



IMPORTANT NOTICE: A \$25 FILING FEE MUST ACCOMPANY THIS APPEAL, WITHIN 30 DAYS OF ASSESSED CHARGES.

Checks should be made payable to: City of Milwaukee and a copy of the bill should be included with your appeal

IMPORTANT NOTICE FOR CUSTOMERS PAYING BY CHECK

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account, or to process the payment as a check transaction.

IF THE CHARGES HAVE ALREADY APPEARED ON YOUR TAX BILL, THIS APPEAL CANNOT BE FILED

PLEASE READ CAREFULLY:

This Board may only determine if the City Department followed proper administrative procedures. It cannot hear appeals as to whether a Building Order is valid or not (those must be appealed to the Standards and Appeals Commission).

TO: Administrative Review Appeals Board
City Hall, Rm. 205
200 E. Wells St.
Milwaukee, WI 53202
(414) 286-2231

DATE: 2018-10-19

RE: 5523-25 W. NORTH AVENUE
(Address of property in question)

Under ch. 68, Wis. Stats., s. 320-11 of the Milwaukee Code of Ordinances, this is a written petition for appeal and hearing.

I am appealing the administrative procedure followed by NEIGHBORHOOD SERVICES
(Name of City Department)

Amount of the charges \$ 1,016.⁰⁰ + \$760.⁰⁰ + \$254.⁰⁰ + \$850. + previously paid

Charge relative to: Inspection fees

I feel the City's procedure was improper due to the following reasons and I have attached any supporting evidence, including city employee's names/dates which I spoke to regarding this issue and copies of any city orders received:

Wayne Pretschold

Signature

Wayne Pretschold

Name (please print)

3474 W. 94 ST. Milwaukee 53222
Mailing address and zip code

414. 460-2735 (M)
Daytime phone number

24 September 2018

Appeal Board

Department of Neighborhood Services

841 N. Broadway

Milwaukee, WI 53202

To whom it concerns:

First, I would like you to know that my wife has been critically ill for the last 3+ months, and I had spent most of my available time lending support for her. What time remains is split between maintaining our house and business.

Because we have had previous correspondence with Neighborhood Services, I know you are aware of our situation which was originally, and totally caused by the Milwaukee Fire Department. This has been going on since January of 2013. We have invested heavily in time and our personal resources to get this property fixed and improved. Our insurance company did not pay what we were entitled and legal action against them was not forthcoming because our case was "too small" even though we were advised we had a good claim. We have spent thousands of our own savings to do essential work like roofing. We have been working to obtain our second building permit since the first was cancelled while trying to obtain new financing to complete the construction. We have spent thousands more on the required architectural "supervision". Since it has taken months to obtain our permit approval, it seems the City has slow-walked this thru Plan Review, so Neighborhood Services could continue to assess fees.

This is all part of previous information relayed to DNS that was available. We have the impression that we are being intentionally targeted by DNS. We are not sure why. We do know that we have business competition that would very much like us to go out of business or loose our building. As we are moving forward with our plans to re-build, the City of Milwaukee bureaucracy seems to be doing their best to hinder us. Are you working with our competition? Are you being weaponized by someone? It seems incredible that one anonymous person can cost us so much with a phone call, yet we cannot question their motives. If the object is to get our building re-done and attractive again, why has no one offered to help? We have never once been contacted by DNS or anyone else with an offer to help; since the MFD caused all of this damage in the first place, why not? The only things we have received are "inspection" fees and fines. You think this will get the job done faster?

We have obtained private financing thru MEDC. You are welcome to contact them to verify the time and effort we have been thru. We had previously contacted five other banks, but since our business had been damaged along with the building, we are too "high-risk". This business has been operating in Milwaukee since 1852. How many can say that? Most have left long ago or closed. We have not found Milwaukee to be a business friendly city since I took over from my father in 1989.

You are welcome to contact our contractor, 53 Builds, and our architect Mike Meegan, to verify what hoops we have had to go thru to get a permit. Again, the city bureaucracy has done nothing to

encourage us or make the process easier or smoother. We expected to begin construction earlier this summer. Summer is over. Thanks.

We have continued to pay our property taxes and "BID" taxes since the damage that was caused by this city's "services". To be fair, it seem the city should have been the one to pay for our re-build, not our insurance. We were "collateral damage" from the fire department's and public works questionable actions concerning the fire that was entirely contained at the building next to ours.

Since we were planning to remain and operate our business in Milwaukee, we would like to see some "help" with this. A full refund of the "inspection fees" and court costs would be a good start. We would also like to purchase the newly created corner lot that was the adjacent building for future expansion. We previously offered \$1. but were told that we had to pay full value and remove the old foundation that was supposed to be removed by the city's own regulations but was not. The \$1. offer still stands.

We are sure you are aware that our new building permit has been pending for many weeks. It would be re-assuring to feel that this city is supportive of its businesses and taxpayers for their investments. Do you think it qualifies as bullying that more inspection fees and penalties are slipped in while we are waiting to start construction?

Regards,

Elizabeth and Wayne Pretschold



Department of Neighborhood Services
Enforcement Section
841 N. Broadway
Milwaukee, WI 53202

September 21, 2018
Order #: ORD-17-19900

WAYNE AND BETH PRETSCHOLD
3474 N 94TH ST
REVOCABLE FAMILY TRUST
MILWAUKEE, WI 53222

Re: 5523 W NORTH AV

When a property is reinspected and violations remain uncorrected, the Milwaukee Code of Ordinances provides for these reinspection fees:

First reinspection \$101.60
Second reinspection \$203.20
All subsequent reinspections \$203.20

There is no charge for the reinspection that shows compliance with all violations.

All reinspections which show noncompliance with the order will be charged at the above rate. These fees will be assessed against the property as a special charge and will appear on the tax bill for this property. **On 09/20/2018, we imposed a \$203.20 reinspection fee, which includes a training and technology surcharge. Any outstanding fees will automatically be assessed to your 2019 tax bill.**

As you can see, the cost of noncompliance with the code can add up quickly. The Department would prefer to see you put the money into correcting the violations and not into paying reinspection fees. Please contact me as soon as the violations have been corrected. If I do not hear from you, we will continue to reinspect until the property has been brought into compliance with the code. Please do not put us in that situation.

If you wish to appeal this charge you must file that appeal within 30 days of the date of this letter. It must be filed with the: Administrative Review and Appeals Board, Office of the City Clerk, Room 205 City Hall, 200 E Wells Street, Milwaukee Wisconsin 53202, 414-286-2221. Please contact them to obtain the proper application form. There is a \$25 fee required when filing this appeal.

Please be advised that if you have filed for bankruptcy, this letter is for informational purposes and is not intended to be construed as an attempt to collect a debt during the pendency of your bankruptcy as other conditions may apply.

Please call Inspector Michael Ritmanich at 414-286-8285 during the hours of 8:00 a.m. to 10:00 a.m. Monday through Friday for information on which violations remain uncorrected or if you have any questions. Violations can also be viewed on our website at www.milwaukee.gov/lms.

Michael Ritmanich

Recipients

WAYNE AND BETH PRETSCHOLD, 3474 N 94TH ST, REVOCABLE FAMILY TRUST, MILWAUKEE WI 53222



Pretschold Awning & Metalworks, Since 1852

Pretschold Awning Corporation
5523 W. North Avenue
Milwaukee, WI 53208

Phone: 414-444-4767

e-mail: canvas1@att.net

Fax: 414.444-5680

MANUFACTURING AND INSTALLING:

- ☞ Residential Awnings & Canopies
- ☞ Aluminum Awnings
- ☞ Commercial Awnings
- ☞ Illuminated Awnings & Signs
- ☞ Banners and Flags
- ☞ Retractable Awnings and Shades
- ☞ Solar Screen Systems
- ☞ Automated Control Systems
- ☞ Security & Decorative Shutters
- ☞ Storm Doors and Windows
- ☞ Umbrellas: 5FT. TO 30FT. Diameter
- ☞ Industrial Canvas Products
- ☞ Custom Signs and Graphics
- ☞ Ornamental Metal Products
- ☞ Railings & Fences
- ☞ Custom Decks
- ☞ Patio & Site Furniture
- ☞ Custom Ornamental Metal Furniture
- ☞ Seasonal Services and Storage

28 June 2017

Milwaukee Municipal Court
951 N. James Lovell Street
Milwaukee, WI 53233

RE: Case #12204701

Due to my father's illness we moved to Milwaukee in 1988 to run the family business, Pretschold Awning Co. Since then we have struggled to maintain our family and property. This is the oldest awning company in the U.S. and has been the family tradition, father to son, for four generations. Regarding the building at 5523-25 W, North Avenue, it houses the business and was also our home for many years.

On January 11, 2012, the building next door burned completely and was torn down. It was not insured. The Milwaukee Fire Department caused extensive damage to our building and equipment with water. Our insurance company paid out approximately 1/2 of the needed funds to repair the property and equipment. We have used those funds responsibly to replace needed equipment and initiate construction on the inside. We have diligently sought to recover the remaining insurance funds due, without success to date. Alternatively, we have, and continue to seek, funding for the repairs. Because of the damage, our business has suffered greatly. We have continued to seek other funding for completion of the rebuild but have not yet been successful. Our credit is not poor but "marginal". We recently (June 13th) have been turned down by one bank and are working with another currently. We have expended our savings and continue to work the awning business to maintain the taxes and expenses of the building and our home.

During the severe cold of 2014, a major foundation crack occurred in the property. We were advised to have this inspected by an engineer (report attached). The neighboring foundation of the burned building was the cause. It was not removed during demolition in violation of the City of Milwaukee's own building codes. Yet the demolition was ordered by the City. We also learned the City exempts itself from any liability after 120 days. A time that just expired once our investigation revealed the cause.

RESIDENTIAL

☞

COMMERCIAL

☞

ARCHITECTURAL

CITY OF MILWAUKEE
DEVELOPMENT CENTER

REG-RECEIPT: 02-0224027

CASHIER ID: dhawki

C: 02/07/2013 02:41 PM

A: 02/07/2013

1200 CONST-ALTERATION 180.00
PERMIT #: 1063579
0002 IT AND TRAINING SURCH 9.31
0009 PROCESSING FEE 5.00

This is the processing fee that is charged to customers.

0040 PLAN REVIEW-COMMERCIAL 485.00
0001 APPRAISAL CHARGE 59.40

TOTAL DUE: \$ 738.71

City of
Milwaukee
Development Center

1063579
Feb/07/2013/02:42 PM
2-0224027/dhawki/\$180.00
5523 W NORTH AV

Building Permit

No refund on minimum fee permits

Work is not authorized
unless permit is validated at right.

PTS ID #85499

Architectural

Use of building	Cost of job	Code	CT	Class
Manufacturing, light	\$18,000.00	9	93	

Instructor	Design professional	Property owner
	Madisen Maher Architects, Inc. 700 W Virginia St Suite 604 Milwaukee, WI 53204 Phone: (414) 277-8000	WAYNE AND BETH PRETSCHOLD REVOCABLE FAMILY TRUST 3474 N 94TH ST MILWAUKEE WI 53222

Description of work
Reviewed under the 2009 IBC/IEBC as a level 3 alteration to 1st and 2nd floors. Selective interior demolition throughout and removal of attached garage. Water damage repairs and reconfiguration of rooms to create 1 unisex toilet room on 1st floor. Fur out exterior walls; insulate and drywall throughout, including attic to be used for storage only. Reinforce several 2nd floor joists and replace several window units.

\$180.00
\$9.31
\$5.00
\$485.00
\$59.40
\$738.71

Plan review -- commercial building, structure, parking lot (0040) ... \$485.00
Appraisal Charge ... \$59.40
Total ... \$738.71

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account, or to process the payment as a check transaction.
I attest that the above information accurately describes the property and the proposed work to be performed on it. I agree to comply with all City of Milwaukee and State of Wisconsin codes applicable to the occupancy and work stated above. No asbestos project, as defined in Ch. 66 of the Milwaukee Code of Ordinances, is included in the work performed under this permit. I understand that any falsification or misinformation may result in penalties prescribed in the Milwaukee Code of Ordinances.

Signature of applicant *Wayne Pretschold*
Permit check

Date 2/7/2013

Taxkey: 3461405000

Zoning: LB2

Historic code:

Required appeals

☐ Building is fire damaged.

☐ Building is subject to condemnation order.

☐ Right-of-way encroachment (ch. 245).

Approval conditions

- Provide door hardware per IBC 1008.
- Provide interior finishes in accordance with IBC Chapter 8.
- Call inspector in advance to schedule rough-in, insulation and final inspections. All conditions of approval shall be satisfied before or during construction, and prior to occupancy of the building.
- Separate permit required for plumbing work.

NOTE: The building owner/operator must conduct a thorough inspection for asbestos-containing material BEFORE WORK BEGINS. A State-certified asbestos inspector can do this inspection. Check the Yellow Pages under "Asbestos Consultants" or "Asbestos Removal and Abatement Services." For more information, call (414) 286-8674.

All work in, and occupancy of, the public way requires a separate permit from the Department of Public Works. Contact Milwaukee Development Center at (414) 286-8208 for information and application.

Permit issued by: Barbara Jones

Inspector: Joel Walloch (286-8160)

JENDUSA DESIGN & ENGINEERING INC

ARCHITECTS & ENGINEERS

April 17, 2014

Mr. Wayne Pretschold
5523 W. North Avenue
Milwaukee, WI

RE: Inspection of building at 5523 W. North Avenue, Milwaukee, WI

Dear Mr. Pretschold,

Thank you for the opportunity to provide engineering inspection services at the building located at 5523 W. North Avenue, Milwaukee, WI. I inspected this building on March 31, 2014. This building is a two story masonry framed structure constructed in the 1940's. The original basement walls consist of cast in place concrete. The addition to the east has concrete block foundation walls. The original basement measures 22'-0" x 50'-0" and is 7'-5" high. The addition to the west is 11'-5" wide. The building was purchased in 1982. This inspection is due to the formation of a horizontal crack in the north and west walls of the original poured concrete basement walls.

It was reported that a crack formed in the west and north basement walls on or about February 20th 2014. The crack continued to get wider through the winter and ultimately reached a width of 1 inch at which time the center column lifted off of its support pier. At the time of this inspection the crack had reduced to a width of 1/4 inch and the column had returned to rest on the concrete pier. It is my opinion that this condition was caused by frost heave. As the ground continues to thaw it is my opinion that the gap in the wall will close. It is my opinion that if not repaired that this condition will reoccur in the future and ultimately deteriorate the foundation wall and cause damage to the finishes on the first and second floor. I recommend excavating the north and west walls down to the footing and epoxy injecting the cracks. I recommend damp proofing the wall and installing new drain tile. I recommend backfilling the wall with #1 clear stone to within 18 inches of final grade and covering with a filter fabric and finish filling with 12 inches minimum of clay soil properly pitched away from the foundation. The clay can then be covered with topsoil or paving as desired. I recommend installing a sump and pump to collect and discharge the water from the drain tile.

It was reported that there was a building located 3 feet directly west of this building until 2 years ago when there was a fire in that building. It was reported that after the fire the building was demolished into the basement of that building and then covered with fill. The old foundation walls were left in place. Since that time the grade has settled causing water to pond at the north end of the common property line. It is my opinion that the cracks in the foundation wall are a result of the change in water flow caused by the demolition of the adjacent building. This past year has been unusually cold and has caused the frost to penetrate deeply into the ground however this building has experienced the same extreme cold in the past without any damage to

Milwaukee Municipal Court
951 N James Lovell St
Milwaukee, WI 53233-1429
Phone: (414) 286-3800
Fax: (414) 286-3615



**CITY OF MILWAUKEE
MUNICIPAL COURT**

September 21, 2017

WAYNE AND BETH PRETSCHOLD REV
3474 N 94 ST
Milwaukee, WI 53222

Case Number: 17019305
Citation:
Violation: Building Code Violations

Judge: CHAVEZ, PHILLIP M

NOTICE OF DEFAULT JUDGMENT

JUDGMENT

Finding: Guilty

Date: 09/21/17

Penalty: \$	33.00	Court Clerk Fee
	650.00	Forfeiture
	10.00	Jail Assessment Fee
	5.00	State Clerk Fee
	13.00	State Crime Lab Assessment
	169.00	State Surcharge

Total Fine: \$ 880.00

Paid/Stayed: \$ 0.00

Total due: \$	880.00
Due Date:	12/20/17

If you do not pay the total amount due on or before 12/20/17:

- a lien against your property will be filed in the Circuit Court

Return this notice with your payment to the Milwaukee Municipal Court(see address at top of page).

VISA or MasterCard are accepted. DO NOT SEND CASH BY MAIL.

If you have already paid your fine, please disregard this notice.

SEE INSERT FOR IMPORTANT INFORMATION FOR THOSE FOUND GUILTY BY THE COURT.

INSPECTION REPORT AND ORDER TO CORRECT CONDITION

CITY OF MILWAUKEE
DEPARTMENT OF NEIGHBORHOOD SERVICES
Code Enforcement - Commercial
841 N. Broadway
Milwaukee, Wisconsin 53202



WAYNE & BETH PRETSCHOLD REV FAM TR
WAYNE PRETSCHOLD (TRUSTEE)
3474 N 94TH ST.
MILWAUKEE WI 53222

Serial #: 012204701
Inspection Date: August 01, 2016
District #: 323
CT: 93

mixd-si

Recipients:
WAYNE & BETH PRETSCHOLD REV FAM TR, WAYNE PRETSCHOLD (TRUSTEE), 3474 N 94TH ST.,
MILWAUKEE WI 53222

Re: 5523-5525 W NORTH AV

Taxkey #: 346-1405-000

A recent inspection of the premises at the above address revealed conditions that violate the Milwaukee Code of Ordinances. You are hereby ordered to correct each violation listed below **within 90 days of service of this order.**

Exterior

South Side

1. 275-32-3
Replace defective bricks or blocks in exterior wall. *garage demo*
2. 275-32-3
Replace defective trim boards on exterior walls. *garage demo*

North Side

3. 275-32-3
Replace mortar missing from exterior wall (tuckpoint). DEFECTIVE MASONRY WALL COVERING *entry concrete replacing*

West Side

4. 275-62-2
Repair or replace defective electrical fixture(s). *elec. removed, entry to be blocked*
5. 275-32-3
Replace defective fascia boards. DEFECTIVE SOFFITT.
6. 275-32-3
Replace defective bricks or blocks in exterior wall. *garage demo*
7. 275-32-3
Replace mortar missing from exterior wall (tuckpoint). *garage demo*

OFFICIAL NOTICE OF VIOLATION

The City of Milwaukee - Department of Neighborhood Services

May 1, 2017

Mr. Wayne Pretschold
3474 N. 94th Street
Milwaukee, WI 53222

Dear Mr. Pretschold:

Milwaukee Economic Development Corporation ("MEDC") is pleased to advise you that on April 18, 2017, MEDC's Loan & Finance Committee approved a loan of up to \$250,000.00 to Wayne and Beth Pretschold Revocable Trust ("Borrower") under the following terms and conditions:

1. MEDC loan proceeds to be used for the renovation and build out of real estate located at 5523-5525 W. North Avenue, Milwaukee, Wisconsin, ("Project") for use in the business of Pretschold Awning Corporation ("Operating Company").
2. MEDC to lend up to \$250,000.00 at an interest rate of 5.25%, fixed for 5 years, payable in up to 6 monthly payments of accrued interest, followed by 233 monthly installments of \$1,710.00 (amortized over 234 months) with a final payment in the 240th month equal to the remaining principal balance and accrued interest. MEDC may adjust the interest rate at the 61st, 121st, and 181st months based on a rate of up to Prime + 2.75%. Borrower is eligible for up to a 1.50% reduction in interest rate based on the Project location, which is subject to the availability of applicable MEDC funds at the time of closing. Monthly payments are required to be made through an automatic payment system.
3. Borrower shall substantiate an equity contribution of at least \$248,000.00, plus closing costs, toward the Project, some of which has already been injected. If funds are borrowed, the debt and the security for any such debt shall be subordinated to the MEDC debt and security.
4. MEDC to require a U.S. Small Business Administration ("SBA") loan guarantee of 75%. The guarantee is subject to final approval by the SBA under a separate application by MEDC.
5. When requesting a SBA guarantee, verification of tax returns is required through official transcripts using form 4506-T.
6. Borrower is responsible for paying \$2,812.50 of the \$5,625.00 SBA guarantee fee (3% of the 75% guarantee portion). MEDC to pay the \$2,812.50 balance on behalf of the Borrower.

Receipt of A.R.A.B. Appeal Fee

Date:	10/22/18
Received Of:	Wayne Pretschold
Property at:	5523-25 W. North Ave.
Received By:	LME
Check # (If Applicable):	1735
Amount Received	\$25.00