

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING - May 02, 2019
City Hall, Common Council Committee Room 301-A

MINUTES

PRESENT:

Chairperson: Brett Blomme (*voting on items 1 - 43*)
Vice Chairman: Henry Szymanski (*voting on items 1 - 43*)
Members: Jewel Currie (*excused*)
Jennifer Current (*voting on items 1 - 43*)
Eric Lowenberg (*voting on items 1 - 43*)

Alt. Board Members: Karen D. Dardy (*excused*)
Erik Richardson (*excused*)

START TIME: 4:06 p.m.

END TIME: 7:48 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	BZZA-19-00031 Use Variance	Regional Finance Corporation of WI, Lessee Request to occupy a portion of the premises as an installment loan agency Action: Dismissed Motion: Eric Lowenberg moved to dismiss the appeal. Seconded by Henry Szymanski. Vote: 3 Ayes, 0 Nays, 1 B. Blomme Abstained.	2260 S KINNICKINNIC AV Ald. District 14
2	BZAP-19-00001 Appeal of Determination	Regional Finance Corporation of WI, Lessee Request to appeal a determination by the Development Center that the proposed use is an installment loan agency Action: Dismissed Motion: Eric Lowenberg moved to dismiss the appeal. Seconded by Henry Szymanski. Vote: 3 Ayes, 0 Nays, 1 B. Blomme Abstained.	2260 S KINNICKINNIC AV Ald. District 14

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
3	BZZA-18-00285 Special Use	Totally Kids, LLC, Property Owner	2712 N 15TH ST Ald. District 15
		Request to occupy the premises as a day care center for 20 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. to midnight	
	Action:	Dismissed	
	Motion:	Eric Lowenberg moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	3 Ayes, 0 Nays, 1 B. Blomme Abstained.	
4	BZZA-19-00093 Special Use	ACME Enterprises, LLC, 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 and a drive-through facility (permitted) (this is a new operator)	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	3 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 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 landscaping and screening 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.
		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 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 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 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>
5	BZZA-19-00085 Use Variance	All Faith Solid Foundation Church, Lessee	4127 N RICHARDS ST Ald. District 6
		Request to continue occupying the premises as a religious assembly hall	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	3 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 Variance is granted for a period of five (5) years, commencing with the date hereof.	
6	BZZA-19-00098 Special Use	Milwaukee Fortress, LLC, Property Owner	100 E PLEASANT ST Ald. District 6
		Request to allow a wall sign that is not attached to a flat, opaque wall surface	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	3 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 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>
7	BZZA-19-00040 Special Use	Christian Life in Faith Ministry, Lessee	3510 W ST PAUL AV Ald. District 10
		Request to occupy a portion of the premises as a religious assembly hall	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	3 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 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>
8	BZZA-19-00092 Special Use	ACME Enterprises, LLC, Other	6409 W BLUE MOUND RD Ald. District 10
		Request to continue occupying the premises as a fast-food/carry-out restaurant with a drive-through facility (this is a new operator)	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	3 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 site illumination must meet the lighting standards of s295-409 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 landscaping and screening 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.
		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 this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	BZZA-19-00090 Special Use	Durango Cashing Checks Inc., Property Owner	1112 W LINCOLN AV Ald. District 12
		Request to continue occupying the premises as a currency exchange facility	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	3 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 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 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 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.	
10	BZZA-19-00087 Dimensional Variance	ARS Acquisition, LLC, Property Owner	4350 S 13TH ST Ald. District 13
		Request to continue to allow an existing building that does not meet the minimum required setback, a fence that does not meet the minimum required buffer depth and exceeds the maximum allowed height	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	3 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 is maintained in accordance with s295-405-1-f of the Milwaukee Zoning Code.	
		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>
11	BZZA-19-00088 Use Variance	Rivcrete Ready Mix, LLC, Lessee	4350 S 13TH ST Ald. District 13
		Request to continue occupying a portion of the premises as a heavy manufacturing facility (concrete plant) (this is a new operator)	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	3 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 is maintained in accordance with s295-405-1-f of the Milwaukee Zoning Code.
		5.	That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.
		6.	That all measures be taken to prevent the generation of fugitive dust from activity on the property, per code section 80-6.2.
		7.	That measures be taken to prevent tracking of dirt/debris from the facility onto the public right of way.
		8.	That all measures be taken to prevent activity on the site from violating city Noise Limitations ordinance as per code 80-64.1.
		9.	That the petitioner follow all rules from the Wisconsin Department of Natural Resources relevant to groundwater runoff.
		10.	That material stockpile heights shall not exceed the restrictions per code section 295-805-4-h-2.
		11.	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>
12	BZZA-19-00101 Special Use	F10 Restaurants, Inc., Lessee	3902 S WHITNALL 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 Henry Szymanski.	
	Vote:	3 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 vent from the cooking be directed toward Howard Av traffic and away from people's homes to the south of the business.
		6.	That any garbage dumpster is to either be located in the garage or on the north side of the building and enclosed in a wooden fence.
		7.	That a Special Privilege be obtained from the City of Milwaukee Common Council to continue to allow the decorative metal fence to occupy the public right-of-way. The Special Privilege Amendment 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.
		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 this Special Use is granted for a period of time commencing with the date hereof, and expiring on March 18, 2024.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
13	BZZA-19-00072 Special Use	Laddi, LLC dba Chahal Citgo, Lessee	3308 W VLIET ST Ald. District 15
		Request to continue occupying the premises as a motor vehicle filling station	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	3 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 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 site illumination must meet the lighting standards of s295-409 of the Milwaukee Zoning Code.	
		6. That landscaping and screening 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.	
		7. 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.	
		8. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.	
		9. That 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 does not have outdoor storage or display of products or merchandise.	
		13. 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.	
		14. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
14	BZZA-19-00084 Special Use	Arial's Learning Cave, LLC, Lessee	4517 W NORTH AV Ald. District 15
		Request to increase the ages of children from infant - 12 years of age to infant - 14 years of age and continue occupying the premises as a day care center for 50 children per shift, operating Monday - Sunday 6:00 a.m. to midnight	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	3 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 Special Use is granted for a period of five (5) years, commencing with the date hereof.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	BZZA-19-00083 Special Use	A.J.J. Petroleum, Inc., Lessee	905 W CENTER ST Ald. District 15
		Request to continue occupying the premises as a motor vehicle filling station	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	3 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 site illumination must meet the lighting standards of s295-409 of the Milwaukee Zoning Code.	
		6. That landscaping and screening 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.	
		7. 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.	
		8. That the applicant does not have outdoor storage or display of products or merchandise.	
		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 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 required by Ordinance.	
		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 this Special Use is granted for a period of five (5) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	BZZA-19-00099 Special Use	Life & Liberty Church, Property Owner	2009 W HAMPTON AV Ald. District 1
		Request to continue occupying the premises as a religious assembly hall	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski	
	Vote:	3 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.	
17	BZAP-19-00002 Other	Let the Children Come Learning Academy, LLC, Lessee	4700 N 76TH ST Ald. District 2
		Request for an extension of time to comply with the conditions of BZZA-18-00074	
	Action:	Affirm	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	3 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>
18	BZZA-19-00091 Special Use	Old National Bank, Lessee	788 N JEFFERSON ST Ald. District 4
		Request to allow a wall sign that is not attached to a flat, opaque wall surface	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	3 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 Special Use is granted to run with the land.	
19	BZZA-19-00096 Special Use	252, LLC, Property Owner	252 E MENOMONEE ST Ald. District 4
		Request to increase the number of occupants from 350 to 385 for the Board-approved dormitory	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	3 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 Special Use is granted for a period of time commencing with the date hereof, and expiring on January 24, 2028.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	BZZA-19-00103 Dimensional Variance	Pinelawn Memorial Park, LLC, Property Owner	10700 W CAPITOL DR Ald. District 5
		Request to construct a new crematorium (permitted) that exceeds the maximum allowed front and side street setbacks, does not meet the minimum height requirement, does not meet the minimum build-out requirement for primary street frontage, and does not meet the minimum required glazing for the primary street frontage	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	3 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 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>
21	BZZA-19-00111 Special Use	Glow 414 Inc., Property Owner	2300 W HOPKINS ST Ald. District 6
		Request to occupy the premises as a social service facility	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	3 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 existing first floor windows remain as transparent vision glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.	
		5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.	
		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 the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy.	
		11. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
22	BZZA-19-00019 Special Use	God's Hands God's Will Outreach Mission & Ministries, Inc., Lessee	5444 W FOND DU LAC AV Ald. District 7
		Request to occupy a portion of the premises as a religious assembly hall	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	3 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 is maintained in accordance with s295-405-1-f 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 a maximum of 50 occupants are on the premises at anytime.	
		10. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.	
23	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:	Eric Lowenberg moved to adjourn the appeal. Seconded by Jennifer Current.	
	Vote:	3Ayes, 0Nays, 1 B. Blomme Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
24	BZZA-19-00054 Special Use	Bundles of Joyz Childcare Center, LLC, Lessee	4913 W FOND DU LAC AV Ald. District 7
		Request to occupy the premises as a day care center for 50 children per shift 3 - 12 years of age, operating Monday - Friday 6:00 a.m. to 8:00 p.m.	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	3Ayes, 0Nays, 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 applies for a loading zone on West Fond du Lac Avenue within thirty (30) days. Please contact Mr. Dale Dietze at 414-286-8678 to apply for or to renew, if necessary, the loading zone.
		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 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 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>
25	BZZA-19-00003 Special Use	Peladitos Centro de Cuidado Infantil II, LLC, Lessee	2220 W NATIONAL AV Ald. District 8
		Request to occupy the premises as a day care center for 30 children per shift, infant - 12 years of age, operating Monday - Friday from 5:30 a.m. - 10:00 p.m.	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	3 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 Board of Zoning Appeals within 60 days of Board approval of the special use
		7.	That a contact name and phone number be provided to the Board office within 30 days of the issuance of this written decision. The phone number must be available 24 hours a day.
		8.	That the storefront windows be restored to transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.
		9.	That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
		10.	That no prohibited signage be displayed at the location per code section 295-407-9.
		11.	That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
		12.	That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy.
		13.	That the facility does not exceed the capacity established by the State Department of Children and Families.
		14.	That this Special Use is granted for a period of 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>
26	BZZA-19-00073 Special Use	Feeding His Flock Inc., Lessee	2925 W LINCOLN AV Ald. District 8
		Request to occupy a portion of the premises as a religious assembly hall and social service facility	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	3 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 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 these Special Uses are granted for a period of three (3) years, commencing with the date hereof.
27	BZZA-19-00097 Dimensional Variance	Mohindra, Inc. d/b/a Vince's Beer & Liquor, Property Owner	7141 N 43RD ST Ald. District 9
		Request to allow an intensification of the existing (non-conforming) freestanding sign that exceeds the maximum allowed height	
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Eric Lowenberg.	
	Vote:	3Ayes, 0Nays, 1 B. Blomme Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	BZZA-19-00059 Special Use	Guardian Angels Adult Day Services II, LLC, Lessee	6814 W BROWN DEER RD Ald. District 9
		Request to occupy the premises as an adult day care center	
	Action:	Adjourned	
	Motion:		
	Vote:		
29	BZZA-19-00053 Special Use	Logan's Detail & C.A.R. Services, LLC, Lessee	2571 N 55TH ST Ald. District 10
		Request to continue occupying a portion of the premises as a car wash (this is a new operator)	
	Action:	Adjourned	
	Motion:		
	Vote:		

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	BZZA-19-00002 Special Use	A-Team Automotive, LLC, Lessee	5518 W LISBON AV Ald. District 10
		Request to occupy a portion of the premises as a light motor vehicle repair facility	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	3 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 install a barrier between the parking lot and the paved public sidewalk, such as a decorative metal fence. Any barrier must be installed on private property. NOTE: Please email lotline@milwaukee.gov for the location of the property line relative to the street curb.	
		5. That no work on or storage of vehicles occurs in the public right-of-way.	
		6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.	
		7. That no prohibited signage be displayed at the location per code section 295-407-9.	
		8. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.	
		9. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy.	
		10. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.	
		11. That all repair work is conducted inside the building.	
		12. That a Recycling, Salvaging, or Towing Premises License must be obtained, City Clerk License Division, by any person, who in the course of normal business activities, generates or removes 25 or more waste tires per calendar year.	
		13. That all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances.	
		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>
31	BZZA-19-00018 Special Use	Campion Learning Center, Lessee	1534 W ROGERS ST Ald. District 12
		Request to occupy the premises as a day care center for 9 children per shift infant - 13 years of age, operating Sunday - Saturday 6:00 a.m. to midnight	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	3 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.295-505-5 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 a contact name and phone number be provided to the Board office within 30 days of the issuance of this written decision. The phone number must be available 24 hours a day.
		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 a permit is obtained for the fence erected and the fence is properly constructed and maintained in good repair.
		14.	That this Special Use is granted for a period of five (5) years, commencing with the date hereof.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	BZZA-18-00401 Use Variance	Palko Energies, LLC, Property Owner	1038 W NATIONAL AV Ald. District 12
		Request to occupy the premises as a material reclamation facility	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	3 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 within 30 days of approval by the Board of Zoning Appeals by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements.	
		8. That the petitioner comply with city ordinance MCO 80-6, prohibiting the emission of offensive odors from the facility.	
		9. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.	
		10. That this Variance is granted to run with the land.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	BZZA-19-00081 Special Use	6231 LLC dba Scrub-A-Dub, Property Owner	6231 S HOWELL AV Ald. District 13
		Request to construct an addition to the Board-approved car wash	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	3 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 applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.	
		8. That all repair work is conducted inside the building.	
		9. That a Recycling, Salvaging, or Towing Premises License must be obtained, City Clerk License Division, by any person, who in the course of normal business activities, generates or removes 25 or more waste tires per calendar year.	
		10. That all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances.	
		11. That all washing and drying operations are conducted inside the building.	
		12. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.	
		13. That a landscape and screening plan for the parking lot that meets the intent of city code section 295-405 is submitted to and approved by the Plan Examination section of the Milwaukee Development Center prior to the issuance of any permits.	
		14. That landscaping and screening in accordance with an approved landscape plan is implemented within 180 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.	
		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>
34	BZZA-19-00108 Dimensional Variance	Matt Talbot Recovery Services, Inc., Property Owner	429 W UNCAS AV Ald. District 13
		Request to divide the parcel into two lots that does not meet the minimum required lot width	
	Action:	Adjourned	
	Motion:		
	Vote:		
35	BZZA-19-00079 Special Use	PLS Financial Solutions of Wisconsin, Inc. dba PLS Check Cashers, Lessee	3904 S 27TH ST Ald. District 13
		Request to occupy the premises as a currency exchange facility and payday loan agency	
	Action:	Adjourned	
	Motion:		
	Vote:		

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	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:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	3 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 landscaping and screening 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.	
		8. That this Special Use is granted for a period of twenty (20) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	BZZA-19-00080 Special Use	Put God 1st Enrichment Center, LLC, Lessee	4202 W SILVER SPRING DR Ald. District 1
		Request to occupy the premises as a daycare center for 19 children infant - 12 years of age, operating Monday - Friday 6:00 a.m. to midnight	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	3 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 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 time commencing with the date hereof, and expiring on June 7, 2021.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
38	BZZA-19-00077 Dimensional Variance, Special Use	Square Business Automotive, Prospective Buyer	4152 N 35TH ST Ald. District 1
		Request to occupy the premises as a light motor vehicle sales facility without the minimum required landscaping	
	Action:	Adjourned	
	Motion:	Eric Lowenberg moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	3Ayes, 0Nays, 1 B. Blomme Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	BZZA-19-00030 Dimensional Variance, Special Use	Uptop Motoring, LLC, Prospective Buyer	9921 W CARMEN AV Ald. District 2
		Request to add a motor vehicle sales facility to the existing (non-conforming) repair facility without the minimum required landscaping	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	3 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>
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 revised site plan dated 4-30-2019 is approved.	
5.		That no more than 7 cars be parked in the south parking area and no more than 14 cars be parked in the north parking area for any reason at any time.	
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 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 21 feet from the face of the street curb on West Carmen Avenue and 17 feet from the face of the street curb on North 99th Street.	
9.		That landscaping and screening in accordance to the plan submitted to the Board on March 26, 2019 is installed by October 30, 2019 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.	
10.		That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB1 zoning districts.	
11.		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.	
12.		That no prohibited signage be displayed at the location per code section 295-407-9.	
13.		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.	
14.		That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy.	
15.		That the petitioner obtain all required City and State licenses relative to Light Motor Vehicle sales.	
16.		Provided all motor vehicle body work is performed inside the building with the doors closed. All vehicle painting must comply with requirements chapter 236 of the Milwaukee Code of Ordinances and no painting may be performed until a spray booth is installed under permit, inspected and approved.	
17.		That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.	
18.		That all repair work is conducted inside the building.	
19.		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.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
		20. That all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances.	
		21. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	
		22. That this Variance is granted to run with the land.	
40	BZZA-19-00102 Special Use	Ogden Midwest Funding V, LLC, Property Owner	1442 N FARWELL AV Ald. District 3
		Request to occupy a portion of the premises as a community living arrangement for 65 occupants	
	Action:	Adjourned	
	Motion:	Eric Lowenberg moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	3Ayes, 0Nays, 1 B. Blomme Abstained.	
41	BZZA-18-00460 Dimensional Variance, Special Use	One Outdoor, LLC., Property Owner	621 E BRADY ST Ald. District 3
		Request to allow an off-premise freestanding sign that exceeds the maximum display area, maximum allowed height, does not meet the required distance to a residential district, the required distance between 2 off-premise freestanding signs, and the minimum required lot line setback	
	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-19-00076 Dimensional Variance	J. Jeffers & Co., Property Owner	511 N BROADWAY Ald. District 4
	Action:	Request to construct an 11 story office building that exceeds the maximum allowed building area Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	3 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) permits are obtained for any work in the public right-of-way, including, but not limited to, the planting of trees, shrubs and other plant materials; excavation for the building foundation; occupancy of the public right-of-way; and removal and replacement of the public sidewalk. 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.
		5.	That the applicant completes the process to obtain an Air Space Lease for the building overhang projecting over the adjacent north-south alley. Said Air Space Lease must be fully executed and recorded with the Milwaukee County Register of Deeds prior to issuance of permanent building occupancy certificate(s). Please contact Ms. Dawn Schmidt at 414-286-2454 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 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 Variance is granted to run with the land.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	BZZA-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:	Withdrawn	
	Motion:		
	Vote:		

Other Business:

Board member Henry Szymanski moved to approve the minutes of the April 4, 2019 meeting. Seconded by Board member Jennifer Current. Unanimously approved.

The Board set the next meeting for May 30, 2019.

Board member Eric Lowenberg moved to adjourn the meeting at 7:48 p.m. Seconded by Board member Jennifer Current. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board