

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING - February 09, 2017
City Hall, Common Council Committee Room 301-A

MINUTES

PRESENT:

Chairwoman: Catherine M. Doyle (*voting on items 1 – 39*)
Vice Chairman: Henry Szymanski (*excused*)
Members: Jewel Currie (*voting on items 1 – 39*)
Jennifer Current (*voting on items 1 – 38*)
Eric Lowenberg (*voting on items 1 – 39*)

Alt. Board Members: Karen D. Dardy (*voting on items 1 – 30, 39*)
Erik Richardson (*voting on items 31 – 39*)

START TIME: 4:05 p.m.

END TIME: 8:47 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	BZZA-15-0034154-H Special Use	Malcolm Bishop, Lessee Request to occupy a portion of the premises as a motor vehicle repair facility Action: Dismissed Motion: Jewel Currie moved to dismiss the appeal. Seconded by Jennifer Current. Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.	2322 W North Av Ald. District 15
2	BZZA-16-00423 Special Use	Iesha May, Lessee Request to occupy the premises as a 24 hour day care center for 38 children per shift infant through 12 years of age, operating Monday - Sunday Action: Dismissed Motion: Jewel Currie moved to dismiss the appeal. Seconded by Jennifer Current. Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.	6809 W HAMPTON AV Ald. District 2

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
3	BZZA-16-00371 Use Variance	Claudette Mitchell, Lessee	7815 W VILLARD AV Ald. District 2
		Request to occupy the premises as a 24 hour family day care home for 8 children per shift infant through 12 years of age, operating Monday - Sunday	
	Action:	Dismissed	
	Motion:	Jewel Currie moved to dismiss the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
4	BZZA-16-00411 Special Use	Amazing Grace Quality Child Care, LLC, Lessee	3889 N 1ST ST Ald. District 6
		Request to occupy the premises as a day care center for 60 children per shift infant through 12 years of age, operating Monday - Saturday 5:00 a.m. - midnight	
	Action:	Dismissed	
	Motion:	Jewel Currie moved to dismiss the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
5	BZZA-16-00048 Special Use	Fikri Alusevski, Property Owner	3528 W NATIONAL AV Ald. District 8
		Request to continue occupying the premises as a rooming house for 7 occupants	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of an interested party.	
	Vote:		

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
6	BZZA-16-00520 Special Use	Majid Elasmr, Lessee	2108 S 25TH ST Ald. District 8
		Request to continue occupying the premises as a general retail establishment (this is a new operator)	
	Action:	Granted	
	Motion:	Jewel Currie moved to grant the appeal. Seconded by Jennifer Current	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
		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 no prohibited signage be displayed at the location per code section 295-407-9.
		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 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.
		9.	That wall signage must meet the signage standards of s.295-505 -5 of the Milwaukee Zoning Code.
		10.	That this Special Use is granted for a period of five (5) years, commencing with the date hereof.

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7	BZZA-16-00508 Special Use	Lauren Bailey, Lessee	4505 W WOOLWORTH AV Ald. District 9
		Request to occupy a portion of the premises as an indoor recreation facility	
	Action:	Granted	
	Motion:	Jewel Currie moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
		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 no prohibited signage be displayed at the location per code section 295-407-9.	
		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 this Special Use is granted for a period of five (5) years, commencing with the date hereof.	

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8	BZZA-16-00438 Special Use	Gustavo Aguilar, Other	1334 W NATIONAL AV Ald. District 12
		Request to expand the existing Board-approved motor vehicle repair facility	
	Action:	Granted	
	Motion:	Jewel Currie moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
		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 no prohibited signage be displayed at the location per code section 295-407-9.	
		6. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.	
		7. That all repair work is conducted inside the building.	
		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.	
		9. That no Light motor vehicle body shop work be performed with at this location. A Body Shop facility in the IM, Industrial district is permitted only as a special use, and will require approval from the Board of Zoning Appeals.	
		10. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code.	
		11. That no work on or storage of vehicles occurs in the public right-of-way.	
		12. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	

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9	BZZA-17-00005 Dimensional Variance	Kathy Duffy, Lessee	2322 W OAK ST Ald. District 15
		Request to occupy the premises as a permitted general retail establishment (grocery) that does not meet the minimum required window glazing	
	Action:	Granted	
	Motion:	Jewel Currie moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
		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 no prohibited signage be displayed at the location per code section 295-407-9.
		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 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.
		8.	That the applicant does not have outdoor storage or display of products or merchandise.
		9.	That this Dimensional Variance is granted to run with the land.

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10	BZZA-16-00535 Dimensional Variance	Town Bank, Prospective Buyer	4720 W LISBON AV Ald. District 15
		Request to erect a freestanding sign that exceeds the maximum allowed height (allowed 14 ft. / proposed 16.67 ft.)	
	Action:	Granted	
	Motion:	Jewel Currie moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
		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 no prohibited signage be displayed at the location per code section 295-407-9.
		6.	That the ground sign not create an obstruction in the required vision triangle, as regulated in MCO 295-405-3, at the intersection of the drive aisle and sidewalk.
		7.	That a Special Privilege be obtained from the City of Milwaukee Common Council to allow the excess sign projections 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.
		8.	That this Dimensional Variance is granted to run with the land.

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11	BZZA-16-00481 Use Variance	Emanuel Jackson, Lessee	6090 N 35TH ST Ald. District 1
		Request to occupy the premises as a day care center for 60 children per shift 3 weeks through 13 years of age, operating Monday - Sunday 5am - midnight	
	Action:	Granted	
	Motion:	Jewel Currie moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 1. C. Doyle Abstained.	
		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 no prohibited signage be displayed at the location per code section 295-407-9.
		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 facility does not exceed the capacity established by the State Department of Children and Families.
		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.
		9.	That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code.
		10.	That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.
		11.	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.
		12.	That this Use Variance is granted for a period of five (5) years, commencing with the date hereof.
12	BZZA-16-00527 Dimensional Variance	United States Cellular Operating Company LLC, Lessee	6773 N 91ST ST Ald. District 2
		Request to construct a transmission tower that exceeds the maximum allowed height (proposed 120 ft. / allowed 90 ft.) and does not meet the minimum required set back from the property line (proposed 53 ft. / required 120 ft.)	
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party.	
	Vote:		

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13	BZZA-16-00534 Special Use	Carmen Mudd, Lessee	8303 W SILVER SPRING DR Ald. District 2
		Request to increase the number of children from 52 to 79 per shift for the Board-approved day care center for children infant - 12 years of age, operating 24 hrs Monday - Saturday	
	Action:	Granted	
	Motion:	Jewel Currie moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
		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 no prohibited signage be displayed at the location per code section 295-407-9.
		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 facility does not exceed the capacity established by the State Department of Children and Families.
		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.
		9.	That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.
		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.
		11.	That this Special Use is granted for a period of time commencing with the date hereof, and expiring on May 24, 2021.

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14	BZZA-16-00530 Special Use	Keith Pajot, Lessee	624 N BROADWAY Ald. District 4
		Request to continue occupying a portion of the premises as a second hand sales facility (used book store)	
	Action:	Granted	
	Motion:	Jewel Currie moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
		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 no prohibited signage be displayed at the location per code section 295-407-9.	
		6. That the applicant does not have outdoor storage or display of products or merchandise.	
		7. That signage must meet the signage standards of s.295-705-7 of the Milwaukee Zoning Code.	
		8. That the storefront windows remain as transparent glass in accordance with the glazing standards of s295-605-2-i-3 of the Milwaukee Code of Ordinances and are maintained in an attractive manner.	
		9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	

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15	BZZA-16-00495 Special Use	Tiffany Griffin, Prospective Buyer	3343 N 35TH ST Ald. District 7
		Request to continue occupying the premises as a day care center for 47 children per shift infant - 12 years of age, operating Monday - Saturday 5:00 a.m. - 1:00 a.m.	
	Action:	Granted	
	Motion:	Jewel Currie moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
		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 no prohibited signage be displayed at the location per code section 295-407-9.
		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 facility does not exceed the capacity established by the State Department of Children and Families.
		8.	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.
		9.	That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.
		10.	That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.
		11.	That the petitioner submit a copy of the State of Wisconsin day care license to Board of Zoning Appeals within 60 days of Board approval of the special use.
		12.	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.
		13.	That the applicant maintains the loading zone on North 35th Street. Please contact Mr. Joe Halvorson at 414-286-8677 to apply for or to renew, if necessary, the loading zone.
		14.	That this Special Use is granted for a period of five (5) years, commencing with the date hereof.

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16	BZZA-16-00364 Special Use	Luis Padilla, Lessee	4104 W ORCHARD ST Ald. District 8
		Request to continue occupying the premises as a motor vehicle sales facility	
	Action:	Dismissed	
	Motion:	Eric Lowenberg moved to dismiss the appeal. Seconded by Karen Dardy.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
17	BZZA-16-00470 Dimensional Variance, Special Use Variance	Public Storage, Property Owner	7415 W DEAN RD Ald. District 9
		Request to occupy the premises as a light and heavy motor vehicle outdoor storage facility that does not meet the minimum required landscaping	
	Action:	Adjourned	
	Motion:	Jewel Currie moved to adjourn the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
18	BZZA-16-00158 Special Use	Tender Car Auto Sales, LLC, Property Owner	1825 S KINNICKINNIC AV Ald. District 12
		Request to continue occupying the premises as a motor vehicle sales and repair facility, body shop, and car wash	
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of Staff.	
	Vote:		
19	BZZA-16-00523 Special Use	Jon Petrie, Property Owner	1800 S 1ST ST Ald. District 12
		Request to add a motor vehicle body shop to the previously Board approved motor vehicle sales and repair facility	
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of Staff.	
	Vote:		

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20	BZZA-16-00370 Special Use	William Ouimet, Property Owner	2704 S 16TH ST Ald. District 12
		Request to continue occupying the premises as a motor vehicle repair facility (this is a new operator)	
	Action:	Granted	
	Motion:	Jewel Currie moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
		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 no prohibited signage be displayed at the location per code section 295-407-9.
		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.
		7.	That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.
		8.	That all repair work is conducted inside the building.
		9.	That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.
		10.	That cars are not parked on the driveway approach or anywhere between the street curb and the building face.
		11.	That no work on or storage of vehicles occurs in the public right-of-way.
		12.	That this Special Use is granted for a period of five (5) years, commencing with the date hereof.
21	BZZA-16-00047 Dimensional Variance	Jeffrey Ellsworth, Property Owner	621 W WATERFORD AV Ald. District 13
		Request to occupy the premises as a contractor's yard that does not meet the minimum required landscaping	
	Action:	Adjourned	
	Motion:	Eric Lowenberg moved to adjourn the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	

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22	BZZA-16-00458 Special Use	Dev Raj Dhanda, Lessee	4147 S 6TH ST Ald. District 13
		Request to occupy the premises as a motor vehicle sales facility	
	Action:	Adjourned	
	Motion:	Eric Lowenberg moved to adjourn the appeal. Seconded by Karen Dardy.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
23	BZZA-16-00537 Special Use, Use Variance, Dimensional Variance	Futura III, Prospective Buyer	800 W LAYTON AV Ald. District 13
		Request to occupy the premises as a light motor vehicle outdoor storage facility and body shop that does not meet the minimum required landscaping and to allow a barbed wire fence	
	Action:	Adjourned	
	Motion:	Eric Lowenberg moved to adjourn the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
24	BZZA-16-00419 Special Use	Darryl Ware, Lessee	2028 N 31ST ST Ald. District 15
		Request to add an outdoor motor vehicle storage facility and to continue occupying the premises as a motor vehicle repair facility	
	Action:	Adjourned	
	Motion:	Eric Lowenberg moved to adjourn the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	

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25	BZZA-16-00421 Special Use	Bentley Kienbaum, Property Owner	3800 W MILL RD Ald. District 1
		Request to continue occupying the premises as an outdoor salvage operation	
	Action:	Granted	
	Motion:	Jewel Currie moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
		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 no prohibited signage be displayed at the location per code section 295-407-9.	
		6. That stockpile heights shall not exceed the restrictions per code section 295-805-4-h-2.	
		7. That measures be taken to prevent tracking of dirt/debris from the facility onto the public right of way.	
		8. That landscaping and screening along the W. Mill Rd frontage is maintained in accordance with the landscape plan approved by the Department of City Development on June 7, 1983, and that landscaping along the north property line is maintained in accordance to the plan submitted to the Board of Zoning Appeals on June 15, 2009 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.	
		9. That no work on or storage of vehicles or other materials occurs in the public right-of-way.	
		10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	
26	BZZA-16-00338 Special Use	Grace Christian Learning Academy, Lessee	5000 W VILLARD AV Ald. District 1
		Request to occupy a portion of the premises as an elementary school for 75 students grades K3 - 6, operating Monday - Friday 8:00 a.m. - 2:30 p.m	
	Action:	Adjourned	
	Motion:	Eric Lowenberg moved to adjourn the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	

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27	BZZA-16-00414 Dimensional Variance	Sami Salim, Lessee	2979 N OAKLAND AV Ald. District 3
		Request to allow window signs that do not meet the minimum allowed amount of required glazing or the minimum amount of required visible daylight transmittal.	
	Action:	Adjourned	
	Motion:	Jennifer Current moved to adjourn the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
28	BZZA-16-00497 Dimensional Variance	Robert Pledl, Property Owner	2825 N MARYLAND AV Ald. District 3
		Request to allow a parking space to be located in the front yard	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
		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.	The front yard parking area not be expanded without BOZA approval.
		5.	That this Dimensional Variance is granted to run with the land.
29	BZZA-16-00486 Dimensional Variance	Peter Wallace, Other	1033 N OLD WORLD THIRD ST Ald. District 4
		Request to erect an off-premise sign that exceeds the maximum allowed area (allowed 50 sq. ft. / proposed 1000 sq. ft.)	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the applicant.	
	Vote:		

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	BZZA-16-00350 Special Use	Wisconsin Avenue Jewelry and Loan LLC, Lessee	715 W WISCONSIN AV Ald. District 4
		Request to add an installment loan agency and to continue occupying the premises as a second-hand sales facility and pawn shop (this is a new operator)	
	Action:	Adjourned	
	Motion:	Jewel Currie moved to adjourn the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
31	BZZA-16-00499 Use Variance	Francis Hughes, Lessee	8006 W APPLETON AV Ald. District 5
		Request to occupy the premises as a day care center for 50 children per shift, infant - 12 years of age, operating 6 am - 10 pm, Monday - Friday	
	Action:	Granted	
	Motion:	Jewel Currie moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
		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 no prohibited signage be displayed at the location per code section 295-407-9.
		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 facility does not exceed the capacity established by the State Department of Children and Families.
		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 the applicant applies for a loading zone on West Appleton Avenue. Please contact Mr. Joe Halvorson at 414-286-8677 to apply for or to renew, if necessary, the loading zone.
		10.	That this Use Variance is granted for a period of one (1) year, 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	BZZA-16-00416 Special Use	Calvary Baptist Church, Property Owner	2944 N TEUTONIA AV Ald. District 6
		Request to continue occupying the premises as a parking lot for the adjacent religious assembly hall	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Erik Richardson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
		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 no prohibited signage be displayed at the location per code section 295-407-9.
		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 all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances.
		8.	That landscaping and screening meeting the standards of standards of city code section 295-405 for Type 'B' landscaping (and as shown in pictures submitted by the petitioner to the Board on September 1, 2015) 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.
		9.	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>
33	BZZA-15-0034080-H Special Use	Calvary Baptist Church of Milwaukee, Property Owner	2958 N Teutonia Av Ald. District 6
		Request to occupy the premises as a principal use parking lot	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
		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 no prohibited signage be displayed at the location per code section 295-407-9.	
		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 all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances.	
		8. That landscaping and screening meeting the standards of city code section 295-405 for Type 'B' landscaping (and as shown in pictures submitted by the petitioner to the Board on September 1, 2015) 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.	
		9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	
34	BZZA-16-00539 Dimensional Variance	Gene Gokhman, Property Owner	225 E LLOYD ST Ald. District 6
		Request to construct a single-family dwelling that does not meet the minimum required side yard setbacks	
	Action:	Adjourned	
	Motion:	Eric Lowenberg moved to adjourn the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	BZZA-16-00538 Dimensional Variance	Gene Gokhman, Property Owner	231 E LLOYD ST Ald. District 6
		Request to construct a single-family dwelling that does not meet the minimum required side street setback or combined side setbacks	
	Action:	Adjourned	
	Motion:	Eric Lowenberg moved to adjourn the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	BZZA-16-00533 Dimensional Variance	Steve Watts, Property Owner	1005 W WALNUT ST Ald. District 6
		Request to occupy the premises as an accessory use parking lot that does not meet the minimum required landscaping	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
		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 no prohibited signage be displayed at the location per code section 295-407-9.	
		6. That the petitioner take all measures necessary to control litter and loitering on the premises, including, but not limited to, hiring private personnel if necessary.	
		7. That all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances.	
		8. That landscaping and screening in accordance to the plan submitted to the Board on January 23, 2017 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.	
		9. That a Special Privilege be obtained from the City of Milwaukee Common Council to allow the fence 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.	
		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, construction of the building foundations and occupancy of any portion of the public right-of-way to accommodate construction of the new building. 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.	
		11. That the applicant provide access to city-owned facilities for city personnel as necessary.	
		12. That these Dimensional Variances 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>
37	BZZA-16-00532 Dimensional Variance	Steve Watts, Property Owner	918 W SOMERS ST Ald. District 6
		Request to raze an existing structure, to construct and occupy a packaging and warehouse facility that does not meet the minimum required residential buffer and to continue occupying a portion of the premises as a permitted brewery	
	Action:	Granted	
	Motion:	Jewel Currie moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
		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 no prohibited signage be displayed at the location per code section 295-407-9.
		6.	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 building foundations and occupancy of any portion of the public right-of-way to accommodate construction of the new building. 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.
		7.	That this Dimensional Variance is granted to run with the land.
38	BZZA-16-00529 Special Use	Verneadia Zollicoffer, Lessee	1654 W HOPKINS ST Ald. District 6
		Request to expand to the second floor and increase the number of children from 35 to 50 per shift, infant - 12 years of age and continue to occupy the premises as a day care center Monday - Friday 6 am - 10 pm and Saturday 6 am - 6 pm	
	Action:	Adjourned	
	Motion:	Eric Lowenberg moved to adjourn the appeal. Seconded by Erik Richardson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	BZZA-16-00510 Special Use	ORP Real Estate Holdings LLC, Property Owner	2801 W WISCONSIN AV Ald. District 4
		Request to occupy the premises as a residential care facility for 50 occupants	
	Action:	Adjourned	
	Motion:	Erik Richardson moved to adjourn the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	

Other Business:

Board member Jewel Currie moved to approve the minutes of the January 19, 2017 meeting. Seconded by Board member Eric Lowenberg. Unanimously approved.

The Board set the next meeting for March 9, 2017.

Board member Jewel Currie moved to adjourn the meeting at 8:47 p.m. Seconded by Board member Eric Lowenberg. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board