

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING - April 04, 2019
City Hall, Common Council Committee Room 301-A

MINUTES

PRESENT:

Chairperson: Brett Blomme (*voting on items 1 – 25, 27 - 45*)
Vice Chairman: Henry Szymanski (*voting on items 1 – 45*)
Members: Jewel Currie (*excused*)
Jennifer Current (*voting on items 1 - 45*)
Eric Lowenberg (*voting on items 1 - 45*)

Alt. Board Members: Karen D. Dardy (*voting on items 1 - 45*)
Erik Richardson (*excused*)

START TIME: 4:05 p.m.

END TIME: 8:40 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	BZZA-19-00011 Use Variance	Laserfied Tattoo Removal, LLC, Lessee	2778 S 35TH ST Ald. District 11
		Request to occupy a portion of the premises as a personal service facility (tattoo removal)	
	Action:	Dismissed	
	Motion:	Karen Dardy moved to dismiss the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 1 B. Blomme Abstained.	
2	BZZA-18-00344 Dimensional Variance, Special Use	MLS, LLC, Lessee	7820 W FLORIST AV Ald. District 2
		Request to occupy the premises as a light motor vehicle sales facility, repair facility, and ground transportation facility that does not meet the minimum required landscaping	
	Action:	Dismissed	
	Motion:	Karen Dardy moved to dismiss the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 1 B. Blomme Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
3	BZZA-19-00062 Special Use	310 Wisconsin Rollup LLC, Property Owner	310 W WISCONSIN AV Ald. District 4
		Request to erect two freestanding signs that exceed the maximum allowed display area	
	Action:	Granted	
	Motion:	Karen Dardy moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 1 B. Blomme Abstained.	
		1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.	
		2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.	
		3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.	
		4. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.	
		5. That no prohibited signage be displayed at the location per code section 295-407-9.	
		6. That all applicable ADA accessibility code requirements are met regarding protruding objects and minimum clearances.	
		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>
4	BZZA-19-00066 Special Use	Marquette University, Property Owner	1200 W WELLS ST Ald. District 4
		Request to construct and occupy the premises as a principal use parking lot (combining lot with 1222 W. Wells St.)	
	Action:	Granted	
	Motion:	Karen Dardy moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 1 B. Blomme 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 February 21, 2019 is installed within 90 days of occupancy and is maintained in accordance with s295-405-1-f of the Milwaukee Zoning Code. Specifically that all required landscaping materials, including trees, plants and fences or walls, shall be properly maintained and replaced as necessary to maintain code compliance.
		5.	That the unused driveways, one located on North 12th Street and two located on West Wells 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 approaches.
		6.	That a Department of Public Works (DPW) permit is obtained to construct the new driveway approach on North 12th Street. Contact the Development Center Tech Team at 414-286-8208 with questions regarding the driveway permit process.
		7.	That no prohibited signage be displayed at the location per code section 295-407-9.
		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 all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances.
		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 this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

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5	BZZA-19-00056 Special Use	Iglesia De Dios Pentecostal Principe De Paz, Inc., Property Owner	2316 W NATIONAL AV Ald. District 8
		Request to continue occupying a portion of the premises as a religious assembly hall	
	Action:	Granted	
	Motion:	Karen Dardy moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 1 B. Blomme 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 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>
6	BZZA-19-00044 Special Use	Fionna's Family Child Care, LLC, Property Owner	3101 W LINCOLN AV Ald. District 8
		Request to occupy the premises as a day care center for 28 children per shift infant - 13 years of age, operating Monday - Friday 5:30 a.m. - 11:00 p.m.	
	Action:	Granted	
	Motion:	Karen Dardy moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 1 B. Blomme 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 petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy.
		12.	That the facility does not exceed the capacity established by the State Department of Children and Families.
		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>
7	BZZA-19-00060 Dimensional Variance	Bachman Furniture, Property Owner	1800 W ST PAUL AV Ald. District 8
		Request to allow a freestanding sign that exceeds the maximum allowed height and the maximum allowed display area	
	Action:	Granted	
	Motion:	Karen Dardy moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 1 B. Blomme 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 Variances are granted to run with the land.	

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8	BZZA-19-00067 Special Use	Just Like New, LLC, Lessee	5327 W CENTER ST Ald. District 10
		Request to occupy a portion of the premises as a second-hand store (used appliances)	
	Action:	Granted	
	Motion:	Karen Dardy moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 1 B. Blomme 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 storefront windows remain as transparent glass in accordance with the glazing standards of s295-605-2-i-3 of the Milwaukee Code of Ordinances and are maintained in an attractive manner.
		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 within 30 days of Board of Zoning Appeals approval.
		10.	That the applicant does not have outdoor storage or display of products or merchandise.
		11.	That the petitioner shall comply with MPD documentation and record keeping requirements if required by City Ordinance.
		12.	That this Special Use is granted for a period of five (5) years, commencing with the date hereof.
9	BZZA-19-00071 Special Use	Columbia St. Mary's Hospital Milwaukee, Inc., Property Owner	3056 S KINNICKINNIC AV Ald. District 14
		Request to continue occupying the premises as a health clinic	
	Action:	Adjourned	
	Motion:		
	Vote:		

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	BZZA-19-00041 Use Variance	Beata Morawski, Property Owner	3502 W KILBOURN AV Ald. District 15
		Request to allow two permanent on premise signs	
	Action:	Granted	
	Motion:	Karen Dardy moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 1 B. Blomme Abstained.	
		1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.	
		2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.	
		3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.	
		4. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.	
		5. That no prohibited signage be displayed at the location per code section 295-407-9.	
		6. That this Variance is granted to run with the land.	
11	BZZA-19-00042 Special Use	Gro Family Services, LLC, Lessee	2436 N 50TH ST Ald. District 15
		Request to continue occupying the premises as a community living arrangement for 87 occupants and an inpatient treatment facility (this is a new operator)	
	Action:	Granted	
	Motion:	Karen Dardy moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 1 B. Blomme Abstained.	
		1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.	
		2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.	
		3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.	
		4. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.	
		5. That no prohibited signage be displayed at the location per code section 295-407-9.	
		6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.	
		7. That this Special Use is granted for a period of twenty (20) years, commencing with the date hereof.	

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12	BZZA-19-00036 Use Variance	A Place to Grow Childcare Center, LLC, Lessee	3518 W SILVER SPRING DR Ald. District 1
		Request to continue occupying the premises as a day care center for 35 children per shift infant to 13 years of age, operating Monday - Sunday 5:30 a.m. to midnight	
	Action:	Granted	
	Motion:	Karen Dardy moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 1 B. Blomme 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 this Use Variance is granted for a period of five (5) years, commencing with the date hereof.

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13	BZZA-19-00026 Special Use	Joshua Houle, Property Owner	5426 W HAMPTON AV Ald. District 1
		Request to continue occupying the premises as a light motor vehicle sales and repair facility	
	Action:	Granted	
	Motion:	Karen Dardy moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 1 B. Blomme Abstained.	

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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 provides a landscape border between the parking lot and the paved public sidewalk west of the driveway on West Hampton Avenue. The applicant must provide a revised site plan, which shows the proposed landscaping, to the BOZA office for Zoning Administration Group (ZAG) approval within 30 days.	
5.		That the applicant installs landscaping between the parking lot and the paved public sidewalk west of the driveway on West Hampton Avenue as approved by ZAG within 120 days.	
6.		That no more than 16 vehicles are parked outdoors on the lot at any time for any reason.	
7.		That no work on or storage of vehicles occurs in the public right-of-way.	
8.		That no sales vehicles are displayed in the public right-of-way.	
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 applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.	
13.		That all repair work is conducted inside the building.	
14.		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.	
15.		That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.	
16.		That all repair work is conducted inside the building.	
17.		That landscaping and screening is maintained in a manner that meets the intent of the city code.	
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>
14	BZZA-19-00015 Dimensional Variance, Special Use	Interstate Parking Company, LLC, Lessee	1237 N VAN BUREN ST Ald. District 4
		Request to occupy the premises as a principal use parking lot without the minimum required landscaping	
	Action:	Granted	
	Motion:	Karen Dardy moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 1 B. Blomme 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 trees in the existing perimeter planting strips along the N. Van Buren St and E Juneau St frontages are maintained. Shrubs in said planting strip must be maintained and supplemented with additional low shrubs, and/or perennials and/or ornamental grasses to obtain a total shrub/grass/perennials rate of 4 low shrubs or 8 perennials / ornamental grasses per 10 lineal feet of frontage.	
		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 code and complies with all zoning conditions and code requirements within 60 days of approval from the Board of Zoning Appeals.	
		9. That these Special Use and Variance are 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>
15	BZZA-19-00016 Special Use	Interstate Parking Company, LLC, Lessee	328 N VAN BUREN ST Ald. District 4
		Request to occupy the premises as a principal use parking lot	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Karen Dardy.	
	Vote:	4 Ayes, 0 Nays, 1 B. Blomme 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 decorative metal fence is maintained in a manner that meets the intent of city 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 code and complies with all zoning conditions and code requirements within 60 days of approval from the Board of Zoning Appeals.	
		9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	

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16	BZZA-19-00025 Special Use	Merrill Park Petroleum Corp., Lessee	200 N 35TH ST Ald. District 4
		Request to continue occupying the premises as a motor vehicle filling station and car wash	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 B. Blomme Abstained.	

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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 take all measures necessary to control litter, loitering, panhandling, and loud noise on the premises, including, but not limited to, hiring private personnel.	
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 garbage dumpster be maintained at the northwest corner of the subject premises.	
7.		That the vacuum cleaner be kept at the west (North 35th Street) on the subject premises.	
8.		That the bumper guards or barrier type fencing is maintained along the east property line, except that a twelve (12) foot wide emergency exit opening may be permitted from a point immediately south of the north property line.	
9.		That the petitioner maintain an 'exit only' sign on West Park Hill Avenue adjacent to the driveway approach west of the public alley in order to avoid any traffic conflicts with cars exiting the carwash.	
10.		That during peak wash periods, the pump islands nearest North 35th Street on the West Side should be used exclusively for gas dispensing to avoid any spill-over onto streets of those cars waiting to be serviced.	
11.		That the lanes servicing the car wash be appropriately marked and identified.	
12.		That the petitioner regulate on-site vehicular circulation and capacity so no adverse impact is created.	
13.		That the petitioner clean-up graffiti promptly.	
14.		That the car wash doors remain closed when not in use.	
15.		That the petitioner continue to maintain the fence in good repair.	
16.		That the applicant does not have outdoor storage or display of products or merchandise.	
17.		That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.	
18.		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.	
19.		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 if the license is required by Ordinance.	
20.		That these Special Uses are granted for a period of ten (10) years, commencing with the date hereof.	

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17	BZZA-19-00061 Dimensional Variance	Seth Jenn, LLC, Property Owner	1726 N 5TH ST Ald. District 6
		Request to construct an accessory use parking lot (permitted) that does not meet the minimum required residential buffer width and requires a fence	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Karen Dardy.	
	Vote:	4 Ayes, 0 Nays, 1 B. Blomme 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 February 21, 2019 is installed within 90 days of occupancy and is maintained in accordance with s295-405-1-f of the Milwaukee Zoning Code. Specifically that all required landscaping materials, including trees, plants and fences or walls, shall be properly maintained and replaced as necessary to maintain code compliance.
		5.	That a Department of Public Works (DPW) permit is obtained to construct the new driveway approach on North 5th Street. Contact the Development Center Tech Team at 414-286-8208 with questions regarding the driveway permit process.
		6.	That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, 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.
		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 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>
18	BZZA-19-00051 Dimensional Variance, Special Use	Brewery Workers Credit Union, Property Owner	1351 N MARTIN L KING JR DR Ald. District 6
		Request to construct an addition to the Board-approved financial institution that does not meet the minimum required glazing	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 B. Blomme 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 building materials used for the addition comply with the building materials regulations of s295-605-2-i-6 of the Milwaukee Zoning Code.	
		5. That low shrubs and/or ornamental grasses and or perennials be planted along the parking lot's Dr. Martin Luther King Jr Dr. frontage in accordance with the shrub/ ornamental grass/ perennials requirements of Table 295-405-3-a option B of the Milwaukee Zoning Code.	
		6. That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, closure of any portion of the public right-of-way to accommodate construction. The DPW permit must be obtained prior to the start of any work in the public right-of-way. Please contact Ms. Dawn Schmidt at 414-286-2454 with questions regarding this matter.	
		7. That 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. The petitioner obtain any required permits, all applicable construction and zoning codes are met and the all required inspections completed before use of the addition commences.	
		11. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on February 19, 2029.	
		12. 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>
19	BZZA-19-00058 Dimensional Variance	Clear Channel Outdoor, Other	2225 N 7TH ST Ald. District 6
		Request to allow an off-premise freestanding sign that exceeds the maximum allowed height and does not meet the minimum setback from the freeway	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Karen Dardy.	
	Vote:	4 Ayes, 0 Nays, 1 B. Blomme 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 automatic changeable message display for the off-premise sign located at 1003 N. 10th St is removed prior to the installation of the off-premise sign at 2225 N. 7th St.
		5.	That these Variances are granted to run with the land.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	BZZA-19-00055 Special Use	Jovenes en A.A., Lessee	3115 W GREENFIELD AV Ald. District 8
		Request to occupy a portion of the premises as an assembly hall (AA meeting space)	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 1 B. Blomme 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 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.
21	BZZA-18-00474 Special Use	Safety First Learning Center, Lessee	3380 N 35TH ST Ald. District 7
		Request to occupy a portion of the premises as a day care center for 72 children per shift infant - 13 years of age, operating Monday - Friday 5:00 a.m. to midnight	
	Action:	Adjourned	
	Motion:		
	Vote:		

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
22	BZZA-19-00069 Special Use	Abuelita's Child Care, Lessee	2169 S MUSKEGO AV Ald. District 8
		Request to occupy a portion of the premises as a day care center for 24 children per shift infant - 12 years of age, operating Monday - Friday 5:45 a.m. to 11:45 p.m.	
	Action:	Adjourned	
	Motion:		
	Vote:		
23	BZZA-18-00416 Special Use	Namaste Group Home, LLC, Property Owner	2829 N 44TH ST Ald. District 7
		Request to occupy the premises as a group foster home for 8 occupants	
	Action:	Adjourned	
	Motion:	Eric Lowenberg moved to adjourn the appeal. Seconded by Karen Dardy.	
	Vote:	4Ayes, 0Nays, 1 B. Blomme Abstained.	
24	BZZA-19-00068 Dimensional Variance	Brent and Pamela Fraser, Property Owner	5037 W WASHINGTON BL Ald. District 10
		Request to allow landscaping that exceeds the maximum allowed height for objects located within the vision triangle	
	Action:	Adjourned	
	Motion:	Eric Lowenberg moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4Ayes, 0Nays, 1 B. Blomme Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	BZZA-19-00052 Dimensional Variance	Ian Dahlgren, Property Owner	9335 W MT VERNON AV Ald. District 10
		Request to allow an HVAC condensing unit that does not meet the west side setback requirement	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Karen Dardy.	
	Vote:	4 Ayes, 0 Nays, 1 B. Blomme Abstained.	
		1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.	
		2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.	
		3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.	
		4. The equipment installed, when in operation, does not exceed the maximum permissible noise levels for residential Air Conditioners as per code 80-68.3.	
		5. The petitioner obtain required permits, all applicable construction and zoning codes are met and all required inspections completed.	
		6. That this Variance is granted to run with the land.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	BZZA-18-00469 Special Use	The Courage Initiative, LTD, Property Owner	1544 S 6TH ST Ald. District 12
		Request to occupy the premises as a group home for 5 occupants and a social service facility	
	Action:	Granted	
	Motion:	Karen Dardy moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	3 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 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.	
		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 establish a community advisory committee consisting of representatives from the proposed large group shelter care facility in the neighborhood in which the proposed facility will be located and a local unit of government, in accordance with s. 48.68(4) or s. 50.03(4)(g), Wis. Stats., as applicable with the local government representative being the local common council member or the council member's designee.	
		10. That the applicant submit a written report including minutes of quarterly meetings of the community advisory committee to the Board of Zoning Appeals office.	
		11. That the applicant submit records of elopement to the Board of Zoning Appeals office.	
		12. 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>
27	BZZA-19-00007 Special Use	Efren Ramos, Lessee	1666 S CESAR E CHAVEZ DR Ald. District 12
		Request to occupy the premises as a motor vehicle sales facility, repair facility, and body shop	
	Action:	Adjourned	
	Motion:	Eric Lowenberg moved to adjourn the appeal. Seconded by Jennifer Current.	
	Vote:	4Ayes, 0Nays, 1 B. Blomme Abstained.	
28	BZZA-19-00049 Special Use	Zocalo MKE, LLC, Prospective Buyer	622 S 6TH ST Ald. District 12
		Request to occupy the premises as a principal use parking lot	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 1 B. Blomme 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 21, 2019 is installed within 90 days of occupancy and is maintained in accordance with s295-405-1-f of the Milwaukee Zoning Code. Specifically that all required landscaping materials, including trees, plants and fences or walls, shall be properly maintained and replaced as necessary to maintain code compliance.	
		5. That the petitioner make a significant effort to allow for shared parking arrangements 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 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 metal gate located at 622 South 6th Street does not open into the public right-of-way.	
		11. 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>
29	BZZA-19-00048 Dimensional Variance, Special Use	Zocalo MKE, LLC, Prospective Buyer	640 S 6TH ST Ald. District 12
		Request to occupy the premises as a principal use parking lot (food trucks) with an outdoor seating area (permitted) without the minimum required landscaping	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 1 B. Blomme 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 21, 2019 is installed within 90 days of occupancy and is maintained in accordance with s295-405-1-f of the Milwaukee Zoning Code. Specifically that all required landscaping materials, including trees, plants and fences or walls, shall be properly maintained and replaced as necessary to maintain code compliance.
		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.	All described electrical alterations are made under an issued electrical permit and all work approved by the Electrical inspector.
		10.	All food trucks must use the supplied electrical facilities described in the Plan of Operation. The use of portable fuel fired generators on the private property is not allowed.
		11.	That all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances.
		12.	That the unused driveway located on South 6th Street, south of the tavern building, be removed and restored to City of Milwaukee specifications by November 30, 2020. Please contact the Development Center Tech Team at 414-286-8208 to apply for a DPW permit to close the driveway approach.
		13.	That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.
		14.	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>
30	BZZA-19-00050 Special Use	Zocalo MKE, LLC, Prospective Buyer	628 S 6TH ST Ald. District 12
		Request to occupy the premises as a principal use parking lot	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 1 B. Blomme 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 21, 2019 is installed within 90 days of occupancy and is maintained in accordance with s295-405-1-f of the Milwaukee Zoning Code. Specifically that all required landscaping materials, including trees, plants and fences or walls, shall be properly maintained and replaced as necessary to maintain code compliance.	
		5. That the petitioner make a significant effort to allow for shared parking arrangements 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 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 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>
31	BZZA-19-00047 Dimensional Variance, Special Use	Zocalo MKE, LLC, Prospective Buyer	620 S 6TH ST Ald. District 12
		Request to occupy the premises as a principal use parking lot without the minimum required landscaping	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 1 B. Blomme 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 21, 2019 is installed within 90 days of occupancy and is maintained in accordance with s295-405-1-f of the Milwaukee Zoning Code. Specifically that all required landscaping materials, including trees, plants and fences or walls, shall be properly maintained and replaced as necessary to maintain code compliance.	
		5. That the petitioner make a significant effort to allow for shared parking arrangements 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 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 this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	
		11. 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>
32	BZZA-19-00043 Dimensional Variance	MKE Fuel Company, LLC, Property Owner	1701 E COLLEGE AV Ald. District 13
		Request to install additional equipment to the existing (non-conforming) hazardous material storage facility without the minimum required landscaping and exceeds the maximum driveway width	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Karen Dardy.	
	Vote:	4 Ayes, 0 Nays, 1 B. Blomme 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 Department of Public Works (DPW) permit is obtained to construct the driveway approach modifications on East College Avenue. Contact the Development Center Tech Team at 414-286-8208 with questions regarding the driveway permit process.
		5.	The petitioner obtain required permits, all applicable construction and zoning codes are met and all required inspections completed.
		6.	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>
33	BZZA-18-00278 Special Use	Buena Vista Hall, LLC, Lessee	3000 S 13TH ST Ald. District 14
		Request to continue occupying a portion of the premises as an assembly hall	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 1 B. Blomme 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.	
		8. That any/all required licenses for special events, per the standards set in section 108 of the Milwaukee Code of Ordinances, be obtained. The petitioner can obtain a Public Entertainment Premises License from the City Clerk License Division.	
		9. That the petitioner follow, and adhere to, all City and State regulations regarding the serving of alcohol.	
		10. That the applicant supply a 24-hour contact phone number to the Board office and any interested party that requests it.	
		11. That an employee and/or security personnel be on site during all events.	
		12. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.	
		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 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	BZAP-19-00001 Appeal of Determination	Regional Finance Corporation of WI, Lessee	2260 S KINNICKINNIC AV Ald. District 14
		Request to appeal a determination by the Development Center that the proposed use is an installment loan agency	
	Action:	Adjourned	
	Motion:		
	Vote:		
35	BZZA-18-00471 Use Variance	Adrian Haskins, Property Owner	3615 W CLARKE ST Ald. District 15
		Request to occupy the premises as a transitional housing facility for 3 occupants	
	Action:	Granted	
	Motion:	Karen Dardy moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 1 B. Blomme 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 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>
36	BZZA-18-00433 Special Use	Ravneet Petro, Inc. II, Lessee	2812 W FOND DU LAC AV Ald. District 15
		Request to occupy the premises as a motor vehicle filling station	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Karen Dardy.	
	Vote:	3 Ayes, 1 Nays, 1 B. Blomme 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 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 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 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 if the license is required by Ordinance.	
11.		That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.	
12.		That site illumination must meet the lighting standards of s295-409 of the Milwaukee Zoning Code.	
13.		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.	
14.		That the site is developed in accordance with the elevation and site plan submitted to the Board on March 13, 2019.	
15.		That a landscape and screening plan that meets the requirements of s295-405 of the Milwaukee zoning code is submitted to the Board for approval by the Zoning Administration Group. IF the plan does not meet the requirements of s295-405 additional variances may have to be applied for.	
16.		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-f of the Milwaukee Zoning Code. Specifically that all plant material shall be maintained on an on-going basis, including seasonal tree and plant replacement.	
17.		That a decorative fence be installed as a barrier between the parking lot and the paved public sidewalk on North 28th Street. The fence should be located between the two driveway approaches on North 28th Street. Said fence must be located wholly on private property.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
		18. That the applicant work with the Department of Public Works to establish a "No Parking Zone" on the east side of North 28th Street to accommodate truck turning movements. A "No Parking Zone" must be established prior to issuance of a Building Occupancy Permit. Call Mr. Dale Dietz at 414-286-8678 to establish the "No Parking Zone".	
		19. That the decorative masonry wall on the Fond du Lac Avenue side of the property is wholly on private property.	
		20. That a Special Privilege be obtained from the City of Milwaukee Common Council to allow the dumpster enclosure and the dumpster gate swings to occupy the public right-of-way. The Special Privilege application must be submitted within thirty (30) days. Please contact Ms. Dawn Schmidt to obtain a Special Privilege Application Form or with questions at 414-286-2454.	
		21. That the gas station canopy is wholly on private property.	
		22. That bicycle parking be provided per Milwaukee Code of Ordinances Section 295-404.	
		23. That the unused driveway located on North 28th 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. NOTE: The unused driveway approach is located just south of the public alley.	
		24. That tanker truck deliveries enter the site off of West Fond Du Lac Avenue.	
		25. That tanker trucks do not move in reverse on or onto West Fond Du Lac Avenue.	
		26. That deliveries are made using smaller tanker trucks. The applicant must provide proof from the trucking company that smaller trucks will be used within 30 days. Said proof must specify the length of trucks to be used.	
		27. That the site plans prepared by the architect and by the fuel supplier are modified so that discrepancies between the two sets of plans are corrected.	
		28. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	

37 BZZA-19-00023
Use Variance

Kiddie Oasis,
Lessee

1333 N 35TH ST
Ald. District 15

Request to occupy a portion of the premises as a day care center for 20 children per shift infant - 12 years of age, operating Monday - Sunday 8:00 a.m. to midnight

Action:

Adjourned

Motion:

Vote:

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
38	BZZA-19-00037 Special Use	Mitchell Group, Inc., Lessee	2462 W CAPITOL DR Ald. District 1
		Request to continue occupying the premises as a light motor vehicle sales and repair facility	
	Action:	Adjourned	
	Motion:		
	Vote:		
39	BZZA-19-00032 Special Use, Use Variance	N & W 2018 Properties, LLC, Property Owner	3901 W ROHR AV Ald. District 1
		Request to occupy the premises as an indoor and outdoor salvage operation, light motor vehicle sales facility, and second-hand store (used motor vehicle parts)	
	Action:	Adjourned	
	Motion:	Eric Lowenberg moved to adjourn the appeal. Seconded by Karen Dardy.	
	Vote:	4Ayes, 0Nays, 1 B. Blomme Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	BZZA-19-00033 Special Use	Odessa Gleason, Property Owner	4925 N 25TH ST Ald. District 1
		Request to occupy the premises as a 24 hour family day care home for 8 children per shift infant to 12 years of age, operating Monday - Sunday	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Karen Dardy.	
	Vote:	4 Ayes, 0 Nays, 1 B. Blomme 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 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 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 this Special Use is granted for a period of two (2) years, commencing with the date hereof.	
41	BZZA-18-00405 Special Use	Merit Residential Home, LLC, Lessee	5065 N 24TH ST Ald. District 1
		Request to occupy the premises as a group foster home for 6 occupants	
	Action:	Adjourned	
	Motion:	Eric Lowenberg moved to adjourn the appeal. Seconded by Karen Dardy.	
	Vote:	4Ayes, 0Nays, 1 B. Blomme Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	BZZA-18-00286 Special Use	Schmied Incorporated Transitional Living and Family Services, Property Owner	7700 W THURSTON AV Ald. District 2
		Request to occupy a portion of the premises as a group foster home for 8 occupants	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 B. Blomme 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 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.	
		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 establish a community advisory committee consisting of representatives from the proposed large group shelter care facility in the neighborhood in which the proposed facility will be located and a local unit of government, in accordance with s. 48.68(4) or s. 50.03(4)(g), Wis. Stats., as applicable with the local government representative being the local common council member or the council member's designee.	
		10. That the applicant submit a written report including minutes of quarterly meetings of the community advisory committee to the Board of Zoning Appeals office.	
		11. That the applicant submit records of elopement to the Board of Zoning Appeals office.	
		12. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	BZAP-18-00002 Appeal of Order	SALS Houses, Inc., Property Owner	3445 N WEIL ST Ald. District 3
		Request to appeal an order from the Department of Neighborhood Services stating that the premises is being used as a transitional housing facility and requires a Use Variance	
	Action:	Uphold	
	Motion:	Eric Lowenberg moved to uphold the order. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 B. Blomme Abstained.	
44	BZZA-19-00063 Dimensional Variance	JMP 5, LLC, Property Owner	1852 N FARWELL AV Ald. District 3
		Request to occupy the premises as a two-family dwelling that exceeds the number of allowed parking spaces	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 1 B. Blomme Abstained.	
		1.	That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
		2.	That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.
		3.	That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
		4.	That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
		5.	That no prohibited signage be displayed at the location per code section 295-407-9.
		6.	That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
		7.	That all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances.
		8.	That 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>
45	BZZA-18-00447 Dimensional Variance	Spectrum Holdings, Inc., Property Owner	1363 N PROSPECT AV Ald. District 3
		Request to convert an existing office building to a single-family dwelling and to continue occupying the existing parking lot (non-conforming) in the rear that exceeds the number of allowed parking spaces	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 B. Blomme 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 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.
		5.	That all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances.
		6.	That this Variance is granted to run with the land.

Other Business:

Board member Eric Lowenberg moved to approve the minutes of the March 7, 2019 meeting. Seconded by Board member Jennifer Current. Unanimously approved.

The Board set the next meeting for May 2, 2019.

Board member Henry Szymanski moved to adjourn the meeting at 8:40 p.m. Seconded by Board member Jennifer Current. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board