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WEST ALLIS, Wis. - A vacant West Allis Burger King at the center of a months-long legal battle came down Tuesday, Feb. 6. Court filings dated Oct. 9, 2023 show the city sued the restaurant chain, asking the court to declare the property near 106th and Greenfield a "public nuisance." The lawsuit also stated the city issued written notice of its complaints to Burger King in May - and alleged the company failed to adequately address defects. SIGN UP TODAY: Get daily headlines, breaking news emails from FOX6 News In September 2023, the lawsuit said, Burger King had taken action but failed to meet the city's desired level of repair. A broken window was fixed, but the glass from the originally broken window was left on the sidewalk. Some "minor paint" was added, but the paint was directly over rotted wood. Concerns about the parking lot asphalt were not addressed, the lawsuit claims. After legal negotiations, Mayor Dan Devine announced in December that Burger King decided to just raze the building - and return the area to a grass lot. It is not clear what will be built on the lot. "We're always trying to fix the problems that we learn about in our community. We don't get everything done that we hope. But this is a victory," Devine told FOX6 News last year. West AllisNews It looks like the beef between the City of West Allis and Burger King has finally come to an end.Mayor Dan Devine announced on Friday, Dec. 8, that Burger King has decided to raze the abandoned Burger King building that has been sitting vacant for over a decade.The demolition is set to begin around Dec. 27, according to the mayor's tweets.Back on Oct. 5, Devine called the burger chain out on X saying: "Since 'I rule' could you please help me and do something with this 'Whopper' of a blighted property (on 106th and Greenfield) that has been an eyesore for West Allis for several years? Thanks in advance!"The official Burger King account on X responded within minutes asking Devine to send them a private message. He did, but the company did not reply, until recently, according to the mayor. "It's very frustrating that it's such a blight and on such a main intersection," Devine said at the time.To add heat to the fire, a few days later on Oct. 9, the city filed a lawsuit against Burger King.Devine confirmed the lawsuit in a tweet on Oct. 13.The suit focused on two issues - the existing issue that has been a problem for West Allis for at least six years and possibly up to 11 new violations found since the notice of nuisance was issued, according to City Attorney Kail Decker."It appears that the entire electrical service was removed from the building," Decker said.The property is currently overgrown with weeds, but is it still legally owned by Burger King Company, LLC. Burger King is a subsidiary of Restaurants Brands International, but Decker stated the city is suing the listed property owner as opposed to RBI.Decker previously sent Burger King a notice of nuisance in May. He said the company responded with a few repairs, such as fixing a broken window, but left broken glass on the ground, and painting over rotting wood. Decker said the paint bubbled off in under a few months."All we want is the property activated," Decker said, adding the city is fine if Burger King reopens or if they sell the property to another user. "The only outcome we're trying to avoid is just more of the same."Contact Adrienne Davis at amdavis@gannett.com. Follow her on X at @AdriReportss.Milwaukee Journal Sentinel reporter Erik Hanley contributed to this report. 2.2 306 ratings Share your opinion about Burger King WEST ALLIS, Wis. — After negotiations with West Allis, Burger King has decided to raze its abandoned restaurant near 106th and Greenfield, West Allis Mayor Dan Devine announced Friday evening.The area will now return to a grass lot with demolition beginning no later than Dec. 27.West Allis files lawsuit against Burger King over abandoned restaurantThe City of West Allis previously filed a lawsuit against Burger King Company, LLC. after the building sat empty for six years.The vacant lot used to be a thriving restaurant, but today it sits as an eyesore with overgrown bushes, a deteriorating parking lot, and signs in empty windows that read "No Trespassing."The City of West Allis said the building constitutes a public nuisance. In its lawsuit, the City asked the court to order Burger King to make repairs, raze the building, or sell it to a new buyer.According to the lawsuit, the City issued a written Notice of Public Nuisance in May to Burger King Company. The notice said the property had broken windows, peeling paint, and a deteriorated parking lot.On September 14, the complaint alleged the West Allis Code Enforcement Director inspected the property. The director found some repairs by Burger King, but said they were "superficial and improper repairs."It's about time to watch on your time. Stream local news and weather 24/7 by searching for "TMJ4" on your device.Available for download on Roku, Apple TV, Amazon Fire TV, and more.Report a typo or error // Submit a news tip United states » Wisconsin » Milwaukee county » West allis 2025-06-26 2626 S 108th St, West Allis, WI 53227, USA An abandoned and blighted Burger King in West Allis has been demolished.West Allis Mayor Dan Devine announced on his personal X account Feb. 6 that the Burger King building at 106th Street and Greenfield Avenue had been torn down."So this is happening," Devine posted.According to the mayor, the physical building is down now, and planting and curbs will be done sometime in the spring.On Oct. 5, 2023, Devine called out the burger chain on X saying, "Since 'I rule' could you please help me and do something with this 'Whopper' of a blighted property (on 106th and Greenfield) that has been an eyesore for West Allis for several years? Thanks in advance!"Burger King did respond to Devine's original post. Devine replied but did not hear back from the burger chain. So a few days later on Oct. 9, the city filed a lawsuit against Burger King.City of West Allis Attorney Kail Decker had sent a notice of nuisance to Burger King in May 2023, saying the property was overgrown with weeds, contained broken glass and had painted wood that was rotting underneath.While Devine said he isn't sure how the burger chain is feeling after the beef between them and the City of West Allis, he did say he was contacted by a business association from a suburb in Kansas City who asked Devine for advice since they too have a whopper of a problem with an abandoned Burger King in the area.Contact Adrienne Davis at amdavis@gannett.com. Follow her on X at @AdriReportss.