REGULAR VILLAGE BOARD MEETING

MEETING NOTICE AND AGENDA

Monday, May 18, 2020, 6:00 PM

Meeting will be held at: https://www.gotomeet.me/wfbvillage/village-board
Access Code: 348-527-221
Phone Number Log In: +1 (872) 240-3212

I. Call to Order and Roll Call

II. Consent Agenda – Upon request of any Trustee, any item may be removed from the Consent Agenda for separate consideration under General Business.

1. Claims for April, 2020.
2. Renewal of Village Purchasing Policy.
3. Resolution No. 3072 – Acknowledging the Midwest Renewable Energy Association's Group Buy Solar Program.
4. Contract Award for the 2020 Emerald Ash Borer Treatment Project.

III. Report of Village Officers

1. Village Attorney
2. Village Manager
3. Village President
4. Miscellaneous Trustee

IV. Petitions and Communications – Members of the public wishing to communicate to the Village Board should email manager@wfbvillage.org at least 24 hours prior to the meeting with "Message to Village Board" in the subject line. Those messages will be provided to the Board Members.

V. General Business

1. Resolution No. 3073 – Proclaiming May 17th – May 23rd as "Public Works Week" in the Village of Whitefish Bay.

2. Discussion/action on appeal of ARC decision regarding the approval of a Certificate of

Appropriateness for demolition of the house at 4640 N. Lake Dr. (Appellants: Jefferson Aikin, Thomas Fehring, Kenneth Berg, Carol Krigbaum, Julie Gilpin, David Pacifico and Teri Quaintance).

VI. Adjourn

Due to the COVID-19 pandemic, this meeting is being held via remote conference only. Members of the media and public may attend by logging onto **https://www.gotomeet.me/wfbvillage/village-board**.The access code is 348-527-221. The phone number to log in is +1 (872) 240-3212. All public participants will be muted during the meeting. Members of the public wishing to communicate to the Village Board should email p.boening@wfbvillage.org at least 24 hours prior to the meeting with "Message to Village Board" in the subject line. Those messages will be provided to the Board Members. Agendas and minutes are available on the Village website (www.wfbvillage.org)

Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. Contact Village Hall at (414) 962-6690. It is possible that members of and possibly a quorum of members of other Boards, Commissions, or Committees of the Village including in particular the Historic Preservation Commission may be in attendance in the above stated meeting to gather information; no action will be taken by any other Boards, Commissions, or Committees of the Village except by the Board, Commission, or Committee noticed above. Agendas and minutes are available on the Village website (www.wfbvillage.org)

Check Date	Check	Vendor Name	Amount
Bank Cking ASSOCIATED			
04/03/2020	57242	AFLAC	483.22
04/03/2020	57243	ASSOCIATED TRUST COMPANY	475.00
04/03/2020	57244	AT&T	175.57
04/03/2020	57245	AT&T MOBILITY	446.44
04/03/2020	57246	BATTERIES PLUS LLC	358.90
04/03/2020	57247	BIRCHWOOD	450.00
04/03/2020	57248	BROOKS TRACTOR	717.60
04/03/2020	57249	COMPASS MINERALS AMERICA INC	8,123.55
04/03/2020	57250	CONFLUENCE GRAPHICS	596.95
04/03/2020	57251	COURTNEY REMUS	95.00
04/03/2020	57252	DAILY REPORTER PUBLISHING CO.	117.21
04/03/2020	57253	DAVIS & KUELTHAU, S.C.	9,306.50
04/03/2020	57254	DELTA DENTAL OF WISCONSIN	5,928.08
04/03/2020	57255	DIEDRICH ELECTRIC	236.25
04/03/2020	57256	DILLETT MECHANICAL SERVICE	2,060.00
04/03/2020	57257	FIRST CHOICE TREE CARE	25,733.50
04/03/2020	57258	HOME DEPOT CREDIT SERVICES	246.48
04/03/2020	57259	HOMER'S TOWING & SERVICE, INC.	300.00
04/03/2020	57260	JACOBUS ENERGY	1,997.80
04/03/2020	57261	JENNIFER REMUS	80.00
04/03/2020	57262	MACQUEEN EQUIPMENT	658.33
04/03/2020	57263	MADACC	2,169.59
04/03/2020	57264	MATTHEW & MELISSA HONIGMAN	282.47
04/03/2020	57265	MILWAUKEE METRO SEWERAGE DISTRICT	202,480.53
04/03/2020	57266	MSC INDUSTRIAL SUPPLY CO	98.61
04/03/2020	57267	OTIS ELEVATOR COMPANY	625.86
04/03/2020	57268	PAUL CHRISTENSEN	263.60
04/03/2020	57269	PERKINS OIL	3,121.80
04/03/2020	57270	PUBLIC SERVICE COMMISSION OF WI	504.57
04/03/2020	57271	QUILL CORPORATION	142.64
04/03/2020	57272	R.N.O.W., INC.	997.50
04/03/2020	57273	SHOREWOOD PRESS	5,610.00
04/03/2020	57274	SILVER SPRING AUTOMOTIVE , INC.	1,068.93
04/03/2020	57275	THE SIGMA GROUP, INC	2,200.00
04/03/2020	57276	TIME WARNER CABLE	2,654.73
04/03/2020	57277	TIMOTHY & MORGAN BATTEN	434.25
04/03/2020	57278	TYLER TECHNOLOGIES, INC.	6,000.00
04/03/2020	57279	VERIZON WIRELESS	14.37
04/03/2020	57280	VILLAGE ACE HARDWARE	557.12
04/03/2020	57281	VILLAGE OF SHOREWOOD	11,266.86
04/03/2020	57282	WE ENERGIES	17,800.88
04/03/2020	57283	WESTHOFEN WORKS, INC.	930.35
04/03/2020	57284	WEX BANK	1,716.21
04/03/2020	57285	WI CHIEFS OF POLICE ASSOC.	671.00
04/03/2020	57286	WI DEPT. OF JUSTICE	28.00
04/03/2020	57287	WM RECYCLE AMERICA	5,000.77
		Total For 04/03/2020:	325,227.02
04/16/2020	57290	ALSCO	727.35
04/16/2020	57291	AMAZON CAPITAL SERVICES	1,739.90
04/16/2020	57292	AMY GEHRKE	150.00
04/16/2020	57293	ANGIE GEHRED	70.00
04/16/2020	57294	ANNE ANDERSON	50.00
04/16/2020	57295	AT&T	243.62
04/16/2020	57296	BAKER & TAYLOR BOOKS	4,160.52
04/16/2020	57297	BOB FRISCH	80.00
04/16/2020	57298	CARDMEMBER SERVICE	2,393.24
04/16/2020	57299	CARQUEST AUTO PARTS	2,826.63
04/16/2020	57300	CARROLL BRONSON	70.01
04/16/2020	57301	CITY OF MILWAUKEE	3.27
04/16/2020	57302	CITY WATER LLC	400.00
04/16/2020	57303	CLARK DIETZ, INC	10,320.00
04/16/2020	57304	COLLEEN BAIRD	100.00
04/16/2020	57305	COMPASS MINERALS AMERICA INC	1,672.47
04/16/2020	57306	CONFLUENCE GRAPHICS	1,601.89
04/16/2020	57307	CORPORATE CONTRACTORS INC.	1,712.50
04/16/2020	57308	CYNTHIA HOFF	150.00
04/16/2020	57309	DEMCO	107.43
04/16/2020	57310	DOUG FRAZER	80.00
04/16/2020	57311	EMILY BURKHOLDER	70.00
04/16/2020	57312	EVELYN BURDICK	150.00
04/16/2020	57313	GIBB BUILDING MAINTENANCE	4,363.19
04/16/2020	57314	GLENDALE WATER UTILITY	420.00
04/16/2020	57315	GRAYBAR ELECTRIC COMPANY	629.55
04/16/2020	57316	GREATAMERICA FINANCIAL SVCS	93.00
04/16/2020	57317	J. MILLER ELECTRIC	1,675.00
04/16/2020	57318	JACOBUS ENERGY	670.72
04/16/2020	57319	JEN ELVER	150.00

Check Date	Check	Vendor Name	Amount
04/16/2020	57320	JOHNSON CONTROLS	2,831.00
04/16/2020	57321	KANOPY, INC.	465.00
04/16/2020	57322	KATHRYN VALERIUS	70.00
04/16/2020	57323	KRIS HILL	150.00
04/16/2020	57324	KYLE VINSON	75.00
04/16/2020	57325	LANE KISTLER	150.00
04/16/2020	57326	LEANNA BLANCHARD	80.00
04/16/2020	57327	LEXISNEXIS RISK SOLUTIONS	150.00
04/16/2020	57328	MADELEINE OLSON	150.00
04/16/2020	57329	MARJORY STEWART	100.00
04/16/2020	57330	MARK & CAITLIN KAEPPLER	192.06
04/16/2020	57331	MARK PASSANTE	463.65
04/16/2020	57332	MEGAN PREKOSOVICH	80.00
04/16/2020	57333	MELINDA JOHNSON	120.00
04/16/2020	57334	MICHAEL BEST & FRIEDRICH LLP	103.20
04/16/2020	57335	MILWAUKEE COUNTY FED. LIBRARY SYST.	36,506.00
04/16/2020	57336	MILWAUKEE COUNTY TREASURER	3,084.57
04/16/2020	57337	MINNESOTA LIFE INSURANCE CO.	1,460.42
04/16/2020	57338	NICK MUELLER	80.00
04/16/2020	57339	NORTH SHORE WATER COMMISSION	37,976.77
04/16/2020	57340	OFFICE COPYING EQUIPMENT	121.46
04/16/2020	57341	OFFICE TECHNOLOGY GROUP	173.37
04/16/2020	57342	PETER BRONEK	1,290.00
04/16/2020	57343	PETTY CASH	5.65
04/16/2020	57344	PITNEY BOWES INC	254.97
04/16/2020	57345	POM INCORPORATED	478.90
04/16/2020	57346	POPP DENTAL SUPPLY, LLC	172.28
04/16/2020	57347	PROVEN POWER, INC.	552.91
04/16/2020	57348	PUBLIC SERVICE COMMISSION OF WI	633.26
04/16/2020	57349	R.N.O.W., INC.	1,918.37
04/16/2020	57350	RACHEL DALLET	70.00
04/16/2020	57351	ROBB GREGG	375.00
04/16/2020	57352	SCHOOL DISTRICT OF WFB	73.53
04/16/2020	57353	SENSUS	1,949.94
04/16/2020	57354	SMART INTERACTIVE MEDIA, LLC	250.00
04/16/2020	57355	STAPLES ADVANTAGE	589.46
04/16/2020	57356	STATE OF WI-COURT FINES/SURCHARGES	7,094.17
04/16/2020	57357	STEVEN PRESNAL	935.00
04/16/2020	57358	STEVEN SCHULMAN	150.00
04/16/2020	57359	SUSAN ROBINSON-STRANE	50.00
04/16/2020	57360	TAPCO	1,012.00
04/16/2020	57361	TASC	210.56
04/16/2020	57362	UNEMPLOYMENT INSURANCE	1,094.00
04/16/2020	57363	VILLAGE ACE HARDWARE	52.36
04/16/2020	57364	VILLAGE OF SHOREWOOD	206.12
04/16/2020	57365	WACHTEL TREE SCIENCE	7,194.95
04/16/2020	57366	WE ENERGIES	10.59
04/16/2020	57367	WELLS FARGO	139.44
04/16/2020	57368	WESTHOFEN WORKS, INC.	2,087.00
04/16/2020	57369	WEX BANK	1,808.08
04/16/2020	57370	WI DEPARTMENT OF TRANSPORTATION	4,863.73
04/16/2020	57371	WI DEPT. OF JUSTICE - TIME	300.00
04/16/2020	57372	WIL-KIL PEST CONTROL	616.50
		Total For 04/16/2020:	157,901.56
04/24/2020	57380	ADAM WARSH	600.00
04/24/2020	57381	ADVANCED DISPOSAL SERVICES	842.81
04/24/2020	57382	AFLAC	460.72
04/24/2020	57383	AIRGAS USA, LLC	569.14
04/24/2020	57384	AMERICAN PUBLIC WORKS ASSN.	760.00
04/24/2020	57385	ANDREW CHEVROLET	2,877.75
04/24/2020	57386	ANN MARIE WARANKA	17.91
04/24/2020	57387	AUTOMATIC BUILDING CONTROLS	247.50
04/24/2020	57388	BATTERIES PLUS LLC	195.90
04/24/2020	57389	BAYCOM	642.00
04/24/2020	57390	BLACKSTONE PUBLISHING	432.43
04/24/2020	57391	CLARK DIETZ, INC	7,129.90
04/24/2020	57392	CLEVELNAD TANK & SUPPLY	940.00
04/24/2020	57393	CONFLUENCE GRAPHICS	65.66
04/24/2020	57394	CUMMINS NPOWER, LLC	537.41
04/24/2020	57395	DALE DACZYK	60.00
04/24/2020	57396	DAVID HRYNIEWICKI	120.00
04/24/2020	57397	DEBORAH SCHWALBE	80.00
04/24/2020	57398	DELTA DENTAL OF WISCONSIN	5,965.30
04/24/2020	57399	ENVIROMENTAL SYSTEMS RESEARCH INST	700.00
04/24/2020	57400	ENVIROTECH EQUIPMENT	5,640.92
04/24/2020	57401	FACTORY MOTOR PARTS	106.06
04/24/2020	57402	FREE STYLE GRAPHICS	90.00
04/24/2020	57403	GALE	159.20
04/24/2020	57404	GEORGE MEDINA	30.00

Check Date	Check	Vendor Name	Amount
04/24/2020	57405	GORDON FLESCH COMPANY INC.	966.80
04/24/2020	57406	HOMER'S TOWING & SERVICE, INC.	400.00
04/24/2020	57407	JACOBUS ENERGY	926.31
04/24/2020	57408	JAMES TURK	300.00
04/24/2020	57409	JESSE BARKOW	180.00
04/24/2020	57410	JOHN EDLEBECK	130.00
04/24/2020	57411	LAKESIDE INTERNATIONAL TRUCK	6,805.11
04/24/2020	57412	MACQUEEN EQUIPMENT	306,000.00
04/24/2020	57413	NAPA	279.96
04/24/2020	57414	NORBERT SIKINGER	60.00
04/24/2020	57415	QUILL CORPORATION	36.53
04/24/2020	57416	RECORDED BOOKS, LLC	7.95
04/24/2020	57417	ROBERT TIEGS	30.00
04/24/2020	57418	SAFETY-KLEEN SYSTEMS, INC.	170.00
04/24/2020	57419	SIRCHIE	127.60
04/24/2020	57420	SNAP-ON TOOLS	234.93
04/24/2020	57421	THERESA HOGE	30.00
04/24/2020	57422	TIME WARNER CABLE	179.96
04/24/2020	57423	U.S. CELLULAR	201.89
04/24/2020	57424	WE ENERGIES	14,229.84
04/24/2020	57425	WEA INSURANCE TRUST	102,090.74
04/24/2020	57426	WM RECYCLE AMERICA	6,583.93
		Total For 04/24/2020:	469,242.16

CKING TOTALS:

Total of 176 Checks:	952,370.74
Less 0 Void Checks:	0.00
Total of 176 Disbursements:	952,370.74

VILLAGE BOARD MEETING STAFF REPORT

REPORT TO: President Julie Siegel & Village Board of Trustees

REPORT FROM: Tim Blakeslee – Assistant Village Manager

DATE: 5/14/20

AGENDA ITEM: Renewal of Village Purchasing Policy

ACTION REQUESTED: ___Ordinance ____Resolution __√__Motion (Consent Agenda)

BACKGROUND

The Village adopted the current Purchasing Policy on December 7, 2015, under the direction of previous Village Manager Steve Sheiffer. The policy has worked and continues to work well to supply the needed guidance on purchases, bids, and proposals for the various Village departments. The Purchasing Policy stipulates that it be reviewed by the Village Board every three (3) years following its adoption or sooner at the discretion of the Village Board. It has not been reviewed since adoption.

If/when the Village can apply for reimbursement of COVID expenses, Village Staff want to be able to provide FEMA (or another agency) with the Village Board minutes showing that the policy was recently reviewed. FEMA requires purchasing policy documents to be uploaded and reviewed. Village Staff is not proposing any changes to the Purchasing Policy at this time. Village Staff may revisit after a new Finance Director is on board.

RECOMMENDED ACTION BY VILLAGE BOARD

To renew the policy via approval of the Consent Agenda.

ATTACHMENTS

- Village Purchasing Policy

C: Department Heads
Attorney Jaekels

November 23, 2015

Village of Whitefish Bay Purchasing Policy

General

This policy was adopted on December 7, 2015 by the Village Board as Resolution # 2960. The intent of this policy to provide the guidelines for purchasing that will insure that any expenditure of public funds by all Village Departments will be consistent with these polices approved by the Village Board.

Guidelines

Delegation of Authority

The Village Manager shall be responsible for the implementation of this policy. The Village Board shall be notified in writing of all contracted expenses of $25,000 or greater.

Acceptance of Bids or Quotes

The Village reserves the right to accept any bid or quote which is determined to be the most beneficial to the Village, as well as the right to reject any or all bids or quotes.

Efficient purchasing

Every department should strive to purchase the goods and services in the appropriate quantities for its foreseeable needs of the department which will maximize any possible discounts and ensure an efficient purchasing process that conserves staff time. Departments should work together while purchasing.

Compliance with Adopted Budget

No purchase which would have the ability to exceed the Adopted Budget total for the Department may be authorized by a Department Head. The Village Manager may approve such purchases after notifying the Village Board of the intent and the circumstances that require such action.

Quality

The quality and service of any purchase is just as important as the price. It is the duty of each department to secure the best quality for the purpose intended. Quality buying is the buying of goods and services that will meet, but not exceed the requirements for which they are intended.

Sales Tax

The Village is exempt from paying all local and sales taxes or Federal Excise taxes. The Finance Director's Office can provide any of the necessary exemption documentation to vendors upon request.

Endorsements

Neither the Village's name, or any employee's name or position is to be used to endorse/support any product or vendor, unless specifically authorized by the Village Board.

Ethics Laws

Public Officials and all employees of the Village are to comply with all federal, state and Village ethics laws regarding conflict of interest and purchase decisions. The Village prohibits working with a vendor which has an owner or staff related to a Village employee or public official.

Purchasing Procedures

The following procedures have been established, and are subject to certain exceptions and other criteria as noted under "Special Requirements" below, in order to regulate the Village's purchases services, depending on the type and cost of the purchase. Well maintained and updated documentation is to be kept in order to insure that vendors are treated fairly is important, and in the Village's best interests.

Purchases of goods and services, equipment and non-construction capital projects under $10,000

Department Heads are authorized to make any purchase under $10,000 which is included in the annual budget adopted by the Village Board. Every Department Head may also designate an employee, with proper written notice to the Finance Director and Village Manager's approval, with the authority to make such purchases.

Purchases of goods and services, equipment and non-construction capital projects from $10,000 to $50,000

The Village Manager is authorized to approve any purchase up to *$50,000* which has been included in the Annual Budget adopted by the Village Board except for

the Village Engineer primary contract and engineering services for capital projects with an estimated cost greater than $50,000.

Prior to the Village Manager authorizing purchases over $10,000 the Department Head must obtain three (3) or more written quotes or proposals. If the department is unable to obtain the three (3) written quotes, an explanation of why less than three (3) qualified quotes could not be obtained must be noted. A summary of the quotes obtained shall be attached to the payment authorization.

The Village Manager may waive this requirement for three quotations for purchases from the State's cooperative purchasing program and other multi-jurisdictional purchases, and for annual professional service consulting contracts for legal, information technology; assessing, finance, auditing, and Health Insurance provided the amount of each does not exceed the budgeted amount. The Village Manager may waive this requirement for engineering services for operational support and for capital projects estimated to cost less than $50,000.

Purchases of goods and services, equipment and non-construction capital projects in excess of $50,000

When a department is expecting to make any purchase that will exceed $50,000 in total value, they shall prepare specifications and requirements, in order to meet the Village's needs. These specifications and requirements will be forwarded to the Village Manager for review, comment and approval. Upon authorization from the Village Manager, the Department Head can prepare a Request for Proposal (RFP) or Request for Qualifications (RFQ) as noted below under "Special Requirements – Professional Services".

All purchases in this category shall require the Village Board's approval.

For Public Works Construction Projects

The Village Manager may approve small construction projects with an estimated cost under $50,000 that are included in the budget subject to any restrictions in state law. Prior to authorizing these purchases over $10,000 the Department Head must obtain three (3) or more written quotes or proposals. If the department is unable to obtain the three (3) written quotes, an explanation of why less than three (3) qualified quotes could not be obtained must be noted. A summary of the quotes obtained shall be attached to the payment authorization.

For all other capital projects that are designated by the Public Works

Committee (PWC) or Village Board, the engineering consultant shall be chosen by the Committee/Board. The Village Engineer and Public Works Director shall prepare specifications and requirements, as appropriate, in order to meet the Village's needs. These specifications and requirements will be forwarded to the Village Manager and Public Works Committee for approval. Upon the approval of the Public Works Committee, the Department Head will prepare the necessary bid package, public notices and advertisements to meet the Village purchasing policy and state law, and will also send invitations to bid to qualified vendors.

Upon completion of the bidding period, all bids will be opened publicly, which will then be turned over to the Department Head for review. The Department Head will then prepare a Bid Tabulation Report and draft a memorandum to the Village Manager, which will include the Department Heads recommendation for the bid award. Upon approval of the Village Manager, the bid award shall be presented to the Public Works Committee and Village Board for approval.

The bid award will normally be made to the lowest qualified bidder meeting the specifications and requirements, although there may be instances when the lowest bid is not in the best interest of the Village. In cases such as these it is the responsibility of the Department Head to adequately document the reasoning why the lowest bidder should not be selected. The award for Public Works contracts in excess of $50,000 will be made to the lowest responsible bidder that meets the specifications and requirements per State Statutes. Any questions regarding the Statute(s) and all projects that apply should be directed to the Village Attorney.

The Village also reserves the right to select or reject a vendor based on the best interest of the Village, including but not limited to prior service and experience with a vendor.

Special Requirements

Sole Source

In the event that there is only one vendor capable of providing a particular good or service, then the competitive shopping procedures outlined in this policy can be waived by the Village Manager. When a Department Head determines that goods and services must be purchased by a "sole source vendor", the Department Head shall document why only one company or individual is capable of providing the goods or services needed. This documentation shall be attached to the payment authorization and submitted to the Village Manager for approval.

Special Exceptions

Exceptions to the quotation/bidding procedures outlined in this policy, under Purchasing Procedures, are granted for the following purchases:

1. Internal financial operations such as payroll;
2. Fund to fund transfers;
3. Utility payments;
4. Bond payments and such similar obligations of the Village; and,
5. Salt, gasoline, crushed stone, office supplies (including recurring office forms and paper products), polymers, vehicle/equipment related parts and repairs such as engine and transmission parts, hydraulic pumps and rams, tires, rebuilding services, annual maintenance contracts and all other recurring expenses needed in the usual and ordinary operation of the Village government and its departments in a sum not to exceed the budgeted amount.

Cooperative Purchasing Programs

Departments are encouraged to use cooperative purchasing programs sponsored by the State or other jurisdictions. Such programs prove advantageous by relieving department personnel of the paperwork necessary to document the purchase and by taking advantage of large quantity purchases made by such cooperatives.

Professional Services

Normal competitive procedures cannot be utilized in securing professional services from attorneys, engineers, accountants, planners, and other professional people who, in keeping with the standards of their discipline, will not enter into a competitive bidding process. A Request for Proposal (RFP) or Request for Qualifications (RFQ), while not always required to secure professional services, may be r e q u i r e d at the direction of the Village Manager or the Village Board.

An RFP or RFQ can be prepared in much of the same way as specifications including the requirements and minimum standards for the services that need to be provided.

These documents shall be submitted to the Village Manager for approval prior to their distribution. When an RFP/RFQ for professional services has been approved, a limited number of qualified professionals known to the Village will

be invited to submit a proposal setting forth their interest, qualifications and how they can meet the Village's needs. In securing professional services it is the primary goal of the Village to obtain the services of professional(s) who has a proven record of providing those services. A contract will then be negotiated with the professional that has best met the needs of the Village.

Contracts for legal, auditing, financial, and general engineering services may be made for multiple years or on a continuous basis until terminated.

Emergency Purchases

The procedures in this policy may be waived under emergency conditions when a delay in the purchase will threaten the basic mission of a department. Emergency conditions are considered unforeseen circumstances, where the need for immediate corrective action is absolutely necessary.

On occasion equipment failure will require "emergency repairs" or some other circumstance that will require emergency corrective action that will not be able to wait for compliance with this policy.

In any of these situations, Department Heads are required to notify the Village Manager as quickly as possible and obtain approval.

Petty Cash Accounts

Very often there is a need for immediate availability of funds. The Finance Department is the sole Department authorized to maintain a petty cash fund. The Petty Cash Fund may be used to avoid the time and expense of issuing payment authorizations for items totaling less than $100. Petty Cash Receipts are to be maintained by the person responsible for the fund and should include; the amount, description of item, budget, account number, and signatures of the persons receiving the funds and the person issuing the funds. All receipts should be summarized on a monthly basis and presented to the Finance Director who will then authorize a check to be issued to reimburse the Petty Cash Funds.

The use of Petty Cash Funds for personal use, even for very short periods of time, is strictly prohibited and may be grounds for disciplinary action.

Village Credit Cards

Village credit cards may be issued to employees designated by Department Heads and approved by the Finance Director for purchases not to exceed $ 5,000. The responsible Department Head shall attach receipts to the bill for all charges. Failure to attach receipts for all purchases shall result in the Finance Director rescinding the Department's use of the credit card.

The use of Village Credit Cards for personal use, even for very short periods of time, is strictly prohibited and may be grounds for disciplinary action.

Specifications

When goods and services are to be purchased through the competitive process detailed in this policy, specifications (specs) must be prepared to meet the following goals:

□ Identify the minimum requirements needed;

□ Allow for a competitive bid or quote, when possible;

□ Be capable of objective review; and,

□ Provide for an equitable award at the lowest possible cost.

General Guidelines

Specifications should be kept in a manner that is as simple as possible while still allowing for the exactness required in order to keep bidders from utilizing loopholes to avoid providing the quality desired or take advantage of their competitors. To promote the best possible competition for a product or service, specifications should be written in clear simple language, free of vagueness or anything that would be subject to variations based on interpretations.

If the specifications include optional goods or services, they must be defined and identified separately so that the base cost can be clearly determined compared to the cost(s) of the options. If the options are included, the Bid Tabulation Report will have to identify the different costs of the options.

Types of Specifications

Specifications need to be structured in a way that will protect the integrity of the purchasing system put in place and in a way that insures the Village's needs are being met. Methods of structuring specifications include:

Qualified Products or Acceptable Brands Lists

These lists are developed where it is not possible to write specifications adequate to identify the quality and performance required, or when tests necessary to determine compliance with technical specifications are lengthy, costly, or require complicated technical equipment.

Specification by Brand or Trade Name

Brand or trade names should be used where brand name products have been found to be superior to others for the purpose intended or when their composition is secret, unknown or patented. The use of brand names establishes a quality standard, but is not intended to eliminate or limit competition. When this method is used the specifications shall provide for bidding of competitive equal grades. It is the responsibility of a vendor who bids on goods of supposed equal quality to document the goods and services are, in fact, of equal quality.

Specifications by Plan or Dimension Sheet

Specifications of construction projects shall be written to reference the plans or dimension sheets prepared by the engineer or architect.

Specifications by Performance, Purpose or Use

Specifications which include the use of performance criteria will provide flexibility for vendors to design the products or programs specifically aimed at meeting the standards the Village has established. These types of specifications usually generate a large amount of competition since it allows vendors to exercise some creativity in the process. Bottom line or minimum standards must be included in the specifications to maintain that the Village's expectations are going to be met.

Specifications by Industry Standard

Specifications will often refer to industry-wide standards or the standards set by other public jurisdictions. Referencing standard specifications of the State Department of Transportation or other State and Federal agencies is an example of this.

Specifications by Samples

A sample is a good way to make the requirements perfectly clear. Departments utilizing samples will make the best effort in order to make sure that enough samples are made, and made available so that originals can be sent with all bid invitations.

Periodic Review

This policy will be reviewed by the Village Board every three (3) years following its adoption or sooner at the discretion of the Village Board.

VILLAGE BOARD MEETING STAFF REPORT

REPORT TO: President Julie Siegel & Village Board of Trustees

REPORT FROM: Tim Blakeslee – Assistant Village Manager

DATE: 5/14/20

AGENDA ITEM: Resolution No. 3072 – Acknowledging the Midwest Renewable Energy Association's Group Buy Solar Program

ACTION REQUESTED: ___Ordinance __√__Resolution (Consent Agenda) ___Motion

BACKGROUND

The Midwest Renewable Energy Association (MREA) is planning a "Grow Solar" group buy program for residents of the North Shore (information sheet attached). Shorewood, Glendale, Fox Point and Bayside have officially endorsed the program. If Whitefish Bay endorses the program, MREA would haver permission to use WFB's logo on promotional materials, and the Village would promote the project via our communication platforms.

Additional Details:

- MREA contractor would be the only installer
- No agreement/contract with the Village is needed
- The installer carries the liability and communities and MREA are held harmless

RECOMMENDED ACTION BY VILLAGE BOARD

To adopt Resolution No. 3072 via approval of the Consent Agenda.

ATTACHMENTS

- Grow Solar Info. Sheet
- Resolution No. 3072

C: Department Heads
Attorney Jaekels

GROW SOLAR

BRING SOLAR TO YOUR COMMUNITY

SOLAR IS CONTAGIOUS — Solar group purchase programs, often called "Solarize" programs, are happening across the country, spreading solar from neighbor to neighbor and business to business. Since 2013, the Midwest Renewable Energy Association (MREA) has worked with 5 midwest states to lead over 30 programs, reaching over 7,000 individuals, resulting in over 8MW of solar on more than 1,000 propertices. **BRING US TO YOUR COMMUNITY!**

HOW IT WORKS:

- MREA administers program with no cost to city or county.
- MREA works with community stakeholders to form an advisory group to guide contractor selection and program promotion.
- The MREA conducts a competitive bidding process to help the advisory committee select a qualified solar installer that will work to offer reduced price solar installations and free no-obligation solar site assessments to prospective participants.
- MREA provides free, public, one-hour long educational sessions called Solar Power Hours for prospective participants to learn how solar energy works, financial options, how the program works, and answer prospective participant questions.
- As the participant list grows, the program will offer rebates based on program benchmarks typically set at 50kW, 100kW, 150kW, and so on, leveraging the group's power of volume purchasing for the most affordable solar possible.

Solar Central Wisconsin Group Buy Participant, Paul Anderson standing next to he and wife Sue Anderson's 4.4kW array.

5.10kW array installed on residence as part of Solar Urbana Champaign 2.0 Group Buy.

WHAT PEOPLE ARE SAYING:

"The Solar Group Buy Program makes it simple, easy, and even more cost-effective to go solar. They help manage the steps of moving forward, such as selecting an installer, handling the different incentives, and working with the utility company. It is definitely the best option for most homeowners to go solar right now."

- ***Dan Bucks, Milwaukee Solar Group Buy Participant***

"I am thrilled we are working with residents, businesses, farms, and other organizations throughout Linn County in order to save them money on solar installations, while also helping the environment in the process."

-James Hodina, Environmental Public Health Manager, Linn County Public Health.

mrea
midwest renewable energy association

CONTACT:
MREA Solar Program Manager
Peter Murphy
peterm@midwestrenew.org

GS **midwestrenew.org/solargroupbuy**

STATE OF WISCONSIN: VILLAGE OF WHITEFISH BAY: MILWAUKEE COUNTY

RESOLUTION NO. 3072

Resolution Acknowledging the Midwest Renewable Energy Association's Group Buy Solar Program

---

WHEREAS, Midwest Renewable Energy Association is organizing a Group Solar Buy in and around Whitefish Bay Wisconsin between January, 2020 and July 2020; and

WHEREAS, a Solar Group Buy program entails volume discounts through competitive selection of a solar installer for the benefit of homeowners, educating homeowners, commercial property owners, and others on solar power during a fixed period of time;

NOW, THEREFORE, BE IT RESOLVED, by the Village Board of the Village of Whitefish Bay, the Village of Whitefish Bay will support and endorse the Solar Group Buy project organized by Midwest Renewable Energy Association that will take place between February, 2020 and December, 2020 by:

- Allowing the use of the Village of Whitefish Bay logo on promotional materials that state the Village is a supporter of this project,
- Promoting project details through e-mail, website, flyers, social media, public access TV and other means as appropriate,
- Reviewing the solar installation permitting process for Group Buy participants, and
- Allowing educational sessions (Power Hours) to be held at Village facilities, as available.

PASSED AND ADOPTED by the Village Board of the Village of Whitefish Bay this 18th day of May, 2020.

VILLAGE OF WHITEFISH BAY

_____
Julie Siegel
Village President

Countersigned:

_____
Caren Brustmann
Deputy Clerk

Village of Whitefish Bay
5300 N. Marlborough Drive
Whitefish Bay, Wisconsin 53217

Phone: 414-962-6690
Fax: 414-962-5651

Memorandum

To: President Julie Siegel and the Village Board of Trustees

CC: John Edlebeck, Public Works Director

From: Pat McCarthy, Public Works Superintendent

Date: May 13, 2020

Re: Recommendation to Award 2020 EAB Treatment Project

The village is in the tenth year of a multi-year Emerald Ash Borer Management plan which began in 2011. The preventative treatment portion of our EAB Management Plan began in 2013. As part of that plan, the village will continue treating existing ash street trees in order to protect them from the destructive emerald ash borer. Bids were solicited to treat approximately 834 ash street trees ranging in size from 12" DBH to 29" DBH.

Four bids were submitted on May 1, 2020. The 4 bids are:

M & M Tree Care	$ 89,696.78	($4.54/inch x 19,757 inches)
First Choice Tree Care	$ 90,091.92	($4.56/inch x 19,757 inches)
Crawford Tree & Landscape	$ 83,176.97	($4.21/inch x 19,757 inches)
TruGreen	$ 88,708.93	($4.49/inch x 19,757 inches)

Recommendation: Award the 2020 EAB Treatment Project to Crawford Tree and Landscape in the total amount of $83,176.97, with funds coming from account #88000-542. The total amount in this account is $225,000 for 2020.

STATE OF WISCONSIN : MILWAUKEE COUNTY : VILLAGE OF WHITEFISH BAY

RESOLUTION NO. 3073

PROCLAIMING MAY 17TH THROUGH MAY 23TH AS "PUBLIC WORKS WEEK" IN THE VILLAGE OF WHITEFISH BAY

WHEREAS, Public Works services provided in our community are an integral part of citizens' everyday lives; and

WHEREAS, the support of an understanding and informed citizenry is a vital to the efficient operation of the Public Works system and programs such as water, storm water, sewers, streets, public buildings, parks, and solid waste and recycling collection; and

WHEREAS, the health, safety and comfort of this community greatly depends on these facilities and services; and

WHEREAS, the quality and effectiveness of these facilities and services, as well as their service delivery, planning, design, and construction are vitally dependent upon the efforts and skills of all of our Whitefish Bay Public Works employees; and

WHEREAS, the efficiency of the qualified and dedicated personnel who staff our Public Works Department is materially influenced by attitude and understanding of the importance of the work they perform.

NOW, THEREFORE, The Village Board of the Village of Whitefish Bay, Wisconsin does hereby proclaim the week of May 17 through May 23, 2020 as

"PUBLIC WORKS WEEK"

in the Village of Whitefish Bay and call upon all community members and civic organizations to acquaint themselves with the issues involved in providing our Public Works services and to recognize the contributions which Whitefish Bay Public Works employees make every day to our health, safety, comfort and quality of life.

PASSED AND APPROVED this the 18th day of May, 2020, by the Village Board of the Village of Whitefish Bay, Wisconsin.

_____
Julie Siegel, Village President

(Attest)

_____
Caren Brustmann – Deputy Clerk

DAVIS | KUELTHAU
attorneys at law

MEMORANDUM

To: Village Board – Village of Whitefish Bay

From: Christopher J. Jaekels
Village Attorney

Date: May 18, 2020

Subject: Appeal of Certificate of Appropriateness for Demolition:
4640 North Lake Drive

Introduction

The purpose of this Memorandum is to advise the Board regarding an appeal to the Board of a Certificate of Appropriateness ("COA") issued by the Architectural Review Commission ("ARC") allowing for demolition of the residence at the above-referenced address.

The Decision

On April 9, 2020, the ARC, after hearing from the applicant and the applicant's real estate broker, Suzanne Powers, determined under Section 16-88B(3) of the Municipal Code that the *applicant had shown that he had made good faith efforts for a period of at least sixty (60) days to secure a buyer who agrees to, or otherwise secure a means to, preserve, relocate, reuse or otherwise rehabilitate the historic structure or structures utilizing a reasonable level of resources available to the owner.* By unanimous vote, the ARC determined that this requirement had been satisfied and added a fifteen (15) day waiting period to see whether or not an acceptable offer was presented to the owner facilitating sale. No such offer was received.

As you are aware, in 2019, the applicant appeared before the ARC several times before eventually being denied a Certificate of Appropriateness. That denial was then appealed to the Village Board two (2) separate times, the second by the property owner. Both times the Village Board upheld the denial. No further proceedings were held.

The Appeal

On April 22, 2020, six citizen members of the Whitefish Bay Historic Preservation Commission filed an appeal challenging the issuance of the COA pursuant to Section 16-88C(1).[1] That section says that aggrieved persons can appeal a decision regarding a certificate of appropriateness to the Village Board within thirty (30) days and that the Board shall render a

[1] Resident Teri Quaintance later filed a separate appeal.

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111 E. Kilbourn Avenue, Suite 1400, Milwaukee, WI 53202
cjaekels@dkattorneys.com

decision *based on the record and any additional evidence presented to it by the aggrieved person and the owner or applicant.*

The Record

This Application and Appeal stands separate from the prior applications and appeals except to the extent that the owner's current evidence of efforts to sell the property includes the efforts to sell in 2018 and 2019 in addition to the recent efforts of Ms. Powers.

The Evidence to Consider

The Village Board, pursuant to Section 16-88C(1) is to decide the appeal based on the record and any evidence presented to it by the aggrieved persons and the property owner. There is no requirement for public input and in fact public input cannot form the basis for the Board's decision.

Current Status of Permit

The COA that had been approved is stayed until such time as the proceedings before this Board and potentially any court, are completed.

The Board's Decision

The Village Board has three (3) options in response to the Appeal:

1. It can deny the Appeal and uphold the issuance of the Certificate of Appropriateness;

2. It can impose additional requirements for attempts to sell the property or preserve historical artifacts and other materials, and allow for approval of the Certificate of Appropriateness after satisfaction of those terms; or

3. It can deny the Certificate of Appropriateness.

In each of these three options, a party who is displeased with the result has the opportunity to take this matter to Circuit Court.

CJJ:das

Certificate of Appropriateness – Appeal Hearing Procedure

- Attorney Jaekels
    - Introduction/Summary of Applicable Municipal Code Sections
    - Questions from VB
- ARC Summary from Chairperson Lauren Triebenbach (or designated representative) – 10 minutes
- Presentation by Property Owner (or representative) – 15 minutes total
    - Questions from VB
- Presentation by Appellants (Jefferson Aikin, Thomas Fehring, Kenneth Berg, Carol Krigbaum, Julie Gilpin, David Pacifico, Teri Quaintance) – 15 minutes total
    - Questions from VB
- Response/Closing Remarks from Property Owner (or representative) – 5 minutes total
- Response/Closing Remarks from Appellants – 5 minutes total
- Village Board Discussion/Action

Village of Whitefish Bay, WI
Monday, December 30, 2019

Chapter 16. Zoning

Article XIII. Historic Preservation

§ 16-84. Purpose and intent.

It is hereby declared a matter of public policy that the protection, enhancement, perpetuation and use of improvements or sites of historic interest or value is a public necessity and is required in the interest of the health, prosperity, safety and welfare of the Village. The purpose of this article is to:

A. Effect and accomplish the protection, enhancement, and preservation of such improvements and sites which represent or reflect elements of the Village's cultural, social, economic, political and architectural history.

B. Safeguard the Village's historic, prehistoric and cultural heritage, as embodied and reflected in such historic structures and sites.

C. Stabilize and improve property values, and enhance the visual and aesthetic character of the Village.

D. Protect and enhance the Village's attraction to residents, tourists and visitors, and serve as a support and stimulus to business.

§ 16-85. Definitions.

The following definitions shall apply to this article:

ARCHITECTURAL REVIEW COMMISSION
The Architectural Review Commission of the Village of Whitefish Bay.

CDA
The Community Development Authority of the Village of Whitefish Bay.

CERTIFICATE OF APPROPRIATENESS
The certificate issued by the Architectural Review Commission or Community Development Authority approving alteration, rehabilitation, construction, reconstruction or demolition of a historic structure or historic site.

COMMISSION
The Historic Preservation Commission created under this article.

DEMOLITION
The razing or other intentional destruction of greater than 50% of the value (as determined by the Village Assessor), volume, mass, or footprint of any single structure.

HISTORIC SITE
Any parcel of land of historic significance due to a substantial value in tracing the history or prehistory of man, or upon which an historic event has occurred, and which has, with an owner's consent, been designated as a historic site under this article, or an improvement, parcel, or part thereof, on which is situated a historic structure and any abutting improvement, parcel, or part thereof, used as and constituting part of the premises on which the historic structure is situated.

HISTORIC STRUCTURE
Any improvement which has a special character or special historic interest or value as part of the development, heritage or cultural characteristics of the Village, state or nation and which has, with an owner's consent, been designated as a historic structure pursuant to the provisions of this chapter.

IMPROVEMENT
Any building, structure, place, work of art or other object constituting a physical betterment of real property, or any part of such betterment, including streets, alleys, sidewalks, curbs, lighting fixtures, signs and the like.

PLAN COMMISSION
The Plan Commission of the Village of Whitefish Bay.

§ 16-86. Historic Preservation Commission composition.

A Historic Preservation Commission is hereby created, consisting of seven members, to serve in three-year staggered terms, with an acknowledged interest in historic preservation. If available in the community, one member should be a registered architect; one should be a historian; one should be a licensed real estate broker; one should be a member of the Whitefish Bay Historical Society; one shall be a Village Trustee and the remainder shall be citizen members. The Village President shall appoint the Commissioners subject to confirmation by the Village Board.

§ 16-87. Historic structure and historic site designation criteria.

A. For purposes of this article, a historic structure or historic site designation may be placed on any natural or improved site, including any building, improvement or structure located thereon, or any area of particular historic significance to the Village such as historic structures or sites, which:

(1) Exemplify or reflect the broad cultural, political, economic or social history of the nation, state or community;

(2) Are identified with historic personages or with important events in national, state or local history;

(3) Embody the distinguishing characteristics of an architectural type or specimen inherently valuable for a study of a period, style, method of construction, or of indigenous materials or craftsmanship;

(4) Are representative of the notable work of a master builder, designer or architect who influenced his or her age; or

(5) Have yielded, or may be likely to yield, information important to prehistory or history.

B. The Commission shall adopt specific operating guidelines for historic structure and historic site designation providing such are in conformance with the provisions of the Municipal Code and approved by the Village Board.

§ 16-88. Powers and duties of Architectural Review Commission, CDA, Historic Preservation Commission, Plan Commission, and Village Board.

A. Designation. The Historic Preservation Commission shall have the authority to designate historic structures and historic sites within the Village limits. All such designations shall be made based on the criteria in this article. No designation process may proceed without the submittal to the Commission of a written consent to designation from any owner of such site or structure. Once designated, such historic structures and sites shall be subject to all of the provisions of this article.

B. Regulation of construction, reconstruction, alteration and demolition.

(1) The Architectural Review Commission shall review all applications for certificates of appropriateness for all properties in the Village not subject to CDA jurisdiction with regard to design review and building permits. Where the CDA has such jurisdiction, the CDA shall review all applications for a certificate of appropriateness. No owner or person in charge of a historic structure or historic site shall reconstruct, alter or demolish all or any part of the exterior of such property or construct any improvement upon such designated property or properties or cause or permit any such work to be performed upon such property to demolish such property unless a certificate of appropriateness has been granted by the Architectural Review Commission (or CDA, where appropriate). Unless the Architectural Review Commission (or CDA, where appropriate) has granted such certificate, the Building Inspector shall not issue a permit for any such work on a property unless and until a certificate of appropriateness is issued for the work. There shall be no requirement for a certificate of appropriateness, nor shall the requirements of this article apply, to any action under § 66.0413, Wis. Stats., to raze or rehabilitate the property or otherwise act pursuant to that statutory section.

(a) All construction, alteration, or demolition with regard to a historic structure shall comply with Chapter **11**, Building Code, and Design Guidelines of Article **XVI**. In the event of conflicts between this article and the Design Guidelines, this article shall control.

(2) Upon filing of any application for a certificate of appropriateness for activities other than demolition, the Architectural Review Commission (or CDA, where appropriate) shall approve the application unless any of the following conditions exist:

(a) In the case of a designated historic structure or historic site, the proposed work (other than demolition) would detrimentally change, destroy or adversely affect any exterior feature of the improvement or site upon which said work is to be done and available options to satisfy the requirements of this subsection do not constitute an undue burden on the applicant;

(b) In the case of the construction of a new improvement upon a historic site, the exterior of such improvement would adversely affect or not harmonize with the external appearance of neighboring improvements on such site, and available options to satisfy the requirements of this subsection do not constitute an undue burden on the applicant.

(3) The Architectural Review Commission (or CDA, where appropriate) shall not issue a certificate of appropriateness for

demolition unless the applicant has shown that it has made good-faith efforts for a period of at least 60 days to secure a buyer who agrees to, or otherwise secures a means to, preserve, relocate, reuse or otherwise rehabilitate the historic site or structure utilizing a reasonable level of resources available to the owner or buyer. The Architectural Review Commission (or CDA, where appropriate) may impose such additional restrictions or requirements in the demolition permit as it deems reasonably necessary, including, but not limited to:, the imposition of waiting or negotiation periods of up to 60 days, the requirement of additional efforts to preserve or sell the property for periods of up to 60 days, the salvage or recycling of historic artifacts, the donation or sale of all or portions of the historic site or structure for removal, or the measurement, recording and photographing of the structure so as to make an historic record.

(4) The issuance of a certificate of appropriateness shall not relieve the applicant from obtaining other permits and approvals required by the Village. A building permit or other municipal permit shall be invalid if it is obtained without the presentation of a certificate of appropriateness required for the proposed work.

(5) Ordinary maintenance and repairs may be undertaken without a certificate of appropriateness, provided that the work involves repairs to existing features of an historic structure or site or the replacement of elements of a structure with pieces identical in appearance and provided that the work does not change the exterior appearance of the historic structure or site and does not require the issuance of a building permit.

(6) In addition, in determining whether to issue a certificate of appropriateness for activities other than demolition, the Architectural Review Commission (or CDA, where appropriate) shall consider and may give decisive weight to any or all of the following standards:

(a) A property should be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

(b) The historic character of a property should be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property should be avoided.

(c) Each property should be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, should not be undertaken.

(d) Most properties change over time. Those changes that have acquired historic significance in their own right should be retained and preserved.

(e) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property should be preserved.

(f) Deteriorated historic features should be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature should match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features should be substantiated by documentary, physical or pictorial evidence.

(g) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials should not be used. The surface cleaning of structures, if appropriate, should be undertaken using the gentlest means possible.

(h) Significant archeological resources affected by a project should be protected and preserved. If such resources must be disturbed, mitigation measures should be undertaken.

(i) New additions, exterior alterations, or related new construction should not destroy historic materials that characterize the property. The new work shall not be differentiated from the old and should be compatible with the massing, size, scale and architectural features to protect the historic integrity of the property and its environment.

(j) New additions and adjacent or related new construction should be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

(7) The Architectural Review Commission (or CDA, where appropriate) shall make its decision regarding a certificate of appropriateness within 30 days of the filing of the application. If the Architectural Review Commission (or CDA, where appropriate) denies a certificate of appropriateness, the Architectural Review Commission (or CDA, where appropriate) shall, with the cooperation of the applicant, work with the applicant in an attempt to issue a certificate of appropriateness within the terms of this article. Failure of the Architectural Review Commission (or CDA, where appropriate) to act on the application within 30 days shall constitute an approval of the application entitling the applicant to proceed under the terms of the application for a certificate of appropriateness.

C. Appeals.

(1) Demolition permits. Any aggrieved person, including the owner or applicant, may appeal a decision regarding a certificate of appropriateness for demolition to the Village Board within 30 days. The Village Board shall render its decision based on the record and any additional evidence presented to it by the aggrieved person and the owner or applicant.

(2) All other permits. Any aggrieved person, including the owner or applicant, may appeal such decision to the Board of

Appeals within 30 days.

D. Recognition of historic structures and sites. At such time as an historic structure or site has been properly designated, the Commission, in cooperation with the property owner, may cause to be prepared and erected on such property, utilizing funds as made available by the Village, a suitable plaque declaring that such property is a historic structure.

§ 16-89. Procedures for designation of historic structures and historic sites.

A. The Commission may, after notice and public hearing, designate or rescind (in whole or in part) historic structures or historic sites after application of the criteria in § **16-87** above. No historic site or historic structure may be designated without consent from an owner of the site or structure to such designation. At least 30 days prior to such hearing, the Commission shall publish a Class I notice pursuant to Wisconsin statutes and shall notify the owner(s) of record, as listed in the office of the Village Assessor.

B. The Commission shall then conduct such public hearing and, in addition to the notified persons, may hear expert witnesses and hear such witnesses and review records as might be presented. The Commission may conduct an independent investigation into the proposed designation or rescission. After the public hearing, the Commission may designate or rescind (in whole or in part) the property or properties as either an historic structure or historic site. If the Commission fails to take action within 90 days of the first meeting at which nomination of the structure or site appears on the Commission's agenda, such nomination will be deemed rejected in full. After any designation or rescission has been made by the Commission, notification shall be sent to the property owner or owners. Notification shall also be given to the Building Inspector, Village Clerk-Treasurer, and Village Assessor. The Commission shall cause the designation or rescission to be recorded, at Village expense, at the County Register of Deeds office.

   (1) Any aggrieved person, including the owner or applicant, may appeal a decision regarding historic structure or site designation to the Village Board within 30 days. The Village Board shall consider the record and may hear additional evidence at its discretion. The Village Board shall render its decision within 90 days of the appeal. Failure to take action within 90 days shall constitute affirmance of the Commission's decision. Any designation shall not take effect until completion of the appeal.

§ 16-90. Interim control.

[Amended at time of adoption of Code (see Ch. 17, Village Code and Ordinances, Art. I)]
No building permit shall be issued by the Building Inspector for alteration, construction, demolition, or removal of a nominated historic structure or historic site between the date of the meeting of the Commission at which nomination for historic designation of the structure or site is first presented as an agenda item until the final disposition of nomination by the actions or failure to act of the Commission or the Village Board unless such alteration, removal or demolition is authorized by formal resolution of the Village Board as necessary for public health, welfare or safety or pursuant to § 66.0413, Wis. Stats.

§ 16-91. Educational function of Commission.

It shall be the responsibility of the Commission to gather information regarding funding, tax treatment and legal and contractual methods of historic preservation and to endeavor to keep the Architectural Review Commission and CDA apprised of current information regarding those subjects.

§ 16-92. Severability.

If any provision of this article or the application thereof to any person or circumstances is held invalid, the remainder of the article and the application of such provisions to other persons or circumstances shall not be affected thereby.[1]

[1] *Editor's Note: Original Subsection (10), which immediately followed this section, was repealed by Ord. No. 1724.*

April 22, 2020

RECEIVED
APR 23 2020

Julie Siegel, Village President
Whitefish Bay Village Board
5300 N. Marlborough Dr.
Whitefish Bay, WI 53217

ATTN: Paul Boening, Village Manager

Dear President Siegel,

The following six members of the Whitefish Bay Historic Preservation Commission, acting individually as aggrieved persons and residents of Whitefish Bay, appeal the decision made on April 9, 2020 by the Architectural Review Commission to grant a certificate of appropriateness to the owner of the historic property at 4640 N. Lake Dr. for the purpose of demolition.

Jefferson Aikin
Thomas Fehring
Kenneth Berg
Carol Krigbaum
Julie Gilpin
David Pacifico

The above aggrieved persons believe the commission did not observe the requirements of Village ordinance, including, but not limited to, the Village's public policy to protect and perpetuate historic structures; the commission's purpose to perpetuate Village character, property values, and desirability; and the commission's duty to employ the "good faith" standard requiring the owner to secure a buyer who agrees to rehabilitate the historic structure using a "reasonable level of resources."

Please let it be known that at the appeal hearing before the Village Board, pursuant to 16.88(c)(1), the aggrieved persons, may submit additional evidence, might employ expert witnesses, and could be represented by counsel, as were utilized by the property owner at the ARC hearing and are expected to be used by the owner in the hearing before the Village Board.

Respectfully Submitted,

Jefferson Aikin
4955 N. Woodburn St.
Whitefish Bay, WI 53217
(414) 962-3709

April 29, 2020

APR 2 0 2020

To: Paul Boening, Village Manager

Dear President Siegel and Village Trustees,

I am formally requesting an appeal of the Architectural Review Board's decision made on April 9, 2020, that approved the Certificate of Approval for Demolition of the historic home at 4640 N. Lake Drive.

I do not believe that the ARC meeting was adequately publicized, given the extenuating circumstances of the COVID-19 pandemic and ensuing emergency action closings by the village. My concerns include community accessibility to village notices (the library, a vital informational hub, was closed). Further, how many village residents receive village emails and/ or WFB Village Newsletters? If residents were unaware of the meeting, they wouldn't be able to provide written communication 48 hours prior to the meetings nor verbal responses. If you were on trial for a crime and only the prosecution was allowed to present its case and you were not allowed to present your defense, would you believe you had been treated fairly?

Given the seller's previous attempts to sell this home, and his prior meetings with different village committees and the board, I have to wonder if this is a deliberate effort to obtain approval with the least amount of community feedback as possible. Would this be considered to be "good faith effort?" How can that be possible during a pandemic when only one side is allowed to present information to ARC to consider for the decision? The community was unable to respond, in real time, according to the GOTOMEETINGS format during this April 9 ARC meeting.

Our new village Comprehensive Plan advocates for the showcasing "to WFB community members seeking examples of renovation over demolition." In addition, "Consider initiating this action by building upon the HPC's walking tour series and digital brochures.....Consider hosting an annual Tour of Homes, in conjunctions with regional events" (i.e. Historic Milwaukee hosts *Spaces & Traces* - WFB has not been spotlighted YET :-) !! (Village of WFB Comprehensive Plan Update 2019, Action Items Housing).

As Village Trustees, I understand your desire to represent the voices and desires of the WFB community. It is my hope that our village stand behind its commitment to preserve historic homes and find a way to save this architectural gem and testament to a noteable Milwaukee architect. An intent to demolish an historic home upon purchase would seem counter-intuitive to this ideology.

Thank you for your time and consideration,

Teri Quaintance

Teri Quaintance
725 E. Lake View Ave.
Whitefish Bay, WI. 53217
414-988-6966

VILLAGE OF WHITEFISH BAY
Minutes of Architectural Review Commission
Conducted on-line
April 9, 2020

Chairperson: Lauren Triebenbach - Board Members present: Heather Goetsch, David Domres & Brian Medina. Village Inspector, Mike Belsha

The meeting came to order at 5:35 p.m.

The **first** item on the agenda is **4640 N. Lake Dr.** The proposed project is for a Certificate of Appropriateness for demolition of this house. John Brodersen, the owner, Suzanne Powers, the realtor, Josh Levy & Jake Remington, attorneys, were present to explain the project while the Board reviewed the submitted documents and video. Discussion keys: Discussed offers made for the property, average days on the market of lakeside properties. Several emails were received from interested parties. **After further discussion, Heather Goetsch made a motion to approve the submitted documents with the following conditions: Fifteen day extension, continue to take offers, don't have to accept offers; salvage and donate materials if not sold. Dave Domres seconded. A vote was taken and unanimously approved. (4-0)**

The **second** item on the agenda is **417 E. Silver Spring Dr**. – The proposed project is for review to construct an addition is 13' back from Mansard roof, front street façade. The addition provides a new rear entry, a stairway and an office area. The existing front façade and signage remain unchanged and the existing Mansard roof creates a natural guardrail for the new roof terrace. The exterior on the new addition will be clad in plaster and dark metal windows to match the existing. Thomas Dixon, the owner, and James Dahlman, the architect, were present to explain the proposed project while the Board reviewed the submitted plans and video. Discussion keys: Add more detail to the front, what are the materials and will they match the existing materials? **After further discussion, David Domres made a motion to approve the submitted plans. Heather Goetsch seconded. A vote was taken and unanimously approved. (4-0)**

The **third** item on the agenda is **5160 N. Lydell Ave**. – The proposed project is for review of updated/revised plans that were submitted and tabled at the 2/20/2020 ARC meeting. The pitch of the proposed addition's roof has been revised to show 7"/12" that is consistent to the existing structure's architecture. The revised plans show the removal of one bathroom window and one bedroom window on the East elevation of the top floor of the existing structure. Paul Koepnick & Lynn Cook, the homeowners, were present to explain the project while the Board reviewed the re-submitted plans and video. Discussion key: Setbacks in rear of property. After further discussion, David Domres made a motion to approve the re-submitted plans. Brian Medina seconded. A vote was taken and unanimously approved. (4-0)

The **fourth** item on the agenda is **4757 N. Cramer St.** – The proposed project is for review to construct a new 1.5 story addition to the South and a new attached garage addition in the rear (West). The addition will have a crawl space below. The roof pitches will be 14/12 to match the existing house's pitch. A breezeway will connect the new garage and existing house. The existing attached garage will be revised into habitable space. The proposed additions will tie into the existing architecture of the house. Laura Bush, the architect/designer, was present to explain the project while the Board reviewed the submitted plans and video. Discussion key: Rear setbacks. **After further discussion, David Domres made a motion to approve the submitted plans. Heather Goetsch seconded. A vote was taken and unanimously approved. (4-0)**

The **fifth** item on the agenda is **809 E. Lake Forest Ave**. – The proposed project will include demolishing the existing home. A new two-story Craftsman style home will be constructed facing Danbury Avenue with a wraparound porch on both Danbury and Lake Forest sides. The exterior will feature LP smooth siding, stained shingles, Marvin Integrity windows and natural fieldstone accents/walls. Justin Machata, the homeowner, and Meg Baniukiewicz, the architect, were present to explain the project while the Board reviewed the submitted plans and video. Discussion key: Height of house. An email was received from an interested party. **After further discussion, David Domres made a motion to approve the submitted plans with the following condition: Approved, subject to final approval of the Board of Appeals on setbacks, in which ARC will then approve. Brian Medina seconded. A vote was taken and unanimously approved. (4-0)**

The **sixth** item on the agenda is **4876 N. Berkeley Blvd.** – The proposed project is for review to construct additional square footage to the second floor. The footprint of the first floor will not change. Brad Rosenquist, the homeowner and Mike Dindorf, the builder, were present to explain the project while the Board reviewed the submitted plans and video. Discussion key: Siding currently on house; what will be replacing it? **After further discussion, Brian Medina made a motion to approve the plans as submitted. Heather Goetsch seconded. A vote was taken and unanimously approved. (4-0)**

The **seventh** item on the agenda is **6150 N. Berkeley Blvd.** – The proposed project is for review to construct a 4' x 12' addition off the kitchen with a flat roof that will tie into the existing flat roof over the sunroom. The addition will be flush with the sunroom. All existing exterior finishes will match the existing on the sunroom. Nicki Losinski and Sarah Offlinger, designers, were present to explain the project while the Board reviewed the submitted plans and video. No discussion keys. **After further discussion, Heather Goetsch made a motion to approve the plans as submitted. David Domres seconded. A vote was taken and unanimously approved. (4-0)**

The ARC minutes from the March 5, 2020 meeting were reviewed. Heather Goetsch made a motion to approve them as submitted. Brian Medina seconded. A vote was taken and unanimously passed. (4-0)

With no other matters on the agenda, Brian Medina made a motion to adjourn the meeting at 7:40 P.M. David Domres seconded. A vote was taken and unanimously passed. (4-0)

5160 N. Lydell

ARC Checklist

Setbacks compatible per 16.31 1. A.?

Front	YES	NO
Side	YES	NO
Rear	YES	NO

Height

Most Design areas limited to 25'	YES	NO
Between 25.1' – 30' design area must have a pattern of this height	YES	NO
Between 30.1' – 35' addition requirements met per RDG	YES	NO

N/A

Entries and Porches

Entries are consistent with the Design Area	YES	NO
Entry is consistent with the style of the home	YES	NO
Entries should be retained with remodels	YES	NO
Entry is prominent and oriented to the street (unless Design Area pattern)	YES	NO

Garages and Parking Areas

N/A

Garages location is consistent with Design area	YES	NO
Attached garage is NOT the dominant feature when viewed from the road	YES	NO
Attached garages at the front or side are not wider than ½ the width of the structure	YES	NO
Three garages meet RDG specs in 16.31 1 D. iii.	YES	NO
Attached garages on corner lots does not cause paving at or near the corner	YES	NO
Front facing attached garage single door can't exceed 30% of the combined width of structure	YES	NO
Driveway pavement is minimized as per the RDG	YES	NO

Scale and Massing

Compatible to the adjacent houses	YES	NO
Scale and mass facing public street is compatible with Design Area	YES	NO
Foundation height is compatible with Design Area	YES	NO

Specific Design Elements of Architectural Style

Proposed project is architecturally consistent on all sides concerning the following:

Siding material is consistent with style of house	YES	NO
Roofing material is on approved list	YES	NO
Roof slopes are compatible	YES	NO
Window styles/size/proportions are compatible	YES	NO
Decorative features are compatible (corbels, rails, columns, etc.)	YES	NO
Chimneys (generally masonry)	YES	NO
Garages and Sheds are compatible with house style	YES	NO

better

N/A

Misc.

Exterior lighting meets RDG (pg 185)	YES	NO
Site Plan		
Project does not impair lot's beauty	YES	NO
Drainage approved by ARC (if NO, the Village staff to review)	YES	NO

If no to any of the above, mitigation measures are (16.31 III. B. 1-7)

_____

_____

4757 N. Cramer

ARC Checklist

Setbacks compatible per 16.31 1. A.?

Front	YES	NO
Side	YES	NO
Rear	discuss YES	NO

Height

Most Design areas limited to 25'	YES	NO
Between 25.1' – 30' design area must have a pattern of this height	YES	NO
Between 30.1' – 35' addition requirements met per RDG	N/A YES	NO

Entries and Porches

Entries are consistent with the Design Area	YES	NO
Entry is consistent with the style of the home	YES	NO
Entries should be retained with remodels	YES	NO
Entry is prominent and oriented to the street (unless Design Area pattern)	YES	NO

Garages and Parking Areas

Garages location is consistent with Design area	YES	NO
Attached garage is NOT the dominant feature when viewed from the road	YES	NO
Attached garages at the front or side are not wider than ½ the width of the structure	YES	NO
Three garages meet RDG specs in 16.31 1 D. iii.	N/A YES	NO
Attached garages on corner lots does not cause paving at or near the corner	YES	NO
Front facing attached garage single door can't exceed 30% of the combined width of structure	YES	NO
Driveway pavement is minimized as per the RDG	YES	NO

Scale and Massing

Compatible to the adjacent houses	YES	NO
Scale and mass facing public street is compatible with Design Area	YES	NO
Foundation height is compatible with Design Area	YES	NO

Specific Design Elements of Architectural Style

Proposed project is architecturally consistent on all sides concerning the following:

Siding material is consistent with style of house	YES	NO
Roofing material is on approved list	YES	NO
Roof slopes are compatible	YES	NO
Window styles/size/proportions are compatible	YES	NO
Decorative features are compatible (corbels, rails, columns, etc.)	YES	NO
Chimneys (generally masonry)	N/A YES	NO
Garages and Sheds are compatible with house style	YES	NO

Misc.

Exterior lighting meets RDG (pg 185)	YES	NO
Site Plan		
Project does not impair lot's beauty	YES	NO
Drainage approved by ARC (if NO, the Village staff to review)	YES	NO

If no to any of the above, mitigation measures are (16.31 III. B. 1-7)

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_____

809 E. Lake Forest

ARC Checklist

Setbacks compatible per 16.31 1. A.?

Front	YES	NO
Side	YES	NO
Rear	YES	NO

Height

Most Design areas limited to 25'	YES	NO
Between 25.1' – 30' design area must have a pattern of this height	N/A YES	NO
Between 30.1' – 35' addition requirements met per RDG	review YES	NO

Entries and Porches

Entries are consistent with the Design Area	YES	NO
Entry is consistent with the style of the home	YES	NO
Entries should be retained with remodels	N/A YES	NO
Entry is prominent and oriented to the street (unless Design Area pattern)	YES	NO

Garages and Parking Areas

Garages location is consistent with Design area	YES	NO
Attached garage is NOT the dominant feature when viewed from the road	YES	NO
Attached garages at the front or side are not wider than ½ the width of the structure	YES	NO
Three garages meet RDG specs in 16.31 1 D. iii.	YES	NO N/A
Attached garages on corner lots does not cause paving at or near the corner	YES	NO
Front facing attached garage single door can't exceed 30% of the combined width of structure	YES	NO
Driveway pavement is minimized as per the RDG	YES	NO

Scale and Massing

Compatible to the adjacent houses	YES	NO
Scale and mass facing public street is compatible with Design Area	YES	NO
Foundation height is compatible with Design Area	YES	NO

Specific Design Elements of Architectural Style

Proposed project is architecturally consistent on all sides concerning the following:

Siding material is consistent with style of house	YES	NO
Roofing material is on approved list	YES	NO
Roof slopes are compatible	YES	NO
Window styles/size/proportions are compatible	YES	NO
Decorative features are compatible (corbels, rails, columns, etc.)	YES	NO
Chimneys (generally masonry)	YES	NO
Garages and Sheds are compatible with house style	YES	NO

New home

Misc.

Exterior lighting meets RDG (pg 185)	YES	NO
Site Plan		
Project does not impair lot's beauty	YES	NO
Drainage approved by ARC (if NO, the Village staff to review)	YES	NO

If no to any of the above, mitigation measures are (16.31 III. B. 1-7)

~~Craftsman~~ Craftsman style home – Characteristically tall

Already over 30' Predominantly over 25' Not out of scale

4896 N. Berkeley

ARC Checklist

Setbacks compatible per 16.31 1. A.?

Front	YES	NO
Side	YES	NO
Rear	YES	NO

Height

Most Design areas limited to 25'	YES	NO
Between 25.1' – 30' design area must have a pattern of this height	YES	NO
Between 30.1' – 35' addition requirements met per RDG	YES	NO

N/A

Entries and Porches

Entries are consistent with the Design Area	YES	NO
Entry is consistent with the style of the home	YES	NO
Entries should be retained with remodels	YES	NO
Entry is prominent and oriented to the street (unless Design Area pattern)	YES	NO

Garages and Parking Areas

Garages location is consistent with Design area	YES	NO
Attached garage is NOT the dominant feature when viewed from the road	YES	NO
Attached garages at the front or side are not wider than ½ the width of the structure	YES	NO
Three garages meet RDG specs in 16.31 1 D. iii.	YES	NO
Attached garages on corner lots does not cause paving at or near the corner	YES	NO
Front facing attached garage single door can't exceed 30% of the combined width of structure	YES	NO
Driveway pavement is minimized as per the RDG	YES	NO

N/A

Scale and Massing

Compatible to the adjacent houses	YES	NO
Scale and mass facing public street is compatible with Design Area	YES	NO
Foundation height is compatible with Design Area	YES	NO

Specific Design Elements of Architectural Style

Proposed project is architecturally consistent on all sides concerning the following:

Siding material is consistent with style of house	YES	NO
Roofing material is on approved list	YES	NO
Roof slopes are compatible	YES	NO
Window styles/size/proportions are compatible	YES	NO
Decorative features are compatible (corbels, rails, columns, etc.)	YES	NO
Chimneys (generally masonry)	YES	NO
Garages and Sheds are compatible with house style	YES	NO

N/A
N/A

Misc.

Exterior lighting meets RDG (pg 185)	YES	NO
Site Plan		
Project does not impair lot's beauty	YES	NO
Drainage approved by ARC (if NO, the Village staff to review)	YES	NO

If no to any of the above, mitigation measures are (16.31 III. B. 1-7)

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_____

6150 N. Berkeley

ARC Checklist

Setbacks compatible per 16.31 1. A.?

Front	YES	NO
Side	YES	NO
Rear	YES	NO

Height

Most Design areas limited to 25'	YES	NO
Between 25.1' – 30' design area must have a pattern of this height	YES	NO
Between 30.1' – 35' addition requirements met per RDG	YES	NO

N/A

Entries and Porches

Entries are consistent with the Design Area	YES	NO
Entry is consistent with the style of the home	YES	NO
Entries should be retained with remodels	YES	NO
Entry is prominent and oriented to the street (unless Design Area pattern)	YES	NO

Garages and Parking Areas

Garages location is consistent with Design area	YES	NO
Attached garage is NOT the dominant feature when viewed from the road	YES	NO
Attached garages at the front or side are not wider than ½ the width of the structure	YES	NO
Three garages meet RDG specs in 16.31 1 D. iii.	YES	NO
Attached garages on corner lots does not cause paving at or near the corner	YES	NO
Front facing attached garage single door can't exceed 30% of the combined width of structure	YES	NO
Driveway pavement is minimized as per the RDG	YES	NO

N/A

Scale and Massing

Compatible to the adjacent houses	YES	NO
Scale and mass facing public street is compatible with Design Area	YES	NO
Foundation height is compatible with Design Area	YES	NO

Specific Design Elements of Architectural Style

Proposed project is architecturally consistent on all sides concerning the following:

Siding material is consistent with style of house	YES	NO
Roofing material is on approved list	YES	NO
Roof slopes are compatible	YES	NO
Window styles/size/proportions are compatible	YES	NO
Decorative features are compatible (corbels, rails, columns, etc.)	YES	NO
Chimneys (generally masonry)	YES	NO
Garages and Sheds are compatible with house style	YES	NO

flat

N/A

N/A

Misc.

Exterior lighting meets RDG (pg 185)	YES	NO
Site Plan		
Project does not impair lot's beauty	YES	NO
Drainage approved by ARC (if NO, the Village staff to review)	YES	NO

If no to any of the above, mitigation measures are (16.31 III. B. 1-7)

_____

_____

CERTIFICATE OF APPROPRIATENESS APPLICATION FORM

Incomplete applications will not be processed for Commission review. Please print legibly.

1. **HISTORIC NAME OF PROPERTY OR HISTORIC DISTRICT (if known):**

   4640 N. Lake Drive

2. **NAME AND ADDRESS OF OWNER:**
   Name(s): 4646 North Lake Drive, LLC (John R. Brodersen, Registered Agent)
   Address: 101 W. Capitol Dr.
   City: Milwaukee **State:** WI **Zip:** 53212
   Phone Number (home/cell):
   Phone Number (work):
   Email address: john@jbbfoods.com

3. **APPLICANT, AGENT OR CONTRACTOR (if different from owner):**
   Name(s): Joshua B. Levy + James C. Remington, Hurch Blackwell LLP
   Address: 555 E. Wells Street, Suite 1900
   City: Milwaukee **State:** WI **Zip:** 53202
   Phone Number (home/cell):
   Phone Number (work): (414) 978-5527
   Email address: joshua.levy@hurchblackwell.com; jake.remington@hurchblackwell.com

4. **ATTACHMENTS (Because projects can vary in size and scope, please call the Building Services at 414-962-6690 for submittal requirements):**
   ✓ **Demolition**
   ____ **Exterior Modification**

5. **DESCRIPTION OF PROJECT: Describe all proposed work including materials, design, and dimensions per Municipal Code Section 16-88 B.(1-3) as applicable. Additional pages may be attached.**

   See attached letter and supporting materials.

6. **Do you agree with the Historic Designation on your home? Yes ____ No ✓**
7. **SIGNATURE OF APPLICANT:**

Signature	Printed Name	Date
	John R. Brodersen	3/23/2020

This form and all supporting documentation **MUST** arrive by 4:30 noon on the deadline date established to be considered at the next Architectural Review Commission Meeting. Any information not provided to staff in advance of the meeting will not be considered by the Commission during their deliberation. Please call if you have any questions and staff will assist you.

Contact the Building Services Department with Questions
414-962-6690
5300 N. Marlborough Drive, Whitefish Bay, WI, 53217

Staff Use Only*

ARC Chair Signature ____ Date ____

HUSCH BLACKWELL

Jake Remington
Partner

555 East Wells Street, Suite 1900
Milwaukee, WI 53202
Direct: 414.978.5527
Fax: 414.223.5000
jake.remington@huschblackwell.com

March 23, 2020

VIA HAND DELIVERY

Village of Whitefish Bay
Architectural Review Commission
5300 N. Marlborough Drive
Whitefish Bay, WI 53127

Re: Application for Certificate of Appropriateness for Demolition
4640 N. Lake Drive

Dear Mr. Oestreich:

By this letter and on behalf of John R. Brodersen, we are seeking from the Village Architectural Review Commission ("ARC") the issuance of a certification of appropriateness for demolition (the "Certificate") pursuant to § 16-88 of the Village's Zoning Code for the single-family residence located on the property at 4640 N. Lake Drive (the "Residence").

Under § 16-88(B)(3), a Certificate will be issued where an applicant shows "that it has made good-faith efforts for a period of at least 60 days to secure a buyer who agrees to, or otherwise secures a means to, preserve, relocate, reuse or otherwise rehabilitate the historic site or structure utilizing a reasonable level of resources available to the owner or buyer." For the reasons set forth below, Mr. Brodersen has made more than good-faith efforts to secure a buyer for a period well beyond 60 days and respectfully requests that a Certificate be issued.

BACKGROUND

Mr. Brodersen is the fee title owner to the land and improvements located at 4640 N. Lake Drive in the Village. The Residence located on the property is designated as "historic" under § 16.25 of the Village's Historic Preservation Ordinance. Mr. Brodersen purchased the property on September 16, 2016, for $1,650,000. The prior owner purchased the property for $2,037,000 in 2008, listed it in 2012 for $1,990,000 and continued to reduce the price until it was purchased by Mr. Brodersen in 2016 in an "as-is" condition.

Unfortunately, the Residence requires significant remodeling and renovations due to environmental and other physical elements which pose a health risk such as remediation of lead, asbestos and mold, installation of new electrical wiring, plumbing and vent piping, among other work. Mr. Brodersen engaged Ruvin Consulting LLC[1] to develop a project scope with cost details. Ruvin estimated a total renovation cost of $1,200,000. Mr. Brodersen also considered the moving the Residence in one piece to another location. The estimated cost of this course of action was estimated at $2,900,000. Copies of the cost estimates for each course are included with this letter.

Due to the prohibitive cost to preserve, relocate, reuse or otherwise rehabilitate the Residence, Mr. Brodersen filed an application with ARC for a certificate of appropriateness for demolition and was placed on the agenda at the March 21, 2019 meeting. ARC denied Mr. Brodersen's initial application and the Village Board of Trustees affirmed ARC's decision at its April 5, 2019 meeting.

On May 23, 2019, Mr. Brodersen listed the property for sale with Rick Ruvin of Falk Ruvin for $1,650,000. On July 3, 2019, the price was reduced to $1,550,000. Mr. Ruvin conducted 12 showings to prospective buyers before taking it off the market on August 12, 2019. Since its initial listing on May 23, 2019, the only offer received was for $800,000. The property's 2019 assessed value is $1,755.300.[2]

Mr. Brodersen filed a second application for a certificate of appropriateness for demolition and was placed on the agenda for ARC's August 8, 2019 meeting. ARC again denied the application. In discussing whether Mr. Brodersen had engaged in good faith efforts under § 16-88(B)(3), members of ARC expressed that such efforts would require:

- A full listing and marketing plan with photographs available to the public (citing listing done by the prior owner as meeting this standard);
- Comparable sales data; and
- Testimony from Mr. Brodersen's real estate agent regarding pricing and efforts to sell.

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[1] *See* http://robertruvin.com/about-us/.

[2] *See* http://www.wfbvillage.org/DocumentCenter/View/787/PARLIST-2019 at page 442.

GOOD-FAITH EFFORTS

After the ARC denied his second application, Mr. Brodersen engaged Powers Realty Group to list the property. On September 5, 2019, Suzanne Powers listed the property at $1,495,000. Ms. Powers' marketing plan included:

1. Coordinating a pre-listing inspection.
2. Coordinating a mold inspection of the Residence.
3. Working with Habitat for Humanity to have certain items in the Residence donated.
4. Having the Residence professionally cleaned.
5. Taking high-definition photos, video and drone footage of the Residence and property.
6. Maintaining and making available to potential buyers (a) historical photos of the Residence from 2005 to the present and (b) blueprints of the Residence.

The property remains listed for sale under this marketing plan and the price has been further reduced to $1,395,000.[3] The property has been on the market for 200 days now. To date, Ms. Powers facilitated 13 private showings and 115 viewings (20% realtors; 80% buyers).

Ms. Powers will testify that Mr. Brodersen has engaged in more than good-faith efforts to sell the property. She will explain that, in her professional opinion, the property is priced to sell and that, despite the high level of interest and actively from potential, qualified, buyers, the prohibitive cost to preserve, relocate, reuse or otherwise rehabilitate the Residence has prevented any sale. She will discuss three comparable sales on N. Lake Drive – all which were purchased based on the value of the land as the residences were demolished after sale. MLS reports for each property are included with this letter.

As ARC is aware, Mr. Brodersen received only one offer to purchase the property at a price of $800,000. The offer was rejected, and Mr. Brodersen has no intention to accept it as many qualified buyers would have submitted an offer at or near the purchase price but for the remodeling costs tied to preserve or rehabilitate the Residence. Section 16-88(B)(3) requires Mr. Brodersen to seek a buyer who agrees to rehabilitate the historic residence utilizing "a reasonable level of resources." This has proven impossible. The lone offer was explained to contemplate a comprehensive rehabilitation project (reasonably estimated in excess of $500,000 at a minimum). The Ordinance cannot be interpreted to require Mr. Brodersen to accept an offer that is 45.5% of the assessed value and will require at least 62.5% of the purchase price for basic rehabilitation. This scenario does not constitute a reasonable level of resources to rehabilitate the historic residence as that phrase is used in Section 16-88(B)(3).

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[3] *See* https://www.powersrealty.com/property/4640-n-lake-dr-whitefish-bay-wi-53211/.

During the ARC meeting on August 8, 2019, the Chairperson stated: "So what sort of comparables were done in terms of selecting a price here, that you, you've got an offer for $800,00. I'm pretty sure a lot of us in this room would love $800,000. Maybe that's what this property is worth at this point, and as part of a good faith effort, somebody would do a sales comparison in order to price the property and make sure that it's competitive." This position overlooks two things: (1) no on in attendance "would love $800,00" for a property that has a tax assessed value of $1,755,300 and (2) the Ordinance seeks to evaluate the reasonableness of the resources for the necessary rehabilitation in light of the sales prices that are presented during the 60-day marketing period. Today, an intensive 6-month marketing campaign has shown the rehabilitation costs are a patently unreasonable discount for the applicant to accept.

In sum, Mr. Brodersen has gone well-beyond the 60-day period exercising good-faith efforts to secure a buyer who agrees to, or otherwise secures a means to, preserve, relocate, reuse or otherwise rehabilitate the historic site or structure utilizing a reasonable level of resources available to the owner or buyer. Mr. Brodersen will supplement this application in advance of ARC's April 9, 2020 meeting should additional information be received that is relevant to matter.

Respectfully submitted,

HUSCH BLACKWELL LLP

Jake Remington
Partner

JCR
Attachments
cc: Attorney Joshua B. Levy
Suzanne Powers
John R. Brodersen

Ruvin Consulting, LLC

PROJECT SCOPE

Site: 4640 N Lake Drive WFB WI 53217 **Date: 8/2018 - 2/2019 estimate**

Project : Remediate and Renovate the Existing Single Family Residence

Includes:

- Secure necessary permits
- Demolition of Lower Level and main level as needed for new mechanicals and bathroom updates
- Remediation of Lead and Asbestos
- Remediation of Mold - Lower level and main floor
- New electrical wiring - new breaker panels and low volt communication wiring
- New plumbing waste water and vent piping
- New storm and sanitary sewer laterals
- New water service (since new sewer lateral is being installed)
- Existing doors and leaded glass windows to remain
- Restore and modify kitchen and update bathrooms
- Plaster and drywall repairs as needed
- Painting and staining as required

- New flooring in updated bathroom
- New wood flooring on main level
- Tile in foyer to remain intact
- New plumbing fixtures
- New lighting fixtures figured where missing
- Existing garage door and opener to remain
- Landscape/driveway patching as required
- Final Inspections
- Final cleaning

Scope Does **NOT** Include:

- Architectural or structural engineering
- Interior design
- MEP design or engineering
- AV or security system
- Moving, storage or furnishings
- Wall Coverings

Scope: Renovation of Existing Residence
Address: 4640 N Lake Drive WFB WI 53217
Drawing: TBD

Architect: TBD

Original Estimate Date: 8/2018 **Revision Date: 2/2019**

Sect	Description	Qty	Unit Type	Price/Unit	Cost/SF	Budget	Actual Cost	Additional Notes
DIV 0	BUILDING METRICS							
	Number Of Units:	1.00	Units					
	Number of Floors	1.00	Each					
	Living Area:	8500.00	SF					
	Anticipated Start Date:	3/1/19	Date					
	Total Building Area:	11000.00	SF					
	Project Duration:	2.00	Months					
	Building Footprint		SF					
	Perimeter		LF					
DIV 1	DIRECT PROJECT COSTS (GENERAL CONDITIONS)					$57,200.00	$0.00	
01040	Field Superintendent	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01042	General Field Superintendent	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01050	Project Management	8.00	Formula	$0.00	$0.00	$32,000.00	$0.00	
01065	Permits - General	0.00	SF	$0.40	$0.00	$3,500.00	$0.00	
01500	OSHA/Safety Equipment	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01505	Temporary Utilities - Electric	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01510	Temporary Utilities - Gas	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01515	Temporary Utilities - Water	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01525	Equipment Rentals	0.00	Month	$0.00	$0.00	$0.00	$0.00	
	Forklift	0.00	Month	$0.00	$0.00	$0.00	$0.00	
	Bobcat	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01550	Trailer/Site Office	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01550	Site security allowance	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01560	Port-a-John	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01580	Project Identification	0.00	Each	$0.00	$0.00	$0.00	$0.00	
01590	Jobsite Office Supplies	0.00	Month	$0.00	$0.00	$0.00	$0.00	
	Office Equipment	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01630	Site Trips/PM Travel Expenses	0.00	Month	$0.00	$0.00	$0.00	$0.00	
	Superintendent Fuel Allowance	0.00	Month	$0.00	$0.00	$0.00	$0.00	
	Superintendent's vehicle	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01700	Dumpsters / Hauling	1.00	Unit	$0.00	$0.00	$4,500.00	$0.00	containers and hauling
01710	Progress Cleaning	1.00	LS	$0.00	$0.00	$2,500.00	$0.00	
01720	Final Cleaning	1.00	SF	$0.00	$0.00	$1,200.00	$0.00	
01750	Document Reproduction	1.00	Allow	$0.00	$0.00	$500.00	$0.00	
01800	Temporary Protection	1.00	LS	$0.00	$0.00	$2,500.00	$0.00	
	Misc. Labor	0.00	Unit	$0.00	$0.00	$7,500.00	$0.00	
01810	Temporary Access Roads	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01820	Snow Removal	0.00	Per Snow	$0.00	$0.00	$0.00	$0.00	
01850	Copies/Postage	0.00	SF	$0.00	$0.00	$0.00	$0.00	
01900	Fit & Finish	0.00	LS	$0.00	$0.00	$1,500.00	$0.00	
01910	Patching to Match	0.00	ls	$0.00	$0.00	$500.00	$0.00	
01950	Closeout Documentation	1.00	Each	$0.00	$0.00	$1,000.00	$0.00	
DIV 2	SITEWORK					$101,000.00	$0.00	
2070	Demolition							
	Demolition	1.00	LS	$0.00	$0.00	$29,000.00	$0.00	
	Remediation	0.00	LS	$0.00	$0.00	$62,000.00	$0.00	Asbestos, lead and mold
	Excavation	0.00	LS	$0.00	$0.00	$0.00	$0.00	
	Trucking	0.00	LS	$0.00	$0.00	$0.00	$0.00	

Scope: Renovation of Existing Residence
Address: 4640 N Lake Drive WFB WI 53217
Drawing: TBD

Architect: TBD

Original Estimate Date: 8/2018 **Revision Date: 2/2019**

Sect	Description	Qty	Unit Type	Price/Unit	Cost/SF	Budget	Actual Cost	Additional Notes
	Landscaping	0.00	Unit	$0.00	$0.00	$10,000.00	$0.00	Patching after laterals installed
DIV 3	CONCRETE					$22,200.00	$0.00	
3100	Concrete							
	Concrete	0.00	LS	$0.00	$0.00	$5,000.00	$0.00	patching
	Concrete - Other	0.00	LS	$0.00	$0.00	$1,200.00	$0.00	firestopping
	Core Drilling	0.00	LS	$0.00	$0.00	$11,000.00	$0.00	
_3102	Concrete Testing	0.00	Month	$0.00	$0.00	$0.00	$0.00	
3410	Precast Concrete							
	Precast Concrete	0.00	SF	$0.00	$0.00	$0.00	$0.00	
_3510	Gypsum Concrete Floors - Leveling or Repair	0.00	SF	$0.00	$0.00	$5,000.00	$0.00	
DIV 4	MASONRY					$0.00	$0.00	
4100	Masonry	0.00	SF	$0.00	$0.00	$0.00	$0.00	
DIV 5	METALS					$0.00	$0.00	
_5120	Steel Railings and Guard Railings	0.00	LF	$0.00	$0.00	$0.00	$0.00	
_5120	Ornamental Metals	0.00	Each	$0.00	$0.00	$0.00	$0.00	inlcuded in cabinetry/millwork
DIV 6	WOOD & PLASTICS					$225,500.00	$0.00	
6100	Carpentry Labor - Rough	1.00	SF	$0.00	$0.00	$18,000.00	$0.00	
6105	Carpentry Labor - Finish	1.00	SF	$0.00	$0.00	$60,000.00	$0.00	
6110	Rough Framing Material	1.00	LS	$0.00	$0.00	$15,000.00	$0.00	
_6113	Carpentry Consumables	0.00	LS	$0.00	$0.00	$2,500.00	$0.00	
_6250	Millwork / Cabinetry (material only)	6.00	Allow	$0.00	$0.00	$110,000.00	$0.00	
6450	Counter Tops (material and Install)	0.00	Allow	$0.00	$0.00	$20,000.00	$0.00	
DIV 7	THERMAL & MOISTURE					$12,700.00	$0.00	
7210	Building Insulation	0.00	SF	$0.60	$0.00	$12,000.00	$0.00	building and sound
7900	Sealants & Caulking	0.00	Estimate	$0.00	$0.00	$700.00	$0.00	firestopping
DIV 8	DOORS & WINDOWS					$22,500.00	$0.00	
8110	Door and Windows							
	Exterior Windows / Doors	0.00	Unit	$0.00	$0.00	$0.00	$0.00	
	Interior Doors / Windows / Frames / H	0.00	Unit	$0.00	$0.00	$0.00	$0.00	included in millwork budget
_8410	Storefront Entrance Doors	0.00	# of Door Panels	$0.00	$0.00	$0.00	$0.00	
8700	Hardware	0.00	#	$0.00	$0.00	$12,500.00	$0.00	Door, cabinet, accessories

Scope: Renovation of Existing Residence
Address: 4640 N Lake Drive WFB WI 53217
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Original Estimate Date: 8/2018 **Revision Date: 2/2019**

Sect	Description	Qty	Unit Type	Price/Unit	Cost/SF	Budget	Actual Cost	Additional Notes
	Doors	0.00	#	$0.00	$0.00	$0.00	$0.00	
	Exterior Windows	0.00	EA	$0.00	$0.00	$0.00	$0.00	
_8810	Mirrors and Shower Doors	0.00	Unit	$0.00	$0.00	$10,000.00	$0.00	
DIV 9	FINISHES					$193,500.00	$0.00	
_9210	Drywall	1.00	LS	$0.00	$0.00	$24,000.00	$0.00	Basement level
	Plaster	1.00	LS	$0.00	$0.00	$46,000.00	$0.00	Main level
	Patching	0.00	LS	$0.00	$0.00	$5,500.00	$0.00	
9510	Acoustical Ceiling	0.00	SF	$0.00	$0.00	$0.00	$0.00	
9685	Flooring--carpeting	0.00	LS	$0.00	$0.00	$9,500.00	$0.00	
	Floor Install--wood	1.00	SF	$0.00	$0.00	$30,000.00	$0.00	
	Flooring Materials	1.00	LS	$0.00	$0.00	$0.00	$0.00	
	Floor Repair and Leveling	0.00	LS	$0.00	$0.00	$2,500.00	$0.00	
9620	Flooring	1.00	LS	$0.00	$0.00	$0.00	$0.00	
9900	Painting (General)	1.00	LS	$0.00	$0.00	$71,000.00	$0.00	
	Painting (Walls and Ceilings)	0.00	LS	$0.00	$0.00	$0.00	$0.00	Included above
	Painting (Trim and Millwork)	0.00	LS	$0.00	$0.00	$0.00	$0.00	included above
	Painting (Doors)	0.00	LS	$0.00	$0.00	$0.00	$0.00	Included above
	Staining	0.00	LS	$0.00	$0.00	$0.00	$0.00	included above
9950	Wall Coverings	0.00	Unit	$0.00	$0.00	$5,000.00	$0.00	labor allowance
9310	Tile (Labor)	0.00	LS	$0.00	$0.00	$56,000.00	$0.00	labor only
	Tile (Materials)	0.00	LS	$0.00	$0.00	$25,000.00	$0.00	allowance
	Tile (Shipping)	0.00	LS	$0.00	$0.00	$0.00	$0.00	included above
DIV10	SPECIALTIES					$12,500.00	$0.00	
10260	Wall & Corner Guards	0.00	Each	$0.00	$0.00	$0.00	$0.00	
10415	Signage	0.00	# of Units	$0.00	$0.00	$0.00	$0.00	
	Fire Extinguishers	0.00	# w/o Cabinets	$75.00	$0.00	$0.00	$0.00	
_10550	Postal Specialties	0.00	Number of Boxes	$0.00	$0.00	$0.00	$0.00	
10800	Toilet & Bath Accessories	0.00	Unit	$0.00	$0.00	$0.00	$0.00	
10900	Closet Shelving	0.00	Unit	$0.00	$0.00	$12,500.00	$0.00	melamine
DIV 11	EQUIPMENT					$20,000.00	$0.00	
_11450	Appliances	0.00	Unit	$0.00	$0.00	$20,000.00	$0.00	
DIV12	FURNISHINGS					$0.00	$0.00	
12510	Window Treatments	0.00	Unit	$0.00	$0.00	$0.00	$0.00	NIC
DIV13	SPECIAL CONSTRUCTION					$0.00	$0.00	
		0.00	Unit	$0.00	$0.00	$0.00	$0.00	
		0.00	Unit	$0.00	$0.00	$0.00	$0.00	
DIV14	CONVEYING SYSTEMS					$0.00	$0.00	

Ruvin Consulting LLC

4640 N Lake Drive

Scope: Renovation of Existing Residence
Address: 4640 N Lake Drive WFB WI 53217
Drawing: TBD

Architect: TBD

Original Estimate Date: 8/2018 **Revision Date: 2/2019**

Sect	Description	Qty	Unit Type	Price/Unit	Cost/SF	Budget	Actual Cost	Additional Notes
14210	Elevator	0.00	Unit	$0.00	$0.00	$0.00	$0.00	
DIV 15	MECHANICAL					$226,600.00	$0.00	
15300	New Sewer Lateral	0.00	LS	$0.00	$0.00	$30,000.00	$0.00	Storm and sanitary
	New Water Lateral	0.00	Unit	$0.00	$0.00	$10,000.00	$0.00	
15400	Plumbing Labor	0.00	Unit	$0.00	$0.00	$67,600.00	$0.00	
	Plumbing Fixtures	0.00	Unit	$0.00	$0.00	$35,000.00	$0.00	allowance
15500	HVAC (Labor and Materials)	0.00	LS	$0.00	$0.00	$84,000.00	$0.00	New boiler and ac
	HVAC - Modifications	0.00	Unit	$0.00	$0.00	$0.00	$0.00	
DIV16	ELECTRICAL					$139,430.00	$0.00	
16100	Electrical - Base Wiring	1.00	Unit	$0.00	$0.00	$89,430.00	$0.00	includes rough-in fixtures
	Electrical - Materials	0.00	LS	$0.00	$0.00	$0.00	$0.00	
	Phone, computer, AV, Low volt	0.00	Allow	$0.00	$0.00	$25,000.00	$0.00	
	Fire alarm	0.00	Allow	$0.00	$0.00	$0.00	$0.00	
	Misc.	0.00	Allow	$0.00	$0.00	$0.00	$0.00	
	Security	0.00	Allow	$0.00	$0.00	$0.00	$0.00	NIC
16105	Unit Light Fixtures	0.00	Unit	$0.00	$0.00	$25,000.00	$0.00	allowance
	Common Area Lighting	0.00	Unit	$0.00	$0.00	$0.00	$0.00	
	CHANGE ORDERS							

Additional notes:	SUBTOTAL	$1,073,630.00	$0.00
By others:	CONTINGENCY	$20,000.00	$0.00
Architectural fees	INSURANCE	$5,475.51	$0.00
Mechanical design	OVERHEAD AND PROFIT	$86,890.40	$0.00
Furnishings storage or moving	TOTAL ESTIMATED	$1,184,995.91	$0.00
Window treatments	cost per sq. ft.	$139.41	#VALUE!
Wall Coverings	cost per unit	$1,184,995.91	#VALUE!

F R O M
Robert Schafer Construction
1528 N Green Bay Road
Grafton, WI 53024
414-241-8024

Proposal

Proposal Submitted to:	Date 2/4/2019	
Name Rob Ruvin / John Brodersen	**Job Name** 4640 - house relocation cost estimate	
Street 4646 N Lake Drive	**Street** 4640 N Lake Drive	
City Milwaukee	**City** Milwaukee	**State** WI
State WI 53217	**Phone** 414-688-3706	

We hereby submit a PROPOSAL for the following work:

Lift and move building structure - Using the subcontracted services of EIS Building Movers in one piece. Disconnect all utilities - electrical, plumbing, sewer and gas. Move home North to Hampton Rd or South to Capitol Drive. Place home on new foundation on east of west side of Lake Drive.
Budget $360,000. Timeframe of prep work is 3 weeks and lift to set is 2 weeks weather permitting. Site must be ready to accept the new structure. Allowance for permits, road closure, traffic control and possible tree and possible electrical line or light pole work - $40,000.00

New foundation - block wall, waterproofing and insulation $68,000.00

New utilities - electrical service, sewer, water and gas $55,000.00

Renovate the house + update mechanicals $650,000.00

Driveway and landscape $50,000.00 (new site)

Assumption on cost of lot to place house and demolition of the existing residence located there (one lot east side of lake drive and two lots/homes west of Lake Drive $1,500,000.00

My Fee $190,000.00 (would need to be a minimum guaranteed fee)

Items not included in this PROPOSAL:
-Demolition of foundation
-Any landscape or driveway repair at 4640
-Tree and bush removal at either site and retaining wall removal completed on a T&M basis
-Backfilling of the existing foundation

Project Cost Summary:

$2,913,000.00 Project Budget - Value of the renovated house will likely be +/- $2,250,000.00 East side of Lake Drive and +/- $1,600,000.00 West of Lake Drive.

NOTE: In order to agree to undertake this project I would need to be guaranteed to make a $190,000.00 fee for my time. So the gap amount you will likely need to make up will be +/- $663,000.00 to $1,313,000.00 - including my Fee.

Thank you,

Robert Schafer

Robert Schafer Construction, LLC

Address: 3534 N Lake Dr Shorewood, Wisconsin 53211-2641 **Taxed by:** Shorewood **MLS #:** 1549123

Powers Realty Group, Inc.
4214 North Oakland Avenue
Shorewood, WI 53211
Phone: 414-870-7175
Fax: 414-921-4158
Email:
suzanne@powersrealty.com
http://www.powersrealty.com

Provided as a courtesy of:
Suzanne Powers ABR,CLHMS,GRI
Powers Realty Group

Directions: Lake Drive - just north of Edgewood

Property Type: Single-Family
Status: Sold
County: Milwaukee

List Price: $2,995,000
Start Showing Date: 09/13/2017
Bedrooms: 8
Est. Acreage: 2.52

Rooms: 21
Est. Total Sq. Ft.: 9,762

Total Bathrooms: 5.5
Total F/H Baths: 5 / 2
F/H Baths Main: 0/ 2
F/H Baths Upper: 5
F/H Baths Lower:

Garage Spaces: 4
Garage Type: Detached

Est. Year Built: 1927
Lot Description:

Taxes: $64,617
Tax Year: 2017
Zoning: RES

Tax Key: 2770005000

Flood Plain: No

Days On Market: 373

School District: Shorewood
High School: Shorewood
Middle School: Shorewood
Elem. School: Atwater
Body of Water: Lake Michigan

Name	Dim	Level
Master Bedroom	20 x 17	Upper
Bedroom 2	11 x 10	Upper
Bedroom 3	11 x 11	Upper
Bedroom 4	15 x 14	Upper
Bedroom 5	18 x 16	Upper
Bedroom	14 x 14	Upper
Den/Office	15 x 15	Main
Sun/Four Season Room	28 x 18	Main

Name	Dim	Level
Living/Great Room	36 x 19	Main
Kitchen	27 x 15	Main
Dining Room	23 x 16	Main

Type: Waterfrontage on Lot
Water Features: Lake
Lot Description: View of Water
Style: 2 Story
Architecture: Other
Garage: Electric Door Opener
Driveway: Paved
Outbuildings: Guest House
Exterior: Brick; Stone
Basement: Full
Heating Fuel: Natural Gas
H/C Type: Radiant
Bath Description: Off MBR; MBR Bath Separate Tub

Documents: Listing Contract; Seller Condition; LeadPaint Disclosure; Survey; Floor Plans; Other
Appliances Incl.: Oven/Range; Refrigerator; Dishwasher; Washer; Dryer
Misc. Exterior: Patio
Misc. Interior: Natural Fireplace; 2 or more Fireplaces; Walk-in Closet; Pantry; Cable TV Available; High Speed Internet Available; Wood or Sim. Wood Floors; Kitchen Island
Water/Waste: Municipal Water; Municipal Sewer
Municipality: Village

Remarks: A once in a generation opportunity to own the most spectacular and significant home in Shorewood. Stately Eschweiler-designed Mediterranean Revival mansion set on over 2.5 acres at the shore of Lake Michigan. This extraordinary home welcomes you with a grand foyer and sweeping marble staircase. Wood paneled living room with oversized natural fireplace and floor to ceiling windows overlooking patios and mature grounds. First floor family room, office dining room and expansive kitchen with butler's pantry and breakfast room. 8 bedrooms, 5 full and 2 half baths. Guest house and so much more!
Showing Instructions: Please call the office.
Inclusions: Refrigerator, range, dishwasher, washer and dryer
Exclusions: Seller's personal property.

Sub Agent Comm: 2.4 %
Buyer Agent Comm: 2.4 %
Limited/Unserviced: No
Sold Price: $2,600,000

Excl. Agency Contrct: N
Var. Comm.: N
Named Prospects: Y
Closing Date: 11/16/2018

Broker Owned: N
Concessions: No
Pending Date: 09/20/2018

Electronic Consent: Yes
Listing Date: 09/05/2017
Terms of Sale: Cash

Listing Office: Mahler Sotheby's International Realty: mahler
Ph: 414-964-2000
Fax: 414-892-5795
URL: http://mahlersir.com

Listing Agent: Peter Mahler Team : 24069
Ph: 414-964-2000 **Cell:** 414-232-8585
Fax:
Email: andrea@mahlersir.com

LA Address: 250 E Wisconsin Ave
Suite 1610
Milwaukee, WI 53202
LO License #: 936941-91
LA License #: 58180-90

Selling Office: Keller Williams Realty-Milwaukee North Shore keller4 **Ph:** 414-962-3605
URL: http://www.kwMilwaukeeNorthShore.com
License #: 937586-91

Selling Agent: Michael Lu 25030 **Ph:**
Email:
License #:

WIREdata CORPORATION

Full Report

Property Location : 3534 N Lake Dr

Owner:
Hambrook George W
Hambrook J Ann
3534 N Lake Dr
Shorewood, WI 53211

Owner Occupied:
Property Address:
3534 N Lake Dr
Shorewood, WI 53211-2641

County: Milwaukee
Taxed by: Village Of Shorewood
Taxkey # 2770005000

Assessment Year	Property Class	Land Assessment	Improvement Assessment	Total Assessment	Percent Of Change	Acres	Ratio
2018	Residential	$ 601,600	$ 1,747,900	$ 2,349,500	0.000 –	2.529	0.943793657
2017	Residential	$ 601,600	$ 1,747,900	$ 2,349,500	0.000 –	2.529	0.984277848
2016	Residential	$ 601,600	$ 1,747,900	$ 2,349,500	1.398 ↑	2.529	0.983762991
2015	Residential	$ 601,600	$ 1,715,500	$ 2,317,100	2.138 ↑	2.529	1.000403308
2014	Residential	$ 601,600	$ 1,667,000	$ 2,268,600	0.000 –		1.047655463
2013	Residential	$ 601,600	$ 1,667,000	$ 2,268,600	0.000 –		1.111262752
2012	Residential	$ 601,600	$ 1,667,000	$ 2,268,600	0.000 –		1.136551440
2011	Residential	$ 601,600	$ 1,667,000	$ 2,268,600	0.000 –		1.045758111
2010	Residential	$ 601,600	$ 1,667,000	$ 2,268,600	0.000 –		1.035726115

Tax Year	Total Tax	First Dollar	Lottery Credit	Net Tax	Special Taxes	Special Assessment	Special Charges	Full Pay Amount
2018	$66,698.53	$68.66	$166.74	$66,463.13				$66,463.13
2017	$64,876.90	$94.39	$165.18	$64,617.33				$64,617.33
2016	$66,208.90	$93.00	$174.90	$65,941.00				$65,941.00
2015	$64,248.24	$90.22	$145.74	$64,012.28				$64,012.28
2014	$60,672.78	$90.24	$152.71	$60,429.83				$60,429.83
2013	$58,788.82	$88.85	$151.33	$58,548.64				$58,548.64
2012	$59,562.62	$91.63	$127.72	$59,343.27				$59,343.27
2011	$58,565.91	$95.19	$125.98	$58,344.74				$58,344.74
2010	$57,704.39	$90.42	$114.01	$57,499.96				$57,499.96

Building Square Feet :	9762	**Year Built :**	1927	**Township :**	7N
Bedrooms :	8	**Year Remodeled :**		**Range :**	22E
Full Baths :	5	**Effective Year Built :**		**Section :**	10
Half Baths :	2	**Air Conditioning :**		**Quarter :**	
Total Rooms :	21	**Fireplace :**	Yes	**Pool :**	
Number of Stories :	2.00	**Number of Units :**		**Attic :**	Unfinished Attic Area
Building Type :	Mansion	**Basement :**	Partial BSMT		
Exterior Wall :	Stone	**Heat :**	Hot Water		
Exterior Condition :	Fair	**Garage :**			
Land Use :	1 Single Family	**School District :**	5355 Shorewood		
Zoning :		**Historic Designation :**			

Lake Dells Park Ne 1/4 10-7-22 E. Lots 6 & 7

Conveyance Date :	11/16/2018	**Date Recorded :**	11/26/2018	**Value/Sale Price :**	$ 2,600,000.00
Grantor Name :	Hambrook George W. & J. Ann			**Transfer Fee :**	$ 7,800.00
Grantee Name :	Abele Chris			**Document# :**	10829832
Conveyance Instrument :	Warranty / Condo Deed		**Conveyance Type :**	Sale Or Land Contract	

The information contained herein is provided for general information purposes only. If any of the above information is material or being utilized to determine whether to purchase the property, the buyer should personally verify same or have it confirmed by a qualified expert. The information to independently verify and confirm includes but is not limited to total square footage formula, total square footage / acreage figures, land, building or room dimensions and all other measurements of any sort or type. Equal housing opportunity listing.
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Prepared by Suzanne Powers, ABR,CLHMS,GRI on Monday, February 10, 2020 3:51 PM.

History for MLS # 1549123 3534 N Lake Dr, Shorewood, WI 53211 $2,600,000

+	MLS #	Status	Price	% Change	Date	DOM	CDOM	Address	Begin Date	Original List Price
+	1549123	Sold	$2,600,000		11/16/2018	373	373	3534 N Lake Dr	09/05/2017	$2,995,000

Photos for MLS # 1549123 3534 N Lake Dr, Shorewood, WI 53211 $2,600,000

Welcome Home

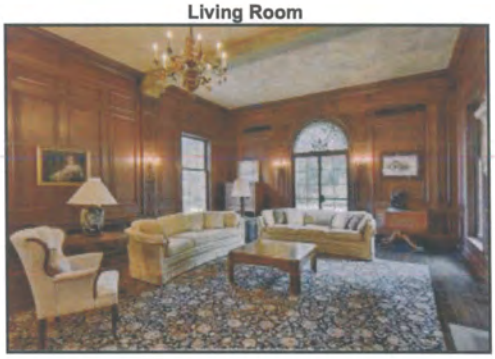
Beautiful Masonry and Spanish Tiles

Wonderful Grounds

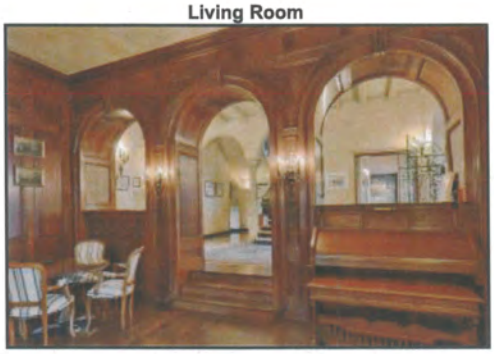
Breathtaking View From Lake

Sweeping Staircase

Living Room



Living Room



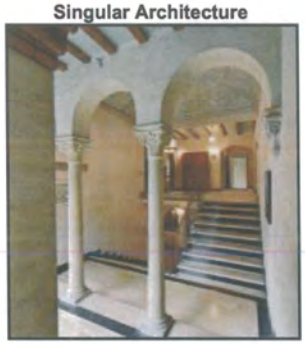
Unparalleled Craftsmanship

Stunning Interior

Family Room

Singular Architecture

Singular Architecture



MLS # 1549123 3534 N Lake Dr, Shorewood, WI 53211 **$2,600,000**

Singular Architecture

Family Kitchen

Gardening Room

Butler's Pantry

Den

Powder Room

MLS # 1549123 3534 N Lake Dr, Shorewood, WI 53211 **$2,600,000**

Stunning Views

Address: 4450 N Lake Dr Shorewood, Wisconsin 53211-1775 **Taxed by:** Shorewood **MLS #:** 1611446

Property Type: Single-Family
Status: Sold
Start Showing Date: 11/03/2018
Tax Key: 2370002000
County: Milwaukee

List Price: $1,125,000
Taxes: $24,862
Tax Year: 2017
Est. Acreage: 0.93

Bedrooms: 4
Total Bathrooms: 2.5
Total Full/Half Baths: 2 / 1
F/H Baths Main: 0 / 1
F/H Baths Upper: 2
F/H Baths Lower:
Garage Spaces: 2
Garage Type: Attached

Rooms: 8
Est. Total Sq. Ft.: 2,916
Est. Year Built: 1972
Zoning: Res

Flood Plain: No

Days On Market: 7

Directions: Property is located on the east side of Lake Drive 4 blocks north of Capitol Dr. & Atwater Park.
Coordinates: 44N 21E

School District: Shorewood
High School: Shorewood
Middle School: Shorewood
Elem. School: Atwater
Body of Water: Lake Michigan
Est Water Front Footage: 85

Name	Dim	Level	Name	Dim	Level
Master Bedroom	17 x 14	Upper	Living/Great Room	23 x 15	Main
Bedroom 2	15 x 10	Upper	Kitchen	16 x 15	Main
Bedroom 3	13 x 11	Upper	Family Room	20 x 12	Main
Den/Office	11 x 9	Main	Dining Room	17 x 14	Main
Sun/Four Season Room	25 x 14	Upper	Rec Room	19 x 16	Lower
			Other Room	11 x 8	Main

Water Features: Lake
Lot Description: View of Water; Sidewalk
Style: 2 Story
Architecture: Contemporary
Garage: Electric Door Opener; Built-in under Home; Access to Basement
Driveway: Paved
Exterior: Wood
Basement: Full; Block; Finished
Heating Fuel: Natural Gas
H/C Type: Central Air
Bath Description: At least one Bathtub; Shower Over Tub; Ceramic Tile

Documents: Listing Contract; Seller Condition; Survey
Appliances Incl.: Oven/Range; Refrigerator; Dishwasher; Washer; Dryer
Misc. Exterior: Patio
Misc. Interior: Natural Fireplace; Walk-in Closet; Cable TV Available; Skylight; High Speed Internet Available; Kitchen Island
Water/Waste: Municipal Water; Municipal Sewer
Municipality: Village
Accessibility: Bedroom on Main Level; Full Bath on Main Level; Open Floor Plan

Remarks:
Showing Information: Call or use link Showingtime 855-746-9300 to set an appointment. INSPECTIONS/APPRAISALS Schedule thru Showingtime.
Inclusions: Oven, Range, Refrigerator, Washer & Dryer
Exclusions: All personal property owned by Seller

Sub Agent Comm: 2.4 %
Buyer Agent Comm: 2.4 %
Limited/Unserviced: No
Sold Price: $1,125,000

Excl. Agency Contrct: N
Var. Comm.: N
Named Prospects: N
Closing Date: 12/20/2018

Broker Owned: N
Concessions: No
Pending Date: 11/09/2018

Electronic Consent: Yes
Listing Date: 10/20/2018
Terms of Sale: Other

Listing Office: Coldwell Banker Residential Brokerage: cbrb71
Ph: 414-964-3900
Fax:
URL: http://coldwellbankerhomes.com

Listing Agent: Desty Lorino : 4507
Ph: Cell:
Fax:
Email:

LA Address:
LO License #: 936248-91
LA License #:

Selling Office: Mahler Sotheby's International Realty mahler **Ph:** 414-964-2000
URL: http://mahlersir.com
License #: 936941-91

Selling Agent: Peter Mahler Team 24069 **Ph:** 414-964-2000
Email: andrea@mahlersir.com
License #: 58180-90

Full Report

Property Location : 4450 N Lake Dr

Owner:
Mangiamele Trust
4450 N Lake Dr
Shorewood, WI 53211

Owner Occupied: Yes
Property Address:
4450 N Lake Dr
Shorewood, WI 53211-1775

County: Milwaukee
Taxed by: Village Of Shorewood
Taxkey # 2370002000

Assessments

Assessment Year	Property Class	Land Assessment	Improvement Assessment	Total Assessment	Percent Of Change	Acres	Ratio
2018	Residential	$ 392,100	$ 508,300	$ 900,400	0.000–	0.937	0.943793657
2017	Residential	$ 392,100	$ 508,300	$ 900,400	3.781↑	0.937	0.984277848
2016	Residential	$ 392,100	$ 475,500	$ 867,600	1.533↑	0.937	0.983762991
2015	Residential	$ 392,100	$ 462,400	$ 854,500	1.557↑	0.937	1.000403308
2014	Residential	$ 392,100	$ 449,300	$ 841,400	0.000–		1.047655463
2013	Residential	$ 392,100	$ 449,300	$ 841,400	0.000–		1.111262752
2012	Residential	$ 392,100	$ 449,300	$ 841,400	0.000–		1.136551440
2011	Residential	$ 392,100	$ 449,300	$ 841,400	0.000–		1.045758111
2010	Residential	$ 392,100	$ 449,300	$ 841,400	0.000–		1.035726115

Taxes

Tax Year	Total Tax	First Dollar	Lottery Credit	Net Tax	Special Taxes	Special Assessment	Special Charges	Full Pay Amount
2018	$25,560.92	$68.66	$166.74	$25,325.52		$46.56		$25,372.08
2017	$24,862.80	$94.39	$165.18	$24,603.23		$321.97		$24,925.20
2016	$24,448.97	$93.00	$174.90	$24,181.07		$270.42		$24,451.49
2015	$23,693.46	$90.22	$145.74	$23,457.50				$23,457.50
2014	$22,502.90	$90.24	$152.71	$22,259.95				$22,259.95
2013	$21,804.16	$88.85	$151.33	$21,563.98				$21,563.98
2012	$22,091.15	$91.63	$127.72	$21,871.80				$21,871.80
2011	$21,721.47	$95.19	$125.98	$21,500.30				$21,500.30
2010	$21,401.95	$90.42	$114.01	$21,197.52				$21,197.52

Assessor

Building Square Feet :	2916	**Year Built :**	1972	**Township :**	7N
Bedrooms :	3	**Year Remodeled :**	1988	**Range :**	22E
Full Baths :	3	**Effective Year Built :**		**Section :**	3
Half Baths :	1	**Air Conditioning :**		**Quarter :**	
Total Rooms :	8	**Fireplace :**	Yes	**Pool :**	
Number of Stories :	2.00	**Number of Units :**		**Attic :**	

Building Type :	Contemporary	**Basement :**	Full Basement
Exterior Wall :	Wood	**Heat :**	Warm Air
Exterior Condition :	Good	**Garage :**	Attached Garage
Land Use :	1 Single Family	**School District :**	5355 Shorewood
Zoning :		**Historic Designation :**	

Legal Description

Greenewood Terrace N 1/2 Of Sec 3-7-22 E., Lot 2

Sales

Conveyance Date :	12/20/2018	**Date Recorded :**	12/26/2018	**Value/Sale Price :**	$ 1,125,000.00
Grantor Name :	Mangiamele Trust Dated May 12, 2005			**Transfer Fee :**	$ 3,375.00
Grantee Name :	Baritt Kris And Anna			**Document# :**	10837280
Conveyance Instrument :	Other Instrument		**Conveyance Type :**	Sale Or Land Contract	

Conveyance Date :	5/8/2008	**Date Recorded :**	6/23/2008	**Value/Sale Price :**	$ 750,000.00
Grantor Name :	Mangiamele Joseph F & Ebbie V			**Transfer Fee :**	
Grantee Name :	Mangiamele Trust 5/12/2008			**Document# :**	09616586
Conveyance Instrument :	Quit Claim Deed		**Conveyance Type :**	Individual To Trust	

The information contained herein is provided for general information purposes only. If any of the above information is material or being utilized to determine whether to purchase the property, the buyer should personally verify same or have it confirmed by a qualified expert. The information to independently verify and confirm includes but is not limited to total square footage formula, total square footage / acreage figures, land, building or room dimensions and all other measurements of any sort or type. Equal housing opportunity listing.
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Address: 3444 N Lake DR Milwaukee, Wisconsin 53211-2918 **Taxed by:** Milwaukee **MLS #:** 1398995

Property Type: Single-Family
Status: Sold
Tax Key: 2770013000
County: Milwaukee

List Price: $999,900
Taxes: $30,104
Tax Year: 2013
Est. Acreage: 1.85

Bedrooms: 5
Total Bathrooms: 4.5
Total Full/Half Baths: 4 / 2
F/H Baths Main: 3 / 2
F/H Baths Upper: 1
F/H Baths Lower:
Garage Spaces: 4.5
Garage Type: Attached

Rooms: 12
Est. Total Sq. Ft.: 5,324
Est. Year Built: 1951
Lot Description: 80,586
Zoning: RES

Flood Plain: No
Conforming Use: Yes

Occ. Permit Required: N
Days On Market: 18

Directions: 3400 block of Lake Drive on East side of Street
Coordinates: 24N 21E

School District: Milwaukee

Name	Dim	Level	Name	Dim	Level
Master Bedroom	18 x 17	Main	Living/Great Room	40 x 14	Main
Bedroom 2	26 x 14	Main	Kitchen	28 x 14	Main
Bedroom 3	17 x 11	Main	Family Room	22 x 16	Main
Bedroom 4	16 x 15	Main	Dining Room	24 x 20	Main
Bedroom 5	18 x 12	Main	Laundry Room	16 x 8	Main
Den/Office	x	Main	Other Room	22 x 17	Main

Type: Waterfrontage on Lot; Single Family
Water Features: Lake
Lot Description: View of Water
Style: 1.5 Story
Architecture: Ranch
Garage: Electric Door Opener; Driveway Entrance
Driveway: Paved; Parking Space
Outbuildings: None
Exterior: Brick; Aluminum/Steel
Roofing: Composition
Basement: Full; Block
Heating Fuel: Natural Gas
H/C Type: Forced Air; Central Air; Multiple Units
Bath Description: Off MBR; Shower Over Tub; Shower Stall; Vanity; Ceramic Tile

Documents: Listing Contract; Seller Condition; LeadPaint Disclosure
Appliances Incl.: Oven/Range; Refrigerator; Disposal; Dishwasher
Misc. Exterior: Patio
Misc. Interior: Natural Fireplace; Gas Fireplace; Walk-in Closet; Wet Bar; Security System; Pantry; Cable TV Available; Expandable Attic; 220 Volts; Circuit Breakers; Built-in Bookcase; China Cabinet; Sauna/Hot Tub; Smoke Detector
Water/Waste: Municipal Water; Municipal Sewer
Tax Includes: Trash Collection
Municipality: City
Other Rooms: Living Room; Formal Dining Room; Florida/Sun Room
Occupancy: Immediate

Remarks: Sprawling 5 bedroom 4.5 bath ranch on 1.85 acre lot rests high above Lake Michigan. Elegant formal living room dining room combo is the centerpiece of this fabulous home, and features floor to ceiling windows, patio door, marble fireplace mantle, and custom chandeliers. Bright family room off the kitchen features a wet bar, and stunning lake views. Spacious kitchen is equipped with granite countertops, and a Sub Zero Refrigerator. Master has sitting area, three seasons room with whirlpool, and master bath.
Private Remarks: ***All showings through listing agent ***Square footage not verified by broker***Hot tub in the three seasons room is an inclusion***
Showing Information: Contact Listing Agent: Justin Chart 414-943-1671

Sub Agent Comm: 2.4 %
Buyer Agent Comm: 2.4 %
Limited/Unserviced: No
Sold Price: $999,000

Excl. Agency Contrct: Y
Var. Comm.: N
Named Prospects: N
Closing Date: 01/26/2015

Broker Owned: N
Concessions: No
Pending Date: 01/19/2015

Electronic Consent: Yes
Listing Date: 01/02/2015
Expiration Date: 06/07/2015
Terms of Sale: Cash

Listing Office: Powers Realty Group: powers01
Ph: 414-963-0000
Fax:
URL: http://www.powersrealty.com

Listing Agent: Justin J Chart : 23429
Ph: Cell:
Fax:
Email:

LA Address:
LO License #: 936401-91
LA License #:

Selling Office: Coldwell Banker Residential Brokerage cbrb71 **Ph:** 414-964-3900
URL: http://coldwellbankerhomes.com
License #: 936248-91

Selling Agent: Ellen P Daroga 3951 **Ph:**
Email:
License #:

Full Report

Property Location : 3444 N Lake Dr

Owner:
Mutschler Jock
Mutschler Linda
3432 N Lake Dr
Milwaukee, WI 53211

Owner Occupied:
Property Address:
3444 N Lake Dr
Milwaukee, WI 53211-2918

County: Milwaukee
Taxed by: City Of Milwaukee
Taxkey # 2770013000

Assessments

Assessment Year	Property Class	Land Assessment	Improvement Assessment	Total Assessment	Percent Of Change	Acres	Ratio
2018	Residential	$ 375,400		$ 375,400	12.127↑	1.851	1.001035066
2017	Residential	$ 334,800		$ 334,800	0.000–	1.851	1.002009836
2016	Residential	$ 334,800		$ 334,800	-64.219↓	1.851	0.961806323
2015	Residential	$ 334,800	$ 600,900	$ 935,700	-6.542↓	1.851	0.967857030
2014	Residential	$ 334,800	$ 666,400	$ 1,001,200	1.101↑	1.851	0.958184478
2013	Residential	$ 289,400	$ 700,900	$ 990,300	-2.997↓	1.851	0.962670584
2012	Residential	$ 289,400	$ 731,500	$ 1,020,900	-5.968↓	1.851	0.961892953
2011	Residential	$ 289,400	$ 796,300	$ 1,085,700	0.000–	1.851	1.004732798
2010	Residential	$ 289,400	$ 796,300	$ 1,085,700	0.000–	1.851	0.956617820

Taxes

Tax Year	Total Tax	First Dollar	Lottery Credit	Net Tax	Special Taxes	Special Assessment	Special Charges	Full Pay Amount
2018	$9,713.36			$9,713.36				$9,713.36
2017				$9,141.18				$9,141.18
2016								$9,610.14
2015				$27,388.25				$27,388.25
2014				$29,928.64				$29,928.64
2013			$134.74	$30,104.19				$30,104.19
2012			$112.43	$30,387.87				$30,387.87
2011			$103.33	$29,019.92				$29,019.92
2010			$93.56	$28,683.97				$28,683.97

Assessor

Building Square Feet :		**Year Built :**		**Township :**	7N
Bedrooms :		**Year Remodeled :**		**Range :**	22E
Full Baths :		**Effective Year Built :**		**Section :**	10
Half Baths :		**Air Conditioning :**		**Quarter :**	
Total Rooms :		**Fireplace :**		**Pool :**	
Number of Stories :		**Number of Units :**		**Attic :**	
Building Type :		**Basement :**			
Exterior Wall :		**Heat :**			
Exterior Condition :		**Garage :**			
Land Use :	8880 Vacant Lot	**School District :**	3619 Milwaukee		
Zoning :	RS5 Residential Single-Family	**Historic Designation :**			
Census Tract :	7400.00				

Legal Description

Lake Dells Park Etc In Ne & Se 1/4 Sec 10-7-22 Vol 37 P 48 S 50' Lot 13-LOT 14 Exc S 25'

Sales

Conveyance Date :	1/26/2015	**Date Recorded :**	1/27/2015	**Value/Sale Price :**	$ 999,000.00
Grantor Name :	Uad Salvatore & Rosemarie Sendik Living Trust 9/18/0			**Transfer Fee :**	$ 2,997.00
Grantee Name :	Mutschler Jock & Linda			**Document# :**	10429760
Conveyance Instrument :	Other Instrument		**Conveyance Type :**	Sale Or Land Contract	

Conveyance Date :	9/17/2009	**Date Recorded :**	10/1/2009	**Value/Sale Price :**	$ 1,218,500.00
Grantor Name :	Sendik Salvatore B			**Transfer Fee :**	
Grantee Name :	Uad Salvatore & Rosemarie Sendik Living Trust 09/18/			**Document# :**	09798696
Conveyance Instrument :	Warranty / Condo Deed		**Conveyance Type :**	Transfer To Trust	

The information contained herein is provided for general information purposes only. If any of the above information is material or being utilized to determine whether to purchase the property, the buyer should personally verify same or have it confirmed by a qualified expert. The information to independently verify and confirm includes but is not limited to total square footage formula,

total square footage / acreage figures, land, building or room dimensions and all other measurements of any sort or type. Equal housing opportunity listing.
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Prepared by Powers Realty Group, Inc. on Monday, February 10, 2020 3:45 PM.

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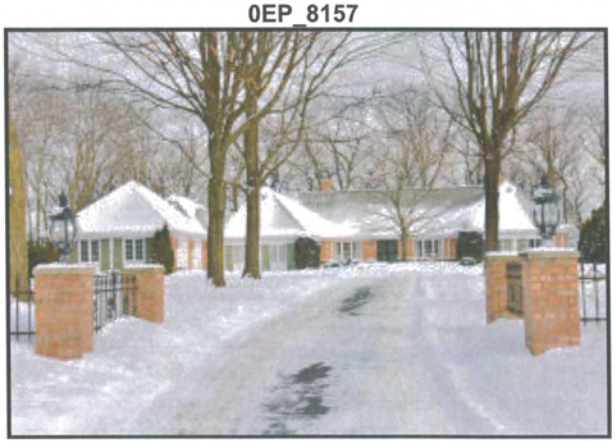

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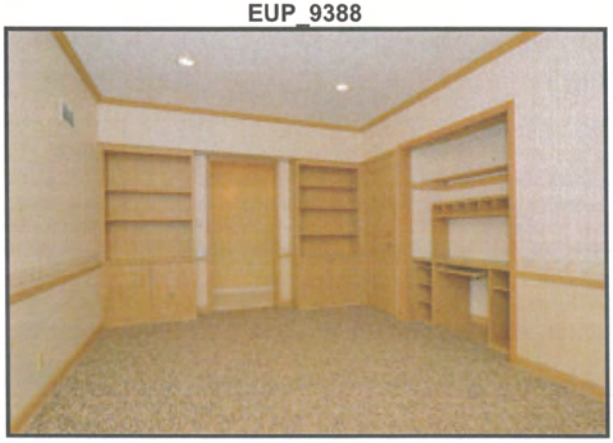

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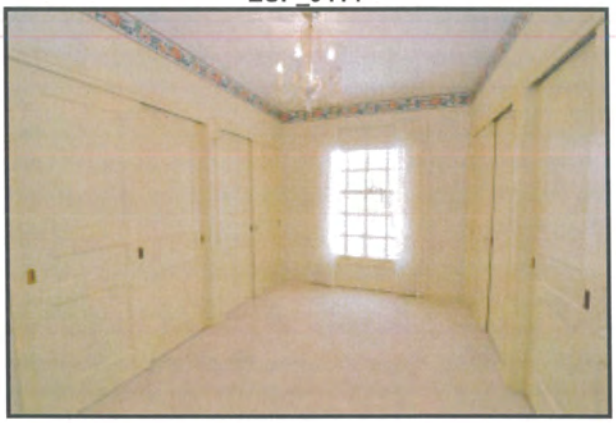

EUP_9416

Darin M. Early
389 Benefit Street Providence, Rhode Island
tel +917 287 7772 e-mail darin.early@gmail.com

VIA E-MAIL

July 22, 2019

Richard Ruvin, CEO
Falk Ruvin Team
Keller Williams
205 E Silver Spring Dr.
Whitefish Bay, WI 53217
E-Mail: richard@falkruvin.com

Re: *4640 N Lake Dr. Whitefish Bay, WI*

Dear Richard:

Based on the limited information provided by your team and publicly available information regarding the Property (as defined herein), practically a renovation estimate by Richard Shafer Construction dtd. February 4, 2019 and separate estimate by Ruvin Consulting, LLC updated February 2019 ("Attachment A"), below find a summary of key terms ("Term Sheet") to enter into a Form WB-11 and ultimately a purchase and sale ("Agreement") for the Property (as defined herein) pursuant to the following terms:

1. **Property:** Comprised of the real property and appurtenances thereto located at 4640 N Lake Drive in Whitefish Bay, Wisconsin (Plat 250, Block 2, Lot 10) currently owned or controlled by 4640 N Lake Drive, LLC as of the date of this Term Sheet, and any additional beneficial rights acquired prior to the execution of the Agreement.

2. **Buyer:** Darin Early either principally or through a to-be-formed special-purpose entity.

3. **Seller:** 4646 North Lake Drive, LLC owned or controlled by John Brodersen (collectively with the Buyer, "Parties")

4. **Renovation Plan:** Buyer plans to retain and renovate the historic structure on the Property for the Buyer's primary residence, performing work that includes, but is not limited to mechanical systems replacement, environmental (mold, lead, etc.) remediation, utility service/systems

replacement and building envelope (window, foundations, façade, etc.) renovation, while maintaining the structure's historic character.

5. **Purchase Price:** $800,000, which reflects a $1,500,000 renovated market value, less the lower of the Seller's $650,000 - $1,200,000 renovation estimates (Attachment A) and corresponding risks to renovate/remediate the Property's mechanical/utility systems, building envelope, environmental concerns, etc. commensurate with the Renovation Plan.

6. **Inspection Period/ As-Is Sale:** Buyer will have up to 90 days from execution of the Agreement ("Inspection Period") to a) conduct site inspections, including not more than three (3) tours with contractors, specialty consultants, etc., b) request, at the Buyer's expense and Seller sole discretion to approve, minimally invasive testing in specific areas of the Property (structure and land) and c) conduct other investigative activities that support Buyer's plan to preserve and renovate the Property under the Redevelopment Plan.

   If Buyer is not satisfied, in its sole discretion, for any reason during the Inspection Period, the Buyer may terminate the Agreement prior to the expiration of the Inspection Period, whereupon the Deposit, in full along with any interest shall be returned to the Buyer.

   The Buyer understands this is an "as-is" sale and provided the Seller provides all Due Diligence Materials, Seller may provide limited representations and warranties in the Agreement

7. **Deposit:** Within 10 days of a fully executed Agreement, the Buyer shall deposit $16,000 or 2.0% of the Purchase Price into an interest-bearing escrow account at a mutually agreed title company. Any interest will inure to the benefit of Buyer.

8. **Financing Contingency:** Buyer plans to obtain financing for at least eight percent (80%) of the Purchase Price through a commercial bank or other source on a fixed rate, 30-year self-amortizing basis at conventional terms and prevailing market rates ("Financing") acceptable to the Buyer in its sole desecration. Buyer shall obtain a financing commitment prior to the expiration of the Inspection period.

9. **Financing Package/ Cash at Closing:** The Purchase Price will be paid in cash at closing through a combination of the Deposit (including any interest), Financing and the balance, if any, funded in cash by the Buyer as equity.

10. **Real Estate Taxes:** Upon execution of this Term Sheet, Seller shall use best efforts to

seek a reduction in Property taxes, such that the assed value of the Property equals the Purchase Price of this Term Sheet, by applying to the Village of Whitefish Bay's Tax Assessor's Review Board thereby reducing the Property's 2020 tax burden.

11. Due Diligence Materials: Within 10 business days of the execution of this Term Sheet by Seller, Seller shall deliver to the Buyer copies of all Property records, studies, surveys or other information in the Seller's possession regarding the physical condition of Property and separately the ability to renovate the Property. These materials may include environmental reports, tax and utility bills, title policies, building plans, inspection/engineering reports, site plan, etc.

Buyer agrees that any and all documents will be confidential and will be shared only on a need-to-know basis with Buyer's consultants, agents, lender, etc.

12. Closing Date: The earlier of 30 days from the end of the Inspection Period or if the Buyer, in its sole discretion, ends the Inspection Period early and has a complete Financing Package and.

13. Closing Costs: Closing costs shall be paid as customarily handled in the State of Wisconsin.

14. Representations and Warranties: In addition to the representations contained herein, the Parties shall make representations and warranties customary in the purchase and sale of a similar asset with certain Seller's warranties adjusted for an as-is sale.

15. Broker: The Parties acknowledge and certify that (a) the Seller has retained Richard Ruvin (WI License #: 48420-90) of Keller William to act as the Seller's broker and (b) the Buyer has retained Robert Herzog (WI License #: 47015-90) to act as the Buyer's broker. As is customary in the State of Wisconsin, the Seller shall pay any Brokerage Commissions due under a separate agreement. The parties acknowledge no other brokers were involved in this transaction.

16. Confidentiality: This Term Sheet, the terms and conditions contained herein and details of ensuing negotiations will remain confidential among the parties to the transaction and no Term Sheet, Agreement drafts or summaries of any kind will be distributed, copied or otherwise transmitted, orally or in writing, to any entity or person, except authorized employees or agents of Buyer and Seller.

This foregoing letter is an expression of the principal terms of the proposed Agreement described above. Nothing in the delivery of this Term Sheet in any form shall impose any legal or financial obligations on either Party to complete the transaction until such time as a formal Agreement is negotiated, executed and delivered, and all requisite approvals are obtained. Until such execution and delivery, either party may terminate all negotiations and discussions of this proposed transaction for any reason, without cause, and without liability.

Please confirm that the foregoing accurately reflects the Seller's understanding by having this letter executed and returned to me. I'm enthusiastic about this opportunity and look forward to working with you to make this a mutually successful transaction.

Sincerely,

Darin M. Early
Buyer

Agreed to:

_____
John Brodersen
4646 North Lake Drive, LLC
Title: Managing Member.

Date:_____

Attachment A: Publicly Available Cost Estimates

ATTACHMENT A
Publicly Available Cost Estimate

Source: http://www.wfbvillage.org/AgendaCenter/ViewFile/Agenda/_05062019-642 (
Pages 20

Ruvin Consulting, LLC

PROJECT SCOPE

Site: 4640 N Lake Drive WFB WI 53217 **Date: 8/2018 - 2/2019 estimate**

Project : Remediate and Renovate the Existing Single Family Residence

Includes:

- Secure necessary permits
- Demolition of Lower Level and main level as needed for new mechanicals and bathroom updates
- Remediation of Lead and Asbestos
- Remediation of Mold - Lower level and main floor
- New electrical wiring - new breaker panels and low volt communication wiring
- New plumbing waste water and vent piping
- New storm and sanitary sewer laterals
- New water service (since new sewer lateral is being installed)
- Existing doors and leaded glass windows to remain
- Restore and modify kitchen and update bathrooms
- Plaster and drywall repairs as needed
- Painting and staining as required

- New flooring in updated bathroom
- New wood flooring on main level
- Tile in foyer to remain intact
- New plumbing fixtures
- New lighting fixtures figured where missing
- Existing garage door and opener to remain
- Landscape/driveway patching as required
- Final Inspections
- Final cleaning

Scope Does **NOT** Include:

- Architectural or structural engineering
- Interior design
- MEP design or engineering
- AV or security system
- Moving, storage or furnishings
- Wall Coverings

Scope: Renovation of Existing Residence
Address: 4640 N Lake Drive WFB WI 53217
Drawing: TBD

Architect: TBD

Original Estimate Date: 8/2018 **Revision Date: 2/2019**

Sect	Description	Qty	Unit Type	Price/Unit	Cost/SF	Budget	Actual Cost	Additional Notes
DIV 0	BUILDING METRICS							
	Number Of Units:	1.00	Units					
	Number of Floors	1.00	Each					
	Living Area:	8500.00	SF					
	Anticipated Start Date:	3/1/19	Date					
	Total Building Area:	11000.00	SF					
	Project Duration:	2.00	Months					
	Building Footprint		SF					
	Perimeter		LF					
DIV 1	DIRECT PROJECT COSTS (GENERAL CONDITIONS)					$57,200.00	$0.00	
01040	Field Superintendent	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01042	General Field Superintendent	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01050	Project Management	8.00	Formula	$0.00	$0.00	$32,000.00	$0.00	
01065	Permits - General	0.00	SF	$0.40	$0.00	$3,500.00	$0.00	
01500	OSHA/Safety Equipment	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01505	Temporary Utilities - Electric	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01510	Temporary Utilities - Gas	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01515	Temporary Utilities - Water	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01525	Equipment Rentals	0.00	Month	$0.00	$0.00	$0.00	$0.00	
	Forklift	0.00	Month	$0.00	$0.00	$0.00	$0.00	
	Bobcat	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01550	Trailer/Site Office	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01550	Site security allowance	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01560	Port-a-John	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01580	Project Identification	0.00	Each	$0.00	$0.00	$0.00	$0.00	
01590	Jobsite Office Supplies	0.00	Month	$0.00	$0.00	$0.00	$0.00	
	Office Equipment	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01630	Site Trips/PM Travel Expenses	0.00	Month	$0.00	$0.00	$0.00	$0.00	
	Superintendent Fuel Allowance	0.00	Month	$0.00	$0.00	$0.00	$0.00	
	Superintendent's vehicle	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01700	Dumpsters / Hauling	1.00	Unit	$0.00	$0.00	$4,500.00	$0.00	containers and hauling
01710	Progress Cleaning	1.00	LS	$0.00	$0.00	$2,500.00	$0.00	
01720	Final Cleaning	1.00	SF	$0.00	$0.00	$1,200.00	$0.00	
01750	Document Reproduction	1.00	Allow	$0.00	$0.00	$500.00	$0.00	
01800	Temporary Protection	1.00	LS	$0.00	$0.00	$2,500.00	$0.00	
	Misc. Labor	0.00	Unit	$0.00	$0.00	$7,500.00	$0.00	
01810	Temporary Access Roads	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01820	Snow Removal	0.00	Per Snow	$0.00	$0.00	$0.00	$0.00	
01850	Copies/Postage	0.00	SF	$0.00	$0.00	$0.00	$0.00	
01900	Fit & Finish	0.00	LS	$0.00	$0.00	$1,500.00	$0.00	
01910	Patching to Match	0.00	ls	$0.00	$0.00	$500.00	$0.00	
01950	Closeout Documentation	1.00	Each	$0.00	$0.00	$1,000.00	$0.00	
DIV 2	SITEWORK					$101,000.00	$0.00	
2070	Demolition							
	Demolition	1.00	LS	$0.00	$0.00	$29,000.00	$0.00	
	Remediation	0.00	LS	$0.00	$0.00	$62,000.00	$0.00	Asbestos, lead and mold
	Excavation	0.00	LS	$0.00	$0.00	$0.00	$0.00	
	Trucking	0.00	LS	$0.00	$0.00	$0.00	$0.00	

Scope: Renovation of Existing Residence
Address: 4640 N Lake Drive WFB WI 53217
Drawing: TBD

Architect: TBD

Original Estimate Date: 8/2018 **Revision Date: 2/2019**

Sect	Description	Qty	Unit Type	Price/Unit	Cost/SF	Budget	Actual Cost	Additional Notes
	Landscaping	0.00	Unit	$0.00	$0.00	$10,000.00	$0.00	Patching after laterals installed
DIV 3	CONCRETE					$22,200.00	$0.00	
3100	Concrete							
	Concrete	0.00	LS	$0.00	$0.00	$5,000.00	$0.00	patching
	Concrete - Other	0.00	LS	$0.00	$0.00	$1,200.00	$0.00	firestopping
	Core Drilling	0.00	LS	$0.00	$0.00	$11,000.00	$0.00	
3102	Concrete Testing	0.00	Month	$0.00	$0.00	$0.00	$0.00	
3410	Precast Concrete							
	Precast Concrete	0.00	SF	$0.00	$0.00	$0.00	$0.00	
3510	Gypsum Concrete Floors - Leveling or Repair	0.00	SF	$0.00	$0.00	$5,000.00	$0.00	
DIV 4	MASONRY					$0.00	$0.00	
4100	Masonry	0.00	SF	$0.00	$0.00	$0.00	$0.00	
DIV 5	METALS					$0.00	$0.00	
5120	Steel Railings and Guard Railings	0.00	LF	$0.00	$0.00	$0.00	$0.00	
5120	Ornamental Metals	0.00	Each	$0.00	$0.00	$0.00	$0.00	inlcuded in cabinetry/millwork
DIV 6	WOOD & PLASTICS					$225,500.00	$0.00	
6100	Carpentry Labor - Rough	1.00	SF	$0.00	$0.00	$18,000.00	$0.00	
6105	Carpentry Labor - Finish	1.00	SF	$0.00	$0.00	$60,000.00	$0.00	
6110	Rough Framing Material	1.00	LS	$0.00	$0.00	$15,000.00	$0.00	
6113	Carpentry Consumables	0.00	LS	$0.00	$0.00	$2,500.00	$0.00	
6250	Millwork / Cabinetry (material only)	6.00	Allow	$0.00	$0.00	$110,000.00	$0.00	
6450	Counter Tops (material and Install)	0.00	Allow	$0.00	$0.00	$20,000.00	$0.00	
DIV 7	THERMAL & MOISTURE					$12,700.00	$0.00	
7210	Building Insulation	0.00	SF	$0.60	$0.00	$12,000.00	$0.00	building and sound
7900	Sealants & Caulking	0.00	Estimate	$0.00	$0.00	$700.00	$0.00	firestopping
DIV 8	DOORS & WINDOWS					$22,500.00	$0.00	
8110	Door and Windows							
	Exterior Windows / Doors	0.00	Unit	$0.00	$0.00	$0.00	$0.00	
	Interior Doors / Windows / Frames / H	0.00	Unit	$0.00	$0.00	$0.00	$0.00	included in millwork budget
8410	Storefront Entrance Doors	0.00	# of Door Panels	$0.00	$0.00	$0.00	$0.00	
8700	Hardware	0.00	#	$0.00	$0.00	$12,500.00	$0.00	Door, cabinet, accessories

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Original Estimate Date: 8/2018 **Revision Date: 2/2019**

Sect	Description	Qty	Unit Type	Price/Unit	Cost/SF	Budget	Actual Cost	Additional Notes
	Doors	0.00	#	$0.00	$0.00	$0.00	$0.00	
	Exterior Windows	0.00	EA	$0.00	$0.00	$0.00	$0.00	
_8810	Mirrors and Shower Doors	0.00	Unit	$0.00	$0.00	$10,000.00	$0.00	
DIV 9	FINISHES					$193,500.00	$0.00	
9210	Drywall	1.00	LS	$0.00	$0.00	$24,000.00	$0.00	Basement level
	Plaster	1.00	LS	$0.00	$0.00	$46,000.00	$0.00	Main level
	Patching	0.00	LS	$0.00	$0.00	$5,500.00	$0.00	
_9510	Acoustical Ceiling	0.00	SF	$0.00	$0.00	$0.00	$0.00	
_9685	Flooring--carpeting	0.00	LS	$0.00	$0.00	$9,500.00	$0.00	
	Floor Install--wood	1.00	SF	$0.00	$0.00	$30,000.00	$0.00	
	Flooring Materials	1.00	LS	$0.00	$0.00	$0.00	$0.00	
	Floor Repair and Leveling	0.00	LS	$0.00	$0.00	$2,500.00	$0.00	
_9620	Flooring	1.00	LS	$0.00	$0.00	$0.00	$0.00	
_9900	Painting (General)	1.00	LS	$0.00	$0.00	$71,000.00	$0.00	
	Painting (Walls and Ceilings)	0.00	LS	$0.00	$0.00	$0.00	$0.00	Included above
	Painting (Trim and Millwork)	0.00	LS	$0.00	$0.00	$0.00	$0.00	included above
	Painting (Doors)	0.00	LS	$0.00	$0.00	$0.00	$0.00	Included above
	Staining	0.00	LS	$0.00	$0.00	$0.00	$0.00	included above
_9950	Wall Coverings	0.00	Unit	$0.00	$0.00	$5,000.00	$0.00	labor allowance
_9310	Tile (Labor)	0.00	LS	$0.00	$0.00	$56,000.00	$0.00	labor only
	Tile (Materials)	0.00	LS	$0.00	$0.00	$25,000.00	$0.00	allowance
	Tile (Shipping)	0.00	LS	$0.00	$0.00	$0.00	$0.00	included above
DIV10	SPECIALTIES					$12,500.00	$0.00	
_10260	Wall & Corner Guards	0.00	Each	$0.00	$0.00	$0.00	$0.00	
_10415	Signage	0.00	# of Units	$0.00	$0.00	$0.00	$0.00	
	Fire Extinguishers	0.00	# w/o Cabinets	$75.00	$0.00	$0.00	$0.00	
_10550	Postal Specialties	0.00	Number of Boxes	$0.00	$0.00	$0.00	$0.00	
_10800	Toilet & Bath Accessories	0.00	Unit	$0.00	$0.00	$0.00	$0.00	
_10900	Closet Shelving	0.00	Unit	$0.00	$0.00	$12,500.00	$0.00	melamine
DIV 11	EQUIPMENT					$20,000.00	$0.00	
_11450	Appliances	0.00	Unit	$0.00	$0.00	$20,000.00	$0.00	
DIV12	FURNISHINGS					$0.00	$0.00	
_12510	Window Treatments	0.00	Unit	$0.00	$0.00	$0.00	$0.00	NIC
DIV13	SPECIAL CONSTRUCTION					$0.00	$0.00	
		0.00	Unit	$0.00	$0.00	$0.00	$0.00	
		0.00	Unit	$0.00	$0.00	$0.00	$0.00	
DIV14	CONVEYING SYSTEMS					$0.00	$0.00	

Scope: Renovation of Existing Residence
Address: 4640 N Lake Drive WFB WI 53217
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Architect: TBD

Original Estimate Date: 8/2018 **Revision Date: 2/2019**

Sect	Description	Qty	Unit Type	Price/Unit	Cost/SF	Budget	Actual Cost	Additional Notes
14210	Elevator	0.00	Unit	$0.00	$0.00	$0.00	$0.00	
DIV 15	MECHANICAL					$226,600.00	$0.00	
15300	New Sewer Lateral	0.00	LS	$0.00	$0.00	$30,000.00	$0.00	Storm and sanitary
	New Water Lateral	0.00	Unit	$0.00	$0.00	$10,000.00	$0.00	
15400	Plumbing Labor	0.00	Unit	$0.00	$0.00	$67,600.00	$0.00	
	Plumbing Fixtures	0.00	Unit	$0.00	$0.00	$35,000.00	$0.00	allowance
15500	HVAC (Labor and Materials)	0.00	LS	$0.00	$0.00	$84,000.00	$0.00	New boiler and ac
	HVAC - Modifications	0.00	Unit	$0.00	$0.00	$0.00	$0.00	
DIV16	ELECTRICAL					$139,430.00	$0.00	
16100	Electrical - Base Wiring	1.00	Unit	$0.00	$0.00	$89,430.00	$0.00	includes rough-in fixtures
	Electrical - Materials	0.00	LS	$0.00	$0.00	$0.00	$0.00	
	Phone, computer, AV, Low volt	0.00	Allow	$0.00	$0.00	$25,000.00	$0.00	
	Fire alarm	0.00	Allow	$0.00	$0.00	$0.00	$0.00	
	Misc.	0.00	Allow	$0.00	$0.00	$0.00	$0.00	
	Security	0.00	Allow	$0.00	$0.00	$0.00	$0.00	NIC
16105	Unit Light Fixtures	0.00	Unit	$0.00	$0.00	$25,000.00	$0.00	allowance
	Common Area Lighting	0.00	Unit	$0.00	$0.00	$0.00	$0.00	
	CHANGE ORDERS							

Additional notes:	SUBTOTAL	$1,073,630.00	$0.00
By others:	CONTINGENCY	$20,000.00	$0.00
Architectural fees	INSURANCE	$5,475.51	$0.00
Mechanical design	OVERHEAD AND PROFIT	$85,890.40	$0.00
Furnishings storage or moving	TOTAL ESTIMATED	$1,184,995.91	$0.00
Window treatments	cost per sq. ft.	$139.41	#VALUE!
Wall Coverings	cost per unit	$1,184,995.91	#VALUE!

F R O M
Robert Schafer Construction
1528 N Green Bay Road
Grafton, WI 53024
414-241-8024

Proposal

Proposal Submitted to:	Date 2/4/2019	
Name Rob Ruvin / John Brodersen	Job Name 4640 - house relocation cost estimate	
Street 4646 N Lake Drive	Street 4640 N Lake Drive	
City Milwaukee	City Milwaukee	State WI
State WI 53217	Phone 414-688-3706	

We hereby submit a PROPOSAL for the following work:

Lift and move building structure - Using the subcontracted services of EIS Building Movers in one piece. Disconnect all utilities - electrical, plumbing, sewer and gas. Move home North to Hampton Rd or South to Capitol Drive. Place home on new foundation on east of west side of Lake Drive.
Budget $360,000. Timeframe of prep work is 3 weeks and lift to set is 2 weeks weather permitting. Site must be ready to accept the new structure. Allowance for permits, road closure, traffic control and possible tree and possible electrical line or light pole work - $40,000.00

New foundation - block wall, waterproofing and insulation $68,000.00

New utilities - electrical service, sewer, water and gas $55,000.00

Renovate the house + update mechanicals $650,000.00

Driveway and landscape $50,000.00 (new site)

Assumption on cost of lot to place house and demolition of the existing residence located there (one lot east side of lake drive and two lots/homes west of Lake Drive $1,500,000.00

My Fee $190,000.00 (would need to be a minimum guaranteed fee)

Items not included in this PROPOSAL:
-Demolition of foundation
-Any landscape or driveway repair at 4640
-Tree and bush removal at either site and retaining wall removal completed on a T&M basis
-Backfilling of the existing foundation

Project Cost Summary:

$2,913,000.00 Project Budget - Value of the renovated house will likely be +/- $2,250,000.00 East side of Lake Drive and +/- $1,600,000.00 West of Lake Drive.

NOTE: In order to agree to undertake this project I would need to be guaranteed to make a $190,000.00 fee for my time. So the gap amount you will likely need to make up will be +/- $663,000.00 to $1,313,000.00 - including my Fee.

Thank you,

Robert Schafer

Robert Schafer Construction, LLC

Remington, Jake

From: Suzanne Powers <suzanne@powersrealty.com>
Sent: Tuesday, April 7, 2020 11:12 AM
To: Remington, Jake
Subject: FW: 4640 N. Lake Dr.

Categories: Attachment

[EXTERNAL EMAIL]

Suzanne Powers | Broker Owner

4214 N. Oakland Ave., Shorewood, WI 53211

o: 414.963.0000 | m: 414.870.7175 | f: 414.921.4158 | e: suzanne@powersrealty.com

powersrealty.com

Email Security Advisory:
Do not send funds or nonpublic personal information, such as credit card or debit card numbers or bank account and/or routing numbers, by email. Suzanne Powers Realty Group will never request that you send funds or such nonpublic personal information by email. If you receive an email message directly or forwarded concerning any transaction involving Suzanne Powers Realty Group, and the email requests that you send funds or provide nonpublic personal information, do not respond to the email and immediately contact Suzanne Powers Realty Group at **414-963-0000**, and please forward any suspected email fraud as an attachment to antifraud@powersrealty.com.

From: robert herzog <roberthherzog@gmail.com>
Sent: Tuesday, April 07, 2020 11:00 AM
To: Suzanne Powers <suzanne@powersrealty.com>
Subject: 4640 N. Lake Dr.

The Village of Whitefish Bay notified us of the upcoming hearing to allow John to move closer to demolishing the historic home. We were surprised because were told that was not his intention. We were also shocked that the letter from Husch Blackwell states that the only price offered by Darin was the first one, $800,000.00.

We informed the Village that was not true. In my email to you on February, we raised the offer to $1 Million, clearly 25% higher than the previous. And there are no contingencies.

Please don't give up on selling this historic gem. It is salvageable.
It can still be a great home for a great family who would love it for many years. Darin has the deep talent and experience to bring the house back to its glory.

Bob Herzog
414-852-6200

Remington, Jake

From: Suzanne Powers <suzanne@powersrealty.com>
Sent: Wednesday, April 8, 2020 2:32 PM
To: Remington, Jake
Cc: Gretchen Keating
Subject: FW: 4640 N Lake Dr Updated Term Sheet 2.6.20.pdf
Attachments: 4640 N Lake Dr Updated Term Sheet 2.6.20.pdf

Categories: Attachment

[EXTERNAL EMAIL]

Suzanne Powers | Broker Owner

4214 N. Oakland Ave., Shorewood, WI 53211

o: 414.963.0000 | m: 414.870.7175 | f: 414.921.4158 | e: suzanne@powersrealty.com

powersrealty.com

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From: robert herzog <roberthherzog@gmail.com>
Sent: Tuesday, April 07, 2020 5:03 PM
To: Suzanne Powers <suzanne@powersrealty.com>
Subject: 4640 N Lake Dr Updated Term Sheet 2.6.20.pdf

Updated Offer Letter

Darin M. Early
389 Benefit Street
Providence, Rhode Island
Tel +917 287 7772 E-mail: darin.early@gmail.com

VIA E-MAIL

February 6, 2020 (date $1.0MM Offer was transmitted)

Susan Powers, CEO
Powers Realty Group
4214 North Oakland Avenue
Shorewood, WI 53211
414.870.7175
E-Mail: suzanne@powersrealty.com

Re: *4640 N Lake Dr. Whitefish Bay, WI*

Dear Susan:

Based on the information provided by your team as of the date of this letter including the comparable property set you furnished on January 15, 2019 (the "Comp Set") attached hereto as Attachment A, a home inspection report dtd. September 2019 and a GMZ Model report dtd 2018, and publicly available information regarding the Property (as defined herein), particularly a renovation estimate by Richard Shafer Construction dtd. February 4, 2019 and separate estimate by Ruvin Consulting, LLC updated February 2019, below find a summary of key terms ("Term Sheet") to enter into a Form WB-11 and ultimately a purchase and sale ("Agreement") for the Property (as defined herein) pursuant to the following terms:

1. **Property:** Comprised of the real property and appurtenances thereto located at 4640 N Lake Drive in Whitefish Bay, Wisconsin (Plat 250, Block 2, Lot 10) currently owned or controlled by 4646 N Lake Drive, LLC as of the date of this Term Sheet, and any additional beneficial rights acquired prior to the execution of the Agreement.

2. **Buyer:** Darin Early either principally or through a to-be-formed special-purpose entity.

3. **Seller:** 4646 North Lake Drive, LLC owned or controlled by John Brodersen (collectively with Buyer, the "Parties")

4. **Renovation Plan:** Buyer plans to retain and renovate the historic structure on the Property for the Buyer's primary residence, performing work that includes, but is not limited to mechanical systems replacement, environmental (mold, lead, etc.) remediation, utility service/systems

replacement, nominal landscaping and eventual building envelope (window, foundations, façade, etc.) renovation, while maintaining the structure's historic character.

5. **Purchase Price:** $1,000,000, which reflects a $1,450,000 market value (as demonstrated by the Comp Set), less approximately $450,000 in renovation cost to bring the Property to a habitable watertight and mold free condition, which is less than the renovation costs needed to bring the Property to a $1,450,000 equivalent market value. The purchase price also factors in the unknown risks to renovate/remediate the Property's mechanical/utility systems, building envelope, environmental concerns, etc. commensurate with the Renovation Plan.

6. **Inspection Period/ As-Is Sale:** Buyer will have up to 90 days from execution of the Agreement ("Inspection Period") to a) conduct site inspections, including not more than two (2) tours with contractors, specialty consultants, etc., b) request, at the Buyer's expense and Seller sole discretion to approve, minimally invasive testing in specific areas of the Property (structure and land) and c) conduct other investigative activities that support Buyer's plan to preserve and renovate the Property under the Renovation Plan.

   If Buyer is not satisfied, in its sole discretion, for any reason during the Inspection Period, the Buyer may terminate the Agreement prior to the expiration of the Inspection Period, whereupon the Deposit, in full along with any interest shall be returned to the Buyer.

   The Buyer understands this is an "as-is" sale and provided the Seller provides all Due Diligence Materials, Seller may provide limited representations and warranties in the Agreement

7. **Deposit:** Within 10 days of a fully executed Agreement, the Buyer shall deposit $20,000 or 2.0% of the Purchase Price into an interest-bearing escrow account at a mutually agreed title company. Any interest will inure to the benefit of Buyer.

8. **Financing Contingency:** Buyer plans to obtain financing for at least eight percent (80%) of the Purchase Price through a commercial bank or other source on a fixed rate, 30-year self-amortizing basis at conventional terms and prevailing market rates ("Financing") acceptable to the Buyer in its sole desecration. Buyer shall obtain a financing commitment prior to the expiration of the Inspection period.

9. Financing Package/ Cash at Closing: The Purchase Price will be paid in cash at closing through a combination of the Deposit (including any interest), Financing and the balance, if any, funded in cash by the Buyer as equity.

10. Real Estate Taxes: Upon execution of this Term Sheet, Seller shall use best efforts to seek a reduction in Property taxes, such that the assed value of the Property equals the Purchase Price of this Term Sheet, by applying to the Village of Whitefish Bay's Tax Assessor's Review Board thereby reducing the Property's 2020/20201 tax burden.

11. Due Diligence Materials: Within 10 business days of the execution of this Term Sheet by Seller, Seller shall deliver to the Buyer copies of all Property records, studies, surveys or other information in the Seller's possession regarding the physical condition of Property and separately the ability to renovate the Property. These materials may include environmental reports, tax and utility bills, title policies, building plans, inspection/engineering reports, site plan, etc.

Buyer agrees that any and all documents will be confidential and will be shared only on a need-to-know basis with Buyer's consultants, agents, lender, etc.

12. Closing Date: The earlier of 30 days from the end of the Inspection Period or if the Buyer, in its sole discretion, ends the Inspection Period early and has a complete Financing Package ready to close.

13. Closing Costs: Closing costs shall be paid as customarily handled in the State of Wisconsin.

14. Representations and Warranties: In addition to the representations contained herein, the Parties shall make representations and warranties customary in the purchase and sale of a similar asset with certain Seller's warranties adjusted for an as-is sale. Further the Seller shall represent it will cooperate with Buyer and not directly or indirectly impede the Buyer's implementation of the Renovation Plan nor diminish the value of the Property by preventing the implementation of the Renovation Plan or allowing for built or natural objects to impact the Property's value except for what exists as of the date of the definitive Agreement.

15. Broker: The Parties acknowledge and certify that (a) the Seller has retained Suzanne Powers (WI License#: 55380-90) of Powers Realty to act as the Seller's broker and (b) the Buyer has retained Robert Herzog (WI License #: 47015-90) to act as the Buyer's broker. As is customary in the State of Wisconsin, the Seller shall pay any Brokerage Commissions due under a separate agreement. The parties further acknowledge no other brokers were involved in this transaction and

specifically, the former listing agent Richard Ruvin (WI License #: 48420-90) of Keller Williams shall not be entitled to a commission, unless the Seller so chooses.

16. Confidentiality: This Term Sheet, the terms and conditions contained herein and details of ensuing negotiations will remain confidential among the parties to the transaction and no Term Sheet, Agreement drafts or summaries of any kind will be distributed, copied or otherwise transmitted, orally or in writing, to any entity or person, except authorized employees or agents of Buyer and Seller solely for the purpose of the transaction contemplated herein.

This foregoing letter is an expression of the principal terms of the proposed Agreement described above. Nothing in the delivery of this Term Sheet in any form shall impose any legal or financial obligations on either Party to complete the transaction until such time as a formal Agreement is negotiated, executed and delivered, and all requisite approvals are obtained. Until such execution and delivery, either party may terminate all negotiations and discussions of this proposed transaction for any reason, without cause, and without liability.

Please confirm that the foregoing accurately reflects the Seller's understanding by having this letter executed and returned to me. I'm enthusiastic about this opportunity and look forward to working with you to make this a mutually successful transaction.

Sincerely,

Darin M. Early
Buyer

Agreed to:

_____
John Brodersen
4646 North Lake Drive, LLC
Title: Managing Member

Date:_____

Attachment A: Comp Set

VIA E-MAIL

April 6, 2020

Lauren A. Triebenbach
Chair, Architectural Review Committee
Village of Whitefish Bay
5300 N. Marlborough Dr.
Whitefish Bay, WI 53217-5399
Email: latriebenbach@michaelbest.com

Re: ***4640 N Lake Drive***

Dear Chairwoman Triebenbach:

As you are aware, I represent a client who has the means, expertise and willingness to purchase, restore and otherwise rehabilitate the historically designated home at 4640 N Lake Drive (the "Property" or "4640 N Lake"). Over the past nine (9) months, my client has conducted due diligence on the Property, including at least three Property tours, a review of various Property reports/studies furnished by the current owner (the "Seller"), numerous conversations with local contractors, and conducting the attached market analysis of comparable properties provided by Suzanne Powers, the listing agent for the Property (the "Seller's Broker").

These due diligence efforts resulted in two good faith offers for the Property; the first for $800,000 in July 2019 when my client relied largely on publicly available information to develop the offer, and the second for $1,000,000 in February 2020, representing a 25% increase from my client's initial offer. Neither offer received a formal response from the Seller or Seller's Broker. The only communication received from the Seller's broker since our last inspection of the property was a list of historical comps over $2 Million. We then asked for comps closer to the asking price and the agent never responded. In a February 6th email to Ms. Powers, after using the original comparables, we explained in detail how we arrived at a value under $1 Million, but stated "We can ultimately come up to $1 Million, which is higher than the numbers justify," This is AS IS, of course. We asked if they disagreed with my client's logic. No reply ar all. Also, contrary to perception, 30-year jumbo mortgage rates moved higher from 3.36% in early March to 4.7% today and there are expected supply chain disruptions for materials needed to renovate 4640 N Lake due to COVID-19 impacts. Neither development changes my client's last offer.

In my client's contractors' estimation, 4640 N Lake Drive will require between $325,000-$400,000 in renovations to bring the Property to a modern, livable, yet not market comparable standard. Note this 'modern livable' standard is higher than a preservation standard, which in my client's estimation would primarily include remediating any mold, ensuring a watertight foundation and restoring domestic water/sewage system damaged by a lack of proper winterizing. My client's contractors' estimate the Property would need an additional $200,000 - $300,000 in renovations (for a total investment of between $525,000 - $700,000) to realize a market comparable standard or the Property's full market potential.

Based on a list of comparable properties provided by Seller's Broker provided in January to demonstrate that the fully renovated value of 4640 N Lake Drive was in excess of $2.0MM, the attached analysis was conducted using

commonly accepted comparable real estate valuation practices that reduce a subject property's comparable data set to $/SF (thereby normalizing for size differences) and apply a premium or discount to each comparable based their respective physical relationship to subject property (thereby normalizing for condition differences). This empirical analysis resulted in a fully improved market value for 4640 N Lake to be between $1.4-$1.5MM.

Given the data supporting a $1.4-$1.5MM fully improved market value, renovation budget to access that value of between $525,000 - $700,0000, and unforeseen risks associated with a major renovation project makes a $1.0MM purchase price reasonable.

Should you or the Architectural Review Commission have any questions, please do not hesitate to contact me.

Sincerely,

Robert H. Herzog
Licensed Broker
414.852.6200
Roberthherzog@gmail.com

Attachment: 4640 Comparable Property Analysis

Oestreich, Joel

From: aikintrio@aol.com
Sent: Tuesday, April 7, 2020 3:52 PM
To: Oestreich, Joel
Subject: Message to Commissioners
Attachments: HPC -- Email remarks to 4.9.20 ARC meeting on 4640 N. Lake.doc

April 8, 2020

TO: Architectural Review Commission

FROM: Jefferson J. Aikin, Chair, Historic Preservation Commission (HPC)

SUBJECT: Proposed Demolition of 4640 N. Lake Dr.

You are meeting on this matter once again pursuant to the requirements of the Village's Historic Preservation Ordinance (HPO). You are by now very familiar with those requirements, and of the historical significance of this property. It is therefore important to remember that your deliberations should be guided by the HPO preamble, which states that:

> "It is hereby declared a matter of public policy that the protection, enhancement, perpetuation and use of improvements or sites of historic interest or value is a public necessity and is required in the interest of the health, prosperity, safety and welfare of the Village."

The Village, in furtherance of this policy, and in an official act of its authority, in 2007 placed the Herman Reel House at 4640 N. Lake Dr. on its local historic registry, entitling it to the protections about which you are meeting.

The legal protection of the Village's historic properties is not just an abstract expression of the Village's good intent. Last November the Village Board approved the 2019 Update to the Whitefish Bay Comprehensive Plan which, for the first time, joins specific actions with Village cultural and housing goals to bring historic preservation to the forefront. These include:

- "Support activities that promote the continual upkeep of existing housing stock." (page 94)
- "Compose a list of residential styles in WFB, identify homes from each style that have been thoughtfully modified, and showcase their stories to WFB community members seeking examples of renovation over demolition." (page 94)
- "Update the interactive digital brochures of the properties listed on the Whitefish Bay Architecture & History Inventory – **[this home is one of them]** – to provide more information about the properties themselves while infusing related narratives about the overall community history." (page 75)
- "Review the 12 districts eligible as historic districts in the 2010-2011 Architectural and Historical Intensive Survey Report, and consider nominating them as Wisconsin [and National Register] historic districts to increase district appeal and unlock additional resources [including income tax savings for owners]." (page 75)

"Whitefish Bay's history is reflected today through the names of streets, parks, public gathering places, <u>and the structures still in use throughout the community</u>," the Comprehensive Plan notes. HPC members have begun meeting with Village staff to consider the Plan's implementation steps.

The home at 4640 N. Lake Dr., designed by Richard Philipp, one of the foremost architects of the early 20th century, is an important cultural resource. To demolish our historic properties, one by one, over time without thought to the long-term damage we are doing to our community would flout the intent of the Village ordinance

and the Comprehensive Plan, which exist to protect these civic assets. We hope you will respect the goals of the ordinance and the plan and reject the proposal to demolish this lovely and historic home.

Oestreich, Joel

From: Suzanne M Kessler <suzannemkessler@gmail.com>
Sent: Tuesday, April 7, 2020 11:43 AM
To: Oestreich, Joel
Subject: Message to Commissioners

4640 N. Lake Dr Certificate of Appropriateness for Demolition (ARC meeting 4-9-2020)

To Whom It Must Concern:

Approximately a year ago ARC and the Village Board denied the Certificate of Appropriateness for Demolition of the unique and historic Howard Reel Residence at 4640 N. Lake Dr. that was designed by the noted Wisconsin architect Richard Philipp. This decision was and still is crucial to the identity of our community and the praiseworthy preservation of its past. The current owner has again requested this certificate! In this last calendar year there have been continued examples of residential teardowns, rebuilds and additions: three most recent examples – 910 E. Silver Spring, 5006 N Woodburn, the convent of Dominican High School. None of these projects have the historical significance of that of the Richard Philipp designed residence. Among the North Shore treasures the Mary Nohl Residence still stands and is maintained because its importance has been acknowledged and valued as it should be. Why would the Village of Whitefish Bay not do the same for one of its architectural treasures? Members of the ARC Board and of the Whitefish Bay Village leadership, please continue to stand strong against these unrelenting attempts to tear down this Whitefish Bay treasure.

Sincerely,

Suzanne M Kessler and John F Kessler, residents of Whitefish Bay since 1973

5008 N Cumberland Blvd, Whitefish Bay, WI 53217-5744

Land: 414-964-6534

4765 North Woodburn Street
Whitefish Bay, WI 53211-1127
thomas@fehring.us 414.332.2182

Thomas H. Fehring, P.E.

April 5, 2020

To: Whitefish Bay Architectural Review Commission
% Joel Oestreich

From: Thomas Fehring
Member, WFB Historic Preservation Commission

Thank you for the opportunity to comment regarding the application for a Certificate of Appropriateness for demolition of the house at 4640 North Lake Drive. As noted, I serve as a member of the Whitefish Bay Historic Preservation Commission. In 2007, Richard and Dana Anderson, owners of the home at that time, asked that the house be considered an historic site under the WFB historic preservation ordinance (no. 1686). In my capacity as a member of the Commission, I researched the historical background of the original occupants of the house, as well as subsequent owners, as well as its architectural significance. I also prepared the nomination, and participated in the subsequent public hearing.

As you may know, this house was designed by Richard Philipp, who was one of the architects for Holy Hill Basilica, the St. Joseph Sanctuary and Kohler Village. He also designed houses for prominent Wisconsinites, including the John Michael Kohler House, the Walter J. Kohler, Sr. house (known as 'Riverbend'), and the Gustave Pabst Estate (all three of which have been placed on the National Register of Historic Homes. In discussing the works of Richard Philipp, architectural historian Richard W. E. Perrin stated that, *"It was the adaptation of the Tudor English forms that Richard Philipps's ability as a designer was most evident. Some of his most important houses of mansion proportions were designed by him for prominent families throughout Wisconsin."*

At the WFB Historic Preservation Commission's hearing, held on June 20, 2007, the it found that:

> *"the house ranks among the most significant examples of the English Tudor Revival Eclectic style in Milwaukee County, that it was designed by noted Wisconsin architect Richard Philipp, that it is an example of exemplary craftsmanship, and that the original owner (Herman Reel) was a significant local historical figure."*

Following its designation, a Village plaque was presented to the owners, who prominently displayed it on the stone wall adjacent to the entrance to the driveway:

As a result, the site's status as a Whitefish Bay historic landmark is unmistakable.

The Village's historic preservation ordinance is designed to preserve historic homes and other sites within the village. As such, the ordinance is important in contributing to the quality of life in Whitefish Bay.

We are aware that there is an interested buyer for this property—a family that would restore the building and preserve it for the future. Please do not permit this residence to be demolished.

Sincerely,

Oestreich, Joel

From: AMY LEVENTHAL <aleventh@ameritech.net>
Sent: Monday, April 6, 2020 2:01 PM
To: Oestreich, Joel
Subject: Message to Commissioners

I am writing to indicate my opinion, as a Whitefish Bay resident, that I am in favor of the request to tear down the 4640 N Lake Drive house owned by John Brodersen. I have been inside the home and understand the condition of the home and the orientation of the home to the lake.

-Amy Leventhal
Whitefish Bay resident

Oestreich, Joel

From: Christine McBride <cmcbride26@yahoo.com>
Sent: Monday, April 6, 2020 12:59 PM
To: Oestreich, Joel
Subject: 4640 N. Lake Drive

Hi Joel,

Hope you are doing well in this current stressful worldwide situation.

Just a quick note re: 4640 N. Lake Drive Whitefish Bay. This house was formerly owned by the Diamond family who are friends of ours and we've been to the house in the past. While it is a historic house, we support the current owners being allowed to tear it down. For years I have taken daily walks down that area of Lake Drive and even before the sale sign was out, we would often see walkers trespass going down the driveway to view the house and see the bluff area there.

In regards to the house itself, having been inside numerous times it truly is a tear-down. While I realize that we are not direct neighbors to 4640, as residents we wanted to show our support of the homeowners option to tear-down.

Thanks,

Christine McBride
5117 N. Palisades Road

Oestreich, Joel

From: Nicole Miskel <nicolemiskel@gmail.com>
Sent: Monday, April 6, 2020 9:37 PM
To: Oestreich, Joel
Subject: Message to Commissioners

To Whom it May Concern:
I am writing in favor of the demolition of the home at 4640 N Lake Dr. I understand that it is up for board review this week. I toured the home previously when I was looking to buy and renovate in Whitefish Bay and unfortunately I believe the restoration would be an unreasonable ask for any home owner.
Thank you,
Nicole Miskel

Oestreich, Joel

From: Chris Miskel <cmiskel@gmail.com>
Sent: Tuesday, April 7, 2020 7:48 AM
To: Oestreich, Joel
Cc: Nicolemiskel
Subject: 4640 N. Lake Drive - John Brodersen

Architectural Review Commission,

Hope everyone there is well during these unprecedented times.

This letter is in support of the demolition of 4640 N. Lake Drive. The home is not suitable for sale...there is no market for it after an extensive listing. The home has significant issues and the best solution for the community is for it to be demolished and rebuilt into something more aesthetically pleasing that also increases its value.

Thank you for your consideration.

Regards,
Chris and Nicole Miskel
Whitefish Bay Resident

Oestreich, Joel

From: Todd Muderlak <toddmuderlak@gmail.com>
Sent: Monday, April 6, 2020 11:14 AM
To: Oestreich, Joel
Cc: Todd Muderlak
Subject: Message to Commissioners

Hello.

I am in SUPPORT of the demolition of the 4640 N. Lake Drive home. I know this home well. It has a beautiful history; however, the structure requires significant investment to be habitable. Much more of an investment than one can justify. This recessed and private location would be best suited for a new establishment or NOTHING.

Thank you

Todd Muderlak

Todd Muderlak

Milwaukee, WI

Mobile: 414.708.1585

The information in this e-mail (including any attachments) is confidential to Todd Muderlak. It is intended solely for the addressee(s); access to anyone else is unauthorized. If this message has been sent to you in error, do not review, disseminate, distribute or copy it. Please reply to the sender that you have received the message in error, then delete it. Thank you for your cooperation.

Oestreich, Joel

From: Reginald Julien <rejulso@gmail.com>
Sent: Monday, April 6, 2020 2:09 PM
To: Oestreich, Joel
Subject: Message to Commissioners

To the Architectural Review Commission of Whitefish Bay Village,

I would like it to be known that my family and I are in favor of the Brodersen's request for a Certificate of Appropriateness to demolish the property located at 4640 N Lake Dr.

Sincerely,
The Julien family
924 East Meadow Pl
Whitefish Bay, WI 53217

Sent from my iPhone

Oestreich, Joel

From: Jane Kim Stephens <jane@launchequity.com>
Sent: Monday, April 6, 2020 11:56 AM
To: Oestreich, Joel
Subject: Message to Commissioners

To Whom it may Concern:
This message is in regards to the house at 4860 owned by John & Brooke Brodersen. I am a neighbor on Lake Drive and I personally toured that house years ago with a realtor as my husband and I were considering buying a house in the neighborhood. We passed on that house because it was in desperate need of repair and the costs to restore the infrastructure, roof, outdated HVAC & electrical system far outweighed the value of the house. While the house is beautiful, I fully understand and support the reasoning for wanting to demolish the house. Building or landscaping something else tastefully in its place would add much more value to the property values on Lake Drive.

Regards,
Jane Stephens
4824 N Lake Drive

Sent from my iPhone

Oestreich, Joel

From: Kate Suriano <ksuriano@me.com>
Sent: Monday, April 6, 2020 4:07 PM
To: Oestreich, Joel
Subject: 4640 Lake

Hi Joel,
Both my husband and I are WFB residents. I was asked to provide an opinion about the property at 4640 Lake street. I've seen this house on the market for quite some time. It is not selling most likely because it requires extensive work. I realize it it a historical home, however I feel that if the current owners would like to demolish it to allow them. It is their property, they have been paying taxes on it for years and have tried to sell it. It doesn't seem fair to make them sit on a property. Perhaps items and architectural elements can be salvaged and repurposed for other homes.

Thank you,
Dr. Jerry and Kate Suriano

Oestreich, Joel

From: Teri Quaintance <teriquaintance@yahoo.com>
Sent: Monday, April 6, 2020 5:52 PM
To: Oestreich, Joel
Subject: message to commissioners

Firstly, I hope that this email finds you well and taking care of yourself and your loved ones. As we respond to the COVID-19 pandemic, which is, of course, our first priority, the "Safer at Home" period lends itself to strange village meeting sessions. I applaud your efforts to continue your duties under these unusual circumstances!

As you are aware, the owner of the historic Herman Reel home at **4640 North Lake Drive**, has sought to demolish this home, designed by noted Wisconsin architect **Richard Philipp**. Thus far, ARC and the Village Board have denied these requests. At the Thursday, April 9, ARC meeting, the homeowner is again requesting a Certificate of Appropriateness for Demolition.

Part of Whitefish Bay's unique character lies in its collection of historic homes. I believe we are all hopeful that a buyer can be found that will acquire and refurbish/maintain the structure. I believe that you, as ARC members, as well as our Village trustees and staff, can make informed decisions regarding future historic properties. **PRESERVING OUR PAST** is important to our community.

I urge the ARC Board and the village leadership to stand strong against Mr. Broderson's continued attempts to tear down this historic home, which **CANNOT** be replaced!!

Thank you for your time and consideration,

Teri Quaintance

Oestreich, Joel

From: Tracy Theisen <tracyt@montessorinorthshore.org>
Sent: Monday, April 6, 2020 5:21 PM
To: Oestreich, Joel
Subject: 4640 N. Lake Drive

Dear Architectural Review Committee,

I would like to recommend deconstruction of the property at 4640 N. Lake Drive. Although it is a beautiful home, and may have historical significance for some, my understanding is that it is beyond repair and poses a health risk to anyone who may reside there in its current condition. In today's economically uncertain times, in my opinion it would not be prudent to invest the money required to bring it up to livable or sellable condition.

I support John and Brooke Brodersen's judgement about what is best for this property. I have known this family for ten years and have great respect and admiration for their contributions to our community. Additionally, they are financially prudent people who make decisions based on solid knowledge, facts, and wisdom. You can trust that this project will be done in the most responsible and respectable manner.

Thank you for your time and consideration.

Tracy Theisen
North Shore Montessori School
4650 N. Port Washington Rd.
Glendale, WI 53212
www.montessorinorthshore.org

Oestreich, Joel

From: Marc Van Bell <mvanbell@ameritech.net>
Sent: Tuesday, April 7, 2020 5:30 PM
To: Oestreich, Joel
Subject: Message to Commissioners

Good afternoon, ARC members,
My name is Marc Van Bell, and I would like to voice my support of the Brodersen demolition permit for 4640 N. Lake Drive. I know John and Brooke will beautify the property and add to the Village tax rolls as a result if they are allowed to proceed.
Sincerely,
Marc R. Van Bell
6100 N Bay Ridge Avenue
Whitefish Bay 53217

Sent from my iPad

Oestreich, Joel

From: tonyvolpe22@gmail.com
Sent: Monday, April 6, 2020 11:13 AM
To: Oestreich, Joel
Subject: 4640 N. Lake Dr John Brodersen

Good Morning
I'm writing to to show my support for the demolition of the house at 4640 N Lake Dr. I have been a member of the WFB community for the past 17 years. I have known Brooke and John for the past 16 years. They have been a big asset to this community. I know John and Brooke with do a top notch job with that property. Thanks Tony Volpe
414-559-5481

Sent from my iPhone

Oestreich, Joel

From: Amy Leventhal <wallacefamily100@gmail.com>
Sent: Monday, April 6, 2020 2:06 PM
To: Oestreich, Joel
Subject: Message to the Commissioners

I am a resident of Whitefish Bay and I believe you are meeting this week to discuss the tear down of 4640 N Lake Drive. I am in favor of the request to tear down the house.

Sincerely,
Ian Wallace
Whitefish Bay resident

Oestreich, Joel

From: Lauren Wolter <lgwolter14@gmail.com>
Sent: Tuesday, April 7, 2020 12:31 PM
To: Oestreich, Joel
Cc: JacobWolter
Subject: Certificate of Appropriateness - J. Brodersen Property (4640 N. Lake Drive)

To the members of the Architectural Review Commission,

Thank you for taking your time to read this email regarding the demolition of the house located at 4640 N. Lake Drive in Whitefish Bay. We are writing this letter in support of John Brodersen, the owner of the home, and his desire to demolish the current home on the property with intent of rebuilding a new home. While we absolutely acknowledge and respect the history of Whitefish Bay and we understand that this is one of the homes found on the village's registry of historic homes; we also recognize that this home is not at all suitable, nor safe to live in.

As we all know, Lake Drive is one of the many places of beauty that is unique to Whitefish Bay. Our family loves to walk, bike and drive down Lake Drive and it was one of the major selling points to us when our family considered moving here. One particular house in Whitefish Bay caught our eye often as we drove, and that is the current home of the Brodersen family. We loved how they decorated for multiple holidays throughout the year, and it's clear they take great pride in their home and their community. We know that John and Brooke Brodersen will put the same care, effort and passion into the property adjacent to them, and the new home that is constructed will preserve both the history of Whitefish Bay, as well as the beauty of this community.

We both ask that you allow John and Brooke Brodersen to demolish the current home on the property, in order to rebuild a new, beautiful, safe and liveable home that will make an excellent addition to the already stellar Lake Drive and our Whitefish Bay community. I am certain the new Brodersen home will be a point of interest for future families and residents of Whitefish Bay, just as their current home was for us!

Thank you so much for your time and your energy in making Whitefish Bay a community we have absolutely fallen in love with. We wish you all good health during these unprecedented times.

Respectfully,
Jacob and Lauren Wolter
6034 N. Lydell Avenue
(414.750.4240)

Oestreich, Joel

From: aeggers41 <aeggers41@yahoo.com>
Sent: Monday, April 6, 2020 10:10 PM
To: Oestreich, Joel
Subject: 4640 Lake Drive

Greetings,

I'm in favor of the removal of the property located on 4640 N Lake Drive. Whether a new home would be built in place or an open lot, it would be a better situation for the community of Whitefosh Bay.

Regards,

Alex Eggers, CFSC

Strength Coach/
Yoga Teacher

Mobile- 414-550-5898

Oestreich, Joel

From: Jill Brodersen <jill_brody@hotmail.com>
Sent: Tuesday, April 7, 2020 7:46 AM
To: Oestreich, Joel
Subject: 4640 n. Lake

Dear WFB board,

Please allow the home at 4640 n. Lake drive in whitefish bay Wisconsin to be torn down. The Brodersen's are a wonderful family who do wonderful things for our community.

Thank you,
Jill Brodersen
5000 n. Lake drive

Oestreich, Joel

From: robert herzog <roberthherzog@gmail.com>
Sent: Tuesday, April 7, 2020 10:46 AM
To: Oestreich, Joel
Subject: Fwd: Comp Analysis for Commissioners
Attachments: Comps 4640 N Lake .xlsx

---------- Forwarded message ---------
From: **Darin M Early** <darin.early@gmail.com>
Date: Fri, Jan 24, 2020, 12:04 PM
Subject: Comp Analysis
To: robert herzog <roberthherzog@gmail.com>

Hi Buck,

See the attached for an analysis of the comps Suzanne provided last week.

I used a standard AAI (American Appraisal Institute) and CFA (Chartered Financial Analysis) methodology that determines how a comp set relates to a subject property. While the comp set Suzanne provided was predominately lake front, and in most cases fully renovated (a few were purchased to be demolished), adjustments had to be made to compare them to 4640, which cannot be demolished, is only 30ft+/- wide, has another home 6+ft away, and a few other variables. This yielded an improved value for 4640 between $1.35-$1.6M.

Even without ASA/CFA adjustments, the value based simply on a $/SF adjustment, (b/c 4640 is smaller than most of the comps) was between $1.6-$1.9M.

It's a bit laughable, but Suzanne's comps clearly show the improved value of 4640 is <$2.0M even from the most aggressive standpoint.

With an aggressive $550K+/- budget which Suzanne agreed would make the place live-able, (see the attached), and another $400K to make it modern, enabling the owner to access the higher end of the price range above, the property should sell for b/w $850-$950K.

If John wants to sell, Suzanne's doing a real disservice by not telling showing him these comps and telling him what the reasonable value of 4640 is renovated.

This analysis is not ready to send to her, so please keep it confidential until I live with it a little more.

Best,

Darin
917.287.7772

North Shore Comparable
Closed Sales >$2.0M
2018-2019

Properties												
Address	**Date Sold**	**City**	**Condition**	**Built**	**Rcd. Price**	**SF**	**$/SF**	**4640 Comparable (?)**	**Comp %**	**Adj $/SF**	**4640 Improved Value**	
Fox Point											**Adjusted**	**Unadjusted**
7736 N Beach Drive	Jan-18	Fox Point	Grand Lux. Teardown	1991- Demo	$3,551,000	*9,317*	*$380.00*	N - Can be demoed	65%	*$247.00*	$1,420,250	$2,185,000
8100 N Beach Drive	Jul-18	Fox Point	Lux, High-Ceilings,	1990's	$3,150,000	*7,945*	*$390.00*	Y - Modern layout	75%	*$292.50*	$1,681,875	$2,242,500
7900 N Beach Drive	Jun-18	Fox Point	Grand Lux, Contemp	1994 - Reno	$2,923,565	*7,387*	*$390.00*	N - Pano Lake/+ high ceilings	65%	*$253.50*	$1,457,625	$2,242,500
6720 N Lake Drive	Mar-18	Fox Point	Grand Lux - Pano Lake	2009	$2,650,000	*8,140*	*$320.00*	N - Pano Lake/+ layout	65%	*$208.00*	$1,196,000	$1,840,000
6810 N Barnett Lane	May-17	Fox Point	Lux - Pano Lake	1959	$1,895,000	*5,454*	*$340.00*	Y - Pano Lake/+ layout	75%	*$255.00*	$1,466,250	$1,955,000
7624 N Beach Drive	May-17	Fox Point	Lux	1930/2010	$2,245,000	*6,793*	*$330.00*	N - Lot/+ layout	65%	*$214.50*	$1,233,375	$1,897,500
6702 N Lake Drive	Jul-16	Fox Point	Grand Lux - Pano Lake	2016	$2,200,000	*7,400*	*$290.00*	N - Pano Lake/+ layout	60%	*$174.00*	$1,000,500	$1,667,500
6836 N Barnett Lane	Sep-15	Fox Point	Lux - Pano Lake View	1931	$1,950,000	*6,104*	*$310.00*	Y - Old Comp	80%	*$248.00*	$1,426,000	$1,782,500
7807 N Club Circle	On Market	Fox Point	Lux- Tudor	1930/2000s	$1,485,000	*5,150*	*$280.00*	Y - Tudor/+ wide layout	90%	*$252.00*	$1,449,000	$1,610,000
~~1717 E Fox Lane~~	~~May-07~~	~~Fox Point~~	~~Grand Lux~~	~~1999~~	~~$2,500,000~~	~~*9,274*~~	~~*$260.00*~~	~~N - 10+ year old comp~~	~~0%~~			
~~7540 N Beach Drive~~	~~Dec-10~~	~~Fox Point~~	~~Grand Lux~~	~~1997~~	~~$3,200,000~~	~~*9,079*~~	~~*$350.00*~~	~~N - 10+ year old comp~~	~~0%~~			
~~6410 N Lake Drive~~		~~Fox Point~~		~~1910/91~~	~~$2,750,000~~	~~*5,856*~~	~~*$460.00*~~	~~N- No recent sale~~	~~0%~~			
~~7912 N Beach Drive~~	~~Apr-06~~	~~Fox Point~~	~~Lux - Pano Lake/Yard~~	~~1957/2004~~	~~$2,450,000~~	~~*5,800*~~	~~*$420.00*~~	~~N - 10+ year old comp~~	~~0%~~			
~~7855 N Club Circle~~	~~Jan-13~~	~~Fox Point~~	~~Grand Lux~~	~~2009~~	~~$2,449,900~~	~~*6,855*~~	~~*$350.00*~~	~~N - Old Comp; Grand Lux~~	~~0%~~			
~~6730 N Lake Drive~~	~~Jun-10~~	~~Fox Point~~	~~Lux- Pano Lake~~	~~2004~~	~~$2,362,500~~	~~*4,825*~~	~~*$480.00*~~	~~N - Old Comp; Grand Lux~~	~~0%~~			
~~1717 E Fox Lane~~	~~May-07~~	~~Fox Point~~	~~Lux- Lot/Ceilings~~	~~1998~~	~~$2,500,000~~		~~*$0.00*~~	~~N - Old Comp/Indoor Pool~~	~~60%~~			
Weighted Average $/SF (recent comps)							***$340.73***			***$237.68***	**$1,366,674**	**$1,959,192**
Shorewood												
4424 N Lake Drive*	Jan-17	Shorewood	Grand Lux	1917/2000s	$2,125,000	*7,252*	*$290.00*	M - Grand Lux	85%	*$246.50*	$1,417,375	$1,667,500
3580 N Lake Drive	Aug-18	Shorewood	Grand Lux	1923	$2,287,500	*7,175*	*$310.00*	M - Grand Lux	85%	*$263.50*	$1,515,125	$1,782,500
3534 N Lake Drive	Nov-18	Shorewood	Grand Lux - Demo	1923	$2,600,000	*9,762*	*$260.00*	M - Grand Lux	85%	*$221.00*	$1,270,750	$1,495,000
Weighted Average $/SF							***$283.83***			***$241.25***	**$1,387,196**	**$1,631,995**
Whitefish Bay												
4724 M Whilshire Rd	Jun-18	Whitefish Bay	Grand Lux - No Lake	1930/2001	$2,075,000	*9,180*	*$220.00*	Y - Tudor; No Lake	120%	*$264.00*	$1,518,000	$1,265,000
5436 N Lake Drive	Apr-16	Whitefish Bay	Lux ++ High-Ceilings	2003	$2,190,000	*7,700*	*$280.00*	M - Lux ++	70%	*$196.00*	$1,127,000	$1,610,000
5866 N Shore Drive	Dec-15	Whitefish Bay	Lux + - Pano views	1932/2000s	$2,250,000	*4,585*	*$490.00*	N- Lux +/layout	65%	*$318.50*	$1,831,375	$2,817,500
4514 N Lake Drive	Sep-15	Whitefish Bay	Lux - Pano views	1947/2000s	$2,350,000	*5,500*	*$420.00*	M - Lux/+ pano views	80%	*$336.00*	$1,932,000	$2,415,000
4744 N Lake Drive	Oct-14	Whitefish Bay	Lux - Pano views/layout	2009	$2,430,000	*5,000*	*$480.00*	M - Lux/ + layout	75%	*$360.00*	$2,070,000	$2,760,000
5200 N Lake Drive	Jun-13	Whitefish Bay	Grand Lux Tudor	1927/2003	$2,125,000	*6,979*	*$300.00*	Y - Grand Lux Old Comp	80%	*$240.00*	$1,380,000	$1,725,000
~~5370 N Lake Drive~~	~~May-04~~	~~Whitefish Bay~~	~~Grand Lux Tudor~~	~~1928/1994~~	~~$2,900,000~~	~~*6,496*~~	~~*$440.00*~~	~~N - Grand Lux Old Comp~~	~~65%~~	~~*$286.00*~~	~~$1,644,500~~	
~~4890 N Lake Drive~~	~~May-07~~	~~Whitefish Bay~~	~~Grand Lux~~	~~1912/2000~~	~~$2,713,000~~	~~*5,418*~~	~~*$500.00*~~	~~N - Grand Lux Old Comp~~	~~65%~~	~~*$325.00*~~	~~$1,868,750~~	
~~5270 N Lake Drive~~	~~Oct-07~~	~~Whitefish Bay~~	~~Grand Lux ++~~	~~1900s/2006~~	~~$6,644,000~~	~~*13,717*~~	~~*$480.00*~~	~~N - Grand Lux ++ Old Comp~~	~~50%~~	~~*$240.00*~~	~~$1,380,000~~	
~~4810 N Lake Drive~~	~~Jan-12~~	~~Whitefish Bay~~	~~Lux - Pano views/layout~~	~~2007~~	~~$2,100,000~~	~~*5,907*~~	~~*$350.00*~~	~~M - Lux/ + layout Old Comp~~	~~70%~~	~~*$245.00*~~	~~$1,408,750~~	
Weighted Average $/SF							***$339.61***			***$275.16***	**$1,582,195**	**$1,952,784**

4640 Renovation Budget - Low End Bids (CONFIDENTIAL NOT FOR RELEASE)		
Scope to Livable Condition*	**Cost**	**Notes**
Foundation Waterproofing	$125,000	N/E/W Only + window wells
HVAC	$135,000	Non-surgical, exposed duck attic/bsmt. only
Plumbing (Internal)	$110,000	Piping only, surgical penetrations; no fixtures
Plumbing (External)	$45,000	Replace sewage lateral only: Check water
Remediation/Restoration	$65,000	Mold only; restore half bsmt great room
Kitchen Appliances	$25,000	Stove/Fridge
Exterior Work	$37,500	Replace select window soffits, eaves, etc.

Sub-total	**$542,500**	
Scope to Comparable Market Conditions*		
Windows	$85,000	Custom to conform with Historic Code
Bathroom/Kitchen Renos	$80,000	3 full, 1 half mid-range tile; redone kitchen high-end
Rework Upstairs Floor plan	$70,000	Master/BR only
Restore Basement	$35,000	From mold remediation
Landscaping	$65,000	Restore sense of individual property only
Bluff Restoration	$45,000	Includes shoring only; Restoration work +125K
Sub-Total	**$380,000**	
Grand Total	**$922,500**	

* Confidential and propriety estimates, not for use or distribution.

Oestreich, Joel

From: Fisher-Lodl_Sarah <Fisher-Lodl_Sarah@Allergan.com>
Sent: Monday, April 6, 2020 12:51 PM
To: Oestreich, Joel
Subject: John Broderson Demolition Project VOTE

Importance: High

To whom this may concern.

I, Sarah Fisher-Lodl (WFB Resident) vote YES to the proposed Demolition of the John Broderson Home at 4640 N. Lake Drive.

Kindly,
Sarah Fisher-Lodl

Senior Business Development Manager
Allergan Medical Facial Aesthetics
Mobile 414.745.5089
Customer Service 1.800.377.7790

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Oestreich, Joel

From: David Frieder <frieds27@gmail.com>
Sent: Monday, April 6, 2020 1:52 PM
To: Oestreich, Joel
Cc: Sara Frieder
Subject: Message to Commissioners

We are Whitefish Bay residents writing in support of John Brodersen's application to demolish his property on Lake Drive. He has made every attempt to sell the property, and all the evidence and facts support his application.

David and Sara Frieder
4623 N Morris Blvd

REGULAR VILLAGE BOARD MEETING

MEETING NOTICE AND AGENDA

WHITEFISH BAY VILLAGE HALL
5300 North Marlborough Drive

Monday, May 6, 2019, 6:00 PM

I. Call to Order and Roll Call

II. Consent Agenda – Upon request of any Trustee, any item may be removed from the Consent Agenda for separate consideration under General Business.

1. Minutes of the regular meeting held on April 15, 2019.
2. Claims for April, 2019.
3. Appointment of Tammy Herpel to the Architectural Review Commission for a term to expire in 2020.
4. Appointment of Aaron Hoffmans to the Architectural Review Commission for a term to expire in 2020.
5. Approval of easement to enable the City of Glendale to construct a connecting trail between Richard E. Maslowski Park and the Milwaukee County Oak Leaf Trail through a portion of a Whitefish Bay owned yard waste site.

III. Report of Village Officers

1. Village Attorney
2. Village Manager
3. Village President
4. Miscellaneous Trustee

IV. Petitions and Communications – This is an opportunity for anyone to address the Village Board on any issue NOT on the current agenda. While the Board encourages input from residents of the Village, it may not discuss or act on any issue that is not duly noticed on the agenda.

V. General Business

1. Discussion/action on Interconnection Agreement with We Energies for the Public Works Facility Passive Solar Array Project.

2. Discussion/action on Incentive RECIP Grant Award Agreement with Focus on Energy for the Public Works Facility Passive Solar Array Project.

3. Discussion/action on Focus on Energy Formal Statement Committing to RECIP Incentive Reduction for Failure to Meet Project Completion Date for the Public Works Facility Passive Solar Array Project.

4. The Board may convene into Closed Session pursuant to Wisconsin State Statute §19.85(1)(e) deliberating or negotiating the purchase of public property, investing of public funds, conducting other specified business whenever competitive and/or bargaining reasons require a closed session – specifically regarding a Declaration of Deed Restrictions; and pursuant to Wisconsin State Statute §19.85(1)(g) to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved – specifically regarding a request for a Certificate of Appropriateness. The Village Board will reconvene into open session after the closed session.

5. Discussion/action on appeal of ARC decision regarding the denial of a Certificate of Appropriateness for demolition of the house at 4640 N. Lake Dr.

VI. Adjourn

Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. Contact Village Hall at (414) 962-6690. It is possible that members of and possibly a quorum of members of other Boards, Commissions, or Committees of the Village including in particular the Architectural Review Commission may be in attendance in the above stated meeting to gather information; no action will be taken by any other Boards, Commissions, or Committees of the Village except by the Board, Commission, or Committee noticed above. Agendas and minutes are available on the Village website (www.wfbvillage.org)

DAVIS | KUELTHAU
attorneys at law

MEMORANDUM

To: Board of Trustees, Village of Whitefish Bay

From: Christopher J. Jaekels, Village Attorney

Date: May 2, 2019

Subject: Request for Certificate of Appropriateness for Demolition of Historically Designated Home at 4640 North Lake Drive

Background

Last fall, the owners of the home at 4640 North Lake Drive requested permission from the Architectural Review Commission ("ARC") to demolish the home. In 2007, the home was, with the consent of a prior owner at that time, designated by the Historic Preservation Commission ("HPC") as an historic structure. Under the Historic Preservation Ordinance (Section 16.25), structures can only be designated historic with the permission of the owner. Also under the Ordinance, any alterations to the structure, including demolition, require the issuance of a "Certificate of Appropriateness" ("COA"). Alterations and demolition are not prohibited so long as the Applicants satisfy the Code and obtain the COA. Under Section 16.25(5)(b)3 (attached). A Certificate of Appropriateness for demolition can be issued if the Applicants show:

> good faith efforts for a period of at least sixty (60) days to secure a buyer who agrees to, or otherwise secures a means to, preserve, relocate, reuse, or otherwise rehabilitate the historic ... structure utilizing a reasonable level of resources available to the owner or buyer.

The Section goes on to empower the ARC to issue the COA with additional restrictions in the demolition permit including, but not limited to, waiting or negotiation periods of up to sixty (60) days, additional efforts to preserve or sell the property for periods of up to sixty (60) days, salvage or recycling of artifacts, donation or sale of all or portions of the structure, or the measurement, recording and photographing of the structure so as to make an historic record.

Any decision by the ARC is appealable to the Village Board pursuant to Section 16.25(5)(c)1 (attached) which states:

> any aggrieved person, including the owner or applicant, may appeal a decision regarding a Certificate of Appropriateness for demolition to the Village Board within thirty (30) days. The Village Board shall render its decision based on the record and on any additional evidence presented to it by the aggrieved person and the owner or applicant.

Phone 414.276.0200 Direct 414.225.1409 Fax 414.278.3609
111 E. Kilbourn Avenue, Suite 1400, Milwaukee, WI 53202
cjaekels@dkattorneys.com

Procedural Posture of 4640 North Lake Drive Certificate of Appropriateness

On January 10, 2019, the Applicants submitted a request for a COA to demolish the structure. The Applicants submitted evidence of satisfaction of Section 16.25(5)(b)3 at that time. The ARC heard the matter on January 24, 2019. At that hearing, the Applicants presented their evidence that they had satisfied the requirements of the Ordinance.

The ARC directed that the Applicants return to the ARC in twenty-eight (28) days to demonstrate:

1. "Continued efforts to relocate property or rehabilitation by the 21st of February";
2. "Documentation of efforts already made";
3. "Cost estimates to relocate";
4. "Cost estimates to rehabilitate";
5. "Efforts to reuse, teardown and rebuild elsewhere"; and
6. "Efforts to sell the house."

The Applicants returned to the ARC on March 21, 2019 and presented additional evidence of satisfaction of the requirements of the ARC and the Ordinance. The ARC denied the request after general discussion of whether the requirements of Section 16.25(5)(b)3 had been met.

This Appeal

The Applicants timely filed this Appeal to appear before the Village Board regarding the issuance of a COA for the demolition of the home. On April 5, by letter of counsel, the Applicants submitted their position with regard to whether they had satisfied the requirements of the Ordinance.

Standard of Review Before the Village Board

Under the Ordinance, the Village Board renders its decision ***based on the record and any additional evidence presented to it by the aggrieved person and the owner or applicant.***

The Village Board, therefore, is to review the materials in the packet from the prior proceedings before the ARC and to consider any additional evidence presented to it by the Applicants. The only evidence to be considered is that which is in the record and that which is presented by the Applicants before the Village Board. While other comments from third parties (ARC, HPC, neighbors, etc.) might be heard, no ***evidence*** can be presented by other parties, and such ***third-party comments cannot form the basis for the Board's decision***.

The Village Board has the authority to issue the COA, to deny it, or issue the COA with conditions, all based on its findings that the Applicants have, have not, or will (with conditions) satisfy the requirements in Section 16.25(5)(b)3.

Next Level of Appeal

Any further proceedings (appeal of issuance or denial of the COA, action for taking of property, etc.), would have to occur in Circuit Court. No further Village administrative proceedings in this matter are available in the Village Code.

CJJ:dasA

available options to satisfy the requirements of this subparagraph do not constitute an undue burden on the applicant;

ii. In the case of the construction of a new improvement upon an Historic Site, the exterior of such improvement would adversely affect or not harmonize with the external appearance of neighboring improvements on such site and available options to satisfy the requirements of this subparagraph do not constitute an undue burden on the applicant;

3. The Architectural Review Commission (or CDA where appropriate) shall not issue a Certificate of Appropriateness for demolition unless the applicant has shown that it has made good faith efforts for a period of at least sixty (60) days to secure a buyer who agrees to, or otherwise secures a means to, preserve, relocate, reuse, or otherwise rehabilitate the Historic Site or Structure utilizing a reasonable level of resources available to the owner or buyer. The Architectural Review Commission (or CDA where appropriate) may impose such additional restrictions or requirements in the demolition permit as it deems reasonably necessary, including, but not limited to: the imposition of waiting or negotiation periods of up to sixty (60) days, the requirement of additional efforts to preserve or sell the property for periods of up to sixty (60) days, the salvage or recycling of historic artifacts, the donation or sale of all or
portions of the Historic Site or Structure for removal, or the measurement, recording, and photographing of the structure so as to make an historic record.

4. The issuance of a Certificate of Appropriateness shall not relieve the applicant from obtaining other permits and approvals required by the Village. A building permit or other municipal permit shall be invalid if it is obtained without the presentation of a Certificate of Appropriateness required for the proposed work.

5. Ordinary maintenance and repairs may be undertaken without a Certificate of Appropriateness provided that the work involves

repairs to existing features of an Historic Structure or Site or the replacement of elements of a structure with pieces identical in appearance and provided that the work does not change the exterior appearance of the Historic Structure or Site and does not require the issuance of a building permit.

6. In addition, in determining whether to issue a Certificate of Appropriateness for activities other than demolition, the Architectural Review Commission (or CDA where appropriate) shall consider and may give decisive weight to any or all of the following standards:

environment would be unimpaired.

7. The Architectural Review Commission (or CDA where appropriate) shall make its decision regarding a Certificate of Appropriateness within thirty (30) days of the filing of the application. If the Architectural Review Commission (or CDA where appropriate) denies a Certificate of Appropriateness, the Architectural Review Commission (or CDA where appropriate) shall, with the cooperation of the applicant, work with the applicant in an attempt to issue a Certificate of Appropriateness within the terms of this Section. Failure of the Architectural Review Commission (or CDA where appropriate) to act on the application within thirty (30) days shall constitute an approval of the application entitling the applicant to proceed under the terms of the application for a Certificate of Appropriateness.

(c) Appeals

1. Demolition Permits. Any aggrieved person, including the owner or applicant, may appeal a decision regarding a Certificate of Appropriateness for demolition to the Village Board within thirty (30) days. The Village Board shall render its decision based on the record and any additional evidence presented to it by the aggrieved person and the owner or applicant.

2. All Other Permits. Any aggrieved person, including the owner or applicant may appeal such decision to the Board of Appeals within thirty (30) days.

(d) Recognition of Historic Structures, and Sites.

At such time as an Historic Structure or Site has been properly designated, the Commission, in cooperation with the property owner, may cause to be prepared and erected on such property, utilizing funds as made available by the Village, a suitable plaque declaring that such property is an Historic Structure.

(6) Procedures.

(a) Designation of Historic Structures and Historic Sites

1. The Commission may, after notice and public hearing, designate or rescind (in whole or in part) Historic Structures or Historic Sites after application of the criteria in Section (4) above. No Historic Site or Historic Structure may be designated, without consent from an owner of the Site
or Structure to such designation. At least thirty (30) days prior to such hearing, the Commission shall publish a Class I notice pursuant to Wisconsin statutes and shall notify the owner(s) of record, as listed in the office of the Village Assessor.

CERTIFICATE OF APPROPRIATENESS APPLICATION FORM

Incomplete applications will not be processed for Commission review. Please print legibly.

1. **HISTORIC NAME OF PROPERTY OR HISTORIC DISTRICT (If known):**

   4640 N. Lake Drive, 1 property no Historic District

2. **NAME AND ADDRESS OF OWNER:**
   Name(s): JOHN BRODERSEN / ROB RUVIN
   Address: 4646 N. Lake Drive
   City: Whitefish Bay State: WI Zip: 53211
   Phone Number (home/cell): (414) 807 8080
   Phone Number (work): same
   Email address: john@jbbfoods.com

3. **APPLICANT, AGENT OR CONTRACTOR (If different from owner):**
   Name(s): ROB RUVIN / RUVIN CONSULTING, LLC
   Address: P.O. BOX 170215
   City: Milwaukee State: WI Zip: 53217
   Phone Number (home/cell): (414) 688 3706
   Phone Number (work): (414) 688 3706
   Email address: Rob@robertruvin.com

4. **ATTACHMENTS (Because projects can vary in size and scope, please call the Building Services at 414-962-6690 for submittal requirements):**
   X Demolition
   ____ Exterior Modification

5. **DESCRIPTION OF PROJECT: Describe all proposed work including materials, design, and dimensions per Municipal Code Section 16.25(5)(b)(1-3) as applicable. Additional pages may be attached.**

   Dismantling of structure, backfill with construction grade fill.

6. **Do you agree with the Historic Designation on your home? Yes ____ No X**
7. **SIGNATURE OF APPLICANT:**

Signature	Printed Name	Date
	JOHN BRODERSEN ROB RUVIN	1/10/19

This form and all supporting documentation **MUST** arrive by 4:30 noon on the deadline date established to be considered at the next Architectural Review Commission Meeting. Any information not provided to staff in advance of the meeting will not be considered by the Commission during their deliberation. Please call if you have any questions and staff will assist you.

Contact the Building Services Department with Questions
414-962-6690
5300 N. Marlborough Drive, Whitefish Bay, WI, 53217

Staff Use Only*

ARC Chair Signature ____ Date ____

Village of Whitefish Bay
5300 N Marlborough
Whitefish Bay, WI 53217
Phone 414-962-6690
Fax 414-962-5651

Building Permit

Permit Number

Tax Key # 2371215
ARC # 2238-18-10X
Zoning
EC #

Project Address: 4640 N. Lake Drive

Project Owner's Name JOHN BRODERSEN (4646 Lake Dr LLC) Phone 414 807 8080

Project Desription Demolition

Contractor's Name

License DC#

Contractor's Phone No.

License DCQ#

Contractor's Address

City, State, Zip

Signature of Applicant

Date 10/8/18

The applicant agrees to comply with the Municipal Ordinance and with the conditions of this permit; understands that the issuance of the permit creates no legal liability, expressed or implied of the Department, Municipality, or Inspector; and certifies that the above information is accurate. Have permit number and address when requesting inspections. Call 414-962-6690. Give at least 24 hours notice on all inspections. Permit expires per Chapter 11, Rule 1(8).

Electrical Contractor Name and Phone No.
Plumbing Contractor Name and Phone No.
HVAC Contractor Name and Phone No.

Area Involved (sqr ft)	Minimum Permit Fee.....$60.00
Basement	Re-inspection Fee.....$50.00
Living	Failure to call for inspection.....$50.00
Garage	Missed Appointment Fee.....$50.00
other	Min Building Permit Commercial Buildings ...$100.00
TOTAL	Sign Permit Fee (per sign).....$50.00
	** 4 X Fee for work started prior to permit

Whitefish Bay Will Not Collect Contractor Waste

ALL FEES NON-REFUNDABLE

Cost of Entire Project
Permit Fee $8.00/1000 of costs
Copy of Contracts may be required

$

Conditions

Permit Fee	Permit Issued By Municipal Agent	Permit Expires In:
ARC Review 100 pd/100 pd	Name	6 Months Ø
EC		
Zoning		
Demo	Date	18 Months O
Permit		
Total	Certification No.	24 Months O

TZ-19-01X

The applicant is seeking a certificate of Appropriateness from ARC to be able to raze the house located at 4640 N. Lake Dr.

Travieso, Maggie

Subject: FW: 4640 N Lake Dr

Begin forwarded message:

From: Rob Ruvin <rob@robertruvin.com>
Date: March 21, 2019 at 3:39:06 PM CDT
To: "'Riopel, Michael'" <Michael.Riopel@huschblackwell.com>
Subject: FW: 4640 N Lake Dr

[EXTERNAL EMAIL]

Mike,

Here is an update from my brother regarding 4640.

Rob

Rob Ruvin
414-688-3706 (txt)
rob@robertruvin.com

From: Richard Ruvin [mailto:richard@falkruvin.com]
Sent: Thursday, March 21, 2019 9:52 AM
To: Robert Ruvin
Subject: 4640 N Lake Dr

Rob,

This is a follow up to our discussion yesterday.

Despite continued outreach, we have not found a party interested in purchasing the subject property to relocate it elsewhere. As you know, this is not something most buyers are looking to do. It is further complicated by the lack of available land within reasonable proximity, the economics involved, and the functional obsolescence of the home itself.

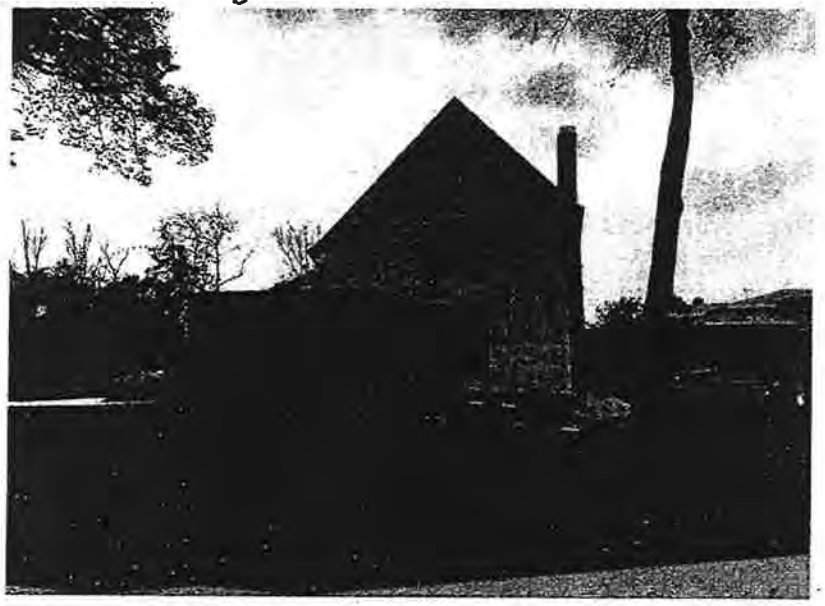
Richard Ruvin, CEO
Falk Ruvin Team
Keller Williams
205 E Silver Spring Dr
Whitefish Bay, WI 53217
414-914-5300 Office
414-688-3935 Cell
www.falkruvin.com

4640 Lake Drive
Whitefish Bay

Presentation for Certification
of Appropriateness

The home is facing the wrong direction. The front door faces south, directly across from the neighbors living room windows. It would look better turned 90 degrees, but the lot is not wide enough.

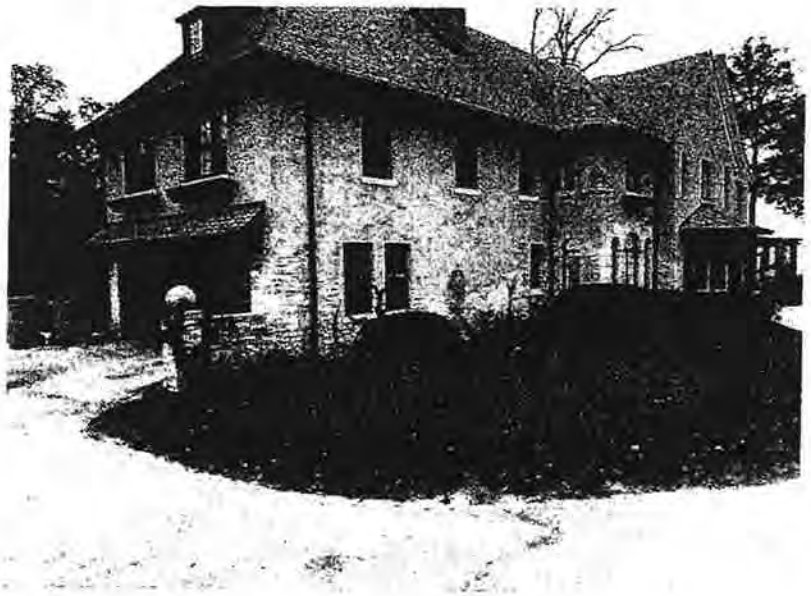
The home lacks good views of the lake



From Lake Drive, all you see is a two car garage

The front of the house looks better

South West Corner



South face, front door

The north face of the house is 3 feet from the property line

North Face

North West Corner

HUSCH BLACKWELL

Michael L Riopel
Lawyer

555 East Wells Street, Suite 1900
Milwaukee, WI 53202-3819
Direct: 414.978.5648
Fax: 414.223.5000
michael.riopel@huschblackwell.com

March 18, 2019

Via E-Mail to: j.oestreich@wfbvillage.org

Village of Whitefish Bay
Architectural Review Committee
5300 N. Marlborough Drive
Whitefish Bay, WI 53217

Village of Whitefish Bay
Architectural Review Commission
Approved ____ Tabled ____
Denied X Conditionally Approved ____
Approved, stamped plans must be on-site for all inspections.
Meeting Date 3-21-19

Attention: Architectural Review Committee

Re: 4640 Lake Drive, Whitefish Bay, Wisconsin

Dear Mr. Oestreich:

Enclosed herewith in preparation of our scheduled meeting on Thursday, March 21, 2019 at 5:30p.m. please find the following requested information:

1. Project Scope from Ruvin Consulting, LLC with details which estimates the cost for renovation of the existing residence to be approximately $1.2MM;

2. Proposal from Robert Schafer Construction outlining the cost and expense of moving the residence and preserving the complete structure at another location with estimates of costs to be approximately $2.9MM;

3. Email correspondence outlining the continued efforts for sale of the existing structure by Rick Ruvin of Falk Ruvin; and

4. Letter from Habitat for Humanity outlining proposal for donation of the demolished structure for contribution to local rehabilitation and building in Milwaukee furthering the Habitat for Humanity's mission.

Very truly yours,

Michael L. Riopel

MLR/jmh
Enclosure

cc: Christopher J. Jaekels (via e-mail w/enclosure: cjaekels@dkattorneys.com)
Lauren A. Triebenbach (via e-mail w/enclosure: ltrieben@vonbriesen.com)
Paul Boening (via e-mail w/enclosure: p.boening@wfbvillage.org)

Ruvin Consulting, LLC

PROJECT SCOPE

Site: 4640 N Lake Drive WFB WI 53217 **Date: 8/2018 - 2/2019 estimate**

Project : Remediate and Renovate the Existing Single Family Residence

Includes:

- Secure necessary permits
- Demolition of Lower Level and main level as needed for new mechanicals and bathroom updates
- Remediation of Lead and Asbestos
- Remediation of Mold - Lower level and main floor
- New electrical wiring - new breaker panels and low volt communication wiring
- New plumbing waste water and vent piping
- New storm and sanitary sewer laterals
- New water service (since new sewer lateral is being installed)
- Existing doors and leaded glass windows to remain
- Restore and modify kitchen and update bathrooms
- Plaster and drywall repairs as needed
- Painting and staining as required

- New flooring in updated bathroom
- New wood flooring on main level
- Tile in foyer to remain intact
- New plumbing fixtures
- New lighting fixtures figured where missing
- Existing garage door and opener to remain
- Landscape/driveway patching as required
- Final Inspections
- Final cleaning

Scope Does NOT Include:

- Architectural or structural engineering
- Interior design
- MEP design or engineering
- AV or security system
- Moving, storage or furnishings
- Wall Coverings

Scope: Renovation of Existing Residence
Address: 4640 N Lake Drive WFB WI 53217
Drawing: TBD

Architect: TBD

Original Estimate Date: 8/2018 Revision Date: 2/2019

Sect	Description	Qty	Unit Type	Price/Unit	Cost/SF	Budget	Actual Cost	Additional Notes
DIV 0	BUILDING METRICS							
	Number Of Units	1.00	Units					
	Number of Floors	1.00	Each					
	Living Area	8500.00	SF					
	Anticipated Start Date	3/1/19	Date					
	Total Building Area	11000.00	SF					
	Project Duration	2.00	Months					
	Building Footprint		SF					
	Perimeter		LF					
DIV 1	DIRECT PROJECT COSTS (GENERAL CONDITIONS)					$57,200.00	$0.00	
01040	Field Superintendent	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01042	General Field Superintendent	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01050	Project Management	8.00	Formula	$0.00	$0.00	$32,000.00	$0.00	
01055	Permits - General	0.00	SF	$0.40	$0.00	$3,500.00	$0.00	
01500	OSHA/Safety Equipment	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01505	Temporary Utilities - Electric	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01510	Temporary Utilities - Gas	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01515	Temporary Utilities - Water	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01525	Equipment Rental	0.00	Month	$0.00	$0.00	$0.00	$0.00	
	Forklift	0.00	Month	$0.00	$0.00	$0.00	$0.00	
	Bobcat	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01550	Trailer/Site Office	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01550	Site security allowance	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01560	Port-a-John	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01580	Project Identification	0.00	Each	$0.00	$0.00	$0.00	$0.00	
01590	Jobsite Office Supplies	0.00	Month	$0.00	$0.00	$0.00	$0.00	
	Office Equipment	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01630	Site Trips/PM Travel Expenses	0.00	Month	$0.00	$0.00	$0.00	$0.00	
	Superintendent Fuel Allowance	0.00	Month	$0.00	$0.00	$0.00	$0.00	
	Superintendent's vehicle	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01700	Dumpsters / Hauling	1.00	Unit	$0.00	$0.00	$4,500.00	$0.00	dumpsters and hauling
01710	Progress Cleaning	1.00	LS	$0.00	$0.00	$2,500.00	$0.00	
01720	Final Cleaning	1.00	SF	$0.00	$0.00	$1,200.00	$0.00	
01730	Document Reproduction	1.00	Allow	$0.00	$0.00	$600.00	$0.00	
01800	Temporary Protection	1.00	LS	$0.00	$0.00	$2,500.00	$0.00	
	Misc. Labor	0.00	Unit	$0.00	$0.00	$7,500.00	$0.00	
01810	Temporary Access Roads	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01820	Snow Removal	0.00	Per Snow	$0.00	$0.00	$0.00	$0.00	
01850	Copies/Postage	0.00	SF	$0.00	$0.00	$0.00	$0.00	
01900	Fit & Finish	0.00	LS	$0.00	$0.00	$1,500.00	$0.00	
01910	Patching to Match	0.00	lk	$0.00	$0.00	$500.00	$0.00	
01950	Closeout Documentation	1.00	Each	$0.00	$0.00	$1,000.00	$0.00	
DIV 2	SITEWORK					$101,000.00	$0.00	
2070	Demolition							
	Demolition	1.00	LS	$0.00	$0.00	$29,000.00	$0.00	
	Remediation	0.00	LS	$0.00	$0.00	$62,000.00	$0.00	Asbestos, lead and mold
	Excavation	0.00	LS	$0.00	$0.00	$0.00	$0.00	
	Trucking	0.00	LS	$0.00	$0.00	$0.00	$0.00	

Scope: Renovation of Existing Residence
Address: 4640 N Lake Drive WFB WI 53217
Drawing: TBD

Architect: TBD

Original Estimate Date: 8/2018

Revision Date: 2/2019

Sect	Description	Qty	Unit Type	Price/Unit	Cost/SF	Budget	Actual Cost	Additional Notes
	Landscaping	0.00	Unit	$0.00	$0.00	$10,000.00	$0.00	Patching after laterals installed
DIV 3	CONCRETE					$22,200.00	$0.00	
3100	Concrete							
	Concrete	0.00	LS	$0.00	$0.00	$5,000.00	$0.00	patching
	Concrete - Other	0.00	LS	$0.00	$0.00	$1,200.00	$0.00	firestopping
	Core Drilling	0.00	LS	$0.00	$0.00	$11,000.00	$0.00	
3102	Concrete Testing	0.00	Month	$0.00	$0.00	$0.00	$0.00	
3410	Precast Concrete							
	Precast Concrete	0.00	SF	$0.00	$0.00	$0.00	$0.00	
3870	Gypsum Concrete Floors - Leveling or Repair	0.00	SF	$0.00	$0.00	$5,000.00	$0.00	
DIV 4	MASONRY					$0.00	$0.00	
4100	Masonry	0.00	SF	$0.00	$0.00	$0.00	$0.00	
DIV 5	METALS					$0.00	$0.00	
5120	Steel Railings and Guard Railings	0.00	LF	$0.00	$0.00	$0.00	$0.00	
5120	Ornamental Metals	0.00	Each	$0.00	$0.00	$0.00	$0.00	included in cabinetry/millwork
DIV 6	WOOD & PLASTICS					$225,500.00	$0.00	
6100	Carpentry Labor - Rough	1.00	SF	$0.00	$0.00	$15,000.00	$0.00	
6105	Carpentry Labor - Finish	1.00	SF	$0.00	$0.00	$60,000.00	$0.00	
6110	Rough Framing Materials	1.00	LS	$0.00	$0.00	$15,000.00	$0.00	
6113	Carpentry Consumables	0.00	LS	$0.00	$0.00	$2,500.00	$0.00	
6250	Millwork / Cabinetry (material only)	0.00	Allow	$0.00	$0.00	$110,000.00	$0.00	
6450	Counter Tops (material and install)	0.00	Allow	$0.00	$0.00	$20,000.00	$0.00	
DIV 7	THERMAL & MOISTURE					$12,700.00	$0.00	
7210	Building Insulation	0.00	SF	$0.00	$0.00	$12,000.00	$0.00	building and sound
7900	Sealants & Caulking	0.00	Estimate	$0.00	$0.00	$700.00	$0.00	firestopping
DIV 8	DOORS & WINDOWS					$22,500.00	$0.00	
8110	Doors and Windows							
	Exterior Windows / Doors	0.00	Unit	$0.00	$0.00	$0.00	$0.00	
	Interior Doors / Windows / Frames / H	0.00	Unit	$0.00	$0.00	$0.00	$0.00	included in millwork budget
8410	Storefront Entrance Doors	0.00	# of Door Panels	$0.00	$0.00	$0.00	$0.00	
8700	Hardware	0.00	$	$0.00	$0.00	$12,500.00	$0.00	Door, cabinet, accessories

Scope: Renovation of Existing Residence
Address: 4640 N Lake Drive WFB WI 53217
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Architect: TBD

Original Estimate Date: 8/2018 Revision Date: 2/2019

Sect	Description	Qty	Unit Type	Price/Unit	Cost/SF	Budget	Actual Cost	Additional Notes
	Doors	0.00	#	$0.00	$0.00	$0.00	$0.00	
	Exterior Windows	0.00	EA	$0.00	$0.00	$0.00	$0.00	
8810	Mirrors and Shower Doors	0.00	Unit	$0.00	$0.00	$10,000.00	$0.00	
DIV 9	FINISHES					$193,500.00	$0.00	
9210	Drywall	1.00	LS	$0.00	$0.00	$24,000.00	$0.00	Basement level
	Plaster	1.00	LS	$0.00	$0.00	$46,000.00	$0.00	Main level
	Patching	0.00	LS	$0.00	$0.00	$5,500.00	$0.00	
9510	Acoustical Ceiling	0.00	SF	$0.00	$0.00	$0.00	$0.00	
9685	Flooring--carpeting	0.00	LS	$0.00	$0.00	$9,500.00	$0.00	
	Floor install--wood	1.00	SF	$0.00	$0.00	$30,000.00	$0.00	
	Flooring Materials	1.00	LS	$0.00	$0.00	$0.00	$0.00	
	Floor Repair and Leveling	0.00	LS	$0.00	$0.00	$2,500.00	$0.00	
9630	Flooring	1.00	LS	$0.00	$0.00	$0.00	$0.00	
9900	Painting (General)	1.00	LS	$0.00	$0.00	$71,000.00	$0.00	
	Painting (Walls and Ceilings)	0.00	LS	$0.00	$0.00	$0.00	$0.00	Included above
	Painting (Trim and Millwork)	0.00	LS	$0.00	$0.00	$0.00	$0.00	Included above
	Painting (Doors)	0.00	LS	$0.00	$0.00	$0.00	$0.00	Included above
	Staining	0.00	LS	$0.00	$0.00	$0.00	$0.00	Included above
9960	Wall Coverings	0.00	Unit	$0.00	$0.00	$5,000.00	$0.00	labor allowance
9310	Tile (Labor)	0.00	LS	$0.00	$0.00	$36,000.00	$0.00	labor only
	Tile (Materials)	0.00	LS	$0.00	$0.00	$25,000.00	$0.00	allowance
	Tile (Shipping)	0.00	LS	$0.00	$0.00	$0.00	$0.00	included above
DIV10	SPECIALTIES					$12,500.00	$0.00	
10240	Wall & Corner Guards	0.00	Each	$0.00	$0.00	$0.00	$0.00	
10415	Signage	0.00	# of Units	$0.00	$0.00	$0.00	$0.00	
	Fire Extinguishers	0.00	# w/o Cabinets	$75.00	$0.00	$0.00	$0.00	
_10550	Postal Specialties	0.00	Number of Boxes	$0.00	$0.00	$0.00	$0.00	
10800	Toilet & Bath Accessories	0.00	Unit	$0.00	$0.00	$0.00	$0.00	
10900	Closet Shelving	0.00	Unit	$0.00	$0.00	$12,500.00	$0.00	melamine
DIV 11	EQUIPMENT					$20,000.00	$0.00	
11450	Appliances	0.00	Unit	$0.00	$0.00	$20,000.00	$0.00	
DIV12	FURNISHINGS					$0.00	$0.00	
12510	Window Treatments	0.00	Unit	$0.00	$0.00	$0.00	$0.00	N/C
DIV13	SPECIAL CONSTRUCTION					$0.00	$0.00	
		0.00	Unit	$0.00	$0.00	$0.00	$0.00	
		0.00	Unit	$0.00	$0.00	$0.00	$0.00	
DIV14	CONVEYING SYSTEMS					$0.00	$0.00	

Scope: Renovation of Existing Residence
Address: 4640 N Lake Drive WFB WI 53217
Drawing: TBD

Architect: TBD

Original Estimate Date: 8/2018 Revision Date: 2/2019

Sect	Description	Qty	Unit Type	Price/Unit	Cost/SF	Budget	Actual Cost	Additional Notes
14210	Elevator	0.00	Unit	$0.00	$0.00	$0.00	$0.00	
DIV 15	MECHANICAL					$226,600.00	$0.00	
15300	New Sewer Lateral	0.00	LS	$0.00	$0.00	$30,000.00	$0.00	Storm and sanitary
	New Water Lateral	0.00	Unit	$0.00	$0.00	$10,000.00	$0.00	
15400	Plumbing Labor	0.00	Unit	$0.00	$0.00	$67,600.00	$0.00	
	Plumbing Fixtures	0.00	Unit	$0.00	$0.00	$35,000.00	$0.00	allowance
15500	HVAC (Labor and Materials)	0.00	LS	$0.00	$0.00	$84,000.00	$0.00	New boiler and ac
	HVAC - Modifications	0.00	Unit	$0.00	$0.00	$0.00	$0.00	
DIV16	ELECTRICAL					$139,430.00	$0.00	
16100	Electrical - Base Wiring	1.00	Unit	$0.00	$0.00	$99,430.00	$0.00	includes rough-in fixtures
	Electrical - Materials	0.00	LS	$0.00	$0.00	$0.00	$0.00	
	Phone, computer, AV, Low volt	0.00	Allow	$0.00	$0.00	$25,000.00	$0.00	
	Fire alarm	0.00	Allow	$0.00	$0.00	$0.00	$0.00	
	Misc	0.00	Allow	$0.00	$0.00	$0.00	$0.00	
	Security	0.00	Allow	$0.00	$0.00	$0.00	$0.00	N/C
16105	Unit Light Fixtures	0.00	Unit	$0.00	$0.00	$25,000.00	$0.00	allowance
	Common Area Lighting	0.00	Unit	$0.00	$0.00	$0.00	$0.00	
	CHANGE ORDERS							

Additional notes:	SUBTOTAL	$1,673,630.00	$0.00
By others:	CONTINGENCY	$20,000.00	$0.00
Architectural fees	INSURANCE	$5,475.51	$0.00
Mechanical design	OVERHEAD AND PROFIT	$85,890.40	$0.00
Furnishings storage or moving	TOTAL ESTIMATED	$1,184,995.91	$0.00
Window treatments	cost per sq. ft.	$139.41	#VALUE!
Wall Coverings	cost per unit	$1,184,995.91	#VALUE!

F
R
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Robert Schafer Construction
1528 N Green Bay Road
Grafton, WI 53024
414-241-8024

Proposal

Proposal Submitted to:	Date 2/4/2019	
Name Rob Ruvin / John Brodersen	Job Name 4640 - house relocation cost estimate	
Street 4646 N Lake Drive	Street 4640 N Lake Drive	
City Milwaukee	City Milwaukee	State WI
State WI 53217	Phone 414-688-3706	

We hereby submit a PROPOSAL for the following work:

Lift and move building structure - Using the subcontracted services of EIS Building Movers in one piece. Disconnect all utilities - electrical, plumbing, sewer and gas. Move home North to Hampton Rd or South to Capitol Drive. Place home on new foundation on east of west side of Lake Drive.
Budget $360,000. Timeframe of prep work is 3 weeks and lift to set is 2 weeks weather permitting. Site must be ready to accept the new structure. Allowance for permits, road closure, traffic control and possible tree and possible electrical line or light pole work - $40,000.00

New foundation - block wall, waterproofing and insulation $68,000.00

New utilities - electrical service, sewer, water and gas $55,000.00

Renovate the house + update mechanicals $650,000.00

Driveway and landscape $50,000.00 (new site)

Assumption on cost of lot to place house and demolition of the existing residence located there (one lot east side of lake drive and two lots/homes west of Lake Drive $1,500,000.00

My Fee $190,000.00 (would need to be a minimum guaranteed fee)

Items not included in this PROPOSAL:
-Demolition of foundation
-Any landscape or driveway repair at 4640
-Tree and bush removal at either site and retaining wall removal completed on a T&M basis
-Backfilling of the existing foundation

Project Cost Summary:

$2,913,000.00 Project Budget - Value of the renovated house will likely be +/- $2,250,000.00 East side of Lake Drive and +/- $1,600,000.00 West of Lake Drive.

NOTE: In order to agree to undertake this project I would need to be guaranteed to make a $190,000.00 fee for my time. So the gap amount you will likely need to make up will be +/- $663,000.00 to $1,313,000.00 - including my Fee.

Thank you,

Robert Schafer

Robert Schafer Construction, LLC

Rob Ruvin

From: Richard Ruvin [richard@falkruvin.com]
Sent: Thursday, January 24, 2019 7:47 AM
To: Rob Ruvin
Subject: Re: 4640 N Lake Dr

Rob,

Despite my best efforts since the 12/3/18 correspondence below, our search still hasn't uncovered any viable opportunities.

Richard Ruvin, CEO
Falk Ruvin Team
Keller Williams
205 E Silver Spring Dr
Whitefish Bay, WI 53217
414-914-5300 (office)
414-688-3935 (cell)
richard@falkruvin.com
www.falkruvin.com

On Jan 24, 2019, at 7:39 AM, Rob Ruvin <rob@robertruvin.com> wrote:

> Hi Rick,
>
> Thanks for your continued help trying to find a buyer for me.
>
> I am going to meet in front of ARC tonight to request permission to dismantle the house.
>
> I will let you know later tonight if you should keep looking.
>
> Rob
>
> Rob Ruvin

414-688-3706 (txt)
rob@adiosgear.com
www.adiosgear.com
rob@robertruvin.com

From: Richard Ruvin [mailto:richard@falkruvin.com]
Sent: Monday, December 3, 2018 2:49 PM
To: Robert Ruvin
Subject: 4640 N Lake Dr

Rob,

Since our initial discussion in July, we have not been able to find a feasible site, along Lake Dr and within reasonable proximity, to relocate the subject property to.

Sorry we were unable to be more helpful.

Richard Ruvin, CEO
Falk Ruvin Team
Keller Williams
205 E Silver Spring Dr
Whitefish Bay, WI 53217
414-914-5300 (office)
414-688-3935 (cell)
richard@falkruvin.com
www.falkruvin.com

February 25th, 2019

John Broderson
4646 N Lake Dr.
Whitefish Bay, WI 53221

Dear John,

I write today to thank you for your generous donation to Milwaukee Habitat for Humanity through our Deconstruction Services Program. By partnering with Habitat during your project at 4640 N. Lake Dr. you will be helping provide decent, affordable housing for those in need. This donation will contribute substantially to building & rehabbing a single-family home here in Milwaukee.

Our Deconstruction Team will dedicate 2 project days and over 200 man-hours to carefully salvaging usable goods from the property. We plan to clean, wrap and deliver over 5 Tons of items on two 26-Foot Box Trucks.

See below for our target list of items

- Kitchen Cabinets, Island, Granite Countertops, Faucets, Sinks, Stainless Steel Hood, 2 Drawer Dishwasher, Microwave, Stainless Steel Hood
- Butlers Pantry Cabinetry
- Doors - Arched Entry, Swinging, Panelled, Painted & French
- Light Fixtures - Chandeliers, Flush Mount, Vanity, Sconces & Exterior
- Furniture - Misc. Remaining furniture approved by donor (Dressers, Couches, Chairs,
- Credenzas, Wood Statue)
- Built In Cabinetry, Bookcases, Seating, Workstations, Closets
  Handrails, New Posts, Spindles
- Antique Bathroom Sinks, Pedestal Sinks, Medicine Cabinets, Toilets, Towel Bars/Hooks
  Basement Enamel Sink
  Hydronic floor heating equipment
- Water Heater
- Select 1st Floor Radiators
- Misc. Items Including - Closet Hooks, Radiator Covers, Wainscoating, Leaded Glass Window Sashes, Craftsman Compressor, Misc. Loos Cabinets, Misc. Storm Windows/Doors, Garage Door Opener, Mailbox, Concrete Urn

Thank you again John. This will be one of the best donations Milwaukee Habitat for Humanity will have this year, we look forward to working with you on this project.

Best,
Jake Weiler

Deconstruction Services Manager

HUSCH BLACKWELL

Michael L. Riopel
Lawyer

555 East Wells Street, Suite 1900
Milwaukee, WI 53202-3819
Direct: 414.978.5648
Fax: 414.223.5000
michael.riopel@huschblackwell.com

April 5, 2019

Via E-Mail to: cjaekels@dkattorneys.com

Village of Whitefish Bay
Board of Trustees of the Village of Whitefish Bay
c/o Chris Jaekels, Village Attorney
5300 N. Marlborough Drive
Whitefish Bay, WI 53217

Attention: Village Attorney and Board of Trustees of the Village of Whitefish Bay

Re: 4640 Lake Drive, Whitefish Bay, Wisconsin

Dear Attorney Jaekels:

As you are aware, we represent John Brodersen and Rob Ruvin in connection with the application for a Certificate of Appropriateness (the "Application") affecting the proposed demolition of the structure at 4640 Lake Drive, Whitefish Bay, Wisconsin (the "Structure"). The Structure has been designated as a historic structure pursuant to Section 16.25 of the Village of Whitefish Bay Village Code (the "Ordinance").

As you are also aware, on March 21, 2019 the Architectural Review Commission ("ARC") denied the Application. We are writing today to appeal that decision. The appeal is to be heard by the Village Board pursuant to Section 16.25(5)(c), please advise on the time and date for such hearing. Mr. Brodersen was unable to attend the March 21 meeting, if there are any questions from the Village Board for Mr. Brodersen, please provide them in advance and we will discuss with him to address at the hearing or may be able to provide responses to the Village Board in advance.

Section 16.25(5)(b)(3), in part, provides that "the Architectural Review Commission (or CDA where appropriate) shall not issue a Certificate of Appropriateness for demolition unless the applicant has shown that it has made ***good faith efforts*** for a period of at least sixty (60) days to secure a buyer who agrees to, or otherwise secures a means to, preserve, relocate, reuse, or otherwise rehabilitate the Historic Site or Structure utilizing a reasonable level of resources available to the owner or buyer." (Emphasis added).

To be clear, the underlying real estate and land (the "Land") which Mr. Brodesen purchased in 2016 have not been designated as historic under the Ordinance. The Ordinance clearly makes a distinction between a historic structure and a historic site. With this distinction, it is clear that the Land is not subject to the same good faith standards to secure a buyer that the Structure is. Further, as you specifically mentioned at the March 21 meeting, there is no obligation for the property owner to list the structure for sale which might I add is to our understanding not permitted under the multiple listing service.

One of the largest challenges of the Ordinance when applied to the Structure is the extraordinary cost to move and rehabilitate, which presents several challenges and additional costs. Further, even though our clients would convey the Structure for $1, these extraordinary cost and expense challenges remain the same to any prospective purchaser. Our clients have put forth considerable efforts well beyond the threshold of "good faith" to secure a buyer for the Structure. Selling a structure like this is somewhat uncommon but to demonstrate this effort in connection with the ARC meeting on March 21, we provided the following submittals:

1. The project scope from Ruvin Consulting, LLC with cost details, which estimates the cost for renovation of the existing residence to be approximately $1.2MM (the "Project Scope"). Mr. Ruvin has considerable experience designing and renovating high end homes in Whitefish Bay, throughout the North Shore and throughout Southeastern Wisconsin. At the outset when Mr. Brodersen purchased the property, he engaged Mr. Ruvin to assist with preserving the Structure in accordance with the Ordinance. Unfortunately the Project Scope is too high to make renovation feasible. The Ordinance applies a reasonableness standard and it would be unreasonable to force a property owner to expend approximately $1.2MM into a renovation project which is unlikely to produce any sort of return on that investment, no matter the net worth of the property owner.

2. The proposal from Robert Schafer Construction outlining the cost and expense of moving the residence and preserving the complete structure at another location with estimates of costs to be approximately $2.9MM (the "Moving Proposal"). Mr. Schafer was approached as a potential buyer for the Structure and was engaged to assess the feasibility of relocating the Structure in accordance with the Ordinance. Unfortunately, the Moving Proposal is not feasible due to 1) its extraordinary cost, 2) the potential market value of the Structure once moved and 3) the lack of a suitable lot which could house the Structure. Ultimately, the cost and investment outweighs any reasonable standard for a market value of the Structure once moved;

3. We have provided email correspondence outlining the continued efforts for sale of the Structure by Rick Ruvin of Falk Ruvin (the "Sale Correspondence"). Rick was approached due to his deep knowledge of the North Shore market in the hopes of finding a suitable buyer to purchase the Structure and preserve it. Rick has expended considerable and continued effort since the middle of 2018 in attempting to locate a buyer to preserve the Structure but has been unsuccessful. Additionally, there has been considerable media coverage of our client's desire to sell the Structure, but still no buyer has emerged; and

4. Finally, our clients are concerned about preserving the historic elements of the Structure to the extent possible. We have provided a letter from Habitat for Humanity outlining a proposal for donation of the demolished structure for contribution to local rehabilitation and building in Milwaukee furthering the Habitat for Humanity's mission ("Habitat Letter"). Mr. Brodersen met with Habitat for Humanity to assess the likelihood of preserving and reusing the historic components of the Structure and was pleased to see many components can be preserved and reused. A considerable amount of the Structure will be reused within the North Shore community which is one of the goals of the Ordinance.

The submittals outline considerable efforts to "secure a buyer who agrees to, or otherwise secures a means to, preserve, relocate, reuse, or otherwise rehabilitate [the Structure]". Might I reiterate to make clear, that the proposal from Mr. Schaffer was specifically in the context of his interest in purchasing the Structure but ultimately found it to be infeasible. Unfortunately, our clients efforts and considerable investment, it was made clear by several members of the ARC that their preference would be that both the Structure and Land be offered to be sold together, as was stated by several members of the ARC at the March 21 meeting.

We are concerned with the ARC's message that it wanted our clients to list the property for sale with the land. First, any sale would require disclosure of the significant level of investment to update the basic structure and mechanical concerns to a prospective purchaser which has limited the buyer pool. Second, the ARC is to exercise reasonable judgment too, not just impose subjective standards on a taxpaying property owner. There were several instances at the March 21 meeting, where the ARC members expressed their desire to force our clients to sell the Structure and the Land together. In a very concerning exchange, Ms. Azcueta stated "so we don't have any authority to tell them to put the house and land for sale…", to which Ms. Triebenbach replied "we can do it, but we can't force them to sell is the problem" and "that's the issue, sure we can require that but if they receive an offer we don't have any authority to make them accept it". To which Mr. Stuewe further replied "I wish we had that [authority]". Even the suggestion that the ARC be given the authority to force a taxpaying property owner to sell its property is very concerning and well beyond the considerations of the standards under the Ordinance for granting the Certificate of Appropriateness. Regardless, what is further concerning, it is well established that the Land has not been designated as historic and is not subject to the "good faith efforts" outlined in the Ordinance but the ARC appeared to be focused on forcing our clients hand to sell the Land which Mr. Brodersen has legally purchased.

Our clients have been aggrieved through the denial of the Certificate of Appropriateness. There have been more than good faith efforts to secure a buyer for the Structure as evidenced by the submittals but further evidenced by the analysis of the costs of relocation or rehabilitation which make such a purchase infeasible. Our clients should not be aggrieved due to the extraordinary cost to move and preserve the Structure. It would be unreasonable, unjust and beyond the scope of the Ordinance for the Village to deny the Application and force our clients to invest millions of dollars into a Structure which has a high likelihood of never recouping such an investment.

Finally, we fear that by denying the issuance of the Certificate of Appropriateness on this Appeal and preventing our client from further utilizing all of the property rights he obtained when he purchased the Land, it may be considered a taking by the Village without compensation. We do not want to pursue that path, but may have no other choice. We kindly ask that you grant the Certificate of Appropriateness so our client may proceed with dismantling the Structure with the utmost care to preserve the historic nature of the Structure to the extent possible (with the assistance of Habitat for Humanity).

Very truly yours,

Michael L. Riopel

MLR
Enclosure

cc: Paul Boening (via e-mail w/enclosure: p.boening@wfbvillage.org)

Ruvin Consulting, LLC

PROJECT SCOPE

Site: 4640 N Lake Drive WFB WI 53217 **Date:** 8/2018 - 2/2019 estimate

Project : Remediate and Renovate the Existing Single Family Residence

Includes:

- Secure necessary permits
- Demolition of Lower Level and main level as needed for new mechanicals and bathroom updates
- Remediation of Lead and Asbestos
- Remediation of Mold - Lower level and main floor
- New electrical wiring - new breaker panels and low volt communication wiring
- New plumbing waste water and vent piping
- New storm and sanitary sewer laterals
- New water service (since new sewer lateral is being installed)
- Existing doors and leaded glass windows to remain
- Restore and modify kitchen and update bathrooms
- Plaster and drywall repairs as needed
- Painting and staining as required

- New flooring in updated bathroom
- New wood flooring on main level
- Tile in foyer to remain intact
- New plumbing fixtures
- New lighting fixtures figured where missing
- Existing garage door and opener to remain
- Landscape/driveway patching as required
- Final inspections
- Final cleaning

Scope Does NOT include:

- Architectural or structural engineering
- Interior design
- MEP design or engineering
- AV or security system
- Moving, storage or furnishings
- Wall Coverings

Ruvin Consulting LLC

4640 N Lake Drive

Scope: Renovation of Existing Residence
Address: 4640 N Lake Drive WFB WI 53217
Drawing: TBD

Architect: TBD

Original Estimate Date: 8/2018

Revision Date: 2/2019

Sect	Description	Qty	Unit Type	Price/Unit	Cost/SF	Budget	Actual Cost	Additional Notes
DIV 0	BUILDING METRICS							
	Number Of Units	1.00	Units					
	Number of Floors	1.00	Floors					
	Living Area	1500.00	SF					
	Anticipated Start Date	3/1/19	Date					
	Total Building Area	11000.00	SF					
	Project Duration	2.00	Months					
	Building Footprint		SF					
	Perimeter		LF					
DIV 1	DIRECT PROJECT COSTS (GENERAL CONDITIONS)					$57,700.00	$0.00	
01040	Field Superintendent	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01042	General Field Superintendent	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01050	Project Management	0.00	Formula	$0.00	$0.00	$12,000.00	$0.00	
01045	Permits - General	0.00	SF	$0.40	$0.00	$3,500.00	$0.00	
01500	OSHA/Safety Equipment	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01505	Temporary Utilities - Electric	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01510	Temporary Utilities - Gas	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01515	Temporary Utilities - Water	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01525	Equipment Rentals	0.00	Month	$0.00	$0.00	$0.00	$0.00	
	Forklift	0.00	Month	$0.00	$0.00	$0.00	$0.00	
	Robots	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01540	Trailer/Site Office	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01550	Site security allowance	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01560	Port-a-John	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01580	Project Identification	0.00	Each	$0.00	$0.00	$0.00	$0.00	
01590	Jobsite Office Supplies	0.00	Month	$0.00	$0.00	$0.00	$0.00	
	Office Equipment	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01630	Site Trips/PM Travel Expenses	0.00	Month	$0.00	$0.00	$0.00	$0.00	
	Superintendent Per Diem Allowance	0.00	Month	$0.00	$0.00	$0.00	$0.00	
	Superintendent's vehicle	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01700	Dumpsters / Hauling	1.00	Unit	$0.00	$0.00	$4,500.00	$0.00	dumpsters and hauling
01710	Progress Cleaning	1.00	LS	$0.00	$0.00	$2,500.00	$0.00	
01720	Final Cleaning	1.00	SF	$0.00	$0.00	$1,200.00	$0.00	
01750	Document Reproduction	1.00	Allow	$0.00	$0.00	$500.00	$0.00	
01870	Temporary Protection	1.00	LS	$0.00	$0.00	$2,500.00	$0.00	
	Misc. Labor	0.00	Unit	$0.00	$0.00	$7,500.00	$0.00	
01810	Temporary Access Roads	0.00	Month	$0.00	$0.00	$0.00	$0.00	
01820	Snow Removal	0.00	Per Snow	$0.00	$0.00	$0.00	$0.00	
01955	Equipment Rental	0.00	SF	$0.00	$0.00	$0.00	$0.00	
01800	Fit & Finish	0.00	LS	$0.00	$0.00	$1,500.00	$0.00	
01910	Painting to Match	0.00	S	$0.00	$0.00	$500.00	$0.00	
01950	Closeout Documentation	1.00	Each	$0.00	$0.00	$1,000.00	$0.00	
DIV 2	SITEWORK					$101,000.00	$0.00	
2070	Demolition							
	Demolition	1.00	LS	$0.00	$0.00	$39,000.00	$0.00	
	Remediation	0.00	LS	$0.00	$0.00	$62,000.00	$0.00	Asbestos, lead and mold
	Excavation	0.00	LS	$0.00	$0.00	$0.00	$0.00	
	Trucking	0.00	LS	$0.00	$0.00	$0.00	$0.00	

Scope: Renovation of Existing Residence
Address: 4640 N Lake Drive WFB WI 53217
Drawing: TBD

Architect: TBD

Original Estimate Date: 8/2018 **Revision Date: 2/2019**

Sect	Description	Qty	Unit Type	Price/Unit	Cost/SF	Budget	Actual Cost	Additional Notes
	Landscaping	0.00	Unit	$0.00	$0.00	$10,000.00	$0.00	Patching after laterals installed
DIV 3	CONCRETE					$22,200.00	$0.00	
3100	Concrete							
	Concrete	0.00	LS	$0.00	$0.00	$5,000.00	$0.00	patching
	Concrete - Other	0.00	LS	$0.00	$0.00	$1,200.00	$0.00	tuckpointing
	Core Drilling	0.00	LS	$0.00	$0.00	$11,000.00	$0.00	
3102	Concrete Testing	0.00	Month	$0.00	$0.00	$0.00	$0.00	
3410	Precast Concrete							
	Precast Concrete	0.00	SF	$0.00	$0.00	$0.00	$0.00	
_3510	Gypsum Concrete Floors - Leveling or Repair	0.00	SF	$0.00	$0.00	$5,000.00	$0.00	
DIV 4	MASONRY					$0.00	$0.00	
4100	Masonry	0.00	SF	$0.00	$0.00	$0.00	$0.00	
DIV 5	METALS					$0.00	$0.00	
_5120	Steel Railings and Guard Railings	0.00		$0.00	$0.00	$0.00	$0.00	
5120	Ornamental Metals	0.00	LS Each	$0.00	$0.00	$0.00	$0.00	Included in cabinetry/millwork
DIV 6	WOOD & PLASTICS					$225,500.00	$0.00	
6100	Carpentry Labor - Rough	1.00	SF	$0.00	$0.00	$18,000.00	$0.00	
6100	Carpentry Labor - Finish	1.00	SF	$0.00	$0.00	$64,000.00	$0.00	
6110	Rough Framing Material	1.00	LS	$0.00	$0.00	$15,000.00	$0.00	
6113	Carpentry Consumables	0.00	LS	$0.00	$0.00	$2,500.00	$0.00	
6250	Millwork / Cabinetry (material only)	0.00	Allow	$0.00	$0.00	$110,000.00	$0.00	
6400	Counter Tops (material and install)	0.00	Allow	$0.00	$0.00	$20,000.00	$0.00	
DIV 7	THERMAL & MOISTURE					$12,700.00	$0.00	
7310	Building Insulation	0.00	SF	$0.00	$0.00	$12,000.00	$0.00	building and board
7900	Sealants & Caulking	0.00	Estimate	$0.00	$0.00	$700.00	$0.00	tuckpointing
DIV 8	DOORS & WINDOWS					$22,500.00	$0.00	
8110	Door and Windows							
	Exterior Windows / Doors	0.00	Unit	$0.00	$0.00	$0.00	$0.00	
	Interior Doors / Windows / Frames / H	0.00	Unit	$0.00	$0.00	$0.00	$0.00	included in millwork budget
_8410	Storefront Entrance Doors	0.00	# of Door Panels	$0.00	$0.00	$0.00	$0.00	
8700	Hardware	0.00	#	$0.00	$0.00	$12,500.00	$0.00	Door cylinder, accessories

Scope: Renovation of Existing Residence
Address: 4640 N Lake Drive WFB WI 53217
Drawing: TBD

Architect: TBD

Original Estimate Date: 8/2018 **Revision Date: 2/2019**

Sect	Description	Qty	Unit Type	Price/Unit	Cost($)	Budget	Actual Cost	Additional Notes
	Doors	0.00	#	$0.00	$0.00	$0.00	$0.00	
	Exterior Windows	0.00	EA	$0.00	$0.00	$0.00	$0.00	
8810	Mirrors and Shower Doors	0.00	Unit	$0.00	$0.00	$10,000.00	$0.00	
DIV 9	FINISHES					$193,500.00	$0.00	
9210	Drywall	1.00	LS	$0.00	$0.00	$24,000.00	$0.00	Basement level
	Plaster	1.00	LS	$0.00	$0.00	$44,000.00	$0.00	Main level
	Paneling	0.00	LS	$0.00	$0.00	$5,500.00	$0.00	
9510	Acoustical Ceiling	0.00	SF	$0.00	$0.00	$0.00	$0.00	
9680	Flooring--carpeting	0.00	LS	$0.00	$0.00	$9,500.00	$0.00	
	Floor Install--wood	1.00	SF	$0.00	$0.00	$36,000.00	$0.00	
	Flooring Materials	1.00	LS	$0.00	$0.00	$0.00	$0.00	
	Floor Repair and Leveling	0.00	LS	$0.00	$0.00	$2,000.00	$0.00	
9620	Flooring	1.00	LS	$0.00	$0.00	$0.00	$0.00	
9900	Painting (General)	1.00	LS	$0.00	$0.00	$71,000.00	$0.00	
	Painting (Walls and Ceilings)	0.00	LS	$0.00	$0.00	$0.00	$0.00	Included above
	Painting (Trim and Millwork)	0.00	LS	$0.00	$0.00	$0.00	$0.00	Included above
	Painting (Doors)	0.00	LS	$0.00	$0.00	$0.00	$0.00	Included above
	Staining	0.00	LS	$0.00	$0.00	$0.00	$0.00	Included above
9950	Wall Coverings	0.00	Unit	$0.00	$0.00	$5,000.00	$0.00	labor allowance
9310	Tile (Labor)	0.00	LS	$0.00	$0.00	$35,000.00	$0.00	door only
	Tile (Materials)	0.00	LS	$0.00	$0.00	$25,000.00	$0.00	allowance
	Tile (Shipping)	0.00	LS	$0.00	$0.00	$0.00	$0.00	Included above
DIV10	SPECIALTIES					$12,500.00	$0.00	
10260	Wall & Corner Guards	0.00	Each	$0.00	$0.00	$0.00	$0.00	
10415	Signage	0.00	# of Units	$0.00	$0.00	$0.00	$0.00	
	Fire Extinguishers	0.00	# w/o Cabinets	$75.00	$0.00	$0.00	$0.00	
10550	Postal Specialties	0.00	Number of Boxes	$0.00	$0.00	$0.00	$0.00	
10800	Toilet & Bath accessories	0.00	Unit	$0.00	$0.00	$0.00	$0.00	
10900	Closet Shelving	0.00	Unit	$0.00	$0.00	$12,500.00	$0.00	melamine
DIV 11	EQUIPMENT					$20,000.00	$0.00	
11450	Appliances	0.00	Unit	$0.00	$0.00	$20,000.00	$0.00	
DIV12	FURNISHINGS					$0.00	$0.00	
12510	Window Treatments	0.00	Unit	$0.00	$0.00	$0.00	$0.00	NIC
DIV13	SPECIAL CONSTRUCTION					$0.00	$0.00	
		0.00	Unit	$0.00	$0.00	$0.00	$0.00	
		0.00	Unit	$0.00	$0.00	$0.00	$0.00	
DIV14	CONVEYING SYSTEMS					$0.00	$0.00	

Scope: Renovation of Existing Residence
Address: 4540 N Lake Drive WFB WI 53217
Drawing: TBD

Architect: TBD

Original Estimate Date: 5/2018 **Revision Date: 2/2019**

Sect	Description	Qty	Unit Type	Price/Unit	Cost/SF	Budget	Actual Cost	Additional Notes
14210	Elevator	0.00	Unit	$0.00	$0.00	$0.00	$0.00	
DIV 15	MECHANICAL					$276,000.00	$0.00	
15300	New Sewer Lateral	0.00	LS	$0.00	$0.00	$30,000.00	$0.00	Storm and sanitary
	New Water Lateral	0.00	Unit	$0.00	$0.00	$10,000.00	$0.00	
15400	Plumbing Labor	0.00	Unit	$0.00	$0.00	$97,000.00	$0.00	
	Plumbing Fixtures	0.00	Unit	$0.00	$0.00	$35,500.00	$0.00	allowance
15500	HVAC (Labor and Materials)	0.00	LS	$0.00	$0.00	$84,000.00	$0.00	New boiler and ac
	HVAC - Modifications	0.00	Unit	$0.00	$0.00	$0.00	$0.00	
DIV 16	ELECTRICAL					$529,630.00	$0.00	
16100	Electrical - Base Wiring	1.00	Unit	$0.00	$0.00	$29,430.00	$0.00	includes rough-in fixtures
	Electrical - Materials	0.00	LS	$0.00	$0.00	$0.00	$0.00	
	Phone, computer, AV, Low volt	0.00	Allow	$0.00	$0.00	$25,000.00	$0.00	
	Fire alarm	0.00	Allow	$0.00	$0.00	$0.00	$0.00	
	Misc	0.00	Allow	$0.00	$0.00	$0.00	$0.00	
	Security	0.00	Allow	$0.00	$0.00	$0.00	$0.00	NIC
16500	Unit Light Fixtures	0.00	Unit	$0.00	$0.00	$25,000.00	$0.00	allowance
	Common Area Lighting	0.00	Unit	$0.00	$0.00	$0.00	$0.00	
	CHANGE ORDERS							
	Additional notes:			SUBTOTAL		$1,873,630.00	$0.00	
	by others:			CONTINGENCY		$20,000.00	$0.00	
	Architecture fees			INSURANCE		$3,470.51	$0.00	
	Mechanical design			OVERHEAD AND PROFIT		$56,890.40	$0.00	
	Furnishings design or moving			TOTAL ESTIMATED		$1,954,990.91	$0.00	
	Window treatments			cost per sq. ft.		$129.41	#VALUE!	
	Wall Coverings			cost per unit		$1,954,990.91	#VALUE!	

F
R
O
M
Robert Schafer Construction
1528 N Green Bay Road
Grafton, WI 53024
414-241-8024

Proposal

Proposal Submitted to:	Date 2/4/2019	
Name Rob Ruvin / John Brodersen	Job Name 4640 - house relocation cost estimate	
Street 4646 N Lake Drive	Street 4640 N Lake Drive	
City Milwaukee	City Milwaukee	State WI
State WI 53217	Phone 414-688-3706	

We hereby submit a PROPOSAL for the following work:

Lift and move building structure - Using the subcontracted services of BIS Building Movers in one piece. Disconnect all utilities - electrical, plumbing, sewer and gas. Move home North to Hampton Rd or South to Capitol Drive. Place home on new foundation on east of west side of Lake Drive.
Budget $360,000. Timeframe of prep work is 3 weeks and lift to set is 2 weeks weather permitting. Site must be ready to accept the new structure. Allowance for permits, road closure, traffic control and possible tree and possible electrical line or light pole work - $40,000.00

New foundation - block wall, waterproofing and insulation $68,000.00

New utilities - electrical service, sewer, water and gas $55,000.00

Renovate the house + update mechanicals $650,000.00

Driveway and landscape $50,000.00 (new site)

Assumption on cost of lot to place house and demolition of the existing residence located there (one lot east side of lake drive and two lots/homes west of Lake Drive $1,500,000.00

My Fee $190,000.00 (would need to be a minimum guaranteed fee)

Items not included in this PROPOSAL:
-Demolition of foundation
-Any landscape or driveway repair at 4640
-Tree and bush removal at either site and retaining wall removal completed on a T&M basis
-Backfilling of the existing foundation

Project Cost Summary:

$2,913,000.00 Project Budget - Value of the renovated house will likely be +/- $2,250,000.00 East side of Lake Drive and +/- $1,600,000.00 West of Lake Drive.

NOTE: In order to agree to undertake this project I would need to be guaranteed to make a $190,000.00 fee for my time. So the gap amount you will likely need to make up will be +/- $663,000.00 to $1,313,000.00 - including my Fee.

Thank you,

Robert Schafer

Robert Schafer Construction, LLC

Rob Ruvin

From: Richard Ruvin [richard@falkruvin.com]
Sent: Thursday, January 24, 2019 7:47 AM
To: Rob Ruvin
Subject: Re: 4640 N Lake Dr

Rob,

Despite my best efforts since the 12/3/18 correspondence below, our search still hasn't uncovered any viable opportunities.

Richard Ruvin, CEO
Falk Ruvin Team
Keller Williams
205 E Silver Spring Dr
Whitefish Bay, WI 53217
414-914-5300 (office)
414-688-3935 (cell)
richard@falkruvin.com
www.falkruvin.com

On Jan 24, 2019, at 7:39 AM, Rob Ruvin <rob@robertruvin.com> wrote:

> Hi Rick,
>
> Thanks for your continued help trying to find a buyer for me.
>
> I am going to meet in front of ARC tonight to request permission to dismantle the house.
>
> I will let you know later tonight if you should keep looking.
>
> Rob
>
> Rob Ruvin

414-688-3706 (txt)
rob@adiosgear.com
www.adiosgear.com
rob@robertruvin.com

From: Richard Ruvin [mailto:richard@falkruvin.com]
Sent: Monday, December 3, 2018 2:49 PM
To: Robert Ruvin
Subject: 4640 N Lake Dr

Rob,

Since our initial discussion in July, we have not been able to find a feasible site, along Lake Dr and within reasonable proximity, to relocate the subject property to.

Sorry we were unable to be more helpful.

Richard Ruvin, CEO
Falk Ruvin Team
Keller Williams
205 E Silver Spring Dr
Whitefish Bay, WI 53217
414-914-5300 (office)
414-688-3935 (cell)
richard@falkruvin.com
www.falkruvin.com

Travieso, Maggie

Subject: FW: 4640 N Lake Dr

From: Richard Ruvin [mailto:richard@falkruvin.com]
Sent: Thursday, March 21, 2019 9:52 AM
To: Robert Ruvin
Subject: 4640 N Lake Dr

Rob,

This is a follow up to our discussion yesterday.

Despite continued outreach, we have not found a party interested in purchasing the subject property to relocate it elsewhere. As you know, this is not something most buyers are looking to do. It is further complicated by the lack of available land within reasonable proximity, the economics involved, and the functional obsolescence of the home itself.

Richard Ruvin, CEO
Falk Ruvin Team
Keller Williams
205 E Silver Spring Dr
Whitefish Bay, WI 53217
414-914-5300 Office
414-688-3935 Cell
www.falkruvin.com

February 25th, 2019

John Broderson
4646 N Lake Dr.
Whitefish Bay, WI 53221

Dear John,

I write today to thank you for your generous donation to Milwaukee Habitat for Humanity through our Deconstruction Services Program. By partnering with Habitat during your project at 4640 N. Lake Dr. you will be helping provide decent, affordable housing for those in need. This donation will contribute substantially to building & rehabbing a single-family home here in Milwaukee.

Our Deconstruction Team will dedicate 2 project days and over 200 man-hours to carefully salvaging usable goods from the property. We plan to clean, wrap and deliver over 5 Tons of items on two 26-Foot Box Trucks.

See below for our target list of items

- Kitchen Cabinets, Island, Granite Countertops, Faucets, Sinks, Stainless Steel Hood, 2 Drawer Dishwasher, Microwave, Stainless Steel Hood
- Butlers Pantry Cabinetry
- Doors - Arched Entry, Swinging, Panelled, Painted & French
- Light Fixtures - Chandeliers, Flush Mount, Vanity, Sconces & Exterior
- Furniture - Misc. Remaining furniture approved by donor (Dressers, Couches, Chairs,
- Credenzas, Wood Statue)
- Built In Cabinetry, Bookcases, Seating, Workstations, Closets
  Handrails, New Posts, Spindles
- Antique Bathroom Sinks, Pedestal Sinks, Medicine Cabinets, Toilets, Towel Bars/Hooks
  Basement Enamel Sink
  Hydronic floor heating equipment
- Water Heater
- Select 1st Floor Radiators
- Misc. Items Including - Closet Hooks, Radiator Covers, Wainscoating, Leaded Glass Window Sashes, Craftsman Compressor, Misc. Loos Cabinets, Misc. Storm Windows/Doors, Garage Door Opener, Mailbox, Concrete Urn

Thank you again John. This will be one of the best donations Milwaukee Habitat for Humanity will have this year, we look forward to working with you on this project.

Best,
Jake Weiler

Deconstruction Services Manager

Motion Adopted by the Whitefish Bay Historic Preservation Commission on October 17, 2018.

On Motion by Commissioner Ken Berg, with a Second by Commissioner Carol Krigbaum, the following resolution was adopted by roll call vote by the Historic Preservation Commission:

WHEREAS the site at 4640 North Lake Drive in the Village of Whitefish Bay is identified with a significant historic personage, and

WHEREAS, the site embodies the distinguishing characteristics of an architectural type or specimen, valuable for a study of a period, style, method of construction, and of indigenous materials and craftsmanship, and

WHEREAS, the site embodies the work of a noted architect that distinguished himself through his practice, and

WHEREAS, the residence was designated a local historic landmark under the Whitefish Bay Village Ordinance No. 1686, and

WHEREAS, the current owner wishes to demolish the historic and architecturally significant structure generally based on its current condition, therefore it is

RESOLVED that the Whitefish Bay Historic Preservation Commission wishes to make known its opposition to plans to demolish the residence at 4640 North Lake Drive, also known historically as the Herman Reel House, and requests the Village Architectural Review Commission to work with the current owner to consider alternatives that will preserve the residence, and

IT IS FURTHER RESOLVED that the President of the Historic Preservation Commission is requested to convey the above motion to the Whitefish Bay Architectural Review Commission in advance of its meeting to discuss the issuance of a Certificate of Appropriateness for the demolition of the subject house.

Preserving Our Past

October 2018

4640 North Lake Drive, Whitefish Bay, WI

ᵖreserving Our Past

ˈrom preamble to Whitefish Bay Zoning Code:

6.01(1) PURPOSES AND INTERPRETATION

ɴOW, THEREFORE, IT IS HEREBY DETERMINED that public health, safety, welfare and morals will be protected, promoted and ɔnserved by the regulations contained in this code, and that in interpreting and applying the provisions of this code, the provisions ɔereof shall, in every instance, be held to be the minimum requirements adopted for said purposes.

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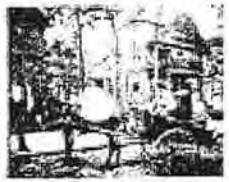

Vhitefish Bay Historic Preservation Ordinance, adopted n 2005:

25 HISTORIC PRESERVATION (Ord. 1686)

) Purpose and Intent. It is hereby declared a matter of public policy that the protection, enhancement, perpetuation and use of ıprovements or sites of historic interest or value is a public necessity and is required in the interest of the health, prosperity, safety ıd welfare of the Village. The purpose of this section is to:

1) Effect and accomplish the protection, enhancement, and preservation of such improvements and sites which represent or reflect elements of the Village's cultural, social, economic, political and architectural history.
2) Safeguard the Village's historic, prehistoric and cultural heritage, as embodied and reflected in such historic structures and sites.
3) Stabilize and improve property values, and enhance the visual and aesthetic character of the Village.
4) Protect and enhance the Village's attraction to residents, tourists and visitors, and serve as a support and stimulus to business.

Preserving Our Past

Whitefish Bay Historic Preservation Commission

- **WFB Designation of Historic Site**
  - In 2007, owners Richard and Dana Anderson requested that their house at 4640 North Lake Drive be considered a historic site, under the WFB historic preservation ordinance (no. 1686)
  - An application was prepared which documented the historic and architectural significance of the residence

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Whitefish Bay Historic Preservation Commission

- **WFB Designation of Historic Site**
  - On June 20, 2007, the WFB historic preservation commission approved the application, noting:

    "that the house ranks among the most significant examples of the English Tudor Revival Eclectic style in Milwaukee County, that it was designed by noted Wisconsin architect Richard Philipp, that it is an example of exemplary craftsmanship, and that the original owner (Herman Reel) was a significant local historical figure."

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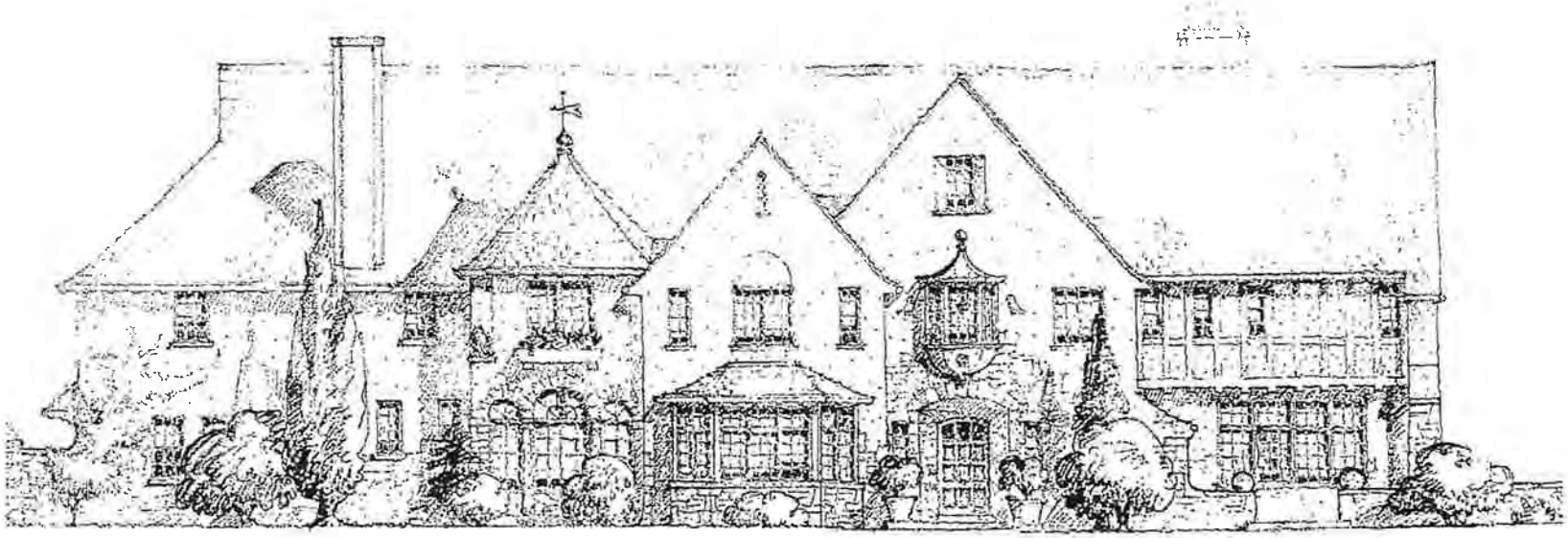
Vhitefish Bay Historic Preservation Commission

- WFB Ordinance No. 1686:

  3. The Architectural Review Commission (or CDA where appropriate) shall not issue a Certificate of Appropriateness for demolition unless the applicant has shown that it has made good faith efforts for a period of at least sixty (60) days to secure a buyer who agrees to, or otherwise secures a means to, preserve, relocate, reuse, or otherwise rehabilitate the Historic Site or Structure utilizing a reasonable level of resources available to the owner or buyer. The Architectural Review Commission (or CDA where appropriate) may impose such additional restrictions or requirements in the demolition permit as it deems reasonably necessary, including, but not limited to: the imposition of waiting or negotiation periods of up to sixty (60) days, the requirement of additional efforts to preserve or sell the property for periods of up to sixty (60) days, the salvage or recycling of historic artifacts, the donation or sale of all or portions of the Historic Site or Structure for removal, or the measurement, recording, and photographing of the structure so as to make an historic record.

Preserving Our Past

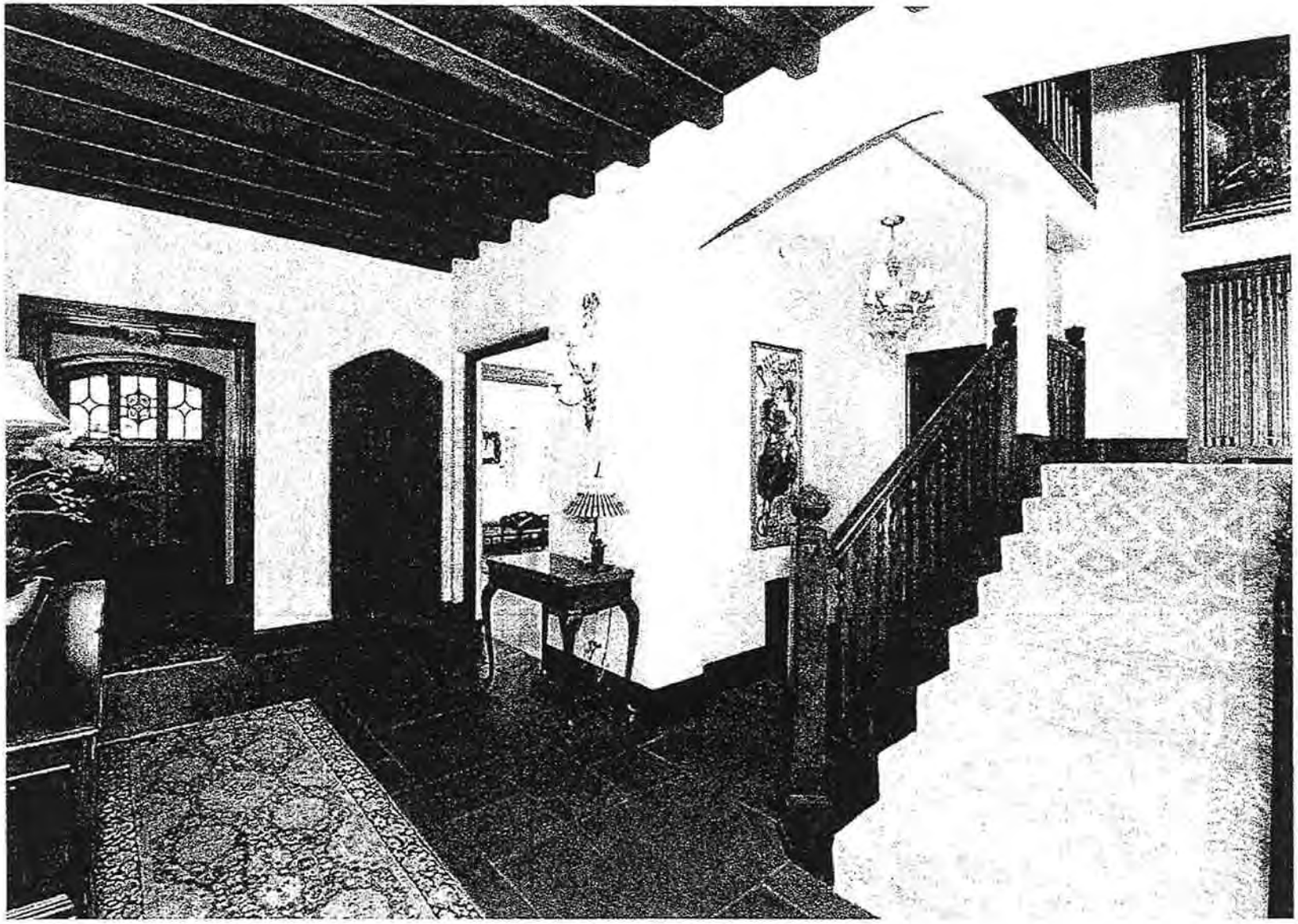


South Elevation Scale: 1/4" = 1 ft.

MR. HERMAN REEL'S HOME on WHITEFISH BAY, WIS.

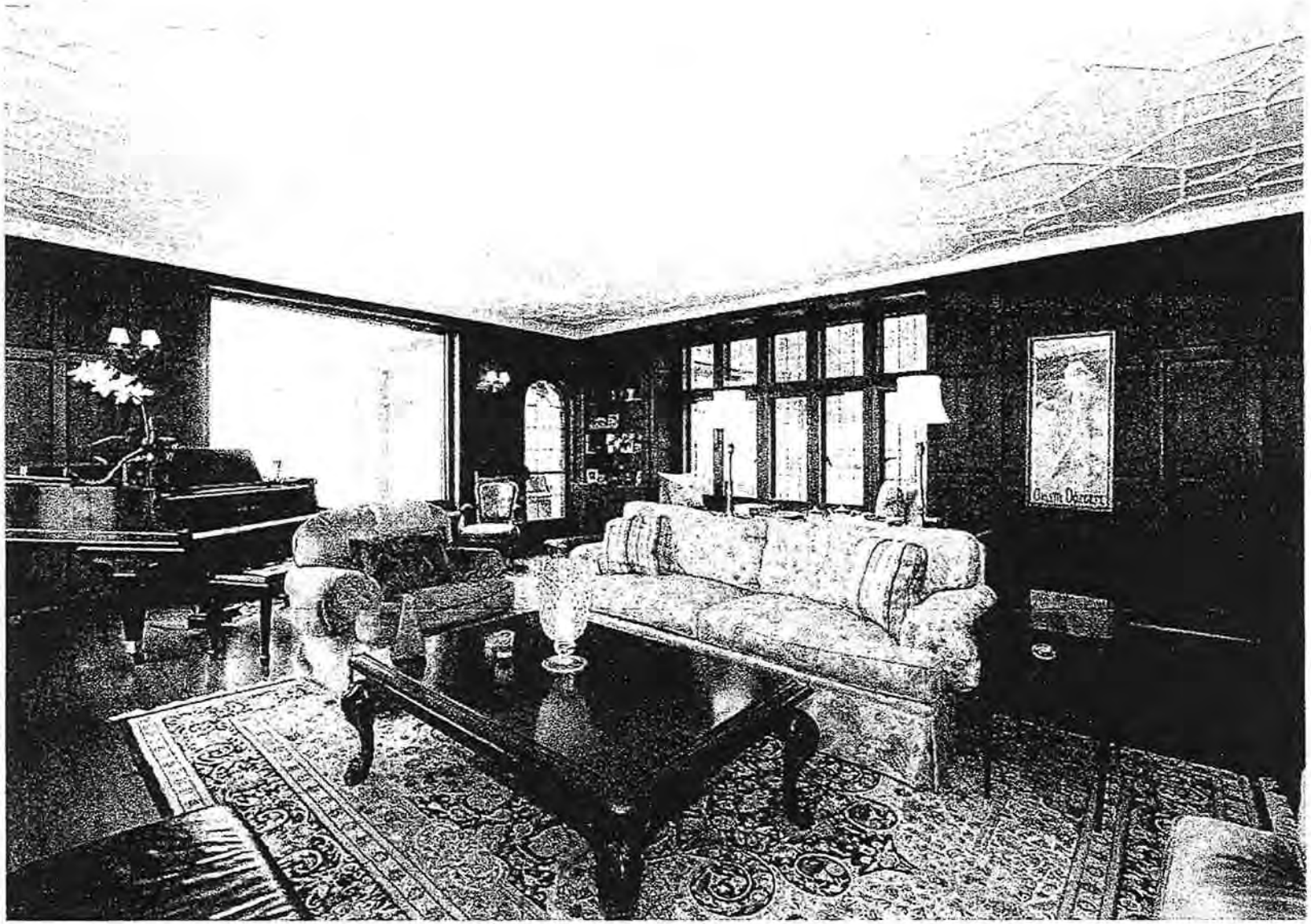
Richard Philipp Architect, April 20th 1921

Photos from 2015 Real Estate Listing



Photos from 2015 Real Estate Listing

Photos from 2015 Real Estate Listing



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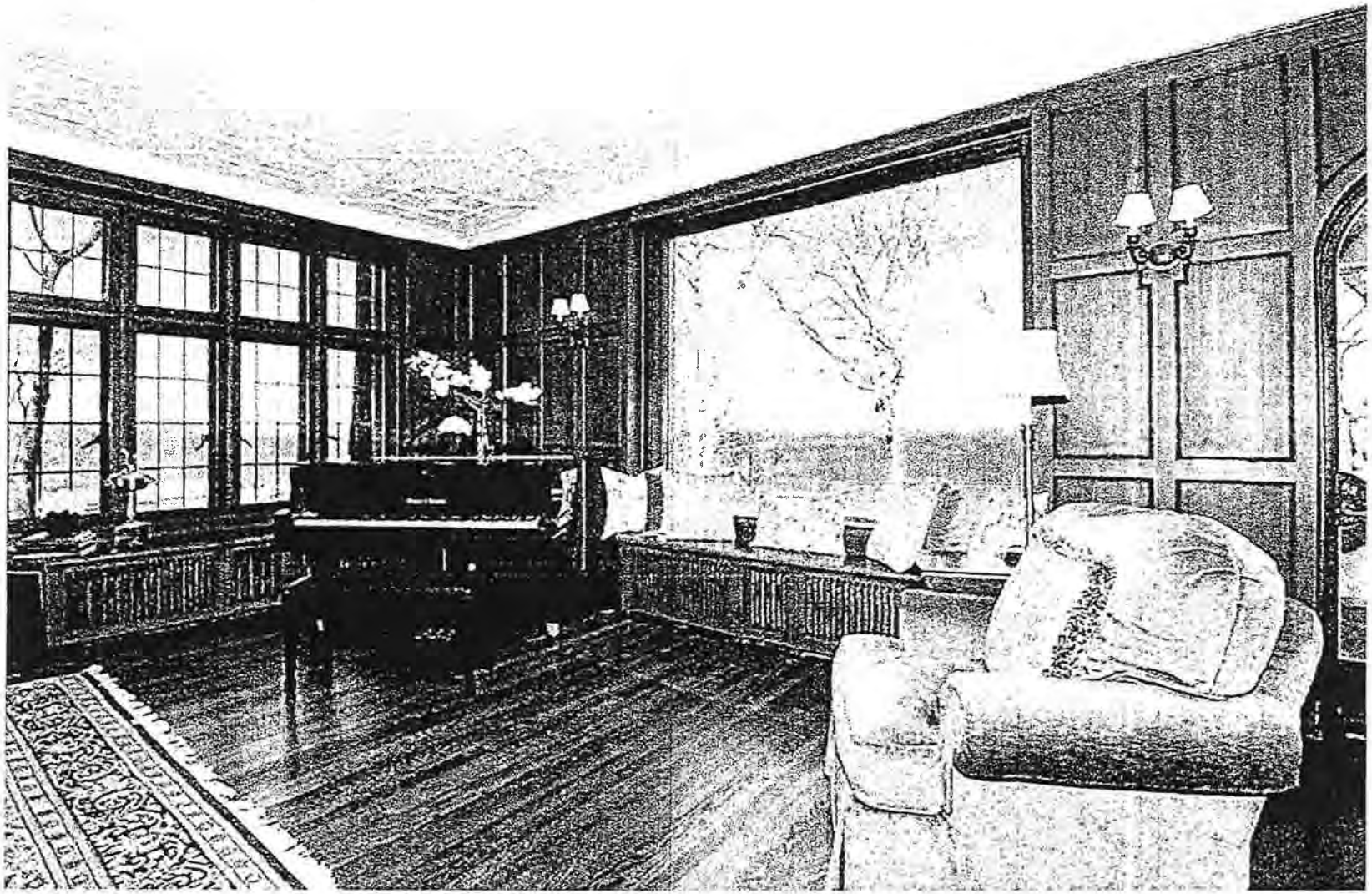

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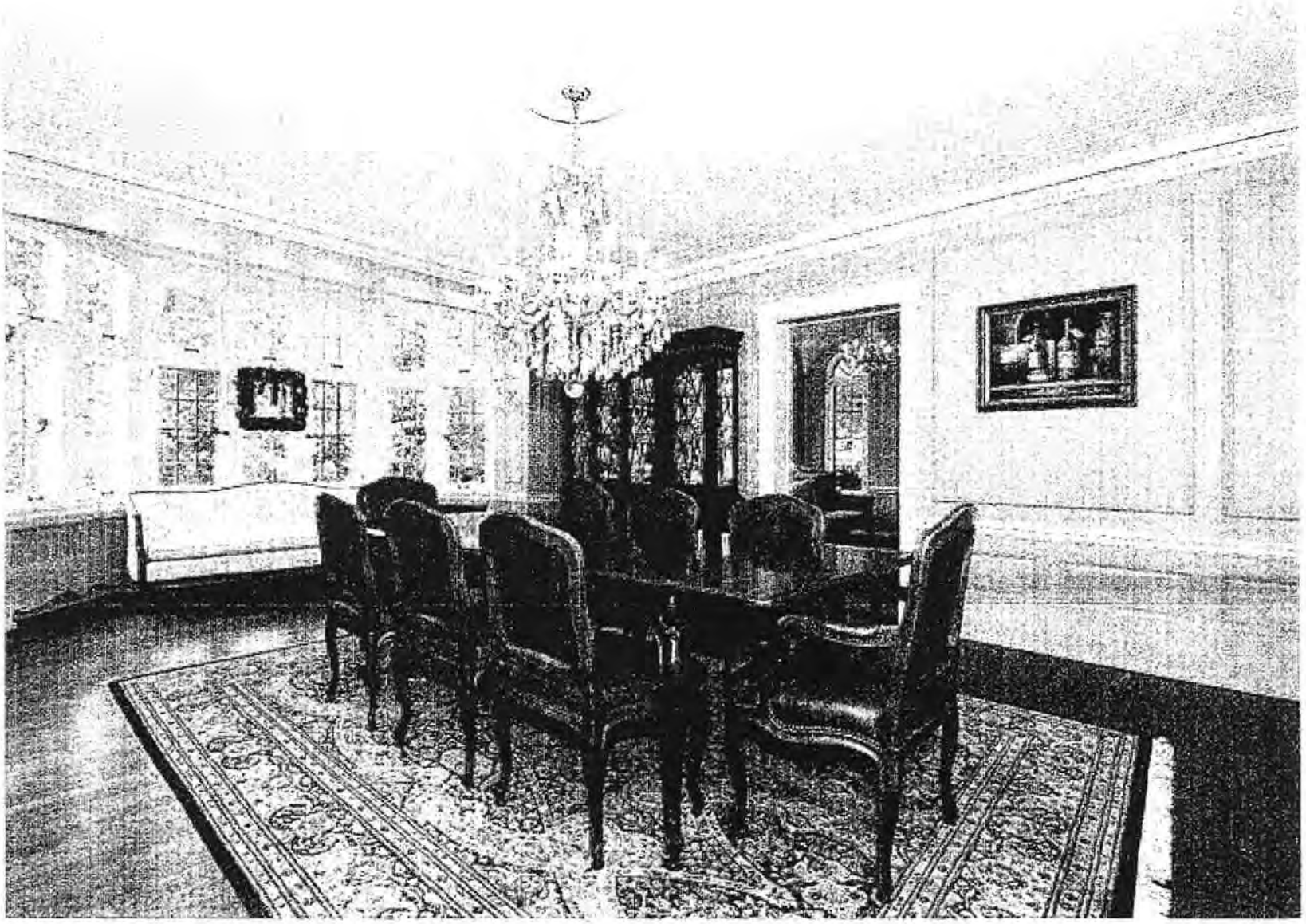
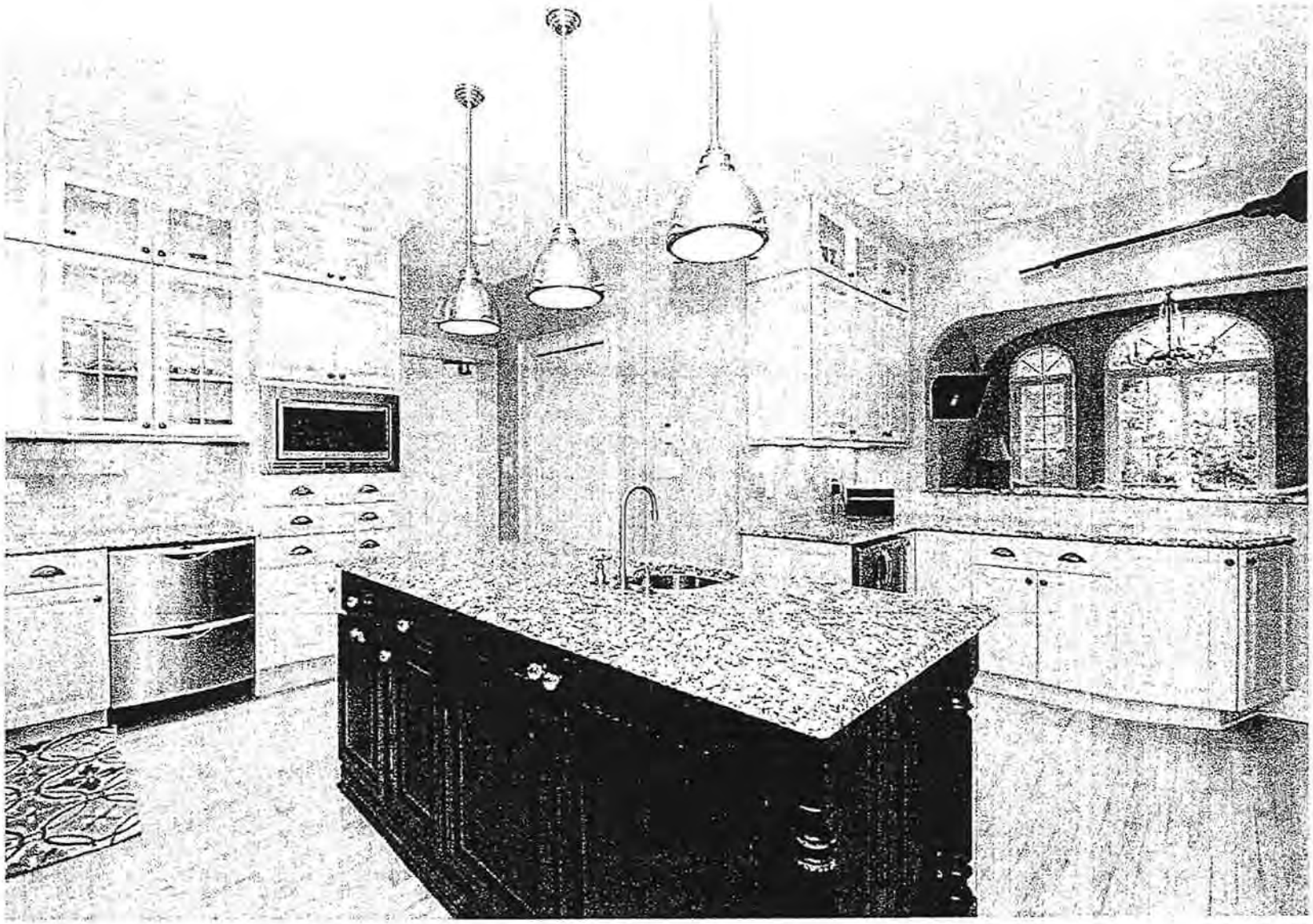


Photos from 2015 Real Estate Listing



Photos from 2015 Real Estate Listing

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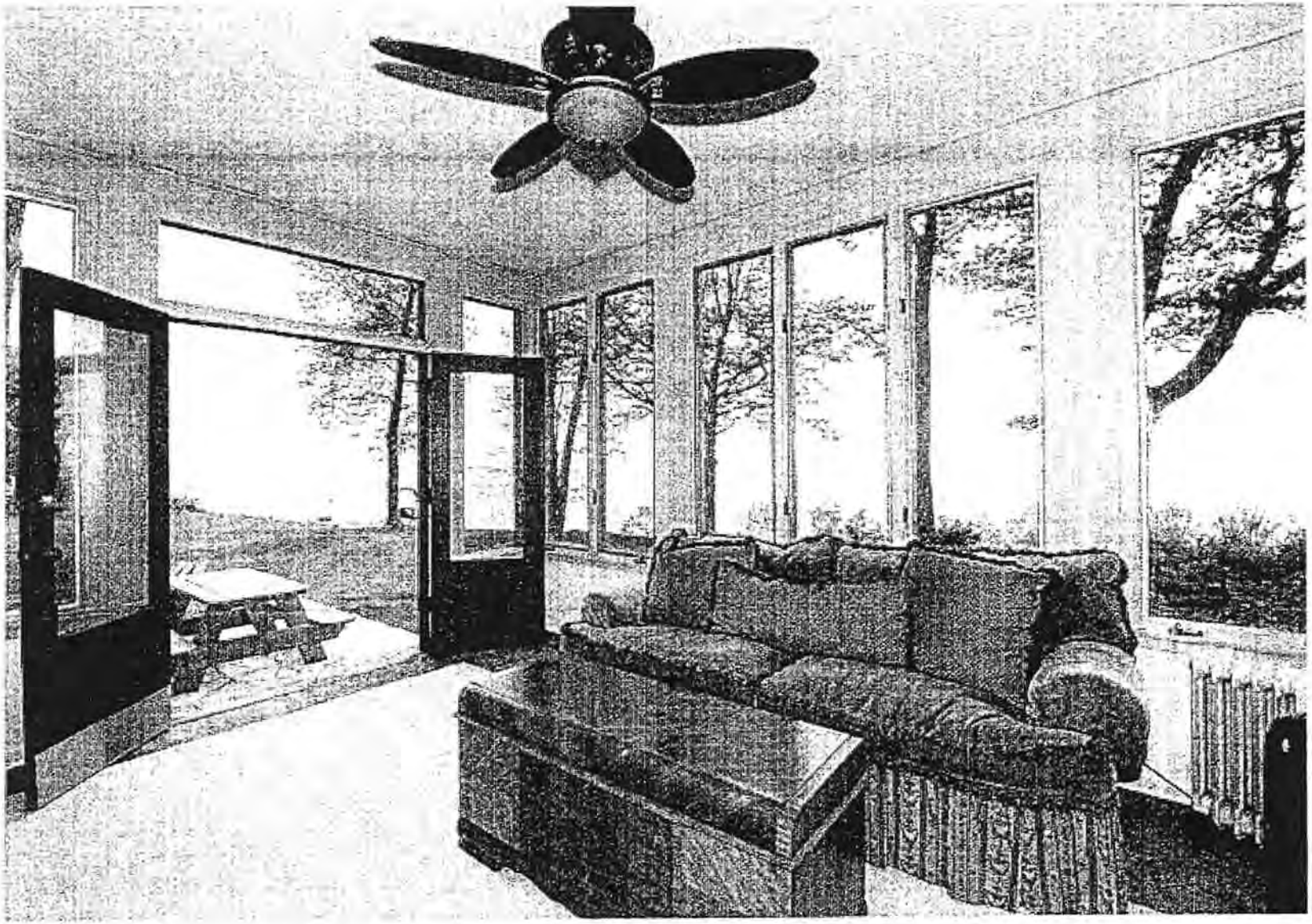
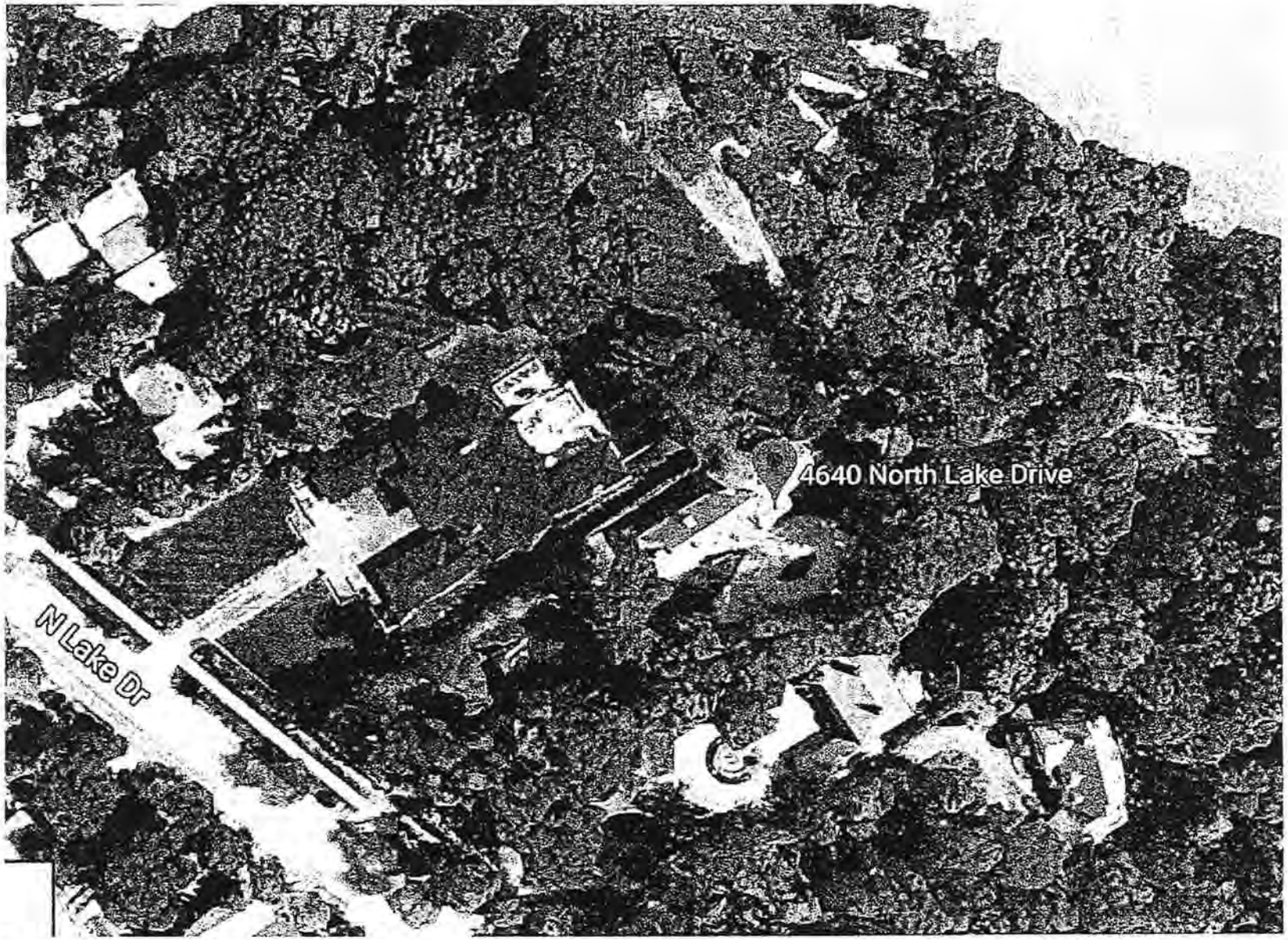


Photos from 2015 Real Estate Listing

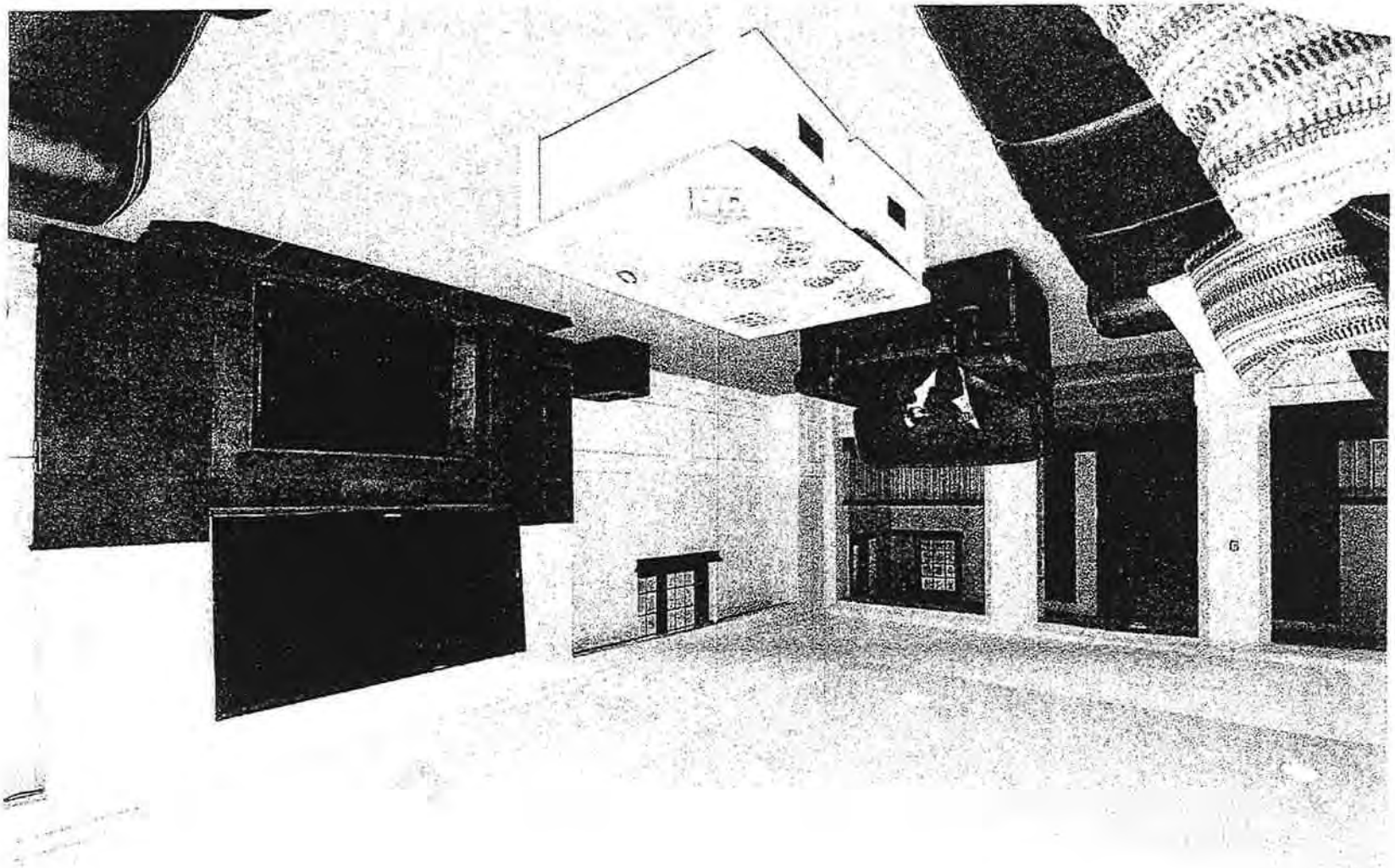
Preserving Our Past

2007

'Birds-eye' View of property



Current Google Maps Overhead View



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Vhitefish Bay Historic Preservation Commission

- Demolition of the residence, as proposed, would:
  - Remove an architecturally significant home from the community, representative of the notable work of an influential architect
  - Remove a home identified with a historic person of the community
  - Remove the value of the house from the Village's property tax roles
  - Remove the potential for another family to occupy the house and participate in the Village's cultural life.

QUESTIONS?

Preserving Our Past

APPLICATION FOR DESIGNATION OF WHITEFISH BAY HISTORIC SITE

1. Name

Historic: The Herman Reel House

And/or Common: The Richard and Dana Anderson House

2. Location

Street and Number: 4640 North Lake Drive

City: Whitefish Bay **State:** Wisconsin **Zip:** 53211

3. Classification

Category	Ownership	Present Use			
☑ Building(s)	☐ Public	☐ Agricultural	☐ Park	☐ Government	☐ Transportation
☐ Structure	☑ Private	☐ Commercial	☐ Cemetery	☐ Industrial	☐ Other
☐ Object	☐ Both	☐ Educational	☐ Religious	☐ Military	
☐ Site		☐ Entertainment	☑ Private Residence	☐ Museum	

4. Owner of Property

Name: Richard and Dana Anderson

Street and number: 4640 North Lake Drive

City: Whitefish Bay **State:** Wisconsin **Zip:** 53211

5. Representation of Existing Surveys

Inventory: WI Architecture and History Inventory

Date: 2007 ☐ **Federal** ☑ **State** ☐ **County** ☐ **Local**

Organization that serves as Depository for survey records:

Wisconsin Historical Society, Division of Historic Preservation.

Street and number: 816 State St.

City: Madison **State:** WI **Zip:** 53706

Previous Historic Designation:

☐ National Register Date: Name

☐ Wisconsin Register Date: Name

☐ Other: Name of Program: Whitefish Bay Architecture and History Inventory

Date: February 21, 2007

6. Description

Building form: Tudor revival-style (Eclectic English Tudor design)

Number of stories: Two stories with full basement and unfinished attic story

Condition:
☐ Excellent ☑ Good ☐ Fair ☐ Deteriorated ☐ Ruins

Foundation:
☐ Stone ☐ Brick ☐ Concrete Block ☐ Concrete ☐ Other _____

Site (check one):
☑ Original ☐ Moved ☐ Altered ☐ Unaltered

Roof:
☑ Gable ☐ Gambrel ☐ Hip ☐ Mansard ☐ Flat ☐ Other

Exterior Walls:
☐ Clapboard ☐ Brick ☑ Stucco ☑ Stone ☐ Wood shingle ☐ Slate
☐ Terra Cotta ☐ Asphalt siding ☐ Aluminum siding ☐ Artificial stone ☐ Other ☐

Written description:

Sited on a bluff overlooking Lake Michigan in the Village of Whitefish Bay, the Herman Reel house is an imposing Tudor Revival-style residence. It is characterized by Eclectic English Tudor design, quality craftsmanship, and ornate interior detailing. Constructed between 1928 and 1929, the exterior walls are constructed of stucco and stone from the quarries in Lannon, Wisconsin, with some half-timbering on the second level.

The two-story house (with full basement and unfinished attic story) measures approximately 115' x 44' and is situated on a 1.5 acre tract of land with a commanding view of the lake. The house is accessed from a long drive off of Lake Drive.

The house features predominately steep gabled roofs, with several wings that extend at right angles to the main structure.

Exterior Features

The front entrance faces south, and sits under a decorative half-octagon oriel window that provides light to the front bed room. The massive wooden door is centered in Lannon stone with quoins around the setback.

To the left of the entrance is a large bay window that illuminates the formal dining room. An informal 'breakfast' room to its immediate left features three large arched windows which are enhanced by Lannon stone quoins. An ornamental owl, since removed, graced the exterior corner over the formal dining room. Above the breakfast room, the windows of the guest bedroom are graced with a flower box. The roof peak above this area includes a finial with decorative weathervane, since removed.

A large chimney extends well above the roof line, just to the west of the breakfast room.

A large enclosed garage occupies the west end of the structure, over which are were the former servants' quarters. The windows facing west above the garage openings have flower boxes.

An interesting terrace exists to the right of the formal entrance. The wall enclosing the terrace features two ornamental orbs. The master bath and dressing room on the second floor partially overhangs the terrace and is faced with stucco and half-timbering which frames four small leaded glass windows.

A screened porch extends on the east side of the building, and provides a panoramic view of Lake Michigan. A terrace patio with a stone floor also extends on the east side of the building, to the north of the screened porch.

The north face of the residence repeats many of the design features of the front face. It features a large bay window centering on the second floor sitting room, and a much more massive and elaborate chimney.

Interior Features

The entrance opens into a small vestibule, which in turn provides entrance into a formal hall. The hall is somewhat reminiscent of that which the architect designed for the Kohler Riverbend Farms mansion, albeit at a smaller scale. It has a wooden beamed ceiling and a black slate floor. A formal stairwell with beautifully decorated wooden railings flows into the Hall. The wooden railings end with a massive carved railing headpiece.

The great room is beautifully paneled, with an elaborately detailed plaster ceiling installed by Orland Blini, a well-known plasterer who worked in a number of significant Milwaukee residences. The room also features a large window overlooking the lake, and a stone hearth. Interesting leaded glass is used lavishly in this room, as it is throughout the residence.

The formal dining room features a pocket ceiling with wood dentils. The separate breakfast room has the original tile flooring and groin vaulted ceiling.

The first floor also contains a large kitchen, with separate panty and serving room.

The second level of the residence contains a large 'owner's bedroom' with its own fireplace. A sitting room with a bay oriel facing north graces the area outside of the owner's bed room. A dressing room and private bath room can be accessed from the owner's bedroom.

Three other bedrooms are on this level for use by the original owner's family -- two for the owner's sons, plus a guest room. The son's bedrooms share a common bath room. However, the guest room has its own lavatory facilities.

The servants' quarters, located over the garage area, are also on the second level. It features two generously sized bedrooms, separate bathroom facilities, an adjacent linen and sewing room. A back stairwell provides access to the kitchen on the first level and laundry and boiler rooms in the basement.

The basement and attic include extensive storage space. The basement includes a finished amusement room with tile hearth, in addition to separate rooms for storage of coats, storms/sashes, and vegetables.

All the original flooring has been preserved except in the kitchen where a wood floor has been installed.

The owner has a complete set of the original drawings, which are beautifully illustrated with elaborate detail, and are on record at the Milwaukee Architectural Archive, which are located at the Milwaukee Public Library.

The following is a recent picture of the subject residence, taken December, 2005. While the winter photograph doesn't do justice to the landscaping, it shows many of the exterior architectural features of the residence.

A Bird's Eye View of the property, looking north, courtesy of www.local.live.com

The following is a copy of the front illustration of the residence, from the original drawing package.

The following is a copy of the architect's original illustration of the back of the residence

7. Significance

Areas of significance:

- ☐ Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state or community.
- ☑ Is identified with a historic personage or an important event in the national, state or local history.
- ☑ Embodies the distinguishing characteristics of an architectural type or specimen, valuable for a study of a period, style, method of construction, or of indigenous materials or craftsmanship.
- ☑ Is representative of the notable work of a master builder, designer or architect who influenced his or her age.
- ☐ Has yielded, or is likely to yield, information important to prehistory or history.

Date built or altered: 1928-1929

Builder/architect: Jans Grogan/Richard Philipp

Written statement of significance:

The Herman Reel house ranks among the most significant examples of the English Tudor Revival Eclectic style in Milwaukee County. Designed for Milwaukee merchant Herman Reel by noted Wisconsin architect Richard Philipp, this residence clearly evidences Philipp's ability as a designer of merit.

Distinguished by a stucco and stone exterior with half-timber exposed framing accents on a portion of the second level, the residence evidences the work of master craftsmen.

In discussing the works of the architect, architectural historian Richard W. E. Perrin stated that, "It was the adaptation of the Tudor English forms that Richard Philipps's ability as a designer was most evident. Some of his most important houses of mansion proportions were designed by him for prominent families throughout Wisconsin.[1]

This residence ranks along with a number of noteworthy examples of significant Milwaukee residences designed by Phillips. "The Heritage Guidebook: Landmarks and Historical Sites in Southeastern Wisconsin,[2]" describes a number of these residences, to include:

111. A. F. Gallun Residence, 3000 E. Newberry Blvd. *"Built by the president of the Gallun Tannery, this stone Tudor mansion is one of the city's largest and best constructed. It is trimmed with Bedford limestone, oak timbers, and copper gutters and has a Vermont slate roof. Architect Richard Philipp laid out the ground plan in a "U" shape surrounding a central courtyard with an access passageway under part of the building."*

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[1] "Milwaukee Landmarks, Revised and Enlarged", Richard W. E. Perrin, Milwaukee Public Museum Publication in History No. 9, Original Edition Published 1968, Revision 1979. ISBN: 0-89326-044-4

[2] "The Heritage Guidebook: Landmarks and Historical Sites in Southeastern Wisconsin," Historically and/or architecturally significant buildings, monuments and sites in five Southeastern Wisconsin Counties, by H. Russell Zimmermann. Published by Heritage Banks, Milwaukee, Wisconsin. 1976. (The numbering preceding each residence references the numbering sequence from the book.)

119. William W. Akin Residence 3043 N. Summit Ave. *"A fine example of Richard Philipp's early Georgian work."*

125. Walter Kasten Residence, 2550 N. Terrace Ave. *"This is another of many creative local variations on the Georgian style designed by Richard Philipp of the architectural firm, Brust & Philipp."*

127. A. Lester Slocum Residence, 2675 N. Terrace Ave. *"A fine and creative variation on the English Tudor style, this distinguished residence was designed by architect Richard Philip for the president of the Slocum Straw Works. Unlike so many of its contemporaries, which have false timberwork made with thin applied planks, this house was built wish genuine structural ash timbers taken from an old barn."*

128. William F. Luick Residence, 2601 N. Wahl Ave. *"Designed by Milwaukee architect, Richard Philipp, this stone house is only one variation of the English styles at which he was so successful. He designed the Gallun house (see 111) which was more like a formal Tudor manor house, and the Slocum residence (127) which had an earlier feeling with genuine half timber work. Ice cream manufacturer Luick request, instead, an authentic English Cotswold house complete with a typical stacked stone drywall around the perimeter of the lot."*

The residence was featured at the Wisconsin 2004 Breast Cancer Showhouse, June 5 through the 20th, 2004.[3]

Historical Background:

Original Owner

The residence at 4640 North Lake Drive in Whitefish Bay was designed and constructed for Herman Reel. Mr. Reel was born in Witten, Germany in 1868, the son of Adolph and Jeannette (Rosenberg) Reel. The Reels immigrated to the United States in 1881 and established their home in Milwaukee where Adolph Reel opened a retail clothing store.[4]

Portrait of Mr. Reel from the "History of Milwaukee", Volume II

Herman obtained his early education in Cassel, Germany, "the same school attended by members of the royal family, and while thus engaged studied the various leading languages save English.[5]" After coming to the United States he attended Myer's Commercial College of Milwaukee for a short time and began working in the family store. After a brief period, he obtained employment for the firm of Rosenberg & Lieberman, who had a wool and fur warehouse. He spent five years with that concern, leaving in 1889 to establish his own business as a dealer in wool and fur. His company was reportedly centered in Chicago at that time.[6]

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[3] "Burnishing an old-world gem, design team gives Breast Cancer Showhouse a fresh look, with a nod to its Tudor charm," Milwaukee Journal Sentinel, June 6, 2004.

[4] "History of Milwaukee City and County," Volume II, pages 784-787, published by the S.J. Clarke Publishing Company, Chicago and Milwaukee, 1922.

[5] Ibid.

[6] Ibid.

In 1912 Mr. Reel began the publication of a Trade Journal, which he called 'The Progressive,' for the fur and wood trades. He made the little magazine what its name implied. In 1914, with the assistance of his sister, he opened a retail house on Grand Avenue in Milwaukee. At the time, it was reported that he had "the largest specialty store of the kind in the country and his place is altogether unique in that his customers are served only in individual booths or rooms."[7]

As a young man, Reel studied law at the Milwaukee University Law School, which was subsequently merged into Marquette University. Following the acquisition of MULS, Marquette provided Mr. Reel with a diploma of Bachelor of Law. He was admitted to the bar on the 26th of June, 1897, and although he has never engaged in law practice, it was reported that "his knowledge of the science of jurisprudence has been of great value to him in the conduct of business affairs."[8]

Herman Reel married Blanche Ullman in 1904, a daughter of Joseph Ullman of Appleton, Wisconsin. They had three sons – Robert, Adolph and Frederick.

Reel had a postcard made of two of his sons, for apparent use in his retail store. The caption under the boys reads "The Reel Indians, None Better," and the sign on the tree states, "Herman Reel Co., Milwaukee, Wis., U.S.A., Highest Prices Paid for Wool and Furs, "None Better"

7 Ibid.
8 Ibid.

Reel was active in local political matters. He was unsuccessful in his own run for office (for the Fourth Senatorial District, losing to Theo. C. Froemming).[9] His involvement in politics included the honor of presenting Robert M. LaFollette at one of the largest gatherings ever assembled in Wisconsin, held at the old exposition building November 2, 1902.[10]

Subsequent owners of the residence include Herbert Spenner, one of the most prominent members of Milwaukee's German American community. An attorney, Spenner served as legal representative for the governments of West Germany and Austria in Wisconsin for 20 years.

He was president of the German-American Societies of Milwaukee and of Goethe House at the Central Public Library. He also belonged to the Steuben Club, a German social organization. He was active in efforts to establish a sister city relationship between Milwaukee and Munich. In 1970, Spenner was one of four Milwaukeeans named to receive the German Order of Merit for efforts to strengthen human and cultural relations between the United States and West Germany. Spenner was active in politics and headed efforts of Germany Americans for the Re-election of President Richard Nixon in 1972.[11]

Architect/Designer

Richard Philipp was a widely known Milwaukee architect who was the original consultant in the planning of Kohler village. He designed many homes and buildings throughout Wisconsin. Among his buildings were the Marshall and Ilsley bank on East Wisconsin Avenue, the great chapel at St. Joseph's Convent on South Layton Boulevard, the original five buildings on fraternity quadrangle at Lawrence College in Appleton, the Schuster Department stores and several buildings in Kohler to include the building now known as the American Club, the Kohler Design Center, the Kohler General Office Building, various factory buildings, a church and the Riverbend Farm mansion. Finally he, along with Hermann J. Gaul, are listed as the architects for Holy Hill Monastery in Washington County.

Richard Philipp, F.A.I.A., from "Milwaukee Landmarks," by Richard W. E. Perrin.

His residential homes in addition to the Herman Reel house and Governor Kohler's Riverbend Farm mansion include the vast F. J. Sensenbrenner residence (reportedly the largest in Wisconsin) on Lake Winnebago, and houses built for Hugo Grau, Hedwig and Albert F. Gallun, Edith M. Smith, William F. Luick, C. D. Hays, Edwin S. Mack, William W. Akin, and A. R. Schmett. Many of these residences are located in Milwaukee's North Lake Drive Historic District and all are cited on the Wisconsin Architecture and History Inventory. In addition to these residences, he also designed homes for Mrs. A. O. Smith, John Michael Kohler, A. Lester Slocum, Benjamin Poss and Benjamin Rosenberg, as well as for numerous other individuals. He also designed many of the small English

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[9] "The Blue Book of the State of Wisconsin," Complied and published under the direction of J. D. Beck, Commissioner of Labor and Industrial Statistics, 1907, Democratic Printing Company, State Printer, Madison, WI.

[10] Milwaukee Free Press, November 2, 1902. (A copy of the speech is maintained in the Historical Society Library Pamphlet Collection, UW Madison, Call No. 56-2144.

[11] Obituary from a Milwaukee newspaper, 1974.

style homes built in Kohler Village in the 1920s.

Philipp was born in Mayville, a son of Julius F. Philipp, who was a German cabinetmaker who immigrated to Wisconsin in 1843. The family moved to Milwaukee when Richard Philipp was 15. Richard graduated from the former Milwaukee East Side high school, before apprenticing to the noted architectural firm of Ferry & Clas. He was employed for the firm for 10 years before establishing a partnership with noted Milwaukee architect Peter Brust. The partnership lasted for 21 years (1906 to 1927), after which Philipp worked independently until shortly before his death in 1959.

Of interest, Richard Philipp won a contest sponsored by *House Beautiful* in 1898 for the "Best Small House." He received first price (which was $50) for a plan of a house which he called "Halcyon" and which had to be constructible for less than $3,000.[12] The house design was more recently noted as being "unquestionably ahead of its time, hinting at many of the elements we would automatically demand in a house today."[13]

Philipp developed a friendship and close association with Walter Kohler and in 1914 traveled with him to England, France and Germany. In his book "The Architecture of Wisconsin," Richard W. E. Perrin notes that, "The two men also visited and studied the industrial garden cities of England and Germany, later incorporating their findings and ideas into Kohler Village, a model American Industrial community."[14]

According to architectural historian Richard W. E. Perrin, Richard Philipp was a truly outstanding Milwaukee architect whose forte was the ability to create original designs in the Tudor style.[15]

He was elected a fellow in the American Institute of Architects in 1925 and was president of the Wisconsin AIA chapter in 1937.

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12 "Small Things That are Large," The House Beautiful, Vol. IV, August, 1898, No. 3 pages 76-79.

13 "Best Small Houses, 1898 and 1986," House Beautiful Magazine, pages 60-61. [ ]

14 "The Architecture of Wisconsin," Richard W. E. Perrin, F.A.I.A., The State Historical Society of Wisconsin, 1967.

15 "Peter Brust and Richard Philipp," National Register of Historic Places, Section 8 Page 43. NPS Form 10-900-a

8. Major Bibliographical References

- "Peter Brust and Richard Philipp," National Register of Historic Places, Section 8 Page 43. NPS Form 10-900-a
- "The Architecture of Wisconsin," Richard W. E. Perrin, F.A.I.A., The State Historical Society of Wisconsin, 1967
- "History of Milwaukee City and County," Volume II, pages 784-787, published by the S.J. Clarke Publishing Company, Chicago and Milwaukee, 1922

9. Property Description

Acreage: 1.82

Legal property description:

ASSESSOR'S PLAT NO. 250 LOT
10 BLK. 2 NWLY 1/2 LOT 11
EXC THE SELY 30' THEREOF,
BLK 2

UTM Coordinates: 43° 06' 04.28" N 87° 52' 49.28" W Elev 646 ft.

10. Owner's Consent

Owner's Consent Signed by: Richard and Dana Anderson **Date:** May 3, 2007

11. Form Prepared By

Name/Title: Thomas H. Fehring/Commissioner

Organization: Whitefish Bay Historic Preservation Commission

Street: 4765 North Woodburn Street

City: Whitefish Bay **State:** WI **Zip:** 53211

Telephone (days): 414.332.2818 **Evenings:** 414.332.0048

Date: 1-May-07

Return to: Historic Preservation Commission
Village of Whitefish Bay
5300 North Marlborough Drive
Whitefish Bay, WI 53217-5399

Questions: Call 414.962.6690

VILLAGE OF WHITEFISH BAY
Minutes of Architectural Review Commission
January 24, 2019

Chairperson - Lauren Triebenbach - Board Members present: Susy Azcueta, Peter Quehl, Charles Buscher, Jason Stuewe, Jim Hoffman & Brian Tobiczyk. Village Inspector, Mike Belsha

Meeting came to order at 5:35 P.M.

The **first** item on the agenda is **304 E. Silver Spring Dr.** – The proposed project is for a front elevation sign at the Fox Bay Building. Most tenants use pin mounted non-illuminated ½" thick white acrylic letters. Milan Laser has no logo they wish to display; they wish to use a blue backer panel behind the words "Laser Hair Removal. Chris from J&B Signs was present to explain the requested design of their sign. Discussion key: Colored back ground would set a new precedence for the street and doesn't fit. Letters too small. No neighbors in attendance. **After further discussion, Charles Buscher made a motion to table the case. Peter Quehl seconded. A vote was taken and unanimously passed. (7-0)**

The **second** item on the agenda is **4911 N. Diversey Blvd.** – The proposed project is to build an 11'7" x 7' patio-enclosure which will function as a mudroom. It will have two pairs of sliding doors at the front and a pair of sliding doors on each side. The homeowner and Ward Melko, the builder, were present to explain the project while the Board reviewed the submitted plans and video. Discussion keys: Will it be large than what is there now? No enough elements on this structure to match the house. Something should be added to make a base for the structure. No neighbors in attendance. **After further discussion, Peter Quehl made a motion to approve the plans as submitted. Jason Stuewe seconded. A vote was taken and unanimously passed. (7-0)**

The **third** item on the agenda is **4911 N. Diversey Blvd.** – The proposed project is to raze the existing 22' x 22' detached frame garage and to construct a new 24' x 24' detached frame Gable style garage as per survey. The homeowner and Jerry Kiefer from J.D. Griffiths, were present to explain the project while the Board reviewed the submitted plans and video. Discussion key: Drainage seems to go to the neighbor's yard; add vent to

add more character? No neighbors in attendance. **After further discussion, Jason Stuewe made a motion to approve the submitted plans with the condition that the water drainage goes to the West instead of the South. Jim Hoffman seconded. A vote was taken and unanimously passed. (7-0)**

The **fourth** item on the agenda is **5500 N. Bay Ridge Ave.** – The proposed project is to raze the existing 12' x 20' detached frame garage and to construct a new 24' x 22' detached frame Gable style garage as per survey. Jerry Kiefer from J.D. Griffith, was present to explain the submitted plans while the Board reviewed them and the video. Discussions keys: Add vertical siding on garage gable? Add freeze board on gable, clipped corners on overhead door should be removed. No neighbors in attendance. **After further discussion, Brian Tobiczyk made a motion to approve the submitted plans. Jason Stuewe seconded. A vote was taken and unanimously passed. (7-0)**

The **fifth** item on the agenda is **5225 N. Marlborough Dr.** – The proposed project is to resubmit tabled plans for the Board to review along with the video for the razing of the existing house and construction of a new, single family house. The homeowners, Chris from Kingsway Builders & Val Homolka, the designer, were present to explain the resubmitted plans while the Board reviewed them and the video. No discussion keys. Neighbors in attendance: **Christina Elsafy-735 E. Sylvan**-thinks it is fantastic; **Divinity Divine Church-904 E. Henry Clay**-welcomes the house next to them; **Ned Prendergast-942 E. Meadow**-Rojahns do it right. Beautiful home and credit to the neighborhood; **Terry Quantance-725 E. Lakeview**-looks great, high positive remarks. Letters from neighbors were also reviewed. **After further discussion, Peter Quehl made a motion to approve the resubmitted plans. Charles Buscher seconded. A vote was taken and unanimously passed. (7-0)**

The **sixth** item on the agenda is **4640 N. Lake Dr**. The applicant is seeking an approval for a Certificate of Appropriateness for the demolition of a home listed on the WFB Historic Registry. Rob Ruvin, the owner & builder, was present to explain the request while the Board reviewed submitted paperwork and video. Discussion keys: Robert Schaefer from Schaefer Construction was the potential buyer, can't move house very far because of turns on Lake Dr. Owner of the property wants to build a new house on the lot. Company would dismantle the house and recycle all useable pieces.

Could house be taken in several pieces as opposed to the whole thing? Property had a rental tenant who was relocated due to mold. More documentation needed to make a decision.

Neighbors in attendance: **Janis Peltz-4673 N. Lake Dr.**-tenant was living in house until September or October 2018-hope we have all the facts. Lots of smoke and mirrors. Property owner should be here to discuss plans for property. Hates to see history of the house go. **Terry Quantance-725 E. Lake View**-McMansions- take away a house in the walking tour and once it starts, what's to stop more historic homes from being torn down. Doesn't think they have all the information.

Members from the Historic group-**Tom Fehring-4765 N. Woodburn**-house has very important historic value for Whitefish Bay, so it should be kept. **Ken Berg-5311 N. Santa Monica**-reiterates Tom's statements. Ordinances should be more stringent on allowing historic houses to be torn down. There should be more documentation. Paperwork, listings and experts regarding moving houses, etc. More than 60 days is needed to show that the property was being sold or moved.

The Board did not make a motion in this case but made a list of conditions needed before this case is heard again.

- 28 days continued efforts to relocate property or habitation by the 21st of February.
- Documentation of efforts already made.
- Cost estimates to relocate.
- Cost estimates to rehabitate
- Efforts to reuse: tear down and rebuild elsewhere.
- Show efforts taken to sell the house.

The ARC minutes from the January 10, 2018 meeting were reviewed. Peter Quehl made a motion to approve them as submitted. Suzy Azcueta seconded. A vote was taken and unanimously passed. (7-0)

With no other matters on the agenda, Jason Stuewe made a motion to adjourn the meeting at 7:43 P.M. Charles Buscher seconded. A vote was taken and unanimously passed. (7-0)

VILLAGE OF WHITEFISH BAY
Minutes of Architectural Review Commission
March 21, 2019

Chairperson – Lauren Triebenbach - Board Members present: Susy Azcueta, Heather Goetsch, Jason Stuewe, and Bob Rowe. Village Inspector, Mike Belsha

The meeting came to order at 5:35 p.m.

The **first** item on the agenda is **4640 N. Lake Dr.** – The applicant is seeking a Certificate of Appropriateness from ARC to be able to raze this house. Mike Riopel, attorney for Broderson & Ruvin, and Rob Ruvin, owner of the house, were present to explain their request while the Board reviewed submitted paperwork and video. Discussion key: Haven't showed enough "good faith" effort to satisfy the ordinance; want to hear from Mr. Broderson; want to hear from Nick Ruvin on the proposed sale of the property. No proof has been shown that the house is trying to be sold.

Neighbors in attendance: **Dr. Jennifer Peltz-4673 N. Lake Dr.**-where is the land owner? **Jeff Aiken-Historic Preservation**-what is the reason for doing this? What will happen to the lot? **Tom Fehring-Historic Preservation**-property owner wants to tear it down only to have better view of the lake, is what has been suspected. **After further discussion, Jason Stuewe made a motion to deny the request. Heather Goetsch seconded. A vote was taken and unanimously passed. (5-0)**

The **second** item on the agenda is **6352 N. Bay Ridge Ave.** – The proposed project is to review amended approved plans for two front door roof overhangs. The overhangs will be constructed on self-supporting wood brackets in lieu of full height posts that would require footings. They will be clad with copper standing seam roofing materials. Bob Nash, the owner/builder & Paul Geisen, the designer were present to explain the project while the Board reviewed the submitted plans and video. No discussion keys. No neighbors in attendance. **After further discussion, Bob Rowe made a motion to approve the plans as submitted. Jason Stuewe seconded. A vote was taken and unanimously passed. (5-0)**

The **third** item on the agenda is **5937 N. Lake Dr.** – The proposed project is to include removing the one-story family room on the west side of the house and constructing a two-story brick and siding addition at the west side of the home. The addition will also include a one-story tandem garage addition, allowing for a two-car garage in total. All existing brick on the home will be painted and existing siding will be replaced to match new siding. The homeowner and Meg Baniukiewicz, the architect, were present to explain the project while the Board reviewed the submitted plans and video. Discussion keys: Rooflines, wall heights & eves not lining up; center laundry window with door below; add window above patio doors. Adding a lot of size to this structure-scale and height of addition too much for lot and design area.

Neighbors in attendance: **Jennifer Peltz-4673 N. Lake Dr.**-smallest lot in design area. FAR is too much; more than any other home in the design area. Letter from **David & Stephanie Beatty-5931 N. Lake Dr.**-they approve of the addition. **After further discussion, Bob Rowe made a motion to approve the submitted plans with the following conditions: New addition wall height to be reduced to existing wall height. Add new window on north elevation; circle or square shaped window above patio doors. Window in laundry room be centered over the door below. Heather Goetsch seconded. A vote was taken and motion passed. (4-1)**

The **fourth** item on the agenda is **5906 N. Bay Ridge Ave.** – The proposed project is to construct a new single-story addition to the back of the existing house. Exterior materials used shall match with existing. The homeowner and Patrick Jones, the architect, were present to explain the proposed plans while the Board reviewed the submitted plans and video. Discussion key: Flat roof. No neighbors in attendance. **After further discussion, Jason Stuewe made a motion to approve the submitted plans. Susy Azcueta seconded. A vote was taken and motion to approve the plans was unanimously passed. (5-0)**

The ARC minutes from the March 7, 2019 meeting were reviewed. Heather Goetsch made a motion to approve them as submitted. Susy Azcueta seconded. A vote was taken and unanimously passed. (5-0)

With no other matters on the agenda, Jason Stuewe made a motion to adjourn the meeting at 7:20 P.M. Heather Goetsch seconded. A vote was taken and unanimously passed. (5-0)

REGULAR VILLAGE BOARD MEETING

MEETING NOTICE AND AGENDA

WHITEFISH BAY VILLAGE HALL
5300 North Marlborough Drive

Monday, May 20, 2019, 6:00 PM

I. Call to Order and Roll Call

II. Consent Agenda – Upon request of any Trustee, any item may be removed from the Consent Agenda for separate consideration under General Business.

1. Minutes of the regular meeting held on May 6, 2019.
2. Investment Report for April, 2019.
3. Ordinance No. 1851 to amend the Traffic Code (regarding parking on Newhall Street).
4. Resolution No. 3054 confirming obligation to contribute to North Shore Fire Department's Budget to pay Whitefish Bay's portion of the debt service on the bonds issued on behalf of the North Shore Fire Department.

III. Report of Village Officers

1. Village Attorney
2. Village Manager
3. Village President
4. Miscellaneous Trustee

IV. Petitions and Communications – This is an opportunity for anyone to address the Village Board on any issue NOT on the current agenda. While the Board encourages input from residents of the Village, it may not discuss or act on any issue that is not duly noticed on the agenda.

V. General Business

1. Discussion/action on Resolution No. 3052 Proclaiming May 19th through May 25th as

"Public Works Week" in the Village of Whitefish Bay.

2. Recognition of "Public Works Week" 2nd Grade Coloring Contest Winners.

3. Discussion/action on Resolution No. 3053 Recognizing Jay Miller's Service to the Village of Whitefish Bay.

4. Discussion/action on contract for the Public Works Facility Solar Installation.

5. Discussion/action on contract award for the 2019 EAB Treatment Project.

6. Discussion/action on proposal for new parking meters on Silver Spring Drive and adjacent side streets.

7. The Board may convene into Closed Session pursuant to Wisconsin State Statute §19.85(1)(e) deliberating or negotiating the purchase of public property, investing of public funds, conducting other specified business whenever competitive and/or bargaining reasons require a closed session – specifically regarding a Declaration of Deed Restrictions.

8. The Board may reconvene to open session. The Board reserves the right to take action on any topic discussed in closed session.

VI. Adjourn

Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. Contact Village Hall at (414) 962-6690. It is possible that members of and possibly a quorum of members of other Boards, Commissions, or Committees of the Village including in particular the Community Development Authority may be in attendance in the above stated meeting to gather information; no action will be taken by any other Boards, Commissions, or Committees of the Village except by the Board, Commission, or Committee noticed above. Agendas and minutes are available on the Village website (www.wfbvillage.org)

REGULAR VILLAGE BOARD MEETING

A regular meeting of the Board of Trustees of Whitefish Bay was held in the Board Room of Whitefish Bay Village Hall, 5300 North Marlborough Drive, May 6, 2019

Pursuant to law, written notice of this meeting was given to the press and posted on the public bulletin boards.

I. Call to Order and Roll Call

President Siegel called the meeting to order at 6:00 pm.

Present: Trustees Saunders, Serebin, Demet , Davis, Buckley, Fuda and President Siegel

Also Present:
Village Manager Paul Boening
Village Attorney Chris Jaekels
Police Chief Michael Young
Director of Public Works John Edlebeck
Director of Building Services Joel Oestreich
Assistant Manager Tim Blakeslee
Finance Director Jen Amerell
Deputy Clerk Caren Brustmann

II. Consent Agenda

It was moved by Trustee Davis, seconded by Trustee Demet, and unanimously carried by the Village Board to approve the consent agenda as presented.

1. Minutes of the regular meeting held on April 15, 2019.
2. Claims for April, 2019.
3. Appointment of Tammy Herpel to the Architectural Review Commission for a term to expire in 2020.
4. Appointment of Aaron Hoffmans to the Architectural Review Commission for a term to expire in 2020.
5. Approval of easement to enable the City of Glendale to construct a connecting trail between Richard E. Maslowski Park and the Milwaukee County Oak Leaf Trail through a portion of a Whitefish Bay owned yard waste site.

III. Report of Village Officers

1. **Village Attorney** – No report
2. **Village Manager**

Village Manager Paul Boening recognized the success of Recycle Day in the Bay as well as Bay Day, noting the perfect weather and great turn out.

3. **Village President**

Village President Julie Siegel welcomed newly elected Trustee Kevin Buckley to the Village Board.

4. **Miscellaneous Trustee** – No reports

IV. Petitions and Communications – None

V. General Business

1. **Discussion/action on Interconnection Agreement with We Energies for the Public Works Facility Passive Solar Array Project.**

Director of Public Works John Edlebeck introduced items 1 through 3 collectively. Details were provided

regarding the Interconnection Agreement with WE Energies. Also discussed was the FOE RECIP grant funding for approximately 30% of the total project cost. Mr. Edlebeck also shared the expected project payback period with estimated savings over the next 25 years. It should be noted there is no financial burden at this time if agreements are approved, as the grant can be declined at a later date without penalty.

It was moved by Trustee Serebin, seconded by Trustee Saunders, and unanimously carried by the Village Board to accept the WE Energies Interconnection Agreement approval.

2. **Discussion/action on Incentive RECIP Grant Award Agreement with Focus on Energy for the Public Works Facility Passive Solar Array Project.**

It was moved by Trustee Serebin, seconded by Trustee Saunders, and unanimously carried by the Village Board to approve the Focus on Energy RECIP Grant Incentive Agreement in the amount of $82,809.21.

3. **Discussion/action on Focus on Energy Formal Statement Committing to RECIP Incentive Reduction for Failure to Meet Project Completion Date for the Public Works Facility Passive Solar Array Project.**

It was moved by Trustee Serebin, seconded by Trustee Buckley, and unanimously carried by the Village Board to approve the Focus on Energy Formal Statement Committing to RECIP Grant Incentive Reduction for Failure to Meet Project Completion Date of August 31, 2019.

4. **The Board may convene into Closed Session pursuant to Wisconsin State Statute §19.85(1)(e) deliberating or negotiating the purchase of public property, investing of public funds, conducting other specified business whenever competitive and/or bargaining reasons require a closed session – specifically regarding a Declaration of Deed Restrictions; and pursuant to Wisconsin State Statute §19.85(1)(g) to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved – specifically regarding a request for a Certificate of Appropriateness. The Village Board will reconvene into open session after the closed session.**

It was moved by Trustee Serebin, seconded by Trustee Fuda, and unanimously carried by the Village Board to convene into Closed Session pursuant to Wisconsin State Statute §19.85(1)(e) deliberating or negotiating the purchase of public property, investing of public funds, conducting other specified business whenever competitive and/or bargaining reasons require a closed session – specifically regarding a Declaration of Deed Restrictions; and pursuant to Wisconsin State Statute §19.85(1)(g) to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved – specifically regarding a request for a Certificate of Appropriateness.

5. **Discussion/action on appeal of ARC decision regarding the denial of a Certificate of Appropriateness for demolition of the house at 4640 N. Lake Dr.**

It was moved by Trustee Serebin, seconded by Trustee Saunders, and unanimously carried by the Village Board to reconvene into open session at 7:17pm. Motion carried 7-0.

INTRODUCTION:

President Siegel laid out the sequence of the Village Board appeal proceedings. The Village Attorney briefed the Board and the audience on the nature of the appeal, the standard of review, the Village Code and the applicable law.

APPELLANT PRESENTATION:

Attorney Michael Riopel of Husch Blackwell made a presentation representing the applicants, Rob Ruvin and John Brodersen and 4640 North Lake Drive LLC.

PUBLIC COMMENT:

Dennis Miller, 5418 N. Lake Dr.; Stated a lot of residents are aware and talking about this case because residents move here for the historic nature of the community. Mr. Miller noted he spoke with Mr. Richard Ruvin of Keller Williams pertaining to this case, and Mr. Ruvin made it clear to Mr. Miller he had minimal involvement, and in Mr. Miller's opinion, there is deception taking place. Stated the 4 houses on the historic registry should and need to be protected.

Jason Stuewe, 1000 E. Henry Clay St.; Has been a member of ARC serving his 4th term Mr. Stuewe made reference to Lauren Triebenbach's (Chairperson of ARC) emailed letter, in regards that the owner of 4640 N. Lake Drive could have pursued further efforts to market the structure for sale. Stated the available resources that the owner could have explored or pursued in an effort to sell the property could have exceeded far beyond the discussion of one or two individuals and that marketing efforts could have been made to satisfy the requirement of making a reasonable effort to find a buyer to remove or reuse it in any nature.

Heather Goetsch, 149 E Fairmount Ave.; Is a member of ARC and serving 2nd term. Ms. Goetsch supports Mr. Stuewe's comments that more efforts could have been made to further market the structure for sale, such as placing a sign in the front yard or placing an ad on craigslist. Also stated getting a bid from the applicant's own company was not sufficient for cost of renovation or moving for the home, should have received other input. Ms. Goetsch stated the owner should have known the property was historic upon purchase as it was noted in the deed, as well as the sign in front of the property.

Jefferson Aikin, Historic Preservation Commission; Clarified the definition of "historic site". In Mr. Aikin's opinion, the cost of renovation is exaggerated and illuminating because it reflects damage done to the house by the owners who purchased only 2 years ago who are now falsely claiming it as a "dump beyond repair".

Tom Fehring, Historic Preservation Commission; An original member of the commission and noted he researched the history of said property and put together the application before placing it on the Whitefish Bay register. Stated owner fully knew it was designated as historic. Also noted there is a clear problem within the ordinance in regards to receiving influenced input from residents during public comment periods.

Susie Van Cleave, 5353 N. Berkeley Blvd; Stated if good faith effort was trying to be made for a house looking to be rehabilitated, an architect or structural engineer would have been hired which never occurred. That should have been the first step, thus not making a good faith effort.

BOARD DISCUSSION:

The Village President closed the public comment period and opened the floor to the Board for discussion. Trustee Serebin clarified with Attorney Jackels that a house and site are separated in the ordinance. Trustee Davis asked Attorney Riopel whether or not the applicant placed a for sale sign on Lake Drive in front of the property. Attorney Riopel was not certain. Trustee Serebin referred to ARC's minutes and inquired about specific good faith efforts and if any new material was being presented at today's meeting. Attorney Riopel stated the applicant's good faith efforts have been met. Attorney Riopel provided the listing prices for the property from 2012 to 2016.

The Village President advised the Board is in recess at 8:12pm. The Board reconvened from recess at 8:17pm.

The Village Attorney repeatedly reminded the Board throughout the proceedings to consider only the record and the Applicant's presentation in rendering its decision. After reviewing the record from the Architectural Review Commission and the evidence presented by the Applicant with regard to the Applicant's satisfaction of Section 16.25(5)(b)3 of the Municipal Code, Board members indicated that the Applicant had not shown good faith efforts for a period of at least sixty (60) days to secure a buyer who would agree to or otherwise secure a means to preserve, relocate, reuse or otherwise rehabilitate the structure using a reasonable level of resources available to the owner or buyer. On that basis, the motion was made to deny the Appeal. Each of the Board members who voted in favor of the denial had expressed their individual findings that the Applicants had failed to show that they had satisfied Section 16.25(5)(b)3.

It was moved by Trustee Demet, seconded by Trustee Davis, and carried by the Village Board by a roll call vote to deny the Certificate of Appropriateness for demolition of the house at 4640 N. Lake Dr. Motion carried 5-2.

VI. Adjourn

There being no further business, it was moved by Trustee Fuda, seconded by Trustee Buckley, and unanimously carried by the Village Board to adjourn the meeting at 8:22pm.

Caren Brustmann
Deputy Clerk

REGULAR VILLAGE BOARD MEETING

MEETING NOTICE AND AGENDA

WHITEFISH BAY VILLAGE HALL
5300 North Marlborough Drive

Monday, December 3, 2018, 6:00 PM

I. Call to Order and Roll Call

II. Consent Agenda – Upon request of any Trustee, any item may be removed from the Consent Agenda for separate consideration under General Business.

1. Minutes of the regular meeting held on November 19, 2018.

III. Report of Village Officers

1. Village Attorney
2. Village Manager
3. Village President
4. Miscellaneous Trustee

IV. Petitions and Communications – This is an opportunity for anyone to address the Village Board on any issue NOT on the current agenda. While the Board encourages input from residents of the Village, it may not discuss or act on any issue that is not duly noticed on the agenda.

V. General Business

1. Discussion/action on recommendations from the Ad Hoc Teardown/Rebuild Committee.

2. Discussion/action on appeal of ARC decision regarding the denial of a Certificate of Appropriateness for demolition of the house at 4640 N. Lake Dr.

3. Discussion/action on 2019 Tree Pruning Contract.

VI. Adjourn

Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. Contact Village Hall at (414) 962-6690. It is possible that members of and possibly a quorum of members of other Boards, Commissions, or Committees of the Village including in particular the Ad Hoc Teardown/Rebuild Review Committee may be in attendance in the above stated meeting to gather information; no action will be taken by any other Boards, Commissions, or Committees of the Village except by the Board, Commission, or Committee noticed above. Agendas and minutes are available on the Village website (www.wfbvillage.org)

REGULAR VILLAGE BOARD MEETING

A regular meeting of the Board of Trustees of Whitefish Bay was held in the Board Room of Whitefish Bay Village Hall, 5300 North Marlborough Drive, November 19, 2018

Pursuant to law, written notice of this meeting was given to the press and posted on the public bulletin boards.

I. Call to Order and Roll Call

President Siegel called the meeting to order at 6:00 pm.

Present: Trustees Saunders, Demet, Miller, Fuda, Serebin, Davis and President Siegel

Also Present:
Village Manager Paul Boening
Village Attorney Chris Jaekels
Director of Public Works John Edlebeck
Library Director Nyama Reed
Director of Building Services Joel Oestreich
Police Chief Michael Young
Finance Director Jen Amerell
Assistant Village Manager Tim Blakeslee
Deputy Clerk Caren Brustmann

II. PUBLIC HEARING ON 2019 VILLAGE BUDGET

1. Public Discussion - None
2. Board Discussion - None

III. Consent Agenda

It was moved by Trustee Serebin, seconded by Trustee Miller, and unanimously carried by the Village Board to approve the following item on the consent agenda as presented.

1. Minutes of the regular meeting held on October 15, 2018
2. Minutes of the regular meeting held on November 5, 2018.
3. Investment Report for October, 2018.
4. Approval of request from Whitefish Bay Civic Foundation to possess alcohol at the Cahill Warming House during a private holiday party on 12/15/18.
5. 2019 Whitefish Bay Business Improvement District Operating Plan.

IV. Report of Village Officers

1. Village Attorney – No report
2. Village Manager -

Village Manager Paul Boening reminded the Board the Village Hall administration office will be closed on Thursday, November 22nd and Friday, November 23rd for the holiday. It was also noted the BID holiday stroll will take place on Friday, November 23rd at 5:00pm.

3. Village President – No report
4. Miscellaneous Trustees – No reports

V. Petitions and Communications - None

VI. General Business

1. **Discussion/action to adopt Resolution No. 3031 to extend the tax levy for the year 2018 and to adopt the 2019 Budget for the following funds:**
   - General Fund
   - Library Fund
   - Debt Service Fund
   - Capital Fund
   - Special Assessment Fund
   - Borrowed Money Fund
   - TID No.1 Fund
   - TID No. 2 Fund

It was moved by Trustee Serebin, seconded by Trustee Demet, and unanimously carried by the Village Board to adopt Resolution No. 3031 to extend the tax levy for the year 2018 and to adopt the 2019 Budget for the following funds:

- General Fund
- Library Fund
- Debt Service Fund
- Capital Fund
- Special Assessment Fund
- Borrowed Money Fund
- TID No.1 Fund
- TID No. 2 Fund

2. **Discussion/action to adopt Resolution No. 3032 to adopt the 2019 Budget for the following utility funds:**
   - Water Utility
   - Sewer Utility
   - Stormwater Utility

It was moved by Trustee Serebin, seconded by Trustee Fuda, and unanimously carried by the Village Board to adopt Resolution No. 3032 to adopt the 2019 Budget for the following utility funds:

- Water Utility
- Sewer Utility
- Stormwater Utility

3. **Discussion/action to adopt Resolution No. 3033 authorizing the extension of assessments, special charges, and delinquencies on the 2018 tax roll for the following:**
   - Streets, sidewalks, alleys and sewer improvement assessments
   - Business Improvement District assessments
   - Delinquent water/sewer/stormwater user charges
   - Miscellaneous delinquent charges

It was moved by Trustee Saunders, seconded by Trustee Serebin, and unanimously carried by the Village Board to adopt Resolution No. 3033 authorizing the extension of assessments, special charges, and delinquencies on the 2018 tax roll for the following:

- Streets, sidewalks, alleys and sewer improvement assessments
- Business Improvement District assessments
- Delinquent water/sewer/stormwater user charges
- Miscellaneous delinquent charges

4. **Discussion/action to adopt Resolution No. 3034 – A Resolution to Increase Local Sewer User Charges.**

It was moved by Trustee Fuda, seconded by Trustee Demet, and unanimously carried by the Village Board to adopt Resolution No. 3034 – A Resolution to Increase Local Sewer User Charges.

VI. Adjourn

There being no further business, it was moved by Trustee Fuda, seconded by Trustee Saunders, and unanimously carried by the Village Board to adjourn the meeting at 6:07pm.

Caren Brustmann
Deputy Clerk

DAVIS | KUELTHAU
attorneys at law

MEMORANDUM

To: Board of Trustees of the Village of Whitefish Bay

From: Christopher J. Jaekels, Village Attorney

Date: November 28, 2018

Subject: Appeal of Request for Certificate of Appropriateness for Demolition of Historically Designated Home at 4640 N. Lake Drive (John Brodersen a/k/a 4646 Lake Drive LLC)

Background of Ownership and Historic Designation

In 2007, the Whitefish Bay Historic Preservation Commission designated the home at 4640 N Lake Drive ("Property") as both an historic structure and historic site under Section 16.25 of the Municipal Code (the "Historic Preservation Ordinance") with the consent of the then owner of the property. The Property was later purchased by the current owner of the real estate, John Brodersen (a/k/a 4646 Lake Drive LLC).

Current Request for Demolition

On October 8, 2018, Mr. Brodersen applied for a demolition permit to demolish the residence on the property. On October 13, 2018, Mr. Brodersen applied for a "Certificate of Appropriateness" under Section 16.25 of the Village Code, which would enable him to demolish an historic structure (the residence).

The ARC Decision

Pursuant to the Ordinance, the Architectural Review Commission ("ARC") heard the request at its November 15, 2018 meeting. At that meeting, Robert Ruvin appeared on behalf of Mr. Brodersen. Mr. Ruvin stated that he had purchased the structure (but not the land) from Mr. Brodersen and 4646 Lake Drive LLC on a Bill of Sale and that he was looking for a place to move the structure, but that he had been unsuccessful thus far. Under the Ordinance the **applicant** must show that he has made good faith efforts for a period of at least sixty (60) days to secure a buyer who agrees to, or otherwise secures a means to, preserve, relocate, reuse, or otherwise rehabilitate the structure utilizing a reasonable level of resources available to the owner or buyer. The ARC noted that Mr. Brodersen and 4646 Lake Drive LLC no longer owned the structure and therefore could not be granted a Certificate of Appropriateness by the ARC. The applicant did not provide evidence of his sixty (60) day efforts as required. The ARC voted to deny the application. The ARC and the Village Attorney then advised Mr. Ruvin that he could undertake sixty (60) days worth of efforts to secure a buyer for the structure and then apply for a Certificate of Appropriateness himself.

Phone 414.276.0200 Direct 414.225.1409 Fax 414.278.3609
111 E. Kilbourn Avenue, Suite 1400, Milwaukee, WI 53202
cjaekels@dkattorneys.com

The Appeal

Under the Historic Preservation Ordinance, appeals from determinations of the ARC with regard to Certificates of Appropriateness are to be brought to the Village Board. This is a requirement in State Statutes. The Village Board is to render its decision based on the record and any additional evidence presented to it by the applicant. In this case, the sole question is whether at the time of the ARC meeting the applicant met the requirements of the Ordinance for a Certificate of Appropriateness. The Applicant was no longer the owner and made no presentation as to his efforts to sell or save the structure as is required by the Ordinance. The ARC denied the application on this basis. The Village Board can uphold or reverse the decision of the ARC. The current owner of the structure remains eligible to show the necessary efforts to preserve the structure and submit a new application for a Certificate of Appropriateness for demolition.

CJJ:das

From: Rob Ruvin [mailto:rob@robertruvin.com]
Sent: Monday, November 26, 2018 9:09 AM
To: Oestreich, Joel
Subject: 4640

Hi Joel:

We would like to appeal the November 15th ARC decision to deny the Certificate of Appropriateness to dismantle the home located at 4640 N Lake Drive to the Village Board on December 3rd.

Thank you,

Rob Ruvin & John Brodersen

Rob Ruvin
414-688-3706 (txt)
rob@robertruvin.com

CERTIFICATE OF APPROPRIATENESS APPLICATION FORM

Incomplete applications will not be processed for Commission review. Please print legibly.

1. **HISTORIC NAME OF PROPERTY OR HISTORIC DISTRICT (if known):**

   4640 N. Lake Drive, 1 property no Historic District

2. **NAME AND ADDRESS OF OWNER:**
   Name(s): JOHN BRODERSEN
   Address: 4646 N. Lake Drive
   City: Whitefish Bay State: WI Zip: 53211
   Phone Number (home/cell): (414) 807 8080
   Phone Number (work): Same
   Email address: john@jbbfoods.com

3. **APPLICANT, AGENT OR CONTRACTOR (if different from owner):** ~~(SAME)~~
   Name(s): Rob Ruvin / Ruvin Consulting
   Address: P.O. Box 170215
   City: milwaukee State: WI Zip: 53217
   Phone Number (home/cell): (414) 688 3706
   Phone Number (work): (SAME)
   Email address: rob@robertruvin.com

4. **ATTACHMENTS (Because projects can vary in size and scope, please call the Building Services at 414-962-6690 for submittal requirements):**
   X **Demolition**
   ____ **Exterior Modification**

5. **DESCRIPTION OF PROJECT: Describe all proposed work including materials, design, and dimensions per Municipal Code Section 16.25(5)(b)(1-3) as applicable. Additional pages may be attached.**

   Demolition of structure, backfill with construction grade fill. Home will be deconstructed and parts will be reused, donated or sold.

6. **Do you agree with the Historic Designation on your home? Yes _____ No _____**
7. **SIGNATURE OF APPLICANT:**

	JOHN BRODERSEN	10/23/18
Signature	**Printed Name**	**Date**

This form and all supporting documentation **MUST** arrive by 4:30 noon on the deadline date established to be considered at the next Architectural Review Commission Meeting. Any information not provided to staff in advance of the meeting will not be considered by the Commission during their deliberation. Please call if you have any questions and staff will assist you.

Contact the Building Services Department with Questions
414-962-6690
5300 N. Marlborough Drive, Whitefish Bay, WI, 53217

Staff Use Only*

ARC Chair Signature _____ Date _____

REGULAR VILLAGE BOARD MEETING

MEETING NOTICE AND AGENDA

WHITEFISH BAY VILLAGE HALL
5300 North Marlborough Drive

Monday, December 17, 2018, 6:00 PM

I. Call to Order and Roll Call

II. Consent Agenda – Upon request of any Trustee, any item may be removed from the Consent Agenda for separate consideration under General Business.

1. Minutes of the regular meeting held on December 3, 2018.
2. Claims for November, 2018.
3. Investment Report for November, 2018.
4. Referral of Ordinance to Plan Commission (Ord. No. 1845 pertaining to ARC submittal deadline and definition of "Design Area").
5. Approval of 2nd Revision to the State/Municipal Agreement for the STH 32-Lake Drive HSIP Safety Project.
6. Approval of a letter to the Public Service Commission of Wisconsin in support of two WeEnergies renewable energy pilot programs.

III. Report of Village Officers

1. Village Attorney
2. Village Manager
3. Village President
4. Miscellaneous Trustee

IV. Petitions and Communications – This is an opportunity for anyone to address the Village Board on any issue NOT on the current agenda. While the Board encourages input from residents of the Village, it may not discuss or act on any issue that is not duly noticed on the agenda.

V. General Business

1. Discussion/action on STH 32-Lake Drive pavement rehabilitation options.

2. Discussion/action on 2019 Work Order Authorization Contract with Clark Dietz for Alley Design and Construction Inspection.

3. Discussion/action on agreement with Armstrong Consulting Group, Inc. for 2019 Computer Network Services.

4. Discussion/action on agreement with Tyler Technologies, Inc. for Assessor Services.

5. Discussion/action on agreement with Tyler Technologies, Inc. for Village-wide Revaluation.

6. The Board may convene into Closed Session pursuant to Wisconsin State Statute §19.85(1)(e) deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session – specifically regarding contract negotiations with the Police Union.

7. The Board may reconvene to Open Session. The Board reserves the right to take action on any topic discussed in Closed Session.

VI. Adjourn

Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. Contact Village Hall at (414) 962-6690. It is possible that members of and possibly a quorum of members of other Boards, Commissions, or Committees of the Village including in particular the Plan Commission may be in attendance in the above stated meeting to gather information; no action will be taken by any other Boards, Commissions, or Committees of the Village except by the Board, Commission, or Committee noticed above. Agendas and minutes are available on the Village website (www.wfbvillage.org)

REGULAR VILLAGE BOARD MEETING

A regular meeting of the Board of Trustees of Whitefish Bay was held in the Board Room of Whitefish Bay Village Hall, 5300 North Marlborough Drive, December 3, 2018

Pursuant to law, written notice of this meeting was given to the press and posted on the public bulletin boards.

I. Call to Order and Roll Call

President Siegel called the meeting to order at 6:00 pm.

Present: Trustees Miller, Fuda, Serebin, Davis and President Siegel

Excused: Trustees Saunders and Demet

Also Present: Village Manager Paul Boening
Village Attorney Chris Jaekels
Director of Public Works John Edlebeck
Library Director Nyama Reed
Director of Building Services Joel Oestreich
Police Chief Michael Young
Finance Director Jen Amerell
Assistant Village Manager Tim Blakeslee
Deputy Clerk Caren Brustmann

II. Consent Agenda

It was moved by Trustee Serebin, seconded by Trustee Davis, and unanimously carried by the Village Board to approve the following item on the consent agenda as presented.

1. Minutes of the regular meeting held on November 19, 2018.

III. Report of Village Officers

1. Village Attorney – No report
2. Village Manager – No report
3. Village President

Village President Julie Siegel shared the Business Improvement District has been working with the merchants of Silver Spring to put on a wonderful menorah lighting at 5:30pm nightly, and all attendance is welcome.

4. Miscellaneous Trustees – No reports

IV. Petitions and Communications - None

V. General Business

1. Discussion/action on recommendations from the Ad Hoc Teardown/Rebuild Committee.

Village Manager Paul Boening provided background, scope, and progress of the Teardown Rebuild Review Committee to date. Trustee Fuda thanked the members of the Committee for the 5 productive meetings that were held. He added all meetings were open to the public, and staff took directive from the members of these meetings for an excellent policy statement.

PUBLIC COMMENT:

Kathy Rogers, 5059 N. Woodburn St.; Thanked the Board and staff for productive work during committee meetings. Ms. Rogers questioned how property owners are going to locate their Floor Area Ratio if this data is not going to be placed on the property card. Suggested staff could calculate square footage and lot size through the Village's website.

Kevin Whaley, 722 E. Lake View Ave.; Noted he had written 2 letters to the Board highlighting recommendations to request information for a rebuild. Suggested staff collects information for the subject property, including living area square footage, lot size not expressed in acres, FAR, year built, and adjacent addresses affected to be placed on the website for the public to review. Mr. Whaley also suggested changing the design area definition to read "The Design Area *should (in lieu of shall)* include a minimum of 8 homes".

John Powers, 4792 N. Cramer St.; Stated a house in the 4600 block of Cramer was rebuilt, with aluminum siding, and all other houses on the block are brick. Mr. Powers inquired if updated design guidelines would prohibit such variances.

Susie Van Cleave, 5353 N. Berkeley Blvd.; Noted she has attended ADHOC committee meetings in the past, and the guidelines aren't changing, they are just being clarified. Ms. Van Cleave stated Shorewood is a great comparison to Whitefish Bay however Shorewood doesn't have the economic influence like Whitefish Bay does. Added the ADHOC committee did not provide the tools the ARC had requested.

Dave Lucke, 5723 N. Shore Dr.; Stated there is a concern for the houses being torn down and rebuilt in regards to being legal non-conforming. The larger houses that are being built are too large for this community and affect the community as a whole as well as the neighbors of the subject property.

Doug Guinn, 820 E. Birch Ave.; Questioned whether the garage was included when determining FAR for a property. Mr. Guinn noted a house on his block has a 3 car garage, which isn't being included in the FAR. Stated more information should be provided in the notification letters to neighbors when a house is going to be torn down and rebuilt. Mr. Guinn stated there is a need for binding rules, not just guidelines to follow.

Terry Quantance, 725 E. Lake View Ave.; Thanked staff and the Board for their time and efforts into the recommendations presented today. Stated she saw a house within Whitefish Bay that just had a chimney standing, however, the house was not considered a teardown. Ms. Quantance suggested more defined guidelines.

Roy Wagner, former chairperson of ARC; Stated the recommendations provided by the ADHOC committee are decent; however, they still do not address the institutional problems of the sub divide within ARC. Mr. Wagner believes data points will cause a bigger criticism within ARC, only because they are not mandatory. Noted Village Trustees will have to answer to the public as to why the Village's character has changed over the years.

Ramin Eghbali, 1015 E. Colfax Pl.; Shared that his current house was a teardown/rebuild and that the process was very strenuous. Mr. Eghbali stated all rules and guidelines were followed, however, in his opinion he was being treated like a criminal. He mentioned the house he tore down was a disaster and needed to be removed. Stated his property taxes have tripled, and cannot understand how a defined set of rules cannot be followed.

Jenny Peltz, 4673 N. Lake Dr.; Questioned how many legal non-conforming homes currently exist within the Village.

Lauren Triebenbach, 6367 N. Lake Dr.; current chairperson of ARC; Stated the ADHOC recommendations are very helpful and the more information made available to the public, the better. Ms. Triebenbach noted that continued education to the ARC members will be beneficial.

Rick Quantance, 725 E. Lake View Ave.; Stated FAR makes a lot of sense in terms of consistency when it comes to teardowns/rebuilds. Thanked the ADHOC committee members for their hard work and support throughout the meetings. Mr. Quantance supports a garage being included in FAR.

Carolyn Maciver, 5834 N. Maitland Ct.; Is in support of providing ARC members the tools they need to make good, informed decisions. Noted the ADHOC recommendations are useful, however, staff owes it to ARC to make the decisions they need to, moving away from subjectivity and towards objectivity.

Tom Florsheim, 832 E. Birch Ave.; Stated the trees and other vegetation being taken down within the community needs to be considered when ARC makes their decisions. Mr. Florsheim added the decisions need to be more concrete.

After public comment, Trustee Serebin supports having the FAR included within the design area, and suggested staff asks the assessor to include lot sizes on property cards. Trustee Serebin also stated permits fees should be discussed in the future if an increase in staff time is a result of the ADHOC committee recommendations. Trustee Miller added that the design guidelines suggest that garages be built in the rear yard, whether this suggestion is respected may be a different issue. Trustee Davis added the ADHOC committee recommendations are a work in progress and the guidelines should be re-examined sporadically. Village President Julie Siegel thanked all staff and ADHOC committee members involved regarding this complex issue.

It was moved by Trustee Serebin, seconded by Trustee Davis, and unanimously carried by the Village Board to accept all the recommendations of the ADHOC/Teardown Committee, comprised of 7 separate motions, as amended.

1. Move to require educational sessions with the Village Attorney for new ARC and BOA members upon their initial appointment and that refresher educational sessions be conducted with ARC and BOA members every three years or on an as-needed basis. Effort shall be made to schedule such sessions at the conclusion of a regular ARC or BOA meeting.

2. Move to amend the ARC submittal deadline from 10 days prior to the meeting to 17 days prior to the meeting and to institute a written feedback submittal deadline of two business days prior to an ARC or BOA meeting for such comments to be included in the corresponding meeting packet.

3. Move to direct staff to require Floor Area Ratio data points be provided for the entire design area. Also, the existing and proposed square footage, existing and proposed Floor Area Ratio, lot dimensions, setbacks, and height be provided for the subject property.

4. Move to direct staff to include full plan sets for new homes and additions in the meeting packet and to post the full plan sets online and to also include copies of written feedback that is submitted by the deadline imposed in the second motion above.

5. Move to direct staff to provide the ARC project checklist for a project as part of ARC meeting minutes.

6. Move to amend the review process to require Village staff review of pergolas, arbors, garages and sheds as opposed to ARC.

7. Move to direct staff to prepare a Zoning Code Amendment to incorporate the revised Design Area definition, including changing the last sentence of paragraph one to read "The Design Area should include a minimum of 8 homes", as reviewed by ARC on 11/15/18.

2. Discussion/action on appeal of ARC decision regarding the denial of a Certificate of Appropriateness for demolition of the house at 4640 N. Lake Dr.

Village Attorney Chris Jackels provided background of ownership and the request for demolition.

It was moved by Trustee Fuda, seconded by Trustee Miller, and unanimously carried by the Village Board to uphold ARC's decision from 11/15/18 that the applicant was no longer the owner and made no presentation as to his efforts to sell or save the structure as required by Ordinance.

3. Discussion/action on 2019 Tree Pruning Contract.

It was moved by Trustee Serebin, seconded by Trustee Davis, and unanimously carried by the Village Board to award the 2019 Tree Pruning project to the low bidder, First Choice Tree Care, Inc. with approximately 550 trees to prune within the 2019 designated area, under the budgeted amount of $44,000.

VI. Adjourn

There being no further business, it was moved by Trustee Serebin, seconded by Trustee Davis, and unanimously carried by the Village Board to adjourn the meeting at 8:13pm.

Caren Brustmann
Deputy Clerk

REGULAR VILLAGE BOARD MEETING

MEETING NOTICE AND AGENDA

WHITEFISH BAY VILLAGE HALL
5300 North Marlborough Drive

Monday, January 21, 2019, 6:00 PM

I. Call to Order and Roll Call

II. Consent Agenda – Upon request of any Trustee, any item may be removed from the Consent Agenda for separate consideration under General Business.

1. Minutes of the regular meeting held on December 17, 2018.
2. Claims for December, 2018.
3. Investment Report for December, 2018.
4. Appointment of Nicholas Bandoch to the Whitefish Bay Civic Foundation Board.
5. Appointment of Eric Bunke to the Whitefish Bay Civic Foundation Board.
6. Appointment of Ryan Harrington to the Whitefish Bay Civic Foundation Board.
7. Appointment of Katie Hoven to the Whitefish Bay Civic Foundation Board.
8. Ordinance No. 1845 pertaining to ARC submittal deadline and definition of "Design Area".
9. Adoption of the Revised Wisconsin Municipal Records Schedule.

III. Report of Village Officers

1. Village Attorney
2. Village Manager
3. Village President
4. Miscellaneous Trustee

IV. Petitions and Communications – This is an opportunity for anyone to address the Village Board on any issue NOT on the current agenda. While the Board encourages input from residents of the Village, it may not discuss or act on any issue that is not duly noticed on the agenda.

V. General Business

1. Discussion/action on Resolution No. 3035 Recognizing the Retirement of Library Circulation Assistant Jeanne Christiansen.

2. Discussion/action on Resolution No. 3036 Recognizing the Retirement of Patrol Officer Eddie Gamez Jr.

3. Discussion/action on Resolution No. 3037 Recognizing the Retirement of Patrol Officer Michael Kowalski.

4. Discussion/action on a right-of-way exception request to permit the repair/partial replacement of a retaining wall located partially in the right-of-way at 1101 E. Lexington Blvd.

5. Discussion/action on Water Tower Lease Agreement with U.S. Cellular.

6. Discussion/action on Ordinance No. 1846 to recreate the Off-Street Parking Requirements previously contained in Section 6.065(3)(a) of the Municipal Code.

7. Discussion/action on Ordinance No. 1847 to amend the Traffic Code to revise the "No Parking" restriction for a portion of the east side of N. Santa Monica Blvd. just south of E. Birch Ave.

8. Discussion/action on submitting grant applications for a possible Solar Panel Array Installation Project at the Whitefish Bay Public Works Facility.

VI. Adjourn

Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. Contact Village Hall at (414) 962-6690. It is possible that members of and possibly a quorum of members of other Boards, Commissions, or Committees of the Village including in particular the Police Commission may be in attendance in the above stated meeting to gather information; no action will be taken by any other Boards, Commissions, or Committees of the Village except by the Board, Commission, or Committee noticed above. Agendas and minutes are available on the Village website (www.wfbvillage.org)

REGULAR VILLAGE BOARD MEETING

A regular meeting of the Board of Trustees of Whitefish Bay was held in the Board Room of Whitefish Bay Village Hall, 5300 North Marlborough Drive, December 17, 2018

Pursuant to law, written notice of this meeting was given to the press and posted on the public bulletin boards.

I. Call to Order and Roll Call

President Siegel called the meeting to order at 6:00 pm.

Present: Trustees Saunders, Fuda, Serebin, Demet, Davis, and President Siegel

Excused: Trustee Miller

Also Present: Village Manager Paul Boening
Village Attorney Chris Jackels
Director of Public Works John Edlebeck
Assistant Village Manager Tim Blakeslee
Police Chief Michael Young
Police Lieutenant Patrick Whitaker
Director of Building Services Joel Oestreich
Library Director Nyama Reed
Village Engineer Mustafa Emir
Deputy Clerk Caren Brustmann

II. Consent Agenda

It was moved by Trustee Fuda, seconded by Trustee Serebin, and unanimously carried by the Village Board to approve the consent agenda as amended.

1. Minutes of the regular meeting held on December 3, 2018.
2. Claims for November, 2018.
3. Investment Report for November, 2018.
4. Referral of Ordinance to Plan Commission (Ord. No. 1845 pertaining to ARC submittal deadline and definition of "Design Area").
5. Approval of 2nd Revision to the State/Municipal Agreement for the STH 32-Lake Drive HSIP Safety Project.
6. Approval of a letter to the Public Service Commission of Wisconsin in support of two WeEnergies renewable energy pilot programs.

III. Report of Village Officers

1. **Village Attorney** – No report
2. **Village Manager** – No report
3. **Village President** – No report
4. **Miscellaneous Trustee** – No reports

IV. Petitions and Communications

Lou Helen Kirschling, 5462 N. Santa Monica Blvd.; Requested that residents be notified when work is being done to the adjacent public parkway of a residence. Ms. Kirschling also inquired as to why a "no parking-bus stop" sign was moved 30 feet to the alley. A letter dated 12/17/18 addressing the Board of these inquiries is on file.

V. General Business

1. Discussion/action on STH 32-Lake Drive pavement rehabilitation options.

Director of Public Works John Edlebeck briefed the Board on the 2 different pavement improvement options for STH 32-Lake Drive. Because it is a DOT State Connecting Highway, classification and maintenance of the highway was explained in detail. In his absence, Trustee Miller provided a letter of support for Option #2 for the record. There was Board discussion regarding the State of Wisconsin's role in funding repairs to Lake Drive, a comparison of the two options presented, and the timeliness of possible state funding.

It was moved by Trustee Davis, seconded by Trustee Serebin, and unanimously carried by the Village Board to proceed with Lake Drive Pavement Improvement option #2 (local pavement resurfacing in 2019-2020 with Village funds for an estimated amount of $1,025,000 funded out of the annual roadway rehabilitation project funds) as outlined in the memo dated December 12, 2018.

2. Discussion/action on 2019 Work Order Authorization Contract with Clark Dietz for Alley Design and Construction Inspection.

Director of Public Works John Edlebeck briefed the Board on the proposed 2019 Pavement Rehabilitation Project, including the survey and design work required.

It was moved by Trustee Serebin, seconded by Trustee Demet, and unanimously carried by the Village Board to approve the 2019 Work Order Authorization Contract with Clark Dietz for alley design and construction inspection for the hourly not to exceed amounts of $19,000 for design and bidding services and $20,500 for construction survey and inspection services.

3. Discussion/ action on agreement with Armstrong Consulting Group, Inc. for 2019 Computer Network Services.

Village Manager Paul Boening outlined the proposed agreement and stated that the Village has been happy with the service and institutional knowledge provided by Mr. Armstrong.

It was moved by Trustee Saunders, seconded by Trustee Davis, and unanimously carried by the Village Board to approve the 2019 agreement with Armstrong Consulting Group, Inc. in an amount not to exceed $42,208.00.

4. Discussion/ action on agreement with Tyler Technologies, Inc. for Assessor Services.

Village Manager Paul Boening outlined the proposed agreement as well as the revaluation contract. There was Board discussion about using the contracted assessor vs. an outside assessor for the revaluation contract.

It was moved by Trustee Demet, seconded by Trustee Saunders, and unanimously carried by the Village Board to approve the assessor contract with Tyler Technologies, Inc. for the period of January 1, 2019 to December 31, 2019 for an amount not to exceed $40,600.00.

5. Discussion/ action on agreement with Tyler Technologies, Inc. for Village-wide Revaluation.

It was moved by Trustee Saunders, seconded by Trustee Demet, and unanimously carried by the Village Board to approve the revaluation contract with Tyler Technologies, Inc. for an amount not to exceed $61,600.00.

6. The Board may convene into Closed Session pursuant to Wisconsin State Statute §19.85(1)(e) deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever

competitive or bargaining reasons require a closed session – specifically regarding contract negotiations with the Police Union.

It was moved by Trustee Serebin, seconded by Trustee Saunders, and unanimously carried by the Village Board to convene into Closed Session pursuant to Wisconsin State Statute §19.85(1)(e) deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session – specifically regarding contract negotiations with the Police Union.

7. **The Village Board may reconvene into open session. The Village Board reserves the right to take action on any topic discussed in closed session.**

It was moved by Trustee Serebin, seconded by Trustee Saunders, and unanimously carried by the Village Board to reconvene into open session at 7:14pm.

a. It was moved by Trustee Davis, seconded by Trustee Saunders, and unanimously carried by the Village Board to approve the 2019-2020 Police contract as drafted. Motion carried 6-0.

VI. Adjourn

There being no further business, it was moved by Trustee Fuda, seconded by Trustee Serebin, and unanimously carried by the Village Board to adjourn the meeting at 7:15pm.

Caren Brustmann
Deputy Clerk

Submitted by Appellant

May 14, 2020

Julie Siegel, Village President
Whitefish Bay Village Board
5300 N. Marlborough Dr.
Whitefish Bay, WI 53217

ATTN: Paul Boening, Village Manager

Dear President Siegel,

As requested, below are discussion points the appellants ask the Village Board to consider in the Appeal Hearing scheduled for Monday, May 18, 2020 regarding the proposed demolition of the historic building at 4640 N. Lake Dr.

1) The April 9, 2020 ARC hearing notice was not sufficiently published, and the yard sign was not posted in front of the property, resulting in the public not being properly noticed as required by ordinance and the state Open Meeting law, a critical requirement that cannot be excused and, in fact should be elevated, in extraordinary times.

2) At hearing, the ARC was prohibited from receiving testimony from a prospective buyer and others, contrary to ordinance which requires ARC to "examine application papers, hear all applicants and all other persons who wish to be heard." As a quasi-judicial hearing, this was a breach of due process for all affected parties, including the prospective buyer and the appellants.

3) By being denied third party testimony, and permitted to hear testimony only from the applicant, the ARC was unable to fulfill its fact-finding mission to credibly determine whether the applicant acted in "good faith."

4) The applicant failed to act in "good faith," and instead engaged in a months-long charade to persuade the ARC it had done so. As shown by the applicant's own testimony, despite months of listing and multiple showing he did not attract offers by deliberately overpricing the property in order to discourage potential buyers. The applicant never intended to make a "good faith" effort to sell the property.

5) To the applicant's chagrin, he nevertheless did receive a $1 million offer from a prospective buyer who, pursuant to ordinance, agreed to rehabilitate the property "utilizing a reasonable level of resources available to the buyer." Despite the prospective buyer's willingness to make a significant personal investment in the property, the applicant did receive an offer for the severely-neglected property that an independent appraiser would likely consider a “good faith” fair market offer.

6) The ARC is charged with evaluating proposals with its "goal the perpetuation of the Village character and atmosphere, preservation of existing property values, and enhancement of the desirability of the Village as a residential community." Demolition of this historic property does the opposite. It removes $1 million from the tax roll, eliminates the opportunity for a family to live in the house and contribute to cultural life, and degrades the beauty and history of the Lake Drive residential district.

7) The ARC typically evaluates proposals for the future use of a property. What use has the applicant planned for this property? When a proposal is made to destroy a structure that Village government has deemed historic, why has the applicant not told the Village Board what will replace it?

8) The Herman Reel House was built in 1928 and designed by Richard Philipp, an important Wisconsin architect whose work includes the Holy Hill Monastery in Hubertus, several buildings in the Kohler Company complex including the American Club and Design Center, the M&I Bank building in downtown Milwaukee, and the great chapel at St. Joseph Convent on Layton Blvd. It is considered an important example of Philipp's Eclectic English Tudor Revival style, and is the only structure in Whitefish Bay designed by Philipp.

9) The Village Board has the power, authority, and duty to take into consideration the entire Municipal Code, and to act in the public interest as defined in the purpose and intent of the Village's Historic Preservation and Zoning ordinances.

10) Is there a solution to this stalemate? Yes. It would involve the use of state and federal income tax credits if this property were to be placed on the National Register of Historic Places. Given its distinguished history that should be no problem. This might help the applicant realize his asking price while making rehabilitation affordable for the prospective buyer. An extension of the process allowing the historic designation process to proceed might be welcomed by both parties, and is a project the Historic Preservation Commission would be happy to pursue.

Respectfully Submitted,

Jefferson Aikin
4955 N. Woodburn St.
Whitefish Bay, WI 53217
(414) 962-3709

November 2018

Preserving Our Past

4640 North Lake Drive, Whitefish Bay, WI

Preserving Our Past

From preamble to Whitefish Bay Zoning Code:

16.01(1) PURPOSES AND INTERPRETATION

NOW, THEREFORE, IT IS HEREBY DETERMINED that public health, safety, welfare and morals will be protected, promoted and conserved by the regulations contained in this code, and that in interpreting and applying the provisions of this code, the provisions thereof shall, in every instance, be held to be the minimum requirements adopted for said purposes.

Preserving Our Past

Whitefish Bay Historic Preservation Ordinance, adopted in 2005:

I6.25 HISTORIC PRESERVATION (Ord. 1686)

(1) Purpose and Intent. It is hereby declared a matter of public policy that the protection, enhancement, perpetuation and use of improvements or sites of historic interest or value is a public necessity and is required in the interest of the health, prosperity, safety and welfare of the Village. The purpose of this section is to:

1) Effect and accomplish the protection, enhancement, and preservation of such improvements and sites which represent or reflect elements of the Village's cultural, social, economic, political and architectural history.
2) Safeguard the Village's historic, prehistoric and cultural heritage, as embodied and reflected in such historic structures and sites.
3) Stabilize and improve property values, and enhance the visual and aesthetic character of the Village.
4) Protect and enhance the Village's attraction to residents, tourists and visitors, and serve as a support and stimulus to business.

Preserving Our Past

Whitefish Bay Historic Preservation Commission

- Formed in 2005, the Whitefish Bay Historic Preservation Commission is charged with the responsibility of assisting in the **preservation of the Village's historic and cultural heritage**.

Preserving Our Past

Whitefish Bay Historic Preservation Commission

- **Why is Historic Preservation important?**
  - Helps to preserve historic homes and other sites
  - Adds to the quality of life in the community
  - Attracts others to the community
  - May enhance property values
  - Provides social context – answers the question,

"*What does it mean to be a resident of Whitefish Bay?*"

Preserving Our Past

Whitefish Bay Historic Preservation Commission

- **WFB Designation of Historic Site**
  - In 2007, owners Richard and Dana Anderson requested that their house at 4640 North Lake Drive be considered a historic site, under the WFB historic preservation ordinance (no. 1686)
  - An application was prepared which documented the historic and architectural significance of the residence

Preserving Our Past

Whitefish Bay Historic Preservation Commission

- **WFB Designation of Historic Site**
  - On June 20, 2007, the WFB historic preservation commission approved the application, noting:
    - *"that the house ranks among the most significant examples of the English Tudor Revival Eclectic style in Milwaukee County, that it was designed by noted Wisconsin architect Richard Philipp, that it is an example of exemplary craftsmanship, and that the original owner (Herman Reel) was a significant local historical figure."*

Preserving Our Past

Whitefish Bay Historic Preservation Commission

- WFB Ordinance No. 1686:

3. The Architectural Review Commission (or CDA where appropriate) shall not issue a Certificate of Appropriateness for demolition unless the applicant has shown that it has made good faith efforts for a period of at least sixty (60) days to secure a buyer who agrees to, or otherwise secures a means to, preserve, relocate, reuse, or otherwise rehabilitate the Historic Site or Structure utilizing a reasonable level of resources available to the owner or buyer. The Architectural Review Commission (or CDA where appropriate) may impose such additional restrictions or requirements in the demolition permit as it deems reasonably necessary, including, but not limited to: the imposition of waiting or negotiation periods of up to sixty (60) days, the requirement of additional efforts to preserve or sell the property for periods of up to sixty (60) days, the salvage or recycling of historic artifacts, the donation or sale of all or portions of the Historic Site or Structure for removal, or the measurement, recording, and photographing of the structure so as to make an historic record.

Preserving Our Past

Photos from 2015 Real Estate Listing

Photos from 2015 Real Estate Listing

Photos from 2015 Real Estate Listing

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Photos from 2015 Real Estate Listing

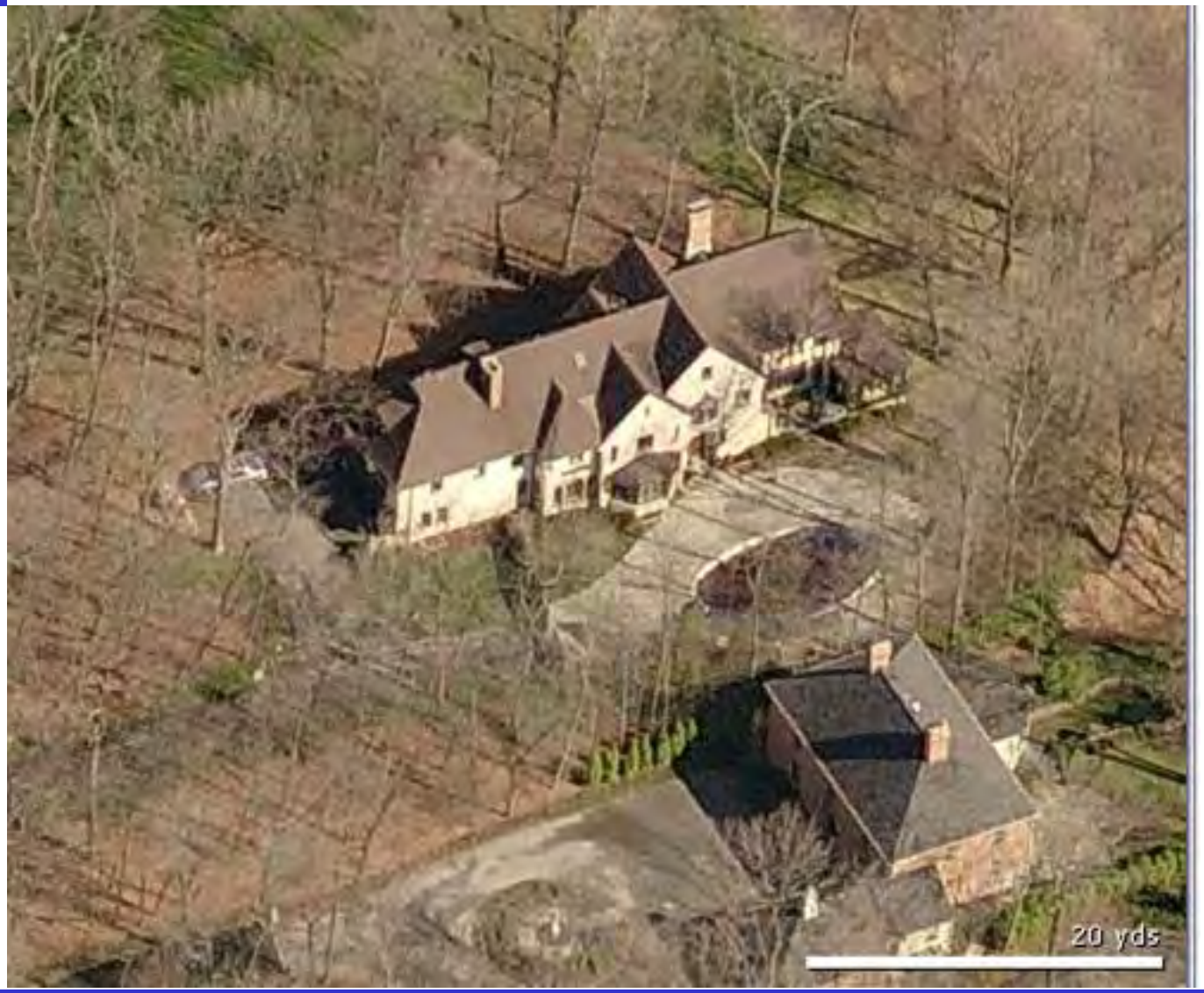
Photos from 2015 Real Estate Listing

Photos from 2015 Real Estate Listing

Photos from 2015 Real Estate Listing

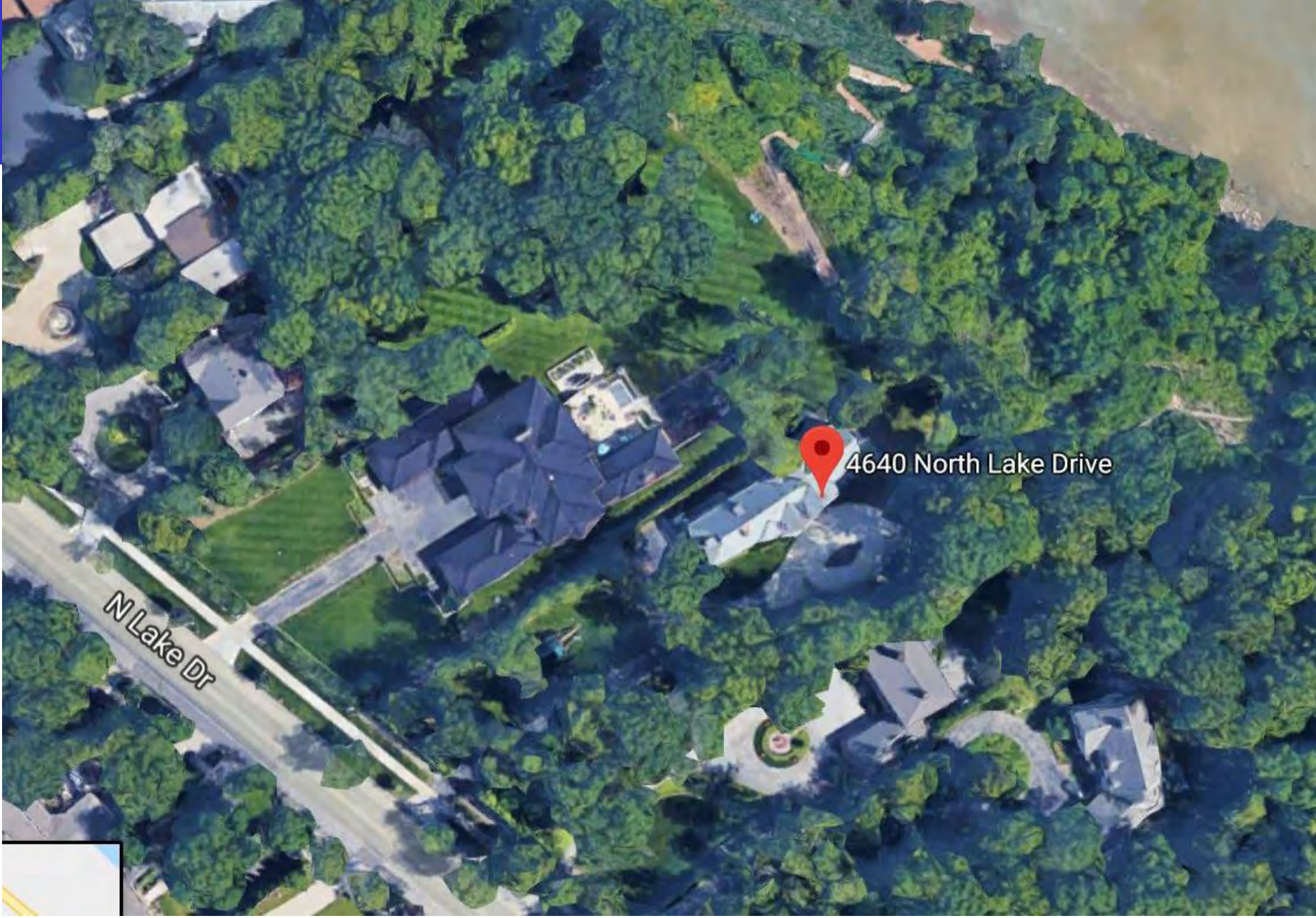
Photos from 2015 Real Estate Listing

Preserving Our Past



2007

'Birds-eye' View of property



Current Google Maps Overhead View

Preserving Our Past

Whitefish Bay Historic Preservation Commission

- In 2004, the residence served as the Breast Cancer Showhouse for Milwaukee
  - Owned at the time by Michael F. Hupy and his wife, Suzanne, the house was noted for its:
    "traditional Tudor detailing outside and an intriguing floor plan inside. Nooks and alcoves make for unusual spaces and fireplaces are found in the lower level, the living room and the master bedroom."

Preserving Our Past

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- Demolition of the residence, as proposed, would:
  - Remove an architecturally significant home from the community, representative of the notable work of an influential architect
  - Remove a home identified with a historic person of the community
  - Remove the value of the house from the Village's property tax roles
  - Remove the potential for another family to occupy the house and participate in the Village's cultural life.

QUESTIONS?

Preserving Our Past

APPLICATION FOR DESIGNATION OF WHITEFISH BAY HISTORIC SITE

1. Name

Historic: The Herman Reel House

And/or Common: The Richard and Dana Anderson House

2. Location

Street and Number: 4640 North Lake Drive

City: Whitefish Bay **State:** Wisconsin **Zip:** 53211

3. Classification

Category	Ownership	Present Use			
☑ Building(s)	☐ Public	☐ Agricultural	☐ Park	☐ Government	☐Transportation
☐ Structure	☑ Private	☐ Commercial	☐ Cemetery	☐ Industrial	☐Other
☐ Object	☐ Both	☐ Educational	☐ Religious	☐ Military	
☐ Site		☐ Entertainment	☑ Private Residence	☐ Museum	

4. Owner of Property

Name: Richard and Dana Anderson

Street and number: 4640 North Lake Drive

City: Whitefish Bay **State:** Wisconsin **Zip:** 53211

5. Representation of Existing Surveys

Inventory: WI Architecture and History Inventory

Date: 2007 ☐ **Federal** ☑ **State** ☐ **County** ☐ **Local**

Organization that serves as Depository for survey records:

Wisconsin Historical Society, Division of Historic Preservation.

Street and number: 816 State St.

City: Madison **State:** WI **Zip:** 53706

Previous Historic Designation:

☐ National Register Date: Name

☐ Wisconsin Register Date: Name

☐ Other: Name of Program: Whitefish Bay Architecture and History Inventory

Date: February 21, 2007

6. Description

Building form: Tudor revival-style (Eclectic English Tudor design)

Number of stories: Two stories with full basement and unfinished attic story

Condition:
☐ Excellent ☑ Good ☐ Fair ☐ Deteriorated ☐ Ruins

Foundation:
☐ Stone ☐ Brick ☐ Concrete Block ☐ Concrete ☐ Other _____

Site (check one):
☑ Original ☐ Moved ☐ Altered ☐ Unaltered

Roof:
☑ Gable ☐ Gambrel ☐ Hip ☐ Mansard ☐ Flat ☐ Other

Exterior Walls:
☐ Clapboard ☐ Brick ☑ Stucco ☑ Stone ☐ Wood shingle ☐ Slate
☐ Terra Cotta ☐ Asphalt siding ☐ Aluminum siding ☐ Artificial stone ☐ Other ☐

Written description:

Sited on a bluff overlooking Lake Michigan in the Village of Whitefish Bay, the Herman Reel house is an imposing Tudor Revival-style residence. It is characterized by Eclectic English Tudor design, quality craftsmanship, and ornate interior detailing. Constructed between 1928 and 1929, the exterior walls are constructed of stucco and stone from the quarries in Lannon, Wisconsin, with some half-timbering on the second level.

The two-story house (with full basement and unfinished attic story) measures approximately 115' x 44' and is situated on a 1.5 acre tract of land with a commanding view of the lake. The house is accessed from a long drive off of Lake Drive.

The house features predominately steep gabled roofs, with several wings that extend at right angles to the main structure.

Exterior Features

The front entrance faces south, and sits under a decorative half-octagon oriel window that provides light to the front bed room. The massive wooden door is centered in Lannon stone with quoins around the setback.

To the left of the entrance is a large bay window that illuminates the formal dining room. An informal 'breakfast' room to its immediate left features three large arched windows which are enhanced by Lannon stone quoins. An ornamental owl, since removed, graced the exterior corner over the formal dining room. Above the breakfast room, the windows of the guest bedroom are graced with a flower box. The roof peak above this area includes a finial with decorative weathervane, since removed.

A large chimney extends well above the roof line, just to the west of the breakfast room.

A large enclosed garage occupies the west end of the structure, over which are were the former servants' quarters. The windows facing west above the garage openings have flower boxes.

An interesting terrace exists to the right of the formal entrance. The wall enclosing the terrace features two ornamental orbs. The master bath and dressing room on the second floor partially overhangs the terrace and is faced with stucco and half-timbering which frames four small leaded glass windows.

A screened porch extends on the east side of the building, and provides a panoramic view of Lake Michigan. A terrace patio with a stone floor also extends on the east side of the building, to the north of the screened porch.

The north face of the residence repeats many of the design features of the front face. It features a large bay window centering on the second floor sitting room, and a much more massive and elaborate chimney.

Interior Features

The entrance opens into a small vestibule, which in turn provides entrance into a formal hall. The hall is somewhat reminiscent of that which the architect designed for the Kohler Riverbend Farms mansion, albeit at a smaller scale. It has a wooden beamed ceiling and a black slate floor. A formal stairwell with beautifully decorated wooden railings flows into the Hall. The wooden railings end with a massive carved railing headpiece.

The great room is beautifully paneled, with an elaborately detailed plaster ceiling installed by Orland Blini, a well-known plasterer who worked in a number of significant Milwaukee residences. The room also features a large window overlooking the lake, and a stone hearth. Interesting leaded glass is used lavishly in this room, as it is throughout the residence.

The formal dining room features a pocket ceiling with wood dentils. The separate breakfast room has the original tile flooring and groin vaulted ceiling.

The first floor also contains a large kitchen, with separate panty and serving room.

The second level of the residence contains a large 'owner's bedroom' with its own fireplace. A sitting room with a bay oriel facing north graces the area outside of the owner's bed room. A dressing room and private bath room can be accessed from the owner's bedroom.

Three other bedrooms are on this level for use by the original owner's family – two for the owner's sons, plus a guest room. The son's bedrooms share a common bath room. However, the guest room has its own lavatory facilities.

The servants' quarters, located over the garage area, are also on the second level. It features two generously sized bedrooms, separate bathroom facilities, an adjacent linen and sewing room. A back stairwell provides access to the kitchen on the first level and laundry and boiler rooms in the basement.

The basement and attic include extensive storage space. The basement includes a finished amusement room with tile hearth, in addition to separate rooms for storage of coats, storms/sashes, and vegetables.

All the original flooring has been preserved except in the kitchen where a wood floor has been installed.

The owner has a complete set of the original drawings, which are beautifully illustrated with elaborate detail, and are on record at the Milwaukee Architectural Archive, which are located at the Milwaukee Public Library.

The following is a recent picture of the subject residence, taken December, 2005. While the winter photograph doesn't do justice to the landscaping, it shows many of the exterior architectural features of the residence.

A Bird's Eye View of the property, looking north, courtesy of www.local.live.com

The following is a copy of the front illustration of the residence, from the original drawing package.

The following is a copy of the architect's original illustration of the back of the residence

7. Significance

Areas of significance:

- ☐ Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state or community.
- ☑ Is identified with a historic personage or an important event in the national, state or local history.
- ☑ Embodies the distinguishing characteristics of an architectural type or specimen, valuable for a study of a period, style, method of construction, or of indigenous materials or craftsmanship.
- ☑ Is representative of the notable work of a master builder, designer or architect who influenced his or her age.
- ☐ Has yielded, or is likely to yield, information important to prehistory or history.

Date built or altered: 1928-1929

Builder/architect: Jans Grogan/Richard Philipp

Written statement of significance:

The Herman Reel house ranks among the most significant examples of the English Tudor Revival Eclectic style in Milwaukee County. Designed for Milwaukee merchant Herman Reel by noted Wisconsin architect Richard Philipp, this residence clearly evidences Philipp's ability as a designer of merit.

Distinguished by a stucco and stone exterior with half-timber exposed framing accents on a portion of the second level, the residence evidences the work of master craftsmen.

In discussing the works of the architect, architectural historian Richard W. E. Perrin stated that, "It was the adaptation of the Tudor English forms that Richard Philipps's ability as a designer was most evident. Some of his most important houses of mansion proportions were designed by him for prominent families throughout Wisconsin.[1]

This residence ranks along with a number of noteworthy examples of significant Milwaukee residences designed by Phillips. "The Heritage Guidebook: Landmarks and Historical Sites in Southeastern Wisconsin,[2]" describes a number of these residences, to include:

111. A. F. Gallun Residence, 3000 E. Newberry Blvd. *"Built by the president of the Gallun Tannery, this stone Tudor mansion is one of the city's largest and best constructed. It is trimmed with Bedford limestone, oak timbers, and copper gutters and has a Vermont slate roof. Architect Richard Philipp laid out the ground plan in a "U" shape surrounding a central courtyard with an access passageway under part of the building."*

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[1] "Milwaukee Landmarks, Revised and Enlarged", Richard W. E. Perrin, Milwaukee Public Museum Publication in History No. 9, Original Edition Published 1968, Revision 1979. ISBN: 0-89326-044-4

[2] "The Heritage Guidebook: Landmarks and Historical Sites in Southeastern Wisconsin," Historically and/or architecturally significant buildings, monuments and sites in five Southeastern Wisconsin Counties, by H. Russell Zimmermann. Published by Heritage Banks, Milwaukee, Wisconsin. 1976. (The numbering preceding each residence references the numbering sequence from the book.)

119. William W. Akin Residence 3043 N. Summit Ave. *"A fine example of Richard Philipp's early Georgian work."*

125. Walter Kasten Residence, 2550 N. Terrace Ave. *"This is another of many creative local variations on the Georgian style designed by Richard Philipp of the architectural firm, Brust & Philipp."*

127. A. Lester Slocum Residence, 2675 N. Terrace Ave. *"A fine and creative variation on the English Tudor style, this distinguished residence was designed by architect Richard Philip for the president of the Slocum Straw Works. Unlike so many of its contemporaries, which have false timberwork made with thin applied planks, this house was built wish genuine structural ash timbers taken from an old barn."*

128. William F. Luick Residence, 2601 N. Wahl Ave. *"Designed by Milwaukee architect, Richard Philipp, this stone house is only one variation of the English styles at which he was so successful. He designed the Gallun house (see 111) which was more like a formal Tudor manor house, and the Slocum residence (127) which had an earlier feeling with genuine half timber work. Ice cream manufacturer Luick request, instead, an authentic English Cotswold house complete with a typical stacked stone drywall around the perimeter of the lot."*

The residence was featured at the Wisconsin 2004 Breast Cancer Showhouse, June 5 through the 20th, 2004.[3]

Historical Background:

Original Owner

The residence at 4640 North Lake Drive in Whitefish Bay was designed and constructed for Herman Reel. Mr. Reel was born in Witten, Germany in 1868, the son of Adolph and Jeannette (Rosenberg) Reel. The Reels immigrated to the United States in 1881 and established their home in Milwaukee where Adolph Reel opened a retail clothing store.[4]

Portrait of Mr. Reel from the "History of Milwaukee", Volume II

Herman obtained his early education in Cassel, Germany, "the same school attended by members of the royal family, and while thus engaged studied the various leading languages save English.[5]" After coming to the United States he attended Myer's Commercial College of Milwaukee for a short time and began working in the family store. After a brief period, he obtained employment for the firm of Rosenberg & Lieberman, who had a wool and fur warehouse. He spent five years with that concern, leaving in 1889 to establish his own business as a dealer in wool and fur. His company was reportedly centered in Chicago at that time.[6]

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3 "Burnishing an old-world gem, design team gives Breast Cancer Showhouse a fresh look, with a nod to its Tudor charm," Milwaukee Journal Sentinel, June 6, 2004.

4 "History of Milwaukee City and County," Volume II, pages 784-787, published by the S.J. Clarke Publishing Company, Chicago and Milwaukee, 1922.

5 Ibid.

6 Ibid.

In 1912 Mr. Reel began the publication of a Trade Journal, which he called 'The Progressive,' for the fur and wood trades. He made the little magazine what its name implied. In 1914, with the assistance of his sister, he opened a retail house on Grand Avenue in Milwaukee. At the time, it was reported that he had "the largest specialty store of the kind in the country and his place is altogether unique in that his customers are served only in individual booths or rooms."[7]

As a young man, Reel studied law at the Milwaukee University Law School, which was subsequently merged into Marquette University. Following the acquisition of MULS, Marquette provided Mr. Reel with a diploma of Bachelor of Law. He was admitted to the bar on the 26th of June, 1897, and although he has never engaged in law practice, it was reported that "his knowledge of the science of jurisprudence has been of great value to him in the conduct of business affairs."[8]

Herman Reel married Blanche Ullman in 1904, a daughter of Joseph Ullman of Appleton, Wisconsin. They had three sons – Robert, Adolph and Frederick.

Reel had a postcard made of two of his sons, for apparent use in his retail store. The caption under the boys reads "The Reel Indians, None Better," and the sign on the tree states, "Herman Reel Co., Milwaukee, Wis., U.S.A., Highest Prices Paid for Wool and Furs, "None Better"

[7] Ibid.
[8] Ibid.

Reel was active in local political matters. He was unsuccessful in his own run for office (for the Fourth Senatorial District, losing to Theo. C. Froemming).[9] His involvement in politics included the honor of presenting Robert M. LaFollette at one of the largest gatherings ever assembled in Wisconsin, held at the old exposition building November 2, 1902.[10]

Subsequent owners of the residence include Herbert Spenner, one of the most prominent members of Milwaukee's German American community. An attorney, Spenner served as legal representative for the governments of West Germany and Austria in Wisconsin for 20 years.

He was president of the German-American Societies of Milwaukee and of Goethe House at the Central Public Library. He also belonged to the Steuben Club, a German social organization. He was active in efforts to establish a sister city relationship between Milwaukee and Munich. In 1970, Spenner was one of four Milwaukeeans named to receive the German Order of Merit for efforts to strengthen human and cultural relations between the United States and West Germany. Spenner was active in politics and headed efforts of Germany Americans for the Re-election of President Richard Nixon in 1972.[11]

Architect/Designer

Richard Philipp was a widely known Milwaukee architect who was the original consultant in the planning of Kohler village. He designed many homes and buildings throughout Wisconsin. Among his buildings were the Marshall and Ilsley bank on East Wisconsin Avenue, the great chapel at St. Joseph's Convent on South Layton Boulevard, the original five buildings on fraternity quadrangle at Lawrence College in Appleton, the Schuster Department stores and several buildings in Kohler to include the building now known as the American Club, the Kohler Design Center, the Kohler General Office Building, various factory buildings, a church and the Riverbend Farm mansion. Finally he, along with Hermann J. Gaul, are listed as the architects for Holy Hill Monastery in Washington County.

Richard Philipp, F.A.I.A., from "Milwaukee Landmarks," by Richard W. E. Perrin.

His residential homes in addition to the Herman Reel house and Governor Kohler's Riverbend Farm mansion include the vast F. J. Sensenbrenner residence (reportedly the largest in Wisconsin) on Lake Winnebago, and houses built for Hugo Grau, Hedwig and Albert F. Gallun, Edith M. Smith, William F. Luick, C. D. Hays, Edwin S. Mack, William W. Akin, and A. R. Schmett. Many of these residences are located in Milwaukee's North Lake Drive Historic District and all are cited on the Wisconsin Architecture and History Inventory. In addition to these residences, he also designed homes for Mrs. A. O. Smith, John Michael Kohler, A. Lester Slocum, Benjamin Poss and Benjamin Rosenberg, as well as for numerous other individuals. He also designed many of the small English

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[9] "The Blue Book of the State of Wisconsin," Complied and published under the direction of J. D. Beck, Commissioner of Labor and Industrial Statistics, 1907, Democratic Printing Company, State Printer, Madison, WI.

[10] Milwaukee Free Press, November 2, 1902. (A copy of the speech is maintained in the Historical Society Library Pamphlet Collection, UW Madison, Call No. 56-2144.

[11] Obituary from a Milwaukee newspaper, 1974.

style homes built in Kohler Village in the 1920s.

Philipp was born in Mayville, a son of Julius F. Philipp, who was a German cabinetmaker who immigrated to Wisconsin in 1843. The family moved to Milwaukee when Richard Philipp was 15. Richard graduated from the former Milwaukee East Side high school, before apprenticing to the noted architectural firm of Ferry & Clas. He was employed for the firm for 10 years before establishing a partnership with noted Milwaukee architect Peter Brust. The partnership lasted for 21 years (1906 to 1927), after which Philipp worked independently until shortly before his death in 1959.

Of interest, Richard Philipp won a contest sponsored by *House Beautiful* in 1898 for the "Best Small House." He received first price (which was $50) for a plan of a house which he called "Halcyon" and which had to be constructible for less than $3,000.[12] The house design was more recently noted as being "unquestionably ahead of its time, hinting at many of the elements we would automatically demand in a house today."[13]

Philipp developed a friendship and close association with Walter Kohler and in 1914 traveled with him to England, France and Germany. In his book "The Architecture of Wisconsin," Richard W. E. Perrin notes that, "The two men also visited and studied the industrial garden cities of England and Germany, later incorporating their findings and ideas into Kohler Village, a model American Industrial community."[14]

According to architectural historian Richard W. E. Perrin, Richard Philipp was a truly outstanding Milwaukee architect whose forte was the ability to create original designs in the Tudor style.[15]

He was elected a fellow in the American Institute of Architects in 1925 and was president of the Wisconsin AIA chapter in 1937.

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[12] "Small Things That are Large," The House Beautiful, Vol. IV, August, 1898, No. 3 pages 76-79.
[13] "Best Small Houses, 1898 and 1986," House Beautiful Magazine, pages 60-61. [ ]
[14] "The Architecture of Wisconsin," Richard W. E. Perrin, F.A.I.A., The State Historical Society of Wisconsin, 1967.
[15] "Peter Brust and Richard Philipp," National Register of Historic Places, Section 8 Page 43. NPS Form 10-900-a

8. **Major Bibliographical References**

- "Peter Brust and Richard Philipp," National Register of Historic Places, Section 8 Page 43. NPS Form 10-900-a
- "The Architecture of Wisconsin," Richard W. E. Perrin, F.A.I.A., The State Historical Society of Wisconsin, 1967
- "History of Milwaukee City and County," Volume II, pages 784-787, published by the S.J. Clarke Publishing Company, Chicago and Milwaukee, 1922

9. **Property Description**

Acreage: 1.82

Legal property description:

ASSESSOR'S PLAT NO. 250 LOT
10 BLK. 2 NWLY 1/2 LOT 11
EXC THE SELY 30' THEREOF,
BLK 2

UTM Coordinates: 43° 06' 04.28" N 87° 52' 49.28" W Elev 646 ft.

10. **Owner's Consent**

Owner's Consent Signed by: Richard and Dana Anderson **Date:** May 3, 2007

11. **Form Prepared By**

Name/Title: Thomas H. Fehring/Commissioner

Organization: Whitefish Bay Historic Preservation Commission

Street: 4765 North Woodburn Street

City: Whitefish Bay **State:** WI **Zip:** 53211

Telephone (days): 414.332.2818 **Evenings:** 414.332.0048

Date: 1-May-07

Return to: Historic Preservation Commission
Village of Whitefish Bay
5300 North Marlborough Drive
Whitefish Bay, WI 53217-5399

Questions: Call 414.962.6690