

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING - October 10, 2019
City Hall, Common Council Committee Room 301-A

MINUTES

PRESENT:

Chairperson: Brett Blomme (*voting on items 1 – 56, 58 - 70*)
Vice Chairman: Henry Szymanski (*voting on items 1 – 70*)
Members: Jewel Currie (*excused*)
Jennifer Current (*voting on items 1 - 70*)
Eric Lowenberg (*voting on items 1 - 70*)

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

START TIME: 4:09 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-19-00007 Special Use	Efren Ramos, Lessee	1666 S CESAR E CHAVEZ DR Ald. District 12
		Request to occupy the premises as a motor vehicle sales facility, repair facility, and body shop	
	Action:	Dismissed	
	Motion:	Eric Lowenberg moved to dismiss the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
2	BZZA-19-00191 Dimensional Variance	Joanne Christie, Property Owner	3501 S WHITNALL AV Ald. District 14
		Request to construct a single-family dwelling (permitted) that does not meet the minimum required front façade width	
	Action:	Dismissed	
	Motion:	Eric Lowenberg moved to dismiss the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
3	BZZA-19-00271 Dimensional Variance, Use Variance	Milwaukee Rescue Mission, Property Owner	829 N 19TH ST Ald. District 4
		Request to construct a principal use parking lot that does not meet the minimum required landscaping	
		Action: Dismissed	
		Motion: Eric Lowenberg moved to dismiss the appeal. Seconded by Jennifer Current.	
		Vote: 4 Ayes, 0 Nays, 0 Abstained.	
4	BZZA-19-00257 Dimensional Variance, Special Use	S & G Junking and Towing, LLC, Lessee	3156 N 31ST ST Ald. District 7
		Request to occupy the premises as an outdoor salvage operation, indoor storage (permitted), and light motor vehicle outdoor storage that does not meet the minimum required screening	
		Action: Dismissed	
		Motion: Eric Lowenberg moved to dismiss the appeal. Seconded by Jennifer Current.	
		Vote: 4 Ayes, 0 Nays, 0 Abstained.	
5	BZZA-19-00140 Special Use	Fr. Falcon Freebird Foundation, LLC, Property Owner	1123 S 25TH ST Ald. District 8
		Request to occupy the premises as a transitional housing facility for 10 occupants	
		Action: Dismissed	
		Motion: Eric Lowenberg moved to dismiss the appeal. Seconded by Jennifer Current.	
		Vote: 4 Ayes, 0 Nays, 0 Abstained.	
6	BZZA-19-00182 Special Use	Bodies Event, LLC, Lessee	8225 W BROWN DEER RD Ald. District 9
		Request to occupy a portion of the premises as an assembly hall	
		Action: Dismissed	
		Motion: Eric Lowenberg moved to dismiss the appeal. Seconded by Jennifer Current.	
		Vote: 4 Ayes, 0 Nays, 0 Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	BZZA-19-00291 Special Use	Little Peanuts and Friends Childcare Center, LLC, Lessee	5814 W BURLEIGH ST Ald. District 10
		Request to continue occupying the premises as a day care center for 35 children per shift infant - 12 years of age, operating Monday - Friday 6:00 a.m. - midnight (this is a new operator)	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 0 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 this Special Use is granted for a period of five (5) years, commencing with the date hereof.
8	BZZA-19-00307 Special Use	ACT Counseling, Inc., Lessee	9401 W BELOIT RD Ald. District 11
		Request to occupy a portion of the premises as a social service facility	
	Action:	Adjourned	
	Motion:		
	Vote:		

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	BZZA-19-00295 Special Use	American Tower Corporation (ATC) & Verizon Wireless, Lessee	3151 S 92ND ST Ald. District 11
		Request to continue to allow a transmission tower with ground-level equipment 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, 0 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 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>
10	BZZA-19-00254 Special Use	Parts Distributing, Inc., Lessee	6155 W FOREST HOME AV Ald. District 11
		Request to occupy the premises as an indoor wholesale and distribution facility	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 0 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 areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances.	
		9. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements within 60 days of Board of Zoning Appeals approval.	
		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>
11	BZZA-19-00280 Special Use	Smart Dollar Auto, Inc., Property Owner	6315 W FOREST HOME AV Ald. District 11
		Request to continue occupying the premises as a light motor vehicle sales facility	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 0 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 is maintained in accordance with the landscape plan submitted to the Board of Zoning Appeals on 7/31/19, and 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 no sales vehicles are displayed in the public right-of-way.	
		7. That the unused driveways located on West Forest Home Avenue and West Howard Avenue be removed and restored to City of Milwaukee specifications within one (1) year. Please contact the Development Center Tech Team at 414-286-8208 to apply for a DPW permit to close the driveway approach. NOTE: Driveways that are blocked by parked vehicles are unused as defined the Department of Public Works.	
		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 applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.	
		12. That all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances.	
		13. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	

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12	BZZA-19-00279 Special Use	Smart Dollar Auto, Inc., Lessee	6214 W HOWARD AV Ald. District 11
		Request to continue occupying the premises as a motor vehicle sales facility (operated in conjunction with the facility at 6315 W. Forest Home Av.)	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 0 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 is maintained in accordance with the landscape plan submitted to the Board of Zoning Appeals on 7/31/19, and 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 no sales vehicles are displayed in the public right-of-way.
		7.	That display vehicles do not block the driveway approach on West Forest Home Avenue.
		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 applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.
		12.	That all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances.
		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>
13	BZZA-19-00284 Special Use	Milwaukee Auto Glass, LLC, Lessee	1400 W MITCHELL ST Ald. District 12
		Request to continue occupying the premises as a light motor vehicle repair facility	
	Action:	Adjourned	
	Motion:		
	Vote:		
14	BZZA-19-00320 Special Use	Serpentine Salvage, LLC, Lessee	835 W NATIONAL AV Ald. District 12
		Request to continue occupying the premises as a second-hand store	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 0 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 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 does not have outdoor storage or display of products or merchandise.	
		11. That the petitioner shall comply with MPD documentation and record keeping requirements if required by City Ordinance.	
		12. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	BZZA-19-00311 Special Use	Lighthouse Youth Center, Inc., Lessee	1132 W OKLAHOMA AV Ald. District 14
		Request to occupy the premises as a community center	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 0 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.	
16	BZZA-19-00289 Dimensional Variance	Eric Van Schyndle, Property Owner	3155 S MABBETT AV Ald. District 14
		Request to construct a garage that does not meet the minimum required side street setback	
	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-19-00300 Dimensional Variance	DRI 5 Bayview, LLC, Lessee	2306 S KINNICKINNIC AV Ald. District 14
		Request to allow wall signs that exceeds the maximum number allowed	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
		1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.	
		2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.	
		3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.	
		4. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.	
		5. That no prohibited signage be displayed at the location per code section 295-407-9.	
		6. That this Variance is granted to run with the land.	
18	BZZA-19-00262 Dimensional Variance	Wisconsin Central School Bus,	200 W OKLAHOMA AV Ald. District 14
		Request to allow a fence with barbed wire that exceeds the maximum height allowed	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 0 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 this Variance is granted to run with the land.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	BZZA-19-00286 Special Use	Redevelopment Authority, Property Owner	2055 N 30TH ST Ald. District 15
		Request to occupy the premises as an outdoor storage facility	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 0 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 all measures be taken to prevent the generation of fugitive dust from activity on the property, per code section 80-6.2.	
		5. That measures be taken to prevent tracking of dirt/debris from the facility onto the public right of way.	
		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>
20	BZZA-19-00316 Use Variance	Milwaukee Buckaroos Sports Biblical Facility, LLC, Property Owner	3525 W VLIET ST Ald. District 15
		Request to occupy the premises as a day care center for 30 children 3 - 5 years of age first shift and 15 children 6 - 12 years of age second shift, operating Monday - Saturday 6:00 a.m. - midnight	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 0 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 September 13, 2026.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	BZZA-19-00312 Special Use	The Gathering of Southeast Wisconsin, Inc., Lessee	1300 W FOND DU LAC AV Ald. District 15
		Request to occupy a portion of the premises as a social service facility	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 0 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.	

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22	BZZA-19-00268 Special Use	Angela's Lil Angels Infant House, Lessee	2600 W VLIET ST Ald. District 15
		Request to occupy the premises as a day care center for 25 children per shift infant to 1 year of age, operating Monday - Friday 6:00 a.m. - 10:00 p.m.	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 0 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 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 windows along the W. Vliet St. frontage remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner
		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 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>
23	BZZA-19-00310 Use Variance	Lighthouse Youth Center, Inc., Lessee	2475 W ROOSEVELT DR Ald. District 1
		Request to continue occupying the premises as a social service facility	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 0 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 ten (10) years, commencing with the date hereof.	

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24	BZZA-19-00290 Special Use	Genesis Behavioral Services, Inc. dba Jeanetta Robinson House, Lessee	5427 W VILLARD AV Ald. District 1
		Request to continue occupying the premises as a community living arrangement for 24 occupants	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
		1.	That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
		2.	That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.
		3.	That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
		4.	That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
		5.	That no prohibited signage be displayed at the location per code section 295-407-9.
		6.	That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
		7.	That this Special Use is granted for a period of 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>
25	BZZA-19-00283 Special Use	Hook Fish and Chicken, LLC, Lessee	2604 W CAPITOL DR Ald. District 1
		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 Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 0 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. Specifically that all required landscaping materials, including trees, plants and fences or walls, shall be properly maintained and replaced as necessary to maintain code compliance.	
		5. That no additional signage may be erected on the site unless it meets 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 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-19-00269 Use Variance	Murphy's Renewing Minds, LLC, Lessee	6090 N 35TH ST Ald. District 1
		Request to occupy a portion of the premises as a day care center for 20 children per shift 2 1/2 to 13 years of age, operating Monday - Friday 5:30 a.m. - midnight and Saturday - Sunday 5:30 a.m. - 6:00 p.m.	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
		1.	That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
		2.	That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.
		3.	That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
		4.	That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
		5.	That no prohibited signage be displayed at the location per code section 295-407-9.
		6.	That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
		7.	That the facility does not exceed the capacity established by the State Department of Children and Families.
		8.	That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.
		9.	That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license.
		10.	That 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>
27	BZZA-19-00276 Use Variance	Redevelopment Authority, Property Owner	4101 N 31ST ST Ald. District 1
		Request to occupy a portion of the premises as an outdoor storage facility (8'x20' shipping container for on-site storage for educational equipment)	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 0 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 all measures be taken to prevent the generation of fugitive dust from activity on the property, per code section 80-6.2.
		5.	That measures be taken to prevent tracking of dirt/debris from the facility onto the public right of way.
		6.	That this Variance is granted to run with the land.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	BZZA-19-00285 Special Use	Early Steps Child Development Center, LLC, Lessee	9135 W SILVER SPRING DR Ald. District 2
		Request to continue occupying the premises as a day care center for 70 children per shift infant - 13 years of age, operating Monday - Sunday 5:00 a.m. - 11:30 p.m.	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
		1.	That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
		2.	That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.
		3.	That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
		4.	That the decorative metal fence along the W. Silver Spring Drive frontage is maintained in a manner that meets the intent of the city code.
		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 applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
		8.	That no prohibited signage be displayed at the location per code section 295-407-9.
		9.	That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
		10.	That the facility does not exceed the capacity established by the State Department of Children and Families.
		11.	That this Special Use is granted for a period of five (5) years, commencing with the date hereof.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	BZZA-19-00297 Special Use	Churches of the First Born A Rock Foundation, Inc. DBA Johnson's Temple, Property Owner	6715 W VILLARD AV Ald. District 2
		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 Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 0 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 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>
30	BZZA-19-00308 Dimensional Variance	New Land Enterprises, Property Owner	2238 N FARWELL AV Ald. District 3
		Request to allow the addition of two wall signs on the same 25 LF façade segment as the existing permitted projecting sign	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 0 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 proposed signage receives approval from the East Side Architectural Review Board.
		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.
31	BZZA-19-00304 Special Use	Little Caesars Enterprises, Property Owner	2831 N OAKLAND AV Ald. District 3
		Request to continue occupying the premises as a fast-food/carry-out restaurant	
	Action:	Adjourned	
	Motion:		
	Vote:		

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	BZZA-19-00298 Special Use	Mana Ministries A/G, Inc., Property Owner	2324 W STATE ST Ald. District 4
		Request to continue occupying the premises as a religious assembly hall	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 0 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 first floor windows along the W. State Street façade remain as transparent glass per s.295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.	
		5. That landscaping and screening is maintained according to the landscape plan submitted to the Board of Zoning Appeals on 12/21/2009 or 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 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 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>
33	BZZA-19-00313 Special Use	Little Hidden Treasures, LLC, Lessee	9818 W SHERIDAN AV Ald. District 5
		Request to increase the hours of operation from 5:00 a.m. - 9:00 p.m to 5:00 a.m. to midnight and continue occupying the premises as a day care center for 50 children per shift infant - 12 years of age, operating Monday - Friday	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 0 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.295-805 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 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>
34	BZZA-19-00301 Special Use	Love, Laugh, and Learn Day Care, LLC, Prospective Buyer	8028 W CAPITOL DR Ald. District 5
		Request to increase the ages of children from infant - 11 to infant - 14 years of age, increase the hours of operation from 5:30 - 6:00 p.m. to 5:30 a.m. - midnight, and continue occupying the premises as a day care center for 70 children per shift operating Monday - Friday	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 0 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 this Special Use is granted for a period of time commencing with the date hereof, and expiring on May 10, 2028.
35	BZZA-19-00309 Use Variance	School Sisters of St. Francis, Property Owner	1501 S LAYTON BL Ald. District 8
		Request to occupy a portion of the premises as a multi-family dwelling	
	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-19-00293 Special Use	V&J Foods, Inc., Other	6544 N 76TH ST Ald. District 9
		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 Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 0 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.
		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 landscaping and screening is maintained according to the landscape plan submitted to the Board of Zoning Appeals on 6/1/2008 or 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 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 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>
37	BZZA-19-00132 Dimensional Variance	3928, LLC, Property Owner	3928 S 76TH ST Ald. District 11
		Request to construct a building that exceeds the maximum allowed front setback and parking between the street façade of a principal building and a lot line	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 0 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 site is built in accordance with the façade & elevation plan submitted to the Board on October 4, 2019.
		6.	That landscaping and screening in accordance to the plan submitted to the Board on October 8, 2019 is installed within 90 days of occupancy and is maintained in accordance with s295-405-1-f of the Milwaukee Zoning Code. Specifically that all required landscaping materials, including trees, plants and fences or walls, shall be properly maintained and replaced as necessary to maintain code compliance.
		7.	That a Department of Public Works (DPW) permit is obtained to construct the new driveway approaches on South 76th Street and on West Van Beck Avenue. Contact the Development Center Tech Team at 414-286-8208 with questions regarding the driveway permit process.
		8.	That unused driveways be removed and restored to City of Milwaukee specifications within one (1) year.
		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 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>
38	BZZA-19-00263 Special Use	Star House, LLC, Lessee	3738 S 60TH ST Ald. District 11
		Request to occupy the premises as a day care center for 315 children per shift infant - 13 years of age, operating Monday - Friday from 6:00 a.m. - midnight and Saturday 7:00 a.m. - 6:00 p.m.	
	Action:	Adjourned	
	Motion:		
	Vote:		
39	BZZA-19-00305 Dimensional Variance	Linda Carter, Property Owner	1023 W WASHINGTON ST Ald. District 12
		Request to raze the existing garage and construct a detached garage that exceeds the maximum allowed sidewall height	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
		<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. The petitioner obtain any required permits, all applicable construction and zoning codes are met and the all required inspections completed before use of the structure commences. 5. That this Variance is granted to run with the land. 	
40	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:		

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	BZZA-19-00226 Dimensional Variance	Alliance Total Care LLC, Lessee	1311 W LINCOLN AV Ald. District 12
		Request to allow a permanent banner sign that exceeds the maximum allowed area	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
		1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.	
		2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.	
		3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.	
		4. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.	
		5. That no prohibited signage be displayed at the location per code section 295-407-9.	
		6. That this Variance is granted to run with the land.	
42	BZZA-19-00192 Special Use	CleanSlate Medical Group of Wisconsin, SC, Lessee	1111 S 6TH ST Ald. District 12
		Request to occupy a portion of the premises as a social service facility	
	Action:	Dismissed	
	Motion:	Eric Lowenberg moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	BZZA-19-00294 Dimensional Variance	Christopher Chirafisi, Property Owner	4064 S AUSTIN ST Ald. District 13
		Request to construct a single-family dwelling that does not meet the minimum required height and lot coverage (width)	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
		1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.	
		2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.	
		3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.	
		4. That a Department of Public Works (DPW) permit is obtained to construct the new driveway approach on South Austin Street. Contact the Development Center Tech Team at 414-286-8208 with questions regarding the driveway permit process.	
		5. The petitioner obtain any required permits, all applicable construction and zoning codes are met and the all required inspections completed before use of the structure commences.	
		6. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.	
		7. That all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances.	
		8. That any/all off street parking spaces on the lot conform to the site standard regulations in 298-505-4. Please note, off street parking spaces must be located in the rear yard or side yard beyond the side setback. Access drives that directly lead to approvable parking spaces may be in a setback area. Those access drives may be used for parking.	
		9. 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>
44	BZZA-19-00256 Special Use	R. Vintage N More, LLC, Lessee	2653 S KINNICKINNIC AV Ald. District 14
		Request to continue occupying the premises as a second-hand sales facility	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 0 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 shall comply with MPD documentation and record keeping requirements if required by City Ordinance.	
		8. That any required City license relevant to the Second Hand sales use is obtained and maintained.	
		9. That the applicant does not have outdoor storage or display of products or merchandise.	
		10. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.	
		11. 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.	
		12. 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>
45	BZZA-19-00275 Special Use	GS Auto Sales, Inc., Property Owner	3600 S CHASE AV Ald. District 14
		Request to construct a light motor vehicle sales and repair facility	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 0 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 unused driveway located on South Chase Avenue be removed and restored to City of Milwaukee specifications within one (1) year. Please contact the Development Center Tech Team at 414-286-8208 to apply for a DPW permit to close the driveway approach.	
5.		That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, the planting of trees, shrubs and other plant materials and excavation for the building foundations. The DPW permit must be obtained prior to the start of any work in the public right-of-way. Please contact Ms. Dawn Schmidt at 414-286-2454 with questions regarding this matter.	
6.		That the concrete curbs shown projecting into the public right-of-way at the two driveway approach locations be truncated so that they stop at the property line.	
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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.	
10.		That landscaping and screening in accordance to the plan submitted to the Board on July 24, 2019 is installed within 90 days of occupancy and is maintained in accordance with s295-405-1-f of the Milwaukee Zoning Code. Specifically that all required landscaping materials, including trees, plants and fences or walls, shall be properly maintained and replaced as necessary to maintain code compliance.	
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 applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.	
16.		That all repair work is conducted inside the building.	
17.		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.	
18.		That all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances.	
19.		That the petitioner obtain all required City and State licenses relative to Light Motor Vehicle sales.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
		20. That these Special Uses are granted for a period of ten (10) years, commencing with the date hereof.	
46	BZZA-18-00464 Dimensional Variance Special Use	KP Real Estate Holding, Inc., Property Owner	1606 N 35TH ST Ald. District 15
		Request to add an addition to the general retail establishment (permitted) that exceeds the side street setback, does not meet the required side street glazing, and to occupy the premises as a principal use parking lot (applicant is combining lot with 1600 N. 35th St.)	
	Action:	Adjourned	
	Motion:		
	Vote:		

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
47	BZZA-19-00264 Dimensional Variance	American Tower Corporation (ATC) & Verizon Wireless, Lessee	3012 W GALENA ST Ald. District 15
		Request to construct an outdoor substation/distribution equipment facility that does not meet the minimum required setback	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 0 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 gate swings at the driveway be secured so that they do not block the paved public sidewalk at any time.
		5.	That a Special Privilege be obtained from the City of Milwaukee Common Council to allow the gate swings to occupy the public right-of-way. The Special Privilege application must be submitted within thirty (30) days. Please contact Ms. Dawn Schmidt to obtain a Special Privilege Application Form or with questions at 414-286-2454.
		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, installation of any proposed hand holes or fiber runs. 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.	The petitioner obtain any required permits, all applicable construction and zoning codes are met and the all required inspections completed before use of the structure commences.
		8.	That this Variance is granted to run with the land.
48	BZZA-19-00208 Special Use	Myndful Teaching CC Services, LLC, Lessee	1801 N 12TH ST Ald. District 15
		Request to increase the hours of operation from 6:00 a.m. - midnight to 24 hours and continue occupying the premises as a day care center for 29 children 1st and 2nd shift, 20 children on 3rd shift infant - 13 years of age, operating Monday - Sunday	
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
49	BZZA-19-00335 Dimensional Variance, Special Use	Hope Street Ministry, Inc. DBA SHECHEM, Property Owner	2510-2510 W CAPITOL DR Ald. District 1
		Request to construct a community center that exceeds the maximum allowed front setback and does not meet the minimum required building height	
	Action:	Adjourned	
	Motion:		
	Vote:		
50	BZZA-19-00299 Special Use	Budget Towing, Lessee	2456 W CORNELL ST Ald. District 1
		Request to add an outdoor salvage operation and to continue occupying the premises as an indoor salvage operation	
	Action:	Adjourned	
	Motion:		
	Vote:		

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
51	BZZA-18-00034 Dimensional Variance	O'Reilly Automotive Stores, Inc., Lessee	6181 N TEUTONIA AV Ald. District 1
		Request to construct a general retail establishment (permitted) that exceeds the maximum allowed front setback and side setback, does not meet the minimum required glazing, and does not meet the minimum required landscaping	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
		1.	That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
		2.	That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.
		3.	That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
		4.	That landscaping and screening in compliance with a landscape plan that meets the requirements of s295-405 of the Milwaukee Zoning code is implemented within 90 days of occupancy and is maintained in accordance with s295-405-1-f of the Milwaukee Zoning Code. Specifically that all required landscaping materials, including trees, plants and fences or walls, shall be properly maintained and replaced as necessary to maintain code compliance.
		5.	That the building's street façade plan be revised to limit the usage of concrete masonry units to the base of the façade to a height not exceeding 2.5 feet and that simulated stucco products are limited to the upper one-third of the street façade.
		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 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>
52	BZZA-19-00278 Special Use	Devoted Hearts 1, LLC, Lessee	4238 N 19TH PL Ald. District 1
		Request to continue occupying the premises as a group home for 6 occupants	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	3 Ayes, 1 Nays, 0 Abstained.	
		1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.	
		2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.	
		3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.	
		4. That a contact name and phone number be provided to the Board office within 30 days of the issuance of this written decision. The contact name and phone number must also be available to all interested parties, including but not limited to, the Alderman of the District, and the Department of Neighborhood Services. The phone number must be available 24 hours a day.	
		5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.	
		6. That no prohibited signage be displayed at the location per code section 295-407-9.	
		7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.	
		8. That the applicant establish a community advisory committee consisting of representatives from the proposed large group shelter facility in the neighborhood in which the proposed facility will be located and a local unit of government, in accordance with s. 48.68(4) or s. 50.03(4)(g), Wis. Stats., as applicable with the local government representative being the local common council member or the council member's designee.	
		9. That the applicant submit a written report including minutes of quarterly meetings of the community advisory committee to the Board of Zoning Appeals office.	
		10. That the applicant submit records of elopement to the Board of Zoning Appeals office.	
		11. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
53	BZZA-19-00238 Special Use	LML Auto Groups, LLC, Lessee	2462 W CAPITOL DR Ald. District 1
		Request to continue occupying the premises as a light motor vehicle sales and repair facility (this is a new operator)	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1.		That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.	
2.		That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.	
3.		That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.	
4.		That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.	
5.		That 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 decorative metal fence is maintained in a manner that meets the intent of s295-405-1-f of the Milwaukee Zoning code	
7.		That no more than 10 vehicles are parked outdoors on the parking lot to the south of the building at any time for any reason.	
8.		That no more than 5 vehicles are parked outdoors in the fenced area to the north of the building at any time for any reason.	
9.		That a Special Privilege be obtained from the City of Milwaukee Common Council to allow the gate swing projections 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.	
10.		That no work or storage of vehicles occurs in the public right-of-way.	
11.		That no sales vehicles are displayed in the public right-of-way.	
12.		That the 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 all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances.	
20.		That no Light motor vehicle body shop work be performed with at this location. A Body Shop facility in IL2, Industrial district is permitted only as a special use, and will require approval from the Board of Zoning Appeals.	
21.		That no Outdoor Motor vehicle storage occur at this location. Outdoor Motor Vehicle storage, in the LB2 Commercial district is a special use, and will require approval from the Board of Zoning Appeals.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
		22. That these Special Uses are granted for a period of five (5) years, commencing with the date hereof.	
54	BZZA-19-00287 Use Variance	MJ Construction, Inc., Lessee	8617 W KAUL AV Ald. District 2
		Request to occupy the premises as a facility engaged in the processing and recycling of mined materials	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Brett Blomme.	
	Vote:	3 Ayes, 1 Nays, 0 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 all measures be taken to prevent the generation of fugitive dust from activity on the property, per code section 80-6.2.	
		5. That measures be taken to prevent tracking of dirt/debris from the facility onto the public right of way.	
		6. That any sediment reaching a public or private road shall be removed immediately by street cleaning, other than flushing.	
		7. That all measures be taken to prevent activity on the site from violating city Noise Limitations ordinance as per code 80-64.1.	
		8. That material stockpile heights shall not exceed the restrictions per code section 295-805-4-h-2.	
		9. That the applicant sweeps the street and sidewalk area (the area between the street curb and the property line) abutting the premises to remove dust and debris from the parcel that has migrated into the public right-of-way. Sweeping should be done at least once every 2 weeks while the concrete crushing operation is active.	
		10. 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>
55	BZZA-19-00341 Use Variance	MJ Construction, Inc., Lessee	8701-8701 W KAUL AV Ald. District 2
		Request to occupy the premises as a facility engaged in the processing and recycling of mined materials	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Brett Blomme.	
	Vote:	3 Ayes, 1 Nays, 0 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 all measures be taken to prevent the generation of fugitive dust from activity on the property, per code section 80-6.2.	
		5. That measures be taken to prevent tracking of dirt/debris from the facility onto the public right of way.	
		6. That any sediment reaching a public or private road shall be removed immediately by street cleaning, other than flushing.	
		7. That all measures be taken to prevent activity on the site from violating city Noise Limitations ordinance as per code 80-64.1.	
		8. That material stockpile heights shall not exceed the restrictions per code section 295-805-4-h-2.	
		9. That the applicant sweeps the street and sidewalk area (the area between the street curb and the property line) abutting the premises to remove dust and debris from the parcel that has migrated into the public right-of-way. Sweeping should be done at least once every 2 weeks while the concrete crushing operation is active	
		10. That this Variance is granted for a period of five (5) years, commencing with the date hereof.	
56	BZZA-19-00171 Use Variance	Fine Images, LLC, Lessee	6637-6637 W MILL RD Ald. District 2
		Request to occupy a portion of the premises as a community center	
	Action:	Adjourned	
	Motion:	Eric Lowenberg moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
57	BZZA-19-00281 Special Use	Pathfinders MKE, Inc., Property Owner	1614 E KANE PL Ald. District 3
		Request to occupy the premises as a small group shelter care facility for 8 occupants (previously Board-approved group home)	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	3 Ayes, 0 Nays, 0 Abstained.	
		1.	That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
		2.	That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.
		3.	That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
		4.	That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
		5.	That no prohibited signage be displayed at the location per code section 295-407-9.
		6.	That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
		7.	That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy.
		8.	That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
58	BZZA-19-00004 Dimensional Variance, Special Use	Untouchable Auto & Diesel, LLC, Lessee	11920 W CARMEN AV Ald. District 5
		Request to occupy the premises as a light and heavy motor vehicle repair facility and an outdoor salvage operation that does not meet the minimum required landscaping	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 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 for the W. Carmen St frontage in accordance to the plan submitted to the Board on September 16, 2019 is installed by May 30th 2020 and is maintained in accordance with s295-405-1-f of the Milwaukee Zoning Code. Specifically that all required landscaping materials, including trees, plants and fences or walls, shall be properly maintained and replaced as necessary to maintain code compliance.	
		5. That existing landscaping along the north property line is retained in a manner that meets the intent of table 295-405-4-b of the Milwaukee Code of Ordinances.	
		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 within 60 days of Board of Zoning Appeals approval.	
		11. That a Recycling, Salvaging, or Towing Premises License must be obtained, City Clerk License Division, by any person, who in the course of normal business activities, generates or removes 25 or more waste tires per calendar year.	
		12. That all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances.	
		13. That these Special Uses are granted for a period of five (5) years, commencing with the date hereof.	
		14. 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>
59	BZZA-19-00078 Dimensional Variance	48Forty Solutions, LLC, Lessee	11144 W SILVER SPRING DR Ald. District 5
		Request to allow an outdoor storage facility (permitted) with stockpiles without the minimum required screening	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 0 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 July 17, 2019 is revised to provide additional trees and tall shrubs in the area along the fence line on the west side of the W. Silver Spring Dr. driveway.	
		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 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 all storage meets applicable State building codes and fire codes.	
		9. 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>
60	BZZA-19-00302 Special Use	Gateway to Knowledge Learning Center, LLC, Lessee	2949 N MARTIN L KING JR DR Ald. District 6
		Request to occupy the premises as a day care center for 60 children per shift infant - 12 years of age, operating Monday - Friday 7:00 a.m. - 9:00 p.m.	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 0 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 an outdoor play area be developed on the premises.
		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. issuance of this written decision. The phone number must be available 24 hours a day.
		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 the applicant applies for a loading zone on North Dr. Martin L. King Jr. Drive within thirty (30) days. Please contact Mr. Dale Dietze at 414-286-8678 to apply for or to renew, if necessary, the loading zone.
		10.	That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
		11.	That no prohibited signage be displayed at the location per code section 295-407-9.
		12.	That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
		13.	That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy.
		14.	That the facility does not exceed the capacity established by the State Department of Children and Families.
		15.	That this Special Use is granted for a period of three (3) years, commencing with the date hereof.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
61	BZZA-19-00255 Dimensional Variance, Special Use	BBNA, LLC, Lessee	830 W ATKINSON AV Ald. District 6
		Request to occupy the premises as a light motor vehicle sales facility that does not meet the minimum required landscaping	
	Action:	Granted	
	Motion:	Jennifer Current moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
		1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.	
		2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.	
		3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.	
		4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.	
		5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.	
		6. That no prohibited signage be displayed at the location per code section 295-407-9.	
		7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.	
		8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy.	
		9. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.	
		10. That the petitioner obtain all required City and State licenses relative to Light Motor Vehicle sales.	
		11. That all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances.	
		12. That no sales vehicles are displayed in the public right-of-way.	
		13. That no more than 6 vehicles are parked outdoors on the parking slab for any reason at any time.	
		14. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	
		15. That this Variance is granted to run with the land.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
62	BZZA-19-00282 Special Use	Safety First Learning Center, Lessee	3380 N 35TH ST Ald. District 7
		Request to increase the days of operation from Monday - Friday to Sunday - Saturday and continue occupying the premises as a daycare center for 72 children per shift infant - 13 years of age, operating 5:00 a.m. to midnight	
	Action:	Adjourned	
	Motion:		
	Vote:		

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
63	BZZA-19-00314 Dimensional Variance, Special Use	United Community Center, Property Owner	2210 W BECHER ST Ald. District 8
		Request to construct a day care center for 200 children per shift infant - 4 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m. that does not meet the minimum required front and rear setbacks, does not meet the required entrance door orientation, and exceeds the maximum fence height	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1.		That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.	
2.		That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.	
3.		That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.	
4.		That the petitioner make arrangements to allow for public usage of the parking lot on a shared bases during hours when the day care center is not in operation.	
5.		That the petitioner make arrangements to allow for public usage of the outdoor play area lot on a shared bases during hours when the day care center is not in operation.	
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 landscaping and screening in accordance to the landscape plan submitted to the Board on October 7, 2019 is installed within 90 days of occupancy and is maintained in accordance with s295-405-1-f of the Milwaukee Zoning Code. Specifically that all required landscaping materials, including trees, plants and fences or walls, shall be properly maintained and replaced as necessary to maintain code compliance.	
9.		That the certified survey map combining these parcels is approved by the common council.	
10.		That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.	
11.		That no prohibited signage be displayed at the location per code section 295-407-9.	
12.		That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.	
13.		That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy.	
14.		That the facility does not exceed the capacity established by the State Department of Children and Families.	
15.		That bicycle parking is provided as required by Section 295-404 of the Milwaukee Code of Ordinances.	
16.		That a Department of Public Works (DPW) permit is obtained to construct new or modify existing driveway approaches on West Becher Street or South Muskego Avenue. Contact the Development Center Tech Team at 414-286-8208 with questions regarding the driveway permit process.	
17.		That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, excavation for the removal of the lannon stone retaining wall or 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.	
18.		That this Special Use is granted for a period of twenty five (25) years, commencing with the date hereof.	
19.		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>
64	BZZA-19-00227 Special Use	VM Towing, LLC, Lessee	2021 W FOREST HOME AV Ald. District 8
		Request to occupy the premises as a ground transportation service and motor vehicle repair facility (tire sales and installation)	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
		1.	That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
		2.	That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.
		3.	That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
		4.	That no more than 1 vehicle be parked outside on the lot of any reason at any time.
		5.	That no work or storage of vehicles occurs in the public right-of-way.
		6.	That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.
		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 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>
65	BZZA-19-00180 Dimensional Variance, Special Use, Use Variance	Moras Auto Uno, LLC, Property Owner	3120 W BURNHAM ST Ald. District 8
		Request to add a light motor vehicle outdoor storage facility, a heavy motor vehicle outdoor storage facility, and an outdoor salvage operation without the minimum required landscaping to the Board-approved light motor vehicle sales and repair facility	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 0 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 10-7-2019 is approved.	
5.		That no more than 16 passenger vehicles and 2 heavy duty motor vehicles are parked on the parking lot for any reason at any time.	
6.		That parked vehicles do not block driveway approaches during business hours.	
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 prior to occupancy.	
13.		That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.	
14.		That all repair work is conducted inside the building.	
15.		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.	
16.		That all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances.	
17.		That the petitioner obtain all required City and State licenses relative to Light Motor Vehicle sales.	
18.		That a revised landscape plan be submitted that adds additional shrubs to the planting strip along S. 31st Street between the driveway and the north property line. The additional shrubs should be of a type and manner that creates a hedge not to exceed feet in height when the shrubs are mature.	
19.		That shrubs in accordance with the revised landscape plan are installed by May 31, 2020 and are 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	
20.		That these Special Use and Use Variances are granted for a period of time commencing with the date hereof, and expiring on July 16, 2024.	
21.		That this Dimensional Variance is granted to run with the land.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
66	BZZA-19-00253 Dimensional Variance	Troy Phillipson, Property Owner	2723 W LINCOLN AV Ald. District 8
		Request to allow a ground sign that exceeds the maximum number allowed	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	3 Ayes, 1 Nays, 0 Abstained.	
		1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.	
		2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.	
		3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.	
		4. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.	
		5. That no prohibited signage be displayed at the location per code section 295-407-9.	
		6. That this Variance is granted to run with the land.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
67	BZZA-19-00233 Special Use	Ultimate Auto Repairs and Sales, Inc., Lessee	1956 S MUSKEGO AV Ald. District 8
		Request to occupy the premises as a light motor vehicle repair and sales facility (indoor)	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Eric Lowenberg.	
	Vote:	4 Ayes, 0 Nays, 0 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 no more than 17 vehicles are parked inside the building for any reason at any time.	
		6. That no more than 5 vehicles are parked outside on the parking lot for any reason at any time.	
		7. That no work on or storage of vehicles or vehicle parts 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 prior to occupancy.	
		13. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.	
		14. That all repair work is conducted inside the building.	
		15. 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.	
		16. That all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances.	
		17. That the petitioner obtain all required City and State licenses relative to Light Motor Vehicle sales.	
		18. 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>
68	BZZA-19-00288 Special Use	Sweet Mama's House, LLC, Lessee	8271 W BROWN DEER RD Ald. District 9
		Request to occupy a portion of the premises as a day care center for 100 children per shift infant - 12 years of age, operating Monday - Friday 6:00 a.m. to 6:00 p.m.	
	Action:	Granted	
	Motion:	Eric Lowenberg moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 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.
		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 facility does not exceed the capacity established by the State Department of Children and Families.
		11.	That this Special Use is granted for a period of 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>
69	BZZA-19-00162 Special Use	Festus Auto Sales, LLC, Lessee	7960 N 76TH ST Ald. District 9
		Request to occupy the premises as a light motor vehicle sales facility	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	4 Ayes, 0 Nays, 0 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 a landscape and screening plan for the parking lot that meets the requirements of city code section 295-405-4-a-6 is submitted to and approved by the Plan Examination section of the Department of Neighborhood Services Development Center prior to the issuance of any permits.	
		6. That landscaping and screening in accordance with an approved landscape plan is installed by May 31, 2020 and is maintained in accordance with s295-405-1-f of the Milwaukee Zoning Code. Specifically that all plant material shall be maintained on an on-going basis, including seasonal tree and plant replacement.	
		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 petitioner obtain all required City and State licenses relative to Light Motor Vehicle sales.	
		12. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.	
		13. That all repair work is conducted inside the building.	
		14. That a Recycling, Salvaging, or Towing Premises License must be obtained, City Clerk License Division, by any person, who in the course of normal business activities, generates or removes 25 or more waste tires per calendar year.	
		15. That all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances.	
		16. That no sales vehicles are displayed in the public right-of-way.	
		17. 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>
70	BZZA-19-00194 Special Use, Use Variance	OEM Group, LLC, Lessee	6401 N 76TH ST Ald. District 9
		Request to occupy the premises as a light motor vehicle sales facility, repair facility, and an outdoor salvage operation	
	Action:	Adjourned	
	Motion:		
	Vote:		

Other Business:

Board member Eric Lowenberg moved to approve the minutes of the September 12, 2019 meeting. Seconded by Board member Henry Szymanski. Unanimously approved.

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

Board member Henry Szymanski 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