



## BOARD OF APPEALS

### MEETING AGENDA

**Tuesday, July 10, 2025, at 5:30 PM**

City Hall Chambers Room

2424 15th Ave., South Milwaukee, WI 53172

1. Call to order and roll call.
2. Approval of June 12, 2025 minutes.
3. Public hearing regarding an Appeal by the property owner challenging the building inspector's denial of a business use at 927 Madison Avenue, a mixed-use building in the Z-4 zoning district.
4. Appeal by the property owner challenging the building inspector's denial of a business use at 927 Madison Avenue, a mixed-use building in the Z-4 zoning district.
5. Adjournment.

**PLEASE BE ADVISED THAT A REPRESENTATIVE OF THE APPLICANT FOR THE ABOVE ITEM  
MUST BE PRESENT AT THIS MEETING.**

Dated this 3rd day of July, 2025.

CITY OF SOUTH MILWAUKEE  
Sandra L. Wesolowski, City Clerk

It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may attend the above stated meeting to gather information; no action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language, interpreters or other auxiliary aid at no cost to the individual to participate in public meetings. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible, preferably a minimum of 48 hours. For additional information or to request this service, contact the South Milwaukee City Clerk at 414-762-2222 or write to the ADA Coordinator, City Hall, 2424 15<sup>th</sup> Avenue, South Milwaukee, Wisconsin 53172. The City of South Milwaukee is TDD equipped and can be accessed by calling 414-768-8060.

**CITY OF SOUTH MILWAUKEE**  
**MINUTES OF BOARD OF APPEALS**  
**June 12, 2025 – 5:30 p.m.**

1. Bloom called the meeting to order at 5:34 p.m. Bloom, Bzdawka, Branger, DeMont, and Davies were present. Building Inspector, Steve Petery, was also present.
2. Motion by Bzdawka/Branger to approve minutes from February 8, 2024 meeting. All Aye, motion passed.
3. Bloom read the official notice for the request for variance to side yard setback requirements per municipal code 15.08E(3) for construction of a sunroom at 1311 Sherman Avenue. Applicant, Champion Windows, stated the sunroom would be too close to the garage on the other side of the house and would not meet state fire code.

DeMont and Davies suggested a modification to the dimensions of the sunroom, agreeing the hardship does not run with the property. Petery explained the code is being enforced for the new addition and not with the original house. Applicant stated any other variation to the plans would mean a smaller sunroom and would not be usable.

**Motion by Branger to grant the variance to the side yard setback and the hardship being lot constraint, the sunroom is within the original house constraint, seconded by Bzdawka.**

**The Chair requested a roll call vote:**

**Bloom - Nay**  
**Bzdawka – Aye**  
**Branger - Aye**  
**DeMont - Nay**  
**Davies - Nay**

**Motion denied, roll call vote 3-2, Variance DENIED.**

Recess taken at 5:46 pm until 6:00 pm.

4. Bloom read the official notice for the request for variance to front yard setback requirements per municipal code 15.09(D) for construction of a roof structure that encroaches into the front yard setback at 1412 Manistique Avenue. Prior to the meeting an email was received by the building inspector from Kyle & Kaitlyn Scherle, 1425 Manistique Avenue, for their support of the project. Vincent & Arlene Saladino, 1418 Manistique Avenue were present and stated they support this project. John Campbell, applicant, explained he hired a roofing company doing work nearby and they built the roof structure and was issued a stop work order for that structure. The structure was built without a permit and does not meet setback requirements. Building inspector explained that Campbell is encroaching 11 feet further into the front yard setback. Owner, Campbell, and Building Inspector Petery will work together to make sure dimensions for only a deck to remain and the roof structure to be removed.

**Motion by Davies/Branger to deny the variance based on the absence of a hardship to encroach into the required front yard setback.**

**The Chair requested a roll call vote:**

**Bloom - Aye**

**Bzdawka – Aye**

**Branger - Aye**

**DeMont - Aye**

**Davies - Aye**

**Motion passes, roll call vote 5-0, Variance DENIED.**

**Motion by Branger/DeMont to adjourn. Meeting adjourned at 6:17 p.m.**

Submitted by:

Heidi Eichner

Recording Secretary

**OFFICIAL NOTICE**

**NOTICE OF PUBLIC HEARING  
CITY OF SOUTH MILWAUKEE  
BOARD OF APPEALS**

**PLEASE TAKE NOTICE**, that an application has been made to the Board of Appeals in the City of South Milwaukee by: Property owner Kim Haueter of 927 Madison Avenue, appealing the denial of a business occupancy in a space used as a residence, in violation of Wis. UDC. The public hearing will be held on Thursday, July 10th at 5:30 p.m. in the Common Council Chambers 2424 15<sup>th</sup> Avenue, South Milwaukee, Wisconsin. Information is available for review at the above address. Questions should be directed to Zoning Administrator Ericka Lang, at 414-762-2222 ext 135, or [elang@smwi.org](mailto:elang@smwi.org).

Dated: June 24, 2025

Sandra L. Wesolowski, City Clerk

Publish: July 2, 2025



**STAFF REPORT**  
**SOUTH MILWAUKEE BOARD OF APPEALS**  
**July 10, 2025**

**RE: Request by property owner of 927 Madison Avenue appealing the municipal building inspector's denial of a business use out of the storefront space.**

Tax ID: 771-0149-000  
Property: 927 Madison Avenue  
Current Zoning District: Z-4 (as of 5/15/25)  
Previous Zoning District: C-3  
Commercial space: 445 Sq Ft

**PACKET MATERIALS:**

- BOA application
- Building inspection report
- Floor plan of commercial space
- Business occupancy denial letter
- Business occupancy application
- Pictures of space

**Background**

The building was built in 1910 and property records indicate the last business operated out of the storefront space until the 1980s. The space has been vacant since the current property owner purchased it in 1990.

In 2018 the property owner registered the storefront space, required by the 2018 vacant building registration ordinance requiring property owners to register non-residential vacant spaces that are not made available to lease.

The property owner has been informed multiple times in person and in writing that the storefront space cannot be used for storage or as a dwelling unit as constructed. They may convert the space to residential requiring some alteration to meet applicable building codes.

On September 10, 2024, the property owner stated to the zoning administrator they use the storefront space as a secondary residence.

On March 7, 2025 a business occupancy application was issued for business owner applicant Kathleen Randolph for business consulting services. All businesses require a Certificate of Occupancy approved by the building inspector and fire inspector before operating.

A building inspection was completed June 5, 2025 and notice sent disapproving the business occupancy for the front steps not meeting code and for the space used as a residential unit.

**Staff Review:**

- a. Current zoning code permits: commercial, mixed-use and multifamily with three or more units.
- b. Built as a mixed-use: 1<sup>st</sup> floor commercial storefront space and separate rear apartment and an upper apartment unit.
- c. The space does not have a kitchen and was not constructed or has an approved certificate of occupancy as a residential dwelling unit.
- d. The storefront space is an open space with a half-bathroom and a common area to the rear of the space to access a stairwell to the basement, upper unit and rear apartment unit.
- e. Storage as a principal use is prohibited in commercial spaces in the Z-4 zoning district and previous C-3 zoning district. Code Sections 15.3.02 and 15.5 (s)
- f. The storefront space is used as a dwelling unit. The city observed a bed, day bed, dining table, small kitchen appliances, open food, clothing and other personal household items on an inspection September 9, 2024 (as part of the city's Vacant Building Registration) and on June 5, 2025 (business occupancy inspection). There was no change in furnishings after a business occupancy application was received.

\*Refer to PICTURES taken at both inspections.

CC: Steve Petery, building inspector  
Chris Smith, city attorney



## BOARD OF APPEALS

### APPLICATION

City of South Milwaukee  
2424 15<sup>th</sup> Ave, South Milwaukee, WI 53172  
(414) 762-2222

The Board of Appeals has the authority to grant exceptions, variances or review appeals regarding determinations by the building inspector or other administrative officers.

OFFICE USE ONLY	
PERMIT #	FEE: \$75.00
DATE RECEIVED:	6/18/2025
SCHEDULED MEETING:	7-9-2025
TAX KEY:	771014900

Property Address	927 Madison Ave	
Owner's Information	Kim Haueter	
Name	Name	
Address	Address	
City/State/Zip	City/State/Zip	
Phone# 414-232-9014 Alt#	Phone# Alt#	
Email Kim Haueter@Gmail.com	Email	
Check if prefer Board of Appeals meeting agenda Emailed: <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Applicant		

You are appealing the decision of:

*Building Inspector re: Business occupancy permit*

Describe the reason you are applying to the Board of Appeals (attach up to 1-page typed if more room is needed)

*The Bldg. Inspector said the application for occupancy was denied because of the front steps (I can get them fixed as soon as I get measurement requirements from Insptgr.) The other reason he gave was it didn't look like an office. (cont.)*

Describe how there is an unnecessary hardship (attach up to 1-page typed if more room is needed) *I am a senior and on social security - The rents from the Bldg. pay for taxes, utilities, up keep - it is not a big money making operation for me - 927 Madison (cont.)*

#### OFFICE USE ONLY – Findings of the Board of Appeals

Appeal Ruling:

Reason for Ruling:



\*Verify with the City prior to placement on the Board of Appeals Agenda whether site plans or other documentation are required.

\*A copy of the Board of Appeals meeting agenda will be mailed to the applicant/contractor unless otherwise indicated or emailed if an email is provided.

*Kim Haueter*

Applicant Signature

1) Reason for application cont.

→ No one will be living in the space, but the tenant prefers the space to look "homely" and we agreed that I could leave furniture there that she can use (She has a design/consulting business) it is a win/win situation because she was happy with it the way it was/is - I couldn't find anything in the building codes that dictates how an office should look.  
There has not been a business in the storefront for at least 50 years. I bought this bldg. in approx 1988 - 1989 with my former husband. I have owned it by myself since 1997. I was trying to do what the city wants. The fire inspection requirements were met. (The fire equipment has always been kept up to date) Now there is an exit sign in a one room, very small, storefront. It was required because this storefront is just over the 300 sq foot requirements in the Bldg/ fire codes.

2) → Hardship cont.

is an old building, I struggle to pay for basic repairs, sometimes. I am trying to preserve it because it is a historical bldg. and to me, history is very important in my community. If I did have more \$\$ I would spend it on keeping the building as original to its age as possible.

June 20, 2025



Kim Haueter  
927 Madison Avenue  
South Milwaukee, Wisconsin 53172

Copy to:  
Kim Haueter  
3745 17<sup>th</sup> St  
San Francisco, California 94122  
Email: kimhaueter@gmail.com

Kathleen Randolph  
309 W. Wisconsin St  
Palmyra, Wisconsin 53156  
Email: gmakat1111@yahoo.com

**RE: Appeal of Denial of Business Occupancy  
927 Madison Ave  
Tax Key 7710149000  
Zoning District: Z4 Urban Center Zone**

Ms. Haueter:

The City of South Milwaukee received a Board of Appeals application on June 18, 2025, appealing the building inspectors failed inspection of the proposed business Talismans 3, LLC at the above referenced property.

An inspection was completed June 5th by Building Inspector Steve Petery and I was also present. An email was sent to you on June 10<sup>th</sup> disapproving the business occupancy for the front steps not meeting code and for the space functioning as a residential unit.

The business occupancy application lists the business name as Talisman 3, LLC and the business owner Kathleen Randolph. A review on the Wisconsin Department of Financial Institutions confirms Talismans 3, LLC is your legal entity name organized November 26, 2024.

The 445 square foot commercial storefront space is an open space with a bathroom and a common area to the rear of the space, and does not have a kitchen. The space does not meet building codes for residential use and does not have an approved occupancy certificate for a residential unit. During an inspection September 9, 2024 as part of the city's Vacant Building Registration requirements, and during the recent inspection, the furnishings remained the same. The city observed a bed, table, small kitchen appliances, open food, clothing and other personal household items.

A tentative date for a Board of Appeals meeting is set for Thursday July 10, 2025 at 5:30 p.m. We will confirm the date once a quorum is confirmed in the following week. A representative is required to attend the meeting in person.

Please accept this letter as a formal denial of the business occupancy application.

CITY OF SOUTH MILWAUKEE



Ericka Lang  
Zoning Administrator/Economic Development Manager  
[elang@smwi.org](mailto:elang@smwi.org)  
414-762-2222 ext 135  
2424 15<sup>th</sup> Avenue  
South Milwaukee, Wisconsin 53172

# BUSINESS OCCUPANCY PERMIT APPLICATION



Inspection Department  
2424 15<sup>th</sup> Ave  
South Milwaukee WI 53172  
414-762-2222 x133

Permit # Pucc 2025-005  
TKN# 7710149000  
Fee \$75 or \$30 if <300 SqFt

CHK# 1056

Business Name: <u>TALISMAN 3 THREE</u>	DBA <u>TALISMAN 3 LLC</u>
Expected Date of Opening: <u>DEPUING</u>	Required: Floor plan with perimeter dimensions
Business Address: <u>927 MADISON AVE S.M. 53172</u>	
Address mail will be delivered to: <u>see personal ea</u>	
Describe business type, services, offerings. Use separate sheet if necessary. <u>Business consultation ea</u>	
10724B 201001 1 03/07/2025 P0100025-0005 771-0149-000 TALISMAN 07:47:20 PAID 30.00	

BUSINESS OWNER PERSONAL INFORMATION		PROPERTY OWNER INFORMATION	
Name: <u>KIM HAUETER</u>		Name: <u>KIM HAUETER</u>	
Owner Home Mailing Address: <u>309 W. Wisconsin St. Milwaukee 53156</u>		Mailing Address: <u>3745 17th St. S.F. M. 53114</u>	
Phone: <u>414-507-5110</u>		Phone: <u>414-232-9014</u>	
Email: <u>Gmavat1111@gmail.com</u>		Email: <u>KIMHAUETER@gmail.com</u>	
Fed ID or EIN No.:			
BUSINESS INFORMATION			
Location of Occupied space (i.e. 1 <sup>st</sup> floor) <u>1ST FLOOR FRONT</u>	Hours of Operation:		
Sq. Footage of Occupied Space: <u>445</u>	<u>BY APPOINTMENT ONLY</u>		
Previous Use: <u>ART STUDIO</u>	Number of employees: <u>0</u>		
No. of Off-Street Parking Stalls: <u>0</u>	Estimated Number of Customers Daily: <u>to 3 to 4 weekly</u>		
Refuse collection location: <u>ALLEY</u>	On-Site Delivery Location/Frequency:		

IMPORTANT	
<ul style="list-style-type: none"> <li>A Certificate of Occupancy is required before a business may open. <b>Call to schedule inspections with the following inspectors prior to business opening.</b> A Certificate of Occupancy will be issued once inspections are completed and all code-related requirements are met.</li> </ul>	
<input type="checkbox"/> <b>Building Inspector</b> 414-768-8054, <a href="mailto:inspectiondept@smwi.org">inspectiondept@smwi.org</a>	
<input type="checkbox"/> <b>Fire Inspector</b> 414-768-8191, <a href="mailto:fire@smwi.org">fire@smwi.org</a>	
<input type="checkbox"/> <b>Environmental Health Specialist</b> 414-768-8055 <b>For food, alcohol, salon-type, animal-related</b> <b>No occupancy is allowed until all necessary inspections are successfully completed.</b>	
<ul style="list-style-type: none"> <li>A separate sign permit is required for all new exterior signage or alterations to existing signs.</li> <li>No commercial alteration or signage is authorized by this application.</li> <li>Any change in use, owner, or occupancy type shall require a new Certificate of Occupancy.</li> </ul>	

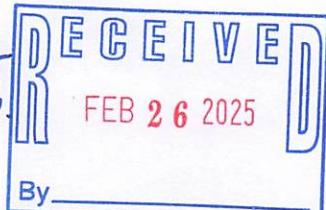
Signature of Business Owner	Date
<b>OFFICE ONLY</b>	
Zoning: <u>C-3</u>	Use is: <input checked="" type="checkbox"/> Permitted <input type="checkbox"/> Conditional
Notes:	

check incorrect amount. 2/28/25 applicant permitted city to Shred.

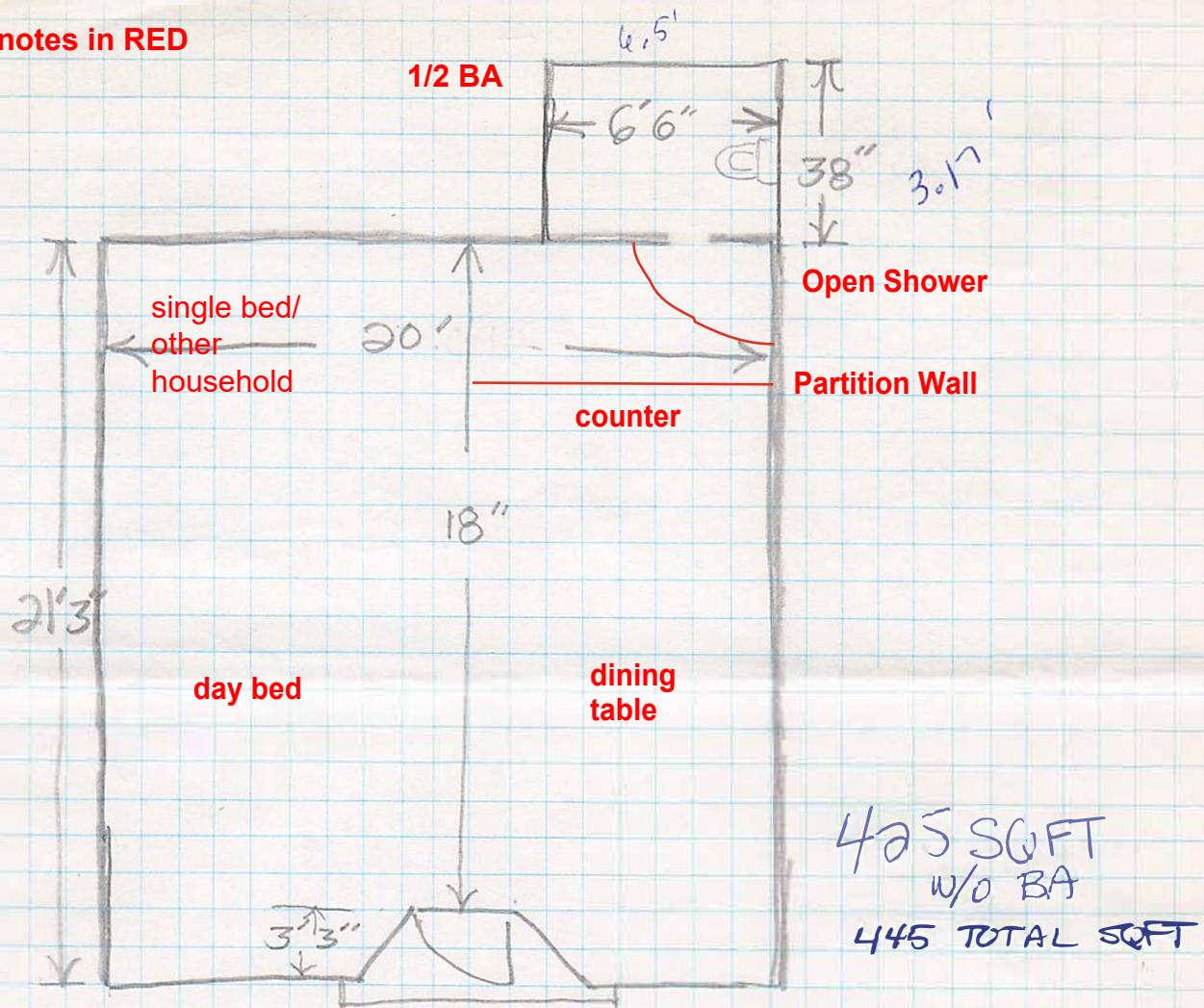
Sending in \$30 check

NOTE. TALISMAN 3 LLC is property owners address

Fee \$30. City records show space < 300 SF. Plus signs 400  
accept lower fee.



City notes in RED



STOREFRONT STORE  
6 927 MADISON AVE

KIM HAUETER  
414 232 9014

2/26/2025

## **Ericka Lang**

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**From:** Steve Petery  
**Sent:** Tuesday, June 24, 2025 7:46 AM  
**To:** KIMHAUETER@GMAIL.COM  
**Cc:** Ericka Lang  
**Subject:** RE: City of South Milwaukee Inspection Result

Morning Kim, I see you reached out to Ericka that I have not responded to a question about the stairs?

1. Steps need to be uniform w/I 3/8 of an inch
  2. First step is not secure / loose
  3. Commercial steps 7" max (4" min) rise and 11" min run. Residential steps 8" max rise and 9" min run
- Let me know if any other questions

### **The City of South Milwaukee**

Steve Petery  
Inspection & Engineering Director  
P: 414-768-8054  
F: 414-768-8068  
[petery@smwi.org](mailto:petery@smwi.org)

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**From:** Steve Petery  
**Sent:** Friday, June 13, 2025 7:57 AM  
**To:** KIMHAUETER@GMAIL.COM  
**Subject:** City of South Milwaukee Inspection Result

Greetings,

A Final Building inspection for your permit POCC2025-0005 on 927 MADISON AVE has been completed. The result of the inspection was Disapproved and any inspection comments are listed below:

Corrections Required (If none listed, then no corrections required):

1. FRONT STEPS LOOSE AND NOT PER CODE (RISE / RUN)
2. SPACE IS NOT A COMMERCIAL TENANT SPACE. IT IS CURRENTLY A RESIDENTIAL UNIT.

Completed Data: 06/10/2025

Inspector: Steve Petery

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#### **CONFIDENTIALITY NOTICE:**

This is a transmission from the City of South Milwaukee and may contain information, which is confidential and proprietary. If you are not the addressee, any disclosure, copying or distribution or

7/2/2025

City of South Milwaukee

927 Madison Avenue



All items in space  
are owned by  
property owner  
and not business  
application  
Kathleen Randolph

pic 9/9/2024

7/2/2025

City of South Milwaukee



7/2/2025

City of South Milwaukee

pictures 6/5/2025

