

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

**REGULAR MEETING - May 04, 2017**  
**City Hall, Common Council Committee Room 301-A**

***MINUTES***

PRESENT:

**Chairwoman:** Catherine M. Doyle (*voting on items 1 – 60*)  
**Vice Chairman:** Henry Szymanski (*voting on items 1 – 60*)  
**Members:** Jewel Currie (*excused*)  
Jennifer Current (*voting on items 1 – 60*)  
Eric Lowenberg (*voting on items 1 – 60*)

**Alt. Board Members:** Karen D. Dardy (*present*)  
Erik Richardson (*voting on items 1 – 60*)

START TIME: 4:08 p.m.

END TIME: 8:52 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	BZZA-16-00537 Dimensional Variance, Special Use, Use 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:	Dismissed	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Eric Richardson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
2	BZZA-16-00112 Special Use	Select Tire Sales, Inc., Lessee	3364 W HOPKINS ST Ald. District 1
		Request to occupy a portion of the premises as a motor vehicle repair facility	
	Action:	Dismissed	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Eric 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>
3	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:	Dismissed	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Eric Richardson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
4	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:	Dismissed	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Eric Richardson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
5	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:	Dismissed	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Eric Richardson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
6	BZZA-17-00037 Use Variance	Ruth Martinez, Property Owner	3600 W PIERCE ST Ald. District 8
		Request to occupy a portion of the premises as an assembly hall	
	Action:	Dismissed	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Eric 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>
7	BZZA-16-00192 Dimensional Variance	Edna Butler, Lessee	7009 W CAPITOL DR Ald. District 10
		Request to erect two signs which exceed the maximum allowed per 25 lineal feet (allowed 1 / proposed 3)	
	Action:	Dismissed	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Eric Richardson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
8	BZZA-17-00109 Special Use	IPW-Lee Medical Clinic, Lessee	2778 S 35TH ST Ald. District 11
		Request to occupy a portion of the premises as a medical office	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Eric 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 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 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>
9	BZZA-17-00096 Special Use	Mental Health America of Wisconsin, Inc., Lessee	600 W VIRGINIA ST Ald. District 12
		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 Eric 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 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 fifteen (15) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	BZZA-17-00091 Special Use	Martin Sanchez, Property Owner	1662 S 13TH ST Ald. District 12
		Request to continue occupying the premises as a light manufacturing and light motor vehicle repair facility	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Eric 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 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 the applicant does not have outdoor storage or display of products or merchandise.
		10.	That no work on or storage of vehicles or materials occurs in the public right-of-way.
		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>
11	BZZA-17-00067 Special Use	Sonya Robinson, Lessee	1926 W ARROW ST Ald. District 12
		Request to continue occupying the premises as a day care center for 35 children infant through 12 years of age, operating Monday - Saturday 6:30 am - midnight (this is a new operator)	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Eric 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 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 60 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.295-505-5 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 the applicant applies for a loading zone on South 20th 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.
		13.	That this Special Use is granted for a period of five (5) years, commencing with the date hereof.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
12	BZZA-17-00105 Special Use	Jose Olea, Property Owner	1412 S 12TH ST Ald. District 12
		Request to continue occupying the premises as a light motor vehicle repair facility	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Eric 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 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 vehicles are not parked either entirely or partially on the paved public sidewalk.	
		11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	
13	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 minimum required landscaping	
	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>
14	BZZA-17-00086 Special Use	Gustavo Salazar, Lessee	1338 W SCOTT ST Ald. District 12
		Request to continue occupying a portion of the premises as a catering service	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Eric 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 per s295-605-2-i-3-c 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 this Special Use is granted for a period of ten (10) years, commencing with the date hereof.
15	BZZA-17-00084 Use Variance	Enrique Terrones, Property Owner	1631 W GRANT ST Ald. District 12
		Request to continue occupying a portion of the premises as an assembly hall (operated in conjunction with a permitted tavern on site)	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Eric 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 this 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>
16	BZZA-17-00102 Special Use	Robert Krause, Property Owner	4301 S HOWELL AV Ald. District 13
		Request to continue occupying the premises as a sit-down restaurant with a drive-through that does not meet the minimum required queue distance and is within 150 feet of residential uses	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Eric 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 this Special Use is granted to run with the land.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	BZZA-17-00118 Special Use	Richard Schetter, Property Owner	401 E OKLAHOMA AV Ald. District 14
		Request to continue occupying the premises as a light motor vehicle sales and repair facility	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Eric 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 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 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 no work on or storage of vehicles occurs in the public right-of-way.	
		11. That no sales vehicles are displayed in the public right-of-way.	
		12. That the unused driveway on South Howell Avenue be removed and restored to City of Milwaukee specifications within one (1) year. Please contact the Development Center Tech Team at 414-286-8208 to apply for a DPW permit to close the driveway approach. (Please note that the unused driveway is the northernmost of the three driveway approaches on South Howell Avenue.)	
		13. 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>
18	BZZA-17-00094 Special Use	Tylisha Nolden, Lessee	2664 N 38TH ST Ald. District 15
		Request to continue occupying the premises as a 24 hour day care center for 50 children per shift infant through 12 years of age, operating Monday - Sunday (this is a new operator)	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Eric 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.
		5.	That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.
		6.	That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license.
		7.	That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.
		8.	That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
		9.	That no prohibited signage be displayed at the location per code section 295-407-9.
		10.	That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
		11.	That the facility does not exceed the capacity established by the State Department of Children and Families.
		12.	That the applicant applies for a loading zone on North 38th 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.
		13.	That this Special Use is granted for a period of five (5) years, commencing with the date hereof.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	BZZA-17-00119 Special Use	Amardeep Khehra, Lessee	4811 N TEUTONIA AV Ald. District 1
		Request to continue occupying the premises as a motor vehicle filling station	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Eric 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 landscaping and screening is maintained in accordance with the landscape plan submitted to the Board of Zoning Appeals on July 16, 1996, 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 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.	
		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 applicant does not have outdoor storage or display of products or merchandise.	
		10. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour Establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.	
		11. That this Special Use is granted for a period of twenty (20) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	BZZA-17-00090 Use Variance	Baron Hentz, Lessee	5565 N TEUTONIA AV Ald. District 1
		Request to occupy a portion of the premises as a contractor's shop	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Eric 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 obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy.	
		7. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.	
		8. That this 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>
21	BZZA-17-00089 Special Use	Steve Jones, Property Owner	4230 W GOOD HOPE RD Ald. District 1
		Request to continue occupying the premises as a light motor vehicle repair facility and motor vehicle filling station	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Eric 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 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 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.	
		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 applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.	
		10. That all repair work is conducted inside the building.	
		11. 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.	
		12. That no signs are placed in the public right-of-way.	
		13. That no work on or storage of vehicles occurs in the public right-of-way.	
		14. That this Special Use is granted for a period of twenty (20) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
22	BZZA-17-00111 Dimensional Variance, Special Use	5300 North 33rd Street, LLC, Property Owner	5300 N 33RD ST Ald. District 1
		Request to construct an addition and to continue occupying the premises as a mixed-waste processing facility that does not meet the minimum required landscaping	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Eric 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 landscaping and screening in accordance to the plan submitted to the Board on June 7, 2017 is implemented 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 does not have outdoor storage or display of products or merchandise.
		6.	That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
		7.	That no prohibited signage be displayed at the location per code section 295-407-9.
		8.	That this business does not violate Milwaukee Code of Ordinances section 80-6 through 80-6.2.
		9.	That this business does not violate Milwaukee Code of Ordinances section 80-13.
		10.	That all primary and accessory work be conducted inside the building except those specific activities which are referenced in your plan of operation.
		11.	That the noise and vibration standards set in 80-62 and 80-63 of the Milwaukee Code of Ordinances not be violated.
		12.	That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy.
		13.	That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, the planting of trees, shrubs and other plant materials. The DPW permit must be obtained prior to the start of any work in the public right-of-way. Please contact Ms. Dawn Schmidt at 414-286-2454 with questions regarding this matter.
		14.	That this Special Use is granted for a period of time commencing with the date hereof, and expiring on December 15, 2025.
		15.	That this Dimensional Variance is granted to run with the land.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
23	BZZA-17-00097 Special Use	Durable Investments, LLC, Property Owner	8347 W FOND DU LAC AV Ald. District 2
		Request to construct a building and occupy the premises as a building maintenance service and ground transportation service	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Eric 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 site illumination must meet the lighting standards of s295-409 of the Milwaukee Zoning Code.	
		5. That the landscape plan submitted to the Board on April 12, 2017 is revised to meet the intent of city code section 295-405-2 for interior landscaping. The revised plan must be submitted to the Board of Zoning Appeals and approved by a Plan Examiner from the Milwaukee Development Center prior to the issuance of any permits.	
		6. That landscaping and screening in accordance with an approved landscape plan is implemented within 90 days of occupancy and is maintained in accordance with 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 the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.	
		11. That all repair work is conducted inside the building.	
		12. 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.	
		13. That no work on or storage of vehicles occurs in the public right-of-way.	
		14. 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>
24	BZZA-17-00100 Special Use	Beth Elder/City Reformed Church, Property Owner	1659 N FARWELL AV Ald. District 3
		Request to continue occupying the premises as a religious assembly hall	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Eric 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 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.	
		8. That landscaping and screening is maintained in accordance with s295-405-1-c-9 of the Milwaukee Zoning Code. Specifically that all plant material shall be maintained on an on-going basis, including 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>
25	BZZA-17-00085 Special Use	Educators Credit Union, Property Owner	2243 N PROSPECT AV Ald. District 3
		Request to continue occupying the premises as a permitted bank/financial institution with a drive-through facility that does not meet the minimum required queue lane length	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Eric 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 this Special Use is granted to run with the land.
26	BZZA-17-00083 Use Variance	Levi Stein, Lessee	3109 N LAKE DR Ald. District 3
		Request to occupy a portion of the premises as a catering service	
	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>
27	BZZA-17-00103 Dimensional Variance	WWB Development, LLC, Prospective Buyer	770 N WATER ST Ald. District 4
		Request to raze a portion of the existing structure and allow an existing building that exceeds the maximum allowed floor area, and allow signage that exceeds the maximum allowed area	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Eric 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 petitioner agrees to work with the Department of City Development Planning Administration staff on final resolution of size and shape of the proposed sign Drawings reflecting the revised sign must be submitted to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits.	
		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 Department of Public Works (DPW) permits are obtained for any work in the public right-of-way, including, but not limited to, excavation for the building foundation; closure of any portion of the sidewalk or street for public safety, material storage, staging; crane setup and take down; or any other reason; and construction of new sidewalks, curb and gutter or street repairs. The DPW permit must be obtained prior to the start of any work in the public right-of-way. Please allow for at least one month review time for any DPW permits. Please contact Ms. Dawn Schmidt at 414-286-2454 with questions regarding this matter.	
		9. 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>
28	BZZA-17-00104 Dimensional Variance	WWB Development, LLC, Prospective Buyer	207 E Wells ST Ald. District 4
		Request to raze the existing structure and to construct a building that exceeds the maximum allowed floor area	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Eric 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 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 Department of Public Works (DPW) permits are obtained for any work in the public right-of-way, including, but not limited to, excavation for the building foundation; closure of any portion of the sidewalk or street for public safety, material storage, staging; crane setup and take down; or any other reason; and construction of new sidewalks, curb and gutter or street repairs. The DPW permit must be obtained prior to the start of any work in the public right-of-way. Please allow for at least one month review time for any DPW permits. Please contact Ms. Dawn Schmidt at 414-286-2454 with questions regarding this matter.	
		8. That this Dimensional Variance is granted to run with the land.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	BZZA-17-00107 Dimensional Variance	Associated Bank, Lessee	250 E WISCONSIN AV Ald. District 4
		Request to erect a sign attached to a non-opaque surface	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Eric 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 petitioner agrees to work with the Department of City Development Planning Administration staff on final resolution of the design of the proposed sign Drawings reflecting the revised sign must be submitted to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits.	
		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 Dimensional Variance is granted to run with the land.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	BZZA-17-00116 Special Use	Associated Bank, NA, Lessee	250 E WISCONSIN AV Ald. District 4
		Request to occupy a portion of the premises as a drive-through facility that does not meet the minimum queue lane length	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Eric 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 this Special Use is granted to run with the land.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	BZZA-17-00088 Special Use	Faisal Farooqui, Lessee	11225 W SILVER SPRING RD Ald. District 5
		Request to occupy a portion of the premises as a light motor vehicle repair facility	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Eric 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 a landscape plan is submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits	
		5. That landscaping and screening in accordance with an approved landscape plan is implemented within 120 days of occupancy and is maintained in accordance with s295-405-1-c-9 of the Milwaukee Zoning Code. Specifically that all plant material shall be maintained on an on-going basis, including seasonal tree and plant replacement.	
		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 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 has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.	
		10. That all repair work is conducted inside the building.	
		11. 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.	
		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 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>
32	BZZA-17-00117 Dimensional Variance	SVP Real Estate, Lessee	362 E CAPITOL DR Ald. District 6
		Request to erect 3 type A wall signs which exceed the maximum display area and 1 canopy/hood sign which exceeds the maximum allowed signs located on a facade segment	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Eric 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 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>
33	BZZA-17-00081 Special Use	Phillip Dixon Sr., Property Owner	333 E HADLEY ST Ald. District 6
		Request to continue occupying the premises as a general retail establishment	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Eric 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. If the rear area is developed into a parking lot then a landscape plan for the parking lot that meets the intent of city code section 295-505-5 is submitted to and approved by the Plan Examination section of the Milwaukee Development Center prior to the issuance of any permits for the parking lot.	
		5. 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.	
		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 applicant does not have outdoor storage or display of products or merchandise.	
		10. That all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances.	
		11. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.	
		12. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy.	
		13. That 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>
34	BZZA-17-00092 Special Use	Homer Baylor, Property Owner	5854 W FOND DU LAC AV Ald. District 7
		Request to continue occupying the premises as an outdoor merchandise sales facility	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Eric 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 the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.	
		8. That the approved plan of operation be amended if the petitioner stores any vehicle associated with the Outdoor Merchandise Facility beyond the listed sales season.	
		9. That all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances.	
		10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	BZZA-17-00082 Special Use	Crystal Russell, Lessee	4900 W BURLEIGH ST Ald. District 7
		Request to continue occupying the premises as a day care center for 40 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 Eric 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 a contact name and phone number be provided to the Board office within 60 days of the issuance of this written decision. The phone number must be available 24 hours a day.
		5.	That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.
		6.	That the petitioner submit a copy of the State of Wisconsin day care license to Board of Zoning Appeals within 60 days of Board approval of the special use.
		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 take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
		10.	That the facility does not exceed the capacity established by the State Department of Children and Families.
		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>
36	BZZA-17-00095 Special Use	Shacona Lottie, Lessee	7415 W BRADLEY RD Ald. District 9
		Request to continue occupying the premises as a day care center for 72 children per shift infant through 12 years of age, operating Monday - Sunday 6:00 a.m. - 1:00 a.m. (this is a new operator)	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Eric 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 a contact name and phone number be provided to the Board office within 60 days of the issuance of this written decision. The phone number must be available 24 hours a day.
		5.	That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.
		6.	That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.
		7.	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.
		8.	That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
		9.	That no prohibited signage be displayed at the location per code section 295-407-9.
		10.	That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
		11.	That the facility does not exceed the capacity established by the State Department of Children and Families.
		12.	That this Special Use is granted for a period of five (5) years, commencing with the date hereof.
37	BZZA-16-00184 Special Use	Hector Santana, Lessee	1532 W MITCHELL ST Ald. District 12
		Request to occupy a portion of the premises as an assembly hall	
	Action:	Adjourned	
	Motion:	This matter was 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>
38	BZZA-17-00087 Special Use	Bufracio Mayorga, Lessee	1313 W NATIONAL AV Ald. District 12
		Request to occupy the premises as a light motor vehicle sales and body shop	
	Action:	Adjourned	
	Motion:	Erik Richardson moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
39	BZZA-16-00513 Special Use	Haitham Naji, Property Owner	1218 W LAYTON AV Ald. District 13
		Request to add motor vehicle sales to the permitted motor vehicle repair facility	
	Action:	Adjourned	
	Motion:	Erik Richardson moved to adjourn the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
40	BZZA-17-00115 Dimensional Variance, Special Use	McDonald's Corporation, Property Owner	617 W OKLAHOMA AV Ald. District 14
		Request 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:	Erik Richardson 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>
41	BZZA-17-00098 Special Use	Wisconsin Community Services Inc., Lessee	2511 W VINE ST Ald. District 15
		Request to occupy the premises as a large group shelter care facility	
	Action:	Granted	
	Motion:	Henry Szymanski 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 submit a contact name and number that can be directly reached 24 hours a day and 7 days a week to all interested parties, including but not limited to, the Alderman of the District, BOZA, and the Department of Neighborhood Services	
		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 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>
42	BZZA-17-00073 Dimensional Variance, Special Use	MacCanon Brown Homeless Sanctuary, Inc., Property Owner	2461 W CENTER ST Ald. District 15
		Request to occupy the premises as a community center and social service facility with wall signs that exceed the maximum allowed area	
	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 ten (10) years, commencing with the date hereof.	
		9. 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>
43	BZZA-17-00113 Use Variance	Lee Hill, Property Owner	4871 N 19TH ST Ald. District 1
		Request to occupy the premises as a principle use parking lot	
	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 concrete curbs shown projecting beyond the property line into North 19th Street are terminated at the property line.	
		5. That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, the planting of trees, shrubs and other plant materials. The DPW permit must be obtained prior to the start of any work in the public right-of-way. Please contact Ms. Dawn Schmidt at 414-286-2454 with questions regarding this matter.	
		6. That a Department of Public Works (DPW) permit is obtained to construct the new driveway approaches on North 19th Street. Contact the Development Center Tech Team at 414-286-8208 with questions regarding the driveway permit process.	
		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 take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.	
		10. That 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 all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances.	
		12. That this Use Variance is granted to run with the land.	



<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
44	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:	Henry Szymanski moved to adjourn the appeal. Seconded by Eric Lowenberg.	
	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-17-00068 Special Use	Tarnisha Twitty, Lessee	4022 N 27TH ST Ald. District 1
		Request to occupy a portion of the premises as a day care center for 100 children per shift, infant - 12 years of age operating Monday - Friday 6 am to 12 am midnight (previously approved day care, this is a new operator)	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Eric 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 landscape and screening plan submitted to the Board of Zoning Appeals on May 1, 2017 is revised to indicate that the planting strip proposed along the N. 27th St frontage will be at least 5 feet wide.
		5.	That landscaping and screening in accordance with an approved landscape plan is implemented within 120 days of occupancy and is maintained in accordance with s295-405-1-c-9 of the Milwaukee Zoning Code. Specifically that all plant material shall be maintained on an on-going basis, including seasonal tree and plant replacement.
		6.	That a contact name and phone number be provided to the Board office within 60 days of the issuance of this written decision. The phone number must be available 24 hours a day.
		7.	That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.
		8.	That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.
		9.	That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license.
		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 prohibited signage be displayed at the location per code section 295-407-9.
		12.	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.
		13.	That the facility does not exceed the capacity established by the State Department of Children and Families.
		14.	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.
		15.	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>
46	BZZA-17-00069 Special Use	Tarnisha Twitty, Lessee	4022 N 27TH ST Ald. District 1
		Request to occupy a portion of the premises as an adult day care	
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Eric Richardson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
47	BZZA-16-00252 Special Use	Stanley Terry, Lessee	5926 N TEUTONIA AV Ald. District 1
		Request to occupy the premises as a transitional living facility for 20 occupants	
	Action:	Denied	
	Motion:	Eric Richardson moved to deny the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
48	BZZA-16-00456 Use Variance	Tommy Honeycutt, Property Owner	4940 N 32ND ST Ald. District 1
		Request to continue to occupy the premises as an assembly hall	
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
49	BZZA-17-00108 Dimensional Variance	Teen Challenge, Property Owner	5333 N 91ST ST Ald. District 2
		Request to erect a freestanding sign that exceeds the maximum allowed height and area	
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Eric Richardson.	
	Vote:	3 Ayes, 1 Nay, 1 C. Doyle Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	BZZA-17-00026 Special Use	One Way Auto Exchange, Lessee	7518 W FOND DU LAC AV Ald. District 2
		Request to occupy a portion of the premises as a light motor vehicle sales facility	
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of Staff.	
	Vote:		
51	BZZA-16-00464 Dimensional Variance	Nitpreet Kohli, Lessee	11006 W SILVER SPRING DR Ald. District 5
		Request to add outdoor motor vehicle storage to the permitted motor vehicle filling station that does not meet the minimum required landscaping	
	Action:	Adjourned	
	Motion:	Eric Lowenberg moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
52	BZZA-17-00056 Special Use	James Phelps, Property Owner	1849 N MARTIN L KING JR DR Ald. District 6
		Request to occupy a portion of the premises as a contractor's yard	
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Jennifer Current.	
	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>
53	BZZA-16-00496 Special Use	Shannon Bufford, Lessee	3707 W FOND DU LAC AV Ald. District 7
		Request to occupy 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.	
		5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.	
		6. That 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>
54	BZZA-17-00110 Dimensional Variance, Special Use	Compass Properties, LLC, Prospective Buyer	3637 W FOND DU LAC AV Ald. District 7
		Request to construct a bank that does not meet the minimum required window glazing with a drive-through that does not meet the minimum required queue lane length	
	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. That landscaping and screening in accordance to the plan submitted to the Board on March 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.	
		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 Department of Public Works (DPW) permits are obtained for any work in the public right-of-way, including, but not limited to, the closure of any part of the public way including the parking lane or sidewalk for any reason; the planting of trees, shrubs and other plant materials; construction of new sidewalk; and excavation for building foundations. DPW permits must be obtained prior to the start of any work in the public right-of-way. Please contact Ms. Dawn Schmidt at 414-286-2454 with questions regarding this matter.	
		10. That a Department of Public Works (DPW) permit is obtained to construct new driveway approaches. Contact the Development Center Tech Team at 414-286-8208 with questions regarding the driveway permit process.	
		11. That these Special Uses and 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>
55	BZZA-17-00065 Special Use	David Samuel, Property Owner	2110 W NATIONAL AV Ald. District 8
		Request to add an assembly hall and continue occupying the premises as a religious assembly hall (this is a new operator)	
	Action:	Granted	
	Motion:	Henry Szymanski 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 all City and State laws regarding alcohol consumption on the property are followed. The Assembly Hall must have proper licensing or a properly licensed caterer must be used if alcohol is present at an event.
		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>
56	BZZA-17-00114 Use Variance	BrewCity CrossFit, Lessee	1601 W ST PAUL AV Ald. District 8
		Request to occupy a portion of the premises as a health club	
	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 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 Use Variance is granted for a period of ten (10) years, commencing with the date hereof.	
57	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:	Dismissed	
	Motion:	Eric Lowenberg moved to dismiss 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>
58	BZZA-17-00055 Special Use	John Befus, Prospective Buyer	7720 N 81ST ST Ald. District 9
		Request to occupy the premises as a freight truck terminal and 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 a landscape plan is submitted to the Board of Zoning Appeals, and approved by the Zoning Administration Group within 60 days of the approval of this special use.	
		5. That landscaping and screening in accordance with an approved landscape plan is implemented within 90 days of occupancy and is maintained in accordance with 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.	
		6. That no sales vehicles are displayed in the public right-of-way.	
		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>
59	BZZA-17-00044 Special Use	Rita Lee, Lessee	7113 W CAPITOL DR Ald. District 10
		Request to occupy the premises as a social service 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 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.	
60	BZZA-16-00463 Special Use	Iglesia De Dios Pentecostal Arca De Salavacion Inc, Prospective Buyer	4415 W FOREST HOME AV Ald. District 11
		Request to occupy the premises as a religious assembly hall	
	Action:	Adjourned	
	Motion:	Eric Lowenberg moved to adjourn the appeal. Seconded by Erik Richardson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	

**Other Business:**

Board member Henry Szymanski moved to approve the minutes of the April 6, 2017 meeting. Seconded by Board member Jennifer Current. Unanimously approved.

The Board set the next meeting for June 1, 2017.

Board member Henry Szymanski moved to adjourn the meeting at 8:52 p.m. Seconded by Board member Eric Lowenberg. Unanimously approved.

**BOARD OF ZONING APPEALS**

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Secretary of the Board