

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING - January 17, 2019
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

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

Alt. Board Members: Karen D. Dardy (*voting on items 1 - 51*)
Erik Richardson (*excused*)

START TIME: 4:07 p.m.

END TIME: 7:22 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	BZZA-18-00290 Special Use	Essential Services, LLC, Prospective Buyer	7500 N TEUTONIA AV Ald. District 1
		Request to occupy the premises as a recycling collection facility	
	Action:	Dismissed	
	Motion:	Eric Lowenberg moved to dismiss the appeal. Seconded by Karen Dardy.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
2	BZZA-18-00198 Dimensional Variance, Special Use	Supreme Motors, Lessee	7826 W FLORIST AV Ald. District 2
		Request to occupy a portion of the premises as a light motor vehicle sales facility that does not meet the minimum required landscaping	
	Action:	Dismissed	
	Motion:	Eric Lowenberg moved to dismiss the appeal. Seconded by Karen Dardy.	
	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-18-00217 Special Use	DK&M Enterprise LLC, Lessee	7826 W FLORIST AV Ald. District 2
		Request to occupy a portion of the premises as a light motor vehicle sales and repair facility	
	Action:	Dismissed	
	Motion:	Eric Lowenberg moved to dismiss the appeal. Seconded by Karen Dardy.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
4	BZZA-18-00429 Special Use	Towne Realty, Inc., Property Owner	610 N 8TH ST Ald. District 4
		Request to occupy the premises as a principal use parking lot	
	Action:	Dismissed	
	Motion:	Eric Lowenberg moved to dismiss the appeal. Seconded by Karen Dardy.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
5	BZZA-17-00502 Special Use	Jamie Patton, Lessee	3717 N 92ND ST Ald. District 5
		Request to continue occupying the premises as an indoor storage facility	
	Action:	Dismissed	
	Motion:	Eric Lowenberg moved to dismiss the appeal. Seconded by Karen Dardy.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
6	BZZA-18-00213 Special Use	Community Medical Services, Lessee	7903 W CAPITOL DR Ald. District 5
		Request to occupy the premises as a medical service facility	
	Action:	Dismissed	
	Motion:	Eric Lowenberg moved to dismiss the appeal. Seconded by Karen Dardy.	
	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-18-00137 Special Use	Sacred Heart, LLC, Lessee	322 W CENTER ST Ald. District 6
		Request to occupy the premises as a community living arrangement for 6 occupants	
	Action:	Dismissed	
	Motion:	Eric Lowenberg moved to dismiss the appeal. Seconded by Karen Dardy.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
8	BZZA-18-00147 Special Use	MKE Community Resource Center, Inc., Lessee	4850 W FOND DU LAC AV Ald. District 7
		Request to occupy the premises as a social service facility	
	Action:	Dismissed	
	Motion:	Eric Lowenberg moved to dismiss the appeal. Seconded by Karen Dardy.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
9	BZZA-18-00221 Special Use	Adrienne's Teeny Tot Learning Center, Lessee	6922 W GOOD HOPE RD Ald. District 9
		Request to occupy the premises as a day care center for 25 children infant to 12 years of age, operating Monday - Sunday 6:00 a.m. to 10:30 p.m.	
	Action:	Dismissed	
	Motion:	Eric Lowenberg moved to dismiss the appeal. Seconded by Karen Dardy.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
10	BZZA-18-00220 Use Variance	B' Unique Learning Center III, Lessee	6350 W SILVER SPRING DR Ald. District 9
		Request to occupy the premises as a day care center for 75 children per shift infant to 12 years of age, operating Monday - Friday from 6:00 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>
11	BZZA-18-00403 Dimensional Variance	Fairview Evangelical Lutheran Church, Property Owner	137 N 66TH ST Ald. District 10
		Request to construct an addition that does not meet the minimum side street setback	
	Action:	Dismissed	
	Motion:	Eric Lowenberg moved to dismiss the appeal. Seconded by Karen Dardy.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
12	BZZA-18-00177 Special Use	Maria Espinoza, Lessee	1835 S 7TH ST Ald. District 12
		Request to occupy a portion of the premises as a general retail establishment and personal instruction school	
	Action:	Adjourned	
	Motion:		
	Vote:		
13	BZZA-18-00319 Dimensional Variance, Special Use	Power Property Management, Prospective Buyer	3330 S 16TH ST Ald. District 13
		Request to occupy a portion of the premises as a rooming house that does not meet the minimum required number of parking spaces	
	Action:	Dismissed	
	Motion:	Eric Lowenberg moved to dismiss the appeal. Seconded by Karen Dardy.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
14	BZZA-18-00288 Special Use	Unique Auto Detailing and Glass, Lessee	3535 W STATE ST Ald. District 15
		Request to occupy the premises as a light motor vehicle repair facility and a hand car wash (this is a new operator)	
	Action:	Dismissed	
	Motion:	Eric Lowenberg moved to dismiss the appeal. Seconded by Karen Dardy.	
	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>
15	BZZA-18-00407 Use Variance	The Mommy Center, LLC, Lessee	1927 W HAMPTON AV Ald. District 1
		Request to occupy a portion of the premises as a day care center for 8 children per shift infant to 5 years of age, operating Monday - Sunday 6:00 a.m. to 11:00 p.m.	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Karen Dardy.	
	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 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.
		6.	That any 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 Variance is granted for a period of five (5) years, commencing with the date hereof.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	BZZA-18-00428 Special Use	Risen Savior the Resurrection Ministries, Inc., Property Owner	4236 N TEUTONIA AV Ald. District 1
		Request to continue occupying the premises as a religious assembly hall (this is a new operator)	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Karen Dardy.	
	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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.
		8.	That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.
		9.	That 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>
18	BZZA-18-00412 Dimensional Variance	Milwaukee Nursing Realty, LLC, Property Owner	2115 E WOODSTOCK PL Ald. District

Request to allow a second freestanding sign that exceeds the maximum number of allowed signs on site and exceeds the maximum allowed display area

Action: Adjourned

Motion:

Vote:

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	BZZA-18-00431 Dimensional Variance	Farwell-Cramer, LLC, Property Owner	2710 N FARWELL AV Ald. District 3
		Request to continue occupying the premises as a multi-family residential dwelling without the minimum required lot area per dwelling unit	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Karen Dardy.	
	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 take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.	
		5. That a contact name and phone number be provided to the Board office within 10 days of the issuance of this written decision. The phone number must be available 24 hours a day.	
		6. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	BZZA-18-00443 Special Use	St. James Estates, LLC dba Tristan Estates, LLC, Property Owner	1720 W KILBOURN AV Ald. District 4
		Request to continue occupying the premises as a rooming house for 36 occupants	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Karen Dardy.	
	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 take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.	
		5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.	
		6. That no prohibited signage be displayed at the location per code section 295-407-9.	
		7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	BZZA-18-00396 Special Use	Towne Realty, Inc., Property Owner	105 W MICHIGAN ST Ald. District 4
		Request to continue occupying 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 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 in the planting boarder along Clybourn Avenue and east of the driveway, a tree that apparently has been lost is replaced.	
		5. That landscaping and screening is maintained in accordance with s295-405-1-c-9 of the Milwaukee Zoning Code. All plant material shall be maintained on an on-going basis, including seasonal tree and plant replacement.	
		6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.	
		7. That no prohibited signage be displayed at the location per code section 295-407-9.	
		8. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.	
		9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	

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21	BZZA-18-00424 Special Use	EYM Pizza of Wisconsin, LLC, Other	7604 W BURLEIGH ST Ald. District 5
		Request to continue occupying the premises as a fast-food / carry-out restaurant (this is a new operator)	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Karen Dardy.	
	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 take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
		5.	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.
		6.	That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.
		7.	That the petitioner restore required Perimeter Street Edge landscaping to a condition consistent with plan on file or meet the current landscape requirements per 295-405-1 of the zoning code. Current site demonstrates an existing condition where required trees and shrubs have been removed and lost, likely over a number of years. A delay in the completed installation of plantings may be permitted by the Department of Neighborhood Services for up to six months due to seasonal planting conditions.
		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 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>
22	BZZA-18-00426 Special Use	MacPyles Corporation, Other	11313 W SILVER SPRING DR Ald. District 5
		Request to continue occupying the premises as a fast-food/carry-out restaurant with arcade games	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Karen Dardy.	
	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 additional signage be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.
		5.	That the petitioner restore required Perimeter Street Edge landscaping to a condition consistent with plan on file or meet the current landscape requirements per 295-405-1 of the zoning code. Current site demonstrates an existing condition where required trees and shrubs have been removed and lost, likely over a number of years. A delay in the completed installation of plantings may be permitted by the Department of Neighborhood Services for up to six months due to seasonal planting conditions.
		6.	That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
		7.	That this use 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.
		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 this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

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23	BZZA-18-00420 Special Use	Victory Garden Initiative, Inc., Property Owner	3279 N RICHARDS ST Ald. District 6
		Request to occupy the premises as a community center	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Karen Dardy.	
	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 architectural plans are modified to show the property line in the correct location. Applicant's designer should refer to the survey submitted by the applicant that is dated November 5, 2018. Such plans must be submitted both to the BOZA Office and to DNS Plan Exam within 30 days.	
		5. That a Special Privilege be obtained from the City of Milwaukee Common Council to allow the platform and ramp and the building encroachment 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.	
		6. That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, construction of the platform and ramp and portion of the parking lot. 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 provide a structural exam by a structural engineer for the hollow walk structure on the North Richards Street side of the building to the BOZA office within 60 days. Please contact Ms. Dawn Schmidt at 414-286-2454 with questions regarding this matter.	
		8. That bicycle parking be provided per Milwaukee Code of Ordinances Section 295-404.	
		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 this Special Use is granted for a period of five (5) years, commencing with the date hereof.	

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24	BZZA-18-00434 Special Use	Way of Life Learning Center, LLC, Lessee	4313 W FOND DU LAC AV Ald. District 7
		Request to increase the number of children from 30 to 33 per shift, increase the ages from infant - 12 years to infant -13 years, and continue occupying the premises as a day care center operating Monday - Friday 6:00 a.m. to 11:00 p.m.	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Karen Dardy.	
	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.
		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 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 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.
		10.	That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
		11.	That no prohibited signage be displayed at the location per code section 295-407-9.
		12.	That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
		13.	That the facility does not exceed the capacity established by the State Department of Children and Families.
		14.	That the petitioner obtains a new occupancy certificate to account for the increased number of children by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy.
		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>
25	BZZA-18-00394 Special Use	CowBurgers, Inc., Lessee	3431 W FOND DU LAC AV Ald. District 7
		Request to continue occupying the premises as a fast-food / carry-out restaurant with a drive-through facility	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Karen Dardy.	
	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 additional signage be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.	
		5. 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.	
		6. 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.	
		7. That the petitioner restore required Perimeter Street Edge landscaping to a condition consistent with plan on file or meet the current landscape requirements per 295-405-1 of the zoning code. Current site demonstrates an existing condition where required trees and shrubs have been removed and lost, likely over a number of years. A delay in the completed installation of plantings may be permitted by the Department of Neighborhood Services for up to six months due to seasonal planting conditions.	
		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 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>
26	BZZA-18-00439 Special Use	Gateway to Change, LLC, Lessee	4821 W BURLEIGH ST Ald. District 7
		Request to continue occupying the premises as a transitional housing facility for 23 occupants	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Karen Dardy.	
	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 take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
		5.	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.
		6.	That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
		7.	That no prohibited signage be displayed at the location per code section 295-407-9.
		8.	That this Special Use is granted for a period of five (5) years, commencing with the date hereof.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	BZZA-18-00423 Use Variance	Central Appliances Milwaukee, LLC, Lessee	3935 W MITCHELL ST Ald. District 8
		Request to occupy a portion of the premises as a general retail establishment (appliances)	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Karen Dardy.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
		1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.	
		2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.	
		3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.	
		4. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.	
		5. That no prohibited signage be displayed at the location per code section 295-407-9.	
		6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.	
		7. That the applicant does not have outdoor storage or display of products or merchandise.	
		8. 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>
28	BZZA-18-00402 Special Use	United Child Care LLC, Lessee	5806 W BURLEIGH ST Ald. District 10
		Request to continue occupying a portion of the premises as a 24 hour day care center for 60 children per shift infant - 13 years of age, operating Monday - Sunday	
	Action:	Adjourned	
	Motion:		
	Vote:		

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	BZZA-18-00409 Dimensional Variance, Special Use	Dough Makers, LLC, Property Owner	7131 W CAPITOL DR Ald. District 10
		Request to construct a fast-food/carry-out restaurant over the maximum allowed side street setback	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Karen Dardy.	
	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 landscaping and screening in accordance to the plan approved by the Zoning Administration Group is installed within 90 days of occupancy and is maintained in accordance with s295-405-1-c-9 of the Milwaukee Zoning Code. Specifically that all plant material shall be maintained on an on-going basis, including seasonal tree and plant replacement.
		6.	That the premises is developed in accordance to the plans approved by the Zoning Administration Group.
		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 this Special Use and Variance 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>
30	BZZA-18-00425 Special Use	EYM Pizza of Wisconsin, LLC, Other	3131 S KINNICKINNIC AV Ald. District 14
		Request to continue occupying the premises as a fast-food/carry-out restaurant (this is a new operator)	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Karen Dardy.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
		1.	That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
		2.	That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.
		3.	That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
		4.	That landscaping and screening is maintained in accordance with s295-405-1-c-9 of the Milwaukee Zoning Code. Specifically that all plant material shall be maintained on an on-going basis, including seasonal tree and plant replacement.
		5.	That the 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.
		6.	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.
		7.	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.
		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 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-18-00343 Dimensional Variance, Special Use	Economy Tire Sales and Service Plus, Inc., Lessee	5712 N TEUTONIA AV Ald. District 1
		Request to occupy a portion of the premises as a light motor vehicle repair facility that does not meet the minimum required landscaping	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
		1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.	
		2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.	
		3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.	
		4. That a landscape plan is submitted to the Board of Zoning Appeals for review and approval by the Zoning Administration Group that would create a landscaped bed along the N. Teutonia Av. street frontage.	
		5. The landscape bed in accordance with an approved landscape plan is installed within 6 months of approval of the special use.	
		6. That no work on or storage of vehicles occurs 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 all repair work is conducted inside the building.	
		13. 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.	
		14. That these Special Use and Variance 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>
32	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:		
	Vote:		

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	BZZA-18-00316 Dimensional Variance, Special Use	S & Q Auto Group, Lessee	6333 W FOND DU LAC AV Ald. District 2
		Request to add a light motor vehicle sales facility that does not meet the minimum required landscaping to the Board-approved outdoor storage facility (used in conjunction with the existing non-conforming motor vehicle repair facility)	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	

<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 there be no more than fourteen (14) vehicles parked on the parking lot for any reason at any time.	
5.		That the applicant install a barrier along the West Fond du Lac Avenue frontage of the property, in particular where the concrete pavement meets the public sidewalk (the location of a former driveway approach). Such barrier may consist of landscaping, decorative fence, or other items, if approved by the Zoning Administration Group (ZAG).	
6.		That no work on or storage of vehicles occurs in the public right-of-way.	
7.		That no sales vehicles are displayed in the public right-of-way.	
8.		That within 60 days of Board approval of the special use the petitioner must submit a landscape plan to the Board of Zoning Appeals for approval by the Zoning Administration Group.	
9.		That landscaping and screening in accordance a landscape plan that has been approved by the Zoning Administrative Group is installed within 90 days of occupancy and is maintained in accordance with s295-405-1-c-9 of the Milwaukee Zoning Code. Specifically that all plant material shall be maintained on an on-going basis, including seasonal tree and plant replacement.	
10.		That the opaque screening for the outdoor storage area is maintained in a neat and orderly manner.	
11.		That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.	
12.		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.	
13.		That no prohibited signage be displayed at the location per code section 295-407-9.	
14.		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.	
15.		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.	
16.		That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.	
17.		That all repair work is conducted inside the building.	
18.		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.	
19.		That the petitioner obtain all required City and State licenses relative to Light Motor Vehicle sales.	
20.		That these Special Use and Variance are granted for a period of time commencing with the date hereof, and expiring on September 16, 2024.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
34	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 home for 8 occupants	
	Action:	Adjourned	
	Motion:		
	Vote:		
35	BZZA-18-00414 Special Use	Lululemon USA, Inc., Lessee	322 N WATER ST Ald. District 4
		Request to allow a wall sign that is not mounted on a flat, opaque wall surface	
	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 sign is approved by the Third Ward Architectural Review Board.	
		5. That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, the occupancy of the parking lane and sidewalk for sign installation and for hooding the parking meters during the sign installation. The DPW permit must be obtained prior to the start of any work in the public right-of-way. Contact the Development Center Tech Team at 414-286-8208 with questions regarding this matter.	
		6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.	
		7. That no prohibited signage be displayed at the location per code section 295-407-9.	
		8. That this 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>
36	BZZA-18-00438 Use Variance	Art of Weddings, LLC, Lessee	2877 N 76TH ST Ald. District 5
		Request to occupy the premises as a general office (event planning)	
	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 Variance is granted for a period of ten (10) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	BZZA-18-00415 Special Use	Structured Living Concepts, LLC, Lessee	3385 N MARTIN L KING JR DR Ald. District 6
		Request to continue occupying a portion of the premises as a rooming house for 20 occupants	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
		1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.	
		2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.	
		3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.	
		4. That 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 storefront windows are restored to transparent glass in accordance with the glazing standards of s295-605-2-i-3-c of the Milwaukee Code of Ordinances.	
		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 all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances.	
		10. That this Special Use is granted for a period of 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>
38	BZZA-18-00387 Special Use	David Nunez Cruz, Prospective Buyer	423 E GARFIELD AV Ald. District 6
		Request to occupy a portion of the premises (upper level) as a rooming house for 6 occupants	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
		1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.	
		2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.	
		3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.	
		4. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.	
		5. That no prohibited signage be displayed at the location per code section 295-407-9.	
		6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.	
		7. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy.	
		8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	BZZA-18-00307 Dimensional Variance	Pitts Mortuary, Property Owner	2031 W CAPITOL DR Ald. District 6
		Request to erect a second freestanding sign on the premises exceeding the maximum number of freestanding signs allowed per site	
	Action:	Adjourned	
	Motion:	Eric Lowenberg moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4Ayes, 0Nays, 1 C. Doyle Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	BZZA-18-00413 Special Use	Treat Um Like They're Mine FCC II, Lessee	3156 N 38TH ST Ald. District 7
		Request to occupy a portion of the premises as a 24 hour family day care home for 8 children per shift infant to 13 years of age, operating Monday - Sunday	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Karen Dardy.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
		1.	That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
		2.	That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.
		3.	That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
		4.	That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.
		5.	That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license.
		6.	That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
		7.	That no prohibited signage be displayed at the location per code section 295-407-9.
		8.	That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
		9.	That the 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 five (5) years, commencing with the date hereof.

41	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:		
	Vote:		

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	BZZA-18-00444 Special Use	Nurturing Nature Childcare, LLC, Lessee	5810 W FOND DU LAC AV Ald. District 7
		Request to increase the number of children from 63 to 73 per shift, increase the hours and days of operation from Monday - Friday 6:00 a.m. - midnight to Monday-Sunday 5:30 a.m. - midnight, and continue occupying the premises as a day care center for children infant to 13 years of age	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Karen Dardy.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
		1.	That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
		2.	That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.
		3.	That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
		4.	That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.
		5.	That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.
		6.	That the petitioner submit a copy of the State of Wisconsin day care license to Board of Zoning Appeals within 60 days of Board approval of the special use.
		7.	That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.
		8.	That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
		9.	That no prohibited signage be displayed at the location per code section 295-407-9.
		10.	That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
		11.	That the facility does not exceed the capacity established by the State Department of Children and Families.
		12.	That the petitioner obtains a new occupancy certificate to account for the increased number of children by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy.
		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>
43	BZZA-18-00267 Dimensional Variance, Special Use	MKE Junk Junkies, LLC, Lessee	2640 W GREVES ST Ald. District 8
		Request to occupy a portion of the premises as a ground transportation service (permitted), motor vehicle outdoor storage (permitted), motor vehicle repair facility, motor vehicle sales facility, and an outdoor salvage operation without the minimum required landscaping	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Karen Dardy.	
	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 on-street parking spaces on W. Greves Street not be used by the petitioner's business or by their customers.
		5.	That the revised site plan dated January 10, 2019 is approved.
		6.	That no more than 90 vehicles are parked within the fenced area located west of the two buildings for any purpose at any time. NOTE: The 90 vehicle total does not include the 9 parking spaces located east of the south building.
		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 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.
		13.	That the petitioner follow all rules from the Wisconsin Department of Natural Resources relevant to groundwater runoff.
		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 these Special Uses are granted for a period of five (5) years, commencing with the date hereof.
		16.	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>
44	BZZA-18-00408 Special Use	Divine Living Adult Day Center, Lessee	6843 W BROWN DEER RD Ald. District 9
		Request to occupy a portion of the premises as an adult day care center for 50 occupants	
	Action:	Granted	
	Motion:	Karen Dardy 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 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>
45	BZZA-18-00441 Dimensional Variance	El Rey Properties, LLC, Lessee	5200 W OKLAHOMA AV Ald. District 11
		Request to allow an intensification of a continuous non-conforming sign that exceeds the maximum allowed height	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
		1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.	
		2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.	
		3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.	
		4. That a landscape plan is submitted to the Board of Zoning Appeals for review and approval by the Zoning Administration Group that would create a landscaped bed at the base of the sign structure. The landscape bed must be installed within 6 months of approval of the variance.	
		5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.	
		6. That no prohibited signage be displayed at the location per code section 295-407-9.	
		7. That this 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>
46	BZZA-18-00427 Dimensional Variance, Special Use	Pittsburgh Oregon, LLC, Property Owner	120 E OREGON ST Ald. District 12
		Request to continue occupying the premises as a principal use parking lot that does not meet the minimum required landscaping	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
		1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.	
		2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.	
		3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.	
		4. That the landscape plan submitted to the Board on November 20th, 2018 is revised to meet the intent of city code section 295-405. 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.	
		5. That landscaping and screening in accordance with an approved landscape plan is implemented by October 15, 2019 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 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. NOTE: The property line is located 15 feet behind the face of the street curb on East Oregon Street and 10 feet behind the face of the street curb on South Barclay Street.	
		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 all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances.	
		11. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	
		12. That the Variance is Denied.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
47	BZZA-18-00442 Use Variance	Doggy Office, LLC, Lessee	125 E GREENFIELD AV Ald. District 12
		Request to occupy the premises as an animal boarding facility and an animal grooming or training facility	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
		1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.	
		2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.	
		3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.	
		4. That the applicant submit documentation from the Department of Natural Resources regarding contamination on the premises within 60 days of approval to the Board of Zoning Appeals.	
		5. That landscaping and screening in accordance a landscape plan that has been approved by the Zoning Administrative Group is installed within 90 days of occupancy and includes but is not limited to a raised planter bed installed along Greenfield Avenue.	
		6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB2 zoning districts.	
		7. That the outdoor dog run area is not utilized before 8:00 A.M. or after 6:00 P.M.	
		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 an animal keeping establishment permit be obtained from the Department of Neighborhood Services after an occupancy permit has been obtained and business operations have commenced.	
		13. That these Variances 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>
48	BZZA-18-00297 Special Use	A & F Real Estate, LLC, Property Owner	1227 W OKLAHOMA AV Ald. District 14
		Request to add a car wash to an existing non-conforming motor vehicle filling station	
	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 site plan dated 12-27-2018 is approved.	
		5. That the applicant installs a privacy fence along the alley between the north building face of the car wash addition and the Oklahoma Avenue property line prior to issuance of an Occupancy Certificate.	
		6. 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.	
		7. That landscaping and screening in accordance to the plan dated December 27, 2018 is installed within 90 days of occupancy and is maintained in accordance with s295-405-1-c-9 of the Milwaukee Zoning Code. Specifically that all plant material shall be maintained on an on-going basis, including seasonal tree and plant replacement.	
		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 applicant does not have outdoor storage or display of products or merchandise.	
		13. That the car wash activity is conducted inside the building.	
		14. That all wastewater is contained on site.	
		15. 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>
49	BZZA-18-00389 Dimensional Variance, Special Use	PJR Properties, LLC, Property Owner	3259 S CHASE AV Ald. District 14
		Request to construct a multi-tenant commercial building (permitted) that does not meet the minimum required landscaping for the street frontage, and construct an accessory use parking lot that is located between the building and the street lot line	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Karen Dardy.	
	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 bicycle parking is provided as required by Section 295-404 of the Milwaukee Code of Ordinances.
		9.	That this Special Use is granted to run with the land.
		10.	That this Variance is Denied.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	BZZA-18-00411 Dimensional Variance	Eden Niemela-Llanos, Property Owner	2026 N 39TH ST Ald. District 15
		Request to allow a 6 ft. wood fence in the side yard	
	Action:	Adjourned	
	Motion:	Eric Lowenberg moved to adjourn the appeal. Seconded by Karen Dardy.	
	Vote:	4Ayes, 0Nays, 1 C. Doyle Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
51	BZZA-18-00390 Special Use	Little Flowers Blossom, Lessee	1944 N 38TH ST Ald. District 15
		Request to occupy a portion of the premises as a 24 hour family day care home for 8 children per shift infant to 13 years of age, operating Monday - Sunday	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Karen Dardy.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
		1.	That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
		2.	That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.
		3.	That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
		4.	That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.
		5.	That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license.
		6.	That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
		7.	That no prohibited signage be displayed at the location per code section 295-407-9.
		8.	That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
		9.	That the 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 three (3) years, commencing with the date hereof.

Other Business:

Board member Henry Szymanski moved to approve the minutes of the December 6, 2018 meeting. Seconded by Board member Eric Lowenberg. Unanimously approved.

The Board set the next meeting for February 7, 2019.

Board member Henry Szymanski moved to adjourn the meeting at 7:22 p.m. Seconded by Board member Eric Lowenberg. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board