

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – November 12, 2015
City Hall, Common Council Committee Room 301-A

MINUTES

PRESENT:

Chairwoman: Catherine M. Doyle (*voting on items 1 – 59*)

Members: Henry P. Szymanski (*voting on item 38*)
Martin E. Kohler (*voting on items 1 – 59*)
Jewel Currie (*voting on items 1 – 59*)
Jennifer Current (*voting on items 1 – 37, 39 – 59*)

Alt. Board Members: Karen D. Dardy (*voting on items 1 – 59*)

START TIME: 4:07 p.m.

End Time: 8:25 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	33834 Use Variance/ Special Use	World Automotive Group Sawan Kumar; Lessee Request to occupy the premises as a light and heavy motor vehicle repair facility.	7550 N. 76th St. 9th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
2	34089 Special Use	ABRA Auto Body & Glass, LP Lessee	6920 N. 76th St. 9th Dist.
		Request to occupy the premises as a motor vehicle body shop.	
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
3	33916 Special Use	Joseph Clayton Prospective Buyer	2919 W. Fond Du Lac Av. 15th Dist.
		Request to occupy the premises as a day care center for 75 children per shift infant - 12 years of age, operating Monday - Sunday 6:00 a.m. - midnight.	
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
4	33630 Special Use	Tiny Tots Learning Center c/o Joseph Clayton; Property Owner	4825 N. 36th St. 1st Dist.
		Request to continue occupying the premises as a day care center for 16 children per shift infant - 12 years of age, operating Monday - Friday 6:00 a.m. - midnight.	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
5	34113 Special Use	Albert M Holmes Lessee Request to occupy a portion of the premises as a social service facility.	6115 N. Teutonia Av. A/K/A 6161 N. Teutonia Av. 1st Dist.
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
6	33572 Special Use	Hallowed Missionary Baptist Church Inc. Aaron Morgan, Sr.; Property Owner Request to occupy the premises as a transitional living facility.	3818 N. Port Washington Av. 6th Dist.
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	34085 Special Use	<p>NU2U Appliances James Ramsey; Lessee</p> <p>Request to continue occupying a portion of the premises as a second-hand sales facility.</p> <p>Action: Granted 10 yrs.</p> <p>Motion: Martin Kohler moved to grant the appeal. Seconded by Jewel Currie.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the storefront windows remain as transparent glass per s.295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 6. That the applicant does not have outdoor storage or display of products or merchandise. 7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Mercantile - M occupancies and complies with all zoning conditions and building code requirements. 9. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	<p>5017 W. Capitol Dr. A/K/A 5017 W. Fond Du Lac Av. 7th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
8	34068 Special Use/ Dimensional Variance	B. Bohmann Plumbing, Inc. Brian E. Bohmann; Property Owner Request to continue occupying the premises as a contractor's yard that does not meet the minimum required landscaping.	2932 W. Forest Home Av. A/K/A 2514 S. 30th St. 8th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff.	
	Vote:	--	
	Conditions of Approval:	--	
9	34147 Use Variance/ Dimensional Variance	Milwaukee County David S. Gulgowski; Property Owner Request to erect a barbed-wire fence that exceeds the maximum allowed height.	8463 N. Granville Rd. A/K/A 8463 N. Granville . 9th Dist.
	Action:	Granted	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Use Variance and this Dimensional Variance are granted to run with the land.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	34084 Special Use	Patricia Carter-Lee Lessee	5514 W. Lisbon Av. 10th Dist.
		Request to occupy the premises as a religious assembly hall.	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman of the District.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	34108 Special Use	Marilyn Kern Lessee	3942 N. 76th St. 10th Dist.
		Request to continue occupying the premises as a day care center for 80 children per shift infant - 13 years of age, operating Monday - Friday 6:00 a.m. - 7:00 p.m. (this is a new operator).	
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license. 7. That the storefront windows remain as transparent glass per s.295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 8. That landscaping and screening is maintained in accordance with s.295-405-1-c-9 of the Milwaukee Zoning Code. Specifically, that all plant material shall be maintained on an on-going basis, including seasonal tree and plant replacement. 9. That the applicant applies for a loading zone on North 76th Street within thirty (30) days. Please contact Mr. Joe Halvorson at 414-286-8677 to apply for or to renew, if necessary, the loading zone. 10. That the facility does not exceed the capacity established by the State Department of Children and Families. 11. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 12. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
12	34050 Dimensional Variance	Lidia Dominguez Property Owner	1215 W. Orchard St. 12th Dist.
		Request to raze and rebuild a portion of the premises that does not meet the minimum required side setback (required 1.5 ft. / proposed 0 ft.).	
	Action:	Granted	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, construction of building footings. The DPW permit must be obtained prior to the start of any work in the public right-of-way. Please contact Ms. Dawn Schmidt at 414-286-2454 with questions regarding this matter. 5. That this Dimensional Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
13	34131 Dimensional Variance	ACME Galvanizing Ed Weiss; Property Owner Request to construct an addition that does not meet the minimum required residential buffer width (required 10 ft. / proposed 0 ft.).	2730 S. 19th St. 12th Dist.
	Action:	Granted	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That a Special Privilege be obtained from the City of Milwaukee Common Council to allow the chimney and lean-to to occupy the public right-of-way. The Special Privilege application must be submitted within thirty (30) days. Please contact Ms. Dawn Schmidt to obtain a Special Privilege Application Form or with questions at 414-286-2454. 5. That this Dimensional Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
14	34135 Dimensional Variance	Milwaukee Metropolitan Community Church Property Owner	1239 W. Mineral St. 12th Dist.
		Request to occupy the premises as a permitted religious assembly hall that does not meet the minimum required number of parking spaces (Required 10 / Proposed 0).	
	Action:	Granted	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 5. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy. 6. That this Dimensional Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	34139 Special Use	The Upper Room of Milwaukee, Inc David Price; Lessee Request to occupy a portion of the premises as a religious assembly hall.	1920 W. Mitchell St. A/K/A 1948 W. Mitchell St. 202 12th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	34103 Special Use	Nijmeh Hamad Property Owner	5518 S. 13th St. A/K/A 5516 S. 13th St. 13th Dist.
		Request to continue occupying the premises as a motor vehicle filling station and car wash.	
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code for LB1 zoning districts. 5. That landscaping and screening is maintained in accordance with s.295-405-1-c-9 of the Milwaukee Zoning Code. Specifically, that all plant material shall be maintained on an on-going basis, including seasonal tree and plant replacement. 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 7. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by s.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises. 8. That the applicant does not have outdoor storage or display of products or merchandise. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 11. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 12. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s.84-7 of the Milwaukee Code of Ordinances. 13. That the petitioner comply with DNS order serial #11578431 within 15 days of the Board decision. 14. That these Special Uses are granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	34151 Special Use	Four Keys, LLC d/b/a Rosen Nissan Lessee Request to add outdoor motor vehicle storage to the Board approved motor vehicle sales facility.	5572 S. 27th St. 13th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of an interested party.	
	Vote:	--	
	Conditions of Approval:	--	
18	34097 Special Use	Peter Miklaszewicz Lessee Request to occupy a portion of the premises as a personal service facility.	2417 S. Howell Av. A/K/A 2417 A S. Howell Av. 14th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as transparent vision glass and are maintained in an attractive manner. 6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	34102 Special Use	Marilyn K Betthausen Property Owner	2918 S. 13th St. A/K/A 2916 S. 13th St. 14th Dist.
		Request to continue occupying the premises as a second-hand sales facility.	
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the storefront windows remain as transparent glass per s.295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 6. That the applicant does not have outdoor storage or display of products or merchandise. 7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy. 9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	34120 Use Variance	Paul Marks Lessee Request to occupy the premises as a personal service facility.	3397 S. Howell Av. A/K/A 3399 S. Howell Av. 14th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 5. That the applicant does not have outdoor storage or display of products or merchandise. 6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 7. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Business - B occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 8. That this Use Variance is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	34126 Special Use	Catherine Rohde Property Owner	300 E. Bay St. 14th Dist.
		Request to occupy the premises as a second-hand sales facility.	
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant does not have outdoor storage or display of products or merchandise. 5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy. 7. That all areas used for parking follow the standards set in s.295-403-3-b of the Milwaukee Code of Ordinances. 8. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 9. That the storefront windows remain as transparent glass per s.295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 10. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
22	34110 Use Variance	Jackie Chang Lor Property Owner	2318 W. Vine St. A/K/A 2320 A W. Vine St. 15th Dist.
		Request to occupy the premises as a two-family dwelling.	
	Action:	Granted	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains all required permits for this conversion by having all required inspections, complies with current building code and complies with all zoning conditions and building code requirements prior to occupancy. 5. That this Use Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
23	34143 Special Use	HWB Youth and Family Services, Inc. Sandra Taylor; Lessee Request to continue occupying the premises as a social service facility.	2401 N. 25th St. A/K/A 2506 W. Meinecke Av. 15th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
24	34096 Special Use	Zollie Sanford Lessee Request to occupy the premises as a car wash.	3101 W. Cameron Av. A/K/A 4933 N. 31st St. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	34106 Special Use	My Father's House, Inc. Albert Holmes; Lessee Request to occupy a portion of the premises as a social service facility.	6115 N. Teutonia Av. A/K/A 6071 N. Teutonia Av. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy. 7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
26	34129 Special Use	World Outreach and Bible Training Center Property Owner Request to occupy the premises as a religious assembly hall.	3410 W. Silver Spring Dr. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	34104 Dimensional Variance	Tanya D Hudson Property Owner Request to construct a ramp that does not meet the minimum required front setback (required 19.2 ft. / proposed 8 ft.).	5025 N. 83rd St. 2nd Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff.	
	Vote:	--	
	Conditions of Approval:	--	
28	34137 Dimensional Variance	Kimberly Jackson Property Owner Request to erect a ramp that does not meet the minimum required front setback.	4827 N. 71st St. 2nd Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	34121 Special Use	GNA-WLZ LLC dba Supper Gina Gruenewald; Lessee	1962 N. Prospect Av. A/K/A 1962 N. Prospect Av. 512 3rd Dist.
		Request to occupy a portion of the premises as a sit-down restaurant.	
	Action:	Granted 15 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 5. That the property owner obtain a Special Privilege Amendment for change of ownership for various items including the raised patio area, fence and covered walk, which occupy the public right-of-way adjacent to the proposed restaurant, from the City of Milwaukee Common Council. The Special Privilege application must be submitted within thirty (30) days. Please contact Ms. Dawn Schmidt to obtain a Special Privilege Application Form or with questions at 414-286-2454. 6. That the applicant applies for a Sidewalk Cafe for that portion of the patio that is in the public right-of-way in conjunction with other food and alcohol licenses. Please contact the License Division at 414-286-2238 to apply for the Sidewalk Cafe. 7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy. 9. That this Special Use is granted for a period of fifteen (15) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	34124 Special Use	PCAM, LLC Lessee Request to continue occupying the premises as a principal use parking lot.	746 N. Old World Third St. A/K/A 752 N. Old World Third St. 4th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in accordance with s.295-405-1-c-9 of the Milwaukee Zoning Code. Specifically, that all plant material shall be maintained on an on-going basis, including seasonal tree and plant replacement. 5. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 7. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	34125 Special Use	PCAM, LLC Lessee	215 W. Wells St. 4th Dist.
		Request to continue occupying the premises as a principal use parking lot.	
	Action:	Granted 2 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in accordance with s.295-405-1-c-9 of the Milwaukee Zoning Code. Specifically, that all plant material shall be maintained on an on-going basis, including seasonal tree and plant replacement. 5. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 7. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	34140 Dimensional Variance	Mandel Riverfront Holdings III, LLC Andy Wiegman Request to construct a building that exceeds the maximum allowed side street setback and front setback.	401 E. Erie St. A/K/A 495 E. Erie St. 4th Dist.
	Action:	Granted	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That a Special Privilege be obtained from the City of Milwaukee Common Council to allow the barrier free access ramp and concrete walls to occupy the public right-of-way. The Special Privilege application must be submitted within thirty (30) days. Please contact Ms. Dawn Schmidt to obtain a Special Privilege Application Form or with questions at 414-286-2454. 5. That these Dimensional Variances are granted to run with the land. 	
33	34114 Special Use	Kai Trimble Lessee Request to increase the number of occupants from 6 to 8 and to continue occupying the premises as a group home.	4542 N. 84th St. A/K/A 4544 N. 84th St. 5th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of an interested party.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
34	34153 Special Use	Highland Park Investment Group LLC Lessee	10732 W. Hampton Av. A/K/A 10742 W. Hampton Av. 5th Dist.
		Request to occupy a portion of the premises as a second-hand sales facility.	
	Action:	Granted	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the storefront windows remain as transparent glass per s.295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 6. That the applicant does not have outdoor storage or display of products or merchandise. 7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 8. That the petitioner shall comply with applicable MPD documentation and record keeping requirements. 9. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on December 18, 2023. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	34078 Special Use	Boykin Blackmon Lessee	3854 N. Teutonia Av. A/K/A 3859 N. 20th St. 6th Dist.
		Request to continue occupying the premises as a car wash and motor vehicle repair facility.	
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That existing landscaping (as shown in the pictures submitted by the petitioner to the Board on October 5, 2015) is maintained in a manner that meets the intent of City code. 7. That no work on or storage of vehicles occurs in the public right-of-way. 8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That all repair work is conducted inside the building. 11. That a waste tire generator license must be obtained by any person, who in the course of normal business activities, generates or removes 25 or more waste tires per calendar year. 12. That these Special Uses are granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	34136 Special Use	Malaika Early Learning Center Dennis Mueller; Property Owner	3202 N. 2nd St. A/K/A 3202 A N. 2nd St. 6th Dist.
	Action:	Request to occupy the premises as a principal use parking lot. Granted 5 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 5. That the landscape plan submitted to the Board of Zoning Appeals on October 1, 2015 is revised to meet the requirements for type 'H' residential buffer landscaping and to meet interior landscaping requirements under s.295-405 of the Milwaukee Zoning Code. Specifically, additional trees, shrubs and an opaque fence should be added to the planting strips along the north and east property lines to meet code requirements for interior and buffer landscaping. 6. That landscaping and screening in accordance with an approved landscape plan is installed within 90 days of occupancy and is maintained in accordance with s.295-405-1-c-9 of the Milwaukee Zoning Code. Specifically, that all plant material shall be maintained on an on-going basis, including seasonal tree and plant replacement. 7. That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, construction of the new driveway approach. The DPW permit must be obtained prior to the start of any work in the public right-of-way. Please contact the Development Center Tech Team at 414-286-8208 to apply for a DPW permit to construct the driveway approach. 8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy. 11. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	34156 Special Use	Time Warner Cable Midwest LLC Shaz Sherer; Property Owner Request to continue occupying the premises as an indoor substation/distribution equipment facility.	514 W. Walnut St. A/K/A 518 W. Walnut St. 6th Dist.
	Action:	Granted 15 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of fifteen (15) years, commencing with the date hereof. 	
38	33584 Special Use	Joye A Peterson Property Owner Request to occupy the premises as a day care center for 49 children per shift infant - 12 years of age, operating Monday - Friday 6:30 a.m. - 10:00 p.m. and Saturday 8:00 a.m. - 5:00 p.m.	7118 W. Center St. A/K/A 7120 W. Center St. 10th Dist.
	Action:	Denied	
	Motion:	Jewel Currie moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	3 Ayes, 1 Nay, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	33957 Special Use	Lonnie Whitfield Property Owner Request to allow a transmission tower that does not meet the minimum required setback.	3760 N. 22nd St. A/K/A 3760 A N. 22nd St. 6th Dist.
	Action:	Granted 15 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Karen Dardy.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of fifteen (15) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	34033 Special Use	Helping Hands Daycare LLC Nejia Nolden; Lessee	4714 W. Fond Du Lac Av. A/K/A 4712 W. Fond Du Lac Av. 7th Dist.
		Request to increase the hours of operation from Monday - Friday 6:00 a.m. - 11:00 p.m. to 24 hours Monday - Sunday, and to continue occupying the premises as a day care center for 40 children per shift infant - 13 years of age (this is a new operator).	
	Action:	Granted	
	Motion:	Jewel Currie moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license. 7. That the applicant applies for a loading zone on West Fond du Lac Avenue within thirty (30) days. Please contact Mr. Joe Halvorson at 414-286-8677 to apply for or to renew, if necessary, the loading zone. 8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 9. That the facility does not exceed the capacity established by the State Department of Children and Families. 10. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on April 22, 2025. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	33771 Special Use	Edna Butler Lessee Request to occupy the premises as a hand car wash.	7009 W. Capitol Dr. A/K/A 7011 W. Capitol Dr. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman of the District.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	34112 Special Use	Harvest Learning Center Donna Robinson; Prospective Buyer	5934 W. Appleton Av. A/K/A 5932 W. Appleton Av. 10th Dist.
		Request to increase the number of children from 55 to 80 per shift, and to continue occupying the premises as a day care center for children infant - 12 years of age, operating Monday - Saturday 5:30 a.m. - midnight (this is a new operator).	
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Karen Dardy.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license. 7. That the storefront windows remain as transparent glass per s.295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 8. That all loading and unloading of children must occur on the North 59th Street side of the property. Parking is banned in front of the subject premises. 9. That the petitioner obtains a new occupancy certificate to account for the increased number of children by having all required inspections, complies with current State commercial building code for daycare occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 10. That the facility does not exceed the capacity established by the State Department of Children and Families. 11. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 12. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	33751 Special Use	5th Ward Partners LLC Rick D'Aloia; Property Owner	506 S. 3rd St. A/K/A 518 S. 3rd St. 12th Dist.
		Request to occupy the premises as a principal use parking lot.	
	Action:	Granted 10 yrs.	
	Motion:	Jewel Currie moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on October 28, 2015 is installed within 120 days of occupancy and is maintained in accordance with s.295-405-1-c-9 of the Milwaukee Zoning Code. Specifically, that all plant material shall be maintained on an on-going basis, including seasonal tree and plant replacement. 5. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy. 6. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 8. That all areas used for parking follow the standards set in s.295-403-3-b of the Milwaukee Code of Ordinances, upon expiration of the Variance granted by the Standards and Appeals Commission on April 16, 2015 and expiring on April 16, 2016. 9. That there be no overnight parking. 10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
44	34047 Special Use/ Dimensional Variance	Phia Ly Franchisee Request to occupy the premises as a principal use parking lot that does not meet the minimum required landscaping.	2007 S. 15th Pl. 12th Dist.
	Action:	Adjourned	
	Motion:	Martin Kohler moved to adjourn the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	34079 Special Use/ Dimensional Variance	Autopage Sound & Glass Lessee Request to occupy the premises as a motor vehicle sales facility that does not meet the minimum required streetside landscaping or residential landscape buffer.	1937 S. 13th St. 12th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Martin Kohler moved to grant the Special Use request. Seconded by Jewel Currie. Martin Kohler moved to deny the Dimensional Variance requests. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That a landscape plan meeting the standards of City code section s.295-405 for Type 'D' and Type 'H' landscaping is submitted to the Board of Zoning Appeals within 60 days of Board approval of the Special Use. This landscape plan must be approved by the Zoning Administration Group prior to the issuance of any permits. 6. That landscaping and screening in accordance with an approved landscape plan is implemented within 90 days of occupancy and is maintained in accordance with s.295-405-1-c-9 of the Milwaukee Zoning Code. Specifically, that all plant material shall be maintained on an on-going basis, including seasonal tree and plant replacement. 7. That customer traffic is directed in and out of South 13th Street; the alley should only be used in case of emergency or for deliveries. 8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That the facility operate between the hours of 10 a.m. - 6 p.m., Monday - Saturday. 11. That there be no more than 34 vehicles parked on site at any time. 12. That site illumination must meet the lighting standards of s295-409 of the Milwaukee Zoning Code. 13. That these Dimensional Variances are denied, based on the rationale set forth in the official transcript of case No. 34079, dated November 12, 2015. 14. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	34127 Dimensional Variance	LCM Funds 20 LLC Scott Revolinski; Property Owner Request to construct an addition that exceeds the maximum allowed height (allowed 85 ft. / proposed 94 ft.).	720 W. Virginia St. A/K/A 700 W. Virginia St. 305 12th Dist.
	Action:	Granted	
	Motion:	Jewel Currie moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the building is developed in accordance with the elevation plan submitted to the Board on October 29, 2015. 5. That this Dimensional Variance is granted to run with the land. 	
47	33977 Special Use	Toma's Everything Automotive Toma York; Lessee Request to continue occupying the premises as a motor vehicle sales and repair facility.	3302 W. Center St. 15th Dist.
	Action:	Adjourned	
	Motion:	Martin Kohler moved to adjourn the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	34019 Special Use/ Dimensional Variance	Matt Talbot Recovery Services, Inc. Darren Matavka; Prospective Buyer Request to construct a building that does not meet the minimum required front setback, minimum required height, or required glazing along the primary street and to occupy the premises as a community living arrangement for 16 occupants.	2476 W. Fond Du Lac Av. A/K/A 2482 W. Fond Du Lac Av. 15th Dist.
	Action:	Granted 15 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That within 30 days of Board approval of the special use the petitioner agrees to work with the Zoning Administration Group staff on final resolution of design issues including, but not limited to: site plans, façade and elevation plans, signage plans, and landscape plans. The petitioner must submit revised drawings that reflect these changes to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits. 5. That a contact name and phone number be provided to the Board office within 30 days of the issuance of this written decision. The contact name and phone number must also be available to all interested parties, including, but not limited to, the Alderman of the District and the Department of Neighborhood Services. The phone number must be available 24 hours a day. 6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy. 7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 8. That these Dimensional Variances are granted to run with the land. 9. That this Special Use is granted for a period of fifteen (15) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
49	33411 Special Use	Muhammad Abdus-Salaam Lessee	4453 N. Green Bay Av. A/K/A 1406 W. Cornell St. 1st Dist.
		Request to occupy the premises as a motor vehicle repair facility that does not meet the minimum required landscaping.	
	Action:	Granted 3 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping along the North Green Bay Avenue frontage and along the West Cornell Avenue frontage located between North Green Bay Avenue and the driveway on West Cornell Avenue is maintained in accordance with the landscape plan approved by DCD on September 12, 2012. 5. That the chain link fence located in the southwest portion of the site is replaced with an opaque solid metal or wood fence within 90 days of Board approval of the Special Use. 6. That landscaping and screening is maintained in accordance with s.295-405-1-c-9 of the Milwaukee Zoning Code. Specifically, that all plant material shall be maintained on an on-going basis, including seasonal tree and plant replacement. 7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB2 zoning districts. 8. That unused driveways be removed and restored to City of Milwaukee specifications. Please note that blocking a driveway with parked cars renders that driveway unused. 9. That no work on or storage of vehicles occurs in the public right-of-way. 10. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 11. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 12. That all repair work is conducted inside the building. 13. That a waste tire generator license must be obtained by any person, who in the course of normal business activities, generates or removes 25 or more waste tires per calendar year. 14. That dogs kept outdoors for more than one hour at a time shall be provide moistureproof and windproof shelter of a size which allows the animal to turn around freely and to easily sit, stand and lie down, in a normal position and to keep the animal clean, dry and comfortable. This condition should happen immediately once the use is approved. 15. That whenever the outdoor temperature is below 40 degrees F, clean, dry bedding material in quantity and type approved by a duly appointed humane society officer shall be provided in such shelters for insulation and to retain the body heat of the animal. This condition should happen immediately once the use is approved. 16. That the owner or caretaker of an animal shall immediately after deposit of fecal matter on premise, shall remove all fecal matter by shovel, scoop, bag or other item and properly wrap and deposit the fecal matter in an approved waste container. This condition should happen immediately once the use is approved. 14. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	33897 Special Use	Tamika Givhan Lessee Request to occupy the premises as a day care center for 100 children per shift infant - 12 years of age, operating Monday - Sunday 6:00 a.m. - midnight.	3718 W. Lancaster Av. A/K/A 3734 W. Lancaster Av. 1st Dist.
	Action:	Granted 2 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license. 7. That the petitioner must demonstrate that the proposed outdoor play area that meets the play area size requirements of the State of Wisconsin Department of Children and Families for the number of children requested. 8. That the applicant may NOT use North 38th Street for loading or unloading of children; parking the daycare center van(s); or for employee parking. 9. The applicant must acquire off-street parking for employees and for any other daycare center related vehicles. 10. That the applicant maintains a loading zone on West Lancaster Avenue. Please contact Mr. Joe Halvorson at 414-286-8677 to apply for or to renew, if necessary, the loading zone within 30 days. 11. That the facility does not exceed the capacity established by the State Department of Children and Families. 12. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 13. That the petitioner provides 11 on-site parking spaces. 14. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
51	33979 Special Use	Tyrone Sanford Lessee	4911 N. 31st St. A/K/A 4915 N. 31st St. 1st Dist.
		Request to continue occupying the premises as a car wash (this is a new operator).	
	Action:	Granted 2 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s.295-805-5 of the Milwaukee Zoning Code. 5. That all car wash activity is conducted inside of the building. 6. That all wastewater is contained on site. 7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 8. That no work on or storage of vehicles occurs in the public right-of-way. 9. That the applicant does not have outdoor storage or display of products or merchandise. 10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 11. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	33988 Special Use	The Mitchell Group Inc. Dloyd Mitchell; Lessee	2462 W. Capitol Dr. 1st Dist.
		Request to add a motor vehicle sales facility to the Board-approved motor vehicle repair facility.	
	Action:	Adjourned	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
53	34048 Special Use	Eyes Wide Open Seeing Beyond Today II, LLC Dessa Jordan; Lessee	8123 W. Villard Av. A/K/A 8125 W. Villard Av. 2nd Dist.
		Request to occupy the premises as a group home for 6 occupants.	
	Action:	Granted 4 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 5. That a contact name and phone number be provided to the Board office within 30 days of the issuance of this written decision. The contact name and phone number must also be available to all interested parties, including, but not limited to, the Alderman of the District and the Department of Neighborhood Services. The phone number must be available 24 hours a day. 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 8. That this Special Use is granted for a period of four (4) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
54	34045 Special Use	Lateecha Rutherford Lessee Request to occupy the premises as a day care center for 65 children per shift infant - 12 years of age, operating Monday - Friday 5:00 a.m. - midnight and Saturday - Sunday 6:00 a.m. - 6:00 p.m.	6414 W. Silver Spring Dr. A/K/A 6426 W. Silver Spring Dr. 2nd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Jewel Currie moved to grant the appeal. Seconded by Karen Dardy.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license. 7. That the storefront windows remain as transparent glass per s.295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 8. That the petitioner must meet with the Zoning Administration Group to review landscaping issues for the West Silver Spring Drive frontage within 60 days of Board approval of the Special Use. If the Zoning Administration Group determines that landscaping is feasible then the petitioner must submit a landscape and screening plan to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits. 9. That the applicant install a barrier, such as, but not limited to, landscaping or fencing, between the parking lot and the paved public sidewalk. The barrier should be installed within one (1) year. 10. That, should the applicant chose to install a fence, it be located wholly on private property. Note: The property line is 12 feet back from the face of the street curb. 11. That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, the planting of trees, shrubs and other plant materials. The DPW permit must be obtained prior to the start of any work in the public right-of-way. Please contact Ms. Dawn Schmidt at 414-286-2454 with questions regarding this matter. 12. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy. 13. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 14. That the facility does not exceed the capacity established by the State Department of Children and Families. 15. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	34064 Special Use	Brady & Water, LLC Stewart Wangard; Property Owner	1701 N. Water St. A/K/A 1729 N. Water St. 3rd Dist.
		Request to construct a multi-family dwelling that contains dwelling units and accessory parking on the street level.	
	Action:	Granted	
	Motion:	Jewel Currie moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant reconstruct the northwest corner of North Water Street and East Brady Street per a plan to be provided by the City of Milwaukee in conjunction with the completion of phase 1. 5. That the petitioner agrees to work with the Zoning Administration Group staff regarding accommodation of onsite loading and unloading of delivery vehicles within 30 days. The petitioner must submit revised drawings that reflect these changes to the Board of Zoning Appeals for Zoning Administration Group review and approval. Plans submitted to the Plan Examination Section must be consistent with the final Zoning Administration Group approved plan, or no permits will be issued. 6. That the applicant provides bicycle parking. 7. That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, the excavation for the building foundations; the closure of the sidewalk area during construction; and the planting of trees, shrubs and other plant materials. DPW permits must be obtained prior to the start of any work in the public right-of-way. Please contact Ms. Dawn Schmidt at 414-286-2454 with questions regarding this matter. 8. That this Special Use is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
56	34130 Special Use/ Dimensional Variance	1837 LLC Rick Scaffidi; Property Owner Request to occupy the premises as a principal use parking lot that does not meet the minimum required landscaping.	1850 N. Astor St. A/K/A 1860 N. Astor St. 3rd Dist.
	Action:	Granted 15 yrs.	
	Motion:	Jewel Currie moved to grant the appeal. Seconded by Karen Dardy.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That within 30 days of Board approval of the Special Use and Variance the petitioner must submit a revised landscape plan to the Board of Zoning Appeals for approval by the Zoning Administration Group. The revised landscape plan must include shrubs along the parking lot's East Land Place frontage. 5. That landscaping and screening in accordance with an approved landscape plan is implemented within 90 days of occupancy and is maintained in accordance with s.295-405-1-c-9 of the Milwaukee Zoning Code. Specifically, that all plant material shall be maintained on an on-going basis, including seasonal tree and plant replacement. 6. That the landscape plan be implemented within one (1) year. 7. That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, the planting of trees, shrubs and other plant materials. The DPW permit must be obtained prior to the start of any work in the public right-of-way. Please contact Ms. Dawn Schmidt at 414-286-2454 with questions regarding this matter. 8. That the unused driveway located on East Land Place be removed and restored to City of Milwaukee specifications within one (1) year. Please contact the Development Center Tech Team at 414-286-8208 to apply for a DPW permit to close the driveway approach. 9. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 11. That all areas used for parking follow the standards set in s.295-403-3-b of the Milwaukee Code of Ordinances. 12. That this Dimensional Variance is granted to run with the land. 13. That this Special Use is granted for a period of fifteen (15) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
57	34116 Use Variance	Milwaukee River Hotel-P LLC Edward Carow; Property Owner Request to continue occupying the premises as a principal use parking lot.	1124 N. Old World Third St. A/K/A 201 W. Juneau Av. 4th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman of the District.	
	Vote:	--	
	Conditions of Approval:	--	
58	34150 Use Variance	STEMM Christian Preparatory School Renee I. Johnson; Lessee Request to occupy the premises as an elementary school for 280 students grades K4 - 8th, operating Monday - Friday 7:30 a.m. - 5:30 p.m.	8350 N. Steven Rd. A/K/A 8336 N. Steven Rd. 9th Dist.
	Action:	Denied	
	Motion:	Martin Kohler moved to deny the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
59	33882 Special Use	PES, LLC Donald A. Zukowski; Lessee Request to occupy a portion of the premises as a medical service facility.	9155 N. 76th St. A/K/A 9187 N. 76th St. 9th Dist.
	Action:	Denied	
	Motion:	Karen Dardy moved to deny the request. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
-----------------	----------------------------	--------------------	------------------------------------

Other Business:

Board member Henry Szymanski moved to approve the minutes of the October 8, 2015 meeting. Seconded by Board member Martin Kohler. Unanimously approved.

The Board set the next meeting for December 10, 2015.

Board member Martin Kohler moved to adjourn the meeting at 8:25 p.m. Seconded by Board member Jewel Currie. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board