial of this application or, at the very least, a significant scale back of its contemplated level of activities. No one is proposing the Nohl house not be preserved. Instead, we want to ensure the preservation of the beauty and peacefulness of this area.

This area includes the crown jewel of Fox Point, the spectacular panoramic strip of land along Lake Michigan at lake level. As the proposal for an increase in activities at the Nohl house is considered, we urge the Village to proceed with caution so as to not lessen the opportunity of residents to continue enjoyment of this spectacular area for many years to come. Thank you.

Level of Opposition - Remainder of Beach Drive

	Opposition	Proponent	Neutral	Did Not Reach	Total
Remainder of South End					
7000	X				
7038			X		
7106	X (ES)				
7120				X	
7124				X	
7134				X	
7142				X	
7152				X	
7200				X	
7210	X				
7228	X				
7234	X				
7240		X (OL)			
7242	X (MA)				
7250		X (OL)			
7254 - Vacant Lot (Kohler)					
7307 - Renter					
North End					
7540				X	
7600			X		
7624				X	
7632	X				
7644	X				
7710		X (PL)			
7718	X				
7724				X	
7736 - Vacant House					
7810	X (ES)				
7818	X				
7828	X				
7834	X				
7900	X (ES)				
7912	X (ES)				
7930				X	
7944				X	
7954	X				
7966 - Vacant House					
8000	X				
8003				X	
8005	X				
8025	X				
8035				X	
8040	X (ES)				
8045	X (ES)				
8050	X				
8064 - Under Const					
8080				X	
8090				X	
8100				X	
8110				X	
8120				X	
8130	X				
Totals Remainder of Beach Drive	23	3	2	18	46
	50%	7%	4%	39%	
Percentages w/o "Did Not Reach"	82%	11%	7%		

Note: All Opposition designations are supported by signed paper opposition petitions or by:

(ES) - Validated Electronic Opposition Petition signature

(MA) - Household Is Member of Save the Beach Drive Neighborhood Association

Proponent designations are supported by:

(PL) - Household submitted a Proponent Letter to Village Board

MARY NOHL MUSEUM
Comments of John Wirth

I am John Wirth of the Mallery law firm. I represent Save the Beach Drive Neighborhood, an association of the owners of 34 homes and several businesses.

In a massive marketing campaign, Kohler has repeatedly stated that they have two goals: To "Save the Mary Nohl house" and to provide "transparency for surrounding Beach Drive neighbors about what will and will not happen at the property." With all due respect, while both are great marketing slogans, neither is really happening.

1. First, the Mary Nohl House will be saved no matter what happens with this application. The House is listed on the National Registry of Historic Buildings, the Wisconsin Registry of Historic Places and is designated a Milwaukee County Landmark. The House CAN'T be changed. Moreover, if the applicant really has spent $4 million in preserving the house – of course they have not shared how they calculate that number – it doesn't need saving. It must be in perfect condition. For $4 million, you could rebuild that house a few times.

   The Fox Point residents who oppose this rezoning are not interested in changing or destroying the House. It is Kohler's changes in use and the neighborhood that are concerning.

2. There also is not as much transparency as the applicant suggests.

   (a) In their marketing campaign, they repeatedly say, and I quote, "This will not be a museum." Of course this is going to be a museum, or they couldn't apply for the Cultural Overlay District zoning.

   (b) The applicant says that this zoning "provides certainty … to plan and fundraise for this special artist-built environment for generations to come." Yet, they never say why this is necessary. Nothing is preventing them from doing that now. The House is there. They are using it. It is staying there. There is no reason that they do not have that certainty.

   (c) But the real uncertainties are the occupancy and hours restrictions.

The applicant stresses that there will only be two larger events per year, and that visiting groups will be required to visit after 9:00 am and not between 4 and 6 pm. That is only kind of true.

Occupancy

If the application is approved, there could be far more than two large events per year. Although they limit occupancy for some third parties, they leave exceptions for school and educational groups. How many of these groups will there be, and how large will the groups be? There are also no limits on meetings, visits and events of the applicant, its affiliates and other related parties. Kohler Company could bring 50 or 100 people at a time for any purpose. Plus, they have no limits on the number of artists-in-residence or employees working and living at the property. With no limitations, there could be hundreds of people at the site and the Village could do nothing about it.

Hours

It is good that the applicant restricts hours for some uses, but again they leave wide-open hours for others. They say that the majority of third-party visits will between 9:00 am and 2:00 pm. Of course, there is no way to enforce that because nobody will be counting. Plus even if they comply, 49% could end up being a lot of evening events. Worse yet, people attending those big Kohler events I mention above could be coming and going to their meetings and parties during high peak travel times, making their traffic study nonsense. They also have no limits at night. Their big Special Events or unregulated Kohler events could go until 2:00 in the morning and the Village could do nothing about them.

Surprisingly, the applicant has offered little to make this a better situation. For example, they have not agreed to replace that hideous chain link fence, or to shield their parking lot from the road, or to maintain or improve landscaping. When asked, the applicant says there will be no signs, but they do not have that as part of their application.

You will hear residents who are part of the Save the Beach Drive Neighborhood association explain some of the many other issues that have compelled them to oppose this application. None of them want to destroy the Mary Nohl House. They just want to save their neighborhood from a giant, well-healed company that will come in and change it in ways that are totally inconsistent with a residential neighborhood. And this will not be the end. Because it can afford to do so, the

applicant will push the boundaries and continually want to expand the scope of this venture.

I trust that you all received a copy of my letter explaining that, contrary to the advice you have gotten from some quarters, you have the absolute right to say no to this rezoning application. If you do not believe me, I suggest you obtain independent advice.

We ask that you obtain independent studies of home values and traffic rather than relying on the self-interested applicant or forcing neighbors to pay for them. They will if they have to. I am always amazed when communities listen to the purchased experts of a big money applicant and then approve the application because the neighbors were not sufficiently organized, in a short time frame, to raise the money to contest the applicant's assertions. The Village is in a better position to have independent experts verify the facts. You shouldn't just listen to the applicant's advocates.

The residents who are here do not want a fight with Fox Point. They do not want to hire lawyers. They live here because they love this community and their neighborhood, but they are left with little choice other than to do whatever they can to protect their neighborhood and their investments.

As a long time municipal official, I sat through more than 200 of these public meetings. Admittedly, I rarely said no, but I did when some big company wanted to plop something down in the middle of a residential neighborhood that was incompatible with that neighborhood. I believed that my first job was protecting my residents' way of life and their investments. As these people's representatives, they and I ask you to do the same thing.

Scott Botcher

From: Sapan Khosla <sapank@marsitcorp.com>
Sent: Tuesday, January 31, 2023 5:20 PM
To: Scott Botcher
Subject: Mary Nohl Museum

Hi Scott,

Last summer we moved from Brookfield, WI to Fox Point in a house on Beach Drive. We have two daughters. One thing that attracted us to this property was definitely the lake and the quiet neighborhood.

I want to be honest and let you know that I didn't know much about Mary Nohl's house prior to this. Most of the information I have gathered is from going to Kohler's website on it or material I have received in the mail. I also attended the last public hearing on this.

I wanted to mention my concern about having this property converted to a commercial overlay. I am very concerned with the traffic increase and other nuances it will cause in this quiet neighborhood converting this property to a commercial overlay. This is the first time I am hearing of adding a commercial building in the residential neighborhood. I hope you consider my concerns on this.

Thanks for your consideration and for accepting my email.

Regards

MARS
MARS Solutions Group
MARS Partnership ONTION

Sapan Khosla
MARS Solutions Group

262-347-3366 | 262-391-5473
sapank@marssg.com
www.marsg.com
20900 Swenson Drive, Suite 300, Waukesha, WI - 53186

Scott Botcher

From: Elizabeth Aelion
Sent: Tuesday, January 31, 2023 5:28 PM
To: Scott Botcher
Subject: Fw: MARY NOHL

From: John Kuech <jkuech@sbcglobal.net>
Sent: Tuesday, January 31, 2023 3:52 PM
To: Elizabeth Aelion <eaelion@villageoffoxpoint.com>
Subject: MARY NOHL

Elizabeth Aelion, Trustee

Please vote in favor of securing the future of Mary Nohl's property for the enrichment of the Fox Point community. It's a GEM! I grew up fascinated with her sculptures as a teen. Today, as an artist, she remains a role model for me. Please support her dedication to a LIFE LIVED ARTFULLY.

Thank you for your consideration

Gail Kuech
1105 Nesheim Road
Deerfield, WI 53531-9603

Scott Botcher

From: Christine Symchych
Sent: Tuesday, January 31, 2023 5:42 PM
To: Scott Botcher
Subject: Fw: I support the Mary Nohl House

From: Barbara Fuldner <barbara@macaccess.com>
Sent: Tuesday, January 31, 2023 4:25 PM
To: Scott Botcher <sbotcher@villageoffoxpoint.com>; Douglas Frazer <dhfrazer@villageoffoxpoint.com>; Eric Fonstad <efonstad@villageoffoxpoint.com>; Christine Symchych <csymchych@villageoffoxpoint.com>; Elizabeth Sumner <lsumner@villageoffoxpoint.com>; Greg Ollman <gollman@villageoffoxpoint.com>; Elizabeth Aelion <eaelion@villageoffoxpoint.com>
Subject: I support the Mary Nohl House

I support the Mary Nohl House and the JMKAC proposal!!

I believe entities like the Mary Nohl House, the Chipstone Foundation and the Bridge give our community character, which is missing in much of today's life. I believe that history and character improve the community and increase property values.

I believe that JMKAC has gone out of its way, above and beyond, to make this work.

Regular residents are able to have large gatherings of 100+ guests, be they personal, like weddings or holiday events, or even political events. What this proposal suggests for the Mary Nohl residence greatly narrows down what can be done on Mary's property.

I'm not sure I can make the meeting tonight in person due to a conflict.but I encourage the saving of the Mary Nohl house.

Thank you to all who have cared for the house and for Mary's legacy. Thank you to all who care for our special community.

Barbara Fuldner
7764 N Club Circle, Fox Point
barbara@macaccess.com
414-640-8072

Scott Botcher

From: Christine Symchych
Sent: Tuesday, January 31, 2023 5:42 PM
To: Scott Botcher
Subject: Fw: Mary Nohl's Legacy and Artist Environment

From: Josie Osborne <osbornem@uwm.edu>
Sent: Tuesday, January 31, 2023 4:23 PM
Subject: Mary Nohl's Legacy and Artist Environment

Dear Fox Point Board of Trustees,

I write to you to ask that you vote to preserve the Mary Nohl residence and property in situ.

I show/talk about Mary Nohl's work and life in a class that I teach at UWM Art Survey: Creative Practice, Culture, Context. Students across all disciplines (it is a General Education Art Course, so populated by Business, Political Science, Nursing, Sciences, etc) are excited to learn about Nohl's work and the fact that her home is still intact right here in Fox Point.

I know that her home is one of only three Fox Point properties listed on the National Register of Historic Places (2005). Keeping it where it currently is because as a very important and prolific artist, Mary Nohl's work is deeply linked to her life on the shores of Lake Michigan. That place and its surroundings in all seasons is where she drew much of her inspiration.

It saddens me to think that some who live in Fox Point see Mary Nohl's house, her artwork and the interest in it as possibly detrimental to their property values or to their privacy. Some see it as something that needs to be removed or relocated. But part of the power of the work and the house is its location. The fact is that the same stretch of road used to also be the location of the studios of other significant artists, including Charlotte Partridge and Miriam Frink (the founders of the Layton School, which later Milwaukee Institute of Art and Design).

Mary Nohl's home/studio is all that remains now of the enclave of significant artists who once worked there. While some of that history has already been lost, Mary Nohl's house and work would lose significance if taken out of that place. Her life, her work and her legacy has become synonymous with artistic excellence in Milwaukee. The Mary Nohl Individual Artist Fellowships, the Nohl Suitcase Fund (to help artists prepare or ship their work to exhibitions out of state), the Mary Nohl Fund which supports larger public art and programming efforts). She should be celebrated and her home preserved.

Fox Point, as a community should embrace Mary Nohl's legacy and this rich historical site as an important part of its own cultural history and preserve it where it is.

Thank you for your consideration.

Josie Osborne

Josie Osborne (she/her/hers)

Art and Design First Year Program Director/Teaching Faculty
Peck School of the Arts, Art and Design Department
University of Wisconsin - Milwaukee

Scott Botcher

From: Christine Symchych
Sent: Tuesday, January 31, 2023 5:43 PM
To: Scott Botcher
Subject: Fw: Mary Nohl

From: Audrey Dulmes <atdulmes@gmail.com>
Sent: Tuesday, January 31, 2023 3:13 PM
To: Christine Symchych <csymchych@villageoffoxpoint.com>
Subject: Mary Nohl

Please vote yes to preserve the Mary Nohl House!
Audrey Dulmes
Fox Point resident
Sent from my iPhone

Scott Botcher

From: Kathy Gerhardt <gerhardtkathryn@gmail.com>
Sent: Tuesday, January 31, 2023 6:15 PM
To: Scott Botcher
Subject: Mary kohl cultural overlay district

Mary Nohl's contribution to the culture of Wisconsin is priceless. It would be sad to loose this precious piece of Wisconsin history. Please consider making a cultural overlay district to help preserve what is unique to Wisconsin. thank you, kathy gerhardt

Hello, My name is Amy Horst, I'm the director of the John Michael Kohler Arts Center which includes the Art Preserve. And in my position, I also serve as the key staff liaison for the Arts Center's Type I Supporting Organization, Creation and Preservation Partners which maintains ownership of the Mary Nohl house for use by the Arts Center.

First of all, I want to thank the Fox Point village staff, the village trustees, and the planning commission members for this evening. While Mary Nohl's work including her home and artist-built environment sparks joy, curiosity, and wonder, we also know that concern about how the Arts Center may engage in fulfilling our mission at her home ignites concern, skepticism, and fear for the unknown. Thank you for guiding the procedural process of making this formal request for the first-time in our long-storied history together, as well as taking the time to reflect and consider our proposal for a cultural overlay zoning designation for the Mary Nohl property with open minds and a balanced view. We are asking for a cultural overlay so that we can clearly define what can and cannot happen at the property, eliminating the fear and concern for the unknown. We are confident that through civil dialogue, we can find a viable path forward that ensures the ongoing preservation of the Mary Nohl House in keeping with the general character of the Beach Drive Neighborhood where it is located for generations to come.

I would also like to thank our neighbors for sharing their thoughts during this process. Beach Drive is indeed a magical place, so it is understandable that there is a lot of interest in any proposal that affects the area. We have greatly appreciated every conversation, from those that are both supportive of a cultural overlay and those who are not. Luckily, there is far more that we agree on than we disagree. We hope that through this process we can find a solution that can meet the needs of all.

I would also like to thank our community members beyond Beach Drive in the greater Fox Point community for carefully engaging in our request and writing to you and showing up tonight to share their feelings. We all live incredibly busy lives, and the fact that so many in

Fox Point are willing to give of their time to engage in our efforts of identifying a sustainable path forward for the preservation of a Fox Point treasure speaks volumes.

And we would like to thank the artists, scholars, academics, and others who have engaged to make sure that you would have the opportunity to hear of the impact of Mary Nohl's work and legacy from well beyond the boundaries of Fox Point.

Tonight we hope to clarify our proposal and describe why, more than 2 decades after Mary's death, we finally feel ready to formally request a cultural overlay zoning designation.

Before we dive into the details of our proposal, I thought it would be helpful to provide a little bit of history. I promise not to go too far into Mary's work, as that could be an evening-length presentation onto itself, and luckily the one thing that I hear in nearly every single conversation, on all sides of the issue, is words of respect and appreciation for Mary Nohl as a celebrated artist and the need for the preservation of her extraordinary home.

SLIDE: Timeline

While it is important to mention that the original cottage was built in 1924 by Mary Nohl's mother and father, just 2 years prior to the founding of the village of Fox Point in 1926, the beginning of our story really began in the 1960s when Mary, as the only remaining person of her immediate family, began to alter her lake house and property.

SLIDE: Outside picture

Mary embellished most of the surfaces inside and out, and filled the yard with her large sculptural creations. She was inspired by her life on the shore of Lake Michigan, and over 40 years of making used every imaginable material to construct her colorful and whimsical world. The yard features fifty-nine concrete sculptures; as well as fantastical embellishments, reliefs, and sculptures of wood, stone, and metal covering the external walls of her home, garage, and shed.

SLIDE: Inside Picture

Inside the house, almost every surface is adorned; she handmade stained glass, painted her furniture and walls using carpet swatches as brushes, and her sculptures in resin, wood, aluminum foil and metal; her puppets; paintings; and ceramic works filled every nook and cranny of her living space.

SLIDE: Ruth and Mary

We entered the picture in the early nineties when Mary Nohl and Ruth Kohler met and became friends. Ruth had spent the decade prior advocating and leading the preservation of the work by other Wisconsin artist environment builders such as

SLIDE: Fred Smith and his Wisconsin Concrete Park in Phillips, WI;

SLIDE: Nick Englebert and his site called Grandview in Hollendale, Wisconsin

SLIDE: as well as the work by Eugene Von Bruenchenhein—who with his wife Marie, created an astonishing art environment in West Allis. Unfortunately, their home was unable to be saved, but luckily individual pieces and components of the environment remain in museum collections around the world with a significant portion remaining together at the Art Preserve in Sheboygan.

SLIDE: Mary Nohl site

Mary's home was the first artist-built environment that Ruth had visited at that point that was constructed by a woman working alone—elevating the urgency of establishing a plan for its ongoing care and preservation. In 1996, with this aim, Mary decided to make a promised gift of her all-encompassing art environment and home to the Kohler Foundation upon her death. This early gift allowed staff and contractors at the Kohler Foundation to begin work on the preservation of her space while she was still alive to direct that work. At the same time, Mary

Nohl donated a large collection of her objects to the John Michael Kohler Arts Center giving Mary a chance to see it exhibited in Sheboygan.

SLIDE: Mary Nohl Fellows

Although Mary lived modestly, when she died in 2001, she left her estate of over $11 million dollars to the Greater Milwaukee Foundation to provide art opportunities to children and provide support for local artists. To date, millions of dollars from this endowment have been distributed, with over 100 artists benefiting from the Mary Nohl Fellowship Program.

And as promised she gifted her home, property, and the inseparable art that defined her site to the Kohler Foundation, "to be preserved and exhibited to the public as an asset of Wisconsin's cultural heritage."

SLIDE: Timeline

Kohler Foundation was the steward and owner of the property for 11 years, during which time they conserved the house and sculptures and learned a lot through trial and error about the concerns and special needs created by the sites sensitive location. During this time, they also searched for a nonprofit organization who would be willing to permanently take over the site's stewardship as had been their model with sites such as the Fred Smith's Wisconsin Concrete Park, now owned by Price County and Nick Englebert's Grandview now owned by the Pecatonica Educational Charitable Foundation. Unfortunately, they were unsuccessful at securing a nonprofit steward due to the uncertainty around the use of the property.

In fact, the Arts Center was not initially in the position to take over stewardship of the site either.

SLIDE: Arts Center photo

The Arts Center had just seen major growth with the completion of the 1999 addition, tripling its gallery and performance spaces.

SLIDE: Tellen #1

It had also just taken the role of site steward for the James Tellen Woodland Sculpture Garden in 2001. The first off-site addition to the Art Center's collection. The Tellen site is not unlike Mary's.

SLIDE: Tellen #2

It features a series of seventy-five concrete sculptures that he created on his family's property a block away from Lake Michigan in the residential neighborhood of Black River, Wisconsin, just south of Sheboygan. Also included on the property is the family's log home and brat house as well as a newer structure that had originally been created as a boy scout lodge and now provides housing for the Arts Center's artists-in-residence.

This rapid and substantial growth, made the Arts Center hesitate to take on even more responsibilities as well as the uncertainty surrounding Mary's environment.

SLIDE: Timeline

Until 2010, when the Mary Nohl site suffered a catastrophic flood event, wiping out all of the home's mechanicals making the house unlivable and undermining Kohler Foundation's near decade of preservation work at the site. This made the search for a steward for the site a near impossibility. Compelled by the desire to Save the Mary Nohl House and without any other options for Kohler Foundation, the Arts Center stepped forward as the nonprofit steward of the site.

SLIDE: Timeline

In 2012, the Kohler Foundation gifted the site along with $1 million dollars for its conservation to our newly formed supporting organization Creation and Preservation Partners. Upon taking ownership, the Arts Center explored all possible avenues of preserving Mary Nohl's legacy and held a facilitated session with concerned neighbors to try to identify a shared plan for the

future. When no viable path presented itself, the Arts Center seriously evaluated and considered moving the house and the entire environment to Sheboygan.

When that exploration also proved to be an impossible path forward, it was determined that the only way to save the Mary Nohl house, was to save it in place. Even with the uncertainty surrounding the house's use by the Arts Center, we began to focus all attention on rehabilitating the house so that it was once again a habitable structure and worked to create drainage systems to ensure that any future flood event would not once again destroy all preservation efforts.

SLIDE: Timeline

By 2017, the house was once again in livable condition and the exterior concrete sculptures were once again stable.

Based on the learning by Kohler Foundation before us as well as our early explorations with the neighbors to identify a shared path forward, the Arts Center decided that to better understand the character of the neighborhood and design a proposal to fit within that character, we first needed to live that experience ourselves.

SLIDE: Alex

So we engaged staff member and exceptional artist, Alex Gartelmann to experience life at Mary's as a neighbor as he worked to bring Mary's magic back to the rebuilt components of the house, and worked to define an Arts Center program that would preserve and protect the site while matching his personal experiences of living there.

In a moment, Alex will share with you his experience, but before that, I would like to unpack a bit of the problem that Alex was brought in to help solve and that we are asking for your assistance with this evening.

I'm a very visual person, and I thought it might be helpful to share the basic ViNN diagram that guides the Arts Center's programmatic decisions. I have drawn this VINN diagram in meetings so frequently in my nearly 18 years of designing programs and directing exhibitions at the Arts Center, that one colleague suggested that I just have it tattooed on my arm.

SLIDE: VINN

We utilize this very basic VINN diagram as a lens to ensure that each and every project that we initiate at the Arts Center is centered around our mission of generating a creative exchange between artists and the public.

Over the past 6 years, Alex, along with other Arts Center and outside scholars, curators, program designers, and I have asked,

SLIDE: Artists bubble

How might we center and celebrate Mary Nohl's life work, protect and preserve her site, while engaging and inspiring contemporary artists...

SLIDE: Community

While at the same time preserving the character of the Beach Drive neighborhood with its relationship to the lake and peaceful existence that was a major influence in Mary's creative process...

SLIDE: General public

While balancing the general public's interest in connecting to and engaging with the creativity behind Mary's work...

SLIDE: Arts Center

And do all of this in a sustainable way for the Arts Center, a 501c3 charitable organization that relies on a broad range of public, individual, corporate, and foundation support for its existence?

Not an easy problem to solve as is evidenced by the 20 years of learning that has led to this point along with the tremendous engagement in this process.

Our proposal for a cultural overlay defines the components that we feel can place all activities at the center of the VINN diagram.

SLIDE: Site photo

The primary goal is preserve and protect Mary Nohl's exceptional multifaceted work of art that is her Fox Point, Beach Drive home and carry forward this important artist's legacy. Absolutely nothing that happens at the site can jeopardize this goal. To center our mission of generating a creative exchange between artists and the public, we propose further centering artists by providing 1 – 3 artists a year with 3 – 4 month-long residencies at the site, similar, but much shorter in nature, to the current arrangement with Alex, and without the added responsibilities of conserving Mary's art.

SLIDE: Arts/Industry

The Arts Center has a long history of managing artists-in residence in unique places. Our highly acclaimed Arts/Industry residency program offers artists the time and space to focus on the creation of new work utilizing the industrial pottery and foundry processes and materials found in artists' studios located on the Kohler Co. factory floor. More than 500 artists have participated in the nearly 50 years of the program, giving us much experience of managing artists in sensitive spaces.

SLIDE: Mary at Home

This approach also ensures that we have someone continuing to live on premises to further protect the site and to ensure that the character of the neighborhood remains unchanged.

While this approach provides an opportunity for a larger public to connect with the site through the artist's sharing of their experiences and their work that they create there, it does not fully satisfy the demand for a larger public to have a direct connection to Mary's work.

SLIDE: Art Preserve

Thankfully, in 2021, the Arts Center found the answer to this demand not in Fox Point, but in Sheboygan, through our newly opened Art Preserve. The Art Preserve is the first and only museum in the world dedicated to artist-built environments such as Mary's. It is free and open to the public 6 days a week. It features 35 artist-built environments in the Arts Center's collection.

SLIDE: Nohl at the AP

With a permanent, dedicated space for Mary Nohl. Eighty percent of the Nohl collection is located at the Art Preserve. It is also the location that we plan to regularly engage the general public in the experiences and work created by artists and scholars staying at her site.

SLIDE: VINN

It has been suggested that nearly everything I have described to satisfy the first two components of our VINN diagram, and far more, can be conducted without the need for a cultural overlay zoning designation and all of the constraints and restrictions of use that will come along with it.

However, the status quo is not sustainable for the Arts Center.

A cultural overlay not only gives the Arts Center the ability to preserve the property and sculptures, and engage artists as residence in the house, but it would also clarify our work,

allowing us to formally engage at the property as an organization, rather than as a landlord to a tenant or artist-in-residence who lives there.

SLIDE: Alex working

It allows Alex Gartelmann, the site steward and program director, the ability to come and go from the site, monitoring the condition of the art, and continuing to research Mary Nohl's artistic practice. Additionally, it allows him to fully manage the visiting artists' activities and access to an incredibly sensitive site—providing the Arts Center far greater ability to ensure that the character of the neighborhood remains unchanged by anyone staying at the house. A cultural overlay provides access for the Arts Center, through very limited and defined parameters, to host other scholars, artists, educators, and donors at the site to grow their appreciation, expertise, and connection to Mary Nohl—much as Alex has been doing for the past 5 years when he would offer to graciously host the Arts Center's artists and staff, visiting curators and scholars, as well as many of the neighbors who were curious to learn more about Mary Nohl's work.

Additionally, the cultural overlay would provide a formal pathway to occasionally expand our self-proposed limits on visitation to enable larger groups of educators, community members, artists, museum professionals, site stewards, donors, and others to visit the site and connect with Mary's work and life as well as the Arts Center's research and care of her legacy. These moments would be carefully planned for minimal disruption.

SLIDE: Walrus Club or Schlitz

An example from the past of when we would have utilized this option can be illustrated by our 2018 Innovative Educators Institute. The three-day workshop brought together 31 educators from across the state, including a few from the Fox Point/Bayside school district, with our Arts Center's education staff of 6, along with curators, Arts Center program directors, and artists. The first day of the workshop was spent in Sheboygan, collaborating with artists featured in

the exhibition Mary Nohl and the Walrus Club. Participants also toured the Arts Center's preschool and attended a session led by the creator of the children's book inspired by Mary called Mary's Garden, Tina Kugler.

SLIDE: workshop

The second and third day were hosted at the Schlitz Audubon Nature Center here in Fox Point where participants were able to try their hand at plaster casting and other activities inspired by Mary's work and her life and relationship with Lake Michigan and learn more about the Nature Center's Preschool program and curriculum.

SLIDE: Nohl House

Additionally, participants were divided into two groups to take tours of a few studio spaces of the artists featured in exhibition at the Arts Center that had been designed to bring Mary Nohl's legacy full circle by inviting artists who had been awarded a Mary Nohl Fellowship to respond to her site and art making. Alex also hosted the two groups at his home, the Mary Nohl site, to tour them through Mary's extraordinary creations.

We are asking to define the cultural overlay agreement in such a way that would allow this very contained and respectful use by the Arts Center of the site into the future.

SLIDE: CAPP/JMKAC lists

Both CAPP and JMKAC are governed by voluntary nonprofit boards of directors. And while the Arts Center is incredibly fortunate to have tremendous support by various Kohler entities, our existence relies on a broad base of public support and careful fiscal oversight. In the 10 years that we have owned the Mary Nohl house, the CAPP board of directors have overseen the investment of $3.6 million dollars of donated funds to stabilize and preserve the Mary Nohl house. Additionally, every year at least $140 thousand dollars is secured for the ongoing maintenance, stewardship, and upkeep of the property, house, and art.

Even though we had an uncertain future at the site, these very substantial investments, and all of the countless hours of work have been completed with the unfaltering belief that Mary Nohl's site needed to be saved for future generations. And the work is not complete, the long-term preservation of the house will require additional investment to the landscaping, driveway, fencing, and to build a modest auxillary building on the empty lot to the South of Mary's house. This structure would enable us to remove a resident from her house proper, and avoid the additional wear and tear, and heat and humidity created when living in a space. While at the same time keeping the site continuously occupied by a resident and/or the site steward.

SLIDE: Mary's house

While these additional investments will take place slowly over the next 5 – 10 years as is feasible, we wanted to thoroughly share every detail of potential future plans for the property and the Arts Center's use of the site so that a transparent and binding cultural overlay agreement could be established. **It is not sustainable for the Arts Center to continue this work alone.** To be able to continue to preserve and protect the Mary Nohl house, we need to be able to openly and honestly navigate nonresident access to the site. We need to move forward in partnership with the village of Fox Point to define a sustainable path well into the future to Save the Mary Nohl house.

SLIDE: timeline

Thank you for allowing me the time to bring you inside the Arts Center's work around Mary Nohl and our thinking as we put together our first formal proposal for a cultural overlay for the site. Before our attorney Debby Tomczyk outlines the details of our proposal and its compliance with Village standards, I would like to turn it over the person who has literally been living at the center of our VINN diagram for the past 5 ½ years, a remarkable artist, human, neighbor, colleague, and friend, our Mary Nohl Site Steward and Program Director, Alex Gartelmann.

My name is Alex Gartelmann and I am the Program Director and Site Steward for the Mary Nohl Art Environment for the John Michael Kohler Arts Center.

My hiring for the position of site steward and program director was twofold. First, I have developed extensive expertise in a wide range of fabrication and construction processes over the past 20+ years. This knowledge and experience has been critical to the development and execution of preservation and conservation methods for the Nohl home and artwork.

The second arm of this is that I am a practicing artist who has been fortunate enough to take part in numerous artist residencies around the world which have supported my career. When I came into this role, the thinking around the future of Mary's property had begun to shift. The Arts Center had moved away from the idea of opening it to the general public and was thinking more deeply about how the site could honor and serve Mary's legacy through limited access to artists and scholars. My boss at the time brought me on to live on site and find ways to make those ideas work. With this in mind, much of my work has been to try to understand who Mary was, how she worked, and what her intentions were. My time in this role has been centered around understanding the nuances of Mary's lived experience in this remarkable location. It is in living in this place for this long that I have truly learned about Mary as well as the community. I have built some incredible life long friendships with neighbors, connected with educators and students in the school district, and been a citizen of the village who lives, plays, shops, votes, and travels in many of the same ways that Mary did.

My work sits between the often diametric poles of preservation and access. To perfectly preserve is to cut off from the world and to offer total access would destroy a fragile place. Because of these positions, it becomes clear that there is never a perfect answer in this work, in this field. With this in mind, I turn to the guiding hands of the artist's intentions and the institutional mission, "to generate a creative exchange between artists and the public". It is here that I look for where those things intersect with the challenges presented in preserving an important place.

This work is not done arbitrarily, it is done with rigorous research and conversation. In my job, I have travelled widely visiting cultural sites in similar circumstances, attended organizational conferences, academic colloquia, and participated widely as a figure in the national and international discourse around preserving artist's sites and programming artist residencies. It has allowed me to develop a refined lens on how to meet the institutional mission by learning how the work we do fits into a global and local context. I have also spent the past six years deeply embedded in Mary Nohl's archival materials

where I have been transcribing her diaries and letters, scanning and studying ephemera, and interviewing many people who spent time with or knew Mary from a wide range of perspectives. This is the critical side of my job that allows me to do the preservation work in the most accurate manner possible. It is through Mary's lens, as far as I am able to understand it, that I and we as an institution make decisions. It is also through this research that I am able to think through what an appropriate usage of the property is, again, through what Mary's intentions were, paired with my lived experience on site. This has been the guiding hand of the planning and preservation process.

My role as the program director is to think through and create a meaningful space for rigorous creative work and scholarship, informed by the sensibilities of place that shaped Mary Nohl's lived experience at 7328 N. Beach. What are the things the serious inquiry requires? Time, quiet, space, and some financial support.

It's been my privilege to make recommendations for the support of this kind of program through my five and half years of time on site, both as an artist and as a neighbor, in many of the same ways that Mary was. If our goal is to support artists in their work around Mary Nohl, then it should be through the attempt to create conditions similar to Mary's experience of living and working at the property.

My responsibility is first to preserve, protect, and steward Mary's work and legacy, and secondly, to create an atmosphere for making and thinking that promotes rigorous reflective time and space, like that of Mary Nohl's world. To understand Mary is to understand being ***that*** place. I will share a brief story to illustrate this point. As I've worked through restoring her home as closely as I can back to her hand, the inextricable links to site specificity grow more clear by the day. In my work, I have needed to extensively repaint throughout the interior and exterior of the house. To date, I have matched around 35 colors. While in the process of going room by room I began to wonder how she created such a specific color palate. I was in her living room one morning, watching the sun rise over the lake, and as the sun crested horizon, the vivid florescent pink light from the sun passed through Mary's picture window, hit the walls, and I saw that they were the same color. This is an example of that critical linkage of place, to art, to life. So many of Mary's choices are directed by her relationship to the changing color of the water, the light, and the natural world around her. The temporal experience of seasonal change in that specific place by the water's edge is so often the defining factor of Mary's intention. This is one of a myriad of moments like this. I bring this up for two reasons. First, it underscores the importance of keeping the site in place. The context is everything in this type of art making. Secondly, to experience that context, and its changes in real time, is absolutely paramount to the interpretive work around Mary

and her legacy. You cannot fully understand her or her work, without being in the place that she lived and worked. Mary Nohl lived and breathed Beach Drive and lived and breathed Fox Point. This is why it is so important to create a reasonable avenue for serious work and study to be done on site, and that that work is done in an intimate way, where the visitors are afforded the same quiet conditions that Mary lived and worked under. This is the work that fulfills the Arts Centers mission, the creative exchange between artists and the public. Artists experience and interpret, and are then able to share that work with a greater public through the Art Preserve, exhibitions, conferences, white papers, or other programing that exists beyond the property. The generation of this work ultimately does the lift of elevating the cultural value and heritage of this remarkable site.

It has been an incredible privilege and gift to spend the last five and half years of my life in such a singular place. As an artist, I could imagine no greater gift. I first learned of Mary while in graduate school in Chicago in 2010, and could never have imagined the opportunity to do what I've been doing since 2016 for the Arts Center. To be surrounded by the physical manifestation of a life committed to creative practice, where permission to find pathways to agency in the world are on every surface, has shaped me in ways that my many years of art school could never have done. My motivation in this work has always been to find ways to support other artists though sharing this incredible experience, while honoring the wishes and intentions of the remarkable artist who entrusted her legacy to us. My time as the Program Director, advising the Arts Center on the long-term planning for the site, through my lived experience, brings me to conclude that the Cultural Overlay proposal strikes a meaningful and appropriate balance between the poles of preservation and access. Thank you for your service, time, and consideration.

Village of Fox Point Public Hearing January 31, 2023
Topic: <u>Opposition from Immediate Neighborhood</u>

My name is Tim Lemont and my wife and I have lived at 7475 N. Beach Drive for 11 years now. I am a member of the Save the Beach Drive Neighborhood Association and have been working with our neighbors in an effort to coordinate activities opposing the Cultural Overlay application.

With these comments I am providing data that reflects the level of opposition to the Cultural Overlay within the immediate neighborhood.

For purposes of my comments, the immediate neighborhood is referred to as Beach Drive "Central". It consists of Beach Drive - South End houses on the way to, and a little past the Nohl house, to the point where Beach Drive curves and heads south again. The 20 houses in this area are considered the "immediate neighborhood" because they are most impacted by the increased level of activity contemplated by the proposal.

As a result of the effort to obtain opposition petition signatures, it has been determined within this 20 household neighborhood that 18 households, or 90%, oppose the application, 1 household is in support and 1 household is neutral.

These results are detailed in a spreadsheet I am submitting with these comments. Clearly, at 90% opposition, this is a reflection of overwhelming opposition by the immediate neighborhood. It is data that supports the belief that the use and enjoyment of these homes would be materially adversely affected by the proposal.

I am also submitting a spreadsheet reflecting the widespread opposition throughout the remainder of Beach Drive households. Excluding households we were unable to reach, 23 of the households, or 82%, are opponents and only 3 households, or 11%, support the application. For all of Beach Drive residents then, we know 41 households are in opposition and 4 are in support, a 10 to 1 ratio. We believe this reflects overwhelming opposition throughout the entire length of Beach Drive.

Through efforts over just the past 2 weeks, we have obtained 104 opposition petition signatures. Of those, 65 were from Beach Drive residents and 39 were from other Fox Point non-Beach Drive residents, reflecting significant opposition to the application through the rest of Fox Point as well.

We urge the denial of this application or, at the very least, a significant scale back of its contemplated level of activities. No one is proposing the Nohl house not be preserved. Instead, we want to ensure the preservation of the beauty and peacefulness of this area.

This area includes the crown jewel of Fox Point, the spectacular panoramic strip of land along Lake Michigan at lake level. As the proposal for an increase in activities at the Nohl house is considered, we urge the Village to proceed with caution so as to not lessen the opportunity of residents to continue enjoyment of this spectacular area for many years to come. Thank you.

Level of Opposition from Beach Drive "Central" - Immediate Neighborhood

Beach Drive Addresses	Opposition	Proponent	Neutral	Total
7275	X			
7300	X			
7307		X (PL)		
7308	X			
7320	X (MA)			
7328 - Nohl House				
7405			X	
7415	X			
Beach Court Addresses				
7425	X			
7433	X			
7443	X			
7451	X (OL)			
7463	X			
7471	X			
Beach Drive Addresses				
7473	X (MA)			
7475	X			
7481	X			
7505 - Vacant Lot				
7515	X			
7521 - Vacant Lot				
7535 - Vacant Lot				
7575	X			
7615	X			
7619	X			
Totals Beach Drive "Central"	18	1	1	20
	90%	5%	5%	

Note: All Opposition designations are supported by signed paper opposition petitions or by:

(MA) - Household is Member of Save the Beach Drive Neighborhood Association

(OL) - Household submitted an Opposition Letter to Village Board

Proponent designation supported by:

(PL) - Household submitted a Proponent Letter to the Village Board

Level of Opposition - Remainder of Beach Drive

	Opposition	Proponent	Neutral	Did Not Reach	Total
Remainder of South End					
7000	X				
7038			X		
7106	X (ES)				
7120				X	
7124				X	
7134				X	
7142				X	
7152				X	
7200				X	
7210	X				
7228	X				
7234	X				
7240		X (OL)			
7242	X (MA)				
7250		X (OL)			
7254 - Vacant Lot (Kohler)					
7307 - Renter					
North End					
7540				X	
7600			X		
7624				X	
7632	X				
7644	X				
7710		X (PL)			
7718	X				
7724				X	
7736 - Vacant House					
7810	X (ES)				
7818	X				
7828	X				
7834	X				
7900	X (ES)				
7912	X (ES)				
7930				X	
7944				X	
7954	X				
7966 - Vacant House					
8000	X				
8003				X	
8005	X				
8025	X				
8035				X	
8040	X (ES)				
8045	X (ES)				
8050	X				
8064 - Under Const					
8080				X	
8090				X	
8100				X	
8110				X	
8120				X	
8130	X				
Totals Remainder of Beach Drive	23	3	2	18	46
	50%	7%	4%	39%	
Percentages w/o "Did Not Reach"	82%	11%	7%		

Note: All Opposition designations are supported by signed paper opposition petitions or by:

(ES) - Validated Electronic Opposition Petition signature

(MA) - Household is Member of Save the Beach Drive Neighborhood Association

Proponent designations are supported by:

(PL) - Household submitted a Proponent Letter to Village Board

VILLAGE OF FOX POINT

PETITION

The undersigned RESIDENTS OF THE VILLAGE OF FOX POINT request that the properties at 7254 and 7328 North Beach Drive (the Nohl Properties) *remain RESIDENTIAL*, and *NOT rezoned* to be developed into a non-residential enterprise allowing constant use by large groups, and *NOT rezoned* to allow the construction of a 4,000sq' building, and a shed, with a large parking lot, bringing lots of visitors and traffic, and *NOT rezoned* to be exempt from residential real estate taxes.

No.	Name (Signature)	Name (Printed)	Street Address-Fox Point	
1		DAVID GUTTERMAN	8025 N Beach Dr.	
2		Libby Gutterman	8025 N. Beach Dr.	
3		RICHARD B. PRICE	7834 N. BEACH DR.	
4		Betsy Horsfield	7834 N Beach Dr	
5		April Zucchi	7619 N Beach Dr	
6		Dino Zucchi	7619 N Beach Dr.	
7		AL COHL	7818 N BEACH DR	
8		Judy Cohl	7818 N Beach Dr	
9		Oliver Edwards	7300 N Beach DR	
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Sheet _____ of _____

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No.	Name (Signature)	Name (Printed)	Street Address-Fox Point
1		Michael Tarney	7308 N. Beach Dr.
2		Lizanne Armstrong	1133 Bywater Ln
3		Alex Kaulen	7500 N. Navajo Rd
4		Otto Schumacher	8700 N. Portview Terrace Rd
5		Rob Stradley	7644 N. Beach Dr.
6		Eric Polling	1525 E Bowerly Rd
7			
8		MATT WENDORF	8333 N REGENT RD
9		Mary Tarney	6824 N. Reynard
10		Steve Tarney	6824 N. Reynard
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No.	Name (Signature)	Name (Printed)	Street Address-Fox Point	
1	Timothy J. Lemont	Timothy J. Lemont	7475 N. Beach Dr.	
2	Deborah R. Lemont	Deborah R. Lemont	7475 N. Beach Dr.	
3	Eric Br	Eric Beringause	7515 N. Beach Dr.	
4		Sandra Zhang	7515 N. Beach Dr.	
5		April Zhang	7481 N. Beach Dr.	
6		Alex Maley	7481 N. Beach Dr.	
7		Steven Grubel	7615 N. Beach Dr	
8		LAURIE KABUS	7615 N Beach Dr	
9		JACK HEARST	8050 N BEACH DR	
10		MIKE STOESSL	8000 N Beach Dr	
11	Toni Stoessl	Toni Stoessl	" "	
12		Marcus Low	7954 N. Beach Dr.	
13		Marnie Pearsall	8044 N. Santa Monica Blvd	
14	Al de Leon	Al de Leon	8040 N. Santa Monica	
15	Laura Thompson Costello	Laura Thompson Costello	8005 n. Beach Dr	
16		Michael Costello	8005 n, Beach Dr.	
17		Gail Grodzicki Yakaki	7828 N. Beach Dr.	
18		Jeff Yakaki	7828 N. Beach Dr	
19	James (Jim) La Charite	JIM LACHARITE	8049 N. SANTA MONICA	
20	Mary LaCharite	MARY LACHARITE	8049 N. SANTA MONICA	

Sheet _____ of _____

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No.	Name (Signature)	Name (Printed)	Street Address-Fox Point	
1		John Michael Nash	7473 N Beach Ct.	
2		Jam... A Lewis	7453 N. Beach Ct.	
3		Amy Rust	7415 N Beach Dr.	
4		Mark Lewis	7415 N. Beach Dr.	
5		KATHE LAKE	7471 N BEACH DR	
6		Scott Mullins	7463 N. Beach Ct.	
7		Laura Mullins	7463 N Beach Ct	
8		Mark Katz	7718 N. Beach Drive	
9		Debra Katz	7718 N. Beach Dr.	
10		MICHAEL McDONAGH	7425 N. BEACH CT.	
11		Joan McDonagh	7425 N. Beach Ct.	
12		James Kaufmann	7443 N Beach Ct	
13		Mary Kaufman	7443 N Beach Ct	
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No.	Name (Signature)	Name (Printed)	Street Address-Fox Point
1	Peggy Sampson	Peggy Sampson	7224 N. Beach Dr. Fox Point, WI 53217
2	Scott Sampson	Scott Sampson	Same
3	Bonnie Bockl Joseph	bonnie Bockl Joseph	8130 N. Beach Drive
4	Joseph	L Joseph	8130 N Beach Dr
5	~~Anonymous~~		~~Beach Dr~~
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No.	Name (Signature)	Name (Printed)	Street Address-Fox Point	
1		Sara A. Summ	10925 N. Yates Rd.	
2		Kevin W. Summ	10925 N. Yates Rd.	
3		MARK JANKOWSKI	405 E. MCARTHUR	
4		Lika T. Perez	8107 N. Poplar Drive	
5		Tom K Perez	8107 N. Poplar Dr.	
6		Jason D Gottlieb	400 E Daphne Rd	
7		Karen Gottlieb	400 E Daphne Rd	
8		Douglas Gregor	7275 N. Beach Dr.	
9		Melissa Gregor	7275 N. Beach Dr.	
10		Jonathan Adelman	8041 N. Gray Log Ln	
11		Jessie Rycroft	8033 N Gray log lane	
12		Michael Rycroft	8033 N Gray Log Ln	
13		Stephanie Mickschl	8050 N Gray Log Lane	
14		Chris Mickschl	8050 N Gray Log Lane	
15		Michael Mullin	7200 N. Beach Dr.	
16		Sabina Mullin	7200 N. Beach Dr.	
17		Meg Kinney	7575 N BEACH DR	
18		Kevin Kinney	"	
19		ELLA KINNEY	"	
20				

Sheet _____ of _____

VILLAGE OF FOX POINT

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No.	Name (Signature)	Name (Printed)	Street Address-Fox Point
1		Kelly Levin	7234 N Beach Dr.
2	Julie Hershey	JULIE HERSHEY	7210 N. Beach Dr.
3	Ellen Fine	Ellen Fine	401 E. Green Tree
4		Allyson Stepke	6954 N. Barnett Lane
5		Kelly Kuehn	7321 N. Santa Monica
6	KATERINA BRICKMAN	Katerina Brickman	424 East Dairy Lane
7		Jess Langerman	7946 N. Fairchild Pl
8	Leo Langerman	LEO LANGERMAN	"
9	Sarah Jaeger	Sarah Langerman	"
10		Gemma Berger	7632 N. Beach Dr. Fox Point
11		Katherine Christensen	328 E. Acacia Rd. Fox Point
12		Erin Harris	7111 N Fairchild Circle Fox Point
13		David Carr	7111 N. Fairchild Circle Fox Point
14		Dawn Sweet	310 E. Calumet Rd. Fox Point
15		Sally Wahl	1208 E Goodrich Ln
16		Christie Crowell	1407 E. Goodrich Ct.
17		Rachel Heinberg	1531 E Goodrich Ln
18		Nancy Smith	6814 N Barnett Ln
19		Greg Smith	6814 N Barnett Lane
20		Jon Levin	7234 N Beach Dr

Sheet _____ of _____

Scott Kuesel
6365 N Sunny Point Rd
Milwaukee, WI 53217-4071

FEB. 1, 2023

TO THE ESTEEMED MEMBERS
OF FOX POINT GOVERNMENT
BOARD OF TRUSTEES
AND
PLANNING COMMISSION

OR ON JANUARY 31ST,

LAST EVENING (JANUARY 31ST), I ATTENDED THE HEARING AT VILLAGE HALL CONCERNING THE MARY NOHL HOUSE AND WAS TOLD THAT WRITTEN COMMENTARY REGARDING THE KOHLER REQUEST WILL BE CONSIDERED PRIOR TO ANY FINAL DECISION MAY BE MADE.

I AM NO STRANGER TO THE NOHL PROPERTY, WHICH IS THE TERM I PREFER TO CALL IT BECAUSE MARY IS ONLY ONE OF THE FAMILY MEMBERS WHO PLAY A SIGNIFICANT PART IN THE HISTORY OF THIS UNUSUAL LOCALITY. MY TIME BEGAN WHEN MY FATHER TOOK ME CAMPING A SHORT DISTANCE NORTH TO A HEAVILY WOODED SPOT OWNED BY A RELATIVE THEN. SOON AFTER, MY MATERNAL GRANDFATHER PURCHASED AN ACRE LOT AT 7320 N. BEACH ROAD, AS IT WAS NAMED THEN. I SPENT LOTS OF TIME THERE MOWING GRASS AND HELPING WITH HIS GARDEN. SPARE TIME INVOLVED CHIPPING FOSIL TRILOBITES FROM LIMESTONE ROCK BETWEEN THE ROAD AND ~~ALONG~~ THE ERODING WAVES OF THE LAKE THE HIGH WATER OF THE 1950's. I ALSO SWAM IN THE LAKE IMMEDIATELY NORTH OF THE NOHL SHORELINE AND BECAME ACQUAINTED WITH BILL SHOFF WHO BEACHED HIS BOAT AT THE SAME SPOT.

~~ACROSS~~ ON THE NORTHEAST CORNER ACROSS FROM THE NOHL HOUSE LIVED MY 7TH AND 8TH GRADE ENGLISH TEACHER, ESTHER JANE HOFFMAN, NEXT TO MY GRANDFATHERS LOT

AS THE YEARS WENT PAST, I RODE MY BIKE FROM WHITEFISH BAY TO MOW THE YARD OF AN OWNER ON THE WEST SIDE OF THE ROAD ALONG THE LAKE.

I ALSO BEGAN MY LIFELONG INTEREST IN DIVING AND SHIPWRECKS, INVESTIGATING GROUNDED 26 FOOT YAWL AT DOCTOR'S PARK, FROM WHICH I SALVAGED THE BOW NUMERALS THAT I STILL HAVE.

IN 1957, I INTERVIEWED FOR A JOB WITH A FAMOUS FELLOW WHO PLANNED TO RAISE A DUTCH FREIGHTER THAT SANK OFF MILWAUKEE IN 1954. THAT FAMOUS FELLOW WAS MAX NOHL, THE HOLDER OF A WORLD RECORD DIVE TO 420 FEET OFF PORT WASHINGTON IN 1937, AND HE WAS THE BROTHER OF MARY NOHL! I BECAME ONE OF HIS DIVERS FOR THE FIRST ATTEMPT TO FLOAT THE PRINS WILLEM II WHICH HAS NOT BEEN ACCOMPLISHED.

YEARS LATER, I BECAME BOARD OF TRUSTEE MEMBER OF WISCONSIN MARINE HISTORICAL SOCIETY. IN A CONTINUING EFFORT TO DOCUMENT THE LIFE AND LEGAND OF MAX NOHL, I HAD OCCASION TO CONTACT MARY NOHL FOR HER ASSISTANCE TO LOCATE ARTIFACTS WITH CONNECTION TO HER BROTHER, MAX. SHE WAS VERY PLEASANT AND REMARKABLY HELPFUL.

STILL LATER, AFTER THE DEATH OF MARY, I WAS SUCCESSFUL IN RECOVERING VARIOUS ITEMS FROM

THE [redacted] JOHN MICHAEL KOHLER ARTS CENTER THAT MARY HAD BEQUETHED TO THEM. THERE WERE SOME WRITINGS THAT THEY HAD "SEALED" AND REFUSED TO RETURN TO US AND APPARENTLY REMAIN THAT WAY NOW).

BACK IN THE 1960's I BECAME ACQUAINTED WITH THE SCHWEMER FAMILY, WHO RESIDED DIRECTLY WEST OF MARY'S HOUSE AND [redacted] WHO I WAS INVITED FOR DINNER SEVERAL TIMES AS A DATE OF DAUGHTER, TONI. THE SON, PAUL, BECAME AN ATTORNEY AS WAS HIS FATHER AND ADDITIONALLY WAS A PRESIDENT OF THE VILLAGE OF FOX POINT. STILL LATER, I BROKERED/SOLD THE SCHWEMER PROPERTY.

ANOTHER NEIGHBOR, NANCY CARPENTER IS A LONG-TIME FELLOW REALTOR AND FRIEND, SHE AND HUSBAND, BILL, NO LONG LIVE ON BEACH DRIVE.

I AM PRESENTLY A TEAM MEMBER OF THE STATE OF WISCONSIN HISTORICAL SOCIETY (NOT TO BE CONFUSED WITH THE MARINE HISTORICAL SOCIETY THAT I WAS PREVIOUSLY A TRUSTEE AND MEMBER). THE STATE SOCIETY, BASED IN MADISON, HAS RECRUITED ME TO HELP PRODUCE A FULL DOCUMENTATION OF MAX NOHL AND HIS TEEN AGE FRIEND, JACK BROWNE WHO BUILT A HOME-MADE DIVING OUTFIT IN THE LATE 1920's. THIS OUTFIT WAS THE FIRST DIVE EVER MADE BY MAX NOHL FROM THE NOHL FAMILY SWIMMING RAFT ANCHORED IN LAKE

LAKE MICHIGAN, EAST OF THE FAMILY BEACH DRIVE PROPERTY. THIS BEGAN THE WORLD RECORD DIVE HOLDER'S CAREER. IF THIS EVENT HAD NEVER HAPPENED, THE CONCEPT OF SCUBA (SELF CONTAINED UNDERWATER BREATHING APPARATUS) WOULD LIKELY HAVE BEEN DELAYED FOR YEARS. IF IT HAD NOT HAPPENED, THE CONCEPT OF MIXED GAS DIVING (REPLACING NITROGEN WITH HELIUM) WOULD HAVE ALSO BEEN DELAYED.

IF THIS HAD NOT HAPPENED, THE FORMATION OF DESCO WOULD NOT HAVE HAPPENED BY BROWNE, NOHL AND KUEHN. DESCO, DURING WORLD WAR II, BECAME THE LARGEST MANUFACTURER OF DIVING EQUIPMENT IN THE WORLD — ALL OTHERS COMBINED.

DESCO IS A MILWAUKEE COMPANY, STILL IN BUSINESS MANUFACTURING DIVE GEAR.

AS A MEMBER OF THE DIVING COMMUNITY, I MUST ASK WHY THE RECENT PROPOSAL BY KOHLER FAILS TO MENTION THE NOHL PROPERTY ROLE IN THIS IMPORTANT PART OF WORLDWIDE HISTORICAL EVENTS.

I ADORE MARY NOHL AND HER PART, BUT IS THERE NO ROOM FOR MAX NOHL, HER [redacted] BROTHER AND THE [redacted] PLAYER WHO SHARED THE BEACH ROAD PROPERTY?

RESPECTFULLY, SCOTT C. KUESEL

Scott Botcher

From: Mike Lanke <mikelanke@gmail.com>
Sent: Tuesday, February 7, 2023 6:55 PM
To: Douglas Frazer; Eric Fonstad; Christine Symchych; Elizabeth Sumner; Greg Ollman; Elizabeth Aelion; Catie Anderson Knight; Scott Botcher
Subject: Mary Nohl house

Hello,

My name is Michael Lanke and I live at 317 E Green Tree.

I wanted to give you my opinion about the proposal to give the Nohl house a zoning designation of cultural overlay district.

My view is that the house is currently not open to the public and as much of the art has been removed, the house has no impact on either the residents in the surrounding area or the rest of the people who live in the village. I don't see this proposal from the Kohler Arts center will impact the residents at all. I live on Green Tree between Santa Monica and Yates, a relatively busy street. My wife and I call it the fastest 1,000 feet in Fox Point Motor car racing as during the warm months, many cars go far over the speed limit in this very short stretch of road. It occasionally bothers me but the traffic really has little impact on my enjoyment of our property. I know I've talked to people who live by the road tracks and they say the same thing. The noise is simply not a factor.

My only objection to the zoning designation has been the cost of taking any property off the tax roles. I happen to think every entity except a government building or school should pay property tax so when I saw that the art center was offering to pay a property tax equivalent, I saw no reason not to grant the request. If they don't care to do that, I'd say deny the request.

I've worked hard to try to decide what I think is best here and I must admit, I have an axe to grind with those residents. I remember getting chased off beach drive in the 70's by police. I've told my kids when they learned to drive that anyone that stops to enjoy the view can expect to see a police car in minutes. They get a level of police service I don't get and I have people breaking the law in front of my house just about every daylight hour during the warm months. To me, they enjoy a very privileged spot in our community as they truly have a gated community with a spectacular view that they actively work to protect at the expense of any person that wants to take in a little enjoyment of the lake. I look at the costs of the breakwater placed down there and I'm not happy. Therefore, I have to admit that I have no empathy for the residents there.

In summary, if there is no adverse financial impact on the village by allowing the zoning change, I have no issue with it.

Thank you for your work and service.

Mike Lanke

Scott Botcher

From: Christine Symchych
Sent: Tuesday, February 7, 2023 12:48 PM
To: Scott Botcher
Subject: Fw: Save the Art Environment as a Public Common.

From: Lajwanti Waghray <laj68pw@gmail.com>
Sent: Tuesday, February 7, 2023 11:00 AM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>; Eric Fonstad <efonstad@villageoffoxpoint.com>; Elizabeth Sumner <lsumner@villageoffoxpoint.com>; Greg Ollman <gollman@villageoffoxpoint.com>; Elizabeth Aelion <eaelion@villageoffoxpoint.com>; Catie Anderson Knight <cknight@villageoffoxpoint.com>; Christine Symchych <csymchych@villageoffoxpoint.com>
Subject: Save the Art Environment as a Public Common.

I am writing regarding the
Save Mary Nohl's Art Environment.
Art belongs to the Public Commons. People have a right to visit a lake, a park, and an art house.

I am urging you to fight to save her work in the atmosphere it was created in.

As a Board member of Lynden Sculpture Garden, I know how important art and nature are for a community to thrive. But it has to be looked at broadly.

Thank you for listening.

--
Warm Regards,

Laj Pershad Waghray

Scott Botcher

From: Mike Stoessl <mikestoessl@gmail.com>
Sent: Monday, February 6, 2023 5:20 PM
To: Greg Ollman
Cc: Scott Botcher
Subject: JMKAC application, property taxes, and PILOT

Trustee Ollman,

I spoke about Property Taxes at the Jan 31st Public Hearing, but then missed a later exchange between you and Deborah Tomczyk about this issue. I just had a chance to catch up on the zoom replay, and am concerned that there may be a misunderstanding.

Near the end of the meeting, around the 2:30:00 point on the Zoom recording, you had asked Deborah Tomczyk "You're still going to pay the taxes for Bayside Fox Point school district, right?"

Her answer was "Our proposal is actually to ... make a PILOT for the Villages share. That's what our proposal is."

You then responded "You're basically paying for it".

To be clear, they have NOT offered to pay for it. They've specifically excluded it.

Below is a snapshot of the current Nohl property tax bill. They have only offered to pay the "Local" line item (roughly $8000). They are NOT offering to pay the roughly $15000 due to Fox Point J2 (Fox Point Bayside) and Nicolet. Here's a quote from their proposal where they specifically exclude the schools "(**excluding the mill rate levied by and for** Milwaukee County, **any school district**, MATC or MMSD)." (emphasis mine).:

General Property Tax	MILWAUKEE COUNTY	6141.44
General Property Tax	LOCAL	8324.80
General Property Tax	FOX POINT J2	9403.88
General Property Tax	NICOLET UHS	6085.68
General Property Tax	MATC	1446.22
General Property Tax	MMSD	2136.20

Since this is only 1 of the 2 properties in question, and this agreement will last decades, this quickly turns into hundreds of thousands of dollars that the rest of the Village property owners have to pick up.

I emphasize this only because, unless the Board insists on a modification to the PILOT language, there's no reason for JMKAC to volunteer to change it. Since JMKAC can't get a property tax exemption without this overlay, and since one of the two properties has nothing to do with Nohl, it seems completely reasonable to require them to keep fulfilling the obligations every homeowner in the Village shares: funding our school systems.

Thanks,
Mike Stoessl
8000 N Beach Dr

P.S. JMKAC has pointed out they will commit to the field trips and curriculum work they do with the school systems. This is laudable. But the school bond holders need to be paid back with cash, not field trips, so it does not address the funding issue.

Scott Botcher

From: Louise Petering <l.petering14@att.net>
Sent: Monday, February 6, 2023 12:57 PM
To: Scott Botcher; Douglas H. Frazer; Eric Fonstad; Greg Ollman; Catie Anderson Knight; Christine Symchych; Elizabeth Sumner; Elizabeth Aelion
Subject: Nohl Cultural Overlay thoughts
Attachments: 2023 02 06 Nohl House added thoughts.docx

Scott and Village Board,

Attached is a brief memo for your consideration.

Louise

Louise Petering
(h) 414-351-3617
(c) 414-324-2665
l.petering14@att.net

To: Fox Point Village Board and Fox Point Plan Commission

From: Louise Petering, 7229 N. Santa Monica Blvd.

Re: Mary Nohl Cultural Overlay proposal

Date: February 6, 2023

As you resume the public hearing on the JMKAC's Cultural Overlay District proposal for the Mary Nohl home (and an adjacent JMKAC-owned parcel), remember that retention of zoning districts is key to a persons' investment in a Fox Point home.

As a recent observer of Village Board meetings, I am concerned that discussion of items is quite limited. Often the Chair of the meeting makes a motion, a seated trustee seconds it, a quite limited discussion ensues, and a vote is taken. Any Cultural Overlay District proposal requires thoughtful and open discussion of the points raised by the JMKAC and the public. In addition to the scaled back proposal and traffic study mentioned in my January 28th memo to you, I share a few thoughts below.

- Reduce the number of guests on the property for the two events per year from 80 to 60 maximum, including staff.

- Repeating, transport all guests to the property by electric vehicle to reduce both noise and air pollution.

- Any compromise proposal worked out between the JMKAC and a group of Beach Drive residents does not constrain the actions of the Plan Commission and Village Board. Should you be presented with a compromise proposal, do take it into consideration but please be mindful that it may or may not be in the best interest of our zoning districts, the Beach Drive neighborhood and the Village of Fox Point.

- Finally, please heed *The Land Use Plan for the Village* that states: "The Issues and Opportunities element of this Plan outlines three goals and objectives that shall guide the Land Use section: • Establish a guiding land use plan; • Foster compatibility between neighboring uses; • Maintain the character of existing residential neighborhoods." The Village Code zoning districts must guide land use in Fox Point.

  08 Land Use 2010-02-23.indd (villageoffoxpoint.com)

February 5, 2023

Dear Mr. Frazer,

The Mary Nohl Art Environment is a national treasure. How fortunate is the Village to be home to her magical spirit of creativity. How fortunate too that the site has been saved and protected by the Kohler Foundation, another national leader in preserving art and educating children. I would argue that this pairing of the artistry and passion of Ruth Kohler and Mary Nohl may be **one of the nation's purest examples of intense pride in and successful use of the artistry of *place*--locality, region, and state.**

The Art History Department at the University of Wisconsin-Madison has been in partnership with the Kohler Foundation for over twenty years. Each year a graduate student was trained in art and conservation by working with one of the Foundation's projects. I have crystal memories of visiting the Nohl house with Terry Yoho as the Foundation rolled up their sleeves to start the preservation of her art and as my student Amy Homes began cleaning and cataloging. I remember my sense of wonder as the heavily locked door opened in the darkness into a kind of sun-dabbled room filled with so many beautiful, eerie, and strange objects. I remember too my delight when I opened a drawer to see the rows of carefully labelled miniature ceramic pieces.

I had only been at my job a few years. But I knew just then that the University of Wisconsin—indeed the state of Wisconsin—was a special place. Ms. (now Professor) Holmes was the first of five doctoral students and two master's degree students who wrote about "outsider" art environments, and our department gained our own national standing.

I had not planned to write to you. But I attended the meeting remotely last Tuesday. First, I was so impressed by the direct and positive way you opened the meeting by setting out a method to hear about the proposal, then provide an open forum for comments. I thought that Kohler's proposal seemed quite measured and their attempts to address past criticisms about traffic and property values were valuable. So I was absolutely crushed to hear the vituperative and even mean-spirited responses by some local landowners. Ideals of careful thought or consideration seemed dashed. I left the meeting after the impassioned call by our former student Bob Cozzolino (another national success story) who used his own family experience to the power of the place in the experience of art.

You have heard many stories about the importance of Mary Nohl and her art. Bob and I can offer our own experience of the importance of the site itself. The request of the owners of the property to expand limited access to the property seems reasonable. The local landowners claim that they have no choice but to "defend their property" is poorly argued. The case study of Chipstone's overlay shows no loss of property values. I would be happy to respond in any further way.

Please support the property owner's request for the cultural overlay district.

Respectfully,

Ann Smart Martin
Stanley and Polly Stone (Chipstone) Professor Emeritus
Art History Department
University of Wisconsin, Madison

asmartin@wisc.edu

Scott Botcher

From: Douglas Frazer
Sent: Sunday, February 5, 2023 7:53 PM
To: Scott Botcher
Subject: Fwd: Support the Cultural Overlay Request for the Mary Nohl property
Attachments: VillageFoxPoint.docx

FYI

Get Outlook for iOS

From: Ann Smart Martin <asmartin@wisc.edu>
Sent: Sunday, February 5, 2023 7:28:51 PM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>
Subject: Support the Cultural Overlay Request for the Mary Nohl property

Dear Mr. Frazer,

The Mary Nohl Art Environment is a national treasure. How fortunate is the Village of Fox Point to be home to Mary Nohl's magical spirit of creativity. How fortunate too that the site has been saved and protected by the Kohler Foundation, another national leader in preserving art and educating children. I would argue that this pairing of the artistry and passion of Ruth Kohler and Mary Nohl may be **one of the nation's purest examples of intense pride in and successful use of the artistry of *place*--locality, region, and state.**

The Art History Department at the University of Wisconsin-Madison has been in partnership with the Kohler Foundation for over twenty years. Each year a graduate student was trained in art and conservation by working with one of the Foundation's projects. I have crystal memories of visiting the Nohl house with Terry Yoho as the Foundation rolled up their sleeves to start the preservation of her art and as my student Amy Homes began cleaning and cataloging. I remember my sense of wonder as the heavily locked door opened in the darkness into a kind of sun-dabbled room filled with so many beautiful, eerie, and strange objects. I remember too my delight when I opened a drawer to see the rows of carefully labelled miniature ceramic pieces.

I had only been at my job a few years. But I knew just then that the University of Wisconsin—indeed the state of Wisconsin—was a special place. Ms. (now Professor) Holmes was the first of five doctoral students and two master's degree students who wrote about "outsider" art environments, and our department gained our own national standing.

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You have heard many stories about the importance of Mary Nohl and her art. Bob and I can offer our own experience of the importance of the site itself. The request of the owners of the property to expand limited access to the property seems reasonable. The local landowners claim that they have no choice but to "defend their property" is poorly argued. The case study of Chipstone's overlay shows no loss of property values. I would be happy to respond in any further way. I have also attached this note in letter form.

Please support the property owner's request for the cultural overlay district.

Respectfully,

Ann Smart Martin
Stanley and Polly Stone (Chipstone) Professor Emeritus
Art History Department
University of Wisconsin, Madison

asmartin@wisc.edu

Scott Botcher

From: krollwfb@aol.com
Sent: Sunday, February 5, 2023 10:47 PM
To: Scott Botcher
Subject: Mary Nohl Properties Property Tax Obligation

Dear Mr. Botcher,
Please clarify the current responsibility for property tax payment regarding the 2 properties that are seeking a change in zoning to cultural. I have been provided a range of information as follows:
1. The current non profit status ownership/zoning does not mandate payment of the full property tax assessment. Payments have been made historically on a voluntary basis.

or

2. The current non profit status ownership/zoning requires payment of the full property tax assessment annually.

or

3. The current non profit ownership/zoning has been making full tax assessment payments annually but could choose to request a full property tax exemption from the Village and, if denied, could appeal to the State. I am being told, the State would likely approve the full property tax exemption.

or

4. Other??????

My objection to the cultural zoning change resides with the property tax responsibility. It is unfair and unjust for any property tax dollar responsibility to be redistributed to tax paying citizens of Milwaukee County and Nicolet HS/Bayside-FP School Districts. Especially since the change in zoning request includes an adjacent property that was acquired on the free market and is not a direct part of the Mary Nohl legacy.

I do believe the actual Mary Nohl property is a cultural treasure and there should be the allowance for development in accordance with Village statues and at NO additional expense to the citizens of Fox Point/Milwaukee County.

Thank you for any clarity that you can provide as there are many opinions, legal and otherwise, being spread!
Don Kroll

Scott Botcher

From: Tim Lemont <tlemont@gmail.com>
Sent: Sunday, February 5, 2023 8:55 PM
To: Scott Botcher
Cc: Lemont Debbie
Subject: Opposition to Nohl House Cultural Overlay Application - Final Thoughts

Dear Scott,

Please forward this email to the Village Board and Plan Commission members as they reconvene the Public Hearing on the Nohl House Cultural Overlay application. These are my final pleas/requests, concerns and questions related to how the application is affecting our immediate neighborhood.

Can the Plan Commission and/or Village Board please provide its help to the immediate neighborhood in scaling down the intensity of proposed activities included in Kohler's application? The immediate neighborhood has very little negotiating power against Kohler. If the immediate neighborhood pushes back too hard from the perspective of Kohler, Kohler will just walk away and continue with their proposal as is. As it relates to incremental activities, the application appears to include "everything but the kitchen sink" (actually it does include two kitchens in their proposed auxiliary building). If the Plan Commission and/or Village Board do not supply that assistance, we have no alternative but to run up legal fees and costs while achieving very little that will be effective in scaling back the level of activities contemplated. Please help us!

Question: How can the 2nd parcel Kohler recently purchased even qualify for consideration for the Cultural Overlay rezoning when this additional property does not operate as a museum, art gallery or library? Simply because the Nohl house and Mary's sculptures are next door does not make the adjoining property a museum itself. The immediate neighborhood is greatly concerned that this property and the building to be built on it will become an event space. We urge you to not allow the adjoining property to be bundled with the Cultural Overlay application for the Nohl property.

Question for Amy Horst when the Public Hearing is reconvened Monday, February 6th: In the Public Hearing last Tuesday night, Amy Horst, JMKAC's Director, stated when asked about its source of financing for the Nohl site, that the financial viability of operating the Nohl site is not dependent on holding fundraisers at the site. If that is truly the case, due to the significant concerns of the immediate neighborhood with all the issues holding fundraisers in such a confined neighborhood would cause them, we respectfully request that JMKAC seriously consider removing fundraisers from their proposed plans in their application. If they did this, it would make Amy's statement, in their slick PR video on their website about their plans for the Nohl house, as to how they studied the needs of the local neighborhood to determine how they might be able to situate the execution of the Arts Center mission at the site "without affecting the neighborhood in any way shape or form", not ring so hollow.

Lastly, in last Tuesday night's Public Hearing, Debby Tomczyk pointed out on a page of their presentation a "do the math" calculation of how many visitors a year could result if there are up to 20 visitors a day, up to three times a week (60 visitors a week), times 52 weeks equals 3,120 visitors per year. Debby scoffed that there are not going to be anywhere near that many visitors to the site. As the originator of that calculation, you could say I was being an alarmist but I would ask Debby if JMKAC could tell us what their expectations are as to how many visitors they expect to run through the site in a year is (do they any objectives in mind in this regard?)? It would be helpful if they could provide an average number of visitors expected and what the realistic maximum number of visitors would be. Those numbers, if they are well under say 1,000, could greatly ease the concerns of the immediate neighborhood. It would also be helpful if JMKAC would then state in the ultimate Conditions Agreement in connection with the Cultural Overlay that it will put forth its best efforts to limit the maximum number of visitors to that number, whatever it might be.

Scott Botcher

From: Christine Symchych
Sent: Sunday, February 5, 2023 1:48 PM
To: Scott Botcher
Subject: Fw: Mary Nohl House

From: David Stephan <1stephanfamily@gmail.com>
Sent: Saturday, February 4, 2023 2:15 PM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>
Cc: Catie Anderson Knight <cknight@villageoffoxpoint.com>; Elizabeth Aelion <eaelion@villageoffoxpoint.com>; Greg Ollman <gollman@villageoffoxpoint.com>; Elizabeth Sumner <lsumner@villageoffoxpoint.com>; Christine Symchych <csymchych@villageoffoxpoint.com>; Eric Fonstad <efonstad@villageoffoxpoint.com>
Subject: Mary Nohl House

Dear Village Board Members,

I'm writing in follow up to the message I sent last week sharing my support for the cultural overlay designation for the Mary Nohl property. I was unable to attend the meeting in person and when trying to access via zoom, I found that the meeting was full.

However, I did spend some time reviewing the meeting minutes and noticed that many of the letters included were in support of this new zoning request. Additionally, it seems to me as though people of both sides of the fence regarding this matter are interested in maintaining and preserving this legacy that Mary Nohl has gifted to her community.

I continue to feel very strongly that the proposal being made by JMKAC is extremely considerate and reasonable and I hope you will vote in favor of their request. For those opposed to the cultural overlay designation, I would ask, what is their plan for continued maintenance and preservation of this gem?

Thank you kindly for your time and consideration.

Sincerely,
Laurie Stephan

Scott Botcher

From: Christine Symchych
Sent: Friday, February 3, 2023 2:51 PM
To: Scott Botcher
Subject: Fw: Nohl house proposal

From: Theresa Braun <tmbraun@wi.rr.com>
Sent: Friday, February 3, 2023 8:25 AM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>; Eric Fonstad <efonstad@villageoffoxpoint.com>; Christine Symchych <csymchych@villageoffoxpoint.com>; Catie Anderson Knight <cknight@villageoffoxpoint.com>; Elizabeth Aelion <eaelion@villageoffoxpoint.com>; Greg Ollman <gollman@villageoffoxpoint.com>; Elizabeth Sumner <lsumner@villageoffoxpoint.com>
Subject: Nohl house proposal

I am a Fox Point resident and want to comment on the Nohl house proposal, as I am out of town and unable to attend the village meeting virtually.

I am in favor of the proposal. The artistic value of the house has been described by experts. Although I love living in Fox Point, there's precious little of cultural importance here. It would be a waste to not allow the structure to be studied.

The Beach Drive residents are concerned about traffic. It's easy to become accustomed to having an empty lot in one's area. The described traffic seems equivalent to what would be expected from two occupied lots (which I believe the Nohl property encompasses). I appreciate that the Beach Drive residents want privacy but it is a public road. Those of us who live near parks, schools and shopping centers manage to live with the consequences. There has been talk in the past of taking Beach Drive private and it may be that the strenuous objections to the Nohl project are related to this desire. It's worth considering that the recent beach reinforcements were paid for by FEMA, and thus by all taxpayers, reinforcing the public claim to the area.

Please don't take only the Beach Drive residents opinions into consideration when decisions are made. The Nohl proposal should be approved.

Thanks.

Theresa Braun

Scott Botcher

From: Jo Farb Hernandez <jfh@cruzio.com>
Sent: Friday, February 3, 2023 1:41 PM
To: Scott Botcher; Douglas Frazer; Eric Fonstad; Christine Symchych; Elizabeth Sumner; Greg Ollman; Elizabeth Aelion; Catie Anderson Knight
Cc: 'Jo Farb Hernandez'
Subject: support for proposed cultural overlay district - Mary Nohl property
Attachments: ltr in support of Mary Nohl.docx

Greetings Mr. Botcher and members of the Trustees of the Village of Fox Point,

Attached please find a letter in support of the proposed cultural overlay district for the Mary Nohl property. If you have any questions or would like further information, please do not hesitate to contact me.

Many thanks for your consideration of my thoughts,
jfh

Jo Farb Hernández, Professor Emerita
Department of Art and Art History
San José State University
jo@jofarbhernandez.com

Director/Chief Curator Emerita
SPACES – Saving and Preserving Arts and Cultural Environments
www.spacesarchives.org

jo farb hernández
curatorial and museum management services
345 white road, watsonville, california 95076
jo@jofarbhernandez.com
www.jofarbhernandez.com

3 February 2023

Mr. Scott Botcher, Village Manager
Fox Point Village Hall
7200 N. Santa Monica Blvd.
Fox Point, Wi 53217

Dear Mr. Botcher,

I am writing to express my full support of the J.M. Kohler Art Center's proposal that asks the Village of Fox Point to consider the creation of a cultural overlay district for the Mary Nohl property. While the work of artists such as Nohl are beginning to be included in an expanded definition of art, these kinds of sites still frequently remain in a more tenuous and often precarious position, subject to a variety of risks. I believe that the creation of a cultural district will help to address these concerns.

Mary Noh's work should be recognized, honored, and protected to the best of the ability of its local, regional, and national communities, for although it is a personal, individual space, it has significant and positive public ramifications on a variety of levels and has much to teach us. The creation of such a cultural district will promote educational and cultural opportunities for members of the community, artists, and educators by providing access to Ms. Nohl's artwork, and will thus enhance the value and deepen the understanding of this important piece of Fox Point history. Implementing this strategy will also permit the development of a long-term plan for financial support of this important site.

As the Director Emerita of SPACES, a nonprofit organization recognized internationally as the largest and most complete archives on art environments such as the one Ms. Nohl has created (the archives is now under the auspices of the Kohler Foundation, Inc.), I help to document and advocate for these sites all over the world. Too, I am very familiar with Fox Point, as, growing up, my aunt and uncle lived there, and I remember happy weekends enjoying the area.

Surely the Village of Fox Point, renowned for the creativity of its citizens, the beauty of its environs, and the considered responses of its public officials, will agree to support, maintain, and preserve Ms. Nohl's environment to as great an extent as possible. I urge you to choose to concentrate on the distinction this site brings to your community and to celebrate her work; an important step toward this support will be effected through the implementation of the proposed cultural overlay district. In so doing, you not only will bring positive acclaim to your community as we move toward a greater inclusivity in art historical definition, but you will enable future generations to share in the happy abandon and the freedom of expression these works of art extol, and the lessons and joy they impart.

Thank you for your consideration of this letter.

Most sincerely,

jo farb hernández

Jo Farb Hernández

Scott Botcher

From: Christine Symchych
Sent: Friday, February 3, 2023 2:52 PM
To: Scott Botcher
Subject: Fw: 2/6/23 Mary Nohl public meeting, question and comment

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From: Lisa Stone <lstone@saic.edu>
Sent: Friday, February 3, 2023 1:56 PM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>; Eric Fonstad <efonstad@villageoffoxpoint.com>; Christine Symchych <csymchych@villageoffoxpoint.com>; Elizabeth Sumner <lsumner@villageoffoxpoint.com>; Greg Ollman <gollman@villageoffoxpoint.com>; Elizabeth Aelion <eaelion@villageoffoxpoint.com>; Catie Anderson Knight <cknight@villageoffoxpoint.com>
Subject: 2/6/23 Mary Nohl public meeting, question and comment

Dear Trustees of the Village of Fox Point,

Thank you for scheduling this additional meeting for public comment. I emailed Scott Botcher asking if the Village Hall will be open between 5:00 and 7:00 p.m. on Monday, 2/6, before the Nohl public meeting. I received a reply that he's on vacation until 2/7. Please let me know if the Hall will be open that evening and if the letters will be accessible. I live 2 hours from Fox Point and it would be convenient to read the letters prior to the meeting. Otherwise I'll come earlier in the day.

I contributed to the nomination of the Nohl property to the National Register of Historic Places, in which the site is listed; it's also designated a Milwaukee County Landmark. Listing in the National Register designates a property's value to ***the nation.*** This is an honorific designation that heightens the awareness of a property's historical significance. It's largely misunderstood that NRHP listing comes with protections. It gives zero protection to a property unless federal funds would be used to demolish it. This triggers a review, but doesn't guarantee protection from demolition.

Unfortunately, listing in the National Register does nothing to protect a site from its neighbors and other community members, should they decide to undermine a site's ability to function. The JMKAC and CAPP carefully crafted policies for usage similar to other historic sites, that honor neighbors' privacy, do not increase traffic, and do not reduce property values. Despite all the research, public meetings, and studies JMKAC has conducted, some neighbors and community members seemingly oppose the overlay on principle, and are unmoved by very strong and sincere assurances.

I understand that you all have read all of the letters, including those by me and some of my colleagues. I sincerely hope you will strongly consider the professional opinions articulated in the letters I have read, and likely many more, when evaluating the implications of granting, or not granting, the cultural overlay district.

Respectfully yours,

Lisa Stone

Please note: I retired from the Roger Brown Study Collection.
For RBSC-related emails, please contact James Connolly, jconno@saic.edu

Good evening,

My name is Moshe Katz. My wife, Debra and I have lived on Beach Drive for over 32 years first at 7415 N Beach Drive and now at 7718 N Beach Drive. We were once neighbors and friendly with Mary Nohl and enjoyed her strolls along our drive with her adorable dog. She was a charming, funny and genuine neighbor.

I've lived in the village since 1960 and except for time overseas or in college, this community has been my/our home. I've been familiar with the Nohl home long before we became a neighbor abhorring the name and mystery of 'The Witch's House'. Getting to know Mary and finding out how challenging her life was with the countless cars, gawkers, too frequent harassers and unkindly visitors was heartbreaking! She was no witch; she was a wonderful neighbor and a spectacular artist! She would even offer delicious cookies to our young daughter.

Tonight's meeting is being posed as two opposite ends of a spectrum and our real responsibility is to find the proper meeting point. This isn't about 'saving the Nohl home' nor is it about 'stopping the museum'. It is about figuring out how to secure Mary's gift to the Kohler Museum, a priceless gem in our village, while simultaneously not infringing on the quiet enjoyment rights of the neighbors. Comparing this parcel, even with the adjoining property to the south of it is still a small lot with immediate neighbors. It is NOT like the Chip Stone mansion on 11+ acres with a circular driveway, only two immediate neighbors who are still at least several acres away. I am offended that the offering that the adjacent property will be used as a residence for artists in residence as if that would

be preferred over what we really want, tax paying neighbors whose love of our community is their driving force for being on our street!

As I shared before we were once only two homes away from Mary and the quality of our lives were impacted by her presence. So much so that when a home became available on our beloved street away from the daily gawkers and crowded weekend visits, we jumped on the opportunity to stay near by bur far enough away so as not to be disturbed; remember, almost all the immediate nearby homes have Beach Drive as a the only and often too popular route to/from the Nohl home. Too frequently these visitors are driving less carefully more attracted to the art than the people/vehicles around them. Too frequently these visitors exceed the speed limit (many of us locals believe we could lower our taxes by the number of tickets that could be given on our street alone)!

Let's save Mary's home and let's say no to a museum that will only accelerate the number of visitors, the traffic and the harassment of our quiet neighborhood. A one day a week visit with offsite parking and once annual event not to exceed 30 people, still with offsite parking, is something I might be willing to accept. We all accepted an onsite residence at Mary's home. That option would also still be acceptable to most of the objectors of the current proposal.

I urge our community leadership to hear our calls and figure out a best solution for both sides of this matter without making only one side a winner or loser! Mary and we deserve better!

Scott Botcher

From: Kathy <kf262wisconsin@gmail.com>
Sent: Thursday, February 2, 2023 4:25 PM
To: Scott Botcher
Subject: Mary Nohl art property

Sent from Mail for Windows

Since 2012, the John Michael Kohler Art Center (JMKAC), long involved in the preservation and study of artist-built environments, has undertaken substantial restoration and conservation efforts to stabilize and maintain the property in its unique location.

JMKAC is currently asking the Village of Fox Point to consider the creation of a cultural overlay district for the Nohl property. The cultural overlay creates a pathway to host opportunities for local community members, educators, and artists to access the property. Through a limited usage plan, the Mary Nohl Art Environment will support the production of work that deepens the legacy, understanding, and value of this important piece of community history. Additionally, it will allow for the development of a committed and sustainable long-term financial support plan to preserve the artwork and property into the future. This will ensure that future generations of Fox Point residents will be able to say "Mary Nohl is a part of my community."

Scott Botcher

From: Christine Symchych
Sent: Thursday, February 2, 2023 8:55 PM
To: Scott Botcher
Subject: Fw: Mary Nohl House

fyi

From: steev baker <librarycore@gmail.com>
Sent: Thursday, February 2, 2023 7:37 PM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>; Eric Fonstad <efonstad@villageoffoxpoint.com>; Christine Symchych <csymchych@villageoffoxpoint.com>; Elizabeth Sumner <lsumner@villageoffoxpoint.com>; Greg Ollman <gollman@villageoffoxpoint.com>; Catie Anderson Knight <cknight@villageoffoxpoint.com>
Subject: Mary Nohl House

Hello Trustees!

I'm writing to you as a writer, musician, and art history enthusiast who has a deep love and respect for the work of Mary Nohl. I'm sure you've gotten many, many emails from people far better connected to the art world than I. I am a public librarian with an interest in outsider art and a former docent at the Museum of Wisconsin Art in West Bend. But it's not really important who I am--you are the people who live in Fox Point and who represent the people who live there.

I have driven to the Nohl house, a pilgrimage for many artists and art enthusiasts. I've snapped pictures over the fence and longed to visit inside. I have books about Mary and her art, have visited the Kohler Art Center many times and enjoyed my visits to the Art Preserve to see more of Mary's work. She was an outsider to the larger art community and made art for herself, but she must have had some idea that what she made was of value to others as she left the house and art to the Kohler Art Center. I don't know what her intent was in that, but I do think it matters that she wanted to keep her home and art intact. Kohler has lovingly restored the environment and works and I believe that seeing the work in the house, at its location in Fox Point is the best way to see, understand, and enjoy Mary's art.

The cultural overlay seems respectful to the space and the homeowners around the Nohl house. Allowing for the minimal use as outlined in the proposal would be a boon for the entire community, and the state of Wisconsin as a whole. I hope the Board considers the cultural significance and rarity of Mary's art, the long history of artist environments by marginalized artists that have been destroyed, and the national (even international) significance of a body of work as large and well-preserved as the Nohl house being made available to scholars, educators, and artists. Many works have been lost or destroyed by removing them from the location that birthed them: what would Mary's work be without the pine trees, the bluffs, the waves of Lake Michigan? The driftwood, the smooth stones, the birds singing in the trees? Just like Indian Creek and the Adelman house, Mary's home deserves to be preserved and opened to sustainable and managed use, a cultural feather in the cap of Fox Point.

Thanks much for your hard work for the people of the village and for being willing to take on the role of board members. And congrats on the building of the new library. I hope it all goes well.

steev baker
madison, wi

Scott Botcher

From: Bambi Riehl <bambiriehl@gmail.com>
Sent: Wednesday, February 1, 2023 10:40 AM
To: Scott Botcher
Subject: Support for JMKAC cultural overlay

Dear Mr. Botcher,
I am writing in support of the John Michael Kohler Arts Center (JMKAC) application for a cultural overlay district zoning designation for the Mary Nohl art environment.

JMKAC's presentation last night - I attended via Zoom, thank you for making the meeting accessible to people who could not attend in person - convinced me that they will continue to be good neighbors and community members. I think they have stood on their heads to carefully outline how they will work within the boundaries of Fox Point's requirements.

I grew up in Sheboygan and am very familiar with JMKAC's work. As a current Shorewood resident, I look forward to seeing the Mary Nohl property maintained and shared with local students.

Sincerely,

Bambi Riehl
4345 North Wildwood Avenue
Shorewood, WI

Scott Botcher

From: heidi maetzold <heidimaetz@gmail.com>
Sent: Wednesday, February 1, 2023 8:36 AM
To: Scott Botcher
Subject: MARY NOHL HOUSE

Dear Mr Botcher:

I was unable to join last night's zoom meeting due to site capacity.

I, therefore, want to register my support for the granting of a cultural overlay for the Mary Nohl site.

My family have long been residents of Bayside. Though I am now in my mid 70's, there was always such delight to drive past the wonderfully creative Nohl house as it evolved into an artist's palette through the years. I view it as a treasure: a treasure for Fox Point, the North Shore, Milwaukee and the art world.

I currently reside in Mequon as I am now an apartment dweller. My siblings still live in Bayside and also support a cultural overlay for the Mary Nohl house.

The John Michael Kohler Art Center is in a unique position to realize the importance of Mary Nohl as a creative and to be able to fund the restoration of her home and grounds in current time and going forward. JMKAC is all about preservation, artist recognition and legacy and being a "good neighbor."

I hope you and the Village of Fox Point will grant a cultural overlay to protect the legacy of Mary Nohl and her place in the art world.

Thank you.

Sincerely,

Heidi Maetzold
11127 N Weston Drive apt 313
Mequon, WI. 53092

Sent from my iPhone

Scott Botcher

From: Tom Finley <TFinley@schlitzaudubon.org>
Sent: Wednesday, February 1, 2023 10:37 AM
To: Scott Botcher
Subject: Mary Nohl house support

Dear Village of Fox Point Trustees,

I'm reaching out to ask for your support of the cultural overlay zoning submission proposal for the Mary Nohl property put forward by the John Michael Kohler Arts Center. While I work for the Schlitz Audubon Nature Center in Bayside, and we have had many positive interactions with both the Village and the JMKAC, this letter is strictly of a personal intention. I believe the plan put forward is both thoughtful and community-focused. It sincerely and responsibly highlights a unique part of the area's rich cultural heritage. The Nohl property is a true cultural gem and a responsible plan such as this deserves support. I would surmise that it will enhance the neighborhood and Village overall.

Thank you for your time and consideration.

Best wishes,
Tom Finley

Tom Finley
Director of Education
Schlitz Audubon Nature Center
414-352-2880 x157

www.schlitzaudubon.org
Facebook | Instagram | Twitter

Scott Botcher

From: CHRISTINE LINDEMANN <chrissie.lindemann@icloud.com>
Sent: Wednesday, February 1, 2023 7:05 AM
To: Scott Botcher
Subject: Mary Nohl House

Dear Mr. Botcher:

I listened in to the hearing via Zoom phone call last evening.

I was impressed with the skillful and respectful handling of the meeting though I checked out at around 9:10.

I am registering my support for the worthy stewardship of the Mary Nohl site by the John Michael Kohler Art Center and granting a cultural overlay at this time with whatever reasonable tweaks the Village of Fox Point may require if in agreement with JMKAC.

I have lived on the north shore ...Bayside and Mequon.... for over 45 years. I currently reside in Oostburg.

I also grew up in Whitefish Bay and spent a great deal of time with my friends on Beach Drive as did my three children now in their 40's.

This site is an under appreciated priceless asset of Fox Point. With Chipstone as a hopeful predictor of the potential for a wonderful and successful legacy a cultural overlay can play out over the years, I hope you will have the vision to grant this cultural overlay at this initial application.

The John Michael Kohler Art Center is an unparalleled partner to have in such a scenario.

Sincerely,

Chrissie Lindemann
W1476 Idlewood Ct.
Oostburg, WI 53070

Scott Botcher

From: Tina Wurlitzer <tinakwh@yahoo.com>
Sent: Wednesday, February 1, 2023 7:47 AM
To: Scott Botcher
Subject: Kristina Wurlitzer, once again!

Scott,
I attended the meeting last night, and was impressed by the care the JMKAC is taking to address the concerns of those living on Beach Drive. To my mind, every step would be taken to preserve the "peace" of the neighborhood, while celebrating and preserving the beauty of Mary Nohl's house (sheer artistry, reflecting place). I support the designation the Art Center is wanting to establish for the house.
Best wishes,
Kristina Wurlitzer
1304 East Goodrich Lane
Fox Point

Scott Botcher

From:	Lisa Stone <lstone@saic.edu>
Sent:	Wednesday, February 8, 2023 1:05 PM
To:	Douglas Frazer; Eric Fonstad; Christine Symchych; Elizabeth Sumner; Greg Ollman; Elizabeth Aelion; Catie Anderson Knight
Cc:	Scott Botcher
Subject:	letter in support of the cultural overlay
Attachments:	L. Stone Nohl overlay.pdf

Trustees,

Attached are thoughts I sent in an email last week, in the form of a letter, for the public record.

Thank you,

Lisa Stone

Please note: I retired from the Roger Brown Study Collection.
For RBSC-related emails, please contact James Connolly, jconno@saic.edu

Preservation Services Inc.

W5447 Cumberland Lane · Neshkoro, WI 54960
Don Howlett 920-765-2781 · dlstone@centurytel.net
Lisa Stone 920-765-2281 · stonelisa54960@gmail.com
www.preservationservicesinc.com

8 February 2023

Trustees of the Village of Fox Point
Fox Point Village Hall
7200 N. Santa Monica Blvd.
Fox Point, WI 53217

Trustees:

I contributed to the nomination of the Mary Nohl property to the National Register of Historic Places, in which the site is listed; it's also designated a Milwaukee County Landmark. Listing in the National Register designates a property's value to ***the nation***. This is an honorific designation that heightens the awareness of a property's historical significance. It's largely misunderstood that NRHP listing comes with protections. It gives zero protection to a property unless federal funds would be used to demolish it. This triggers a review, but doesn't guarantee protection from demolition. A neighbor who spoke at the public hearing on February 6 implied that the Kohler Arts Center receives federal funds, since the property is on the National Register. This couldn't be farther from the truth.

Unfortunately, listing in the National Register does nothing to protect a site from its neighbors and other community members, should they decide to undermine a site's ability to function. The JMKAC and CAPP carefully crafted policies for usage similar to other historic sites, that honor neighbors' privacy, do not increase traffic, and do not reduce property values. Despite all the research, public meetings, and studies JMKAC has conducted, some neighbors and community members seemingly oppose the overlay on principle, and are unmoved by very strong and sincere assurances.

I was heartened by the meeting on 2/6, that seemed to open a pathway to further discussion and compromises. I sincerely hope you will strongly consider the professional opinions articulated in the letters from people from outside the community, in addition to the impassioned comments from neighbors and people in the Fox Point community who support the overlay, when evaluating the implications of granting, or not granting, the cultural overlay district.

Respectfully yours,

Lisa Stone

Lisa Stone

Scott Botcher

From: Pete Gershon <petegershon@gmail.com>
Sent: Wednesday, February 8, 2023 1:49 PM
To: Douglas Frazer; Eric Fonstad; Christine Symchych; Elizabeth Sumner; Greg Ollman; Elizabeth Aelion; Catie Anderson Knight; Scott Botcher
Cc: Tommy Ralph Pace
Subject: In support of the Mary Nohl House

Dear Trustees of Fox Point, please accept this message in support of the cultural overlay request affecting the Mary Nohl House.

I am the curator of programs at the Orange Show Center for Visionary Art in Houston, TX. Our organization emerged from the preservation and programming of a sculptural environment created singlehandedly by a self-trained, blue-collar individual to communicate a positive and deeply-felt personal vision. In the decades since its rescue in 1980, the Orange Show has become an iconic symbol of Houston's unique creative spirit. As an arts organization, we use the property as a tool to demystify the art-making process and to encourage and celebrate the artist in everyone, transforming lives through creative self-expression. It is part of a family of remarkable sculptural environments that exist all over the world, including the Mary Nohl House.

It used to be the case that such environments rarely outlasted their makers, regarded as only so much junk by developers and sometimes even their makers' family members when removed from the context of community and art history. Fortunately these unreal estates are now much better understood as landmarks that inspire creativity, unite generations, and make a place more interesting, livable, and economically prosperous. I urge you to look favorably on the proposed cultural overlay district that will help preserve and activate this historic space and keep it available to enhance the lives of future generations.

Thank you for your consideration!
pete gershon
curator of programs
the orange show center for visionary art world hq: 2334 Gulf Terminal Drive | Houston, TX 77023
mailbox: PO Box 230309 | Houston, TX 77223
713.252.3268
www.orangeshow.org
celebrating the artist in everyone
vimeo.com/551596694

To whom it may concern:

My husband and I live on Bradley Rd. and are writing due to the concern over the Mary Nohl house being moved. We are definitely against that.

The house needs to be left at the lake and we are really upset that some people want to change what I thought was already a done deal. If someone is complaining that recently bought a house here, knowing about the Mary Nohl house, then too bad. We all have traffic issues. Come to Bradley Rd.

I lived in the Lake Geneva area for years and people there voted for the lake to remain open to the public forever. Thus, no matter what your mansion is worth on the lake there is a right for the public to walk around that lake and they have even put a path around a good portion of it. I would suggest you look into that.

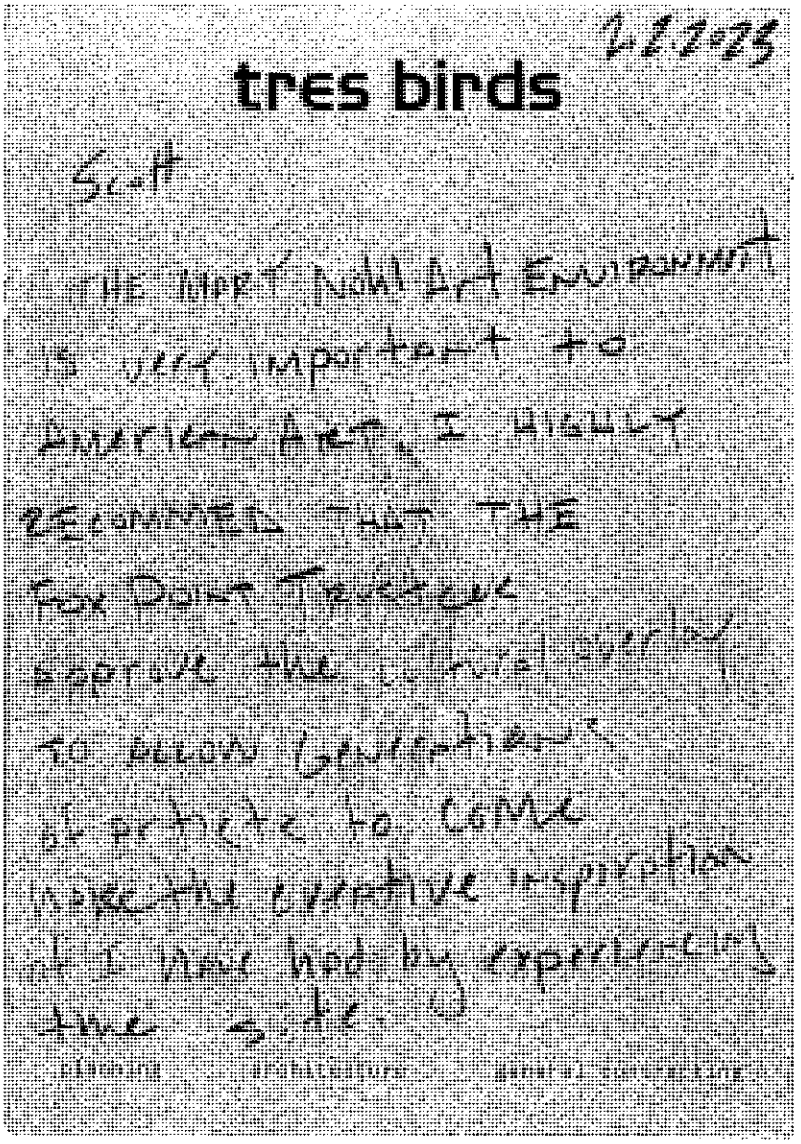
Our great lake is a public property. No one owns it and no one should be able to decide that because their wealth is greater than others that they should have a say about moving this wonderful piece of Fox Point history.

The other reason I am concerned about is that they are calling the police if you park in front of the lake and take in the view. This is not their private property.

Do what is right and leave Mary Nohl house in Fox Point as part of our history.

Sincerely,

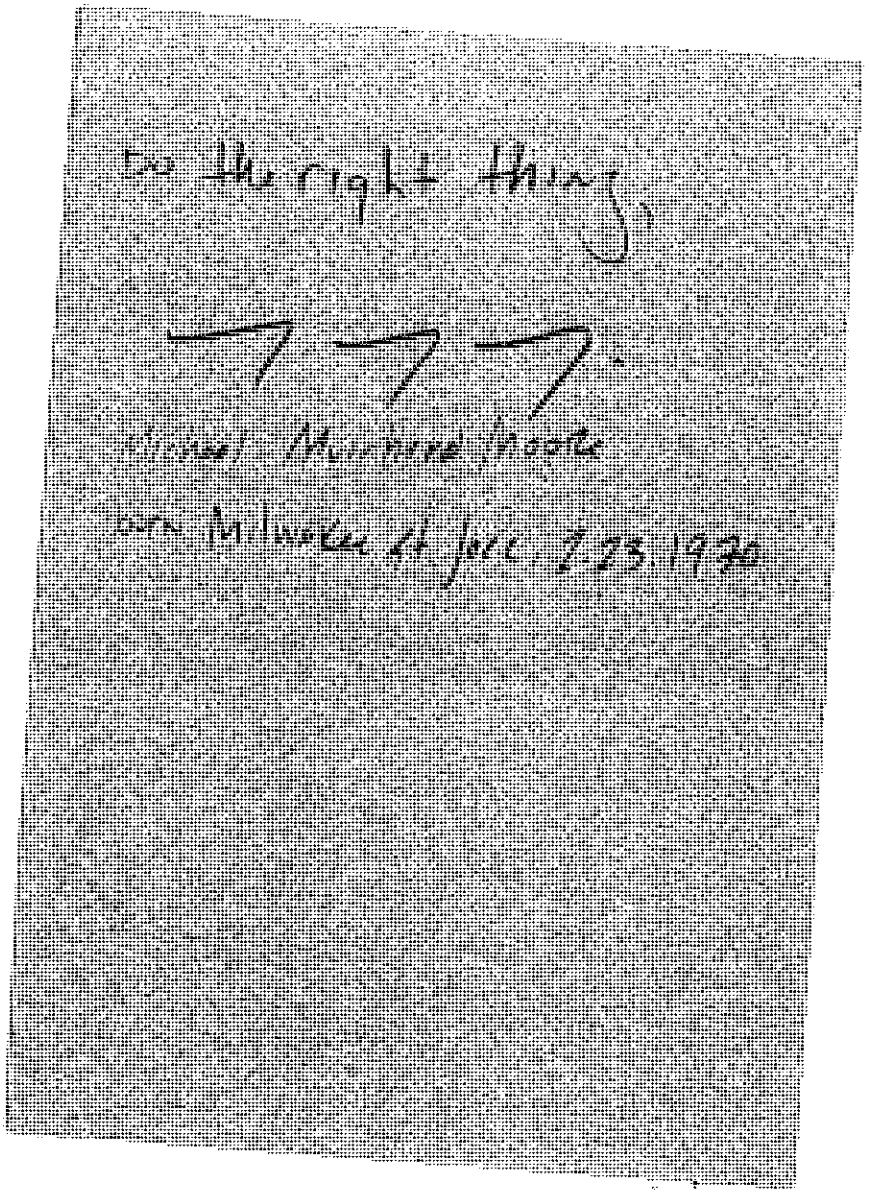
Teri and Al Sparacino
175 E. Bradley Rd.



2.2.23

Scott

THE IMPORTANCE OF ENVIRONMENT
IS VERY IMPORTANT TO
AMERICAN ART. I HIGHLY
RECOMMEND THAT THE
FOX DOME THEATER
BRING ME BACK TO
TO BILLOW TOMORROW'S
SUPPORT TO COME
INSECURE EXPENSIVE INSPIRATION
OF I MAY NOT BY EXPERIENCE
LIVE SIZE



Scott Botcher

From: David Miller <d.r.miller55@gmail.com>
Sent: Wednesday, February 8, 2023 4:35 PM
To: Scott Botcher
Subject: Mary Nohl Property

Scott,

I would appreciate it if you would share my comments below with both the members of the Village Board and the Plan commission.

I have attended both Public Hearings regarding the JMK Foundations' request for a Cultural Overlay District ("The Overlay") for the Mary Nohl property and adjacent property to the south (the Properties). I have also performed a high-level review of the materials submitted as part of the application for The Overlay, as well as had a brief conversation with Scott Botcher to clarify my understanding of the situation. After all of this, I have to say that I am not sure there is a significant difference between the Properties being zoned Residential or Cultural Overlay District.

My understanding is that under the current Residential zoning, JMK Foundation could use the Mary Nohl house, and/or a house to be built on the south parcel, to house artists in residence, if they so choose. Under the current zoning, they could also have two events (or more) per year of up to 80 people (or more), if they choose to do so. They could choose to have multiple visitors to their property, as well, although if they have as many as 3,120 visitors per year as their proposal requests, this undoubtedly will be a significant issue with the neighbors and result in many unending arguments. It is also my understanding that, as a 501(c)(3) non-profit organization, JMK could apply for tax exempt status and be exempt from paying any of the +/-$52,000 in annual real estate taxes for the two properties.

So, what does JMK achieve by getting the properties rezoned to a Cultural Overlay District? From what I can determine, their biggest gain may be the benefit of having an agreement in place with the Village that outlines the approved uses for the property so that future arguments regarding the traffic volume or annual events or other uses of the property may be answered with the statement that this has been negotiated and agreed upon with the Village, and giving JMK the assurance that their desired uses are protected in the future.

Assuming what I have stated above is accurate, I don't see that the Village has too much leverage on determining how the properties are used if they don't approve a Cultural Overlay District rezoning. However, approving The Overlay, if negotiated properly, could provide the Village the opportunity to protect the immediate neighborhood from excessive traffic by limiting the number of tours and visits to a number significantly lower than the 3,120 visits per year they are proposing. The Village could also negotiate a payment in lieu of taxes (PILOT) that is more than just the Village portion of the taxes. I believe an amount that also includes the school tax should be the minimum PILOT required.

I see the question of granting The Overlay for the Mary Nohl properties as a no-win situation for the Village. People will be unhappy if you do approve the request, and people will be unhappy if you don't. But perhaps with the right negotiations an agreement can be reached that gives JMK the comfort and assurance that their investment in the Mary Nohl property will be worthwhile and the Village and neighbors the comfort and assurance that the neighborhood will not be negatively impacted, and a fair share of the corresponding real estate taxes will be provided for the general upkeep of Village services and school programs.

Thank you for allowing me the opportunity to express my thoughts and opinions on this sensitive matter, once again.

David R. Miller
7401 N. Crossway Road

Scott Botcher

From: Christine Symchych
Sent: Thursday, February 9, 2023 7:36 AM
To: Scott Botcher
Subject: Fw: Mary Nohl House Cultural Overlay Request

From: Liz Brewer <lizmmbrewer@gmail.com>
Sent: Wednesday, February 8, 2023 10:10 PM
To: Christine Symchych <csymchych@villageoffoxpoint.com>
Subject: Mary Nohl House Cultural Overlay Request

> Dear Ms. Symchych,

> We are in support of the Cultural Overlay Request to keep the Mary Nohl House an integral part of our village. We feel that it should be accessible to other artists, scholars, students and even, on occasion, in a measured way, the general public. We believe that Fox Point should feel honored, privileged and proud to have such a unique art environment in our midst, and provide the opportunity for others to enjoy and learn from what Mary Nohl created and obviously wanted preserved for future generations. The art she created is different from many other works of art and we feel it should be celebrated, and that our village should stand up and welcome the chance to make this environment stable and accessible in the limited but reasonable way the cultural overlay request is being proposed.
>
> Some compromises and modifications to the request might seem reasonable to us, and we trust the judgment of both the John Michael Kohler Art Center directors as well as the Fox Point Village Board to craft a document that will serve not only the needs of the Mary Nohl house, the village and the neighbors. There must be some reason why Fox Point has a Cultural Overlay district designation on our books, and it would seem to us that this is the perfect example of why that was created in the first place. If it wasn't written for something like the Mary Nohl art environment, then what on earth for?
>
> We feel we should take tremendous pride in having Mary Nohl's art and home in our village. This is not a burden, but rather a gift of art and a fantastic asset to Fox Point. Her house and art enhances Fox Point as a unique and a special place, as well. We have the rare opportunity to help preserve an art environment which can inspire for generations, if we choose to assist in that effort and rise to the occasion. We can make this work, if we all try to work together.
>
> Respectively yours,
> Liz and Larry Brewer
> 7841 North Mohawk Road
> Fox Point, WI 53217

Scott Botcher

From: Tim Lemont <tlemont@gmail.com>
Sent: Wednesday, February 8, 2023 7:55 PM
To: Scott Botcher
Cc: Amy Horst
Subject: Opposition to Nohl House Cultural Overlay - One Final Thought

Dear Scott,

Please forward this email to the Village Board and Plan Commission members as you prepare to close the official record from the Public Hearing on the Mary Nohl House Cultural Overlay application.

I was encouraged to receive a call Monday afternoon from Amy Horst, JMKAC's Director, in response to my request to have them consider dropping fundraisers on the Mary Nohl site. I had sent her a copy of an excerpt related to this question included in my email from last Sunday night to the Village Board and Plan Commission. I was really encouraged when she thanked me for my feedback and said she wanted to let me know that they have decided to not have fundraisers or serve alcohol at the site in response to the concerns of the neighborhood. She indicated there is some language they are working out to enable them to have fundraisers to occur at a home in the area where they would then be able to have fundraiser guests from the area home shuttled on a rotating basis to the Nohl house site for tours. That would certainly be a much preferred approach versus having hosting the fundraisers at the Nohl house site itself. Amy's and JMKAC's decision to be willing to take this approach is very much appreciated.

There is an additional big picture issue that is still very troubling about JMKAC's application. It is the potential sheer volume of visitors that would be brought through the site based on the wide range of categories and maximum volumes of visitors requested per day and potentially per week in their application versus the normal volumes we have seen visiting the site in the past few years. I referenced this concern when I asked in my most recent email to the Village Board and Plan Commission last Sunday night that JMKAC identify their expectations as to number of visitors per year and asked if they have any objectives in mind for their per year visitor volumes.

However, I came across an article regarding the Nohl house controversy from Wisconsin Public Radio earlier this week. (The name of the article is "In Fox Point, neighbors clash over a plan to allow access to a famous Wisconsin artist's home" by Gaby Vinick, published February 6, 2023.) the article had a very interesting and telling quote from Amy Horst:

"I hear from everybody that we talked to, 'just keep the status quo, why can't you just keep what you are doing?' I'm like, 'that is what we are trying to do. But we need to do that as an entity, not as a tenant,'" Horst said.

I have spoken to Amy myself and heard her say something similar related to their artist-in-residence having moved out and they no longer can use him as their tenant living at the house to host visitors, like any resident is able to do in a residential zoning district. Instead, they will need the Cultural Overlay to enable an employee of JMKAC (a site program director, representing the entity) to host visitors in the future, which they would not technically be able to do if the house continues to be in a residential zoning district. However, the key point I am taking from her quote above is that she says they are simply trying to keep the status quo, which implies, as it relates to their level of operations, that they will continue to operate as they have done in the past.

If keeping their level of operations at the level they have had in the past few years is indeed their objective, the lion's share of the neighbors' opposition to the Cultural Overlay would be eliminated. If JMKAC could provide the number of visitors to the site for each of the last say five years, those numbers could be averaged and we could set expectations for that volume of visitors going forward, breaking it down to daily and weekly numbers while providing flexibility to reach certain maximums, based on their history, that I expect would be very acceptable to the immediate neighborhood.

I do not know if Amy's quote was just a good sound bite from the JMKAC PR team (I truly hope it wasn't) but if it is sincere, it would be the solution to a very controversial Cultural Overlay application. It is not worth spending much time speculating why the application included such a wide range of potential visitors and such high maximum daily and weekly visitor volumes while all under the guise of just providing "limited" access to the site. However, it never made sense to me and I often wondered whether JMKAC was just positioning themselves for a negotiation and, if they asked for the moon, who knows, it might just go through.

I believe, although I am not certain, that there is still a proposed Deed Restriction Agreement that the Save the Beach Drive Neighborhood association's attorney, John Wirth, is working through with JMKAC's attorney, Debby Tomczyk. The proposed Deed Restriction Agreement is for the purpose of providing greater definition to many aspects of the application so as to provide needed specific conditions to its terms, eliminate leeway and resulting potential abuses, and that process needs to continue. If visitor volumes are brought to the level of the recent past few years, as proposed above, and if it is determined that the parcel recently purchased by CAPP to the south of the Nohl property does not qualify for the Cultural Overlay rezoning in the first place, as I questioned in my Sunday night email to the Village Board and Plan Commission, then I expect many of the issues being worked through in the proposed Deed Restriction Agreement will be eliminated.

I do not expect JMKAC will be pleased with my above proposed approach to their visitor volumes and with adjusting their Cultural Overlay application accordingly. However, I do believe it would result in the elimination of a very large percentage of the opposition within the immediate neighborhood. Most likely, it would result in the embrace of the revised Cultural Overlay application because of the clarity and certainty to the operations at the Nohl property site, which as JMKAC has stated many many times, would give us all the transparency needed as to its future operations.

Respectfully submitted,

Tim Lemont
7475 N. Beach Drive

Scott Botcher

From: Tim Lemont <tlemont@gmail.com>
Sent: Wednesday, February 8, 2023 7:55 PM
To: Scott Botcher
Cc: Amy Horst
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Respectfully submitted,

Tim Lemont
7475 N. Beach Drive

Scott Botcher

From: Mike Lanke <mikelanke@gmail.com>
Sent: Tuesday, February 7, 2023 6:55 PM
To: Douglas Frazer; Eric Fonstad; Christine Symchych; Elizabeth Sumner; Greg Ollman; Elizabeth Aelion; Catie Anderson Knight; Scott Botcher
Subject: Mary Nohl house

Hello,

My name is Michael Lanke and I live at 317 E Green Tree.

I wanted to give you my opinion about the proposal to give the Nohl house a zoning designation of cultural overlay district.

My view is that the house is currently not open to the public and as much of the art has been removed, the house has no impact on either the residents in the surrounding area or the rest of the people who live in the village. I don't see this proposal from the Kohler Arts center will impact the residents at all. I live on Green Tree between Santa Monica and Yates, a relatively busy street. My wife and I call it the fastest 1,000 feet in Fox Point Motor car racing as during the warm months, many cars go far over the speed limit in this very short stretch of road. It occasionally bothers me but the traffic really has little impact on my enjoyment of our property. I know I've talked to people who live by the road tracks and they say the same thing. The noise is simply not a factor.

My only objection to the zoning designation has been the cost of taking any property off the tax roles. I happen to think every entity except a government building or school should pay property tax so when I saw that the art center was offering to pay a property tax equivalent, I saw no reason not to grant the request. If they don't care to do that, I'd say deny the request.

I've worked hard to try to decide what I think is best here and I must admit, I have an axe to grind with those residents. I remember getting chased off beach drive in the 70's by police. I've told my kids when they learned to drive that anyone that stops to enjoy the view can expect to see a police car in minutes. They get a level of police service I don't get and I have people breaking the law in front of my house just about every daylight hour during the warm months. To me, they enjoy a very privileged spot in our community as they truly have a gated community with a spectacular view that they actively work to protect at the expense of any person that wants to take in a little enjoyment of the lake. I look at the costs of the breakwater placed down there and I'm not happy. Therefore, I have to admit that I have no empathy for the residents there.

In summary, if there is no adverse financial impact on the village by allowing the zoning change, I have no issue with it.

Thank you for your work and service.

Mike Lanke

Scott Botcher

From: Scott Sampson <sampson2580@gmail.com>
Sent: Thursday, February 9, 2023 6:05 PM
To: Michael J. McDonagh
Cc: Scott Botcher; Douglas Frazer; Eric Fonstad; Elizabeth Aelion; Greg Ollman; Elizabeth Sumner; Christine Symchych; Catie Anderson Knight; russell.yale@att.net; jayjcraig@juno.com; bill.langhoff@colliers.com
Subject: Re: Request re Kohler application

Well said, we share your sentiments.
thank you.

S

On Feb 9, 2023, at 4:04 PM, Michael J. McDonagh <mmcdonagh@mallerysc.com> wrote:

Dear Mr. Botcher:

We ask that the Village Board and Plan Commission consider our request regarding Kohler's application for a rezoning.
The attached letter sets forth the reasons.
Please distribute a copy of our letter to each Trustee-member of the Village Board, and each member of the Village Plan Commission.
Thank you in advance.

Sincerely,
Joan and Michael McDonagh
7425 N. Beach Court
Fox Point, WI 53217

Regards, Mike

Michael J. McDonagh
MALLERY s.c. | A Limited Liability Service Corporation
731 North Jackson Street, Suite 900 | Milwaukee, Wisconsin 53202-4697
414-727-6266 *Direct* | mmcdonagh@mallerysc.com
Website | Bio | LinkedIn | vCard

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<Letter 230209 Mcd to Village (01349056xC3B04).pdf>

Scott Botcher

From: Eric Fonstad <efonstad@gmail.com>
Sent: Thursday, February 9, 2023 4:00 PM
To: Scott Botcher
Subject: WPR article
Attachments: In Fox Point, neighbors clash over a plan to allow access to a famous Wisconsin artist's home Wisconsin Public Radio.pdf

Scott,

The attached WPR article was sent to me by a relative. Please see that it is distributed to the members of the Board and Plan Commission. Thanks.

Eric Fonstad

WISCONSIN PUBLIC RADIO
Wisconsin and the World. npr

Take the WPR Survey WISCONSIN PUBLIC RADIO [https://survey.alchemer.com/s3/7171072/]

[https://survey.alchemer.com/s3/7171072/]
[https://survey.alchemer.com/s3/7171072/]

WPR [HTTP://WPR.ORG]

The exterior of Mary Nohl's lake cottage environment in Fox Point, taken in 2021. *Photo c[redacted]sy of John Michael Kohler Arts Center*

In Fox Point, neighbors clash over a plan to allow access to a famous Wisconsin artist's home

A Fox Point property listed on the National Register of Historic Places could open for limited visitor access, faces pushback

By Gaby Vinick
Published: Monday, February 6, 2023, 1:55pm

For years, drivers would stop and gawk at the whimsical artwork outside Mary Nohl's home, dubbed by some the "Witch's House [https://archive.jsonline.com/newswatch/fate-of-mary-uohl-house-unclear-after-neighborhood-meeting-in-fox-point-b99125223z1-228872251.html/]" of Fox Point, Wisconsin.

But what's spooking some neighbors today is a proposal — advancing to a village board vote for the first time after years of opposition — that would formalize visitor access to the late artist's property.

Nohl died in 2001. Five years before her death, she agreed to gift her property to the Kohler Foundation, which partners with nonprofits to preserve artwork.

In 2012, the John Michael Kohler Arts Center [https://www.jmkac.org/marynohl/] took stewardship of her home, now listed on the National Register of Historic Places. It sits along the shore of Lake Michigan on North Beach Drive.

The Foundation later transferred ownership to the Creation & Preservation Partners, an extension of the John Michael Kohler Arts Center. Currently, the site is not open to the public. Since 2017, an artist in residence has lived on the property.

Outside in Nohl's yard are 59 concrete sculptures, part of a project she started in 1963. The interior is also replete with ceramic works, stained glass, furniture and walls Nohl painted using carpet swatches as brushes, according to Amy Horst, director of the Arts Center.

While most of Nohl's work is off-site at a museum, about 20 percent of the work the artist created is in her home. Horst describes those works as "the most fragile and the most intricately tied" to the area, part of the reason why she said the Foundation wants to keep the artwork in the house

Mary Nohl at her Lake Cottage in Fox Point in 1994.
Photo courtesy of Ron Byers

The exterior of Mary Nohl's lake cottage environment in Fox Point, taken in 2021. *Photo courtesy of John Michael Kohler Arts Center*

The Foundation is asking the village for a zoning change, also called a cultural overlay district, for locals, scholars and historians to have restricte access to the site. Under the Foundation's plan, the general public won't have open access to the home unless they express interest and arrange a visit in advance.

Yet some Beach Drive residents, who describe the area as quiet and peaceful, worry the plan will increase traffic and reduce the character of the neighborhood.

On Jan. 31, the village held a public hearing to review the proposal. The heated meeting drew nearly 200 attendees [https://www.jsonline.com/story/communities/northshore/2023/02/01/fox-point-reviews-proposal-allow-limited-access-mary-nohl-home/69844037007/]. It's a reflection of a decades-long conflict, as multiple iterations of the plan have caused a stir among locals.

A rocky history

In 2005, the village reportedly issued 18 citations [https://archive.jsonline.com/newswatch/299863181.html] — later dismissed in municipal court — to the Kohler Foundation for alleged non-residential use of the property. At the time, professional conservators and graduate students h worked with the Foundation to preserve the house and sculptures.

The latest proposal has also drawn the ire of some neighbors.

"As was the case 20 years ago and 10 years ago, the immediate neighborhood overwhelmingly opposes this application," wrote Tim Lemont, a Beach Drive neighbor, in a letter to Village Manager Scott Botcher, published on the "No Nohl Museum" website. The group is selling yard signs [https://nonohlmuseum.com/] and started a petition [https://www.change.org/p/no-nohl-museum-ae3c6bc9-107d-4dfc-bd27-43d82ba0eb6c?utm_source=share_petition&utm_medium=custom_url&recruited_by_id=ae7d9950-9cf9-11ed-9963-ab174198da9d] with 200 signatures.

The exterior of Mary Nohl's lake cottage environment in Fox Point, taken in 2021. *Photo courtesy of John Michael Kohler Arts Center*

Kathryn "Murph" Burke, who has lived in the neighborhood since 1962, supports the proposal. She said since the Art Center took stewardship of the home, "nothing has really changed about the house and its positioning there."

Something that will change with the proposal, though, is who permits entry into the home. Now, the artist in residence on the property can have people visit. The new plan would shift that determination to the Arts Center.

"I hear from everybody that we talked to, 'just keep the status quo, why can't you just keep what you're doing?' I'm like, 'that's what we're trying to do. But we need to do that as an entity, not as a tenant,'" Horst said.

Moshe Katz, a Beach Drive resident, expressed some reservations, saying that very change risks losing "the neighborhood feel."

The Foundation's plan would allow up to 20 visitors a day up to three days a week, with no more than 10 at a time. Hours would be limited to 9 a.m. to 2 p.m., Horst said. It also calls for two annual events with up to 80 guests.

John Wirth, a lawyer representing Save the Beach Drive, a neighborhood association of 34 homeowners and businesses in the community, said that information was not made clear in the application but during the public hearing. "This is a difficult situation and very lacking in transparency," he said at the village meeting.

Wirth said that if the application is approved, the Foundation could host more big events. "Kohler could bring 50 to 100 people there any time they want," he said.

In addition, the Foundation plans to continue keeping the home open for residents to stay at the site. Small groups of students from local school districts can also visit Nohl's home. Wirth said details of how many or how often they can visit are not specified.

Katz, who lived a home away from Nohl, said he thinks residents are pitted against each other on two extremes of either saving or opposing a N museum.

"I'm in favor of protecting a beautiful home on a tremendous lot with phenomenal heart. I'm not in favor of making it something that neighbors can't live with," Katz said.

A continuation of the first public hearing will take place on Monday evening [https://www.villageoffoxpoint.com/agendacenter]. The village board could make a final decision in March.

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Scott Botcher

From: Michael J. McDonagh <mmcdonagh@mallerysc.com>
Sent: Thursday, February 9, 2023 4:04 PM
To: Scott Botcher
Cc: Douglas Frazer; Eric Fonstad; Elizabeth Aelion; Greg Ollman; Elizabeth Sumner; Christine Symchych; Catie Anderson Knight; russell.yale@att.net; jayjcraig@juno.com; bill.langhoff@colliers.com
Subject: Request re Kohler application
Attachments: Letter 230209 Mcd to Village (01349056xC3B04).pdf

Dear Mr. Botcher:

We ask that the Village Board and Plan Commission consider our request regarding Kohler's application for a rezoning.
The attached letter sets forth the reasons.
Please distribute a copy of our letter to each Trustee-member of the Village Board, and each member of the Village Plan Commission.
Thank you in advance.

Sincerely,
Joan and Michael McDonagh
7425 N. Beach Court
Fox Point, WI 53217

Regards, Mike

Michael J. McDonagh
MALLERY s.c. | A Limited Liability Service Corporation
731 North Jackson Street, Suite 900 | Milwaukee, Wisconsin 53202-4697
414-727-6266 *Direct* | mmcdonagh@mallerysc.com
Website | Bio | LinkedIn | vCard

MALLERY SC

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Michael & Joan McDonagh
7425 N. Beach Ct.
Fox Point, WI 53217

February 9, 2023

Sent by email: SBotcher@VillageofFoxPoint.com

Scott Botcher, Village Manager
Village of Fox Point
7200 N. Santa Monica Boulevard
Fox Point, WI 53217

Re: Request to add a Cultural Overlay District zoning designation for 7254 and 7328 North Beach Drive (the Nohl Property)

Dear Mr. Botcher:

Please distribute a copy of this letter to each Trustee-member of the Village Board, and each member of the Village Plan Commission.

We live at 7425 North Beach Court, part of the "immediate neighborhood" as referenced in Chapter 745-22, E.(1) and (3)(a) and (3)(b) of the Village Code. We have listened to all the hearings on this application and the most pressing issue the Village must address is whether the proposed use:

"is contrary to the general welfare and economic prosperity of the immediate neighborhood" (Ch. 745-22, E.(1)),

will "cause material depreciation in property values in the immediate neighborhood" (Ch. 745-22.E.(3)(a)), and

will it "materially adversely affect the use and enjoyment of property in the immediate neighborhood" (Ch. 745-22, E.(3)(b)).

We believe logically and anecdotally that the proposed use violates all three requirements; the Village has no evidence that it does not. Residents of the immediate neighborhood have fairly uniformly provided the Board and Planning Commission with their opinions that the burdens are too high and have given their reasons in support of that opinion. Kohler has submitted a traffic study, but it fails to consider even the simplest of Beach Drive variables: narrow, very steep, multiple blind curves, single-ingress/egress, and its unique and heavy use by young and old, walkers, runners and bikers.

The information (not a study) Kohler supplied regarding real estate values is nonsensical – there is no correlation to date between the Mary Nohl house as it has existed in the past 20 years,

and real estate values in the immediate neighborhood. The point is what will happen to the values with the new, *intended* use – and there is NO information on that point.

The decision before the Board and Planning Commission is both significant and controversial and should not be made without conducting a study of these specific impacts.

Kohler has spent many years and much resources preparing to make this application: purchasing the neighboring lot, hiring attorneys and marketing and PR firms and commissioning studies. Those of us impacted by the application have known about it for only a few months and do not have Kohler's resources to respond in kind. Why is the Village racing towards a decision on this application without taking the time to make sure it has the best available information to make the *right* decision. The Village has spent over 6 years, conducted a survey, and commissioned a land use study to make a decision about a swimming pool! This decision is equally important and at least as controversial, yet the Village has made no effort on its own motion to enable a more informed decision, and seems to be racing towards a finish line on a matter that is not time sensitive. Whatever decision the Village ultimately makes, there is no doubt all parties will be more accepting of it if they know it was sufficiently researched and thoughtfully considered.

In summary, I request that before making a decision on the application the Village conduct studies to better understand how it might meet Chapter 745:

1. The potential impact on property values in the immediate neighborhood if the cultural overlay variance is granted and Kohler is allowed to use the property as submitted in its application.
2. The impact on safety of increased traffic taking into account the unique characteristics of Beach Drive, as more fully described above.

Thank you for your consideration of this request.

Sincerely,

Mike and Joan McDonagh

Scott Botcher

From: Christine Symchych
Sent: Thursday, February 9, 2023 8:42 PM
To: Scott Botcher
Subject: Fw: Mary Nohl House

FYI

From: Kimberly J Cosier <kcosier@uwm.edu>
Sent: Thursday, February 9, 2023 7:56 PM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>; Eric Fonstad <efonstad@villageoffoxpoint.com>; Christine Symchych <symchych@uwm.edu>; Christine Symchych <csymchych@villageoffoxpoint.com>; Elizabeth Sumner <lsumner@villageoffoxpoint.com>; Greg Ollman <gollman@villageoffoxpoint.com>; Elizabeth Aelion <eaelion@villageoffoxpoint.com>; Catie Anderson Knight <cknight@villageoffoxpoint.com>
Subject: Mary Nohl House

Dear Trustees,

I am writing to express my support for the cultural overlay application to secure the future of Mary Nohl's artist-built environment. Mary Nohl's life's work is a Wisconsin treasure! As an art education professor, I love the joy and creatitvity of her work and feel strongly that we must be good shepherds of it to preserve Ms. Nohl's impressive legacy. I have read through the plan that JMKAC has put forth and it seems thoughtful, responsible, and sensitive to the neighborhood. I hope you will vote to support it.

Sincerely,

Kim Cosier, Ph.D.
co-Chair, Department of Art and Design
Professor, Art Education
Founder, Milwaukee Visionaries Project

Scott Botcher

From: Christine Symchych
Sent: Thursday, February 9, 2023 5:02 PM
To: Scott Botcher
Subject: Fw: Mary Nohl house

From: Cory Masiak <cory.masiak@gmail.com>
Sent: Thursday, February 9, 2023 3:52 PM
To: Christine Symchych <csymchych@villageoffoxpoint.com>
Subject: Mary Nohl house

Dear Ms. Symchych:

I wish to express my support for the zoning change that would create a cultural overlay district in the Village of Fox Point to save and preserve the Mary Nohl House. As a Milwaukee-area resident, I would be thrilled to have this cultural treasure recognized by the community and made available to a handful of visiting artists and guests. I do not believe that limited visitation would be disruptive to the village. So many historical and cultural landmarks have been needlessly destroyed throughout the centuries around the world that we should do everything possible to preserve a relatively modest structure such as the Nohl residence — right here in our midst! — particularly when a recognized arts organization is willing to care for it.

Thank you.

Sincerely,

Ms. Cory A. Masiak
2645 N. 85th St.
Wauwatosa, WI 53226-1915

Scott Botcher

From: Christine Symchych
Sent: Friday, February 10, 2023 10:03 AM
To: Scott Botcher
Subject: Fw: Mary Noll property

From: Nancy Bales <balesnlh@outlook.com>
Sent: Friday, February 10, 2023 9:03 AM
To: Christine Symchych <csymchych@villageoffoxpoint.com>
Subject: Mary Noll property

I fully support JMKAC's application for a cultural overlay district zoning designation for the Mary Noll property.
Nancy Bales

Sent from Mail for Windows

Scott Botcher

From: Jack Hearst <jackh@hearstmarketing.com>
Sent: Friday, February 10, 2023 2:23 PM
To: Douglas Frazer; Eric Fonstad; Elizabeth Aelion; Greg Ollman; Elizabeth Sumner; Christine Symchych; Catie Anderson Knight
Cc: Scott Botcher
Subject: 2-6-23 FxPt Board/Planning Commission

Good Afternoon all.

First, I appreciated being allowed to speak this past Monday night. Because of the 3 minute limit, I was not able to share all my points. I hope you'll take a few minutes to read. I've highlighted the parts that I either glossed over or didn't even bring up.

Scott, if you would, could you please forward to the Planning Commission.

Thanks, Jack

I'm Jack Hearst, 8050 N. Beach Drive.

Thank you for allowing me to address the Planning Commission and the Fox Point Trustees.

Well, there's certainly been a lot of discussion between both sides. The dollar resources spent by JMKAC to date have been huge. I can't imagine what it cost for Reinhart, one of the larger law firms in the state to put together the 140+ page Cultural Overlay application, not to mention the PR, social media, direct mail and print campaign to "Save the Mary Nohl House" for Fox Point and art lovers for generations to come.

How they can reference the benefit to Fox Point in their pitch, when they keep saying it's not open to the public, is beyond me. It's open to JMKAC supporters plain and simple.

As a resident living on Beach Drive since 2010, I've talked w/ neighbors, and no one wants to see the Mary Nohl House go away. And as was communicated to you all last week, the majority of Beach Drive residents do not want, nor are they willing to accept the proposed Cultural Overlay as it has been submitted.

For decades, long before JMKAC came along, the residents of Beach Drive (especially those living in close proximity to her home) have dealt with the extra traffic. And the

residents who bought homes near Mary Nohl's home knew the home/art environment was there including increased traffic.

What the residents did not expect was someone w/ such deep pockets to come along and attempt to change the neighborhood by buying an adjoining piece of property, demolishing the home that admittedly was in distress, and have a world renowned architectural firm draw up plans for an auxiliary building, that they claim "they have to fundraise to build", and applying for Cultural Overlay that covers land that was never a part of the Mary Nohl art environment. The application's primary goal is provide "transparency" which I somewhat doubt, and to bring more people down to see the Mary Nohl House and fund raise.

Amy Horst when asked last Monday, stated "the financial viability of operating the Nohl site is not dependent on holding fundraisers at the site". If that is truly the case, due to the significant concerns of the immediate neighborhood, which they claimed they've taken into consideration, with all the issues relating to fundraisers, in such a confined neighborhood would cause them, why doesn't JMKAC just spend their efforts focusing on letting a greatly reduced group of art scholars, educators and people who appreciate an art environment, in to the home, in a scaled back plan, that's not as grandiose.

Their application, to use Fox Point's ordinance (and I'm not a lawyer), will significantly alter the character of the neighborhood.

So to the Planning Commission and the Fox Point Trustees, who have an obligation to its residents, and have had to deal w/ the Mary Nohl House before (yes, this is the first Cultural Overlay they've applied for), you've had to deal w/ this issue for many years. Please continue to help the residents of Beach Drive protect the character of their neighborhood while making sure we protect the Mary Nohl House.

This is not like the Chipstone property. They're on 11 acres and set back quite a way from the road. You can drive past Chipstone and exit the area without having to turn around in someone's driveway. And unlike the Mary Nohl house, there's really not much to see outside of the Chipstone home.

Please focus on just the Mary Nohl property, not the additional lot, Not the additional structure. And depending on what numbers you believe, 3,000 guests or 1,000 guests annually, recognize the negative impact of JMKAC bringing a greater number of people to the Mary Nohl House, an art environment where 80% of what Mary Nohl created is now on display at the beautiful Art Preserve, where admission is free.

Thank you for listening.

Jack Hearst

Hearst Marketing Resources
414-881-3233

Scott Botcher

From: Marjorie Schaefer <marj207@hotmail.com>
Sent: Tuesday, February 14, 2023 9:55 AM
To: Scott Botcher
Subject: Mary Nohl House

Dear Village Manager, Village Board and members of the Planning Commission,

In reviewing the proposed cultural overlay for the Mary Nohl House, we are 100% supportive of this well thought out proposal.

We have seen arguments from those living on Beach Drive who are opposed to this plan under any conditions. We see this as very short sighted and against what we believe Fox Point Village stands for - a community that is inclusive rather than exclusive. - a community that supports all of the village residents in sharing our valued resources. The Mary Nohl residence is but one of the many resources that should be open to all, as proposed in the plan.

We believe this would have minimal disruption or inconvenience to those residents on Beach Drive. The argument of decreased property values is an over reaction, as well as an emotional response. We believe the property values will actually increase over time as the Mary Nohl House takes shape and the upgrades to the property enhance the environment surrounding the Beach Drive community. Let's do the right thing for all of us in this wonderful community.

Jim Krahn & Marjorie Schaefer
7633 N. Boyd Way
Fox Point, WI 53217

Dear Village Board Members,

Help save a landmark in our community. Support the cultural overlay zoning change.

Mary Nohl's lakefront home plays a rich and distinctive part in the culture and heritage of the Village of Fox Point. Nohl was a pioneer female artist who resided in Fox Point until her death in 2001. She gifted her artwork and artist-built environment, which she single-handedly created, to Kohler Foundation, which transferred them to the John Michael Kohler Arts Center (JMKAC). JMKAC has worked more than two decades to steward her gift responsibly and respectfully.

In 2021, JMKAC opened the Art Preserve in Sheboygan as the first and only museum dedicated to artist-built environments. The Art Preserve is free and open to the public—showcasing 35 artist-built environments, including eighty percent of the Nohl collection. The Mary Nohl residence and remaining yard sculptures are too fragile to move, and preservation in place protects the origin of Mary Nohl's creativity. Because of the storied legacy of the Mary Nohl house, the home is one of only three Fox Point properties listed on the National Register of Historic Places.

It's time to preserve the Nohl art environment. Fox Point residents have a hidden gem in our community. In order to preserve and protect the Nohl art environment, JMKAC needs approval from you for the cultural overlay district zoning designation. This zoning request will provide transparency for neighbors about what will and will not be happening at the property. It also provides certainty for JMKAC to plan and fundraise for this special artist-built environment for generations to come.

Accurate information is critical. Here are some key facts:

- Property will not be open to the general public but will be used for artists-in-residence, scholars, caretakers and donors, much like what has taken place over the past several years.
- Events will be limited to two per year, each with a maximum of 80 people, based on a detailed plan, preapproved by the Village. These will not be large fundraising parties. Those will take place at the Art Preserve in Sheboygan.
- No parking will be allowed on Beach Drive.
- There will be no dormitory and no museum.

Fox Point officials, it's time to do what's best for the majority of residents—save the Mary Nohl artist environment.

Sincerely,

Kathryn "Murph" Burke
7710 N Merrie Lane
Fox Point, WI 53217

Scott Botcher

From: Griselda Apple <beraud@aol.com>
Sent: Monday, February 13, 2023 9:17 AM
To: Scott Botcher
Subject: Mary Nohl

My name is Griselda Apple and I live at 7106 N Beach Dr

I knew Mary Nohl and she would never have wanted her privacy violated and her home made into a cultural center.

I am opposed to have our privacy violated by people who live miles away and don't pay the tax that we do.

It's NOT true that Kohler can not move the house and art work due to them being too fragile.

Hotels and museums have been moved thousands of miles without damage.

Respectfully,

Griselda Apple

Scott Botcher

From: Eric Fonstad <efonstad@gmail.com>
Sent: Saturday, February 11, 2023 8:37 AM
To: Scott Botcher
Subject: Fwd: Please share with plan commission
Attachments: 7575 n beach drive.docx

Scott,

Please see that this is distributed to the members of the Village Board and Plan Commission.

Thank you,

Eric Fonstad

Begin forwarded message:

From: Meg Kinney <mkinney105@gmail.com>
Subject: Please share with plan commission
Date: February 11, 2023 at 8:24:37 AM CST
To: Eric Fonstad <efonstad@gmail.com>

Trustees and planning commission;

meg kinney
I reside at

7575 n beach drive
resident of 35 years on beach drive
my grandmother who also lived on beach in the 60's and 70's was dear artist friends with Mary we would create sand castings on the beach with her every summer. I have known Mary as a child and throughout my adult life, sharing stories and the occasion beer or two with her. I also have pieces of jewelry that Mary has given me that she created. So, I say these things not without knowledge of the issues at hand. it is not about the land that Mary's house is on. it's about the lot(s) behind Mary's house. Nobody is saying anything about the art and her home and where it is located. We all love and want that home to stay. Rather, it is about Kohler's bid to turn those other lots into a fundraising nightmare. Why should Kohler turn this into an elitist environment for individuals of their choosing. isn't art for everyone and everyone can see Mary's art exactly as it is. They don't need their fundraising arm right behind Mary's home.

I would like to state that I have serious concerns with Kohler's proposition for the cultural overlay. My concerns are multiple. The Nohl home cultural overlay is somewhat understandable but the additional lot on which Kohler is proposing to build a "single family" residence and what is being proposed is ridiculous.
The driveway that is being proposed is not what a single-family residence would ever need or require. The number of cars is also a concern. This is going to be run as a house exclusively for fund raisers and not a single-family dwelling. The village needs to address this request for this "road" that Kohler is proposing to put into the single-family dwelling, as well as the number of parking spots and number of cars to be parked daily. The number of people is one thing, but the number of cars is a whole other issue.
I would also like the record to reflect, what exactly are Kohler's plans going forward with the Steve Tenley property at 7307 once that deal is done. What will they request once they acquire another single-family residence and then where and when does this all stop?

The laws are incredibly nebulous when it comes to what is and what is not allowed on single family lots and what can and cannot be done where and when with regards to cultural overlays and other zoning restrictions. And this is shameful and divisive and is destroying the quiet neighborhoods of Fox Point. I ask the Board to take the appropriate time and resources to study and address these questions before issuing, carte blanche, a cultural overlay to the Nohl properties. Strong arming villages and its residents is not a good look and shame on Kohler. As long as they get what they want who cares.
And to Eric Fonstadt, trustee, who was elected to represent his constituents, I would like to know why he is thinking of recusing himself for no foreseeable legal, or ethical reasons.

Scott Botcher

From: Flader, Susan L. <FladerS@missouri.edu>
Sent: Friday, February 10, 2023 5:09 PM
To: Scott Botcher
Subject: Mary Nohl House Cultural Overlay

Hello, Mr. Botcher, Fox Point Village Trustees, and Planning Commission:

I write to encourage you, your village trustees, and your planning commission to support the proposed Mary Nohl House Cultural Overlay, which would recognize the cultural, historic, educational and artistic value of the Mary Nohl House to the Village of Fox Point. The overlay would allow the owner and steward of the house, the John Michael Kohler Arts Center, to host small groups of artists, scholars, and donors at the site and apply for up to two larger gatherings a year, with strict limits on size and number of events. In return, they are offering to make payments in lieu of taxes on the property.

Ruth Kohler, the longtime director of JMKAC and a close friend and admirer of Mary Nohl, was a lifelong friend of mine since childhood. We were classmates growing up on the same street, and even after I moved to Missouri as professor of history at UM-Columbia, I frequently saw Ruth on return visits home. During these visits and on numerous phone conversations, Ruth talked often about Mary Nohl and her efforts to help preserve the incredible art environment Mary had created at her home in Fox Point. With my professional interest in American and world environmental history and especially in the relationship of culture and environment, I have visited a number of the art environments Ruth was so instrumental in saving and restoring.

But I never saw the Mary Nohl House until October 2021 when I was invited by JMKAC to attend a workshop on stewardship of art environments—the third such conference I had attended at JMKAC in recent decades—and met the caretaker of the Mary Nohl House, who invited me to visit that very weekend. To see the actual site and the way Mary had incorporated the spirit and materials of her Lake Michigan environs in her sculptures in the yard and in the fabric of her house both inside and out was to me incredibly powerful.

JMKAC and the Kohler Foundation are unquestionably the leading institutions in the United States and the world in the study, restoration, preservation, exhibition, interpretation, and archival documentation of art environments. They have invested millions of dollars in the restoration of the Mary Nohl House and her sculptures, and many millions more on other art environments—most still on their original sites, which is always preferable. For artists, scholars, and the general public alike, the new JMKAC Art Preserve, the realization of Ruth's vision and passion, exhibits the work of more than thirty such art environment builders and provides visible storage for JMKAC's remarkable collections, including some eighty percent of Mary Nohl's widely diverse body of work.

For artists and scholars, however, there is no substitute for visiting the actual art environment, which is why JMKAC would like to host a limited number of small groups there if the cultural overlay is approved. The Mary Nohl site is of special interest since it is one of very few art environments built by a woman, and it is of surpassing creativity inspired by its lakeshore environs. In recent years, school groups from your local district have been visiting the site, and that of course would continue, as they, their parents, and the Fox Point community gain thereby a deeper sense of understanding and pride in their special place.

Mr. Botcher, I hope you will share this letter with your village trustees and planning commission, and that you will all approve the cultural overlay for the Mary Nohl House.

Sincere thanks for your consideration. Susan Flader

Scott Botcher

From: Douglas Frazer
Sent: Sunday, February 12, 2023 12:40 PM
To: Scott Botcher
Subject: Fwd: Wishing you well tonight

I'm not sure if this went to anyone else.

Get Outlook for iOS

From: Lynn Lucius <llucius@wi.rr.com>
Sent: Tuesday, January 31, 2023 11:13:12 AM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>
Subject: Wishing you well tonight

Hello Doug,

I worked with Karen at Brico Fund for several years and met you during that time. I'm thinking of you and all of the Village board members in regard to tonight's meeting. For several years, I served as a consultant to Ruth Kohler and the Kohler Arts Center on the Mary Nohl property project and I was involved in organizing the town hall meeting on the subject about a decade ago. So, I realize the challenges intrinsic to this discussion and hope that all will transpire reasonably tonight.

So much progress has been made in terms of relationships with the neighbors in the past few years of Alex Gartelman's residence at the Nohl house. I hope the community will see that they can build on this progress and accept a modicum of change as non-threatening. We will see how it plays out, but I send wishes that order and tranquility will triumph within the hearing.

Take good care, and please give my best to Karen.

Lynn

Lynn Lucius
Arts & Culture Program Consultant
Greater Milwaukee Foundation
llucius@wi.rr.com
414-708-5966

Scott Botcher

From: Diane Buck <dianebuck016@gmail.com>
Sent: Saturday, February 11, 2023 12:16 PM
To: Douglas Frazer; Christine Symchych; Eric Fonstad; Elizabeth Aelion; gollman@villlageoffoxpoint.com; Catie Anderson Knight; Scott Botcher; Elizabeth Sumner
Subject: MN Cultural Overlay issue

To the President of the Board of Trustees, Trustees and Village Manager:

Thank you for your patience and organization during the two public hearings regarding the application of the JMKAC/CAPP for a Cultural Overlay. Everyone in attendance appreciated your careful guidance. You listened carefully, as did most of the audience.

As the hearings show there is a wide variety of opinions about the Mary Nohl site and its usage. As elected representatives you will decide on the application. It appears to me that the application is not out of the range of the other cultural overlay in Fox Point. Also, the applicant is willing to work with you on any changes.

Recent news of compromise has reached me and I am very hopeful some agreement can be reached for the granting of an overlay. As one Fox Point resident (Mr. Wagner I believe) put it: "Fox Point should not have divided camps on this issue. Most of the community should be able to come together! " The Village can work with JMKAC/CAPP to craft a workable compact for the future.

You have heard the artist/ expert Fox Point resident, Michelle Grabner with the School of Chicago Art Institute, extol the importance of the Mary Nohl site. You know how the education and care of the community is your charge as trustees.

Please approve the cultural overlay with modifications.

Diane M. Buck
414-803-8681

Since it is impossible to escape the results of our deeds, let us practice good works. Buddha

Scott Botcher

From: Libby Gutterman <lgutt@earthlink.net>
Sent: Sunday, February 19, 2023 9:17 PM
To: Scott Botcher
Subject: Cultural Overlay Public Comment

8025 N. Beach Drive
Fox Point, WI 53217
February 19, 2023

Mr. Scott Botcher, Village Manager
Village of Fox Point
7200 N. Santa Monica Boulevard
Fox Point, WI 53217

Dear Mr. Botcher:

Please forward this letter to each of the Village Trustees, Village Plan Commissioners, and those seeking office as Village Trustees. Thank you.

First, let me, Libby Gutterman, say that I am speaking as a private citizen here, not as a member of the Nicolet Union High School District School Board.

David and I know that you're receiving a lot of public comment regarding the proposed Cultural Overlay District rezoning of the residential properties at 7328 and 7254 N. Beach Drive, so we'll try to be concise.

As residents of Beach Drive, we oppose the Cultural Overlay District proposal for the following reasons:

1) Common sense tells us that the inevitable increase in traffic will pose an even greater danger to the many area residents - including children - who walk, run, bike, and drive on our dead end street with blind curves and no sidewalks.

2) No relevant traffic study has been done to quantify this potential danger.

3) No agreement to reimburse the Nicolet and Fox Point-Bayside School Districts for the loss of tax revenue has been negotiated.

4) The status quo is acceptable to the vast majority of Beach Drive residents, meaning the Nohl house is preserved as a National Register of Historic Places site and our neighborhood continues to provide enjoyment for Fox Point residents.

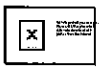
5) Generally speaking, Fox Point residents will still not be allowed access to the Nohl house.

6) The increased number of Kohler invitees and vehicles that could crowd Beach Drive in any one week is a gray area, despite the numbers Kohler has provided. You really have no idea how many total Kohler employees/guests/temporary event hires could be on-site for a museum event or a combination of museum events held simultaneously.

So, we ask you, who benefits from a change in zoning status here? Certainly not anyone who lives on Beach Drive or in the Village of Fox Point. In fact, the neighborhood character of beautiful Beach Drive will be harmed. Who benefits? Kohler.

Thank you for considering our concerns as you make your decisions.

Sincerely,
Libby and David Gutterman


Virus-free. www.avast.com

February 19, 2023

Village of Fox Point Board
Reflections on Application for Cultural Overlay: Mary Nohl House

The applicant has met each of the four standards in the ordinance. In fact, the evidence in the record is so overwhelming that if the board rejects the application the applicant might well have a claim against the Village based on the argument that the decision is "arbitrary and capricious."

There is precedent. In 2006 the Jewish Community Center (which straddles Fox Point and Whitefish Bay) applied to expand its footprint in a modest way. The application was well designed and thought through to minimize or eliminate disruption or disturbance to the nearby property owners. Nevertheless, many nearby residents, mostly in Whitefish Bay, went "nuts" in opposition—with yard signs and a very loud pushback. I remember this well because we live right there. Fox Point approved the application. Whitefish Bay, in deference to its loud nearby residents, dithered. The JCC either sued or threatened to sue and promised to subpoena village board members for deposition. After some investigation, Whitefish Bay's insurance carrier told Whitefish Bay that the evidence in support of the application was overwhelming and it would not defend the suit. The Whitefish Bay village board then rather quickly reconsidered and approved the application.

The Nohl House, an artist environment, is clearly of local, state, national and international significance on an artistic and cultural level. It is a Village asset and a community asset, and as such should be shared and enjoyed by the wider Village and community. Given its track record and resources, could there be a better steward than the John Michael Kohler Arts Center? With her gift, Mary Nohl herself thought not.

The application is sensitive to the neighbors and residential nature of the area. No evidence in the record exists that it would create an unreasonable burden—or any burden—on the nearby residents. The proposed modifications for property use are modest, measured, and incremental. The contiguous lot is an integral part of the total plan. It makes sense to include it in the overlay.

Nearby residents should be carefully listened to, as they are the people most affected by the proposed land use change. However, the notion that a loud group of residents should feel it their "right" to dictate village policy is contrary to notions of good government and representative democracy. The board needs to consider "the greater good," and in this case the greater good must include Village residents who do not live on Beach Drive, and the wider community.

There are benefits and burdens in connection with living on Beach Drive. The benefits include enjoying the unique and beautiful lakeside terrace that the Beach Drive area is. The benefits also include being the primary beneficiaries of the Village's three-million-dollar plus coastal resiliency revetment project—easily the biggest and most expensive capital project in Village history. Beach Drive residents are not being "specially assessed" for this work. Non-Beach Drive property owners share in and are paying most of this cost because it is for "the greater good."

The burdens include the visitor traffic that the beautiful location, the Beach Club, and the special events that property owners host, has always attracted. The Mary Nohl house, granted, is an additional element of this visitor traffic. Based on complaints lodged with the police, Mary Nohl traffic is a small part of the "problem." If the cultural overlay actually is an additional burden, then maybe the nearby

residents should accept it, like the non-Beach Drive residents accept the cost of the coastal resiliency revetment project, because it is for "the greater good."

The nearby residents purchased their properties with full knowledge that visitor traffic on Beach Drive, including to view the Nohl house, was always going to be part of the "deal."

The Village has not received Beach Drive property owner complaints about the many social events and activities at the Beach Club or any number of special events that Beach Drive property owners host. These activities attract many visitors and guests. In this respect, the opposition to measured and limited visitor access to the Nohl house may come across as "selective outrage."

The applicant will agree to a payment in lieu of taxes (PILOT) arrangement. If the Chipstone PILOT arrangement includes school taxes, the applicant's PILOT probably should too.

The Chipstone cultural overlay has worked well because the Chipstone Foundation has shown sensitivity to the immediate neighborhood and has been measured about access, visitors, and traffic. The applicant wants to work with neighbors in the same fashion.

We have a zoning provision for a cultural overlay for a reason. Can there be a better reason than this? Chipstone and Mary Nohl are appropriate for this designation.

The John Michael Kohler Arts Center will direct most public traffic to the Arts Preserve in Sheboygan. This is an important new development and one that supports the application as the public has access to things Mary Nohl at the Preserve. It does not need the Fox Point location to learn about Mary Nohl or to view her work.

If implemented, it is unlikely anyone is going to notice a material change in the character or nature of life on Beach Drive. This is a credit to the applicant. The application is well thought through and entirely reasonable. The plan is a win-win. It should, overall, make things better, not worse.

Preserving the Nohl House without access is a notion that is just plain odd. Hemingway's house in Key West is in a residential neighborhood. The public can visit it. Neruda's house in Valparaiso Chile is in a residential neighborhood. It is open to the public. The Ulysses S. Grant house in Galina Illinois is in a residential neighborhood. It is open to the public. Who would suggest that these, or the thousands of other places of cultural, artistic, or historical significance that sit in residential areas, must be preserved but not visited?

It is in the Village's interest that this low grade "war" that has been going on for 20 years end. If the applicant attempted to carry on its mission without the overlay and contractual arrangements with the Village the neighbors would complain that JMKAC is operating a "museum" without permission. This would simply be the next salvo in the same old war. The war must end. The proposed overlay and related arrangements with the Village should serve as the treaty to end the war—with honor, dignity, and respect to all parties.

Karen M Schapiro
6405 N Berkeley Blvd
Fox Point Wisconsin

Scott Botcher

From: Debbie Lemont <debbielemont1@gmail.com>
Sent: Monday, February 20, 2023 9:11 AM
To: Scott Botcher
Subject: Mary Nohl Cultural Overlay Application Opposition

Dear Scott,

Please forward this email to the Village Board and Plan Commission members.

In our view, Kohler's Art Center is going well beyond their stated intent of opening up "limited" access to the Mary Nohl site for art scholars, collectors, historians, etc. by setting up what appears to be a base station at the new auxiliary building to host museum groups, college classes, educational symposiums, hosting meetings, using the space for offices, bringing in local school groups, and the list goes on and on. This wide ranging list of visitor groups is not by any stretch of the imagination providing "limited" access to the site that "fits the residential character of the surrounding neighborhood." This overreach by Kohler as to what activities they are hoping to use the site for will create significant disruption to the immediate neighborhood, which does not appear to be a serious concern of Kohler's.

If their contemplated number of visitors truly was limited, they wouldn't need the new auxiliary building as their base station, they wouldn't need the double wide driveway and new parking lot, they wouldn't need the new gate and therefore, the surrounding neighbors wouldn't have to worry about whether the extra traffic flows out to Beach Drive or out to the back of the property through Willets Lane.

This very wide range of the type of visitors to be brought to the site and the significant increase in volume of visitors over the status quo of past visitor levels into such a confined area of homes, with its narrow road, blind curves, with only one way in and one way out, will result in an intolerable situation for the immediate neighborhood.

Please do the right thing for your Fox Point residents and deny Kohler's application for a Cultural Overlay rezoning of their properties.

Debbie Lemont
7475 N. Beach Drive

Sent from my iPhone

Scott Botcher

From: Christine Symchych
Sent: Monday, February 20, 2023 9:19 AM
To: Scott Botcher
Subject: Fw: Save the Nohl Art Environment

From: Brian Molstad <Brian.Molstad@ibm.com>
Sent: Sunday, February 19, 2023 6:19 PM
To: Christine Symchych <csymchych@villageoffoxpoint.com>
Subject: Save the Nohl Art Environment

Hello, Christine;

I'm writing to express my support for keeping the Mary Nohl art environment intact and accessible within the guidelines specified in the cultural overlay zoning designation proposed by the John Michael Kohler Arts Center (JMKAC).

As a Fox Point resident for almost 15 years, I fully understand and appreciate the wishes and needs of the neighbors who live near the Nohl estate. They are entitled to quiet, privacy and peace which is what my wife and I sought when we moved to this wonderful village. However, I feel our village will be forever diminished if we allow cultural treasures such as the Mary Nohl art environment to be permanently closed. Its supporters do wonderful service to our community by furthering art education and the artistic pursuits our young people.

The guidelines the JMKAC have put forth are very reasonable and will only allow a limited number of quiet, respectful patrons periodic access to the property. The disruption to neighbors would be negligible if not non-existent, and our village can take pride that we collectively support art, creativity and value our culture and heritage.

Let's show the entire Milwaukee area that Fox Point cares about our history and heritage. Supporting the Mary Nohl art environment will do exactly that.

Thank you for your consideration.

Brian Molstad
1530 Goodrich Lane

Scott Botcher

From: Christine Symchych
Sent: Monday, February 20, 2023 9:20 AM
To: Scott Botcher
Subject: Fw: Mary Nohl Property

From: Richard Pauls <rpauls@charter.net>
Sent: Friday, February 17, 2023 6:06 PM
To: Christine Symchych <csymchych@villageoffoxpoint.com>
Subject: Mary Nohl Property

Hi Chris:

We have met in passing, via MAM events, but not often. I believe we may have travelled together on the MAM trip to Cuba some years ago. Regardless, I know you are very attentive to, and a significant supporter, of the arts in Milwaukee.

My wife Lois and I live downtown, and have had a Milwaukee residence for about 16 years. Prior to that we lived in the Sheboygan area for over 40 years, and for that entire time I was on the Board of the Kohler Arts Center as well as the Kohler Trust for Arts and Education, the largest benefactor of the Arts Center, and Lois served as well in various major capacities, including ground work for the remarkable new Art Preserve. In the aggregate this is an extraordinary institution plowing new ground in the art world and being nationally, if not globally, recognized for it.

Of course we are hoping the Fox Point trustees will approve a "cultural overlay" for the Mary Nohl property. I'm well aware of how common it is for residents to claim domain over not just their own property but nearby properties as well, without regard to the rights and privileges of others, or important public and community benefits. Demanding traffic surveys and "air quality" studies run to absurdity. A very small negative and organized group will always make an outsized impression.

Of course you know all this, but as I interpret the activity and capacity restrictions proposed in the new "overlay" they exceed any thing resembling restrictions that would apply to a regular homeowner. How would the Beach Drive residents feel about living next door to someone like Andy Nunemaker for instance! Or any gregarious and activity-oriented civic minded, or just socially active homeowner?

My wife and I can testify to the unparalleled and incomparable quality and depth of JMKAC, and the resources it has applied for the greater good. And Mary Nohl was a Milwaukee treasure. Will reason prevail? We hope so. Thanks.

Richard and Lois Pauls
1858 North Prospect, # 21 L
Milw. 53202

Scott Botcher

From: Douglas Frazer
Sent: Monday, February 20, 2023 10:05 AM
To: Scott Botcher
Subject: Please Save the Mary Nohl Art Space

For the record.

Get Outlook for iOS

From: Robin <robindavies@gmail.com>
Sent: Monday, February 20, 2023 9:47 AM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>
Subject: Please Save the Mary Nohl Art Space

Hello, I'm writing to encourage you and the board to preserve the Nohl Space! This is a Wisconsin treasure and it would be a shame to lose it.

Thank you for your time. R.

Scott Botcher

From: Christine Symchych
Sent: Monday, February 20, 2023 10:39 AM
To: Scott Botcher
Subject: Fw: Mary Nohl Home | Letter of Support

From: Prairie Koziol <studiokoziol@gmail.com>
Sent: Monday, February 20, 2023 10:38 AM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>; Eric Fonstad <efonstad@villageoffoxpoint.com>; Christine Symchych <csymchych@villageoffoxpoint.com>; Elizabeth Sumner <lsumner@villageoffoxpoint.com>; Greg Ollman <gollman@villageoffoxpoint.com>; Elizabeth Aelion <eaelion@villageoffoxpoint.com>; Catie Anderson Knight <cknight@villageoffoxpoint.com>
Subject: Mary Nohl Home | Letter of Support

Hello, Members of the Neighborhood Committee,

I'm an ardent supporter of the Mary Nohl home and studio. The history that this house presents in a community and history is unparalleled in the midwest. These spaces are vital in situ and not removed to another space.

Additionally, I want to thank the board for finding a meeting point between the JMKAC and the texture of the Fox Point neighborhood. I understand the need to continue the current calmness in your space. With the inclusion of artists in residence, and other small events, you will see the longevity it will have. Welcome these artists into your community with open arms.

You have this task to support the cultural overlay zoning, and I fully support this notion.

Please consider it.

Kind regards,

Prairie Koziol
Chicago Resident and Artist

Scott Botcher

From: Roberta Bechtel <robertabechtel@gmail.com>
Sent: Monday, February 20, 2023 11:05 AM
To: Douglas Frazer; Eric Fonstad; Christine Symchych; Elizabeth Sumner; Greg Ollman; Elizabeth Aelion; Catie Anderson Knight; Scott Botcher
Subject: Save Mary Nohls Home

Dear Village Trustees.

I am writing this today to ask that you save Mary Nohl's home. In the world where everything is new, the old and unique is unappreciated. We need to do everything we can to hang onto beauty in whatever form it appears. We need to let children know that their creativity is important and to work against conformity.

I live in San Francisco and come to Wisconsin every year to appreciate the art of the Kohler Museum where I was introduced to Mary Nohl's work.

Thank you so much for your consideration, and what you do for the Village.

Roberta Bechtel

Sent from my iPhone

Scott Botcher

From: Mike Stoessl <mikestoessl@gmail.com>
Sent: Monday, February 20, 2023 12:37 PM
To: Scott Botcher
Cc: Toni Stoessl
Subject: Final comments on the JMKAC Cultural Overlay Proposal

Dear Mr. Botcher:

Please forward this email to each of the Village Trustees and Village Plan Commissioners.

Toni and I live at 8000 N Beach Dr. We've read JMKAC's proposal, listened to the public comment, and read through the letters already submitted. We see broad agreement that the Nohl House should be preserved, and that limited visitation should be encouraged.

However, we also see strong disagreement on how to do this while avoiding anything that "materially adversely affects the use and enjoyment of property in the immediate neighborhood."

We believe that the JMKAC proposal, in asking for far more than needed to achieve limited visitation and preservation, should be rejected to allow simpler solutions to be put forward.

JMKAC already allows small group visitation. But they also ask for:

- Rezoning of both the Nohl house AND her neighbor's home: a property that has nothing to do with Mary Nohl, her art, or preservation of her home
- The option to host groups as large as 80 people
- The ability to use the site for Board Meetings, offices, and any other staff activity
- Construction of a through-road that uses both properties and exits at two points on Beach Dr
- The option to have both properties stop paying their tax levy from our schools.

This is a large ask, is far more than necessary for "preservation and limited visitation", and carries with it significant risk that the traffic generated will negatively impact the immediate neighborhood.

There's a much simpler, lower impact solution:

- Rezone only the Nohl House
- Address traffic concerns by limiting visitation to four vehicles (car, SUV, mini-van) per day. With carpooling, this easily allows for 24 visitors in a day
- A PILOT that covers both Fox Point and Nicolet/FP/Bayside schools
- Larger events by special permit, or with approval of a 6-person committee similar to what was established for Chipstone.

This approach would allow JMKAC to manage extensive visitation, while at the same time guarantees minimal traffic.

Given that there is no need to rush this proposal – the Nohl House is in great shape and visitation is already occurring and possible -- we'd ask that you reject the current proposal to allow something like this simpler approach to be negotiated.

Thanks,

Mike & Toni Stoessl

Scott Botcher

From: Kim Kelly <kimkelly1980@gmail.com>
Sent: Monday, February 20, 2023 2:29 PM
To: Douglas Frazer
Cc: Eric Fonstad; Christine Symchych; Elizabeth Sumner; Greg Ollman; Elizabeth Aelion; Catie Anderson Knight; Scott Botcher
Subject: Voicing support for the Mary Nohl Art Environment from Nova Scotia

Dear Village of Fox Point Trustees,

I am writing to you today as an artist living in Nova Scotia, Canada to express my support for the preservation of the Mary Nohl Art Environment. Mary Nohl's work has made a huge impact on my life and I believe that her legacy is of great importance to the Fox Point community and the international art community.

I am heartened to hear that the John Michael Kohler Art Center has undertaken substantial restoration and conservation efforts to stabilize and maintain the property. I urge you to consider the creation of a cultural overlay district for the Nohl property. This will create a pathway for local community members, educators, and artists to access the property and deepen their understanding of its legacy and value.

Preserving the Mary Nohl Art Environment will ensure that future generations of Fox Point residents will be able to say, "Mary Nohl is a part of my community." I implore you to support the cultural overlay request and ensure that this important piece of community history is preserved for years to come.

Thank you for your consideration and your commitment to the preservation of the Mary Nohl Art Environment.

Sincerely,

Kim Kelly

Sbotaher@villageofFoxPoint.com

TO: Village Board and Plan Commission February 20, 2023

Please DENY the Kohler cultural overlay application for the following reasons:

The application attempts to bury the real issues within hundreds of pages of irrelevant and misleading documents including police parking reports, a manufactured traffic study, Chipstone, the Nohl gift, statements from paid Kohler employees, out-of-state individuals and organizations, repeated false claims of transparency and neighborliness, and even an invented knowledge of Mary Nohl's wishes. (Ask yourselves what the Chipstone cultural overlay has done for Fox Point other than avoid taxes.)

While each of these items can be countered with evidence, it should not fall upon residents to argue every issue, especially since it serves to distract from and ignore the main issue --- commercialization of residential property for profit, not art or culture. It is wanton destruction of a residential neighborhood.

Kohler's only objective is to monetize the Mary Nohl brand and increase their own prestige. Kohler does nothing for Fox Point residents (considering them "the public") and avoids realistic tax responsibility. It used an "artist in residence" ruse as a tool to keep the property open for the last six years. Kohler even has the audacity to presume its paid employee-artist could act as a cultural anthropologist to channel Mary Nohl's wishes. Importantly none of these so-called wish documents have been published which is standard research practice. I have spoken to residents who actually knew Mary Nohl, were her friends and visited her home; they all say she would be aghast and turning over in her grave at Kohler's plans.

Kohler has always had long terms plans. It had the Nohl property listed as a historic site. It knowingly purchased additional residential property with the intent of converting it to commercial use. It was as transparent as cement in this purchase and no doubt has further intentions regarding additional adjacent residential property. Kohler wants to control the whole block and assert their power over the neighborhood. Interestingly their application and "contract" make no guarantee of future expansion.

Kohler admits they have removed eighty percent of the artwork and created a facsimile of some rooms in their Sheboygan location. Why visit the house? Does one actually think visitors will be affected by a walk-though? The outdoor statues are NOT site specific. They are reflective of Mary Nohl's extensive travels and exposure to world art. Kohler has considered plans to move the house and artifacts. It certainly CAN be done; Kohler chooses not to do so. Kohler prefers to bury the truth. Five thousand visitors a year (equal to 78% of all Fox Point residents) will process through the neighborhood.

Since there is NO parking on any Fox Point street, not just Beach Dr., the parking issue is moot. Yet Kohler pretends that they are making a concession on parking. They state travel will not be at rush hour---just during the "quiet" time; in reality, quiet time will no longer exist. The plan for a "drive-through" street between two RESIDENTIAL properties is akin to McDonalds traffic. And where will all these visitors be accommodated during inclement weather? What about all their coats, boots, umbrellas, backpacks? What about TOILET facilities, drinking fountains, snacks, seating? Handicapped?

Kohler presented a thoroughly scripted dog-and-pony show while speaking out of both sides of their collective mouth. Kohler states that a cultural overlay is not needed, per se, but only because it is not sustainable for their Arts Center. That is Kohler's problem; it does not mean Fox Point must make it feasible. Residents should not be forced to subsidize Kohler; that is what an overlay will do. Kohler is like "The Blob" and will overtake our lives. Please do your duty to the residents of Fox Point who elected you. DENY Kohler's deceptive application and preserve our residential neighborhood.

KATHE LAKE

7471 N. BEACH CT.

Scott Botcher

From: Christine Symchych
Sent: Monday, February 20, 2023 9:16 PM
To: Scott Botcher
Subject: Fw: Voicing support for the Mary Nohl Art Environment from Nova Scotia

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From: Kim Kelly <kimkelly1980@gmail.com>
Sent: Monday, February 20, 2023 2:29 PM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>
Cc: Eric Fonstad <efonstad@villageoffoxpoint.com>; Christine Symchych <csymchych@villageoffoxpoint.com>; Elizabeth Sumner <lsumner@villageoffoxpoint.com>; Greg Ollman <gollman@villageoffoxpoint.com>; Elizabeth Aelion <eaelion@villageoffoxpoint.com>; Catie Anderson Knight <cknight@villageoffoxpoint.com>; Scott Botcher <sbotcher@villageoffoxpoint.com>
Subject: Voicing support for the Mary Nohl Art Environment from Nova Scotia

Dear Village of Fox Point Trustees,
I am writing to you today as an artist living in Nova Scotia, Canada to express my support for the preservation of the Mary Nohl Art Environment. Mary Nohl's work has made a huge impact on my life and I believe that her legacy is of great importance to the Fox Point community and the international art community.
I am heartened to hear that the John Michael Kohler Art Center has undertaken substantial restoration and conservation efforts to stabilize and maintain the property. I urge you to consider the creation of a cultural overlay district for the Nohl property. This will create a pathway for local community members, educators, and artists to access the property and deepen their understanding of its legacy and value.
Preserving the Mary Nohl Art Environment will ensure that future generations of Fox Point residents will be able to say, "Mary Nohl is a part of my community." I implore you to support the cultural overlay request and ensure that this important piece of community history is preserved for years to come.
Thank you for your consideration and your commitment to the preservation of the Mary Nohl Art Environment.
Sincerely,
Kim Kelly

Scott Botcher

From: Christine Symchych
Sent: Monday, February 20, 2023 9:17 PM
To: Scott Botcher
Subject: Fw: Nohl House
Attachments: Nohl House.docx

From: Mike Costello <mikecos1@gmail.com>
Sent: Monday, February 20, 2023 1:47 PM
To: Christine Symchych <csymchych@villageoffoxpoint.com>
Subject: Nohl House

Re: Cultural Overlay District, rezoning of 7328 and 7254 Beach Drive.

Mike and Laura Costello
8005 N Beach Drive
Fox Point , Wi 53217

February 20, 2023

Dear Trustee's

Thank you for your service and time spent on the Nohl house issue. We would like to speak in opposition to the proposed Kohler changes. Not in opposition to the Nohl house as many have framed this. The house is great and needs to remain where it is, as it is. Many from the arts community have spoken for this change as if that is the only option. The status quo is an option. The Kohler foundation has the means to maintain the house as is. They already take in fees from their existing museum that has many of the artifacts from the Nohl house. The house is not a financial drain on them.

As a trustee I assume you are working in the best interest of your constituents that elected you and for the Village of Fox Point. I also assume budgets and expenses are at the top of your list. How is removing property from the tax base a good idea? How is the very likely reduction in the property values and hence tax rate of some of your highest tax payers that live nearby in the best interest of the Village or even the schools?

Just say no.

Mike and Laura Costello

Scott Botcher

From: Christine Symchych
Sent: Monday, February 20, 2023 9:18 PM
To: Scott Botcher
Subject: Fw: Save the Mary Nohl House!

From: Jesse Malmed <jmalmed@uwm.edu>
Sent: Monday, February 20, 2023 4:23 PM
Subject: Save the Mary Nohl House!

Hello!

Writing to you as an artist, a professor at UWM and an enthusiast for the wonderful work that Mary Nohl did and that the community *does* to activate and preserve that.

Long before I knew anything about Fox Point or the Northshore, I knew about Mary and her home. Indeed, it was what first brought me there. The home is an absolute treasure and a great source of excitement and pride for the region, one that can be further enhanced through continued preservation and the space and time for the Kohler folks to do what they do so (, so, so) well.

It is my hope that you'll join in this support.

Thank you,
Jesse Malmed

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Jesse Malmed
Lecturer | Film, Video, Animation and New Genres
University of Wisconsin–Milwaukee
he / him | jmalmed@uwm.edu | jessemalmed.net

Scott Botcher

From: Christine Symchych
Sent: Monday, February 20, 2023 9:12 PM
To: Scott Botcher
Subject: Fw: In support of Mary Nohl

From: Faythe Levine <faythelevine@gmail.com>
Sent: Monday, February 20, 2023 11:37 AM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>; Eric Fonstad <efonstad@villageoffoxpoint.com>; Christine Symchych <csymchych@villageoffoxpoint.com>; Elizabeth Sumner <lsumner@villageoffoxpoint.com>; Greg Ollman <gollman@villageoffoxpoint.com>; Elizabeth Aelion <eaelion@villageoffoxpoint.com>; Catie Anderson Knight <cknight@villageoffoxpoint.com>
Subject: In support of Mary Nohl

Dear Village of Fox Point Trustees,
As a cultural worker I am writing in support of the John Michael Kohler Arts Center's proposed cultural overlay zoning designation of the Mary Nohl house.

Through JMKAC I have had the opportunity to access and learn about the site. Because of this opportunity I have been able to discuss Mary Nohl and her home site's importance with students in a guest lecturer roll at numerous institutions over the past few years such as the Rhode Island School of Design, Virginia Commonwealth University School of the Arts, Warren Wilson College, Milwaukee School of Art and Design, Mt. Royal School of Interdisciplinary Arts at MICA, Tyler School of Art and Architecture, and the Minneapolis School of Art and Design.

I hope you consider the value and importance of keeping the site accessible based on JMKAC's thoughtful proposal.

With Gratitude,
Faythe Levine
Hudson, NY

Scott Botcher

From: Christine Symchych
Sent: Monday, February 20, 2023 9:14 PM
To: Scott Botcher
Subject: Fw: Mary Nohl

From: Amy Soczka <amy.soczka@gmail.com>
Sent: Monday, February 20, 2023 11:40 AM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>; Eric Fonstad <efonstad@villageoffoxpoint.com>; Christine Symchych <csymchych@villageoffoxpoint.com>; Elizabeth Sumner <lsumner@villageoffoxpoint.com>; Greg Ollman <gollman@villageoffoxpoint.com>; Elizabeth Aelion <eaelion@villageoffoxpoint.com>; Catie Anderson Knight <cknight@villageoffoxpoint.com>
Subject: Mary Nohl

Dear Mr. Frazer and the Village of Fox Point Trustees,
I want to thank you for your attention to the matter of Mary Nohl's legacy and the important cultural contribution she made during her life, the results of which continue to affect and inspire so many people that your Village is concerned about being overrun with admirers.
I understand this concern. First, let me tell you briefly how I personally have been affected by the work and the property of Mary Nohl on Beach Drive.
In 1995, I was a pre-college student at MIAD. A fellow student told me about "the Witch House" in her neighborhood, and took me for a drive to see it. I had never been to this particular hidden gem of a neighborhood, as close to Lake Michigan as you can get. As we approached Mary's home, I learned about the legend and that people often vandalized the work and harassed the artist.
I can't fully express how I felt when we peeked through the fence and encountered the amorphous figures and the woodcut silhouettes - I had never seen work like this, an environment like this, a prolific body of work so clearly made with passion and dedication to a craft, even in the face of constant judgment and ignorant rumors and vandalism.
That was almost 30 years ago, but my appreciation for the work has never waned. I have taken my own children to see the property, and my art continues to evolve on a path that began that day.
It would be wrong to prevent others from experiencing this culturally significant site. However, I understand a concern about traffic on the narrow lakeside road, and the lack of appropriate places to turn around to exit that neighborhood. Is there not a compromise to be found here? Here are my initial ideas:
1. The site is open to a pre-ticketed limited number of guests on a quarterly basis.
2. Ticketing would cover a shuttle to the site from a designated remote location.
3. Proceeds from ticketed events would cover costs of maintaining the property in a way that is conducive to the surrounding community.
4. Private Fundraising to finance the addition of a turn-around somewhere on the property to prevent guests or drivers-by from pulling into private driveways.

Finally, I hope you will consider the irony of the actions of the opposing neighbors and the Village itself. Mary Nohl faced vandalism and harassment throughout her working years. Yet she was able to honor her vision and her immediate environment with an outpouring of sculptural artifacts that we should all treasure.

Thank you,
Amy Soczka Duffey
--

Amy Duffey
www.amysoczka.com drawings + paintings

Scott Botcher

From: Christine Symchych
Sent: Monday, February 20, 2023 9:12 PM
To: Scott Botcher
Subject: Fw: In Support of the Nohl Museum

From: Sebastian Mei <sebmei@gmail.com>
Sent: Monday, February 20, 2023 1:35 PM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>; Eric Fonstad <efonstad@villageoffoxpoint.com>; Christine Symchych <csymchych@villageoffoxpoint.com>; Elizabeth Sumner <lsumner@villageoffoxpoint.com>; Greg Ollman <gollman@villageoffoxpoint.com>; Elizabeth Aelion <eaelion@villageoffoxpoint.com>; Catie Anderson Knight <cknight@villageoffoxpoint.com>
Cc: Dalyn Ward <dalynward@gmail.com>
Subject: In Support of the Nohl Museum

Dear Fox Point Trustees,

I'm writing in support of the Mary Nohl Museum. The house has long been a gem, something to be proud of in this community, and the reasons for opposition seem totally unfounded by the facts.

I just came back from a long walk on Beach Drive and was disappointed to see so many "No Nohl Museum" signs along that particular road. That seems like the definition of NIMBYism - people who purport to support arts and culture until it gets too close to them. Please.

I hope you do the right thing for our community and for the sake of art and culture in Milwaukee and our state. Please ignore the unfounded fear-mongering and support the Nohl Museum's request for a cultural overlay.

Thank you,
Sebastian Mei
7610 N Regent Rd, Fox Point, WI 53217

Scott Botcher

From: Jeff Ostergren <jeffostergren@gmail.com>
Sent: Monday, February 20, 2023 4:19 PM
To: Scott Botcher
Subject: Writing in support of a a cultural overlay zoning designation for the Mary Nohl house

Dear Mr. Botcher,
My perspective as a non-resident of the community may make it matter less, but I want to strongly support a cultural overlay zoning designation for the Mary Nohl house. I had never heard of the Mary Nohl House until this last weekend when, visiting friends in Milwaukee, they drove me by this remarkable site. Upon seeing the Kohler Arts Preserver in Sheboygan, I received a further glimpse into the life of Mary Nohl. I marveled at what appears to be a remarkable and vital space and was surprised to hear of the controversy over modest suggestions for changes and improvements.

After looking at the website and doing extensive reading online for both sides, the people opposed to the JMKAC's plan for the house seem at best misinformed. At worst, their rejection of an artist residency program suggests an alarming and sad fear of outsiders and change. Creating visual improvements to the property, better security, and designating it as an official landmark would literally benefit EVERYONE in the community, both financially (raised property values) and culturally (opportunities for cultural enrichment). If the suggestions of the JMKAC are followed, there should be minimal disruption to the community.

I urge you to vote in favor of the JMKAC's request for a cultural overlay zoning designation for the Mary Nohl house. And I hope to return in person someday and visit the house's interior on one of their special visit days. Thank you for your time.

Sincerely,
Jeff Ostergren, Visual Artist
New Haven, CT

--
Jeff Ostergren
he/him/his
jeffostergren@gmail.com
www.jeffostergren.com
IG @jeffostergren

Scott Botcher

From:	hayssen@ticon.net
Sent:	Monday, February 20, 2023 5:33 PM
To:	Douglas Frazer; Eric Fonstad; Christine Symchych; Elizabeth Sumner; Greg Ollman; Elizabeth Aelion; Catie Anderson Knight
Cc:	Scott Botcher
Subject:	Please support the Mary Nohl house cultural overlay district

Dear Village Trustees:

Please approve the Mary Nohl house cultural overlay district.

The Mary Nohl house is a valuable part of the heritage of the Village of Fox Point. The plan that JMKAC/CAPP has presented thoughtfully balances the preservation of the quiet, residential character of the neighborhood with the desire to share Mary Nohl's vision and environment with a wider public.

By their nature, residential disputes like this can become very emotional. The fears expressed by neighbors seem grossly overblown. The JMKAC/CAPP plan is based on scaling the activity at the Nohl house to the level of activity at a more traditional residential house. That is perfectly reasonable.

Beach Drive has had Mary Nohl sightseeing traffic for more than fifty years. In the early 1970's I listened to high school classmates relate stories of driving past the witch's house and then their stories of how she became a witch. Did you know that every sculpture on the front lawn is a grave marker?

Mary Nohl has been a part of Beach Drive for decades and everyone who has bought on Beach Drive knows that. As long as the Nohl house behaves within the norms of a residential house it should be able to go about its mission without being hindered or harassed by neighbors.

Thank you for serving as village trustees.

Tom Hayssen
1111 E Bywater Lane
Fox Point

Scott Botcher

From: Kelly DeWeese <kellykdeweese@gmail.com>
Sent: Monday, February 20, 2023 6:15 PM
To: Scott Botcher
Subject: Mary Nohl

Hello,

Mary Nohl and her home is an inspiration. In a world filled with computers and beige colored homes she still breathes life into creatives and those who are willing.
Please allow the cultural overlay district zoning designation. Her legacy must live on and we need to come together on this.

Thank you,
Kelly DeWeese

Scott Botcher

From: Bridget Fonstad <bridgetfonstad@gmail.com>
Sent: Monday, February 20, 2023 6:19 PM
To: Scott Botcher
Subject: Cultural Overlay District Proposal
Attachments: BFonstad COD ltr 2-20-2023.pdf

Dear Mr. Botcher,

Attached are my comments regarding the Cultural Overlay District proposal for 7254/7328 North Beach Drive. Please distribute these to the Village Board and the Plan Commission.

Sincerely,

Bridget Fonstad
7405 North Beach Drive

Comments re: Cultural Overlay District Proposal for 7254/7328 North Beach Drive

February 20, 2023

To: The Fox Point Village Board and the Plan Commission

From: Bridget Fonstad

I reside at 7405 North Beach Drive, directly across the street from the Mary Nohl House. I have lived in my home since 2002 so I have experienced firsthand Kohler's use of the property over the past twenty years. I oppose the John Michael Kohler Art Center's Cultural Overlay District application in its current form.

There is no reason Mary Nohl's house cannot stay on Beach Drive and be managed in a way that respects the residential character of the immediate neighborhood. All the John Michael Kohler Art Center ("Kohler") needs to do is stick to its stated goals of preserving and protecting the property and agree to manage the site the way Alex Gartelmann did.

Over the last five years, Alex Gartelmann lived in the house as artist-in-residence and site preservationist and in the process demonstrated, to both Kohler and the immediate neighborhood, that Kohler can operate the property with limited access for scholarly study without disrupting the residential character of the neighborhood. Neighbors were generally happy with the way the property was used by Kohler when Alex lived there. There were no fundraisers or large groups. There were discrete visits by scholars three or four at a time and small groups of Kohler staff who came occasionally to review Alex's work. They all used the parking area in front of the garage. Alex was a visible presence on the property, showing the world that the house was occupied. He talked to people who stopped by and told everyone who asked that the property was not open to the public and that they could go to the Art Preserve in Sheboygan if they wanted to know more about Mary Nohl and her art.

The problem we face is that Kohler's Cultural Overlay District ("COD") application goes way beyond preservation and protection. The application is more about increasing the number of visitors to the site, relieving Kohler of the tax burden of owning residential property, and using the site for fundraising. As proposed by Kohler, this COD is bad for Fox Point and bad for this neighborhood.

In my opinion, granting COD status to Chipstone was perhaps the most unfortunate policy decision the Village Board has made in the last fifty years. It was controversial at the time and it took 11 acres of valuable residential property off the tax rolls. Kohler said at the public hearing that Chipstone is not a problem for its neighbors and the Nohl house will not be a problem for its Beach Drive neighbors. However, the two properties are very different. Chipstone is not a problem for its neighbors because nothing is visible from the road and very little happens there. Chipstone found that it was not feasible to operate a museum in a residential neighborhood so most of its decorative arts collection was moved to the Milwaukee Art Museum. Chipstone is a problem for Fox Point because of the lost tax revenue. Please see attached articles for more information about Chipstone.

Kohler should not be allowed to fundraise <u>at</u> the Mary Nohl property. They can fundraise <u>for</u> the property at other locations, including other Milwaukee locations if they feel they want to tap into Milwaukee area donors. The Nohl property was a pet project of Ruth Kohler. Kohler has access to over $440 million from Ruth Kohler's estate through the Ruth Foundation.

Everyone who lives on Beach Drive paid a premium to buy their home. Every year we pay unusually high taxes because of the value of the land along the lakefront. We have to use our own resources to pay our property taxes, that is, to be able to "sustainably" stay on Beach Drive.

Kohler says the property is not sustainable if they have to continue to pay property taxes. If Kohler has a sustainability issue with the property, it is an issue of their own creation and they should have thought that through before putting $3.6 million into the property and purchasing the lakefront property next door for $790,000. Kohler should fund an endowment to ensure that the property will be well maintained. They have the resources to do that.

"Sustainability" is a real issue the Village and our schools. The Village can only continue to provide the high level of services residents expect if the net value of new construction in the Village keeps up with the ever increasing cost of providing those services. The Board needs to understand the impact removing over two million dollars of residential property from the tax rolls would have on the Village's ability to fund operations. Other residents have already pointed out how the proposed COD would allow Kohler to avoid supporting our local schools. I would add that it would also allow Kohler to avoid county, vocational school and other taxes.

The way Kohler uses the property impacts the neighborhood. There were long periods during the past twenty years when the property was vacant. That emboldened some to hop the fence and vandalize the artwork. Publicized events at the property resulted in increased traffic from uninvited visitors who would park near the property to look through the fence. Especially bad was Kohler's decision, since reversed, to install motion detection lights. The property would light up like an all night gas station whenever a car drove by or a squirrel ran through the yard. Late night visitors learned they did not have to aim their headlights at the property to see the sculptures after dark - all they had to do was trip the motion detector lights.

My message to the members of the Board and Plan Commission is that Fox Point residents depend on you to make decisions that preserve, protect, and enhance their neighborhoods and the overall residential character of our Village. Now it is time to preserve and protect <u>this</u> Fox Point neighborhood, like the Board has most recently worked to do in the neighborhoods around Longacre & Bell, Santa Monica & Lombardy, and Mohawk & Bradley.

If this application goes forward, I implore the members of the Board to be very careful when crafting the provisions of the COD agreement. The devil is in the detail. It is imperative to remove wiggle words such as "primarily", "from time to time", "substantially", to insert specific limits on the number of visitors, number of vehicles cars, and hours of operation, and to make sure any future changes to the COD agreement go through the same rigorous process as we are going through now. In addition to requiring full payment of property taxes, the COD agreement must clearly address the following issues:

<u>Number of Visitors on Site</u> - The fifty-nine outdoor sculptures are concentrated in the yard immediately around the house. That area cannot reasonably handle more than a half dozen people at a time. The same is true about the inside of the house. As Kohler has said, the art is fragile. Yet Kohler's application proposes to host large numbers of people on the site. Even ten visitors plus Kohler staff on site at the same time is more than the site can reasonably handle.

<u>Hours</u> - There should be a time after which visitors must leave. There is nothing to see outside after dark.

<u>Parking on Site</u> - The property already has newly repaved parking on site that can accommodate up to five cars. That should be enough to provide limited access for scholars.

If additional parking on site is allowed, it should be strictly limited and well screened from the road and neighbors. The drawings in the application show a new paved parking area but what has not been discussed is the large gravel parking area shown in the drawings to the South of the proposed drive and parking lot. That gravel parking area is not necessary for Kohler's proposed use and should not be allowed. If a new driveway is allowed to the West of the current driveway, it should be narrow, well screened, and equipped with a remote controlled gate so that cars waiting to get into the property do not block traffic.

Motion Detector Lighting - This was tried in the past with bad results for the neighborhood.

Driveway Connecting Beach Drive to Willets Lane - Kohler has said they eventually intend to develop 7254 as a residence for the artist-in-residence and the caretaker. There is no need to have a driveway connecting Beach Drive to Willets Lane. A driveway connecting Beach Drive to Willets Lane would be very disruptive to the homes on Willets Lane.

Destination Signage; Publicity - No signage on or directing people to the property should be allowed. Out of respect for the neighborhood, Kohler should keep a low profile at the property.

Remove 7254 from the COD - The property at 7254 Beach Drive has no connection to Mary Nohl or her art and there is no need to include it in the COD. Kohler's proposed use of the property does not require COD designation. Kohler says they intend to use it primarily for residential purposes.

Street Parking - It is good that the application says that street parking near the Nohl house would not be allowed. The turnaround by the Nohl house needs to be kept clear of parked cars so that school buses, trucks and cars can turnaround before the road heads further South.

In its initial letter to neighbors last November, Kohler said the property is at a critical juncture. Kohler has not disclosed the nature of this critical juncture. Kohler has managed the property for over twenty years and now, all of a sudden, says they are at a critical juncture. The Plan Commission and Village Board should not allow themselves to be rushed into making decisions that will affect the property, the neighborhood, and the Village for years to come.

Sincerely,

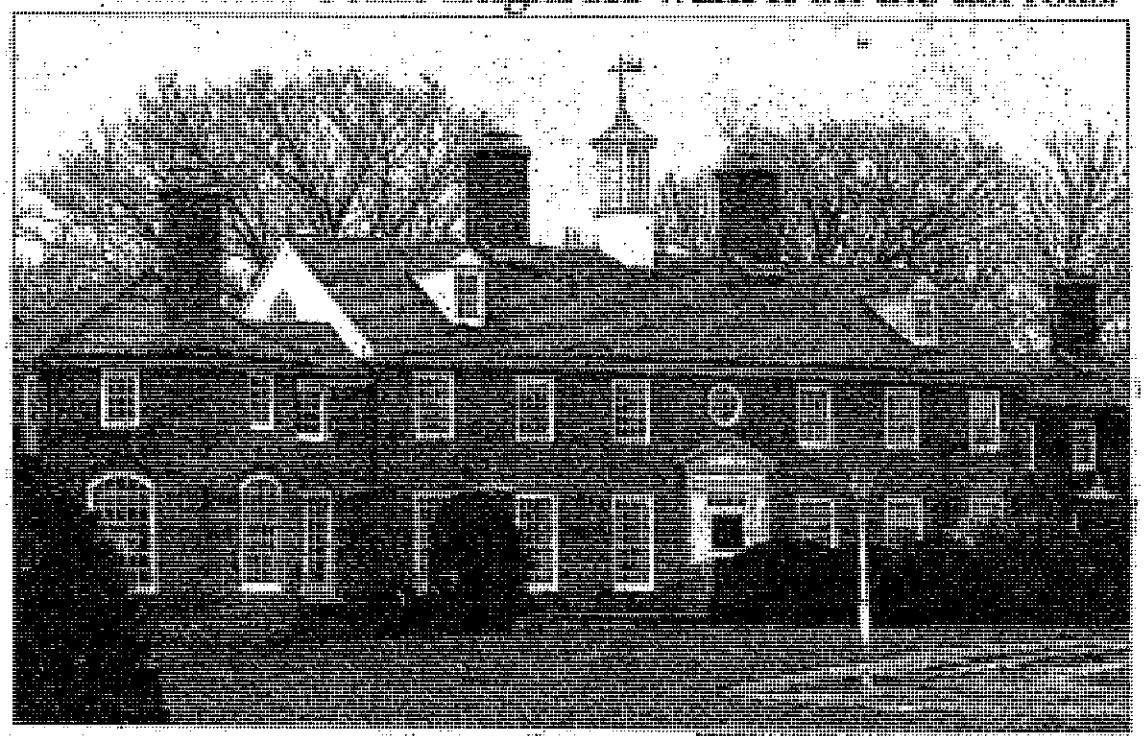
Bridget Fonstad

Bridget Fonstad
7405 North Beach Drive

TUESDAY: APRIL 24, 2007

JOURNAL SENTI

Is this Fox Point mansion a multimillion-dollar house or a museum? Some neighbors want it on the tax rolls.



The Chipstone Foundation, housed in a Colonial-style mansion in Fox Point, has tax-exempt status because it's classified as a museum. But the house museum receives few visitors, occasionally giving tours to mostly scholarly groups.

Art foundation defends properties

By MARIE ROHDE
mrohde@journalsentinel.com

Fox Point — When is a museum a museum and not just a tax dodge? That's the question raised by residents who want two Fox Point mansions worth at least $3 million restored to the tax rolls.

The neighbors are calling on the Village Board to re-examine a nearly 20-year-old agreement with the Chipstone Foundation that declared its property overlooking Lake Michigan a museum, granting it tax-exempt status.

Not many have set foot inside the Georgian-style mansion.

Few have seen the antique pie crust, tilt-top mahogany table that fetched $1.5 million.

Exemption bothers some

The off-the-tax-rolls status has irked some area residents for years but was largely ignored until last month, when Chipstone proposed creating an eight-bedroom, eight-bath residential study center on the property. The proposal, giving an old barn new life as a study center, would cost between $1.5 million and $3 million.

"When peo and ask to through the tell them th the collecti the Milwau Museum.

Jonathan Prowi curator of the Ch Foundation's mu Point home

The tax exemption means that somewhere between $100,000 and $200,000 a year has been stripped from the tax rolls — and the burden has been shifted to other property owners in this village of about 6,800 residents.

Chipstone donates about $21,000 a year to the village to cover the cost of fire, police and other services. That's a fraction of what it would owe without the tax exemption. The foundation also agreed to make a nearly $100,000 lump-sum payment to local schools several years ago as part of the agreement that created the house museum. That money covered five years' worth of income that the schools would have received in taxes. But there are no provisions for future payments.

Chipstone's beginning

Locally, few even know the Chipstone Foundation exists.

The foundation and its museum are on N. Club Circle, a narrow street reminiscent of a country lane. The area was originally developed by turn-of-the-20th-century industrialists looking for summer retreats not too far from work and with views of Lake Michigan. Some of those homes have been razed and replaced with modern mansions that are among the most expen-

Few have admired the $350,000 English earthenware cup, or the roomful of nearly worthless fakes, bought for millions and still a source of embarrassment for the foundation.

Despite an agreement that the museum be open to the public up to three days a week, the Chipstone collection has rarely been seen in the home that was built as its showcase.

Tours, although rare, have been given to groups such as the Colonial Dames, the American Antiquarian Society, the Junior League and folks from the Bayou Bend Museum in Houston. The most recent guests were from a Michigan Tech archaeology class this month.

But there are no school buses; no docents welcoming visitors at the door; no signs that would give the rare passer-by a hint that the big house on the bluff

Please see **CHIPSTONE, 13A**

The Chipstone's collection includes a variety of English pottery, but the foundation is considered the world's leading authority on early American furniture.

Although the foundation keeps some furniture and other artifacts at its Fox Point house museum, about half of its collection is on display at the Milwaukee Art Museum.

From page 1

CHIPSTONE

Some want homes on tax rolls

is a museum.

"The property is being used as a warehouse and as office space," said Allen Babbitz, who lives nearby. "Fox Point taxpayers are getting no benefit from it."

David Knox II, chairman of Chipstone's board of directors, said the public can see the collection at the Milwaukee Art Museum downtown, where about half of it is on display.

"We have been very sensitive to the needs of the community," said Knox, who notes that many fear increased traffic will destroy the area's tranquility.

But that's not what the wealthy donors, Stanley and Polly Stone, wanted when they pressed the village to give their home museum tax-exempt status.

"Furniture is much happier in a home than in a museum," Polly Stone told a newspaper in 1989. "In a museum, furniture begins to look tired and dry."

sive homes in Milwaukee County.

Stanley Stone, a former president of Boston Store, and his wife, Polly, began collecting early American furniture, English pottery and engravings in 1946. In 1950, they bought the Club Circle property, razed a mansion and built their home, a smaller replica of the Governor's Palace in Colonial Williamsburg, Va.

In 1968, the Stones created the foundation. Its name came from merging Stanley Stone's nickname for his wife — Chipmunk — and the family name.

Stanley Stone, who died in 1987, tried to have his home zoned as a museum in the 1970s. Village leaders turned him down. But his widow prevailed in the year of her husband's death, after threatening to build six more houses on the property if the village rejected the museum.

John Emory, a village trustee in 1988, thought the tax exemption was a good idea because the foundation agreed to the voluntary payments and promised to limit access, the major concern voiced by residents.

"At the time, this seemed like a very reasonable approach," Emory said.

Knox, chairman of Chipstone's board, says the agreement allows, but does not require, the building to be open to the public. Scholars in decorative arts receive greater access, but exactly how much is in dispute. The foundation gives the University of Wisconsin-Madison $125,000 a year to encourage decorative arts study and produces two annual publications considered the journals of record in their field.

The museum's curator, Jonathan Prown, said he doesn't keep count of the visitors.

The foundation's collection now has an insurance value of $125 million, not including real estate, and investment assets of about $70 million, Knox said.

The Stone home, on 8.2 acres, was valued at about $1.5 million when it was taken off the tax rolls in 1996, the year after Polly Stone's death. The adjacent 2.5-acre property at 1500 E. Lilac Lane, where Prown and his family live, was bought by the foundation in 2001 for $1.1 million. The foundation immediately poured about $400,000 in improvements into the second property.

Fox Point has one other similar institution — the controversial Mary Nohl house, at the bottom of the bluff on Beach Drive. Nohl left her house and the vast collection of art she created over a lifetime to the Kohler Foundation with the intent that it be maintained on the property and open to the public. Some neighbors have strenuously objected to public access, and it receives almost no visitors. But unlike Chipstone, the Kohler Foundation pays the full property tax bill.

Some neighbors complain that Chipstone's curator, Prown, has a child in a public school in the village, even though the foundation pays no school taxes on the home it provides for him.

"While residing in this school district, it is morally wrong to use the public schools and yet not pay taxes," neighbor Babbitz said.

Knox defended the school-tax exemption, likening the curator's home to a residence provided to a university president or a rectory provided to a minister. Prown provides security and access to the collection, Knox said.

Knox said the foundation looked into using the house as a true museum with regular public access, but it would have required modifications costing $6 million. In 1999, Chipstone entered into an agreement with the Milwaukee Art Museum to satisfy the Stones' wish that the collection be available to the public, he said.

"When people call and ask to come through the house, I tell them that half the collection is at the museum," said Prown. "That generally satisfies them."

Chipstone donated $500,000 to the art museum during construction of the Calatrava addition. Knox said the foundation gives the museum from $100,000 to $150,000 a year. The foundation also has an office in the older section of the museum.

"We felt this would allow far more people to view the collection than would ever have been possible in Fox Point," Knox said. "We felt that fulfilled the promise to display the collection."

If push comes to shove, Knox said, the foundation will open the house to the public if it can be done without major renovations.

Meanwhile, the foundation is proceeding with plans for the study center, which Knox expects to present to the Village Board for a vote this summer. Village President Michael West said he would ask the village attorney for advice on neighbors' concerns.

Alan Brown, who lives next door, supports Chipstone. "All of the neighbors I have talked to want to retain Chipstone as it is," he said. "Right now, it's a park. If they force them to turn it into a museum, that would put a lot more stress on the neighborhood."

"When people call and ask to come through the house, I tell them that half the collection" is at the Milwaukee Art Museum.

Jonathan Prown, curator of the Chipstone Foundation's museum in a Fox Point home

On the Web

For information on the Chipstone collection and its partnership with the University of Wisconsin-Madison, visit www.chipstone.org.

Chipstone sets trend in art donations

Collectors get tax breaks for creating private museums

By MARIE ROHDE
mrohde@journalsentinel.com

The Chipstone Foundation was ahead of a trend among wealthy collectors: creating private art foundations in exchange for big tax breaks.

Susan Frunzi, a New York City lawyer who has worked with collectors to create foundations and museums or to donate their treasures to charities, said it is becoming more common for collectors to establish private museums to preserve their possessions and get a tax break.

She has not worked with Chipstone.

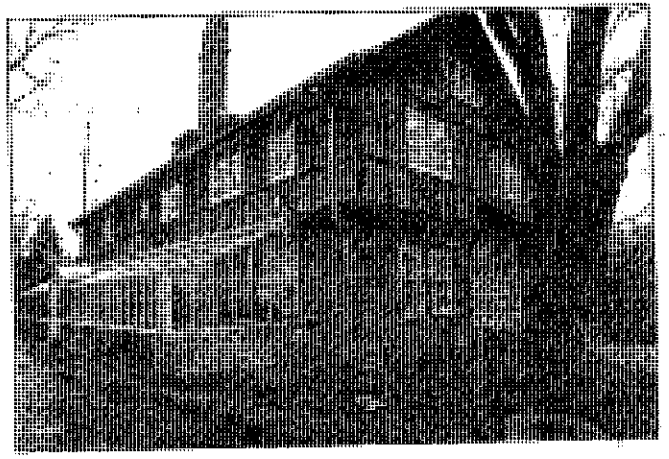
"A dozen years ago, it was very unusual for people to create foundations of this sort," Frunzi said. "But over the past five years or so, it's become more common."

Frunzi attributed the growth of private museums to the fact that there are more wealthy people who are attached to their collections and want to keep them intact. There are also substantial tax advantages, she said, noting that donors or their estates can get tax deductions equal to the full market value of the collection.

Chipstone's collection of early American furniture, English pottery and engravings is well-respected.

Charles Hummel, a former director of the Winterthur Museum in Delaware and a member of Chipstone's board of directors, said the collection does not strive to be the largest but tries to have the best available pieces representing a period or style. He was an acquaintance of Stanley and Polly Stone, who created the foundation, and said Stanley Stone considered donating his pieces to another institution.

"Stanley considered a relationship with Yale" University, Hummel said. "I kept suggesting that the collection was so important to the Midwest because, really, there is no institution in the Midwest that takes American cultural history so seriously."



The foundation has proposed a renovation of an old carriage house on its property that would turn the building into an eight-bedroom, eight-bath residential study center. The improvements would cost from $1.5 million to $3 million.

Chipstone Foundation by the numbers

Top paid employees [3]

	POSITION	SALARY	BENEFITS
David Knox	chairman, president, treasurer, director	$386,000	$29,798
Jonathan Prown	chief curator	173,160	39,286 + housing
Allen Taylor	vice president, secretary, director	77,400	64,536
	two secretaries	132,640	44,000+

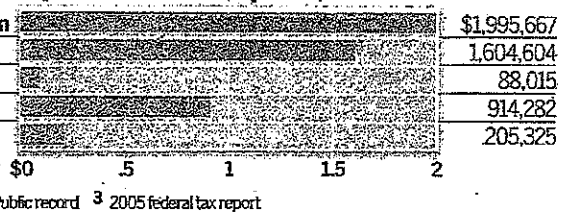
Selected valuations

Insurance value of the collection [1]	$125 million
Endowment [1]	70 million
Last assessment for the museum on Club Circle (1995) [2]	1.5 million
Last value for curator's home (2001) [1]	1.1 million plus about 400,000 in improvements
Cost of furniture at Chipstone's office at the Milwaukee Art Museum [3]	141,557

Donations

Milwaukee Art Museum building fund [3]	$500,000
MAM annual contribution [1]	100,000 to 150,000
Annual contribution to the University of Wisconsin-Madison [1]	More than 125,000

According to a 2005 Chipstone federal tax report



Sources: [1] David Knox [2] Public record [3] 2005 federal tax report

BOB VEIERSTAHLER
rveierstahler@journalsentinel.com

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Chipstone: Moving Forward and Going Public

by Lita Solis-Cohen

At Christie's October symposium on Rhode Island furniture, after it was announced that the papers presented will be published in the next issue of *American Furniture*, a new role for the Chipstone Foundation was made public.

Jonathan Prown, who left his job as curator of furniture at Colonial Williamsburg to become executive director and chief curator of the Chipstone Foundation last May, announced that Chipstone is moving in several new directions. Chipstone has a small but choice collection of American furniture and European ceramics put together by the late Stanley and Polly Stone, who lived with their antiques in a Colonial Revival house in the Fox Point section of Milwaukee, Wisconsin. Stanley Stone died in 1987, and Polly in 1995.

The problem that continually faced Chipstone's board was how to give the public access to the collection in a residential neighborhood. Finally, it has been decided that it was not feasible to establish a museum, so the site will be used as administrative headquarters for the foundation and for a special library and material culture research center to meet the needs of professional decorative arts curators in the region and students and faculty at the University of Wisconsin in Madison. The Stones' collection of decorative arts will be incorporated into the decorative arts program at the Milwaukee Art Museum, which is building a new $50 million wing on Lake Michigan designed by Spanish architect Santiago Calatrava.

Chipstone supports the Stanley and Polly Stone Professorship of American Decorative Arts at the University of Wisconsin—Aun Smart Martin now holds that chair—and Chipstone has endowed a graduate scholarship in the art history department.

***American Furniture*, an annual journal that began publication in 1993, was the brainchild of Luke Beckerdite, who held the job Prown now holds. It breathed new life into the field of furniture scholarship, and Beckerdite, who uow lives iu Williamsburg, Virginia, continues as the editor.**

In addition to *American Furniture*, Chipstone will underwrite a new journal devoted to ceramics in America. Rob Hunter, formerly assistant curator of ceramics at Colonial Williamsburg and supervisor of the historical archaeology program at the College of William and Mary, will be its editor. The first volume is scheduled to appear in May 2001.

Prown said he finds it exciting that three different organizations with different strengths, Chipstone, the Milwaukee Art Museum, and the Uuiversity of Wisconsin, have agreed to pool their resources and work together to move the field of American decorative arts and cultural history forward.

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Fox Point files

Hidden in Plain View:

Nestled along the bluff on an eight acre estate on the eastern end of Club Circle Drive is an unmarked museum in the former home of Stanley and Polly Stone. Maintained within – and at the Milwaukee Art Museum – is the Stones' extensive decorative art collection. In 1967, the Stones created the Chipstone Foundation (the Stones combined "Chipmunk," Stanley's nickname for Polly, with the family name) in the expectation that it would eventually hold the collection. It's not a small thing. As of December 31, 2009, the Foundation reported the fair market value of its assets to be almost $65 million.

Stanley Stone's father, A.L. Stone, was one of the founders of Boston Store. Stanley, after graduating from Yale, went into the business in 1919; in 1931, he became the Boston Store corporate president. In 1946, the Stones began collecting decorative art. The Stones' interest centered on early American furniture and historical prints, and seventeenth and eighteenth century British pottery.

The Foundation's mission includes preserving aud interpreting the collection and stimulating the research and education of decorative arts. The Fouudation has expanded its collection – now totaling 1,000 to 1,200 objects – and broadened its support for projects in the decorative arts world. The Foundation's goal, it states, is "to promote ever newer ways to look at old things."

The Stones' first initiative to turn their mansion into a museum came in the early 1970s. After numerous well attended and highly spirited public hearings on the Stones' request for the Village Board to adopt a special cultural zoning overlay, the board scheduled a vote for its meeting on June 12, 1973. Shortly before the board met, the Stones withdrew the offer to create the museum. The Milwaukee Journal reported that the likely reason was that "The Stones paid the expenses last summer for seven elected and appointed village officials to travel to Wilmington, Del. and Houston, Tex. to view museums there." Notwithstanding that the Stones had taken the matter off the table, the board voted 4-3 to approve the zoning change.

Fifteen years later, after Stanley died in 1987, Polly renewed the offer. The village and Foundation reached an agreement in March, 1988, that the village board approved, concerning the terms of public access to the museum and other matters. The agreement restricted the frequency of tours and number of visitors. Interestingly, the agreement provides for village residents to enjoy a priority for visitor access. The agreement also created an advisory board that includes six village residents – with one seat reserved for an incumbent village trustee and three seats reserved for those residing in the immediate neighborhood. The Foundation currently makes annual payments in lieu of taxes to the village – and, with respect to its contiguous Lilac Lane property, to the Fox Point/ Bayside School District and the Nicolet High School District – in an amount equal to what it would owe if the property was still privately owned.

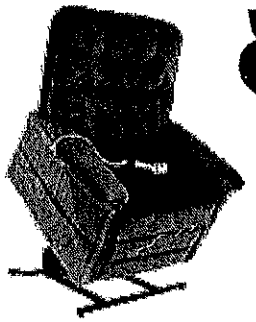
Foundation Chairman David Knox and eight other directors manage Chipstone. Several of the Stones' grandchildren serve on the board. The executive director and chief curator is Jonathan Prown. Prown is assisted by two associate curators.

The Foundation, from time ro time, loans objects to other institutions. Moreover, the Foundation publishes the annual "journals of record" Americau Furniture and Ceramics in America. The Foundation endows a chair of the University of Wisconsin-Madison in American decorative arts and provides support for the University's decorative arts digital library site.

Unlike most museums, Chipstone does not post regular visitor hours or host special events. The museum views its collaboration with the Milwaukee Art Museum, whose decorative arts collection is largely managed, staffed, and funded by the Foundation, as the venue through which the public can view the collection as objects are rotated in and out of exhibits. The museum, however, stands ready to accommodate special requests by village residents for visits to the Fox Point residence. "We've never turned anyone away," says David Knox.

Chipstone's presence in Fox Point is a remarkable thing. Hopefully, awareness of this resource will renew the sense of village excitement and pride that so clearly existed twenty-one years ago when Stanley and Polly Stone at long last realized their vision.

Douglas H. Frazer is a trustee on the Fox Point Village board. The views expressed are his own and not necessarily those of the village, the village board, other village board members, or Neighborhood Communications, LLC.



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Scott Botcher

From: Christine Symchych
Sent: Monday, February 20, 2023 9:21 PM
To: Scott Botcher
Subject: Fw: Mary Nohl

From: Kelly DeWeese <kellykdeweese@gmail.com>
Sent: Monday, February 20, 2023 6:13 PM
To: Christine Symchych <csymchych@villageoffoxpoint.com>
Subject: Mary Nohl

Hello,

Mary Nohl and her home is an inspiration. In a world filled with computers and beige colored homes she still breathes life into creatives and those who are willing.
Please allow the cultural overlay district zoning designation. Her legacy must live on and we need to come together on this.

Thank you,
Kelly DeWeese

Scott Botcher

From: Matthew Franey <mfraney@yourcoveredbridge.com>
Sent: Monday, February 20, 2023 10:28 PM
To: Scott Botcher
Cc: Douglas Frazer
Subject: Qualified support for proposal cultural overlay district

Mr Botcher – Please distribute the below letter to the relevant parties at your earliest convenience. Thank you!

Ladies and Gentlemen of the Fox Point Village Board of Trustees and Planning Commission:

I am writing to you on the matter of the proposed cultural overlay district by the John Michael Kohler Arts Center (JMKAC) for the site of the former Nohl Family Cottage at 7254 and 7328 N. Beach Drive. I wish to offer my qualified support for the proposal and hope that both the planning commission and trustees fully evaluate the merits of the proposal with clear sight and a long-term perspective for the benefit of both current and future Fox Point residents, as well as anyone who values the cultivation and preservation of cultural assets. I spoke at the Village meeting on February 6th, 2023 and wish to expand on my thoughts in further detail with this letter.

Despite being a relatively new Fox Point resident, having purchased my home on North Longacre Road in October of 2021, I spent a significant portion of my life residing on the North Shore of Milwaukee. As any child of the area, I was well aware of the "Witch's house" down on Beach Drive and all the lore that such a site entails, as well as the relationship of the site to the surrounding neighbors.

I first became aware of the Kohler proposal at a Village meeting on December 13th, 2022 but did not fully try to understand it until receiving mail from opposing groups in the month of January; first, a letter from an anonymous group apparently called "No Nohl Museum" and then a follow-up letter directly from Amy Horst, Director of the JMKAC.

Initially, I took the information contained in the opposition letter at face value but surprised to find that practically every concern raised by the group is directly addressed in the latest proposal provided by JMKAC. I will assume that all parties to whom my letter is addressed are familiar with the materials I am describing, but will summarize a few of the salient issues that seemingly are addressed, or willing to be addressed, by the JMKAC:

- Activities and usage of the site
- Ingress and egress from the site
- Parking concerns
- Contributions to the tax roll

Having reviewed the materials provided by JMKAC to the Village and having attended their presentation on January 31st, 2023, it is my firm belief that this party is negotiating in good faith with all stakeholders in our village and stand ready to be a steadfast steward of the property and valuable community partner.

What I would like to detail, however, are my thoughts on what I believe to be the most important themes and considerations for the village in the near and long term as it pertains to the broad concepts of the proposal:

1. **This is not a wholesale change to Fox Point, as the opposition letter suggests.**

The Nohl property has been in constant use since it was their family cottage in 1920, and became a living canvas for Mary Nohl since roughly 1960. The proposal is not suggesting creating a monumental museum, commercial district, or anything that would drastically alter the usage of the neighborhood or surrounding municipal services, but rather investment in sensible updates and upgrades to the property for its intended use. This is clearly not "Kohler steamrolling its commercial enterprise over our residential neighborhood" as the opposition letter suggests. Furthermore, Fox Point has another cultural overlay district on nearby Club Circle (for the Chipstone foundation) which refutes any notion that the proposal for the Nohl property is in any way foreign to Fox Point.

2. **The cultural overlay district will not be detrimental the general welfare and economic prosperity of the Village and immediate neighborhood.**

Real estate experts and researchers have conducted numerous studies (I provide links to a couple examples after my signature) that correlates properties in close proximity to cultural landmarks to premium valuations relative to comparable properties elsewhere, which negates the notion that the district would be "contrary to the general welfare and economic prosperity of the Village and the immediate neighborhood"; it would actually protect and enhance property value.

The Beach Drive neighborhood is indeed one of Milwaukee's treasures and this is because of the Nohl property, not despite it.

3. **Fox Point has an opportunity to create a legacy that will enhance our sense of community and bridge generations.**

Bedroom communities such as Fox Point have precious few opportunities to creating lasting cultural legacies and this is one such opportunity. This is not dissimilar to the beach club that is right up the road and hosts events periodically as well. Cultural assets like the Nohl property and like the Beach club enhance Fox Point's brand relative to other areas, helping to bind and define the community in a positive way and becoming advantageous outlets for civic pride and energy. This is what makes us more than the sum of our parts and not just a group of houses sharing lot lines.

These shared cultural experiences form a connective tissue that not only binds the immediate community but also past and future generations. My grandchildren can have the same experience I did, and we will both experience the same civic pride as result of this living history.

4. **Investment in our community funded with private money.**

Communities typically require capital campaigns to finance the creation of cultural sites and would require taxpayers to bear at least some financial risk in the outlay. In my opinion, JMKAC is making a good faith effort to be a quality community partner and they have an outstanding track record with similar investments. Given that the Nohl house is on the historical register and cannot be altered, a capital partner with deep pockets is necessary for the appropriate and effective stewardship of such a delicate asset; the JMKAC possesses both the resources and the interest to care for the property in perpetuity.

5. **The cultural overlay district, and associated usage contract with the village, will clarify the Nohl property's relationship both to the surrounding neighborhood and Fox Point.**

The Nohl property has always had an acrimonious relationship to its neighborhood: vandalism, police calls to the property for curious site-seers, and so on. Through the creation of the cultural overlay, we as a Village can take a deliberate step in legally defining the usage of the property and exactly how it should be regarded by residents, village services, village leadership, and all other stakeholders. There will no longer be a "vacuum", so to speak, and this clarity will be a benefit to the neighborhood over the long term.

I describe my support of the cultural overlay district as "qualified" because significant aspects of the proposal do need to be quantified and addressed. These include, for example:

- Regulations pertaining to usage
- Impact on municipal services and any upgrades that might need to occur in order to accommodate their usage
- Accountability if/when violations to the agreed upon occupation limits, traffic schedule, etc. occur
- Tax considerations (maybe one of their annual fund raisers could be for the benefit of our public schools?)
- Open houses for residents
- An expansion of the scope of JMKAC both in terms of usage and acquiring additional property

I do not wish to give the recipients of this letter the impression that there are not valid concerns raised by the Beach Drive residents, because several salient issues do exist. If my understanding of the procedure is correct, however, these are items that can and should be negotiated with the property owner in the form of a legally binding contract once the overlay district is approved.

In conclusion, the decision on where or not to move forward with the JMKAC proposal ultimately boils down to one question: Does the marginal benefit of a well-maintained Nohl property in a specially designated area equal or exceed any marginal cost the village might incur in creating it? I believe the answer to this question is definitely and definitively "yes": assuming the Village can arrive at mutually agreeable contract that provides sensible guardrails on usage and does not create a backdoor for Kohler's hospitality concerns, the creation of this district would be a net benefit to the Village in the near and long term with no material negative impact to the residents and the neighborhood it occupies.

Thank you for your due diligence and consideration of the points drawn in this letter.

Kinds Regards,

Matt Franey (and on behalf of my wife Marlee Nichols)
7306 N. Longacre Rd.
Fox Point, WI 53217

https://www.researchgate.net/publication/257480151_The_Market_Value_of_Cultural_Heritage_in_Urban_Areas_An_Application_of_Spatial_Hedonic_Pricing

https://www.tandfonline.com/doi/abs/10.1080/00343404.2018.1444271

Matthew P. Franey
Co-Founder & Chief Executive Officer
CoveredBridge, LLC
Milwaukee, WI 53217
(610) 428-8867
https://yourcoveredbridge.com
mfraney@yourcoveredbridge.com

Scott Botcher

From: John M. Wirth <jwirth@mallerysc.com>
Sent: Monday, February 20, 2023 11:42 PM
To: Scott Botcher
Cc: Douglas Frazer; Eric Fonstad; Elizabeth Aelion; Greg Ollman; Elizabeth Sumner; Christine Symchych; Catie Anderson Knight; elarson@ammr.net; Kelly Meyer; Kevin Ausman; Deborah Tomczyk; Scott Sampson; Michael J. McDonagh; michael tarney; Tom Wackman; maier@professional-fiduciary.com
Subject: Mary Nohl House; Agreement Between CPPI and: Save the Beach Drive Neighborhood
Attachments: Letter 230220 with agreement (01351616xC3B04).pdf

Scott:

Save the Beach Drive Neighborhood, through its steering committee, negotiated and reach an agreement with CPPI. I attach a letter and the agreement.

I have copied Village President Frazer and the balance of the Village Board, as well as Mr. Ausman, Ms. Meyer and Mr. Larson. I do not, however, have email addresses for the Plan Commission members. Please circulate to them.

Please let me know if you have questions.

John

John M. Wirth
MALLERY s.c. | A Limited Liability Service Corporation
731 North Jackson Street, Suite 900 | Milwaukee, Wisconsin 53202-4697
414-727-6276 *Direct* | jwirth@mallerysc.com
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John M. Wirth
Direct Telephone: 414-727-6276
E-mail: jwirth@mallerysc.com

February 20, 2023

VIA EMAIL

The Honorable Douglas H. Frazer
Village of Fox Point Board of Trustees
Village of Fox Point Plan Commission Members

Dear President Frazer, Trustees
and Commissioners:

RE: Agreed Terms
Mary Nohl House
7254 and 7328 North Beach Drive

I represent Save the Beach Drive Neighborhood. 56 residents, residing in 30 homes, designated a steering committee of five residents to negotiate with Creation and Preservation Partners, Inc. (CPPI) to attempt to arrive at terms that are acceptable to both the neighborhood and CPPI.

On behalf of the steering committee, I had many discussions with Deborah Tomczyk, attorney for CPPI. The steering committee proposed an agreement, and Ms. Tomczyk and I exchanged revisions of that agreement. By negotiating from an agreement, the parties had a coherent framework for negotiations. Importantly, the agreement eliminates the many ambiguities in CPPI's original application.

I can report that the association, through its steering committee, endorses the attached agreement. It is not everything the steering committee would have preferred – for example, the steering committee would have preferred to maintain the status quo, and the steering committee dislikes the driveway and its exits – but we believe the agreement provides certainty going forward and expect that, if this proposal was not approved now, the neighborhood would face these same controversies in the future with future applications. This process is difficult for any neighborhood but is particularly difficult for this neighborhood considering the numerous traffic challenges it faces.

When we started the negotiations, I represented to Ms. Tomczyk that, if we reached an agreement approved by the steering committee, my clients would withdraw their and my objections to the application. By this letter, we do so, provided the Village adopts this agreement. I recognize that neighbors have continued to send letters to the Village, even as late as this evening.

We have not been able to reach everyone to let them know that we reached an agreement and, short of an agreement, we continued to oppose the application. We expect that the group the steering committee represents will cease opposing the application. That was the agreement they made with the steering committee.

Similarly, Ms. Tomczyk agreed that she and her client would not attempt to renegotiate terms with the Village. We trust that the Village will hold them to that agreement.

To be clear, although the significant majority of the neighbors who have objected to the proposal authorized the steering committee to negotiate on their behalf, there are a small number of neighbors who continue to oppose the proposal and will do so regardless of almost any concession. They are a minority.

Of course, even among the steering committee, there is not unanimity on every issue. However, the steering committee agreed to support decisions made by its majority. The agreement represents the majority position. Members of the steering committee who disagree with a particular provision have agreed they will not further oppose those provisions assuming neither the Village nor CPPI decides to change the agreement or make it less comprehensive.

Both CPPI and the steering committee made substantial concessions.

For example, my clients agreed to (a) the categories of visitors that CPPI wants, (b) greater numbers of visitors than my clients would prefer, (c) current general approval of the auxiliary building, (d) maintaining the driveway as modified, and (e) elimination of county, MATC and MMSD based PILOT payments.

Similarly, CPPI agreed to (a) clear and verifiable limits on visitors and hours for visitors, (b) reduce visitor limits until the auxiliary building is built, if that ever occurs; (c) reduce the size of special events to 60 people, including caterers and others working the events, (d) narrow the driveway and move it farther east; (e) provide remedies if lights from the driveway become an issue; (f) include both village and school taxes within the PILOT payment; (g) include tough remedy provisions for violations.

The preceding are just a sample. There are well over 30 issues that have been clarified and negotiated in the draft agreement. I would be happy to outline them all but, due to the lateness of the steering committee's final approval, I do not have time to do that and still meet the Village's midnight deadline.

There might be minor, non-substantive language clarifications that either party might want. Like many negotiations, final changes were completed late today after multiple discussions. Ms. Tomczyk and I agreed we would discuss any of those clarifications before presenting them to the Village.

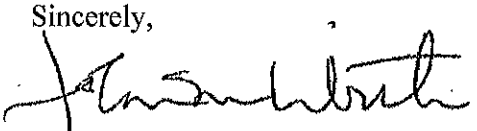
I reiterate that the association's agreement is contingent both on the Village's approval of the negotiated terms and CPPI's continued support of these negotiated terms.

Finally, we trust that the Village and CPPI will not force the neighborhood to revisit these issues in the future. CPPI has promised that this is not the first step but is, instead, a framework for the future.

Both parties acknowledge that our negotiations do not replace the Plan Commission's or Village Board's discretion or authority; however, in entering into these negotiations, we believed that an agreement acceptable to both CPPI and endorsed by representatives of the neighborhood should help the Village's decision-making bodies in their deliberations.

Thank you for your consideration.

Sincerely,



John M. Wirth

JMW:aw

cc: Mr. Scott Botcher
Eric J. Larson. Esq.
Ms. Kelly Meyer
Deborah Tomczyk, Esq.

Document Number Name and Return Address Village of Fox Point Attn: Village Clerk 7200 N. Santa Monica Blvd. Fox Point, WI 53217	AGREEMENT AND DEED RESTRICTION (Mary Nohl House)	
0959968000 and 0959966000 Parcel Identification Number (PIN)		Recording Area

THIS AGREEMENT AND DEED RESTRICTION ("Agreement") is made as of _____, 2023 between the VILLAGE OF FOX POINT, a Wisconsin municipal corporation (the "Village"), and CREATION AND PRESERVATION PARTNERS, INC., a Wisconsin non-stock corporation ("Owner").

RECITALS

A. Owner owns the real property commonly known as 7254 and 7328 North Beach Drive, Fox Point (the "Property"). The legal description for the Property is set forth on the attached Exhibit A.

B. Pursuant to Village Ordinance _____, Owner has applied for, and the Village Board of Trustees (the "Village Board") has granted, Owner's application (a) to rezone the Property to Cultural Overlay District, as described in Section 745-22 of the Village's Code of Ordinances (the "Code"); and (b) to conditionally approve use of the Property as a museum, as described in Section 745-22A(2)(b) of the Code, subject to the terms and conditions of this Agreement.

C. Owner and the Village enter into this Agreement pursuant to Section 745-22G of the Code.

D. This Agreement takes into account both (1) the residential character of the neighborhood surrounding the Property and (2) Owner's intent to preserve and protect the house on the property at 7328 North Beach Road (the "Mary Nohl House") and the art displayed on the Property (the "Collection") and to use the Property for the low impact uses described in this Agreement.

AGREEMENTS

In consideration of the foregoing, Owner and the Village agree:

1. Residential Uses. As used in this Section, a "Primary Resident" means an artist-in-residence or caretaker of the Mary Nohl House and/or Collection. No more than two Primary Residents, or one Primary Resident and his or her family (in either instance, the "Residents"), may reside at the Property at any time. Residents may use the Property for all residential purposes allowed under the Code and applicable law, and pursuant to any additional rules and regulations promulgated by Owner. Personal guests of the Residents shall be subject to the numeric limitations for General Visitors, as described below, but not the time limits. Notwithstanding the foregoing, the Village acknowledges that there may be periods when no Residents reside at the Property.

2. Not Open to Public. Subject to the terms of this Agreement, at no time shall the Mary Nohl House or the Property be open to the public.

3. Larger Groups Directed to the Art Preserve. The Property's primary purpose is to preserve and protect the Mary Nohl House and the Collection now and into the future. Excessive traffic and visits to the Property would frustrate this purpose and threaten the Mary Nohl House, the Collection, and the Property's "artist-built environment." Accordingly, Owner and John Michael Kohler Arts Center, Inc. ("JMKAC") have determined that larger groups interested in Mary Nohl's art will be encouraged to visit JMKAC's Art Preserve in Sheboygan, Wisconsin; therefore, the use of the Property is strictly limited as described in this Agreement.

4. Invited Visitors. Visitors to the Property shall be limited as follows:

(a) General Visitors. Owner may allow the following people at the Property (each being a "General Visitor"): art scholars, teachers, students, admirers, supporters, donors and unpaid personnel working on the Mary Nohl House and/or the Collection including, but not limited to college professors, graduate and undergraduate students, school children, curators, artists, writers, unpaid museum personnel, collectors, donors and others with affiliation and/or interest. No more than ten (10) General Visitors may be at the Property at any time, and no more than 20 General Visitors shall be allowed at the Property on any day.

(b) Village Residents. At all times when the Property is open for General Visitors, but subject to the prior scheduling of any other visits described in this Agreement, ten (10) advance reservations per week will be held for residents of the Village and their guests. Any Village resident may use up to four (4) available reservations in any one week (not more than 20 available reservations in any one year) by sending an email to _____ at least 30 days in advance. Any advance reservations not timely requested by Village residents may be used by other General Visitors consistent with this Agreement.

(c) School Groups. Owner may allow groups of students (each being a "School Group") from local primary, intermediate and secondary schools to visit the Mary Nohl House and view the Collection provided that no more than two School Group visits may occur per month.

Visits by School Groups shall be free of charge. A School Group, including students, teachers and chaperones, shall not exceed 30 people, provided that School Groups from primary or intermediate age students shall be limited to not more than 20 people before the Auxiliary Building is built.

(d) Business Meetings. Owner may hold or allow up to one meeting per month at the Property of up to 30 people (each a "Business Meeting") for the boards of directors, staff and/or employees of Owner and/or JMKAC, provided that up to a single vehicle (not to exceed a 12-person vehicle) of paid personnel may meet at the Property, subject to the time limits for General Visitors set forth below, and shall not constitute a "Business Meeting."

(e) Special Events. Subject to the Village's approval as described, Owner and/or JMKAC may hold up to two special events (each a "Special Event") at the Property each calendar year. No Special Event shall exceed 60 people (including catering staff and other service providers who remain on site during the Special Event). Special Events may include, without limitation, fundraisers to secure funding needed to maintain and care for the Property and the Collection, educational symposiums to examine the Collection and other works of art created by Mary Nohl, community events to engage with invited visitors in constructive, positive ways, or for any other purposes consistent with the goals and purposes of Owner and/or JMKAC for the Mary Nohl House and the Collection. Special Events shall not include weddings, corporate events or similar for-profit events for individuals unrelated to Owner or JMKAC. At least 30 days before Owner desires approval of a Special Event, Owner or its designee shall deliver to the Village a Special Event proposal (an "Event Proposal") in the form attached as Exhibit B. The Village shall review and in its reasonable discretion approve or deny such Event Proposal within 10 days following receipt of the Event Proposal.

(f) Exceptions. The following visitors shall not be subject to the numeric limits described in this Agreement: (i) building contractors, subcontractors and materials suppliers in connection with any construction, repair and replacement of improvements allowed pursuant to this Agreement (but excluding the creation, repair and replacement of art); (ii) plumbers, electricians and similar tradespeople visiting the Property to work on building systems, utilities, structural issues, and other non-art-related repairs and replacements; (iii) delivery people while delivering packages to the Property; (iv) mail and courier delivery people while delivering to the Property; (v) police, fire, ambulance and other safety personnel; and (vi) building inspectors.

(g) Frequency; No Simultaneous Uses.

(i) General Visitors shall not be present at the time of any School Group visit, Business Meeting or Special Event.

(ii) Only one School Group visit, Business Meeting or Special Event shall occur on any day.

(iii) At least four days per week, no General Visitors, School Groups, Business Meeting participants and Special Event participants shall be on the Property.

(h) Hours. Hours during which the Property may be used by General Visitors, School Groups, Business Meeting participants and Special Event participants on the three days per week on which they are allowed shall be limited to the following hours:

Day	General Visitors	Business Meetings & School Groups	Special Events
Monday	9:00 am – 9:00 pm	9:00 am – 7:00 pm	9:00 am – 9:00 pm
Tuesday	9:00 am – 9:00 pm	9:00 am – 7:00 pm	9:00 am – 9:00 pm
Wednesday	9:00 am – 9:00 pm	9:00 am – 7:00 pm	9:00 am – 9:00 pm
Thursday	9:00 am – 9:00 pm	9:00 am – 7:00 pm	9:00 am – 9:00 pm
Friday	9:00 am – 10:00 pm	9:00 am – 7:00 pm	9:00 am – 11:00 pm
Saturday	until 10:00 pm	until 7:00 pm	until 11:00 pm
Sunday	until 9:00 pm	until 7:00 pm	until 9:00 pm

In addition to the foregoing, no General Visitors, School Groups Business Meeting participants or Special Event participants shall arrive at or depart from the Property during the hours of 4:00-6:00 p.m. on weekdays.

5. Parking and Driveway Restrictions. To comply with the Code and to avoid, to the extent possible, managing the number of vehicles present in the vicinity of the Property, visitor parking shall be limited to the parking pad area on the Property depicted on the attached Exhibit C. Notwithstanding the foregoing, the new driveway described in Section 7(b), including its grass shoulders, may be used for parking during Special Events. No street parking shall be allowed and, despite the Village's Code that allows requests for street parking for special events, Owner shall not request street parking on Beach Drive or Beach Court. Owner shall be responsible for ensuring that its employees, visitors and guests do not park on Beach Drive or Beach Court. To the extent that additional parking is required by visitors to the Property, shuttle services will be used to transport visitors to and from the Property. No buses (which accommodate 20 or more passengers at any one time) shall be allowed on the Property. All shuttles and allowed smaller buses, when not in use, shall park in the designated parking area on the Property or legally offsite.

6. Noise Restrictions. In addition to any applicable provisions of the Code adopted from time-to-time, noise, music and sound amplifying devices used on the Property (e.g., microphones) shall at all times be kept at conversational levels and shall not be audible at the external property lines of the Property after 10:00 p.m. on Friday or Saturday or 8:00 p.m. on any other day.

7. Required Improvements and Landscaping. On or before September 1, 2026:

(a) Owner shall close the existing driveway to the Mary Nohl House for all but vehicles servicing the Mary Nohl House and/or the Collection.

(b) Owner shall construct a gated driveway and parking on the Property as shown on the attached Exhibit C. As set forth on Exhibit C, Owner has moved the new Beach Drive driveway as far east as reasonably possible without damaging the Collection in any way and

has angled such driveway northeasterly as it reaches Beach Drive. Such driveway is designed to keep headlights from shining into the home on the property located at 7320 North Beach Drive ("7320 NBD"). The west edge of the driveway will be at least 88 feet from the east edge of the driveway at 7320 NBD. If after construction the Village determines that headlights shine into the home at 7320 NBD, the Village may require Owner to install additional landscaping on the Property and/or on 7320 NBD to shield that home from the lights. The owner of 7320 NBD may decline to allow any additional landscaping on such owner's property if such owner does not like the location or type of landscaping required by the Village. The new driveway shall not exceed 14 feet in width. To avoid traffic back-ups, gates shall be constructed in a manner that allows stacking of at least two vehicles on the Property and so that gates will automatically open without a person in a vehicle having to exit the vehicle. Owner shall ensure that allowed visitors are able to access the Property without backing up traffic onto Beach Drive. The gates shall be kept in good condition and repair and shall be replaced from time to time as necessary.

(c) The parking area shown on Exhibit C shall be screened with vegetation so that, at maturity of such vegetation, the parking area is not visible from any public street. Any trees planted shall have an initial caliper of no less than two inches at a height of three-and-one-half feet and a height of at least seven feet. Such vegetation shall be maintained and replaced as necessary to maintain such screening.

(d) Owner shall plant additional vegetation along Beach Drive to further screen the Mary Nohl House from public view but not endangering the Collection in any way and except as recommended by Village Police. Any trees planted shall have an initial caliper of no less than two inches at a height of three-and-one-half feet and a height of at least seven feet. Such vegetation shall be maintained and replaced as necessary to maintain such screening.

(e) The existing chain link perimeter fencing shall be replaced with a more decorative fence, the location and aesthetics of which shall be subject to approval of the Building Board, but which location and height may be the same as the existing fencing (or as otherwise approved by the Building Board) subject to the stacking requirements of this Agreement at driveway entrances. Such fence shall be kept in good condition and repair and shall be replaced from time to time as necessary.

Each of the foregoing shall be subject to all necessary zoning approvals and any required building permits. No School Group visits, Business Meetings or Special Events that would exceed the number of General Visitors allowed on the Property shall be held at the Property until these improvements are completed.

8. No Signage. No signs shall be installed on the Property except as approved by the Village staff for safety or security purposes or to implement the terms of this Agreement. Despite the Village Code that allows requests for signage, Owner shall not request approval of any advertising, property name or similar signs.

9. Portable Toilets. Portable toilets shall not be used on the Property except by contractors for the limited duration of construction and then shall be screened from roadways and adjacent properties.

10. Laws. Owner shall comply with all federal, state, county and local rules, codes, ordinances and regulations in the construction, operation and maintenance of the Property.

11. Building and Fire Inspection. Owner is required to keep the Property in compliance with all applicable federal, state and local laws, statutes, codes, ordinances, policies and guidelines as determined by the Building Inspector of the Village and Fire Inspectors of the North Shore Fire Department and, upon reasonable notice, to grant the Village's Building Inspector and the Fire Inspectors of the North Shore Fire Department access to the Property for the purpose of inspection.

12. Aesthetics and Maintenance. Owner is required to properly maintain the Property at all times and in full compliance with the Code and to seek all approvals required under the Code.

13. Other Future Improvements.

(a) The footprint of the Mary Nohl House is to be maintained as it is, with limited improvements and structural changes to the building.

(a) Owner has indicated that it might want to develop an additional building of not more than 3,000 square feet (the "Auxiliary Building") in the future on the Property that may include one or two dwelling units that may be used primarily as the residences and workspaces of the Residents. The Auxiliary Building shall not increase the levels of visitors but, instead, shall help ensure the preservation of the Mary Nohl House and the Collection. An Auxiliary Building generally consistent with the floor plan attached hereto as Exhibit D (not more than 3,000 square feet in area and consisting of two bedrooms, two bathrooms, a living room, kitchen and a studio/work space with kitchenette) may be constructed on the Property subject to Building Board approval as to location and aesthetics. If the Auxiliary Building when proposed will exceed that size or have a materially different floorplan, the Auxiliary Building shall constitute a material amendment or change as described in Section 745-22H of the Code. No School Group visits, Business Meetings or Special Events that would exceed the number of General Visitors allowed on the Property shall be held at the Property until the Auxiliary Building is completed.

(b) A small storage shed, not to exceed 15 feet by 15 feet, may be constructed on the Property subject to Building Board approval as to location and aesthetics. Any such storage shed shall contain architectural details consistent with, and shall be harmonious with, the Mary Nohl House.

(c) Any other structures on the Property are not approved by this Agreement and would constitute a material amendment or change as described in Section 745-22H of the Code.

14. PILOT Payment. As of the date of this Agreement, the Property is not tax exempt, but the Property is eligible for property tax exemption. As a condition of rezoning, Owner has offered to pay to the Village a payment in lieu of taxes. This offer was material to the Village's approval of the rezoning. As such, the following terms and conditions shall apply:

(a) Services.

(i) Services Typically Covered by Property Tax. The Village agrees to continue to furnish governmental services and benefits to the Property of the same type, and to the extent, as are furnished from time to time, without cost or charge (except by means of property tax and authorized fees and charges), to other similarly situated projects in the Village. Nothing in this Agreement shall be construed to give Owner or its successors and assigns a contractual right to specific governmental services, or to impose upon the Village any additional duties, it being the parties' intent that the Village provide public services to the Property subject to the same terms and conditions as apply to properties owned by citizens or the public generally. Moreover, Owner intends to have people live on site, making the use of schools and the technical college possible. Such services and benefits include but are not limited by specific enumeration in this Section, those typically covered by the property tax such as fire and police protection, and on public streets, snow removal, and street lighting, and use of the schools and technical college. The Village shall not have breached its obligations under this Agreement if it is prevented from providing benefits and/or services to the Property because of force majeure (e.g. war, flood, fire, labor dispute, supply shortage, act of God, natural disaster, disease, a pandemic, etc.), budgetary constraints, changes in services typically provided in the Village or other taxing authorities or because any person or entity shall assert a right which prevents delivery of such benefits and/or services.

(ii) Special Assessments; Special Charges and Fees. Notwithstanding paragraph (a)(i), or any future property tax exempt status of the Property, Owner understands that the Property will be subject to applicable special assessments, special charges, and special taxes as defined in Section 74.01 of the Wisconsin Statutes (and as also referred to in Wisconsin Statutes Chapter 66) and fees charged by the Village in the same manner that such special assessments, special charges, special taxes, and fees are charged for similar services and/or undertakings to residential development and property within the Village. This provision shall not affect the Village's powers, consistent with the law, to determine the services and benefits (other than those typically covered by the property tax) that shall be provided to the Property and/or similarly situated properties pursuant to this paragraph (a)(ii). Nothing contained in this paragraph shall preclude Owner or its successors and assigns from appealing, as provided by law, the imposition of such special assessments, special charges, special taxes, or fees by the Village.

(b) PILOT Payments.

(i) Calculations. The parties have determined that the Property will be receiving benefits equal to the amount that would be levied as the annual general property tax upon the real and personal property were it not exempt from taxation. In recognition of those services and benefits covered by paragraph (a)(i) of this Section, beginning in the year the Property or any portion of the Property becomes exempt from property tax, and so long as the Property or any

portion of the Property continues to be exempt, in whole or in part, under Section 70.11 of the Wisconsin Statutes ("Section 70.11"), or other statutory provision, Owner or its successors and assigns shall pay the Village an annual partial PILOT Payment for the Property or the portion of the Property which is exempt for each calendar year; provided, however, that the foregoing shall not apply with respect to any portion of the Property that becomes exempt by virtue of a conveyance to the Village. The method to be used in determining the PILOT shall be the Value for that tax year times the Village and School District Tax Rates only for the tax year. "Value" means the Village's Assessor's determination of the fair market value of the tax-exempt portion(s) of the Property on January 1 of each tax year. "Village and School District Tax Rate" means the net rate for the share of taxes due only to the Village and the Fox Point/Bayside School District and not the rate for any other taxing bodies reflected on the Village's tax bills from time to time specifically excluding the rate imposed by Milwaukee County, MATC or MMSD.

(ii) Payment Due Date. PILOT Payments for the year in which the Property or a portion thereof becomes exempt and subsequent years shall be due and payable: (1) in full on or before January 31 of the year following the calendar year for which the PILOT Payment was calculated; or (2) if Owner or its successor(s) or assign(s) elects to pay in installments, according to the following schedule: one-tenth of the PILOT Payment by the last day of each month for the first 10 months in the year following the calendar year for which the particular PILOT Payment was calculated. Owner or its successor(s) or assign(s) shall be deemed to have elected to pay the PILOT Payment in installments by making the first full installment payment on or before January 31 in the respective year in which the PILOT Payment is due.

(iii) Use. The Village and other taxing authorities may use and expend PILOT Payments under this Agreement in such manner and for such purposes as the Village desires.

(iv) Mandatory Payment for Services to Offset PILOT Payment. Notwithstanding anything herein to the contrary, if the State of Wisconsin enacts a mandatory payment for municipal services to be paid by owners of property exempt from general property tax or similarly situated owners of exempt property, PILOT Payments shall be reduced dollar for dollar by any such mandatory payment paid by Owner or its successors or assigns to the Village.

(c) Exempt Status. Nothing in this Agreement shall be construed as granting tax-exempt status to Owner or the Property. If Owner qualifies for tax-exempt status under Wisconsin law, it is Owner's obligation to apply for tax-exempt status. At such time that Owner is granted tax exempt status pursuant to Section 70.11, or other statutory provision, Owner shall then make PILOT Payments pursuant to this Agreement. No PILOT Payment under this Agreement is due from Owner until such time that all or any part of the Property is deemed to be exempt from payment of property taxes pursuant to Section 70.11, or other statutory provision. The Village Assessor's Office may review the Property's exempt status under Section 70.11, or other applicable statutory provision, from time to time with the respective January 1 dates being the reference dates for those exemption reviews. If the Village, as a result of those reviews or otherwise, determines that all or any portion of the Property no longer qualifies (or does not

qualify) for exemption from property tax: (1) the Village will provide notice of such determination to Owner or its successor(s) or assign(s); (2) this Agreement shall be suspended with respect to any years and, if applicable, with respect to any portions of the Property for which exemption no longer applies; (3) if PILOT Payments have been erroneously made for such tax years, Village shall promptly refund such PILOT Payments, or, at the option of the Village, offset such PILOT Payments against any property taxes due, or to become due, from Owner or its successor(s) or assign(s), in which case the Village will treat such offset as having been made under protest; and (4) the Property, or any portion of the Property which does not qualify for exemption, shall be placed on the property tax rolls for all years for which whole or partial exemption has been determined not to apply. If Owner or its successor(s) or assign(s) disagree with the Village's determination that the Property or any part of the Property no longer qualifies for tax exemption, Owner or its successor(s) or assign(s) may challenge such determination by following the procedure set forth in Section 74.35 of the Wisconsin Statutes or as otherwise provided by law. Notwithstanding any contrary provision of this Agreement, Owner acknowledges that it is or may be bound by the reporting requirement, in the Section 70.11 preamble, and that under Wis. Section 70.109 of the Wisconsin Statutes: exemptions are strictly construed; it is presumed that property is taxable; and the burden is on the person claiming exemption. Owner, on its behalf and that of its successors and assigns, also acknowledges that if it leases, or otherwise allows another person to use and/or occupy all or a portion of the Property, such use may affect the Property's exempt status. See, e.g., the preamble of Section 70.11, Wis. Stat. § 70.1105, and *Deutsches Land, Inc. v. Village of Glendale*, 225 Wis. 2d 70, 591 N.W.2d 583 (1999). For example, if Owner is exempt but only uses and occupies 90% of the Property for exempt purposes and leases the other 10% of the Property to a for-profit, nonexempt entity, and if the assessor applies a square footage, taxed in part analysis, the Property is to be taxed on a 10% basis and exempt on a 90% basis and the PILOT Payment would be paid on the 90% portion.

(d) Successors and Assigns. The terms and conditions of this Section shall inure to the benefit of and bind Owner, the Village and their respective successors and assigns.

(e) Term. This PILOT Agreement shall remain in effect in perpetuity absent the occurrence of any of the following potential termination condition(s) event(s). This Agreement shall terminate effective on the December 31 of the year immediately prior to the year during which the Village Assessor concludes that as of or prior to the determination date any of the following events has occurred: (i) enactment by the State of Wisconsin of a mandatory payment for municipal services by owners of property exempt from the general property tax or similarly situated owners of exempt property; and/or (ii) repeal by the State of Wisconsin of the property tax exemption for the Property and other similarly situated property.

15. Amendments, Compliance with this Agreement is required at all times. Except as provided below, no amendment to this Agreement shall be effective unless a written agreement is signed by both Owner and the Village. A request by Owner for an amendment shall first be submitted for approval to the Plan Commission, and if in the Commission's opinion such change or addition is not substantial, it may recommend approval to the Village Board; however, changes to Section 4 of this Agreement shall be deemed substantial. If an amendment is determined to be substantial, or if the Village Board determines in its discretion that a public hearing is advisable, a

public hearing shall be held prior to affirmative action by the Village Board on such recommendation.

16. Enforcement; Change in Circumstances.

(a) Certificate of Compliance. On or before the last day of February of each year, so long as this Agreement is in effect, Owner, by one of its duly authorized officers or representatives, shall file with the Village a certificate, in such form as shall be reasonably satisfactory to the Village, certifying that such representative has reviewed the provisions of this Agreement and that all obligations and duties of the Owner imposed by this Agreement are then being performed and complied with, or, if not, specifying any items of noncompliance.

(b) Inspections. The Village, by its duly authorized representatives, shall have the right with prior notice to enter upon and inspect the Property at reasonable times for the purpose of assuring continued compliance of Owner of the Property with this Agreement and for the purpose of determining compliance with applicable public health, safety and building code ordinances, rules and requirements. The presence of one or more such representatives on the Property for this purpose shall not be counted toward the daily limits on the number of people visiting the Property as set forth above.

(c) Remedies. In addition to other enforcement powers allowed under the Code and applicable law, including the right to assess fines and forfeitures and to seek injunctive relief, the Village shall have the following rights and remedies:

(i) The Village Board, after public hearing, may modify the permissible uses described in this Agreement under the following circumstances:

[1] If Owner's use does not conform with the conditions of this Agreement or the conditional use permit; or

[2] If there is a substantial change in the nature, character, extent or intensity of the use of the Property which causes the uses approved in this Agreement to be a substantial change under Section 745-22H of the Code.

(ii) If Owner breaches this Agreement, the Village Board may provide written notice outlining the breach in detail. If the breach is not remedied within 60 days (or such longer time as may reasonably be required), the Village Board may hold a public hearing to determine whether a material breach exists and whether a remedy is reasonable. If the Village Board finds that a material breach exists and cannot reasonably be remedied, or if the Village Board determines that the breach was willful or that there has been a pattern of breaches, the Village Board may terminate the conditional use permit and the rights described in this Agreement.

(d) Discontinuance of Use of the Property as a Museum. Nothing in this Agreement shall be deemed to require the continued operation of the Property as a museum;

provided, however, that if the museum ceases operating as a museum for 60 days or more, or upon the substantial destruction of the Mary Nohl House and/or the Collection such that the Property is no longer reasonably deemed an "artist-built environment.", this Agreement may be terminated by Owner upon 30 days' written notice to the Village or by the Village Board after public hearing.

17. Other Properties. Owner has represented to the Village that it will not in the future purchase, rent or use adjacent properties or other surrounding properties or apply to rezone or for a conditional use grant for any such properties. This representation was a material inducement to the Village to enter into this Agreement.

18. Miscellaneous Provisions.

(a) No promise, inducement or agreement not expressed in this Agreement regarding the use of the Property has been made by the Village to Owner or by the Owner to the Village except as described in this Agreement and the ordinance amending the zoning for the Property and the conditional use permit. This Agreement contains the entire agreement between the parties regarding such use. All prior discussions, oral or written, are merged into this Agreement.

(b) This Agreement binds and inures to the benefit of Owner, the Village and their respective assigns, legal representatives, and successors in interest. This Agreement runs with the land and any subsequent owner of the Property shall be deemed the Owner. Notwithstanding the foregoing, Owner may not transfer its rights and obligations under this Agreement without the prior written consent of the Village. Such written consent shall be approved by the Village Board after a public hearing.

(c) This Agreement has been, and shall be, construed to have been drafted by both the Village and Owner so that the rule of construing ambiguities against the drafter shall have no force and effect.

(d) If any material provision of this Agreement is held to be invalid by any court, the entirety of the conditional use grant and this Agreement shall be null and void.

(e) This Agreement shall in all respects be interpreted, enforced and governed under the internal laws of the State of Wisconsin. All disputes under this Agreement shall be filed with and heard by the Circuit Court for Milwaukee County, Wisconsin.

[SIGNATURE PAGES ATTACHED]

VILLAGE OF FOX POINT
SIGNATURE PAGE TO
AGREEMENT AND DEED RESTRICTION

VILLAGE OF FOX POINT

By: _____
Name: _____
Title: _____

Attest: _____
Name: _____
Title: _____

STATE OF WISCONSIN)
) ss
MILWAUKEE COUNTY)

The foregoing instrument was acknowledged before me on _____, 2023, by _____ and _____, as _____ and _____, respectively, of Village of Fox Point.

_____
Name: _____
Notary Public, State of Wisconsin
My commission _____

CREATION AND PRESERVATION PARTNERS, INC.
SIGNATURE PAGE TO
AGREEMENT AND DEED RESTRICTION

CREATION AND PRESERVATION PARTNERS, INC.

By: _____
Name: _____
Title: _____

Attest: _____
Name: _____
Title: _____

STATE OF WISCONSIN)
) ss
MILWAUKEE COUNTY)

The foregoing instrument was acknowledged before me on _____, 2023, by _____ and _____, as _____ and _____, respectively, of Creation and Preservation Partners, Inc.

_____
Name: _____
Notary Public, State of Wisconsin
My commission _____

Drafted by:

_____

_____

Attachments:

Exhibit A – Legal Description
Exhibit B – Event Proposal
Exhibit C – Parking and Driveway
Exhibit D – Floor Plan

EXHIBIT A
Legal Description

EXHIBIT B
Event Proposal

EXHIBIT C
Parking and Driveway

EXHIBIT D
Floor Plan

Scott Botcher

From: Amy Rust <amyjrust@gmail.com>
Sent: Monday, February 20, 2023 11:59 PM
To: Scott Botcher
Subject: JMKAC/CPP Cultural Overlay Mary Nohl house
Attachments: Amy Levin letter to FP board and plan.pdf

Dear Mr. Botcher,

Please distribute a copy of this letter (attached pdf) to each Trustee of the Village Board and each member of the Village Plan Commission.

Sincerely,
Amy

Amy (Rust) Levin
7415 N Beach Dr
Fox Point, WI 53217

Amy Levin
7415 N. Beach Drive
Fox Point, WI 53705

February 20, 2023

Sent by email: SBotcher@VillageofFoxPoint.com

Scott Botcher, Village Manager
Village of Fox Point
7200 N. Santa Monica Boulevard
Fox Point, WI 53217

Re: John Michael Kohler Art Center / Creation and Preservation Partners request for a Cultural Overlay District zoning designation for 7254 and 7328 North Beach Drive

Dear Mr. Botcher:

Please distribute a copy of this letter to each Trustee-member of the Village Board, and each member of the Village Plan Commission.

My name is Amy Levin, and my family and I live at 7415 N. Beach Drive. My daughter and I spoke at the January 31st public hearing in opposition to the cultural overlay. I am writing today to expand upon the issues we spoke about.

We've lived in Fox Point for almost two years now. Our home is two houses away from the Mary Nohl house. We moved to the village and our home in 2021 to have a safe place to raise our family.

Like all of Fox Point's residents, we worked hard and made sacrifices to be in our house and neighborhood. We chose our home for many reasons, and much of it was related to the safety and health of our children. We looked at properties that had more traffic, or steep ravines. Neighborhoods that were populated, or had more amenities and commercial properties. In the end, all of that was just more pollution, more stimulation, and more danger for our kids. We knew that this would be where we all would be at our best. We were very intentional. For that to be taken away if the Kohler proposal is approved is devastating to me and my family.

Our home and neighborhood are a huge part of our life, our safety and security. Kohler's plans to add more traffic and a commercial use of the Nohl property in our residential area threatens all of our hard work, our investment, and our children's freedom to be kids. The Mary Nohl house and the proposed cultural overlay values art and entertainment (and Kohler's profit) over the safety of our children and all who live in the neighborhood.

Not a single person who spoke in support of the cultural overlay at the public hearing lives in the immediate neighborhood here, and the majority don't even live in the village (including Alex Gartelmann, the property's caretaker, who no longer lives at the Mary Nohl house). The Nohl property is home to no one. It is already an attractive nuisance at night that decreases the

safety and security of our neighborhood. The cultural overlay will only increase the notoriety of the property and make matters even worse.

If you ask most Fox Point residents about this cultural overlay, the majority of them just want Kohler to shut down their PR machine and go away. Fox point residents are sick of hearing about it. The mailers, the sponsored targeted Facebook ads, Instagram ads, and all of the Mary Nohl / Kohler art foundation posts on Bayside middle school & Stormonth elementary school. None of Kohler's efforts or their proposal benefits Fox Point or its residents.

The added traffic, intended and unintended, would jeopardize the safety of not only my children and family, not only the other children and families who live on Beach Drive and Beach Court, but ALL Fox Point residents who come to Beach Drive to walk, run, bike or spend time with their families.

And it won't just be the traffic flow on the street - it will be folks trying to turn around in our driveways when they realize the house isn't open to the public. Cars pulling into driveways with kids and dogs playing in them. Others trying to park on our narrow road, and even more drivers who are so distracted by the views of the lake that they are not paying attention to the road or pedestrians.

Beach Drive hugs the lake, the road winds and has three dangerous blind turns. It also has a steep hill (the only one in Fox Point that requires salt barrels in winter), and only one way in and out. After living here for years, we've all learned to navigate them, but for out of towners, like shuttle bus drivers, elite donors, east-coast artists, this could be tragic. Lives could be lost. Pedestrian and bicycle deaths in the US are the highest they have been in 40 years. This devastating news was close to home on December 28, 2022 when a pedestrian was hit and killed by a driver in Whitefish Bay, near Day Ave and Santa Monica Blvd.

Please do the right thing and keep Beach Drive **safe** and strictly residential.

Sincerely,

Amy Levin

NOTICE OF MEETING
VILLAGE OF FOX POINT
JOINT PLAN COMMISSION AND VILLAGE BOARD

SCHWEMER HALL - MUNICIPAL BLDG.
7200 N. SANTA MONICA BLVD
FOX POINT, WI 53217

TUESDAY
JANUARY 31, 2023
7:00 P.M.

NOTE: THE PLAN COMMISSION AND VILLAGE BOARD WILL BE MEETING IN PERSON AT VILLAGE HALL, WITH A REMOTE ATTENDANCE OPTION, PER THE HYBRID MEETING PROCEDURES FURTHER DESCRIBED IN SECTION 19-32 D. OF THE VILLAGE CODE. THIS MEETING IS OPEN TO ALL CITIZENS IN PERSON AT VILLAGE HALL, OR THROUGH THE ZOOM PARTICIPANT INFORMATION SHOWN BELOW, SUBJECT TO THE FOLLOWING: NO ASSURANCE IS PROVIDED TO THOSE PLAN COMMISSION AND VILLAGE BOARD MEMBERS AND CITIZENS INTENDING TO ATTEND REMOTELY THAT THE TECHNOLOGY WILL PERFORM SUFFICIENTLY TO ALLOW FOR THEIR PARTICIPATION AND THE MEETING WILL PROCEDE REGARDLESS. PUBLIC OFFICIALS AND CITIZENS WISHING TO ENSURE THEY CAN PARTICIPATE ARE ENCOURAGED TO ATTEND IN PERSON. CITIZENS ARE ENCOURAGED TO SUBMIT ANY COMMENTS IN WRITING IN ADVANCE OF THE MEETING TO THE VILLAGE MANAGER AT sbotcher@villageoffoxpoint.com

Zoom Participant Information
https://us02web.zoom.us/j/83896123111
Dial: (312) 626-6799
Meeting ID: 838 9612 3111

AGENDA

1. **Roll Call.**

2. **PUBLIC HEARING**

   Public Hearing by Plan Commission and Village Board on the application of Creation and Preservation Partners, Inc to add a Cultural Overlay District zoning designation to property located at 7254 and 7328 North Beach Drive (Mary Nohl House)

   The Village Board and Plan Commission will hold a public hearing, to hear public comment regarding the proposal of Creation and Preservation Partners, Inc., for rezoning as noted above.

3. **ADJOURNMENT**

PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aids. For additional information or to request these services, contact the Village Clerk at 351-8900. It is possible that members of, and possibly a quorum of members of, other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information; no action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice.

NOTICE OF MEETING
VILLAGE OF FOX POINT
JOINT PLAN COMMISSION AND VILLAGE BOARD PUBLIC HEARING
(CONTINUATION OF HEARING BEGUN ON JANUARY 31, 2023)

SCHWEMER HALL - MUNICIPAL BLDG.
7200 N. SANTA MONICA BLVD
FOX POINT, WI 53217

MONDAY
FEBRUARY 6, 2023
7:00 P.M.

NOTE: THE PLAN COMMISSION AND VILLAGE BOARD WILL BE MEETING IN PERSON AT VILLAGE HALL, WITH A REMOTE ATTENDANCE OPTION, PER THE HYBRID MEETING PROCEDURES FURTHER DESCRIBED IN SECTION 19-32 D. OF THE VILLAGE CODE. THIS MEETING IS OPEN TO ALL CITIZENS IN PERSON AT VILLAGE HALL, OR THROUGH THE ZOOM PARTICIPANT INFORMATION SHOWN BELOW, SUBJECT TO THE FOLLOWING: NO ASSURANCE IS PROVIDED TO THOSE PLAN COMMISSION AND VILLAGE BOARD MEMBERS AND CITIZENS INTENDING TO ATTEND REMOTELY THAT THE TECHNOLOGY WILL PERFORM SUFFICIENTLY TO ALLOW FOR THEIR PARTICIPATION AND THE MEETING WILL PROCEDE REGARDLESS. PUBLIC OFFICIALS AND CITIZENS WISHING TO ENSURE THEY CAN PARTICIPATE ARE ENCOURAGED TO ATTEND IN PERSON. CITIZENS ARE ENCOURAGED TO SUBMIT ANY COMMENTS IN WRITING IN ADVANCE OF THE MEETING TO THE VILLAGE MANAGER AT sbotcher@villageoffoxpoint.com

Zoom Participant Information
https://us02web.zoom.us/j/85899929207
Dial: (312) 626-6799
Meeting ID: 858 9992 9207

AGENDA

1. **Roll Call.**

2. **PUBLIC HEARING**

   Continuation of Public Hearing begun on January 31, 2023 by the Plan Commission and Village Board on the application of Creation and Preservation Partners, Inc to add a Cultural Overlay District zoning designation to property located at 7254 and 7328 North Beach Drive (Mary Nohl House)

   The Village Board and Plan Commission will continue the public hearing, to hear new public comment regarding the proposal of Creation and Preservation Partners, Inc., for rezoning as noted above.

3. **ADJOURNMENT**

PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aids. For additional information or to request these services, contact the Village Clerk at 351-8900. It is possible that members of, and possibly a quorum of members of, other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information; no action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice.

VILLAGE OF FOX POINT

MILWAUKEE COUNTY
WISCONSIN

VILLAGE HALL
7200 N. SANTA MONICA BLVD.
FOX POINT 53217-3505
414-351-8900
FAX 414-351-8909

To: Village Board and Plan Commission

From: Scott A. Botcher, Village Manager SAB

cc: Eric Larson, Kelly Meyer

Date: January 5, 2023

Re: Mary Nohl Public Hearing-January 31, 2023

Outside of the information included in your packet, I wanted to broach a few housekeeping items prior to the meeting.

In a joint meeting like this, the meeting is chaired by the President. The Village Board members in attendance will be seated at their tables; any Plan Commissioners in attendance will be seated in reserved seats in the front row. At the outset of the meeting, Mr. Larson will lay out basic processes and procedures as he may see fit.

Following the direction of the Village President, this evening will solely be for the hearing. The Plan Commission will take up the matter at a subsequent meeting; once they report out a recommendation, the Village Board will take up the matter.

In addition to the agenda, submittal, and citizen correspondence, I have also included two pieces of correspondence from Mr. Larson. Please study those closely.

Finally, the meeting will be held at Village Hall. We made this choice primarily for a few reasons; one, we wanted the meeting in the Village if at all possible; two, other venues in the Village which might be larger were either unacceptable in some fashion, unavailable, but primarily, most don't have the virtual capabilities we have at Village Hall.

Anyone who wishes to attend in person may certainly do so; at the same time, given the probability of an overflow crowd, we will be reminding interested parties that they will be able to participate virtually consistent with the notice near the top of the agenda should they so choose.

Lastly, Kelly has prepared the hearing notice and will be mailing notices to those necessary consistent with Village Code and any applicable State Laws.

Municipal LAW
& LITIGATION GROUP

DALE W. ARENZ - Retired
DONALD S. MOLTER, Jr. - Retired
JOHN P. MACY
H. STANLEY RIFFLE - Court Commissioner
ERIC J. LARSON
REMZY D. BITAR

730 N. GRAND AVENUE
WAUKESHA, WISCONSIN 53186
Telephone (262) 548-1340
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MICHAEL J. MORSE
JAMES P. WALSH

November 8, 2022

Scott Botcher, Village Manager
Village of Fox Point
7200 N Santa Monica Blvd.
Fox Point, WI 53217

Re: Mary Nohl House
7328 N. Beach Drive
Potential Rezoning to Add a Cultural Overlay District
Legal Analysis

Dear Mr. Botcher:

I understand the Kohler Foundation or a related entity is planning to hold a neighborhood meeting to discuss certain plans they have for the property located at 7328 N. Beach Drive, known as the Mary Nohl house. It is our understanding that they may seek to rezone the property, to add a Cultural Overlay District zoning designation. I have conducted some preliminary research to identify issues that may arise in that regard. I have had an opportunity to carefully consider this matter.

Based upon my review, I have the following comments, questions, concerns and recommendations in this regard.

1. Application to the Cultural Overlay District. If and when an application is received, I recommend that Village staff closely review the application to determine whether it is adequate pursuant the requirements of Section 745-22(B) of the Village Code. If not, Staff should so advise the Applicant and take no further action until a complete application is received. Note that there is an application fee of $300 described in Section 63-8(G) of the Village Code that also must be paid at the time of the application. I also recommend that you provide the standard chargeback notice to the Applicant at the time of the application and request their signature, to acknowledge their receipt of the form, because the Village chargeback ordinance is likely to be triggered by this application.

2. Procedure for Review and Action. The Cultural Overlay District describes specific procedures in Section 745-22 of the Village Code. Taking these requirements together, the procedure is as follows:

    a. The matter must be placed on a Village Board agenda, for referral to the Plan Commission. At this time the Village Board would typically also set a public hearing date.

b. The matter should come before the Village Plan Commission for report and recommendation to the Village Board. The Plan Commission may hold a "formal or informal" public hearing, "if it desires." If they would do so, it would be in addition to the public hearing that the Village Board must hold, described below. The Plan Commission shall "give consideration to and satisfy themselves" regarding the issues noted in Section 745.22(E) of the Village Code. That section of the Village Code describes the following standards:

> *745.22(E): Basis for approval. The Plan Commission, in making its recommendation, and the Village Board, in making its determination, shall give consideration to and satisfy themselves as to the following in respect to the proposed use:*
>
> *(1) That the proposed development is consistent with the spirit and intent of this chapter; is in conformity with the general character of the Village, and would not be contrary to the general welfare and economic prosperity of the Village or the immediate neighborhood.*
>
> *(2) That the project appears economically sound and that there are or adequate arrangements have been made to reasonably essure the continued maintenance of the development.*
>
> *(3) That the contemplated use will not:*
>
> *(a) Cause material depreciation in property values in the immediate neighborhood, nor*
>
> *(b) Materially adversely affect the use and enjoyment of property in the immediate neighborhood.*
>
> *(4) The setbacks will be maintained along any boundary street of the project area as required by the basic zoning district.*
>
> *(5) That no building will be permitted closer to the side or rear boundary line of the project area than required by the applicable side or rear yard requirements of the adjoining zoning district abutting along a side or rear property line of the project.*
>
> *(6) That no building shall exceed the height limitation of the basic zoning district.*
>
> *(7) That the project will not create traffic beyond the capacity of the street system to reasonably serve it, and that there will be adequate off-street parking based upon the need generated by the proposed project.*
>
> *(8) That the care and maintenance of the grounds and buildings comprising such project will be assured by the establishment of an appropriate management organization, or by the Village with the cost to be charged as a special assessment, and that the Village shall have the right to perform such maintenance work as it feels reasonably necessary to properly maintain the building and grounds, if this is not otherwise taken care of, and to levy the cost thereof as a special assessment. Any such special assessment shall be due and payable and collectible as all other special assessments, even though the property may be exempt from general real estate taxes, in whole or in part.*

c. Following due notice (described further below), and receipt of a recommendation from the Plan Commission, a public hearing must be held by the Village Board.

d. Following the public hearing, the Village Board takes action in the matter. The Village Board shall "give consideration to and satisfy themselves" regarding the issues noted in Section 745.22(E) of the Village Code, quoted above. I recommend that this review include specific consideration of the standards noted in the ordinance, with written findings and

conclusions. I can prepare a decision matrix in that regard if and when we reach that point.

3. Notice Requirements. The following notice requirements would all apply to this issue:

    a. Ordinary time, date, location, and subject matter requirements must be met regarding the hearing notice. In addition, the notice should include a map showing the property affected by the amendment or a description of the property affected by the amendment and a statement that a map may be obtained from the Village Board. (Section 62.23(7)(d)(2), Stats.)

    b. Pursuant to Section 745-22(D)(2) of the Village Code:

        i. public hearing notice must be published once each week for two weeks, the first such publication to be not less than three weeks prior to the date of the hearing; while Section 116-2 of the Village Code allows certain publications to be made by posting and on the website, rather than publishing in the newspaper, in this case I recommend using newspaper publication given the wording of the ordinance; and

        ii. by mailing a copy of the notice to the owner of each lot or parcel of real estate that is within 500 feet of the lot or parcel of real estate on which the proposed use will be exercised. The mailed notice must be provided not less than three weeks prior to the date of the hearing.

    c. Satisfying the foregoing requirements of the Village Code will be adequate to also satisfy the Class 2 notice requirements of Section 62.23(7)(d), Wis. Stats.

4. Comprehensive Planning Issues. Wisconsin Statutes Section 66.1001(3)(k) requires that zoning ordinances be consistent with the Village Comprehensive Plan. The plan will need to be reviewed to determine whether this rezoning is consistent with the Comprehensive Plan. If it is determined not to be consistent with the Comprehensive Plan, then either the rezoning must be denied, or the Comprehensive Plan must be amended before the rezoning would take effect. I can further describe the Comprehensive Plan amendment process if that becomes necessary.

5. Contract or Deed Restrictions. If it is approved, Section 745-22(G) of the Village Code requires that the applicant impose deed restrictions and/or enter a contract with the Village to ensure that the property continues to comply with the Village Code and any conditions imposed.

6. Open Meetings, Due Process/Fair Play Issues. I understand you circulated my prior correspondence on these related issues, and I will not reiterate any such points here.

If you should have any questions or concerns regarding these matters, please do not hesitate to contact me.

Very truly yours,
MUNICIPAL LAW & LITIGATION GROUP, S.C.

Eric J. Larson

Eric J. Larson

EJL/BTC/em
Enclosure
cc: Kelly Meyer, Village Clerk

Municipal LAW
& LITIGATION GROUP

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January 9, 2023

Scott Botcher, Village Manager
Village of Fox Point
7200 N Santa Monica Blvd.
Fox Point, WI 53217

Re: Mary Nohl House
Decision Matrix for Plan Commission Recommendation
Decision Matrix for Village Board Findings
First Drafts

Dear Mr. Botcher:

The Plan Commission and Village Board are scheduled to hold a public hearing concerning a Cultural Overlay District zoning amendment. After the hearing, the matter will come before the Plan Commission to consider a recommendation to the Village Board. Thereafter the Village Board will consider a zoning change to the Cultural Overlay District. We discussed creating a decision matrix to help the Plan Commission and Village Board to focus on the standards of the Village Code that apply to this matter. I have had an opportunity to carefully consider this matter.

Enclosed please find first drafts of a Decision Matrix for the Plan Commission to document its recommendation and a second Decision Matrix for the Village Board to document its findings. I believe you will find the enclosed to be self-explanatory.

If you should have any questions or concerns regarding these matters, please do not hesitate to contact me.

Very truly yours,
MUNICIPAL LAW & LITIGATION GROUP, S.C.

Eric J. Larson

Eric J. Larson

EJL/BTC/em
Enclosure
cc: Kelly Meyer, Village Clerk
Kevin Ausman, Assistant Village Manager

Decision Matrix for Plan Commission Recommendation
Village of Fox Point
Cultural Overlay District Approval Process

The State of Wisconsin has preempted municipal authority regarding conditional use permits in a number of respects, effective November 29, 2017. Decisions concerning conditional use permits now must be based upon "substantial evidence," which is defined as follows:

> "'Substantial evidence' means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion."[1]

This new State Law defines the term "conditional use" broadly as follows:

> "'Conditional use' means a use allowed under a conditional use permit, special exception, or other special zoning permission issued by a city [or a Village], but does not include a variance."

The Cultural Overlay District of the Village of Fox Point requires special zoning permission, and therefore arguably is subject to the foregoing statute.

Note two additional requirements of the new laws:

- If an applicant for a conditional use permit meets or agrees to meet all requirements and conditions specified in the ordinance, the conditional use permit must be granted.
- Any condition imposed must relate to the purpose of the ordinance and be based on substantial evidence.

This decision matrix is provided as a tool to work through the decision-making process in light of the new statutory requirements and applicable Village of Fox Point ordinances. As this statute has only been in effect since 2017, we will reserve the ability to proceed differently than outlined in this decision matrix if we find it is appropriate to do so.

Eric J. Larson

[1] §§60.62(4e)(a) 2. and 62.23(7)(de) 1. b., Wisconsin Statutes

Criteria	Applicant Provided Substantial Evidence[2]		Opponents Provided Substantial Evidence[3]		Village finds Standard is met[4]	
1. **745-22(E)(1)** That the proposed development is consistent with the spirit and intent of this chapter; is in conformity with the general character of the Village, and would not be contrary to the general welfare and economic prosperity of the Village or the immediate neighborhood.	Yes	No	Yes	No	Yes	No
2. **745-22(E)(2)** That the project appears economically sound and that there are or adequate arrangements have been made to reasonably assure the continued maintenance of the development.	Yes	No	Yes	No	Yes	No
3. **745-22(E)(3)** That the contemplated use will not: (a) Cause material depreciation in property values in the immediate neighborhood, nor	Yes	No	Yes	No	Yes	No
4. **745-22(E)(3)** That the contemplated use will not: (b) Materially adversely affect the use and enjoyment of property in the immediate neighborhood.	Yes	No	Yes	No	Yes	No
5. **745-22(E)(4)** The setbacks will be maintained along any boundary street of the project area as required by the basic zoning district.	Yes	No	Yes	No	Yes	No
6. **745-22(E)(5)** That no building will be permitted closer to the side or rear boundary line of the project area than required by the applicable side or rear yard requirements of the adjoining zoning district abutting along a side or rear property line of the project.	Yes	No	Yes	No	Yes	No
7. **745-22(E)(6)** That no building shall exceed the height limitation of the basic zoning district.	Yes	No	Yes	No	Yes	No
8. **745-22(E)(7)** That the project will not create traffic beyond the capacity of the street system to reasonably serve it, and that there will be	Yes	No	Yes	No	Yes	No

[2] The recommendation of the Plan Commission is that the applicant has provided substantial evidence to show that the applicant meets or agrees to meet this standard.
[3] Opponents of the application have shown substantial evidence that the applicant will not meet this standard.
[4] The recommendation of the Plan Commission is, based upon substantial evidence presented, that the applicant meets or has agreed to meet this standard.

adequate off-street parking based upon the need generated by the proposed project.						
9. **745-22(E)(8)** That the care and maintenance of the grounds and buildings comprising such project will be assured by the establishment of an appropriate management organization, or by the Village with the cost to be charged as a special assessment, and that the Village shall have the right to perform such maintenance work as it feels reasonably necessary to properly maintain the building and grounds, if this is not otherwise taken care of, and to levy the cost thereof as a special assessment. Any such special assessment shall be due and payable and collectible as all other special assessments, even though the property may be exempt from general real estate taxes, in whole or in part.	Yes	No	Yes	No	Yes	No

Approval Conditions.

Section 745-22(C) of the Village of Fox Point Zoning Code states the following regarding conditions that may be imposed:

> Upon receipt of the above material the Village Board, if it believes the proposed project might be acceptable, shall refer the matter to the Plan Commission for study and investigation. Such Commission, if it desires, may have a public hearing, formal or informal. The Plan Commission shall make its recommendation to the Village Board as to the appropriateness and desirability of the proposed use, and any changes or conditions which it feels are necessary or advisable.

Does the Plan Commission recommend additional conditions be imposed related to the purpose of the ordinance, based on substantial evidence, that are reasonable and to the extent practicable measurable or conditions be added concerning the permit's duration, transfer or renewal?

YES	NO

If yes, name the additional conditions:

_____

_____

_____

Has the applicant agreed to meet all of the requirements and conditions specified by the Village of Fox Point Village?

YES	NO

If the Plan Commission answer is "yes" proceed to the next section. If the Plan Commission answer is "no" the application must be denied.

Proposed Recommendations:

A. **Recommendation to Approve:** I recommend approval of the application for a use in the Cultural Overlay District of the Village as presented, subject to the following: [Mark all that apply.]

☐ This matter shall be placed upon an upcoming Village Board agenda to further consider the legal documents, and for further consideration of the matter.

☐ The record of this recommendation is clear and is on the tape. The Village Clerk shall preserve the tape of the Plan Commission's discussion which along with this decision matrix shall serve as its recommendation to the Village Board

B. **Recommendation to Deny:** I recommend denial of the Cultural Overlay District application as the applicant has failed to show by substantial evidence that the applicant meets or agrees to meet all of the requirements and conditions specified in the Village of Fox Point Zoning Ordinance, and substantial evidence in the matter supports the decision to deny, subject to the following: [Mark all that apply.]

☐ This matter shall be placed upon an upcoming Village Board agenda to consider the recommended denial, and for further consideration of the matter.

☐ The record of this recommendation is clear and is on the tape. The Village Clerk shall preserve the tape of the Plan Commission's discussion which along with this decision matrix shall serve as its recommendation to the Village Board

Decision Matrix for Village Board Findings
Village of Fox Point
Cultural Overlay District Approval Process

The State of Wisconsin has preempted municipal authority regarding conditional use permits in a number of respects, effective November 29, 2017. Decisions concerning conditional use permits now must be based upon "substantial evidence," which is defined as follows:

> "'Substantial evidence' means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion."[1]

This new State Law defines the term "conditional use" broadly as follows:

> "'Conditional use' means a use allowed under a conditional use permit, special exception, or other special zoning permission issued by a city [or a Village], but does not include a variance."

The Cultural Overlay District of the Village of Fox Point requires special zoning permission, and therefore arguably is subject to the foregoing statute.

Note two additional requirements of the new laws:

- If an applicant for a conditional use permit meets or agrees to meet all requirements and conditions specified in the ordinance, the conditional use permit must be granted.
- Any condition imposed must relate to the purpose of the ordinance and be based on substantial evidence.

This decision matrix is provided as a tool to work through the decision-making process in light of the new statutory requirements and applicable Village of Fox Point ordinances. As this statute has only been in effect since 2017, we will reserve the ability to proceed differently than outlined in this decision matrix if we find it is appropriate to do so.

Eric J. Larson

[1] §§60.62(4e)(a) 2. and 62.23(7)(de) 1. b., Wisconsin Statutes

Criteria	Applicant Provided Substantial Evidence[2]		Opponents Provided Substantial Evidence[3]		Village finds Standard is met[4]	
1. **745-22(E)(1)** That the proposed development is consistent with the spirit and intent of this chapter; is in conformity with the general character of the Village, and would not be contrary to the general welfare and economic prosperity of the Village or the immediate neighborhood.	Yes	No	Yes	No	Yes	No
2. **745-22(E)(2)** That the project appears economically sound and that there are or adequate arrangements have been made to reasonably assure the continued maintenance of the development.	Yes	No	Yes	No	Yes	No
3. **745-22(E)(3)** That the contemplated use will not: (a) Cause material depreciation in property values in the immediate neighborhood, nor	Yes	No	Yes	No	Yes	No
4. **745-22(E)(3)** That the contemplated use will not: (b) Materially adversely affect the use and enjoyment of property in the immediate neighborhood.	Yes	No	Yes	No	Yes	No
5. **745-22(E)(4)** The setbacks will be maintained along any boundary street of the project area as required by the basic zoning district.	Yes	No	Yes	No	Yes	No
6. **745-22(E)(5)** That no building will be permitted closer to the side or rear boundary line of the project area than required by the applicable side or rear yard requirements of the adjoining zoning district abutting along a side or rear property line of the project.	Yes	No	Yes	No	Yes	No
7. **745-22(E)(6)** That no building shall exceed the height limitation of the basic zoning district.	Yes	No	Yes	No	Yes	No
8. **745-22(E)(7)** That the project will not create traffic beyond the capacity of the street system to reasonably serve it, and that there will be adequate off-street parking based upon the need generated by the proposed project.	Yes	No	Yes	No	Yes	No

[2] The Village Board finds that the applicant has provided substantial evidence to show that the applicant meets or agrees to meet this standard.
[3] Opponents of the application have shown substantial evidence that the applicant will not meet this standard.
[4] The Village Board finds, based upon substantial evidence presented, that the applicant meets or has agreed to meet this standard.

9. **745-22(E)(8)** That the care and maintenance of the grounds and buildings comprising such project will be assured by the establishment of an appropriate management organization, or by the Village with the cost to be charged as a special assessment, and that the Village shall have the right to perform such maintenance work as it feels reasonably necessary to properly maintain the building and grounds, if this is not otherwise taken care of, and to levy the cost thereof as a special assessment. Any such special assessment shall be due and payable and collectible as all other special assessments, even though the property may be exempt from general real estate taxes, in whole or in part.	Yes	No	Yes	No	Yes	No

Approval Conditions.

Section 745-22(F) of the Village of Fox Point Zoning Code states the following regarding conditions that may be imposed:

> "The Village Board, after due consideration, including consideration of the report of the Plan Commission, may reject the project or approve the project as originally proposed or approve it subject to certain changes, modifications, provisions and conditions as the Board considers reasonably necessary.

Should additional conditions be imposed related to the purpose of the ordinance, based on substantial evidence, that are reasonable and to the extent practicable measurable or conditions be added concerning the permit's duration, transfer or renewal?

YES	NO

If yes, name the additional conditions:

_____

_____

_____

_____

Has the applicant agreed to meet all of the requirements and conditions specified by the Village of Fox Point Village?

YES	NO

If the Village Board answer is "yes" proceed to the next section. If the Village Board answer is "no" the application must be denied.

Proposed motions:

A. **Motion to Approve:** I move to approve the application for a use in the Cultural Overlay District of the Village as presented, subject to the following: [Mark all that apply.]

- ☐ The Village of Fox Point Attorney (alternatively: _____) is directed to prepare necessary legal documents based upon this decision matrix and place it in final form consistent with the discussion of at the Village of Fox Point Village Board meeting.
- ☐ The legal documents shall be circulated to the members of the Village Board who will confirm in writing whether they find the final form to be as decided by the Village Board, and if there is any doubt in the mind of any member of the Village Board in that regard, the matter shall be brought back to a subsequent Village Board meeting for further consideration of the final form of the decision and order.
- ☐ This matter shall be placed upon an upcoming agenda to consider the final form of the legal documents, and for final action in the matter.
- ☐ The record of this determination is clear and is on the tape. The Village Clerk shall preserve the tape of the Village Board's discussion which along with this decision matrix shall serve as the final order in the matter.

B. **Motion to Deny:** I move to deny the Cultural Overlay District application as the applicant has failed to show by substantial evidence that the applicant meets or agrees to meet all of the requirements and conditions specified in the Village of Fox Point Zoning Ordinance or those imposed by the Village of Fox Point Village Board, and substantial evidence in the matter supports the decision to deny, subject to the following: [Mark all that apply.]

- ☐ The Village of Fox Point Attorney (alternatively: _____) is directed to draft a written decision for denial and place it in final form consistent with the discussion of the Village of Fox Point Village Board.
- ☐ The written decision shall be circulated to the members of the Village Board who will confirm in writing whether they find the final form to be as decided by the Village Board, and if there is any doubt in the mind of any member of the Village Board in that regard, the matter shall be brought back to a subsequent Village Board meeting for further consideration of the final form of the written denial.
- ☐ This matter shall be placed upon an upcoming agenda to consider the final form of the written denial, and for final action in the matter.
- ☐ The record of this determination is clear and is on the tape. The Village Clerk shall preserve the tape of the Village Board's discussion which along with this decision matrix shall serve as the final order in the matter.

VILLAGE OF FOX POINT

MILWAUKEE COUNTY

WISCONSIN

VILLAGE HALL

7200 N. SANTA MONICA BLVD.

FOX POINT WI 53217-3505

To: Village Board; Plan Commission; Village of Fox Point

From: Scott A. Botcher, Village Manager

cc: Eric Larson, Village Attorney

Date: January 25, 2023

Re: Mary Nohl Recommendations

As the Mary Nohl application moves closer to a scheduled public hearing, some may find it helpful to restate conditions to be considered should the Plan Commission be inclined to recommend approval or the Village Board be inclined to approve the request.

While the details of any potential approval are within the final purview of the Village Board, our recommendation would be to ensure that any application meet the following criteria as identified in Village code.

Section 745-22(3) of the Village Code identifies certain issues that must be satisfied as a basis for approval, which includes all of the following:

(1) That the proposed development is consistent with the spirit and intent of this chapter; is in conformity with the general character of the Village, and would not be contrary to the general welfare and economic prosperity of the Village or the immediate neighborhood.

(2) That the project appears economically sound and that there are or adequate arrangements have been made to reasonably assure the continued maintenance of the development.

(3) That the contemplated use will not:
   a. Cause material depreciation in property values in the immediate neighborhood, nor
   b. Materially adversely affect the use and enjoyment of property in the immediate neighborhood.

(4) The setbacks will be maintained along any boundary street of the project area as required by the basic zoning district.

(5) That no building will be permitted closer to the side or rear boundary line of the project area than required by the applicable side or rear yard requirements of the adjoining zoning district abutting along a side or rear property line of the project.

(6) That no building shall exceed the height limitation of the basic zoning district.

(7) That the project will not create traffic beyond the capacity of the street system to reasonably serve it, and that there will be adequate off-street parking based upon the need generated by the proposed project.

(8) That the care and maintenance of the grounds and buildings comprising such project will be assured by the establishment of an appropriate management organization, or by the Village with the cost to be charged as a special assessment, and that the Village shall have the right to perform such maintenance work as it feels reasonably necessary to properly maintain the building and grounds, if this is not otherwise taken care of, and to levy the cost thereof as a special assessment. Any such special assessment shall be due and payable and collectible as all other special assessments, even though the property may be exempt from general real estate taxes, in whole or in part.

Village staff have also considered whether to recommend any conditions on any approval, should the Village Board ultimately decide to approve the application. The conditions that may be appropriate will depend in part on what we hear at the public hearing, so it is too soon to offer any firm recommendations. At the same time, I want to share the draft conditions that we have considered to date, in part because the public may want to speak to the issue of appropriate conditions at the public hearing, and we welcome the public's input on these draft conditions. The conditions currently under consideration are as follows:

1. Presentation Compliance. The Subject Property must be used in substantial conformity with the plans and narrative presented with the rezoning petition (including, without limitation, the December 9, 2022 letter from Petitioner to the Village Board of Fox Point together with its enclosures), and in substantial conformity with the presentation at the public hearing of January 31, 2023 including the comments made by the Village Board during the public hearings and in their meetings following the public hearings.

2. Land Use. The Village and Petitioner agree that the Subject Property may be used, as described in the Proposal, including but not limited to, as a display site for the Collection to be exhibited and made available for examination and study by limited groups of invited scholars, collectors, historians, educators, and others pursuant to the procedures set forth below. These procedures take into account the primary purposes of Petitioner to preserve and protect the Mary Nohl House and the Collection, as well as the residential character of the neighborhood surrounding the Subject Property. As such, these

procedures limit access to the Subject Property to smaller groups of invited guests hosted by JMKAC. The parties agree that at no time will the Subject Property be open to the general public.

3. Overlay Agreement. The Petitioner and JMKAC shall be required to enter into a separate agreement with the Village to ensure there is ongoing compliance with the Cultural Overlay District requirements, Village of Fox Point Zoning Code, and the assurances made in the Petitioner's application. The Agreement shall require the Petitioner and/or CAPP to make an annual payment in lieu of taxes [PILOT] in the event the Subject Property becomes tax exempt in an amount to recover the taxes that otherwise would be owed if the property were not exempt, in a form approved by the Village. This agreement shall be recorded with the Milwaukee County Register of Deeds and shall run with the land indefinitely.

4. Additional Building and Occupancy. An additional building of not more than 4,000 square feet may be developed in the future on the Subject Property and occupied from time to time by an artist-residence and/or caretaker in order to create and maintain a creative, inspirational, residential and secure environment on the Subject Property. Additionally, the Subject Property may be occupied or used by curatorial, custodial, and maintenance personnel for the general upkeep and maintenance of the Subject Property, the Mary Nohl House, and/or the Collection. Moreover, from time to time, the Subject Property may be used as offices and meeting space for Petitioner, JMKAC and/or their respective affiliates board of directors, staff and volunteers.

5. Visits and Events. The Petitioner and JMKAC may allow select groups to visit for education and research purposes, in addition to holding select special events each year. The Petitioner and JMKAC shall be limited to the following visits and events:

    a. Scholarly Research Groups. Invited groups of art scholars, teachers, students, admirers, and supporters including, but not limited to college professors, graduate and undergraduate students, school children, curators, artists, writers, museum personnel, collectors, and others with affiliation and/or interest may visit the Subject Property, from time to time. These groups may range in size from one (1) individual to four (4) individuals.

    b. Educational Visits. Invited educational groups including, but not limited to museum groups and college classes may visit the Subject Property, from time to time. These groups may range in size from _____ to _____.

    c. Larger Groups Directed to the Art Preserve. The primary purpose of the Subject Property is to preserve and protect the Mary Nohl

House and the Collection now and into the future. Excessive traffic and visits to the Subject Property would frustrate this purpose and threaten the Mary Nohl House, the Collection, and the Subject Property's unique "artist-built environment." Accordingly, Petitioner and JMKAC have determined that larger groups interested in Mary Nohl's art should be encouraged to visit the Art Preserve in Sheboygan, Wisconsin, and such use of the Subject Property are strictly limited as described herein.

d. Occasional Special Events. Subject to the Village's approval under the approval process outlined in this Condition, Petitioner and JMKAC and/or their respective affiliates, may hold up to two (2) special events on the Subject Property each calendar year. Special events shall not exceed _____ individuals at a time. Possible special events may include, but are not limited to, fundraisers to secure funding needed to maintain and care for the Subject Property and the Collection, educational symposiums to examine the Collection and other works of art created by Mary Nohl, community events to engage with invited visitors in constructive, positive ways, or for any other purposes consistent with the goals and purposes of Petitioner and/or JMKAC for the Mary Nohl House and the Collection. From time to time, Petitioner and JMKAC and/or their respective affiliates, may deliver to the Village a special event proposal (each, an "Event Proposal," attached hereto and incorporated herein by reference as Exhibit D) for the Village's review and approval which approval shall not be unreasonably withheld.

e. School Groups. Invited groups of students from local secondary and pre-secondary schools may visit the Subject Property, from time to time, provided no more than _____ such uses are permitted in a calendar year. The Village shall be notified at least _____ days prior to any such use. From time to time, a procedure by which local schools may request such access to the Subject Property will be prescribed. All tours provided to school groups will be free of charge. These groups may range in size from _____ to _____.

f. Petitioner and JMKAC Meetings. From time to time, the Subject Property may be used for meetings of the Petitioner, JMKAC and/or their respective affiliates board of directors, staff and volunteers.

g. Neighbors. It is the intent of this Ordinance that neighbors and local residents have an opportunity to view the Collection for their education and enrichment. From time to time, after the execution of this Ordinance by the parties, input from neighbors and/or local residents may be solicited to determine desirable means for small groups of neighbors and local residents to visit the Subject Property and view the Mary Nohl House and the Collection. From time to time, a procedure will be prescribed by which small groups of neighbors, local residents and others may be invited to hosted

events at the Subject Property to view the Mary Nohl House and the Collection.

6. Parking Restrictions. To comply with the Village Code and to avoid, to the extent possible, managing the number of vehicles present in the vicinity of the Subject Property, visitor parking shall be limited to an area on the Subject Property itself. To the extent that additional parking is required by visitors to the Subject Property, shuttle services will be used to transport visitors to and from the Subject Property. A gated driveway as more particularly identified on Exhibit E attached hereto will be constructed on the Subject Property, provide all necessary zoning approvals are requested and granted. No buses (which accommodate 20 or more passengers at any one time) shall be allowed at the Subject Property.

7. Access and Hours of Operation. At no time will the Subject Property be open to the general public. All visits to the Subject Property shall be by invitation and pre-arrangement only. Except as expressly stated otherwise herein, access by persons who do not reside on the Subject Property will be restricted to only three (3) days per calendar week and not more than twenty (20) visitors per day. In addition, no such access may occur prior to 9am or during the weekday evening peak traffic hours of 4 to 6 pm. To avoid entry by the general public, the Subject Property shall be equipped with a security system, motion detection lighting, and locked gate.

8. Future Improvements Limited. The footprint of the Mary Nohl House is to be largely maintained as it is, with limited improvements and structural changes to the interior of the building. No new buildings or changes to the Subject Property are anticipated except as set forth in the December 9, 2022 letter from Petitioner and in compliance with the Village Code. The existing perimeter fencing may be repaired and/or replaced from time to time. It is contemplated that an additional auxiliary building may be constructed on the Subject Property to include one or two dwelling units that may be used primarily as the residences of artists-in-residence and/or caretakers as depicted on Exhibit F attached hereto. The additional building also may be used to orient visitors to Mary Nohl's life and work, providing supplemental gallery space, restrooms and/or other ancillary amenities for visitors to the Mary Nohl House and the Collection. It is also contemplated that a small storage shed, not to exceed 15 feet by 15 feet, may be constructed on the Subject Property as depicted on Exhibit G attached hereto.

9. Plan Amendments. Compliance with the approved plans is required at all times. Any subsequent change or addition to an approved plan shall first be submitted for approval to the Plan Commission, and if in the Commission's opinion such change or addition is not substantial, it may recommend approval to the Village Board. If such change or addition is construed to be

substantial, a public hearing shall be held prior to affirmative action by the Village Board on such recommendation.

10. Subject to Acceptance. Subject to the Petitioner acknowledging in writing that they have received a copy of this conditional approval, that they understand and accept the same, and that upon failure to satisfy these conditions this approval is void, and the same is deemed to not have been approved, and the Petitioner will therefore need to re-commence the application process.

11. Three Years to Satisfy Conditions. Subject to the Petitioner satisfying all of the aforementioned conditions within three years of the Village Board adopting this conditional rezoning ordinance, unless extended by the Village Board.

12. Laws. The Petitioner shall comply with all Federal, State, County and local rules, codes, ordinances and regulations in the construction, operation and maintenance of the Subject Property.

13. Building and Fire Inspection. The Petitioner is required to keep the Subject Property in compliance with all Federal, State and local laws, statutes, codes, ordinances, policies and guidelines as determined by the Building Inspector of the Village of Fox Point and Fire Inspectors of the North Shore Fire Department and, upon reasonable notice, to grant the Building Inspector of the Village of Fox Point and the Fire Inspectors of the North Shore Fire Department access to the Subject Property for the purpose of inspection.

14. Aesthetics. The Petitioner is required to properly maintain the Subject Property at all times and in full compliance with the Village of Fox Point Village Code.

15. Professional Fees. Petitioner shall, on demand, reimburse the Village for all costs and expenses of any type that the Village incurs in connection with this rezoning petition, including the cost of professional services incurred by the Village (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional rezoning ordinance due to a violation of these conditions.

16. Payment of Charges. Any unpaid bills owed to the Village by the Petitioner for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees or any other fees owed to the Village; shall be placed upon the tax roll for the Subject Property if not paid within thirty (30) days of billing by the Village, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also

constitute a breach of the requirements of this conditional rezoning ordinance, that is subject to all remedies available to the Village, including possible cause for termination of the conditional rezoning ordinance.

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January 27, 2023

Scott Botcher, Village Manager
Village of Fox Point
7200 N Santa Monica Blvd.
Fox Point, WI 53217

Re: Mary Nohl House
Attorney Wirth Concerns

Dear Mr. Botcher:

I received the follow up concerns Attorney John Wirth described regarding the above-noted rezoning. I have had an opportunity to carefully consider this matter.

Based upon my research, I have the following comments, questions, concerns and recommendations in this regard.

1. Background. Attorney John Wirth sent a letter regarding the Mary Nohl House and the process the Village is following. Attorney Wirth represents "Save the Beach Road Neighborhood," an association of Fox Point homes and businesses. Attorney Wirth's main argument is that amending the official zoning map of the Village is a separate and distinct step from adding the Cultural Overlay District designation to the Mary Nohl House. Below I will respond to Attorney Wirth's claims, while also providing further insight into how our office determined this process is not a legislative act by the Village Board.

2. Legal Issue Raised by Attorney Wirth. "Wisconsin law and Fox Point ordinances require a two-step process. I ask that you give the Board and Commission information about the first step of the process.

   First, the Board must amend the Village's official zoning map by subjecting the property to the Cultural Overlay District zoning. Wis. Stat. § 62.23(7)(b) and (7)(d); Section 745-35 of the Village Code. The Village adopted the official zoning map pursuant to Section 745-11 of the Village Code.

   Second, the Board then determines whether the use proposed by the applicant is acceptable. That is the process (the "special zoning permission" or "special use permit") described in your matrixes and in Section 745-22B of the Village Code. Section 745-22B starts "the procedure hereinafter set forth shall be

followed before any [museum] use," clarifying that this is a use restriction and not a condition of amending the official zoning map (rezoning).

I highlight the requirement of this two-step process because of the different standards applicable to each step. The first step is discretionary. The second step is subject to more requirements.

Amending the official zoning map is a legislative determination..."

3. My Response. I disagree. We are engaged in a single process, to consider the grant of special zoning permission for this property in the A-1 zoning district.

Attorney Wirth states "amending the official zoning map is a legislative determination" by quoting from *Miller v. Zoning Bd. of Appeals of Vill. of Lyndon Station*, 2022 WI App 51, ¶ 26. This paragraph, in whole, states:

> That said, our precedents firmly establish that, unlike the above-described quasi-judicial acts, the act of rezoning is as legislative in nature as drafting and adopting a zoning ordinance in the first instance. Although rezoning a single parcel may be a fact-intensive, individualized determination, it remains that rezoning involves amending the zoning ordinance, and a village's enactment of an amendment to a zoning ordinance is legislation whether it affects multiple parcels and property owners or only one. Accordingly, the Village Board's decision to rezone the subject property from residential to commercial, which required amendment to the Village's zoning ordinance, was plainly a legislative act.

I agree with this statement of the court, but it is not applicable here.[1] The rezoning from the Lyndon Station case differs from the rezoning to the Cultural Overlay District. In the Lyndon Station case, the applicant requested the parcel be rezoned from a residential to a commercial zoning district. That is a typical rezoning. Lyndon Station was considering an amendment to its zoning ordinance to accomplish the request. The issue here is different, because we are not amending the underlying zoning of the property, which is now and will remain A-1. Village Code Section 745-22(A)(1) states the following:

> The basic zoning in a Cultural Overlay District continues in effect and any and all uses as authorized by such basic district continue to be authorized subject to the provisions of this chapter in respect to such basic district.

Therefore, while zoning requirements are added through the Cultural Overlay District, the property as a whole is not "rezoned." If the property is in a residential district prior to the Cultural Overlay District being added, it continues to be zoned as a residential district property after as well. The application filed in this matter seeks the grant of special permission to use this A-1 property in additional ways beyond those specified in the district regulations, if certain conditions are met.

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[1] Citations omitted. You may remember that I forwarded this decision to you shortly after the case was published, because this clearly underscores a rule of law that we have held for many years. It is a good rule of law, and it is well stated. Rezoning is indeed a legislative act.

A "conditional use" is defined as follows in Wis. Stats. Section 62.23(7)(de)(1)(a):

> a. "Conditional use" means a use allowed under a conditional use permit, special exception, or other special zoning permission issued by a city, but does not include a variance.

This is a broad definition, including the phrase "other special zoning permission." A "special zoning permission" is defined in Wis. Stats. Section 62.23(7)(i)(7), which is an inapplicable context but instructive nonetheless, as follows:

> 7. In this paragraph, "special zoning permission" includes but is not limited to the following: special exception, special permit, conditional use, zoning variance, conditional permit and words of similar intent.

The words "overlay district," in my opinion, are words of similar intent to a special exception or conditional use. It is the function of the approval that is the deciding factor, and here, in my opinion, this is functionally equivalent to a conditional use. Conditions apply. Determinations must be made on whether the conditions are satisfied. If granted, numerous conditions will be imposed. That application of findings to standards of the ordinance is a quasi-judicial role. This is therefore subject to the process of 62.23(7)(de), Stats., in my opinion.

Lastly, I have participated with hundreds of rezonings over the years, my firm has done so for collectively hundreds of years, and I have never encountered a process that worked the way Attorney Wirth describes. When an amendment to the zoning ordinance occurs, the map amendment happens at the same time, necessarily. It does not work from a practical sense to separate these steps. They are essentially the same step. If the special zoning permission is granted, then the official zoning map is amended. If the special zoning permission is denied, then the official zoning map is not amended. If the steps were separate, and a zoning map amendment always had to occur first, it could create situations where a map amendment was approved, the rezoning denied, which is absurd.

Based upon the above, I do not agree with Attorney Wirth that adding this Cultural Overlay designation is a two-step process with separate and distinct steps. It is not supported by State Statute or by the case law cited by Attorney Wirth. The process to add the Cultural Overlay designation is a single process, with a single determination made that will or will not add the designation.

If you should have any questions or concerns regarding these matters, please do not hesitate to contact me.

Very truly yours,

MUNICIPAL LAW & LITIGATION GROUP, S.C.

Eric J. Larson

Eric J. Larson

EJL/BTC/em
cc: Kelly Meyer, Village Clerk
Kevin Ausman, Assistant Village Manager

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February 17, 2023

Scott Botcher, Village Manager
Village of Fox Point
7200 N Santa Monica Blvd.
Fox Point, WI 53217

Re: Mary Nohl House
Concerns Raised

Dear Mr. Botcher:

I received your request that I respond to a concern raised by Tim Lemont of 7475 N. Beach Drive. I have had an opportunity to carefully consider this matter.

Based upon my research, I have the following comments, questions, concerns and recommendations in this regard.

1. Resident Question. "How can the 2nd parcel Kohler recently purchased even qualify for consideration for the Cultural Overlay rezoning when this additional property does not operate as a museum, art gallery or library? Simply because the Nohl house and Mary's sculptures are next door does not make the adjoining property a museum itself. The immediate neighborhood is greatly concerned that this property and the building to be built on it will become an event space. We urge you to not allow the adjoining property to be bundled with the Cultural Overlay application for the Nohl property."

   My Response. The applicant decides what land to include in their application. The Village does not make the decision of what territory to consider. Certainly the Village Board can and must consider whether to grant the request, however, so Mr. Lemont's comment is relevant and can be considered by the Board.

   As that issue is considered, it is important to recognize that the second lot is being used to build a residence for an artist-in-residence that will live in that home, and watch over the Mary Nohl House. Kohler already owns this lot, and the use is incidental to the use of the Mary Nohl House, so it is sensible to include it in the proposal, to regulate it with appropriate restrictions in conjunction with the Mary Nohl home. If the Village Board did not place restrictions on the 2nd lot through the Cultural Overlay Designation and Agreement, there would be potential the use on the property could be expanded in other ways that are undesirable to residents. This will allow the Village to have some control over the

lot if it is included in this designation and agreement. Again, it is for the Village Board to decide and Mr. Lamont's comments are in the record for the Board to consider.

If you should have any questions or concerns regarding these matters, please do not hesitate to contact me.

Very truly yours,

MUNICIPAL LAW & LITIGATION GROUP, S.C.

Eric J. Larson

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EJL/BTC/em
cc: Kelly Meyer, Village Clerk
Kevin Ausman, Assistant Village Manager