



BOARD OF APPEALS MEETING

Thursday, August 20, 2015

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 May 28, 2015 minutes

III Case to be Heard

A) Case No. 987 – Jason and Emma Irwin Building Addition

Premises Affected: 4026 W. Fountain Avenue

Appeal of Building Inspector denial of a building permit based on eastern side yard setback pursuant to Section 121-157 (i)(2)

III Adjournment

Dated: August 14, 2015

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 5:32 p.m.

I. ROLL CALL

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

Absent: None

Also Present: Rod Casperson and Jim Himmelstein, Signarama - Appellant, Case No. 986; Nathaniel Piotrowski, Community Development Director; John Fuchs, Village Attorney

II. INTERESTED PROPERTY OWNERS

A) Case No. 986 – Signarama

Premises Affected: 3900 W. Brown Deer Road

Mr. Piotrowski reviewed the appeal of Signarama who requested a relief from the Building Board's decision to deny the awning sign of Dr. Rati Rioga. He noted the reasoning for the Building Board's decision, read into the record a letter from Mary Buckley opposing the appeal and added that the awning sign was installed without permit. 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 official Village media outlets.

PERSONS DESIRING TO BE HEARD

Mr. Himmelstein and Mr. Casperson discussed several reasons why the Board of Appeals should reverse the denial of the Building Board. Mr. Himmelstein noted that there already is awning sign on the building, that the doctor's awning sign offers further protection in inclement weather and that the awning and additional lettering was needed for name recognition and to direct sick clients.

Mr. Wood stated that he did not wish to debate the aesthetic merits of the sign but felt that he could not overturn the decision of the Building Board. He added that following proper permitting procedure could have helped to prevent the issues currently faced by the applicant.

Ms. Jaberg added that she too did not wish to overturn the Building Board's decision due to the precedent this would set and because permitting processes were not correctly followed.

Case No. 986: A motion was made by Neil Wood and seconded by Mike Kass to affirm the denial of the awning sign for Dr. Rati Rioga at 3900 W. Brown Deer Road. The motion passed unanimously.

III. Adjournment

It was moved by Neil Wood and seconded by Margaret Jaberg to adjourn. The motion carried unanimously at 6:05 p.m.



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

Case No. 987

Date Filed: August 7, 2015
Date Notified: August 10, 2015
Date of Hearing: August 20, 2015

NOTICE – This appeal must be typewritten and filed in **TRIPPLICATE** 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 _____

Appellant: Jason & Emma Irwin Address: 4026 W. Fountain Ave
Brown Deer WI 53209

Owner: _____ Address: _____

Lessee: N/A Address: _____

To the Board of Appeals:

I hereby appeal from the order/decision of the Building Inspector or _____

dated 7/30/15 and hereby request a variance/special exception from the Zoning Code for the relief which is sought.

1. **PREMISES AFFECTED** is known as 4026 W. Fountain Ave.
(Street Address)

Legal Description: Lot _____ Block _____ Subdivision _____

2. **ZONING DISTRICT OF SITE:** R3- Single Family Residential

3. **SETBACKS:** Front: 30' feet from lot line
Rear: 30' feet from lot line
Side: North _____ & South _____ or
East 10' & West 10'

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:

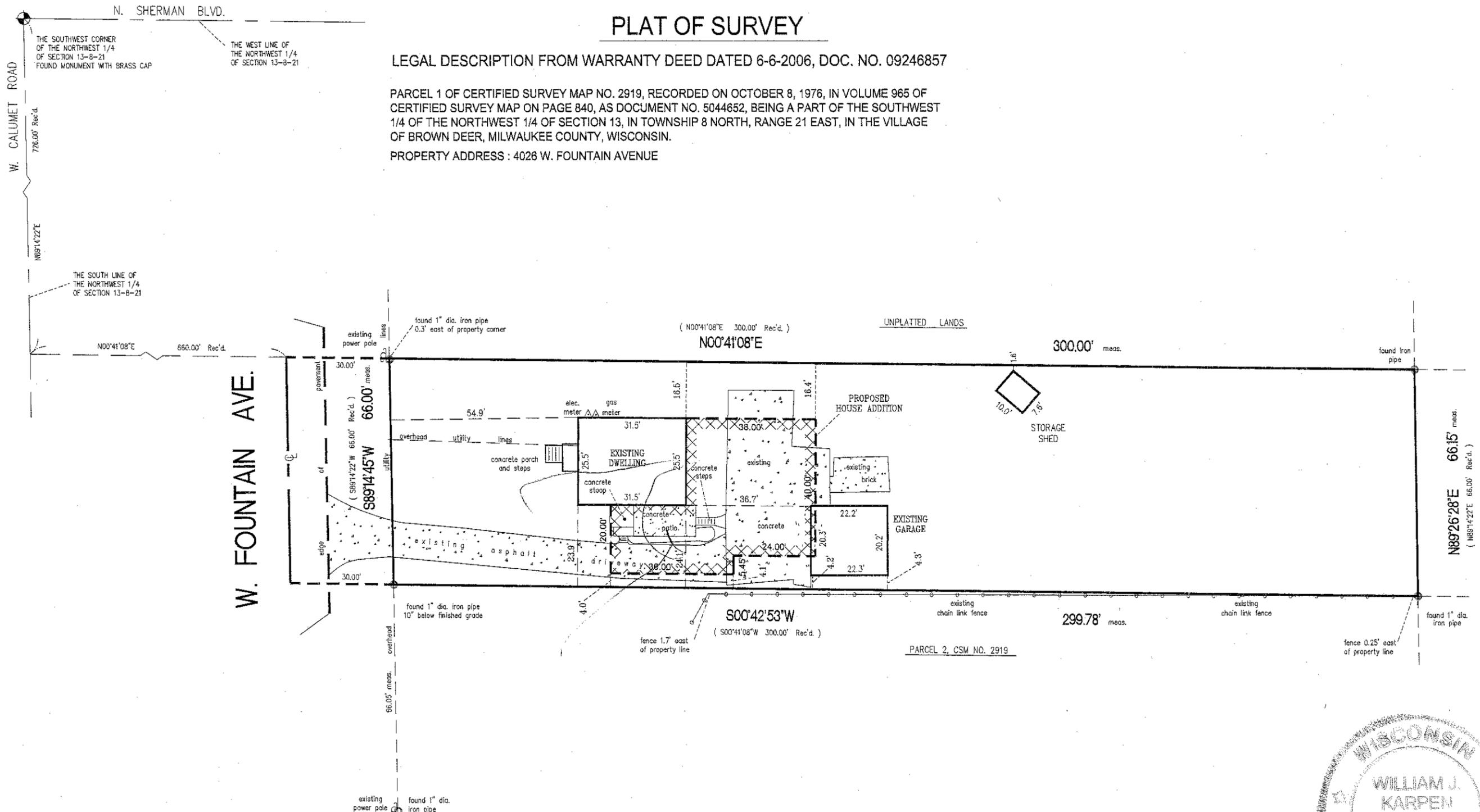
Date of variance/special exception: No

PLAT OF SURVEY

LEGAL DESCRIPTION FROM WARRANTY DEED DATED 6-6-2006, DOC. NO. 09246857

PARCEL 1 OF CERTIFIED SURVEY MAP NO. 2919, RECORDED ON OCTOBER 8, 1976, IN VOLUME 965 OF CERTIFIED SURVEY MAP ON PAGE 840, AS DOCUMENT NO. 5044652, BEING A PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 13, IN TOWNSHIP 8 NORTH, RANGE 21 EAST, IN THE VILLAGE OF BROWN DEER, MILWAUKEE COUNTY, WISCONSIN.

PROPERTY ADDRESS : 4026 W. FOUNTAIN AVENUE



W. FOUNTAIN AVE.

AREA OF PROPERTY = 19,809.6 SQ. FT.

SCALE : 1" = 30'



WILLIAM J. KARPEN P L S
 S63 W13007 JANESVILLE ROAD
 MUSKEGO, WI 53150
 CELL : (414) 469-2149
 EMAIL : bktisurvey@gmail.com

Surveyed for: JASON and EMMA IRWIN

I CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED (PROPERTY), AND THE ABOVE MAP IS A TRUE REPRESENTATION THEREOF AND SHOWS THE SIZE AND LOCATION OF THE PROPERTY, ITS EXTERIOR BOUNDARIES, THE LOCATION AND DIMENSIONS OF ALL VISIBLE STRUCTURES THEREON, BOUNDARY FENCES, APPARENT EASEMENTS, AND ROADWAYS AND VISIBLE ENCROACHMENTS, IF ANY TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE PRESENT OWNERS OF THE PROPERTY, AND ALSO THOSE WHO PURCHASE, MORTGAGE, OR GUARANTEE THE TITLE THERETO, WITHIN (1) YEAR FROM THE DATE HEREOF.

William Karpen
 WISCONSIN REGISTERED LAND SURVEYOR

JULY 29TH, 2015
 DATE



NOTE : TO BE AN ORIGINAL COPY
 THIS STAMP MUST BE RED



Village of Brown Deer GIS

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Village of Brown Deer
 4800 West Green Brook Drive
 Brown Deer, WI 53223
 (414) 371 - 3000

SCALE: 1" = 47'

Print Date: 8/14/2015