

**BOARD OF ZONING APPEALS**  
**CITY OF MILWAUKEE**

**REGULAR MEETING - March 10, 2016**  
**City Hall, Common Council Committee Room 301-A**

***MINUTES***

PRESENT:

**Chairwoman:** Catherine M. Doyle (*voting on items 1 – 53*)

**Members:** Henry Szymanski (*excused*)  
Jewel Currie (*voting on items 1 – 44, 46 – 53*)  
Jennifer Current (*voting on items 1 – 53*)  
Eric Lowenberg (*voting on item 45*)

**Alt. Board Members:** Karen D. Dardy (*voting on items 1 – 53*)  
Erik Richardson (*voting on items 1 – 53*)

START TIME: 2:07 p.m.

END TIME: 4:40 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	BZAP-15-0034146-H Appeal of an Order	Metro Realty Group, LLC Don M. Heinemeier, Property Owner	2075 N Cambridge Av Ald. District 3
		Request to appeal an order from the Department of Neighborhood Services stating that the required number of parking spaces to dwelling units in a RM5 zoned district is 2:3	
	Action:	Dismissed	
	Motion:	Jewel Currie moved to dismiss the appeal. Seconded by Karen Dardy.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:		
2	BZCM-16-0034297-H Extension of Time	Riverworks Development Corp. Darryl Johnson, Property Owner	3334 N Holton St Ald. District 6
		Request for an extension of time to comply with the conditions of case #33447	
	Action:	Granted	
	Motion:	Jewel Currie moved to grant the request. Seconded by Karen Dardy.	
	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>
3	BZZA-16-00050 Dimensional Variance, Special Use	Cathy Zmudzinski, Prospective Buyer	5910 W FOREST HOME AV Ald. District 11
		Request to occupy the premises as a ground transportation service that does not meet the minimum required landscaping	
	Action:	Dismissed	
	Motion:	Jewel Currie moved to dismiss the appeal. Seconded by Karen Dardy.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:		

4	BZZA-16-00011 Use Variance	Hassan Saleh, Lessee	1919 S 13 <sup>th</sup> St Ald. District 12
		Request to continue occupying the premises as a motor vehicle repair facility	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff and will be rescheduled for the next available hearing.	
	Vote:		
	Conditions of Approval:		

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
5	BZZA-16-00015 Dimensional Variance, Special Use	Edgar Castaneda, Lessee	1711 W PIERCE ST Ald. District 12
		Request to add a motor vehicle sales facility that does not meet the minimum required landscaping to the Board-approved motor vehicle repair facility, body shop, and outdoor storage facility	
	Action:	Granted	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>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.</li> <li>6. That no prohibited signage be displayed at the location per code section 295-407-9.</li> <li>7. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code.</li> <li>8. That the landscape and screening plan submitted to the Board of Zoning Appeals on February 25, 2016 is revised. The revised plan must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. The revised plan must include a planting strip that is at least 5 feet wide or utilize an alternative landscape technique such as a planter box</li> <li>9. That landscaping and screening is maintained in accordance with s295-405-1-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.</li> <li>10. That no more than 25 vehicles in total are parked on site at any given time.</li> <li>11. That no work on or storage of vehicles occurs in the public right-of-way.</li> <li>12. That no sales vehicles are displayed in the public right-of-way.</li> <li>13. That this Special Use and this Variance are granted for a period of time commencing with the date hereof, and expiring on December 16, 2019.</li> </ol>	

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6	BZZA-16-00019 Special Use	Corne Hanssen, Property Owner	5356 S 13TH ST Ald. District 13
		Request to continue occupying the premises as an outdoor recreation facility	
	Action:	Granted	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>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.</li> <li>5. That no prohibited signage be displayed at the location per code section 295-407-9.</li> <li>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.</li> <li>7. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>8. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code.</li> <li>9. That the volleyball court and outdoor seating area is not used after 10:00 P.M.</li> <li>10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	BZZA-16-00041 Special Use	Albor Restaurant Group, LLC, Lessee	230 W LAYTON AV Ald. District 13
		Request to continue occupying the premises as a fast-food/carry-out restaurant with drive-through facility (this is a new operator)	
	Action:	Granted	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>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.</li> <li>5. That no prohibited signage be displayed at the location per code section 295-407-9.</li> <li>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.</li> <li>7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>8. That landscaping and screening is maintained in accordance with s295-405-1-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.</li> <li>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.</li> <li>10. That the unused driveway located on West Layton Avenue 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.</li> <li>11. That the bollards located at the unused driveway on West Layton Avenue be removed from the public right-of-way.</li> <li>12. That these Special Uses are granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

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8	BZZA-16-00042 Special Use	Albor Restaurant Group, LLC, Lessee	3334 S 27TH ST Ald. District 13
		Request to continue occupying the premises as a fast-food/carry-out restaurant with drive-through facility (this is a new operator)	
	Action:	Granted	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>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.</li> <li>6. That landscaping and screening is maintained in accordance with s295-405-1-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.</li> <li>7. That additional shrubs are planted along the parking lot's S. 27th St frontage in accordance with the landscape plan submitted to the Board of Zoning Appeals on October 18, 2006, and that landscaping and screening is maintained in accordance with s295-405-1-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.</li> <li>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.</li> <li>9. That no prohibited signage be displayed at the location per code section 295-407-9. 3. 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.</li> <li>10. That these Special Uses are granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

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9	BZZA-16-00018 Use Variance	Jaznari Auto Repair, Lessee	2750 S 14TH ST Ald. District 14
		Request to occupy a portion of the premises as a motor vehicle repair facility	
	Action:	Granted	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>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.</li> <li>6. That no prohibited signage be displayed at the location per code section 295-407-9.</li> <li>7. That all repair work is conducted inside the building.</li> <li>8. That a Recycling, Salvaging, or Towing Premises License must be obtained, City Clerk License Division, by any person, who in the course of normal business activities, generates or removes 25 or more waste tires per calendar year.</li> <li>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.</li> <li>10. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code.</li> <li>11. That no work on or storage of vehicles occurs in the public right-of-way.</li> <li>12. That this Use Variance is granted for a period of five (5) years, commencing with the date hereof</li> </ol>	

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10	BZZA-16-00029 Dimensional Variance	Lamar Advertising, Lessee	2842 S 5TH CT Ald. District 14
		Request to erect a sign that does not meet the minimum required setback from the freeway right of way (required 75 ft. / proposed 36 ft.)	
	Action:	Granted	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>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.</li> <li>5. That this Dimensional Variance is granted to run with the land.</li> </ol>	



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11	BZZA-16-00036 Special Use	Daniel Shewmake, Property Owner	2915 S KINNICKINNIC AV Ald. District 14
		Request to occupy the premises as a fast-food/carry-out restaurant	
	Action:	Granted	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>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.</li> <li>6. That no prohibited signage be displayed at the location per code section 295-407-9.</li> <li>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.</li> <li>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.</li> <li>9. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>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.</li> <li>11. That existing landscaping and screening as shown in the Google Maps photo pictures submitted to the Board of Zoning Appeals on March 1, 2016 is maintained in a manner that meets the intent of s295-405-1-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.</li> <li>12. That the southern driveway approach on South Kinnickinnic Avenue and the southern driveway approach on South Ellen Street 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 two driveway approaches.</li> <li>13. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
12	BZZA-16-00021 Special Use	Superior Learning Academy, Lessee	2814 W LISBON AV Ald. District 15
		Request to continue occupying the premises as a 24 hour day care center for 25 children per shift infant - 13 years of age, operating Monday - Sunday	
	Action:	Granted	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the facility does not exceed the capacity established by the State Department of Children and Families.</li> <li>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.</li> <li>6. That no prohibited signage be displayed at the location per code section 295-407-9.</li> <li>7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>8. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>9. That a contact name and phone number be provided to the Board office within 30 days of the issuance of this written decision. The phone number must be available 24 hours a day.</li> <li>10. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</li> <li>11. That the applicant applies for a loading zone on West Lisbon Avenue within thirty (30) days. Please contact Mr. Joe Halvorson at 414-286-8677 to apply for the loading zone.</li> <li>12. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

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13	BZZA-16-00034 Special Use	Shanice Currie, Lessee	3711 W LISBON AV Ald. District 15
		Request to increase the number of children from 45 to 75 per shift, and the ages from 3 - 6 years to infant - 12 years of age, and increase the hours of operation from 7:00 a.m. - 5:00 p.m. to 6:00 a.m. - midnight Monday - Friday for the Board approved day care center	
	Action:	Granted	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the facility does not exceed the capacity established by the State Department of Children and Families.</li> <li>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.</li> <li>6. That no prohibited signage be displayed at the location per code section 295-407-9.</li> <li>7. 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 institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>8. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>9. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>10. 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.</li> <li>11. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</li> <li>12. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on September 8, 2020.</li> </ol>	

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14	BZZA-15-0034264-H Special Use	Trees of Righteousness International Ministry Inc. James E. Carter, Lessee	5268 N 35th St Ald. District 1
		Request to continue occupying the premises as a religious assembly hall	
	Action:	Granted	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>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.</li> <li>5. That no prohibited signage be displayed at the location per code section 295-407-9.</li> <li>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.</li> <li>7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

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15	BZZA-16-00024 Special Use	Avenue Car Wash, Inc., Lessee	4519 N GREEN BAY AV Ald. District 1
		Request to continue occupying the premises as a car wash	
	Action:	Granted	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>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.</li> <li>6. That no prohibited signage be displayed at the location per code section 295-407-9.</li> <li>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.</li> <li>8. That no additional signage may be erected on the site unless it meets the signage standards of s.295-805 of the Milwaukee Zoning Code.</li> <li>9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

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16	BZZA-16-00038 Special Use	GS Sehra LLC, Property Owner	6727 W VILLARD AV Ald. District 2
		Request to continue occupying the premises as a motor vehicle filling station	
	Action:	Granted	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>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.</li> <li>6. That no prohibited signage be displayed at the location per code section 295-407-9.</li> <li>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.</li> <li>8. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>9. That landscaping and screening is maintained in accordance with s295-405-1-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.</li> <li>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.</li> <li>11. 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.</li> <li>12. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

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17	BZZA-16-00049 Special Use	Donna Franklin, Lessee	4851 N 76TH ST Ald. District 2
		Request to continue occupying the premises as a day care center for 100 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 11:30 p.m.	
	Action:	Granted	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the facility does not exceed the capacity established by the State Department of Children and Families.</li> <li>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.</li> <li>6. That no prohibited signage be displayed at the location per code section 295-407-9.</li> <li>7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>8. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>9. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</li> <li>10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	BZZA-16-00032 Special Use	Shahram Farahbakhsh, Property Owner	1012 E CENTER ST Ald. District 3
		Request to continue occupying the premises as a motor vehicle repair facility	
	Action:	Granted	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>5. That all repair work is conducted inside the building.</li> <li>6. That a Recycling, Salvaging, or Towing Premises License must be obtained, City Clerk License Division, by any person, who in the course of normal business activities, generates or removes 25 or more waste tires per calendar year.</li> <li>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.</li> <li>8. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>9. That the planter box along the E. Center St frontage is maintained with plants in a manner that meets the intent of city code.</li> <li>10. That no work on or storage of vehicles occurs in the public right-of-way.</li> <li>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.</li> <li>12. That no prohibited signage be displayed at the location per code section 295-407-9.</li> <li>13. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	



<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	BZZA-15-0034087-H Dimensional Variance, Use Variance	Laura Sue Mosier Rick Mosier, Property Owner	3209 W Wells St Ald. District 4
		Request to occupy a portion of the premises as an assembly hall and to erect a sign that exceeds the maximum allowed area	
	Action:	Granted	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>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.</li> <li>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.</li> <li>6. That no prohibited signage be displayed at the location per code section 295-407-9.</li> <li>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.</li> <li>8. That within 30 days of Board approval of the special use the petitioner must supply a contact name and phone number to the Board office and any interested party that requests it. The phone number must be available 24 hours a day</li> <li>9. That an employee and/or security personnel be on site during all events.</li> <li>10. That this Dimensional Variance is granted to run with the land and this Use Variance is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
20	BZZA-16-00020 Special Use	Milwaukee Public Market, Lessee	400 N WATER ST Ald. District 4
		Request to continue to allow a freestanding sign that exceeds the maximum allowed area	
	Action:	Granted	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Dimensional Variance is granted to run with the land.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	BZZA-16-00016 Dimensional Variance	Planet Fitness, Lessee	705 E CAPITOL DR Ald. District 6
		Request to erect a wall sign that exceeds the maximum allowed area (allowed 100 sq.ft. / proposed 146 sq.ft.)	
	Action:	Granted	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Dimensional Variance is granted to run with the land.</li> </ol>	
22	BZZA-16-00023 Special Use	Lil Milga Learning Center, LLC, Lessee	2500 N HOLTON ST Ald. District 6
		Request to continue occupying the premises as a 24 hour day care center for 45 children per shift infant - 12 years of age, operating Monday - Sunday (this is a new operator)	
	Action:	Granted	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>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.</li> <li>5. That no prohibited signage be displayed at the location per code section 295-407-9.</li> <li>6. That the facility does not exceed the capacity established by the State Department of Children and Families.</li> <li>7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>8. That the outdoor play area is not utilized before 9:00 A.M. or after 6:00 P.M.</li> <li>9. 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.</li> <li>10. That a contact name and phone number be provided to the Board office within 60 days of the issuance of this written decision. The phone number must be available 24 hours a day.</li> <li>11. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</li> <li>12. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
23	BZZA-16-00044 Special Use	Karl Herschede, Lessee	3379 N PIERCE ST Ald. District 6
		Request to occupy a portion of the premises as a general retail facility (portrait studio and framing)	
	Action:	Granted	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>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.</li> <li>5. That no prohibited signage be displayed at the location per code section 295-407-9.</li> <li>6. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code.</li> <li>7. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</li> <li>8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
24	BZZA-16-00030 Dimensional Variance, Special Use	Debra Prophet, Property Owner	4858 W FOND DU LAC AV Ald. District 7
		Request to continue occupying the premises as a religious assembly hall and to allow an awning sign that exceeds the maximum allowed area	
	Action:	Granted	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>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.</li> <li>5. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</li> <li>6. That no prohibited signage be displayed at the location per code section 295-407-9.</li> <li>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.</li> <li>8. That this Dimensional Variance is granted to run with the land and that this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	BZZA-16-00037 Special Use	Tashika Coleman, Lessee	4723 W HOYT PL Ald. District 7
		Request to continue occupying the premises as a day care center for 19 children per shift infant - 3 years of age, operating Monday - Friday 6:00 a.m. - midnight	
	Action:	Granted	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>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.</li> <li>5. That no prohibited signage be displayed at the location per code section 295-407-9.</li> <li>6. That the facility does not exceed the capacity established by the State Department of Children and Families.</li> <li>7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>8. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>9. 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.</li> <li>10. That a contact name and phone number be provided to the Board office within 60 days of the issuance of this written decision. The phone number must be available 24 hours a day.</li> <li>11. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner</li> <li>12. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	BZZA-16-00033 Special Use	Council for the Spanish Speaking, Property Owner	1615 S 22ND ST Ald. District 8
		Request to continue occupying a portion of the premises as a social service facility	
	Action:	Granted	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>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.</li> <li>5. That no prohibited signage be displayed at the location per code section 295-407-9.</li> <li>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.</li> <li>7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
29	BZZA-16-00040 Special Use	Inner Beauty Center, Inc., Lessee	1300 S LAYTON Ald. District 8
		Request to occupy a portion of the premises as a social service facility	
	Action:	Granted	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>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.</li> <li>5. That no prohibited signage be displayed at the location per code section 295-407-9.</li> <li>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.</li> <li>7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	BZZA-16-00026 Special Use	Sparkle Watts, Lessee	7201 W BURLEIGH ST Ald. District 10
		Request to increase the number of children from 32 to 49 per shift infant - 13 years of age for the Board-approved day care center operating Monday - Saturday 6:00 a.m. - 9:00 p.m	
	Action:	Granted	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>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.</li> <li>5. That no prohibited signage be displayed at the location per code section 295-407-9.</li> <li>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.</li> <li>7. That the facility does not exceed the capacity established by the State Department of Children and Families.</li> <li>8. 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 institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>9. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</li> <li>10. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>11. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>12. That the petitioner submit a revised copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license. The revised license should indicate the increase in the number of children.</li> <li>13. That the applicant applies for a loading zone on West Burleigh 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.</li> <li>14. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on February 18, 2020.</li> </ol>	
31	BZZA-16-00045 Special Use	Rasheda Moss, Lessee	7135 W LISBON AV Ald. District 10
		Request to occupy a portion of the premises as a day care center for 49 children infant to 12 years of age, operating Monday - Saturday 6:00 a.m. - midnight	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff and will be rescheduled for the next available hearing.	
	Vote:		
	Conditions of Approval:		

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	BZZA-15-0034201-H Dimensional Variance, Special Use	McDonald's USA, LLC c/o McDonald's Corporation, Property Owner	1940 S 14th St Ald. District 12
		Request to construct a building that does not meet the minimum required front setback or the minimum required glazing, or the minimum required landscaping, and to erect 5 freestanding signs, one of which exceeds the maximum allowed area, and to occupy the premises as a fast-food/carry-out restaurant	
	Action:	Granted	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That prior to occupancy, the hours of operation be submitted to the Board of Zoning Appeals.</li> <li>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.</li> <li>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.</li> <li>7. That no prohibited signage be displayed at the location per code section 295-407-9.</li> <li>8. 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.</li> <li>9. That the landscape and site plan submitted to the Board on March 8, 2016 is revised to include a second pedestrian walkway to the S. 14th St frontage, and that landscaping in accordance with a staff- approved revised plan is installed within 90 days of occupancy and is maintained in accordance with s295-405-1-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.</li> <li>10. That signage (except signage that is granted a variance for BOZA case # 34201) must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>11. That all driveways are constructed to City of Milwaukee standards and specifications.</li> <li>12. That these Dimensional Variances are granted to run with the land and this Special Use is granted for a period of fifteen (15) years, commencing with the date hereof.</li> </ol>	



<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	BZZA-16-00013 Dimensional Variance	Hussein Govani, Property Owner	721 S CESAR E CHAVEZ DR Ald. District 12
		Request to allow window signs that cover more than the maximum allowed area and exceed the allowed display duration and to allow display racks/fixtures to obscure more than the allowed window area	
	Action:	Granted	
	Motion:	Jewel Currie moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>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.</li> <li>5. That no prohibited signage be displayed at the location per code section 295-407-9.</li> <li>6. That signage or any other obstruction that interferes with the transparency requirements of city code be removed from the windows highlighted in red in the picture submitted by DCD to the Board on March 9, 2016 (the interior security grates are exempt from this requirement) and that the window highlighted in green be transformed into a display window.</li> <li>7. That these Dimensional Variances are granted to run with the land.</li> </ol>	
34	BZZA-15-0034098-H Special Use	Buena Vista Hall LLC Jose Vidrio, Lessee	3000 S 13th St Ald. District 14
		Request to occupy a portion of the premises as an assembly hall	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman of the District and will be rescheduled for the next available hearing.	
	Vote:		
	Conditions of Approval:		

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	BZZA-16-0034282-H Special Use	Achieving Educational Excellence, LLC, Property Owner	2607 S 5th St Ald. District 14
		Request to accept the modified site plan, building elevations, and parking plans for the Board-approved an elementary and secondary school (modifications include the addition of several adjacent properties)	
	Action:	Granted	
	Motion:	Jennifer Current 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>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.</li> <li>5. That no prohibited signage be displayed at the location per code section 295-407-9.</li> <li>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.</li> <li>7. That the applicant works with the Department of Public Works to implement mutually agreeable recommendations included in the Traffic Impact Study dated July 13, 2015.</li> <li>8. That warning, parking and other regulatory signage associated with traffic control in school zones be installed as required. Contact Mr. Joe Halvorson at 414-286-8677 to make arrangements for the design and installation of the required signage within sixty (60) days.</li> <li>9. That all driveways are constructed to City of Milwaukee standards and specifications.</li> <li>10. That a Department of Public Works (DPW) permit is obtained to construct the new driveway approaches on South 5th Street. Contact the Development Center Tech Team at 414-286-8208 with questions regarding the driveway permit process.</li> <li>11. That no vehicles may park across the sidewalk while accessing the Receiving Room located off of West Harrison Avenue.</li> <li>12. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on September 15, 2035.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	BZZA-16-0034291-H Special Use	Jeremy Mericle, Prospective Buyer	2212 S Kinnickinnic Av Ald. District 14
		Request to occupy a portion of the premises as a second-hand sales facility	
	Action:	Granted	
	Motion:	Karen Dardy 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>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.</li> <li>6. That no prohibited signage be displayed at the location per code section 295-407-9.</li> <li>7. That all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances.</li> <li>8. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>9. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</li> <li>10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	BZZA-16-00025 Dimensional Variance	Donald & Charlotte Crysdale, Property Owner	339 E STEWART ST Ald. District 14
		Request to occupy a portion of the premises as an accessory use parking lot that does not meet the minimum required landscaping	
	Action:	Granted	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>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.</li> <li>6. That no prohibited signage be displayed at the location per code section 295-407-9.</li> <li>7. That all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances.</li> <li>8. That the landscape plan submitted to the Board on February 1, 2016 is revised to use a decorative metal fence instead of the proposed chain link fence along the S. Hilbert St. frontage.</li> <li>9. That landscaping and screening in accordance with an approved revised landscape plan is implemented within 120 days of occupancy and is maintained in accordance with s295-405-1-c-9 of the Milwaukee Zoning Code. Specifically that all plant material shall be maintained on an on-going basis, including seasonal plant replacement.</li> <li>10. 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 installation of asphalt pavement. 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.</li> <li>11. That the planter boxes are wholly on private property</li> <li>12. That this Dimensional Variance is granted to run with the land.</li> </ol>	
38	BZCM-16-00001 Condition Modification	Francis Creed, Property Owner	939 E CONWAY ST Ald. District 14
		Request to modify condition #5 of case #33174 stating "That the driveway approach on East Conway Street be removed and restored to City of Milwaukee specifications."	
	Action:	Granted	
	Motion:	Karen Dardy moved to grant the request. Seconded by Jennifer Current.	
	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>
39	BZCM-15-0034192-H Other	Ambrose Rhodes Jr., Property Owner	2496 W Fond Du Lac Av Ald. District 15
		Request to appeal a determination by the Department of Neighborhood Services stating that Board of Zoning Appeals approval is required to operate a motor vehicle repair and outdoor storage facility	
	Action:	Dismissed	
	Motion:	Jewel Currie moved to dismiss the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:		
40	BZZA-15-0033981-H Special Use	Brothers Auto Car LLC Emad Elkhalfifa, Lessee	5003 N Teutonia Av Ald. District 1
		Request to add an outdoor storage facility to the Board-approved motor vehicle sales and repair facility	
	Action:	Denied	
	Motion:	Jewel Currie moved to deny the request. Seconded by Karen Dardy.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:		
41	BZZA-15-0033997-H Dimensional Variance, Special Use	Christopher Freund, Property Owner	4117 N Green Bay Av Ald. District 1
		Request to occupy a portion of the premises as an outdoor storage facility without the minimum required landscaping	
	Action:	Adjourned	
	Motion:	Jennifer Current moved to adjourn the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:		
42	BZZA-15-0034115-H Special Use	Eric Broxton, Lessee	4957 N Teutonia Av Ald. District 1
		Request to occupy the premises as a motor vehicle repair facility	
	Action:	Adjourned	
	Motion:	Erik Richardson moved to adjourn the appeal. Seconded by Karen Dardy.	
	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>
43	BZZA-15-0034104-H Dimensional Variance	Tanya Hudson, Property Owner	5025 N 83rd St Ald. District 2
		Request to construct a ramp that does not meet the minimum required front setback (required 19.2 ft. / proposed 8 ft.)	
	Action:	Granted	
	Motion:	Karen Dardy 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Variance is granted to run with the land.</li> </ol>	
44	BZZA-15-0034137-H Dimensional Variance	Kimberly Jackson, Property Owner	4827 N 71st St Ald. District 2
		Request to erect a ramp that does not meet the minimum required front setback	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff and will be rescheduled for the next available hearing.	
	Vote:		
	Conditions of Approval:		

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	BZZA-16-00043 Special Use	Wisconsin Electric Power Company, Property Owner	6233 N 76TH ST Ald. District 2
		Request to erect a transmission tower that exceeds the maximum allowed height	
	Action:	Granted	
	Motion:	Karen Dardy moved to grant the appeal. Seconded by Erik Richardson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of fifteen (15) years, commencing with the date hereof.</li> </ol>	
46	BZZA-16-00031 Dimensional Variance	David & Kay Rolston, Property Owner	1114 E KANE PL Ald. District 3
		Request to raze the existing structure and to construct a single-family dwelling that exceeds the maximum allowed front setback and does not meet the minimum required garage door setback	
	Action:	Granted	
	Motion:	Jewel Currie moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That these Variances are granted to run with the land.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
47	BZZA-16-00022 Dimensional Variance	Cedar Sqaure, LLC, Property Owner	830 N 15TH ST Ald. District 4
		Request to construct a multi-family dwelling that exceeds the maximum allowed height, maximum allowed stories, and maximum allowed building depth	
	Action:	Granted	
	Motion:	Karen Dardy 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>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.</li> <li>5. That no prohibited signage be displayed at the location per code section 295-407-9.</li> <li>6. That the applicant provide a minimum of 57 indoor bicycle parking spaces for residents. Please contact Ms. Kristin Bennett at 414-286-8750 with questions regarding this matter.</li> <li>7. That the applicant provide a minimum of 4 outdoor bicycle parking spaces for building guests. Please contact Ms. Kristin Bennett at 414-286-8750 with questions regarding this matter.</li> <li>8. That these Variances are granted to run with the land.</li> </ol>	
48	BZZA-15-0034088-H Special Use	Jeji Family Inc. Jaskaran Singh Jeji, Property Owner	8712 W Lisbon Av Ald. District 5
		Request to continue occupying the premises as a motor vehicle filling station, repair facility and sales facility (to increase the number of display vehicles from 1 to 5)	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the applicant and will be rescheduled for the next available hearing.	
	Vote:		
	Conditions of Approval:		



<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
49	BZZA-15-0034223-H Special Use	ACIF Corp. Bekele Tafesse, Prospective Buyer	2900 W Lincoln Av Ald. District 8
		Request to occupy the premises as a religious assembly hall	
	Action:	Granted	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That any use consistent with MCO 295-201-615 (social service facility) be conducted under a separate occupancy permit. The definition of social service facility includes the distribution of food or clothing.</li> <li>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.</li> <li>6. That no prohibited signage be displayed at the location per code section 295-407-9.</li> <li>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.</li> <li>8. That prior to occupancy, the hours of operation be submitted to the Board of Zoning Appeals.</li> <li>9. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</li> <li>10. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>11. That a Special Privilege be obtained from the City of Milwaukee Common Council to allow the ADA ramp and hand rails 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.</li> <li>12. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	BZZA-16-0034290-H Dimensional Variance	MFLT, LLC Scott McGraw, Property Owner	6610 N 86th St Ald. District 9
		Request to construct a ramp that does not meet the minimum required front setback (required 12.3 ft. / proposed 10.5 ft.)	
	Action:	Granted	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That an occupancy certificate is obtains 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. It is unlawful to occupy any building, structure or premises that has been placarded unless and until a certificate of occupancy is first obtained. A placard order #10286981 was issued on June 20, 2013.</li> <li>5. That this Variance is granted to run with the land.</li> </ol>	
51	BZZA-15-0033899-H Special Use	Smart Dollar Auto Jeffrey Weigel, Property Owner	6315 W Forest Home Av Ald. District 11
		Request to continue occupying the premises as a motor vehicle sales facility	
	Action:	Adjourned	
	Motion:	Erik Richardson moved to adjourn the appeal. Seconded by Karen Dardy.	
	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>
52	BZZA-15-0033900-H Special Use	Smart Dollar Auto Jeffrey Weigel,  Request to continue occupying the premises as a motor vehicle sales facility Action: Adjourned Motion: Erik Richardson moved to adjourn the appeal. Seconded by Karen Dardy. Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.  Conditions of Approval:	6214 W Howard Av Ald. District 11
53	BZZA-15-0034168-H Special Use	Renee Schultz Joseph Schultz, Property Owner  Request to occupy the premises as a community center Action: Adjourned Motion: This matter has been adjourned at the request of the applicant and will be rescheduled for the next available contested hearing. Vote:  Conditions of Approval:	7600 W Dean Rd Ald. District

**Other Business:**

Board member Karen Dardy moved to approve the minutes of the February 11, 2016 meeting. Seconded by Board member Jewel Currie. Unanimously approved.

The Board set the next meeting for April 14, 2016.

Board member Karen Dardy moved to adjourn the meeting at 4:40 p.m. Seconded by Board member Jewel Currie. Unanimously approved.

**BOARD OF ZONING APPEALS**

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Secretary of the Board