



## BOARD OF APPEALS MEETING

~~Thursday~~ **Wednesday**, April 9, 2013

Village Hall, EMG Board Room, 5:30 P.M.

**PLEASE TAKE NOTICE** that a meeting of the Brown Deer Board of Appeals will be held at the Village Hall of the Village of Brown Deer, 4800 West Green Brook Drive, Brown Deer, Wisconsin at the above noted time and date, at which the following items of business will be discussed and possibly acted upon:

I Roll Call

II Approval of August 1, 2013 minutes

III Case to be Heard

A) Case No. 985 – Barleys Pet Grooming

Premises Affected: 8254 N. Teutonia Avenue

Appeal/Variance from Section 6-66 (b)(3) Village Code pertaining to keeping of dogs overnight at pet grooming establishments

Current Limit: None // Request: up to 6 dogs overnight

III Adjournment

Dated: April 2, 2014

Jill Kenda Lubetski, Village Clerk

PERSONS REQUIRING SPECIAL ACCOMMODATIONS FOR ATTENDANCE AT THE MEETING SHOULD CONTACT THE VILLAGE CLERK AT LEAST ONE (1) BUSINESS DAY PRIOR TO THE MEETING.

**MINUTES OF THE MEETING OF THE BROWN DEER BOARD OF APPEALS  
HELD AT THE VILLAGE HALL - 4800 WEST GREEN BROOK DRIVE**

---

The meeting was called to order by Chairwoman Jaberg at 6:30 p.m.

**I. ROLL CALL**

Present: Margaret Jaberg, Chairwoman, G. Neil Wood, Mike Kass

Absent: None.

Also Present: Kathy Kent from BRR Architecture, Appellant, Case No. 984; Leah Herron, Walmart Attorney, Nathaniel Piotrowski, Community Development Direct; John Fuchs, Village Attorney

**II. INTERESTED PROPERTY OWNERS**

A) Case No. 984 – Walmart

Premises Affected: 6300 W. Brown Deer Road

Attorney Fuchs read the appeal of Walmart who requested a variance from Section 121-326 (1) Village Code pertaining to Wall Signs. Limit 3 signs/200 sq.ft.// Request: 4 signs/501 sq. ft.

Notices of the hearing were sent to the property owners affected and are a part of public records. Anyone wishing to view the list may do so. Notice of the hearing was also posted on four official bulletin boards.

**PERSONS DESIRING TO BE HEARD**

Kathy Kent and Leah Herron were sworn in and Ms. Kent confirmed that she was the Appellant of the appeal notice. Chairwoman Jaberg asked if Ms. Kent had any additional information that she would like to add to his appeal. Ms. Kent stated that the signage proposed by Walmart was intended as wayfinding to help better direct customers and she noted that Walmart proposed less signage than what Lowe's had previously. She also added that the overall square footage matched another Village ordinance provision that the signage square footage be on a 1 to 1 ratio with the lineal footage of the front elevation. Chairwoman Jaberg asked for the square footage totals of each sign. Ms. Kent replied; "Outdoor Living" = 77.17 sq. ft., "Market" = 28.17 sq. ft., "Home/Pharmacy" = 97.66 sq. ft., "Walmart" = 298 sq. ft. Neil Wood asked which signs would be illuminated and Ms. Kent replied that only the "Walmart" sign would be illuminated.

Nate Piotrowski, Community Development Direct for the Village of Brown Deer stated that the Village sign ordinance changed in 2006 after the Lowe's store was approved. He indicated that the size of Lowe's wall signs conformed to the previous code but that they did need a variance for two ground signs near Brown Deer Road. He added that the current code is not ideally structured to handle commercial buildings as massive as the Walmart proposal, however the code has worked well for a majority of commercial users that have adhered to the 200 square foot and

3 sign maximum. Finally Mr. Piotrowski added that the proposed wall signs were reviewed and approved by the Brown Deer Building Board for architectural and aesthetic considerations.

Chairwoman Jaberg asked if there was any comment from the public. There was none.

Case No. 984 A motion was made by Mike Kass and seconded by Neil Wood to grant a variance to Village Code Section 121-326(1) to Wal-mart Realty to allow four (4) signs with a total square footage of 501 square feet as documented in the petition. The motion passed unanimously.

### **III. Adjournment**

*It was moved by Mike Kass and seconded by Tom Tourangeau to adjourn. The motion carried unanimously at 6: 57 p.m.*

A handwritten signature in cursive script that reads "Nate Piotrowski". The signature is enclosed in a thin rectangular border.

---

Nate Piotrowski, Community Development Director

**NOTICE OF APPEAL**  
**BOARD OF APPEALS**  
**VILLAGE OF BROWN DEER**  
4800 W. Green Brook Drive  
Brown Deer, WI 53223

Case No. 985

Date Filed: March 11, 2014  
Date Notified: April 2, 2014  
Date of Hearing: April 9, 2014

**NOTICE** – This appeal must be typewritten and filed in **TRIPLICATE** within 20 days from the date of the decision on the Building Inspector or other Administrative Officer appealed from.

Appeal from the decision of the Building Inspector/or Community Services Dept.

Appellant: Nancy Klessig Address: 8254 N. Teutonia Ave  
Brown Deer, WI 53209

Owner: Nancy & Mike Klessig Address: 1508 Chestnut St  
Klessig R. E. West Bend WI 53095

Lessee: Barley's House of fine Address: 8254 N. Teutonia Ave  
Whine & Lickers Brown Deer WI 53209

To the Board of Appeals:

I hereby appeal from the order/decision of the Building Inspector, or Community Services Dept.

dated March 11, 2014 and hereby request a variance/special exception from the Zoning Code for the relief which is sought.

1. **PREMISES AFFECTED** is known as 8254 N. Teutonia Ave Brown Deer 53209  
(Street Address)

Legal Description: Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_

2. **ZONING DISTRICT OF SITE:** B3

3. **SETBACKS:** Front: \_\_\_\_\_ feet from lot line  
Rear: \_\_\_\_\_ feet from lot line  
Side: North \_\_\_\_\_ & South \_\_\_\_\_ or  
East \_\_\_\_\_ & West \_\_\_\_\_

4. Has any appeal or petition for special exception been filed hitherto on these premises? If so, when and what disposition was made of same? Explain:

Date of variance/special exception: \_\_\_\_\_



BROWN DEER LEASED HSING ASSC LP  
2905 NORTHWEST BLVD #150  
PLYMOUTH, MN 554412644

TLHC MANAGEMENT GROUP, LLC  
8330 N TEUTONIA AVE  
BROWN DEER, WI 532090000

GARY L ROMUALD  
8333 N CEDARBURG RD  
BROWN DEER, WI 532091526

JOHN G BALSLEY  
8325 N CEDARBURG RD  
BROWN DEER, WI 532091526

TEUTONIA WASH LLC  
8300 N TEUTONIA AVE  
BROWN DEER, WI 532090000

CAROL ANN RUHLAND  
8255 N CEDARBURG RD  
BROWN DEER, WI 532091524

ROBERT RASMUSSEN  
8280 N TEUTONIA AVE  
BROWN DEER, WI 532090000

~~KLESSING REAL ESTATE LLC  
8254 N TEUTONIA AVE  
BROWN DEER, WI 532091502~~

THOMAS N LUDOWISSI  
4444 STEPPING STONE  
FORT WORTH, TX 761230000

CAROL ANN RUHLAND  
8255 N CEDARBURG RD  
BROWN DEER, WI 532091524

SHELLEY R BROCKDORF  
8247 N TEUTONIA AVE  
BROWN DEER, WI 532091556

~~ALICE M SEIDER, TRUSTEE~~ *Owner*  
8232 N TEUTONIA AVE  
BROWN DEER, WI 532091502

KYLE MONDY  
8235 N TEUTONIA AVE  
BROWN DEER, WI 532091556

JEFFREY J BUTTON  
8239 N CEDARBURG RD  
BROWN DEER, WI 532091524

~~LEGACY BANK  
2102 W FOND DU LAC AVE  
MILWAUKEE, WI 532060000~~

WALTER F STRAIT, JR  
8225 N TEUTONIA AVE  
BROWN DEER, WI 532091556

BARBARA J SCHMIDT  
8217 N TEUTONIA AVE  
BROWN DEER, WI 532091556

LEGACY BANK  
2102 W FOND DU LAC AVE  
MILWAUKEE, WI 532060000

WILLIAM J COWART  
8221 N CEDARBURG RD  
BROWN DEER, WI 532091524

SCOTT E O'DONNELL  
8201 N TEUTONIA AVE  
BROWN DEER, WI 532091556

DENNIS R CHERNE  
8216 N 44TH ST  
BROWN DEER, WI 532233721

GARY A WANDEL  
8205 N TEUTONIA AVE  
BROWN DEER, WI 532091556

JAMES L KUCHARSKI  
8200 N 44TH ST  
BROWN DEER, WI 532233721

DONNIE R BOE  
8183 N CEDARBURG RD  
BROWN DEER, WI 532091522

MICHAEL JANSEN  
8184 N 44TH ST  
BROWN DEER, WI 532233719

STRATFORD VILL TOWNHOUSES  
2601 E OLIVE ST  
SHOREWOOD, WI 532110000

HANSEN STORAGE CO  
2880 N 112TH ST  
MILWAUKEE, WI 532221501

G D RENTAL PROPERTIES LLC  
9316 N WAVERLY DRIVE  
BAYSIDE, WI 532170000

ELLEN STRAUBHAAR, TRUSTEE  
8226 N 44TH ST  
BROWN DEER, WI 532233721





COMMUNITY SERVICES DEPARTMENT  
4800 West Green Brook Drive  
Brown Deer, Wisconsin 53223

---

March 11, 2014

Nancy Klessig  
8254 N. Teutonia Avenue  
Brown Deer, WI 53209

Dear Ms. Klessig,

After reviewing your request it is the decision of the Community Services Department that the proposed "keeping of animals" does not conform to the Village's Code of Ordinances. Specifically, the proposal does not conform to Section 6-66(b)(3) which prohibits the keeping of dogs or other animals between 9:30pm and 7:00am at any pet grooming establishment in the Village.

You are hereby advised that the proposal needs to be amended in order to conform to Village Code. Alternatively, you may request a variance review through the Board of Appeals of the Village of Brown Deer.

Should you have any questions related to the above issues please feel free to contact me.

Sincerely,

Nathaniel Piotrowski  
Community Development Director

# BOARD OF APPEALS

Barley's House of fine whines & lickers

April 3, 2014

8254 N.Teutonia Ave

Nancy Klessig/Owner

Brown Deer, WI 53209

I am appealing for a variance to my permit in regards to ordinance Chapter 6 Section 6-66. (b) (4)

"No dogs or other animals shall be kept in any grooming establishment between the hours of 9:30pm-7:00am. Nothing in this section shall apply to an establishment where grooming is incidental to the operation of a veterinary hospital, a licensed pet shop, or a licensed kennel."

I am asking permission to be able to board dogs at my pet grooming business under the following guidelines:

Boarding will be done in a home setting. They will be staying in the apartment above the business and cared for either by myself or my employee.

The dogs will never be unattended. There will be someone with them at all times.

Dogs boarded will be ONLY grooming clientele dogs.

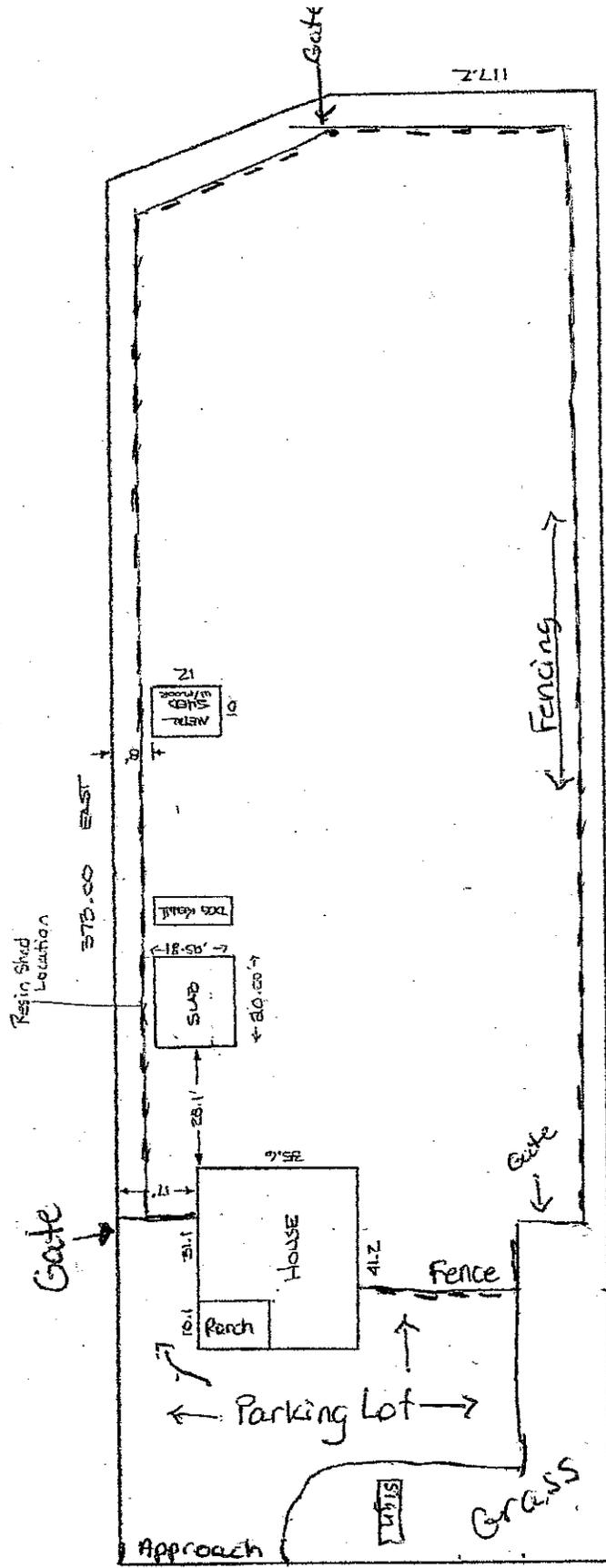
I will not advertise or publicize as a boarding facility.

I will not board no more than 6 dogs at one time.

Dogs will not be left outside alone at any time.

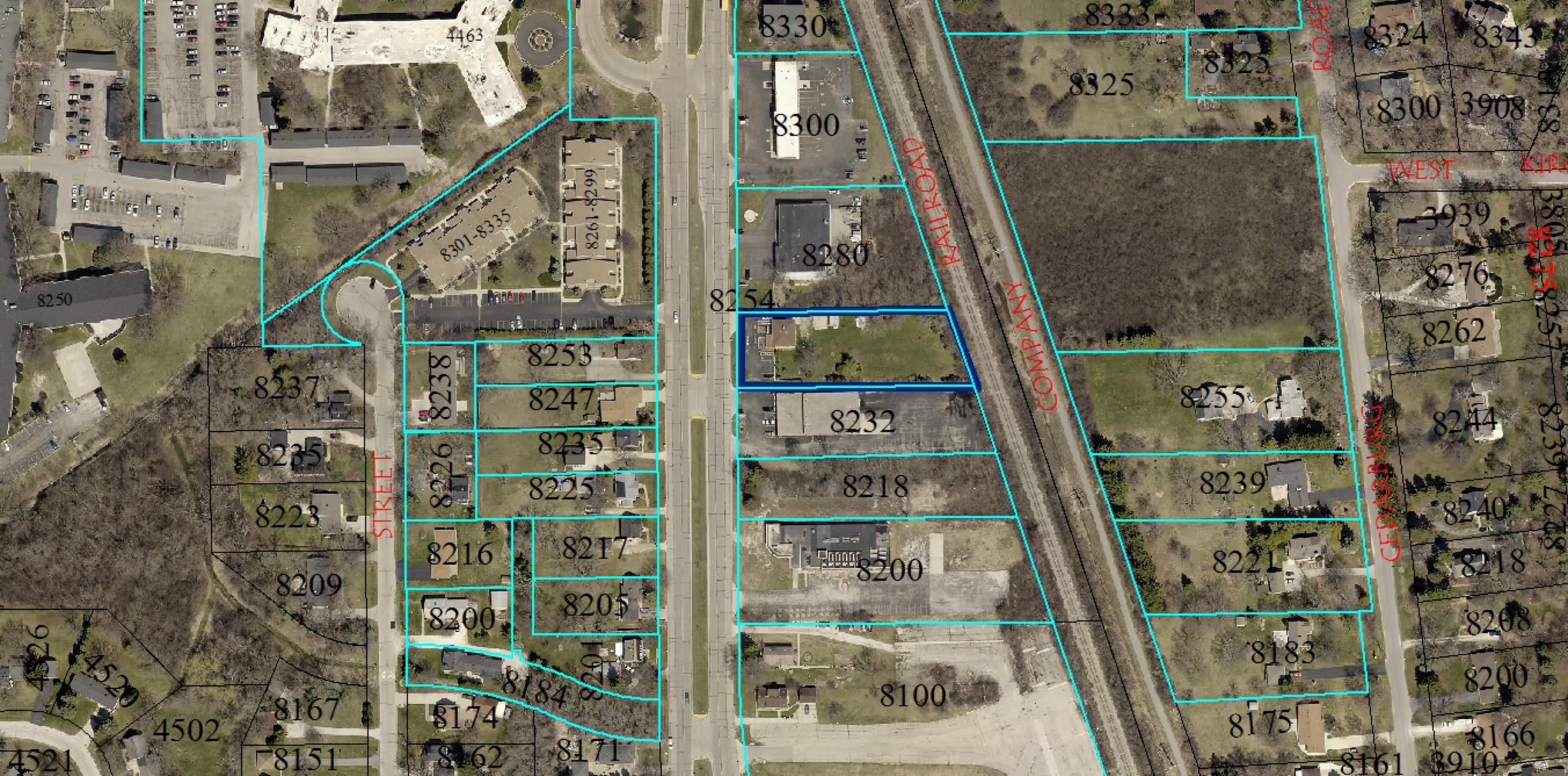
I am requesting this change because since I am the only pet groomer in the Village of Brown Deer and I have had many requests from my clients asking me to offer boarding. Since my business set up is unique in the fact that I have a home as well as a business on my completely fenced in lot, I should be able to board without any disruption to any of my neighbors since they are businesses that are closed from 9:30pm-7:00am. I have dog sat a few dogs on my own time but would like to be able to offer boarding to my clients on a slightly larger scale for a fee. My business would not only benefit financially, it would also give it more of a chance to succeed by expanding its offerings. The majority of my clients live or work within a 15 mile radius of me, I even have clients as far as Belgium, Menomonee Falls, Richfield and Hales Corners. Grooming is a very competitive business and I need to either try to accommodate them or lose them to my competition.

I am requesting a variance to this ordinance as opposed to changing the ordinance because I am able to offer this service as I have stated above without disrupting a residential area and my building/lot is able to handle boarding dogs as I have outlined.



Barley's House of Fine Whines & Lickers  
 854 N. Teutonia Ave  
 Brown Deer, WI 53209

November 16, 2012  
 updated Mar 12, 2014



4463

8330

8333

8324

8343

8300

8325

8325

8300

3908

8301-8335

8261-8299

8280

8254

3939

8276

8262

8250

8237

8238

8253

8247

8232

8255

8235

8226

8235

8218

8239

8223

8216

8225

8200

8221

8209

8200

8217

8100

8183

4526

4520

8174

8205

8240

8218

8208

8200

4521

4502

8167

8162

8171

8175

8166

8151

8161

8910