

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

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

***MINUTES***

PRESENT:

**Chairwoman:** Catherine M. Doyle (*voting on items 1 - 51*)  
**Vice Chairman:** Henry Szymanski (*voting on items 1 - 51*)  
**Members:** Jewel Currie (*voting on items 1 - 51*)  
Jennifer Current (*voting on items 1 - 51*)  
Eric Lowenberg (*voting on items 1 - 51*)

**Alt. Board Members:** Karen D. Dardy (*present*)  
Erik Richardson (*voting on items 37 - 51*)

START TIME: 4:07 p.m.

END TIME: 8:12 p.m.

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<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	BZZA-17-00306 Dimensional Variance	National Rifle Association, Other  Request to erect a temporary banner sign that exceeds the maximum allowed area	800 N 4TH ST Ald. District 4
	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-17-00292 Dimensional Variance	William Ryan Homes, Property Owner  Request to construct a single-family dwelling that exceeds the maximum allowed lot coverage (allowed 30% / proposed 35.7%)	7322 N BEAU AV Ald. District 5
	Action:	Dismissed	
	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>
3	BZZA-17-00260 Dimensional Variance	Filipe Martinez, Property Owner	815 W NATIONAL AV Ald. District 12
		Request to erect a sign that does not meet the minimum required clearance between the grade and the bottom of the sign	
	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-16-00047 Dimensional Variance	Jeffrey Ellsworth, Property Owner	621 W WATERFORD AV Ald. District 13
		Request to occupy the premises as a contractor's yard that does not meet the minimum required landscaping	
	Action:	Dismissed	
	Motion:	Eric Lowenberg moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
5	BZZA-16-00341 Special Use	V&J Foods, Inc., Property Owner	1948 W FOND DU LAC AV Ald. District 15
		Request to raze the existing structure and to construct a fast-food/carry-out restaurant with a drive-through facility	
	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-17-00376 Special Use	Wisconsin Community Services Inc., Lessee	2320 N 27TH ST Ald. District 15
		Request to occupy a portion of the premises as a social service facility	
	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	BZZA-17-00391 Special Use	Aloria Health of Milwaukee, Lessee	312 E WISCONSIN AV Ald. District 4
		Request to modify the plan of operation to include adolescents for the Board-approved community living arrangement	
	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 the necessary licenses from the State of Wisconsin to operate a Community Living Arrangement for the intended clientele.	
		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 time commencing with the date hereof, and expiring on May 18, 2026.	
8	BZZA-17-00384 Special Use	Run Into Your Destiny Center of Refuge, Lessee	2122 N HALYARD ST Ald. District 6
		Request to occupy a portion of the premises as a social service facility	
	Action:	Adjourned	
	Motion:	Eric Lowenberg moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:		

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	BZZA-17-00382 Special Use	Alicia Sanders, Lessee	4840 W FOND DU LAC AV Ald. District 7
		Request to increase the hours of operation from 6:00 a.m. - 11:00 p.m. to 5:30 a.m. - 11:00 p.m. and to continue occupying the premises as a day care center for 80 children per shift infant through 12 years of age, operating Monday - Saturday	
	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 the facility does not exceed the capacity established by the State Department of Children and Families.
		9.	That the applicant applies for a loading zone on West Fond du Lac Avenue within thirty (30) days. Please contact Mr. Dale Dietze at 414-286-8678 to apply for or to renew, if necessary, the loading zone.
		10.	That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.
		11.	That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.
		12.	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.
		13.	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.
		14.	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>
10	BZZA-17-00417 Special Use	Tarina Kazee, Lessee	4122 W FOND DU LAC AV Ald. District 7
		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 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 the facility does not exceed the capacity established by the State Department of Children and Families.
		9.	That the applicant maintains the loading zone on West Fond du Lac Avenue. Please contact Mr. Dale Dietze at 414-286-8678 to renew, if necessary, the loading zone.
		10.	That a contact name and phone number be provided to the Board office within 60 days of the issuance of this written decision. The phone number must be available 24 hours a day.
		11.	That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.
		12.	That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.
		13.	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.
		14.	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.
		15.	That this Special Use is granted for a period of five (5) years, commencing with the date hereof.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	BZZA-17-00397 Use Variance	Thomas Sanders, Property Owner	3427 N 35TH ST Ald. District 7
		Request to continue occupying the premises as a hand car wash	
	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 all car washing activities occur within the building.	
		8. That the applicant does not have outdoor storage or display of products or merchandise.	
		9. That no work on or storage of vehicles occurs in the public right-of-way.	
		10. That vehicles are not parked across the paved public sidewalk on North 35th Street.	
		11. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.	
		12. That this 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>
12	BZZA-17-00392 Special Use	United Milwaukee Scrap, LLC, Lessee	3310 W FOND DU LAC AV Ald. District 7
		Request to continue occupying a portion of the premises as an outdoor salvage operation	
	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 shall maintain landscaping and screening in accordance with the landscape plan approved by the Department of City Development on October 5, 2010.
		5.	That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.
13	BZZA-17-00394 Special Use	Arkadiy Tsirlin, Property Owner	5200 W MILL RD Ald. District 9
		Request to continue occupying the premises as a motor vehicle repair and sales facility	
	Action:	Adjourned	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:		

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
14	BZZA-17-00407 Special Use	Milton Bond, Property Owner	9539 W BRADLEY RD Ald. District 9
		Request to occupy the premises as a small group shelter care 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 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 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>
15	BZZA-17-00393 Special Use	Milton Bond, Property Owner	9537 W BRADLEY RD Ald. District 9
		Request to occupy the premises as a small group shelter care 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 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 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-17-00379 Special Use	Siggenauk Center Food Pantry, Lessee	931 W MADISON ST Ald. District 12
		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 ten (10) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	BZZA-17-00398 Special Use	Ziegler Bence Partners 5 LLC, Lessee	1301 W CANAL ST Ald. District 12
		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 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.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	BZZA-17-00383 Special Use	Lakhwinder Singh, Property Owner	2759 S KINNICKINNIC AV Ald. District 14
		Request to continue occupying the premises as a motor vehicle filling station (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 applicant does not have outdoor storage or display of products or merchandise.
		5.	That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
		6.	That 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 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.
		9.	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.
		10.	That a contact name and phone number be provided to the Board office within 30 days of the issuance of this written decision. The contact name and phone number must also be available to all interested parties, including but not limited to, the Alderman of the District, and the Department of Neighborhood Services. The phone number must be available 24 hours a day.
		11.	That the petitioner shall maintain landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on 10/30/2007.
		12.	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>
19	BZZA-17-00385 Special Use	Apple Tree Educational Services, LLC, Lessee	1726 W LLOYD ST Ald. District 15
		Request to continue occupying the premises as a day care center for 30 children per shift infant through 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 applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
		5.	That no prohibited signage be displayed at the location per code section 295-407-9.
		6.	That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
		7.	That the facility does not exceed the capacity established by the State Department of Children and Families.
		8.	That a contact name and phone number be provided to the Board office within 30 days of the issuance of this written decision. The phone number must be available 24 hours a day.
		9.	That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.
		10.	That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.
		11.	That the petitioner submit a copy of the State of Wisconsin day care license to Board of Zoning Appeals within 60 days of Board approval of the special use.
		12.	That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.
		13.	That 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>
20	BZZA-17-00389 Special Use	Larry Shaw, Lessee	5226 W HAMPTON AV Ald. District 1
		Request to continue occupying the premises as a day care center for 50 children per shift infant through 12 years of age, operating Monday - Friday 6:00 a.m. - midnight (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 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.295-605 of the Milwaukee Zoning Code.
		10.	That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.
		11.	That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license.
		12.	That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.
		13.	That 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>
21	BZZA-17-00342 Dimensional Variance	Arker LLC, Lessee	9636 W FLAGG AV Ald. District 2
		Request to occupy a portion of the premises as a permitted contractor's yard that does not meet the minimum required landscaping and to erect a fence that exceeds the maximum allowed height	
	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 there be no barbed wire.
		5.	That the fence is set back at least 5 feet from the property line.
		6.	That the fence is wholly on private property.
		7.	That no work on or storage of vehicles or materials occurs in the public right-of-way. Note: The property line is 13 feet behind the face of the street curb.
		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 applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.
		11.	That this 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>
22	BZZA-17-00264 Dimensional Variance, Special Use	Vincent Parr, Lessee	6826 W CAPITOL DR Ald. District 2
		Request to occupy the premises as a motor vehicle sales facility that does not meet the minimum required landscaping	
	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 no more than four sales vehicles are parked along the West Capitol Drive property line.	
		5. That the concrete wheel stops located along the West Capitol Drive property line are secured to the asphalt parking lot pavement so that they do not obstruct the paved public sidewalk.	
		6. That no sales vehicles are displayed in the public right-of-way.	
		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 the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.	
		12. That the landscape plan submitted to the board on June 21, 2017 be revised to indicate that at least 2 shrubs will be planted in the grass strip around the sign pole in the southwest corner of the premises.	
		13. That the applicant has a maximum of 4 vehicles for sale on the premises.	
		14. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.	
		15. 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>
23	BZZA-17-00401 Dimensional Variance	Joshua Ivey, Property Owner	615 E BRADY ST Ald. District 3
		Request to construct an addition for a permitted sit-down restaurant that does not meet the minimum required glazing and the minimum required number of parking spaces	
	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 bicycle parking be provided per s. 295-404 of the Milwaukee Code of Ordinances.	
		5. That the unused driveway located on East Brady 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.	
		6. That Department of Public Works (DPW) permits are obtained for any work in the public right-of-way, including, but not limited to, the planting of trees, shrubs and other plant materials; removal of the existing asphalt pavement; occupancy or closure of any portion of the public right-of-way to accommodate construction, storage of materials, construction staging, or any other reason; and excavation to remove the existing business sign located in the public right-of-way. 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.	
		7. That the existing business sign, which is in the public right-of-way, be removed from the public right-of-way.	
		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 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 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>
24	BZZA-17-00416 Dimensional Variance	Dan Mehail, Property Owner	2424 N HUMBOLDT BL Ald. District 3
		Request to construct a garage in which the building sidewall exceeds the maximum allowed height	
	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.	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.
25	BZZA-17-00357 Special Use	252, LLC, Property Owner	252 E MENOMONEE ST Ald. District 4
		Request to increase the number of occupants from 308 to 350 for the Board-approved dormitory	
	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 time commencing with the date hereof, and expiring on January 24, 2028.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	BZZA-17-00361 Special Use	Hazel Miller, Property Owner	2220 W MC KINLEY AV Ald. District 4
		Request to occupy the premises as a group home for 8 occupants	
	Action:	Adjourned	
	Motion:	Eric Lowenberg moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
27	BZZA-17-00336 Special Use	Marlon Paige, Property Owner	1336 N 31ST ST Ald. District 4
		Request to occupy the premises as a group home for 7 occupants	
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
28	BZZA-17-00323 Special Use	Cynthia Black, Lessee	8320 W LISBON AV Ald. District 5
		Request to increase the number of children from 55 to 85 per shift and continue occupying the premises as a day care center for children infant through 12 1/2 years of age, operating Monday - Friday 6:00 a.m. - midnight	
	Action:	Adjourned	
	Motion:	Eric Lowenberg moved to adjourn the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
29	BZZA-17-00414 Dimensional Variance	Judy McLain, Lessee	130 W KEEFE AV Ald. District 6
		Request to allow two awning signs that exceed the maximum allowed display area	
	Action:	Adjourned	
	Motion:	Eric Lowenberg moved to adjourn 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>
30	BZZA-17-00381 Special Use	Linda Bonds, Lessee	3002 N 9TH ST Ald. District 6
		Request to occupy the premises as a group home for 8 occupants	
	Action:	Adjourned	
	Motion:	Eric Lowenberg moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
31	BZZA-17-00316 Dimensional Variance, Special Use	Boykin Blackmon, Lessee	3854 N TEUTONIA AV Ald. District
		Request to continue occupying the premises as a car wash and motor vehicle repair facility with an outdoor storage facility that does not meet the minimum required landscaping	
	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>
32	BZZA-17-00310 Dimensional Variance	All Peoples Gathering Lutheran Church, Property Owner	2576 N 2ND ST Ald. District 6
		Request to not meet the minimum required landscaping for the Board-approved parking lot	
	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 landscaping and screening is maintained in accordance with the landscape plan submitted to the Board of Zoning Appeals on February 18, 1999, 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 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 applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.	
		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>
33	BZZA-17-00341 Special Use	365! Auto Sales LLC, Property Owner	1301 W BURLEIGH ST Ald. District 6
		Request to occupy the premises as a motor vehicle sales and repair facility with a hand car wash	
	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 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 the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.	
		10. That all repair work and car wash activity 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 the site plan dated October 31, 2017, which shows a maximum of five (5) vehicles parked outdoors, is approved.	
		13. That no work on or storage of vehicles or vehicle parts occurs in the public right-of-way.	
		14. That no sales vehicles are displayed in the public right-of-way.	
		15. That these Special Uses are 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-17-00300 Special Use	Autumn McCloud, Lessee	3735 N 35TH ST Ald. District 7
		Request to occupy the premises as a social service facility and day care center for 85 children per shift 2 1/2 through 12 years of age, operating Monday - Sunday 5:00 a.m. - midnight	
	Action:	Adjourned	
	Motion:	This matter was adjourned at request of Staff.	
	Vote:		
35	BZZA-17-00415 Special Use	Kenya Hagans, Property Owner	4424 W HOWIE PL Ald. District 7
		Request to occupy the premises as a 24-hour family day care home for 8 children per shift infant through 12 years of age, operating Monday - Sunday	
	Action:	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 petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
		7.	That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy.
		8.	That the facility does not exceed the capacity established by the State Department of Children and Families.
		9.	That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.
		10.	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>
36	BZZA-17-00267 Dimensional Variance, Special Use	Belal Abushaqra, Lessee	4246 W CAPITOL DR Ald. District 7
		Request to occupy the premises as a motor vehicle sales and repair facility that does not meet the minimum required landscaping	
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny 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>
37	BZZA-17-00380 Special Use	Miguel Herrera, Property Owner	2366 S 27TH ST Ald. District 8
		Request to construct an addition and to add a motor vehicle repair facility and body shop to the Board-approved motor vehicle sales facility	
	Action:	Granted	
	Motion:	Jewel Currie moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 1 H. Szymanski Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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 landscaping and screening along the parcel's S. 27th St frontage is maintained in accordance with the landscape plan submitted to the Board of Zoning Appeals December 10, 2013, 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. Furthermore if the curb cut is removed along the W. Hayes street frontage then landscaping for the Hayes St frontage must also comply with this landscape plan.	
6.		That no more than 14 vehicles be parked outdoors as shown on the site plan dated September 8, 2017.	
7.		That vehicles are not parked on the driveway approaches.	
8.		That no work on or storage of vehicles occurs in the public right-of-way.	
9.		That no sales vehicles are displayed in the public right-of-way.	
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 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.	
14.		That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.	
15.		That all repair work is conducted inside the building.	
16.		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.	
17.		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.	
18.		That these Special Uses are granted for a period of ten (10) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
38	BZZA-17-00377 Special Use	Jose Nungaray, Property Owner	2536 W MITCHELL ST Ald. District 8
		Request to occupy the premises as a motor vehicle repair facility	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 H. Szymanski 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 no work on or storage of vehicles, vehicle parts, or vehicle related waste occurs in the public right-of-way.	
		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 the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.	
		9. That all repair work is conducted inside the building.	
		10. 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.	
		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>
39	BZZA-17-00307 Dimensional Variance, Special Use	Millennium Motor Sales, Inc., Property Owner	2209 W GRANT ST Ald. District 8
		Request to occupy the premises as an outdoor motor vehicle storage facility that does not meet the minimum required landscaping	
	Action:	Granted	
	Motion:	Jewel Currie moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 1 H. Szymanski 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 no more than 19 vehicles are parked on site as shown on the revised site plan dated 10-6-2017.	
		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 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 applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.	
		11. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	
		12. That this Variance is granted to run with the land.	
40	BZZA-17-00277 Dimensional Variance	Randy Miller, Property Owner	6433 N INDUSTRIAL RD Ald. District 9
		Request to occupy the premises as a permitted contractor's yard that does not meet the minimum required landscaping	
	Action:	Dismissed	
	Motion:	Eric Lowenberg moved to dismiss the appeal. Seconded by Eric Richardson.	
	Vote:	4 Ayes, 0 Nays, 1 H. Szymanski Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	BZZA-17-00347 Dimensional Variance	Link Media Wisconsin LLC, Lessee	1966 S 4TH ST Ald. District 12
		Request to erect an off-premise sign that exceeds the maximum allowed height, maximum allowed display area, and does not meet the minimum required street setback, minimum required freeway setback, and the minimum required spacing between off-premise signs	
	Action:	Adjourned	
	Motion:	Eric Lowenberg moved to adjourn the appeal. Seconded by Eric Richardson.	
	Vote:	4 Ayes, 0 Nays, 1 H. Szymanski Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	BZZA-16-00158 Special Use	Tender Car Auto Sales, LLC, Property Owner	1825 S KINNICKINNIC AV Ald. District 12
		Request to continue occupying the premises as a motor vehicle sales and repair facility, body shop, and car wash	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 H. Szymanski Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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 combine the parcels located at 1803 S. Kinnickinnic Ave and 1825 S. Kinnickinnic Ave by a legally approved method such as a certified survey map, or a combined tax key with a recorded deed restriction.	
5.		That the petitioner complete the real estate transaction to acquire the parcel located at 1827 S. Kinnickinnic Ave or discontinue usage of that parcel. This parcel should also be combined with the parcels listed in condition # 1.	
6.		That landscaping and screening in accordance to the plan submitted to the Board on June 21, 2917 is installed within 120 days of board approval of the special use 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 storage of auto parts, tires, nuisance vehicles or other junk and debris.	
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 all repair work is conducted inside the building.	
11.		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.	
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 the property not be used as an Outdoor Storage facility until an occupancy Certificate has been issued for the use.	
14.		That all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances, including areas used for vehicles displayed for sale.	
15.		That all site work, including required landscaping and striping, be properly completed by 06/01/2018.	
16.		That the property not be used as an Outdoor Salvage Operation. The storage of inoperable vehicles in the open for more than 48hrs constitutes an Outdoor Salvage Operation per the City of Milwaukee zoning code. An Outdoor Salvage Operation is a special use in the IL2 district and requires Board of Zoning Appeals approval.	
17.		That the petitioner take all steps necessary to have the installed Spray Booth approved by the assigned inspector and have permit #HVAC-GEN-17-01420 closed.	
18.		That no work on or storage of vehicles occurs in the public right-of-way.	
19.		That no sales vehicles are displayed in the public right-of-way.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20.		That the applicant erect a fence along Kinnickinnic Av.	
21.		That these Special Uses are granted for a period of five (5) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	BZZA-17-00106 Special Use	Jon Petrie, Property Owner	1803 S KINNICKINNIC AV Ald. District 12
		Request to occupy the premises as a motor vehicle sales and repair facility and body shop	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 H. Szymanski Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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 combine the parcels located at 1803 S. Kinnickinnic Ave and 1825 S. Kinnickinnic Ave by a legally approved method such as a certified survey map, or a combined tax key with a recorded deed restriction.	
5.		That the landscape plan submitted to the Board on June 21, 2017 is revised to meet the intent of city code section 295-405 for Type 'B' landscaping . Specifically the plan must be amended to include a second row of shrubs and a decorative metal fence for the area north of the driveway on S. Kinnickinnic Av. The revised plan must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.	
6.		That landscaping and screening in accordance a landscape plan that has been approved by the Zoning Administrative Group is installed within 120 days of board approval of the special use 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 all repair work is conducted inside the building.	
10.		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.	
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 the property not be used for Heavy Motor Vehicle Outdoor Storage until an occupancy Certificate has been issued for the use. Note: An Outdoor Heavy Motor Vehicle Storage facility is a special use and requires Board of Zoning Appeals approval.	
13.		That all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances, including areas used for vehicles displayed for sale.	
14.		That all site work, including required paving, striping, fencing and landscaping be properly completed by 06/01/2018.	
15.		That only vehicles being repaired or sold at this location can be washed. If this condition intensifies, a car wash facility in IL2, Industrial district is permitted only as a special use, and will require approval from the Board of Zoning Appeals.	
16.		That the applicant remove any gravel or other debris from the driveway approach, sidewalk area, and street on South Kinnickinnic Avenue within 15 days.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17.		That the one way driveway connecting 1803 South Kinnickinnic Avenue with 1825 South Kinnickinnic Avenue shown on the site plan dated June 21, 2017 abutting the sidewalk on South Kinnickinnic Avenue be eliminated and replaced with landscaping or grass.	
18.		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 and placing of asphalt pavement. The DPW permit must be obtained prior to the start of any work in the public right-of-way. Please contact Ms. Dawn Schmidt at 414-286-2454 with questions regarding this matter.	
19.		That no work on or storage of vehicles occurs in the public right-of-way.	
20.		That no sales vehicles are displayed in the public right-of-way.	
21.		That these Special Uses are 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>
44	BZZA-16-00523 Special Use	Jon Petrie, Property Owner	1800 S 1ST ST Ald. District 12
		Request to add a motor vehicle body shop and outdoor salvage operation to the previously Board approved motor vehicle sales and repair facility	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 H. Szymanski Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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 plan submitted to the Board on June 21, 2017 is revised to meet the intent of city code section 295-405 landscaping . Specifically the plan must be amended to include the following: a) Landscaping for the motor vehicle sales lot must include a decorative metal fence b) The opaque fence along W. Maple St should be extended along the alley for a distance of about 20 feet. c) The buffer landscaping along S. 1st St should be widened to at least 10 feet and moved eastward closer to the wall.	
5.		That landscaping and screening in accordance a landscape plan that has been approved by the Zoning Administrative Group is installed within 120 days of board approval of the special use 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 storage of auto parts, tires, nuisance vehicles or other junk and debris.	
7.		That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.	
8.		That no prohibited signage be displayed at the location per code section 295-407-9.	
9.		That all repair work is conducted inside the building.	
10.		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.	
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 the property not be used as an Outdoor Storage facility until an occupancy Certificate has been issued for the use.	
13.		That all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances, including areas used for vehicles displayed for sale.	
14.		That all site work, including required landscaping and striping, be properly completed by 06/01/2018.	
15.		That the property not be used as an Outdoor Salvage Operation. The storage of inoperable vehicles in the open for more than 48hrs constitutes an Outdoor Salvage Operation per the City of Milwaukee zoning code. An Outdoor Salvage Operation is a special use in the IL2 district and requires Board of Zoning Appeals approval.	
16.		That no work on or storage of vehicles occurs in the public right-of-way.	
17.		That no sales vehicles are displayed in the public right-of-way.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
		18. 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.	
		19. That these Special Uses are granted for a period of five (5) years, commencing with the date hereof.	
45	BZZA-17-00365 Use Variance	Select Recovery Agents, Inc., Lessee	4810 S 13th ST Ald. District 13
		Request to continue occupying the premises as a motor vehicle outdoor storage facility	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 1 H. Szymanski 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 additional plant material is installed to meet the standards of the Garden District and to meet the requirements of the approved landscape plan.	
		5. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.	
		6. That no work or storage of vehicles occurs in the public right-of-way.	
		7. That this 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>
46	BZZA-17-00408 Use Variance	Bounce Milwaukee, LLC, Lessee	2759 S 5TH CT Ald. District 14
		Request to expand the Board-approved indoor recreation facility	
	Action:	Granted	
	Motion:	Jewel Currie moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 1 H. Szymanski 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 Plan of Operation for the ax throwing arena, including the additional details submitted regarding access control measures, staffing and training, be followed closely to insure public safety.	
		8. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code.	
		9. That this Variance is granted for a period of time commencing with the date hereof, and expiring on February 19, 2019.	
47	BZZA-17-00270 Dimensional Variance	Zackary Bell, Property Owner	3003 S SUPERIOR ST Ald. District 14
		Request to construct a garage that exceeds the maximum allowed sidewall height (allowed 10 ft. / proposed 15 ft. 2 in.)	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 1 H. Szymanski 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>
48	BZZA-17-00390 Special Use	Martina McCloud, Property Owner	2223 N 36TH ST Ald. District 15
		Request to occupy the premises as a group home for 5 occupants	
	Action:	Granted	
	Motion:	Jewel Currie moved to grant the appeal. Seconded by Eric Richardson.	
	Vote:	4 Ayes, 0 Nays, 1 H. Szymanski 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 phone 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, the Board of Zoning Appeals, 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 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>
49	BZZA-17-00404 Special Use	Deneta Harrington, Lessee	1401 W CENTER ST Ald. District 15
		Request to occupy a portion of the premises as a day care center for 85 children per shift infant through 12 years of age, operating Monday - Friday 5:00 a.m. - midnight and Saturday 6:00 a.m. - midnight	
	Action:	Granted	
	Motion:	Jewel Currie moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 1 H. Szymanski 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 petitioner must meet with the Zoning Administration Group to review landscaping issues within 60 days of Board approval of the Special Use. A landscaping plan that meets the intent of city code section 295-405 must then be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. Landscaping will require the removal of pavement from the existing parking lot along the parcel's W. Center St frontage in order to create a planting strip that is at least 5 feet wide. Within this planting strip trees, shrubs must be planted to meet the intent of s295-405
		8.	That the applicant provide a barrier between the public alley and play area such as bollards or plantings to prevent vehicular traffic from hitting the play area fence. Such barrier must be wholly on private property.
		9.	That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
		10.	That no prohibited signage be displayed at the location per code section 295-407-9.
		11.	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.
		12.	That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy.
		13.	That the facility does not exceed the capacity established by the State Department of Children and Families.
		14.	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>
50	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:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 H. Szymanski 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 petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy.	
		6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.	
		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 hours of operation be limited to Sunday-Thursday 6:00 p.m. - 11:00 p.m. and Friday-Saturday 6:00 p.m. - midnight.	
		9. That the consumption of alcohol be for members only on the premises.	
		10. That this Variance 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-17-00375 Special Use	Jami LLC, Prospective Buyer	4110 W MARTIN DR Ald. District 10
		Request to continue occupying the premises as a sit-down restaurant (this is a new operator)	
	Action:	Granted	
	Motion:	Jewel Currie moved to grant the appeal. Seconded by Eric Richardson.	
	Vote:	4 Ayes, 0 Nays, 1 H. Szymanski 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 directs staff not to park on West Martin Drive.	
		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 the petitioner operate in accordance with the submitted stipulation on file.	
		10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	

**Other Business:**

Board member Eric Lowenberg moved to approve the minutes of the October 12, 2017 meeting. Seconded by Board member Jennifer Current. Unanimously approved.

The Board set the next meeting for December 7, 2017.

Board member Eric Lowenberg moved to adjourn the meeting at 8:12 p.m. Seconded by Board member Jennifer Current. Unanimously approved.

**BOARD OF ZONING APPEALS**

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Secretary of the Board