

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING - June 01, 2017
City Hall, Common Council Committee Room 301-A

MINUTES

PRESENT:

Chairwoman: Catherine M. Doyle (*voting on items 1 – 62*)
Vice Chairman: Henry Szymanski (*voting on items 1 – 59, 61*)
Members: Jewel Currie (*voting on items 1 – 40, 42 – 62*)
Jennifer Current (*voting on items 1 – 61*)
Eric Lowenberg (*voting on items 1 – 62*)

Alt. Board Members: Karen D. Dardy (*voting on items 60, 62*)
Erik Richardson (*voting on items 41, 62*)

START TIME: 4:06 p.m.

END TIME: 8:37 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	BZZA-16-00118 Use Variance	Raquel Perez, Lessee	2000 S 13TH ST Ald. District 12
		Request to occupy a portion of the premises as an assembly hall	
	Action:	Dismissed	
	Motion:	Eric Lowenberg moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
2	BZZA-16-00418 Special Use	J&B Graphics, Lessee	2825 S 13TH ST Ald. District 14
		Request to occupy a portion of the premises as an assembly hall	
	Action:	Dismissed	
	Motion:	Eric Lowenberg moved to dismiss the appeal. Seconded by Henry Szymanski.	
	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>
3	BZZA-16-00516 Special Use	Jevon Robinson, Lessee	2526 W VLIET ST Ald. District 15
		Request to occupy the premises as a day care center for 25 children per shift infant - 11 years of age, operating Monday - Sunday 6:00 am to midnight	
	Action:	Dismissed	
	Motion:	Eric Lowenberg moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
4	BZZA-16-00308 Dimensional Variance	Coleen Bukowski, Property Owner	1322 W VLIET ST Ald. District 15
		Request to allow a fence that exceeds the maximum allowed rear, side, and front yard height	
	Action:	Dismissed	
	Motion:	Eric Lowenberg moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
5	BZZA-16-00292 Special Use	Ndi Igbo In Wisconsin, Inc., Property Owner	3735 N 35TH ST Ald. District 7
		Request to occupy the premises as a community center	
	Action:	Dismissed	
	Motion:	Eric Lowenberg moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
6	BZZA-16-00424 Special Use	ABC Daycare Inc., Lessee	5920 W CENTER ST Ald. District 10
		Request to continue occupying the premises as a day care center for 91 children per shift infant to 13 years of age, operating Monday - Friday 6:30 a.m. to 11:30 p.m.	
	Action:	Dismissed	
	Motion:	Eric Lowenberg moved to dismiss the appeal. Seconded by Henry Szymanski.	
	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>
7	BZCM-17-00001 Extension of Time	Ann Brock, Property Owner	5601 W VLIET ST Ald. District 10
		Request for an extension of time to comply with the conditions of case BZZA-16-00072	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	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>
8	BZZA-17-00122 Special Use	Council for the Spanish Speaking, Property Owner	1648 S 37TH ST Ald. District
		Request to occupy a portion of the premises as a day care center for 24 children per shift, infant - 3 years of age, operating Monday - Friday 7 a.m. - 5:30 p.m.	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	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 outdoor play area is not utilized before 9:00 A.M.
		5.	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.
		6.	That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
		7.	That no prohibited signage be displayed at the location per code section 295-407-9.
		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.
		9.	That the facility does not exceed the capacity established by the State Department of Children and Families.
		10.	That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy.
		11.	That this Special Use is granted for a period of five (5) years, commencing with the date hereof.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	BZZA-17-00164 Special Use	El Rey Enterprises, LLP, Property Owner	1530 S MUSKEGO AV Ald. District 12
		Request to continue occupying the premises as a food processing facility	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	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 petitioner maintain landscaping and screening 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.	
		5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.	
		6. That no prohibited signage be displayed at the location per code section 295-407-9.	
		7. That this Special Use is granted for a period of twenty (20) years, commencing with the date hereof.	
10	BZZA-17-00140 Dimensional Variance	Miller Compressing Company, Property Owner	900 S WATER ST Ald. District 12
		Request to continue occupying the premises as a permitted outdoor storage facility with stockpiles that exceed the maximum allowed height and does not meet the minimum required screening or landscaping width	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	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 all measures be taken to prevent the generation of fugitive dust from activity on the property, per code section 80-6.2.	
		5. That measures be taken to prevent tracking of dirt/debris from the facility onto the public right of way.	
		6. That this Variance is granted for a period of one (1) 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>
11	BZZA-17-00133 Special Use	Dan Baker, Lessee	2057 S 14TH ST Ald. District 12
		Request to continue occupying the premises as a community living arrangement for 15 occupants	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	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 ten (10) years, commencing with the date hereof.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
12	BZZA-17-00154 Special Use	AAL Community Center LLC, Property Owner	1100 S 5TH ST Ald. District 12
		Request to occupy the premises as a community center	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	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 storefront windows are restored to 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.	
		5. That the building facades are restored in a manner that meets the intent of National Historic Preservation standards.	
		6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.	
		7. That no prohibited signage be displayed at the location per code section 295-407-9.	
		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.	
		9. 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.	
		10. That the unused driveway located on West Washington 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 driveway approach.	
		11. That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, the construction of the dumpster enclosures in the public right-of-way and of closure of any part of the right-of-way during work on the building. The DPW permit(s) must be obtained prior to the start of any work in the public right-of-way. Please contact Ms. Dawn Schmidt at 414-286-2454 with questions regarding this matter.	
		12. That a Special Privilege be obtained from the City of Milwaukee Common Council to allow the dumpster enclosure 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.	
		13. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	

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13	BZZA-17-00142 Special Use	Oscar Basunto, Property Owner	1724 W FOREST HOME AV Ald. District 12
		Request to continue occupying the premises as a motor vehicle repair facility	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	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 a decorative metal fence in accordance with the fence plan approved by the Department of City Development on February 15 2002 or other plan as approved by the Zoning Administration Group is installed within 60 days of Board approval of the special use.	
		5. That a decorative metal fence is installed to provide a barrier between the parking lot and the concrete public sidewalk within 60 days. Said fence must start at the property line abutting 1720 West Forest Home Avenue and extend westerly along West Forest Home Avenue to the property corner at West Rogers Street. The fence must be installed within the asphalt parking lot. The fence may not be installed in the concrete sidewalk. If you have questions regarding this matter, please contact Ms. Dawn Schmidt at 414-286-2454.	
		6. That no prohibited signage be displayed at the location per code section 295-407-9.	
		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 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.	
		10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.	
		11. That 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 ten (10) years, commencing with the date hereof.	

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14	BZZA-17-00160 Special Use	Aaron Patin, Lessee	4125 S HOWELL AV Ald. District 13
		Request to continue occupying the premises as a fast-food/carry-out restaurant (this is a new operator)	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	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 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.
		5.	That the existing masonry pillars at the entrance to the parking lot and the planting area north of the driveway are maintained.
		6.	That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
		7.	That no prohibited signage be displayed at the location per code section 295-407-9.
		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.
		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-17-00152 Special Use	Vishal Lal, Property Owner	5007 S HOWELL AV Ald. District 13
		Request to occupy a portion of the premises as a social service facility	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	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 this Special Use is granted for a period of five (5) years, commencing with the date hereof.	

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16	BZZA-17-00151 Use Variance	Superwestern INC, Lessee	6245 S 6TH ST Ald. District 13
		Request to occupy the premises as a processing or recycling of mined materials facility	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	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 operation be exclusively for material that are already on site (as of the date of the Board's hearing and that no additional materials be brought to the site.	
		5. That all measures be taken to prevent the generation of fugitive dust from activity on the property, per code section 80-6.2.	
		6. That measures be taken to prevent tracking of dirt/debris from the facility onto the public right of way.	
		7. That all measures be taken to prevent activity on the site from violating city Noise Limitations ordinance as per code 80-64.1.	
		8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy.	
		9. That this Variance is granted for a period of time commencing with the date hereof, and expiring on October 1, 2018.	

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17	BZZA-17-00125 Dimensional Variance	Jesus Nanez, Lessee	4511 S 6TH ST Ald. District 13
		Request to erect a freestanding sign on a parked motor vehicle	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	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 this Variance is granted to run with the land.	
18	BZZA-17-00123 Dimensional Variance	Singh's Corner Grocery Store, Property Owner	2714 S 13TH ST Ald. District 14
		Request to erect signs that exceed the maximum allowed on a single building facade segment, one of which exceeds the maximum allowed distance from the building face	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	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 this Variance is granted to run with the land.	

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19	BZZA-17-00137 Use Variance	Jackie Lor, Property Owner	2318 W VINE ST Ald. District 15
		Request to occupy the premises as a two-family dwelling (previously approved #34110, permits not obtained within 1 year)	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	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 petitioner obtains all required permits for this conversion and has all required inspections, complies with current building code and complies with all zoning conditions and building code requirements prior to occupancy.	
		5. That this Variance is granted to run with the land.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	BZZA-17-00163 Special Use	Greta Held, Lessee	6201 N TEUTONIA AV Ald. District 1
		Request to occupy a portion of the premises as a secondhand store	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of Staff.	
	Vote:		
21	BZZA-17-00120 Special Use	Graceland Missionary Baptist Church, Property Owner	5174 N 35TH ST Ald. District 1
		Request to continue occupying the premises as a religious assembly hall	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	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 ten (10) years, commencing with the date hereof.	

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22	BZZA-17-00153 Dimensional Variance	Barry Cymerman, Property Owner	2522 N SUMMIT AV Ald. District 3
		Request to install a condenser which does not meet the minimum required setback	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	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 equipment installed, when in operation, does not exceed the maximum permissible noise levels for residential Air Conditioners as per code 80-68.3.	
		5. The petitioner obtain required permits, all applicable construction and zoning codes are met and the all required inspections completed.	
		6. That this Variance is granted to run with the land.	
23	BZZA-17-00135 Dimensional Variance	David Henderson, Property Owner	2830 N HACKETT AV Ald. District 3
		Request to construct a garage that exceeds the maximum sidewall height	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	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 petitioner obtain any required permits, all applicable construction and zoning codes are met and the all required inspections completed.	
		5. That this Variance is granted to run with the land.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
24	BZZA-17-00166 Special Use	Ivory Retail/Office Operating Company, LLC, Property Owner	648 N PLANKINTON AV Ald. District 4
		Request to occupy a portion of the premises as a general office	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	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 obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy.	
		7. That this Special Use is granted for a period of twenty (20) years, commencing with the date hereof.	

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25	BZZA-17-00134 Special Use	SP Plus Corporation, Other	319 E CLYBOURN ST Ald. District 4
		Request to continue occupying the premises as a principle use parking lot	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	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 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.	
		5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.	
		6. That no prohibited signage be displayed at the location per code section 295-407-9.	
		7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.	
		8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	BZZA-17-00156 Special Use	Katherine Poston, Lessee	4335 N 35TH ST Ald. District 7
		Request to increase the hours of operation from 6:00 a.m. - midnight to 5:00 a.m. - midnight and continue occupying the premises as a day care center for 50 children infant to 12 years of age, operating Monday - Sunday (this is a new operator)	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	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 outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.
		5.	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.
		6.	That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
		7.	That no prohibited signage be displayed at the location per code section 295-407-9.
		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.
		9.	That the facility does not exceed the capacity established by the State Department of Children and Families.
		10.	That the applicant applies for a loading zone on North 35th 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.
		11.	That this Special Use is granted for a period of five (5) years, commencing with the date hereof.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	BZZA-17-00144 Special Use	Derek Jones, Lessee	3380 N 35TH ST Ald. District 7
		Request to occupy a portion of the premises as a light motor vehicle sales facility	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB2 zoning districts.	
		5. That the landscape and screening plan submitted to the Board of Zoning Appeals on April 19 2017 is revised. The revised landscape plan must remove the barbed wire fencing and include a decorative metal fence.	
		6. That landscaping and screening in accordance with an approved landscape plan is implemented within 90 days of occupancy and is maintained in accordance with 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.	
		7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.	
		8. That no prohibited signage be displayed at the location per code section 295-407-9.	
		9. 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.	
		10. That no sales vehicles are displayed in the public right-of-way.	
		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.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	BZZA-17-00149 Dimensional Variance	Timothy Cao, Lessee	5033 W CAPITOL DR Ald. District 7
		Request to allow (previously erected) a wall sign that exceeds the maximum allowed display area (72.5 sf proposed / 25 sf allowed)	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	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 this Variance is granted to run with the land.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	BZZA-17-00141 Special Use	James Hopson, Lessee	4300 W BURLEIGH ST Ald. District 7
		Request to continue occupying the premises as a day care center for 49 children per shift infant - 12 years of age, operating Monday - Friday 6:00 a.m. - midnight	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	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 outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.
		5.	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.
		6.	That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
		7.	That no prohibited signage be displayed at the location per code section 295-407-9.
		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.
		9.	That the facility does not exceed the capacity established by the State Department of Children and Families.
		10.	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.
		11.	That this Special Use is granted for a period of five (5) years, commencing with the date hereof.
30	BZZA-17-00150 Dimensional Variance	Mary Skelton, Lessee	5017 W CAPITOL DR Ald. District 7
		Request to allow two wall (previously erected) signs that exceed the maximum allowed display area	
	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>
31	BZZA-17-00158 Dimensional Variance	Hayat Carter Herbal MTH, LLC, Property Owner	2400 W BURLEIGH ST Ald. District 7
		Request to reface an existing sign that exceeds the permitted display area (permitted 25 sq. ft. / proposed 201.28 sq. ft.)	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	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 this Variance is granted to run with the land.
32	BZZA-17-00157 Special Use	Pedal Milwaukee, LLC, Property Owner	3618 W PIERCE ST Ald. District 8
		Request to occupy a portion of the premises as a general office	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	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 obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy.
		7.	That this Special Use is granted for a period of time commencing with the date hereof, and expiring on February 17, 2026.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	BZZA-17-00127 Special Use	Hector Razo, Lessee	2912 W BURNHAM ST Ald. District 8
		Request to continue occupying a portion of the premises as a light motor vehicle repair facility	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	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 work on or storage of vehicles occurs in the public right-of-way.	
		10. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
34	BZZA-17-00132 Use Variance	Alamo Services LLC, Lessee	2539 W GREENFIELD AV Ald. District 8
		Request to continue occupying the premises as a currency exchange facility	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	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 this Variance is granted for a period of ten (10) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	BZZA-17-00077 Special Use	Iris Melendez, Lessee	2925 W LINCOLN AV Ald. District 8
		Request to occupy a portion of the premises as a religious assembly hall	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman of the district.	
	Vote:		

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	BZZA-17-00129 Special Use	Andreina Estrella, Lessee	2842 W FOREST HOME AV Ald. District 8
		Request to increase the hours of operation from Monday - Friday 6 a.m. - 11 p.m. to Monday - Friday 6 a.m. - midnight and Saturday 7 a.m. - 4 p.m., and continue occupying the premises as a daycare center for 38 children per shift infant - 12 years of age.	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	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 outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.
		5.	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.
		6.	That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
		7.	That no prohibited signage be displayed at the location per code section 295-407-9.
		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.
		9.	That the facility does not exceed the capacity established by the State Department of Children and Families.
		10.	That this Special Use is granted for a period of five (5) years, commencing with the date hereof.

37	BZZA-17-00014 Special Use	Premier Motors LLC, Lessee	3402 W NATIONAL AV Ald. District 8
		Request to continue occupying the premises as a motor vehicle sales and repair facility	

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>
38	BZZA-17-00138 Special Use	Lea Kyle-Lewis, Lessee	6040 W LISBON AV Ald. District 10
		Request to continue occupying a portion of the premises as a social service facility	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	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 ten (10) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	BZZA-17-001131 Special Use	Advance Stores Company, Inc., Lessee	5816 W NORTH AV Ald. District 10
		Request to continue occupying the premises as a general retail establishment with an accessory use parking lot	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of an interested party.	
	Vote:		
40	BZZA-17-00061 Dimensional Variance	Hummingbird Storage, LLC, Property Owner	7635 W OKLAHOMA AV Ald. District 11
		Request to construct an addition to the existing building and to occupy the premises as an indoor storage facility (previously approved) that does not meet the minimum required setback for a metal panel wall system on a primary or secondary street	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	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 landscaping and screening in accordance to the plan submitted to the Board on June 28, 2016 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.
		5.	That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
		6.	That no prohibited signage be displayed at the location per code section 295-407-9.
		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 this Variance is granted to run with the land.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	BZZA-16-00463 Special Use	Iglesia De Dios Pentecostal Arca De Salvacion Inc, Prospective Buyer	4415 W FOREST HOME AV Ald. District 11
		Request to occupy the premises as a religious assembly hall	
	Action:	Granted	
	Motion:	Henry Szymanski 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 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.	
		5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.	
		6. That no prohibited signage be displayed at the location per code section 295-407-9.	
		7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.	
		8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy.	
		9. That this Special Use is granted for a period of 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>
42	BZZA-17-00101 Dimensional Variance	Shoe Factory Lofts-Milwaukee LLC, Property Owner	224 W WASHINGTON ST Ald. District 12
		Request to occupy a portion of the premises as a permitted accessory use parking lot that does not meet the required residential buffer, and does not meet the minimum required perimeter or interior 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 petitioner comply with the opaque fencing requirements for Type 'H' landscaping per s295-405-1-b-8 of the Milwaukee zoning code.
		5.	That the petitioner submit a plan to provide a masonry wall or fence along the W. Washington Ave frontage that meets the intent of perimeter landscaping requirements. The plan must be submitted to the Board for review and approval by the Zoning Administration Group.
		6.	That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
		7.	That no prohibited signage be displayed at the location per code section 295-407-9.
		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.
		9.	That this Variance is granted to run with the land.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	BZZA-17-00115 Dimensional Variance, Special Use	McDonald's Corporation, Property Owner	617 W OKLAHOMA AV Ald. District 14
		to raze the existing structure and construct a building that does not meet the minimum required front and side setbacks, minimum required landscaping, minimum required transparent window glazing and to erect 5 freestanding signs, one of which exceeds the maximum allowed area and to continue occupying the premises as a fast-food/carry-out restaurant with a drive-through facility	

Action:

Adjourned

Motion:

This matter has been adjourned at the request of the Alderman of the district.

Vote:

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
44	BZZA-17-00070 Use Variance	Angela Poe, Lessee	2526 W VLIET ST Ald. District 15
		Request to occupy the premises as a day care center for 50 children per shift infant through 12 years of age, operating Monday – Sunday 6:00 a.m. – midnight	
	Action:	Adjourned	
	Motion:	Eric Lowenberg moved to adjourn the appeal. Seconded by Henry Szymanski.	
	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>
45	BZZA-17-00126 Special Use	Andy Song, Property Owner	3535 W STATE ST Ald. District 15
		Request to continue occupying the premises as a motor vehicle sales and repair facility and indoor storage facility	
	Action:	Granted	
	Motion:	Henry Szymanski 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 applicant has no outdoor storage of vehicle parts, tires, nuisance vehicles or other junk and debris.	
		8. That all repair work is conducted inside the building.	
		9. 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.	
		10. That all installation and testing audio equipment and alarm systems must be conducted inside the building with overhead doors closed and at minimum amplification, and that customers are not permitted to test alarms or audio equipment on-site unless the tests are conducted inside the building with the doors closed and at minimum amplification.	
		11. That the applicant installs a barrier between the parking lot and the public sidewalk on West State Street within 90 days. Such a barrier may consist of a decorative metal fence; bollards; concrete wheel stops nailed to the parking lot pavement; or other mutually agreeable barrier. Plans should be provided to the Zoning Administration Group via the BOZA office for approval prior to installation.	
		12. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	BZZA-17-00032 Special Use	John Sams Jr., Lessee	3841 W VILLARD AV Ald. District 1
		Request to occupy the premises as a motor vehicle sales and repair facility	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of Staff.	
	Vote:		
47	BZZA-17-00003 Special Use	Neomia Townsend, Property Owner	4609 N TEUTONIA AV Ald. District 1
		Request to continue occupying the premises as a light and heavy motor vehicle storage facility	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman of the district.	
	Vote:		
48	BZZA-16-00456 Use Variance	Tommy Honeycutt, Property Owner	4940 N 32ND ST Ald. District 1
		Request to continue occupying the premises as an assembly hall	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of Staff.	
	Vote:		
49	BZZA-16-00381 Dimensional Variance	Desiree Loduha, Lessee	3622 W SILVER SPRING DR Ald. District 1
		Request to allow window signs that exceed the maximum allowed area	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman of the district.	
	Vote:		

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	BZZA-17-00130 Special Use	Dantae White, Lessee	6502 W FOND DU LAC AV Ald. District 2
		Request to continue occupying the premises as a light motor vehicle sales facility	
	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 landscaping and screening is maintained in accordance with the landscape plan submitted to the Board of Zoning Appeals on Aug 14, 2012, and 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.	
		5. That the landscaping plan submitted to the Board of Zoning Appeals on August 14, 2012 and in accordance with s295-405-1-c-9 of the Milwaukee Zoning Code be installed by August 1, 2017.	
		6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.	
		7. That no prohibited signage be displayed at the location per code section 295-407-9.	
		8. That the driveway approaches are not blocked by parked vehicles at any time.	
		9. That the vehicles are not parked on or in front of the driveway approaches. Customer or employee vehicles parked on West Fond du Lac Avenue must be parked legally. It is not legal to park on the street in front of a driveway approach.	
		10. That a Special Privilege be obtained from the City of Milwaukee Common Council to allow the raised planter 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.	
		11. That no sales vehicles are displayed in the public right-of-way.	
		12. That no work on or storage of vehicles occurs in the public right-of-way.	
		13. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
51	BZZA-17-00147 Use Variance	Zach Eberhardt, Prospective Buyer	1816 N HUMBOLDT AV Ald. District 3
		Request to occupy the premises as a multi-family dwelling	
	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 a Special Privilege be obtained from the City of Milwaukee Common Council to allow the front entrance steps to occupy the public right-of-way. The Special Privilege application must be submitted within thirty (30) days. Please contact Ms. Dawn Schmidt to obtain a Special Privilege Application Form or with questions at 414-286-2454.	
		5. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy.	
		6. That all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances.	
		7. That this Variance is granted to run with the land.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	BZZA-17-00146 Special Use	Andrew Mauk, Lessee	1420 E BELLEVIEW PL Ald. District 3
		Request to occupy the premises as a light motor vehicle sales and repair facility	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	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 vehicle 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 work on or storage of vehicles occurs in the public right-of-way.	
		10. That no sales vehicles are displayed in the public right-of-way.	
		11. That the applicant has no test driving of vehicles after 5:00 p.m.	
		12. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
53	BZZA-17-00173 Dimensional Variance	David & Kay Rolston, Property Owner	1114 E KANE PL Ald. District 3
		Request to raze the existing structure and to construct a permitted single-family dwelling that exceeds the maximum allowed front setback, does not meet the minimum required garage door setback, and does not meet the primary entrance door orientation (the setback Variances were previously approved)	
	Action:	Granted	
	Motion:	Henry Szymanski 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 petitioner agrees to work with the Zoning Administration Group on final resolution of design issues pertaining to the building's south façade and roof line The petitioner must submit revised drawings that reflect these changes to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits.
		5.	That these 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>
54	BZZA-16-00464 Dimensional Variance	Nitpreet Kohli, Lessee	11006 W SILVER SPRING DR Ald. District 5
		Request to add outdoor motor vehicle storage (permitted) to the motor vehicle filling station 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 landscaping and screening in accordance to the plan submitted to the Board on April 17, 2017 is installed within 90 days of Board approval of the variance 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.
		5.	That no work on or storage of vehicles occurs in the public right-of-way.
		6.	That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
		7.	That no prohibited signage be displayed at the location per code section 295-407-9.
		8.	That all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances.
		9.	That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.
		10.	That the area used for the Outdoor vehicle storage facility be restricted to that shown on the approved plan. Any increase in the scope or intensity of the use will be permitted only with Board of Zoning Appeals approval.
		11.	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.
		12.	That the applicant has a maximum of two vehicles for rental on the premises.
		13.	That this Variance is granted to run with the land.
55	BZZA-17-00046 Special Use	Merry Kyles, Property Owner	2902 N 1ST ST Ald. District 6
		Request to occupy the premises as a transitional living facility	
	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>
56	BZZA-17-00121 Use Variance	Freddie Jones Sr., Property Owner	3022 N 10TH LA Ald. District 6
		Request to occupy a portion of the premises as a contractor's yard and outdoor storage	
	Action:	Granted	
	Motion:	Henry Szymanski 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 applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.	
		7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.	
		8. That all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances.	
		9. 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.	
		10. That no work on or storage of vehicles, equipment, or materials occurs in the public right-of-way.	
		11. That these Variances is granted for a period of three (3) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
57	BZZA-17-00041 Dimensional Variance, Special Use Variance	Cleotha Adams, Property Owner	2719 N 5TH ST Ald. District 6
		Request to occupy the premises as a light motor vehicle outdoor storage facility and auto salvage without the minimum required landscaping	
	Action:	Granted	
	Motion:	Henry Szymanski 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 all repair work is conducted inside the building.	
		7. 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.	
		8. Provided all motor vehicle body work is performed inside the building with the doors closed. All vehicle painting must comply with requirements chapter 236 of the Milwaukee Code of Ordinances and no painting may be performed until a spray booth is installed under permit, inspected and approved.	
		9. That cars are parked in the parking area off of North 5th Street are parked so that the end of the vehicle is as close to the building as possible.	
		10. That no vehicles are parked on the paved public sidewalk or on the driveway approach in front of this premises.	
		11. That no work on or storage of vehicles occurs in the public right-of-way.	
		12. That vehicles are stored outside a maximum of seven days.	
		13. That this Special Use and Use Variance 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>
58	BZZA-17-00093 Dimensional Variance, Special Use	Danielle Wren, Lessee	3611 N TEUTONIA AV Ald. District 6
		Request to occupy the premises as an adult day care center for 10 clients that does not meet the minimum required landscaping	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	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 parking lot is set back from N. Teutonia Ave and W. Finn Pl as shown in the plan submitted to the Board on May 18, 2017	
		5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.	
		6. That no prohibited signage be displayed at the location per code section 295-407-9.	
		7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.	
		8. That all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances.	
		9. 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.	
		10. That the driveway approach on North Teutonia Avenue be closed with the paving project to reconstruct North Teutonia Avenue, which is currently scheduled to occur in 2019.	
		11. That this Special Use and Variance is granted for a period of three (3) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
59	BZZA-17-00112 Use Variance	Kulbir Singh, Prospective Buyer	7259 N 76 TH St Ald. District 9
		Request to occupy the premises as a day care center for 80 children per shift, operating Monday – Friday 6:00 a.m. – 7:00 p.m.	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderwoman of the district.	
	Vote:		
60	BZZA-17-00128 Use Variance	Theodore McNamara, Other	5611 W WOOLWORTH AV Ald. District 9
		Request to occupy a portion of the premises as a hazardous material outdoor storage facility	
	Action:	Adjourned	
	Motion:	Eric Lowenberg moved to adjourn the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
61	BZZA-17-00045 Dimensional Variance, Use Variance	Salim Shelleh, Lessee	2741 S 34TH ST Ald. District 11
		Request to continue occupying the premises as a light 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 Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
62	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:	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>
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Other Business:

Board member Jewel Currie moved to approve the minutes of the May 4, 2017 meeting. Seconded by Board member Henry Szymanski. Unanimously approved.

The Board set the next meeting for June 29, 2017.

Board member Eric Lowenberg moved to adjourn the meeting at 8:37 p.m. Seconded by Board member Erik Richardson. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board