



BOARD OF APPEALS MEETING

Thursday, May 28, 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 April 9, 2014 minutes
- III Case to be Heard
 - A) Case No. 986 – Dr. Rati Rioga Awning Sign

Premises Affected: 3900 W. Brown Deer Road

Appeal of Building Board denial of awning sign permit pursuant to Section 121-322 (3)(a)

- III Adjournment

Dated: May 22, 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 5:45 p.m.

I. ROLL CALL

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

Absent: None

Also Present: Nancy Klessig, Barley's Pet Grooming - Appellant, Case No. 985; Jaime Sausar
Barley's Pet Grooming, Nathaniel Piotrowski, Community Development Director;
John Fuchs, Village Attorney

II. INTERESTED PROPERTY OWNERS

A) Case No. 985 – Barley's Pet grooming

Premises Affected: 8254 N. Teutonia Avenue

Mr. Piotrowski reviewed the appeal of Barley's Pet Grooming who requested a variance from Section 6-66 (b)(3) Village Code pertaining to keeping of dogs overnight at pet grooming establishments.

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 bulletin boards.

PERSONS DESIRING TO BE HEARD

Ms. Klessig detailed her request and noted that the dogs would not be kept outside and indicated that with commercial buildings next door there would not be adverse impact on neighboring property. There were no additional persons desiring to be heard and the Board proceed to consider the request.

Mr. Wood asked if the business was downstairs and a residence above. Ms. Jaime Sausar replied that the business was below with an apartment above and that she was employed at Barley's and lived above.

Chairwoman Jaberg asked if there was a limit on the number of dogs in a house. Attorney Fuchs replied that the property was located in a business district and restrictions on number of dogs in a house did not apply. Chairwoman Jaberg also asked if Village noise ordinances would be applicable. Attorney Fuchs said that they would.

Chairwoman Jaberg asked if the variance ran with the land. Attorney Fuchs said that this was at the discretion of the Board.

Case No. 985 A motion was made by Mike Kass and seconded by Neil Wood to grant a variance to Village Code Section 6-66 (b)(3) to Barley's Pet Grooming to allow up to six (6) dogs being kept on site overnight on the following conditions:

- 1) Animals must be kept indoors
- 2) Animals must be supervised at all times
- 3) The building must be secured after business hours
- 4) The variance would be void if a change in ownership occurs or if the business is closed for 30 days or more

The motion passed unanimously.

III. Adjournment

It was moved by Neil Wood and seconded by Mike Kass to adjourn. The motion carried unanimously at 5:57 p.m.



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. 986

Date Filed: 4/30/15
Date Notified: 5/22/15
Date of Hearing: 5/28/15

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 Building Board Awaiting Sign denial

Appellant: SIGN ARAMA Address: N84 W/5787 Menomonee Ave
Menomonee Falls, WI 53051

Owner: MLG / Property mgmt Address: 757 N. Broadway Suite 700
Milwaukee, WI 53202

Lessee: DR RANI RIJGA Address: 3900 W. Brown Deer Road #140
Brown Deer, WI 53223

To the Board of Appeals:

I hereby appeal from the order/decision of the Building Inspector, or KURT RADKE / NATE 371-3060
dated APRIL 6th 4:00 and hereby request a variance/special exception from the Zoning Code for the relief
which is sought.

1. PREMISES AFFECTED is known as 3900 W. Brown Deer Road Suite 140
(Street Address)

Legal Description: Lot _____ Block Subdivision _____

2. ZONING DISTRICT OF SITE: Commercial

3. SETBACKS: Front: _____ feet from lot line
Rear: _____ feet from lot line N/A
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: N/A
Date of variance/special exception: _____

AFFIDAVIT OF APPELLANT AS TO
PROPERTY AFFECTED

STATE OF WISCONSIN
) SS
MILWAUKEE COUNTY

I (We) [Signature] ^{Q/O SIGNAARMA} being first duly sworn on oath, deposes and says
(applicant's name)

that he is Owner/Lessee of the property located at 3900 W Brown Deer Rd Suite 140, having
(address of affected property)

the following legal description:

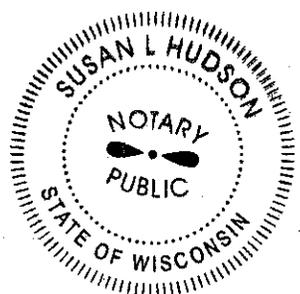
Lot: _____ Block: Subdivision: _____

That pursuant to the Rules for Procedure of the Board of Appeals, the following is a COMPLETE list of the names and addresses of the last free owners of record of all lands within 200 feet (residential) or 500 feet (commercial) of any part of the proposed structure or premises involved in the appeal which the appellant is making to the Board of Appeals of the Village of Brown Deer:

See attached

[Signature] ^{Q/O SIGNAARMA}
Signature of appellant/owner/lessee

Subscribed and sworn to before me
this 30th day of April, 2015
[Signature]
Notary Public, Milwaukee County
07-31-2018
My Commission Expires



DDR BROWN DEER CENTER C/O
BLACKSTONE
3300 ENTERPRISE PKWY
BEACHWOOD, OH 441227200

WITI BROADCASTING
P O BOX 17600
MILWAUKEE, WI 532171204

ZETLEY REAL ESTATE ASSOC, LLC
1526 E GOODRICH LN.
FOX POINT, WI 532171219

GUARANTY BANK
4000 W BROWN DEER RD
BROWN DEER, WI 532091211

FIRST BANK BROWN DEER SYSTEMS
PROP
601 SECOND AVENUE SOUTH
MINNEAPOLIS, MN 554021210

KENNETH EICHENBAUM
9470 N BROADMOOR RD
BAYSIDE, WI 532170000

LAURIE SWANSON
4134 W RIVER LANE
BROWN DEER, WI 532090000

VIVIAN KAISER
8806 N DEERWOOD DR
BROWN DEER, WI 532091203

DONALD G FINGER
3737 W RIVER LN
BROWN DEER, WI 532091212

DAVID H EHLERS
4113 W RIVER LN
BROWN DEER, WI 532091206

KAREN V KROLIKOWSKI
1442 CEDAR CREEK PKWY
GRAFTON, WI 53024

WILLIAM B SPRANSY
4133 W RIVER LN
BROWN DEER, WI 532091206

THE AUDIO EMPORIUM
8766 N DEERWOOD DR
BROWN DEER, WI 532230000

NAOMI B STREHLOW TRUST
P O BOX 2980
MILWAUKEE, WI 532010000

MALCOLM C MILLAR
8770 N KILDEER CT
BROWN DEER, WI 532091320

JUNE M LIGHT
3909 W RIVER LN
BROWN DEER, WI 532091215

ALBERT J BALL
3921 W RIVER LN
BROWN DEER, WI 532090000

ANTHONY T RENO
8752 N DEERWOOD DR
BROWN DEER, WI 532091312

CLL PROPERTIES, LLC
4927 W CHIPPEWA DR
MEQUON, WI 530920000

NANCY V ROGERS
8748 N KILDEER CT
BROWN DEER, WI 532091320

DAVID S KOENIG
8745 N KILDEER CT
BROWN DEER, WI 532091319

CORENER HINES
8727 N KILDEER CT
BROWN DEER, WI 532091319

ROGER R MATZKE
8720 N KILDEER CT
BROWN DEER, WI 532091320

ELLEN JOGWER
8715 N KILDEER CT
BROWN DEER, WI 532091319

RALPH A FELTON
8710 N KILDEER CT
BROWN DEER, WI 532091320

In the Matter of a public hearing on an appeal of the denial of an awning sign for Dr. Rati Rioga at 3900 W. Brown Deer Road

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held before the Board of Appeals of the Village of Brown Deer on Thursday, May 28 2015, at 5:30 P.M. or as soon thereafter as the matter can be heard in the Village Hall, 4800 West Green Brook Drive, Brown Deer, Wisconsin. The purpose of the public hearing is to solicit public comment on an appeal of the denial of an awning sign for Dr. Rati Rioga at 3900 W. Brown Deer Road.

PLEASE TAKE FURTHER NOTICE, that at such time and place, any interested party may appear in person, or by attorney or agent, and be heard on this matter.

DATED this 21st day of May, 2015.



Jill Kenda- Lubetski, Village Clerk

MINUTES OF THE MEETING OF THE
BROWN DEER BUILDING BOARD
HELD AT THE VILLAGE HALL –
4800 WEST GREEN BROOK DRIVE
ON APRIL 6, 2015



The meeting was called to order at 4:03 p.m.

I ROLL CALL

Present: Chairman Lavern Nall, Betty Bennett, Mary Buckley, Oscar Avila

Excused: Chris Eger

Also Present: Shelley Gorman - Bldg. Insp. Assistant; Nate Piotrowski - Community Development Director, Kirk Radtke
– Village Building Inspector; Jim Himmelstein - Fast Signs; Morgan McDonald - Developer.

II PERSONS DESIRING TO BE HEARD

None

III CONSIDERATION OF MINUTES

It was moved by Betty Bennett and seconded by Oscar Avila to approve the March 16, 2015 minutes. The motion carried unanimously.

IV OLD BUSINESS

None

V PLANS SUBMITTED FOR CONSIDERATION

The following items are on the Agenda for review:

1. Fast Signs - Jim Himmelstein – Dr. Rati Rioga 3900 W. Brown Deer Rd #140

Nate Piotrowski Community Development Director along with Kirk Radtke the Village Building Inspector explained to the Board that an awning sign was installed without a permit and Board approval. He also explained that there is one additional awning sign presently on the building that was installed before the Building Board was established and there are 4 individual letter signs. Mr. Jim Himmelstein from Fast Signs stated that he has done a lot of business with the Village and he is aware about the permitting process and Board approval in regards to any signage in the Village. He had contracted out the work with another company and was not aware that the permits or approval was not given. He was hoping that since the work was already installed and paid for that the Board would go ahead and approve the awning sign.

The Board was in complete agreement that there are to be no more additional awnings on the building as they do not aesthetically fit with the building architecture, and all signs recently approved for the strip center. Ms. Bennett stated that adding an additional awning sign was odd given the majority of individual letter signs already featured on the building. The Board noted that there is a canopy over the walkways adjacent to each business door and the awning signs are redundant and excessive. Chairman Nall stated that if the French Quarter Hair Salon were to cease operation he would not approve a new awning sign. The rest of the Board concurred. Ms. Buckley added that the awning appeared “text heavy” and unattractive. Mr. Nall noted that the amount of copy on the sign was more than what the Board approved. A discussion ensued as to suggested edits to simplify the text

The Board unanimously DENIED the canopy sign and recommended a resubmittal with individual letters and simplified copy.

2. Morgan McDonald – New Residential Construction - 9127 Brandy Brook Trail (Lot 3)

Morgan McDonald showed the Board the new plans, materials and site map for a new residential construction home that is approx. 1630 sq. ft., three bedroom, and ranch style, with a 481 sq. ft. two car garage that he is building on 9127 Brandy Brook Trail (Lot 3).

Siding: Vinyl CertainTeed Main Street: color Natural Clay

Trim: Vinyl CertainTeed: color Desert Tan

Roofing: CertainTeed Asphalt Dimensional 30 year Shingles Color: Weatherwood

Stone Veneer: Eldorado Stone color: Mountain Ledge - Sierra

Board of Appeals for Brown Deer

RE: Requested allowance of Awning for Dr. Rati Rioga's practice location.

Esteemed Members of the board.

I come before you today to ask that the awning that is currently in place at Kildeer Court for Dr. Rati Rioga be approved/allowed.

We ask that the board make this allowance/approval considering the following.

1. This awning is adjacent to a existing awning that the board has allowed to be kept in place. That awning is for French Quarters. This awning was installed on the same building and has been in place since at least 2011. (date from photo on google street view.) The size and shape of the French Quarters awning is similar in all respects to the awning in question.
2. The awning provides additional protection during incimate weather. Dr. Rati is a pediatric physician. The patients are children. The ability to keep an ill child slightly dryer during a rainstorm is beneficial to the success of the practice.
3. The business name as it appears on the awning uses a "Who we are, What we are" context. An example in comparison that has been approved would be Harbenero's Mexican Kitchen.
The Name Harbenero's can compared to Dr. Rati Rioga. (Who)
The description of Mexican Kitchen can be compared to Brown Deer Children's Clinic. (What)
This pattern in signage can be found all over Brown Deer.
4. Dr Rati Rioga's Name is for location purposes. People that are looking for her office are often stressed due to the nature of their child's illness. Having her name as her brand on the exterior makes finding the location much more efficient.
5. Dr. Rati Rioga's name is her brand recognition. Having her name on the exterior is a necessity to perpetuate her brand and reputation.

It is to our understanding that this Awning was manufactured and installed without securing the proper permits. Although we had requested our subcontractor to secure the permits, they neglected to do so. We, as the main seller of the awning should have followed up with our subcontractor to make sure that this had been taken care of. We apologize for this lack of follow up, and assume full responsibility.

Sincerely



James Himmelstein



Village of Brown Deer
 4800 W. Green Brook Dr.
 Brown Deer, WI 53223
 414-371-3030 / Fax 414-371-3045
 (PLEASE TYPE OR PRINT WITH BALL POINT PEN)

PERMIT NO:
 PPR ___ - ___
 PS ___ - ___

SIGN PERMIT APPLICATION

REQUIRED: Separate PPR Building Board Review Application and Non-refundable \$60.00 Fee
A \$1.00 per sq. ft. of sign fee (\$60.00 minimum) is assessed when the permit is issued.

| | | | |
|---|---|---|---|
| Property Address: 3900 W. Brown Deer Rd. Suite 140 | | | |
| Property Owner: MLB Commercial | | Owner Telephone: 262-938-4462 | |
| Mailing Address: 757 N. Broadway, Suite 700, MIL, WI 53202 | | City MILWAUKEE | State WI |
| New Tenant/Business Name: DR. RATI RIOGA - Childrens Clinic | | (Print Name) RATI RIOGA | |
| Address: 3900 W Brown Deer Rd Suite 140 | | City BROWN DEER | State WI |
| Tenant Telephone: 414-771-0500 | | Email Address: EAC@MLBCommercial.com | |
| Contractor: SIGNARAMA MFAUS | | Contact Person (Print Name) JIM HIMMELSTEIN | |
| Address N84 W 15787 Menomonee Ave Men F, WI 53051 | | City MENOMONEE FALLS | State WI |
| License No: | Building Dwelling | Expires: | Contractor Telephone 262-251-4300 |
| Type of Sign applied for: | | | |
| <input checked="" type="checkbox"/> Awning, Canopy or Marquee Sign | <input type="checkbox"/> Banner or Special Event Sign | | <input type="checkbox"/> Changeable Sign |
| <input type="checkbox"/> Ground Sign | <input type="checkbox"/> Monument Sign | | <input type="checkbox"/> Multi Tenant Sign |
| <input type="checkbox"/> Projecting Sign | <input type="checkbox"/> Subdivision Sign | | <input type="checkbox"/> Wall Sign |
| Square Footage: 37.5' | Height of Sign: 5' | Height of Letters: 5" x 4" | |
| Grade to Sign Clearance: 11' | Projection From Building: 3' | Number of Sides: <input type="checkbox"/> One (1) <input type="checkbox"/> Two (2) <input checked="" type="checkbox"/> More How Many? <u>4</u> | |
| Color of Signage Background: BLUE | Color of Sign Structure/Support: ALUMINUM | Color of Lettering: WHITE | |
| Sign Support Material: ALUMINUM | Sign Framing Material: ALUMINUM | Sign Surface Material: FABRIC | |
| Is your sign ILLUMINATED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | <input type="checkbox"/> INTERNALLY LIT <input type="checkbox"/> EXTERNALLY LIT | ***Note: An Electrical Permit must also be applied for by a Licensed Electrician. |
| Sign Message: DR. RATI RIOGA - Childrens Clinic | | | |
| Estimated Cost of Work (You must put in a total) | \$ 4301.01 | ARCH. BLDG BOARD FEE (NON-REFUNDABLE) | \$60.00 |
| | | TOTAL PERMIT FEE (\$60.00 MINIMUM) | \$ |
| DOUBLE FEES ARE DUE IF WORK IS STARTED BEFORE PERMIT IS ISSUED | | | |

Inspections are required before any work is concealed, when work is complete and prior to Occupancy or Use.

Please Have Permit Number And Address When Requesting Inspections. Please Give At Least 24 Hours Notice. FINAL INSPECTIONS ARE MANDATORY.

It is Hereby Agreed between the undersigned as owner or his/her agent, and the Village of Brown Deer, that for and in consideration of the premises and of the permit to construct erect, alter or install and the occupancy of building as above described, to be issued and granted by the Building Inspector, that the work thereon will be done in accordance with the descriptions herein set forth in this statement, and as more fully described in the specifications and plans herewith filed; and it is further agreed to construct, erect, alter or install and occupy in strict compliance with the ordinances of the Village of Brown Deer, and to obey any and all lawful orders of the Building Inspector of the Village of Brown Deer, and all State Laws relating to the construction, alteration, repairs, removal and safety of buildings and other structures and permanent building equipment.

Signature Of Applicant: _____

Date: 3/18/15

Jim Himmelstein

From: Jim Himmelstein <jim@signswithimpact.com>
Sent: Wednesday, March 11, 2015 3:33 PM
To: 'Liz Collins'
Subject: FW: awning at 39th brown deer rd.

Liz,
Here is a pic of the installed awning, AWESOME!

Thank You,
Jim Himmelstein
Signarama Menomonee Falls
262-251-4300

N84 W15787 Menomonee Ave, Menomonee Falls, WI 53051
Visit us at :<http://www.SignsWithImpact.com>

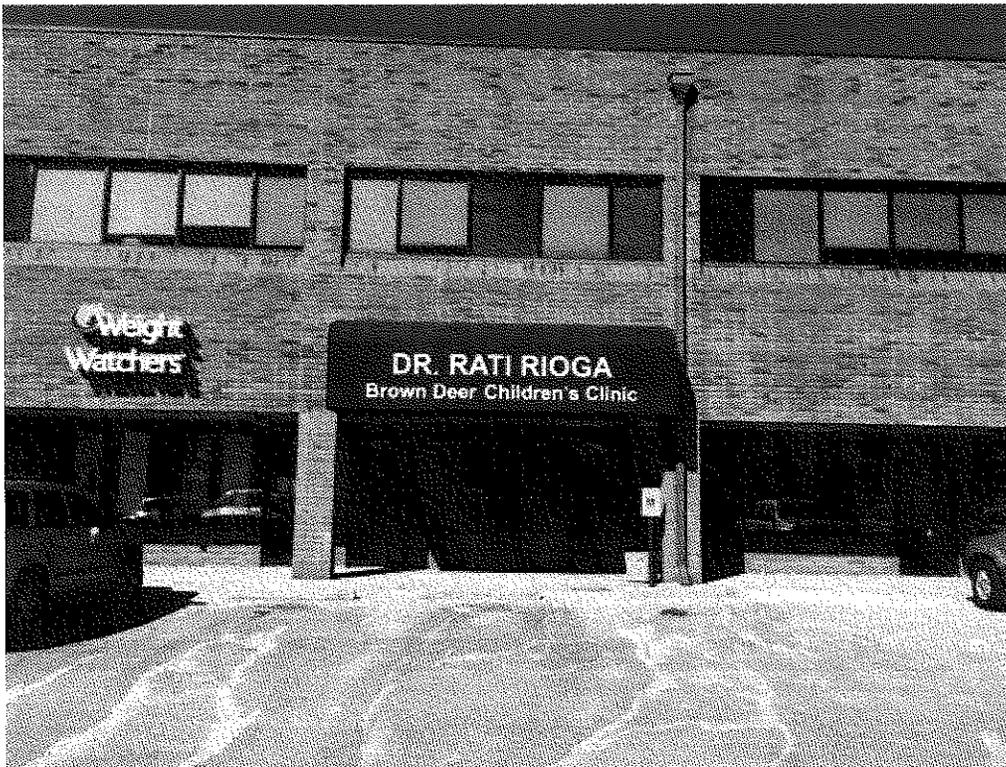


D E N I E D

Village of Brown Deer
Building Board

Date April 6, 2015 *for*

From: Dan Hodges [mailto:wedoawnings@sbcglobal.net]
Sent: Wednesday, March 11, 2015 2:43 PM
To: Jim Himmelstein
Subject: Re: awning at 39th brown deer rd.



Dan Hodges--Naegele Awning

NAEGELE AWNING COMPANY
1120 W LINCOLN AVE
MILWAUKEE WI 53215

AWNING LEADER
DAN HODGES
OFFICE 414 645 2862
CELL 414 517 4643

WEDOAWNINGS@SBCGLOBAL.NET
NAEGELEAWNINGCOMPANY.COM

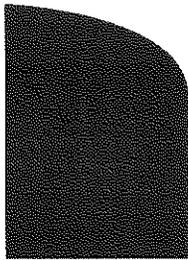
JOB: 39th brown deer

new awning
match style of existing awning at building
make awning from pillar to pillar
forest green sunbrella, white letters

curved style awning

widdth 18'0" pillar to pillar

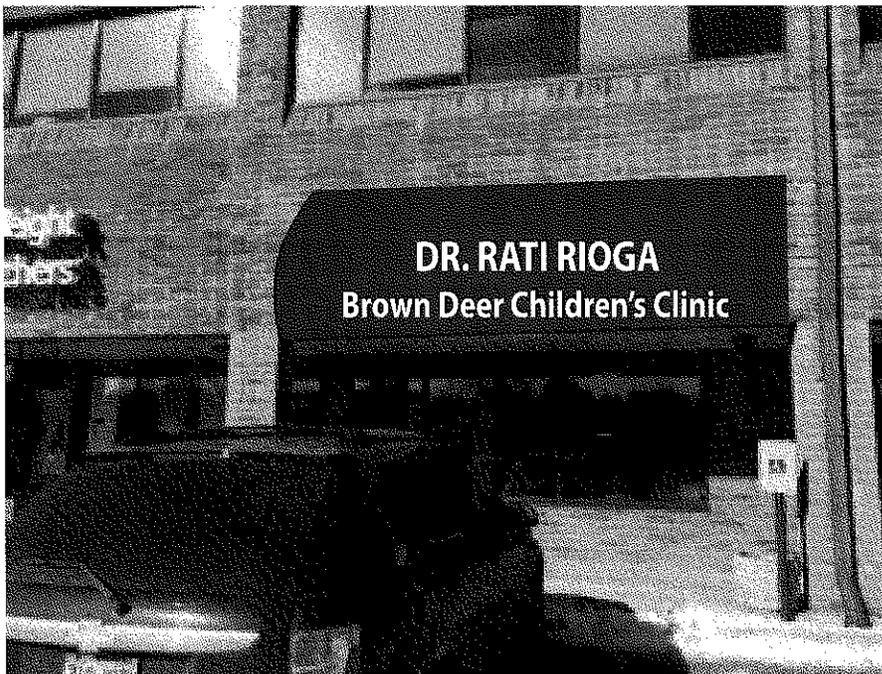
5'



3'

DR. RATI RIOGA
Brown Deer Children's Clinic

BLUE / NOT GREEN



X
APPROVAL

price at 5' high and 18' wide curved = 1580.00

Jim Himmelstein

From: Jim Himmelstein <jim@signswithimpact.com>
Sent: Monday, February 16, 2015 10:33 AM
To: 'wedoawnings@sbcglobal.net'
Subject: Awning for kildeer ct

Hi Dan,

I sent your drawing out to the customer this morning, I am hoping to hear something very shortly, if anything changes, it will most likely be just the color, the only other concern I have is a permit for the awning, do we need one? Will you please handle that for me? At whatever it cost's (add onto the bill) and my last question is, will you need a deposit from us , before you begin on this project? THANKS DAN! Let me know!

Thank You,

Jim Himmelstein

Signarama Menomonee Falls

262-251-4300

N84 W15787 Menomonee Ave, Menomonee Falls, WI 53051

Visit us at :<http://www.SignsWithImpact.com>



Jim Himmelstein

From: Jim Himmelstein <jim@signswithimpact.com>
Sent: Monday, March 02, 2015 8:14 AM
To: 'Dan Hodges'
Subject: Awning for KILDEER COURT (39th Brown Deer Rd)

Dan,
NO PHONE NUMBER! On awning , NOT allowed by the village, I do not want to cause any issues with them. THANKS!

Thank You,

*Jim Himmelstein
Signarama Menomonee Falls*

262-251-4300

N84 W15787 Menomonee Ave, Menomonee Falls, WI 53051

Visit us at :<http://www.SignsWithImpact.com>



From: Dan Hodges [mailto:wedoawnings@sbcglobal.net]
Sent: Friday, February 13, 2015 3:59 PM
To: Jim Himmelstein
Subject: Re: Pricing

here is the drawing and new price based on new sizes

**Dan Hodges
Naegele Awning Co.
1120 W. Lincoln Ave.
Milwaukee, WI 53215
cell-414.517.4643
work-414.645.2862
fax-414.645.2863
naegeleawningcompany.com**

On Thursday, February 12, 2015 1:20 PM, Jim Himmelstein <jim@signswithimpact.com> wrote:

Dan,
As you go thru the pic's attached you will find the raceway, the customer wants the same imprinted on the front of the awning. Same font or close to it, show a dark green or a dark brown material with white copy, THANKS, once you receive a deposit how far out are you to manufacture and install?

Thank You,

*Jim Himmelstein
Signarama Menomonee Falls*

Jim Himmelstein

From: Jim Himmelstein <jim@signswithimpact.com>
Sent: Monday, January 05, 2015 9:24 AM
To: 'Liz Collins'
Subject: RE: Pricing

Liz,

One more thing, Make sure that awnings are allowed at this site, chances are that if there are no other awnings, it is not allowed with the master sign program, I can give you a ballpark price on this using the measurements of the raceway sign, if you like, Let me know how you wish to proceed.

Thank You,

Jim Himmelstein

Signarama Menomonee Falls

262-251-4300

N84 W15787 Menomonee Ave, Menomonee Falls, WI 53051

Visit us at :<http://www.SignsWithImpact.com>



From: Liz Collins [mailto:eac@mlgcommercial.com]
Sent: Friday, January 02, 2015 12:42 PM
To: Jim Himmelstein
Subject: RE: Pricing

Hi Jim, Can you get me pricing on item #4 instead of a lighted sign can you get a quote for a "canvas" fabric canopy?

Thank you!

Liz

From: Jim Himmelstein [mailto:jim@signswithimpact.com]
Sent: Friday, January 2, 2015 8:31 AM
To: Liz Collins
Subject: RE: Pricing

Hi Liz,

Hope your new years was a good one!

Here is the quote for the signage:

- 1- 6.2" x 23.0" Burgandy vinyl lettering (remove old , install new) is this double sided? (one side only / \$106.20 / 2-sided \$212.40)
- 2- 21.8" x 17.4" White vinyl lettering (remove old, install new) \$84.10
- 3- 6.2" x 20.9" White vinyl lettering (remove old, install new , is this double sided? \$55.00 each side
- 4- 2.6' x 13.3' Raceway with white LED'S and white faces, Black Trim caps and returns