

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

**REGULAR MEETING - April 04, 2024**  
**City Hall, Common Council Committee Room 301-A**

***MINUTES***

---

PRESENT:

**Chairperson:** Eric Lowenberg (*voting on items 1-44*)  
**Vice Chairman:** Henry Szymanski (excused)  
**Members:** Jennifer Current (*voting on items 1-29, 31-44*)  
Terry Witkowski (*voting on items 1-44*)  
Marjorie Rucker (*voting on items 1-44*)

**Alt. Board Members:** Lindsey St. Arnold Bell (*voting on items 29-44*)

START TIME: 4:05 P.M.

END TIME: 7:17 P.M.

---

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	BZZA-22-00084 Special Use	Faces Of Our Future Child Development Center, Lessee	10226-10226 W CAPITOL DR Ald. District 5
		Request to continue occupying the premises as a day care center for 50 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m. (this is a new operator)	
	Action:	Dismissed	
	Motion:	Terry Witkowski moved to dismiss the appeal. Seconded by Marjorie Rucker.	
	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>
2	BZZA-24-00058 Special Use	Green Bay Metro, LLC, Lessee	4057-4057 N GREEN BAY AV Ald. District 1
		Request to continue occupying the premises as a filling station (this is a new operator)	
	Action:	Granted	
	Motion:	Terry Witkowski moved to grant the appeal. Seconded by Marjorie Rucker.	
	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 applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.	
5.		That no prohibited signage be displayed at the location per code section 295-407-9.	
6.		That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.	
7.		That the applicant does not have outdoor storage or display of products or merchandise.	
8.		That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour Establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances if the license is required by Ordinance.	
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 BOZA approval.	
10.		That landscaping and screening in accordance to the plan submitted to the Board on February 26, 2024 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 site illumination must meet the lighting standards of s295-409 of the Milwaukee Zoning Code.	
12.		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.	
13.		That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.	
14.		That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.	
15.		That the applicant provide at least two (2) bicycle parking spaces within thirty (30) days.	
16.		That this Special Use is granted for a period of ten (10) years.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
3	BZZA-24-00069 Special Use	Precious Love Learning Center, LLC, Lessee	7245-7245 N TEUTONIA AV Ald. District 1
		Request to occupy the premises as a day care center for 50 children per shift, infant - 13 years of age, and operating Monday - Friday from 6:00 a.m. - midnight	
	Action:	Granted	
	Motion:	Terry Witkowski moved to grant the appeal. Seconded by Marjorie Rucker.	
	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 takes 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 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.
		10.	That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.
		11.	That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license.
		12.	That the planting strip located between the sidewalk and the parking lot along the N. Teutonia Av frontage be upgraded to meet the shrub requirements of option "B" of table 295-405-a of the Milwaukee code or ordinances. Specifically, that 12 additional low shrubs are planted in said strip.
		13.	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.
		14.	That this Special Use is granted for a period of five (5) years.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
4	BZZA-24-00059 Special Use	OLU INVESTMENT LLC DBA Andy's 76, Lessee	4801-4801 N 76TH ST Ald. District 2
		Request to continue occupying the premises as a filling station (this is a new operator)	
	Action:	Granted	
	Motion:	Terry Witkowski moved to grant the appeal. Seconded by Marjorie Rucker.	
	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 does not have outdoor storage or display of products or merchandise.	
		8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy.	
		9. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour Establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances if the license is required by Ordinance.	
		10. 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.	
		11. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises.	
		12. That landscaping and screening is maintained in accordance with the landscape plan submitted to the Board of Zoning Appeals on October 17, 2000 or other landscape plan as approved by the Zoning Administration Group, 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.	
		13. That the applicant provide at least two (2) bicycle parking spaces within thirty (30) days.	
		14. That this Special Use is granted for a period of ten (10) years.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
5	BZZA-24-00073 Use Variance	S'Blendid Boba Tea, LLC dba SANDU, Lessee	311-311 E WISCONSIN AV Ald. District 4
		Request to occupy a portion of the premises as a catering service	
	Action:	Granted	
	Motion:	Terry Witkowski moved to grant the appeal. Seconded by Marjorie Rucker.	
	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 petitioner takes all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to hiring private personnel if necessary.	
		5. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy.	
		6. That the storefront windows remain as transparent glass in accordance with the glazing standards of s295-705.5.5 of the Milwaukee Code of Ordinances and are maintained in an attractive manner.	
		7. That this Use Variance is granted for a period of five (5) years.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
6	BZZA-24-00064 Special Use	Speedway, LLC, Property Owner	11800-11800 W SILVER SPRING DR Ald. District 5
		Request to continue occupying the premises as a motor vehicle filling station	
	Action:	Granted	
	Motion:	Terry Witkowski moved to grant the appeal. Seconded by Marjorie Rucker.	
	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 does not have outdoor storage or display of products or merchandise.	
		8. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour Establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances if the license is required by Ordinance.	
		9. 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.	
		10. That a contact name and phone number be provided to the Board office within 30 days of the issuance of this written decision. The contact name and phone number must also be available to all interested parties, including but not limited to, the Alderman of the District, and the Department of Neighborhood Services. The phone number must be available 24 hours a day.	
		11. That 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.	
		12. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.	
		13. That the applicant clears litter from the property three times daily at the opening of the business, at the mid-point of business hours, and at the end of business.	
		14. That this Special Use is granted for a period of ten (10) years.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	BZZA-24-00078 Special Use	Felsing Service, Inc., Lessee	9128-9128 W BURLEIGH ST Ald. District 5
		Request to continue occupying the premises as a light motor vehicle repair facility	
	Action:	Granted	
	Motion:	Terry Witkowski moved to grant the appeal. Seconded by Marjorie Rucker.	
	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 a manner that meets the intent of city code.	
		6. That all repair work is conducted inside the building.	
		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 applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.	
		11. That no work on vehicles occurs in the public right-of-way.	
		12. That a Recycling, Salvaging, or Towing Premises License must be obtained, City Clerk License Division, by any person, who in the course of normal business activities, generates or removes 25 or more waste tires per calendar year.	
		13. That the applicant, applicant's employees, and applicant's customers abide by all State Statutes and City of Milwaukee Ordinances regarding parking regulations.	
		14. That the applicant clears litter from the property three times daily at the opening of the business, at the mid-point of business hours, and at the end of business.	
		15. That this Special Use is granted for a period of ten (10) years.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
8	BZZA-24-00065 Dimensional Variance, Special Use	Adam Velarde dba Cave Enterprises Operations LLC, Lessee	2862-2862 N MARTIN L KING JR DR Ald. District 6
		Request to continue occupying the premises as a restaurant with a drive-through facility that does not meet the glazing requirements or the build-out requirements (this is an intensification)	
	Action:	Granted	
	Motion:	Terry Witkowski moved to grant the appeal. Seconded by Marjorie Rucker.	
	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 there be no increase in the height or area of the existing freestanding sign, and all other signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.
		6.	That the landscape plan submitted to the Board on February 27th 2024 is revised to meet the intent of s 295-405 of the Milwaukee Zoning Code. The revised landscape plan must be submitted to the Board for approval by the Zoning Administration Group within 60 days of Board approval of the special use.
		7.	That all landscaping improvements are installed by August 1, 2024 and that landscaping and screening is maintained in accordance with an approved landscape plan 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.
		8.	That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirement of a sign permit.
		9.	That no prohibited signage be displayed at the location per code section 295-404-9.
		10.	That the petitioner takes all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to hiring private personnel if necessary.
		11.	That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour Establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances if the license is required by Ordinance.
		12.	That the applicant provide at least two (2) bicycle parking spaces within thirty (30) days.
		13.	That this Special Use and Dimensional Variance are granted for a period of ten (10) years.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	BZZA-24-00092 Special Use	JobsWork MKE, Lessee	2153-2153 N MARTIN L KING JR DR Ald. District 6
		Request to occupy a portion of the premises as a social service facility	
	Action:	Granted	
	Motion:	Terry Witkowski moved to grant the appeal. Seconded by Marjorie Rucker.	
	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 takes all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.	
		7. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy.	
		8. That bicycle parking is provided as required by Section 295-404 of the Milwaukee Code of Ordinances.	
		9. That this Special Use is granted for a period of twenty (20) years.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	BZZA-24-00088 Use Variance	Yours and Mine Childcare, LLC, Lessee	2500-2500 N HOLTON ST Ald. District 6
		Request to increase the hours and days of operation from Monday - Friday from 5:00 a.m. - midnight to Monday - Sunday for 24 hours, and to continue occupying the premises as a day care center for 42 children per shift infant - 13 years of age (this is a new operator)	
	Action:	Granted	
	Motion:	Terry Witkowski moved to grant the appeal. Seconded by Marjorie Rucker.	
	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 applies for a loading zone on North Holton Street within thirty (30) days. Please contact Mr. Dale Dietze at 414-286-8678 to apply for or to renew, if necessary, the loading zone.
		5.	That the petitioner obtains a new occupancy certificate to account for the increase in hours of operation by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy.
		6.	That the facility does not exceed the capacity established by the State Department of Children and Families.
		7.	That no prohibited signage be displayed at the location per code section 295-407-9.
		8.	That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
		9.	That the petitioner takes 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.
		11.	That the outdoor play area is not utilized before 9:00 A.M. or after 6:00 P.M.
		12.	That the petitioner submit a copy of the State of Wisconsin day care license to Board of Zoning Appeals within 60 days of Board approval of the special use.
		13.	That 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.
		14.	That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.
		15.	That this Use Variance is granted for a period of five (5) years.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	BZZA-24-00067 Special Use	Palermo Villa, Inc., Lessee	400-400 S LAYTON BL Ald. District 8
		Request to occupy the premises as a principal use parking lot	
	Action:	Granted	
	Motion:	Terry Witkowski moved to grant the appeal. Seconded by Marjorie Rucker.	
	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 takes 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 to run with the land.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
12	BZZA-24-00070 Special Use	Palermo Villa, Inc., Lessee	500-500 S 35TH ST Ald. District 8
		Request to occupy the premises as a principal use parking lot	
	Action:	Granted	
	Motion:	Terry Witkowski moved to grant the appeal. Seconded by Marjorie Rucker.	
	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 takes 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 to run with the land.	
13	BZZA-24-00047 Dimensional Variance	Jonathan Glowacki, Property Owner	10820-10820 W BRADLEY RD Ald. District 9
		Request to split the lot and construct a single-family dwelling that does not meet the required minimum lot width	
	Action:	Granted	
	Motion:	Terry Witkowski moved to grant the appeal. Seconded by Marjorie Rucker.	
	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 petitioner obtains an occupancy certificate by having all required inspections, complies with current State Residential building code and complies with all zoning conditions and building code requirements prior to occupancy.	
		5. 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>
14	BZZA-24-00057 Special Use	Zignego Company, Inc., Property Owner	9168-9168 N 124TH ST Ald. District 9
		Request to continue occupying a portion of the premises as a temporary concrete/batch plant (concrete production for repaving project)	
	Action:	Granted	
	Motion:	Terry Witkowski moved to grant the appeal. Seconded by Marjorie Rucker.	
	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 petitioner control dust on site by the application of water, calcium chloride, or other acceptable and approved dust control compounds. Applications should be done daily or whenever fugitive dust is present. No visible fugitive dust emissions should leave the property.
		5.	That the special use be granted for a period not to exceed 18 months.
		6.	That when the construction project the plant is serving is complete, the site shall be cleaned and returned to its original condition or improved condition, as appropriate.
		7.	That the petitioner comply with regulations regarding loose materials in accordance with the standards of city code section 79-10-4.
		8.	That stockpiles be in compliance with s295-805-4-h-2 of the Milwaukee zoning code. specifically that All stockpile heights shall be limited to either the height of the fence enclosure provided or the average height of the landscape plant material, if greater. This limitation may be exceeded by 50% if the stockpile is located on the rear 25% of the site and not within 120 feet of a public street or any zoning district other than an industrial district.
		9.	That noise levels not exceed the noise limits of the Milwaukee Code of Ordinances.
		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 295-404-9.
		12.	That the petitioner takes 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 applicant maintains stock pile(s) height in accordance with code section 295-805-4-h-2.
		14.	That this Special Use is granted for a period of eighteen (18) months.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	BZZA-24-00071 Special Use	House of Love Youth Homes, Inc. dba House of Love II, Lessee	6442-6442 N 91ST ST Ald. District 9
		Request to continue occupying the premises as a group home for 6 occupants	
	Action:	Adjourned	
	Motion:		
	Vote:		
16	BZZA-24-00076 Special Use	Crossover Center, Inc., Lessee	8634-8634 W BROWN DEER RD Ald. District 9
		Request to occupy a portion of the premises as a social service facility	
	Action:	Granted	
	Motion:	Terry Witkowski moved to grant the appeal. Seconded by Marjorie Rucker.	
	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 takes all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.	
		7. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy.	
		8. That bicycle parking is provided as required by Section 295-404 of the Milwaukee Code of Ordinances.	
		9. That this Special Use is granted for a period of five (5) years.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	BZZA-24-00050 Special Use	City Transformation Center, LLC, Lessee	6815-6815 W CAPITOL DR Ald. District 10
		Request to occupy the premises as a social service facility	
	Action:	Granted	
	Motion:	Terry Witkowski moved to grant the appeal. Seconded by Marjorie Rucker.	
	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 takes 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.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	BZZA-24-00068 Special Use	Palermo Villa, Inc., Lessee	500-500 S 33RD CT Ald. District 10
		Request to occupy the premises as a principal use parking lot	
	Action:	Granted	
	Motion:	Terry Witkowski moved to grant the appeal. Seconded by Marjorie Rucker.	
	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 takes 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 to run with the land.	
19	BZCM-24-00001 Extension of Time	CCM-Cesar Chavez, LLC, Property Owner	1121-1121 S CESAR E CHAVEZ DR Ald. District 12
		Request for an extension of time to comply with the conditions of BZZA-21-00254	
	Action:	Adjourned	
	Motion:		
	Vote:		

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	BZZA-24-00054 Special Use	MPDE, LLC dba Walkers Auto Care, Lessee	137-137 W BRUCE ST Ald. District 12
		Request to add a car wash and to continue occupying a portion of the premises as a light motor vehicle repair facility	
	Action:	Granted	
	Motion:	Terry Witkowski moved to grant the appeal. Seconded by Marjorie Rucker.	
	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 repair work and car wash activity is conducted inside the building.	
		9. That a Recycling, Salvaging, or Towing Premises License must be obtained, City Clerk License Division, by any person, who in the course of normal business activities, generates or removes 25 or more waste tires per calendar year.	
		10. That all waste water is contained on site.	
		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 no work on vehicles occurs in the public right-of-way.	
		13. That the applicant, applicant's employees, and applicant's customers abide by all State Statutes and City of Milwaukee Ordinances regarding parking regulations.	
		14. That this Special Use is granted for a period of ten (10) years.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	BZZA-24-00062 Special Use	Walker's Point Plaza, LLC, Lessee	605-605 S 1ST ST Ald. District 12
		Request to continue occupying the premises as a motor vehicle filling station and car wash	
	Action:	Granted	
	Motion:	Terry Witkowski moved to grant the appeal. Seconded by Marjorie Rucker.	
	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 does not have outdoor storage or display of products or merchandise.	
		5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirement of a sign permit.	
		6. That no prohibited signage be displayed at the location per code section 295-407-9.	
		7. That the petitioner takes 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 use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour Establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances if the license is required by Ordinance.	
		9. That all car washing is conducted inside the building.	
		10. That all waste water is contained on site.	
		11. That the applicant provide at least two (2) bicycle parking spaces within thirty (30) days.	
		12. That this Special Use is granted for a period of ten (10) years.	
22	BZZA-24-00077 Special Use	6 Petro Mart, LLC DBA Hometown, Lessee	575-575 W BECHER ST Ald. District 12
		Request to continue occupying the premises as a motor vehicle filling station	
	Action:	Adjourned	
	Motion:		
	Vote:		

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
23	BZZA-24-00082 Special Use	Two Birds, LLC dba Filament, Lessee	131-131 W SEEBOTH ST Ald. District 12
		Request to continue occupying a portion of the premises as an assembly hall	
	Action:	Granted	
	Motion:	Terry Witkowski moved to grant the appeal. Seconded by Marjorie Rucker.	
	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 takes 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 adequate staff is present during events to maintain crowd control and to ensure events end within the listed hours of operation.	
		8. The occupancy holder not sell, or offer for sale, barter or give away liquor, wine or beer on the premises at any time, unless the premises has an alcohol beverage license.	
		9. That an employee and/or security personnel be on site during all events.	
		10. That the applicant supply a 24-hour contact phone number to the Board office and any interested party that requests it.	
		11. That this Special Use is granted for a period of ten (10) years.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
24	BZZA-24-00085 Use Variance	Gonzalez Brothers, LLC dba Gonzalez Auto Sales, Property Owner	1314-1314 W GRANT ST Ald. District 12
		Request to continue occupying the premises as a light motor vehicle sales facility	
	Action:	Granted	
	Motion:	Terry Witkowski moved to grant the appeal. Seconded by Marjorie Rucker.	
	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 takes 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 all required City and State licenses relative to Light Motor Vehicle sales.	
		8. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.	
		9. That site illumination must meet the lighting standards of s295-409 of the Milwaukee Zoning Code	
		10. That landscaping and screening in accordance to the plan submitted to the Board on March 13, 2024 is installed within 90 days of occupancy and is maintained in accordance with the landscape requirements of s295-405 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 no more than 19 vehicles are parked outside on the lot for any reason at any time. NOTE: This number only applies to the fenced parking lot used by the auto sales facility.	
		12. That no work on vehicles occurs in the public right-of-way.	
		13. That the applicant, applicant's employees, and applicant's customers abide by all State Statutes and City of Milwaukee Ordinances regarding parking regulations.	
		14. That the applicant obtain a Certificate to Display a Vehicle for Sale on Public Property as required by Section 101-29 of the Milwaukee Code of Ordinances for each vehicle to be displayed in the public right-of-way.	
		15. That this Use Variance is granted for a period of ten (10) years.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	BZZA-24-00086 Special Use	Gonzalez Used Car Sales, Property Owner	1308-1308 W WINDLAKE AV Ald. District 12
		Request to continue occupying the premises as a light motor vehicle sales facility	
	Action:	Granted	
	Motion:	Terry Witkowski moved to grant the appeal. Seconded by Marjorie Rucker.	
	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 repair work and wash activity is conducted inside the building.	
		5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.	
		6. That landscaping and screening in accordance to the plan submitted to the Board on March 13, 2024 is installed within 90 days of occupancy and is maintained in accordance with the landscape requirements of s295-405 of the Milwaukee Zoning Code. Specifically, that all required landscaping materials, including trees, plants and fences or walls, shall be properly maintained and replaced as necessary to maintain code compliance.	
		7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.	
		8. That no prohibited signage be displayed at the location per code section 295-407-9.	
		9. That the petitioner takes 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 obtains all required City and State licenses relative to Light Motor Vehicle sales.	
		12. That no more than 8 vehicles are parked outside on the lot for any reason at any time.	
		13. That no work on vehicles occurs in the public right-of-way.	
		14. That the applicant, applicant's employees, and applicant's customers abide by all State Statutes and City of Milwaukee Ordinances regarding parking regulations.	
		15. That the applicant obtain a Certificate to Display a Vehicle for Sale on Public Property as required by Section 101-29 of the Milwaukee Code of Ordinances for each vehicle to be displayed in the public right-of-way.	
		16. That this Special Use is granted for a period of ten (10) years.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	BZZA-24-00090 Special Use	Karampelas Investments, Inc dba Gyro Palace, Lessee	602-602 S 2ND ST Ald. District 12
		Request to continue occupying the premises as a restaurant with a drive-through facility	
	Action:	Granted	
	Motion:	Terry Witkowski moved to grant the appeal. Seconded by Marjorie Rucker.	
	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 requirement of a sign permit.	
		5. That no prohibited signage be displayed at the location per code section 295-404-9.	
		6. That the petitioner takes all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to hiring private personnel if necessary.	
		7. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour Establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances if the license is required by Ordinance.	
		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 within 60 days.	
		9. That this Special Use is granted for a period of ten (10) years.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	BZZA-24-00066 Special Use	Crown Castle, Property Owner	4855-4855 S 10TH ST Ald. District 13
		Request to occupy the premises as a transmission tower	
	Action:	Granted	
	Motion:	Terry Witkowski moved to grant the appeal. Seconded by Marjorie Rucker.	
	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 within 60 days of Board approval of the special use a landscape and screening plan that meets the intent of s295-405-6-a of the Milwaukee Zoning Code is submitted to the Board for approval by the Zoning Administration Group. The landscape plan must provide screening along the street frontage and identify and retain the existing natural landscaping along the other sides of the tower.	
		5. That landscaping and screening in accordance to an approved plan is installed by July 30th 2024 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.	
		6. That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way. The DPW permit must be obtained prior to the start of any work in the public right-of-way. Please contact Ms. Dawn Schmidt at 414-286-2454 with questions regarding this matter.	
		7. That 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>
28	BZZA-24-00049 Special Use	Midwest Autos & Services, LLC, Lessee	1711-1711 W CENTER ST Ald. District 15
		Request to add a heavy motor vehicle rental facility to the Board-approved light motor vehicle sales facility and existing non-conforming light motor vehicle repair facility	
	Action:	Granted	
	Motion:	Terry Witkowski moved to grant the appeal. Seconded by Marjorie Rucker.	
	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 applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.	
5.		That no prohibited signage be displayed at the location per code section 295-407-9.	
6.		That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.	
7.		That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy.	
8.		That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.	
9.		That all repair work is conducted inside the building.	
10.		That a Recycling, Salvaging, or Towing Premises License must be obtained, City Clerk License Division, by any person, who in the course of normal business activities, generates or removes 25 or more waste tires per calendar year.	
11.		That all areas used for parking follow the standards set in 295-403-3-b of the Milwaukee Code of Ordinances.	
12.		That the petitioner obtains all required City and State licenses relative to Light Motor Vehicle sales.	
13.		That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.	
14.		That site illumination must meet the lighting standards of s295-409 of the Milwaukee Zoning Code.	
15.		That no more than 40 vehicles are parked outside on the lot for any reason at any time.	
16.		That no work on vehicles occurs in the public right-of-way.	
17.		That the applicant, applicant's employees, and applicant's customers abide by all State Statutes and City of Milwaukee Ordinances regarding parking regulations.	
18.		That the applicant obtain a Certificate to Display a Vehicle for Sale on Public Property as required by Section 101-29 of the Milwaukee Code of Ordinances for each vehicle to be displayed in the public right-of-way.	
19.		That this Special Use is granted for a period of time commencing with the date hereof and expiring on August 11th, 2031.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	BZAP-24-00001 Other	Brother's Auto Repair, LLC, Lessee	3134-3134 W BURNHAM ST Ald. District 8
		Request for a resubmission to occupy the premises as a light motor vehicle sales and repair facility without the required screening	
	Action:	Overturn	
	Motion:	Lindsey St. Arnold Bell moved to overturn the appeal. Seconded by Marjorie Rucker.	
	Vote:	4 Ayes, 1 (EL) Nays, 0 Abstained.	
30	BZZA-23-00223 Dimensional Variance	Cornerstone Village-Highland, LLC, Other	3200-3200 W HIGHLAND BL Ald. District 4
		Request to construct a multi-family dwelling that exceeds the maximum front setback allowed	
	Action:	Granted	
	Motion:	Marjorie Rucker moved to grant the appeal. Seconded by Lindsey St. Arnold Bell.	
	Vote:	4 Ayes, 0 Nays, 1 (JC) 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 for any work in the public right-of-way, including, but not limited to, closure of any portion of the public right-of-way to facilitate construction; construction of utility laterals; and the planting of trees, shrubs and other plant materials. The DPW permit must be obtained prior to the start of any work in the public right-of-way. Please contact Ms. Dawn Schmidt at 414-286-2454 with questions regarding this matter.
		5.	That a Department of Public Works (DPW) permit is obtained to construct the new driveway approach on West Highland Boulevard. Contact the Development Center Tech Team at 414-286-8208 with questions regarding the driveway permit process.
		6.	That bicycle parking is provided as required by Section 295-404 of the Milwaukee Code of Ordinances.
		7.	That the proposed bicycle parking shown in the parking garage does not impede the access aisle for the ADA parking spaces in the parking garage.
		8.	That the petitioner takes all steps necessary to ensure that the north retaining wall adjacent to the east-west alley, if it is to remain, is structurally sound.
		9.	That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy.
		10.	That this Variance is granted to run with the land.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	BZZA-23-00225 Dimensional Variance	Deyanira Torres, Property Owner	431-431 N 34TH ST Ald. District 4
		Request to erect a 6 ft. solid fence in the side yard that does not meet the required set back from the side lot line	
	Action:	Denied	
	Motion:	Lindsey St. Arnold Bell moved to deny the appeal. Seconded by Terry Witkowski.	
	Vote:	5 Ayes, 0 Nays, 0 Abstained.	
32	BZZA-24-00032 Special Use	HKP LLC dba Subway, Lessee	1200-1200 N VAN BUREN ST Ald. District 4
		Request to continue occupying the premises as a restaurant without a drive through facility	
	Action:	Adjourned	
	Motion:	Jennifer Current moved to adjourn the appeal. Seconded by Terry Witkowski.	
	Vote:	5 Ayes, 0 Nays, 0 Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	BZZA-24-00072 Special Use	Unity Senior Living II, LLC, Property Owner	11017-11017 W APPLETON AV Ald. District 5
		Request to occupy the premises as a community living arrangement for 27 occupants	
	Action:	Granted	
	Motion:	Marjorie Rucker moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	5 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 a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, the planting of trees, shrubs and other plant materials. The DPW permit must be obtained prior to the start of any work in the public right-of-way. Please contact Ms. Dawn Schmidt at 414-286-2454 with questions regarding this matter	
5.		That a Department of Public Works (DPW) permit is obtained to construct the new driveway approach on West Appleton Avenue. Contact the Development Center Tech Team at 414-286-8208 with questions regarding the driveway permit process.	
6.		That unused driveways be removed and restored to City of Milwaukee specifications within one (1) year.	
7.		That the applicant obtains any necessary permits from WISDOT for work in the public right-of-way. NOTE: West Appleton Avenue is a dual jurisdiction roadway and permits are required both from the City of Milwaukee DPW and WISDOT for work in the public right-of-way.	
8.		That a certified survey map or subdivision plat that combines the parcels occupied by the proposed expansion is submitted to and approved by the City of Milwaukee and Recorded with the Milwaukee County Register of Deeds.	
9.		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.	
10.		That landscaping and screening in accordance with a landscape plan that meets the requirements of s295-405 of the Milwaukee Zoning Code and has been approved by the Plan Examination section of the Milwaukee Development Center 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 takes 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 clears litter from the property three times daily at the opening of the business, at the mid-point of business hours, and at the end of business.	
16.		That this Special Use is granted for a period of ten (10) years.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
34	BZZA-24-00074 Special Use	Unity Senior Living II, LLC, Prospective Buyer	11025-11025 W APPLETON AV Ald. District 5
		Request to construct and occupy the premises as a community living arrangement for 27 occupants	
	Action:	Granted	
	Motion:	Marjorie Rucker moved to grant the appeal. Seconded by Jennifer Current.	
	Vote:	5 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 a Department of Public Works (DPW) permit is obtained for any work in the public right of way, including, but not limited to, the planting of trees, shrubs and other plant materials. The DPW permit must be obtained prior to the start of any work in the public right of way. Please contact Ms. Dawn Schmidt at 414 286 2454 with questions regarding this matter.	
5.		That a Department of Public Works (DPW) permit is obtained to construct the new driveway approach on West Appleton Avenue. Contact the Development Center Tech Team at 414 286 8208 with questions regarding the driveway permit process.	
6.		That unused driveways be removed and restored to City of Milwaukee specifications within one (1) year.	
7.		That the applicant obtains any necessary permits from WISDOT for work in the public right of way. NOTE: West Appleton Avenue is a dual jurisdiction roadway and permits are required both from the City of Milwaukee DPW and WISDOT for work in the public right of way.	
8.		That a certified survey map or subdivision plat that combines the parcels occupied by the proposed expansion is submitted to and approved by the City of Milwaukee and Recorded with the Milwaukee County Register of Deeds.	
9.		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.	
10.		That landscaping and screening in accordance with a landscape plan that meets the requirements of s295 405 of the Milwaukee Zoning Code and has been approved by the Plan Examination section of the Milwaukee Development Center 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 takes 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 clears litter from the property three times daily at the opening of the business, at the mid-point of business hours, and at the end of business.	
16.		That this Special Use is granted for a period of ten (10) years.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	BZZA-24-00048 Special Use	Third Street Quick Mart, LLC, Lessee	3249-3249 N 3RD ST Ald. District 6
		Request to occupy the premises as a general retail establishment	
	Action:	Granted	
	Motion:	Lindsey St. Arnold Bell moved to grant the appeal. Seconded by Marjorie Rucker.	
	Vote:	5 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 storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.	
		5. That a contact name and phone number be provided to the Board office within 30 days of the issuance of this written decision. The contact name and phone number must also be available to all interested parties, including but not limited to, the Alderman of the District, and the Department of Neighborhood Services. The phone number must be available 24 hours a day.	
		6. That signage must meet the signage standards of s.295-505-5 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 takes 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 provides at least two (2) bicycle parking spaces within thirty (30) days.	
		12. That precious metals or cash for gold are not sold on the premises.	
		13. That this Special Use is granted for a period of three (3) years.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	BZZA-24-00035 Dimensional Variance	Nunziante Frias, Property Owner	1203-1203 S LAYTON BL Ald. District 8
		Request to allow an 18 ft. wide decorative gate that exceeds the maximum allowed width and a 5 ft. fence along the side street that does not meet the required setback, and is located within the vision triangle	
	Action:	Adjourned	
	Motion:		
	Vote:		
37	BZCM-24-00002 Condition Modification	SAI PETROLEUM, LLC, Property Owner	3500-3500 S 13TH ST Ald. District 13
		Request to modify condition #8 "That the applicant does not have outdoor storage or display of products or merchandise"	
	Action:	Adjourned	
	Motion:	Lindsey St. Arnold Bell moved to adjourn the appeal. Seconded by Jennifer Current.	
	Vote:	5 Ayes, 0 Nays, 0 Abstained.	
38	BZZA-22-00290 Use Variance	E&J Real Estate Rentals, LLC, Prospective Buyer	4000-4000 S 13TH ST Ald. District 13
		Request to occupy the premises as a heavy and light motor vehicle outdoor storage	
	Action:	Adjourned	
	Motion:	Jennifer Current moved to adjourn the appeal. Seconded by Marjorie Rucker.	
	Vote:	5 Ayes, 0 Nays, 0 Abstained.	
39	BZZA-24-00017 Special Use	Reo Motors, Inc., Lessee	6206-6206 S 27TH ST Ald. District 13
		Request to continue occupying the premises as a light motor vehicle sales and repair facility	
	Action:	Adjourned	
	Motion:	Lindsey St. Arnold Bell moved to adjourn the appeal. Seconded by Marjorie Rucker.	
	Vote:	5 Ayes, 0 Nays, 0 Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	BZZA-24-00031 Use Variance	Chanabla Gizmo Co., Property Owner	3401-3401 S 16TH ST Ald. District 13
		Request to occupy a portion of the premises as an outdoor storage facility (shipping container)	
	Action:	Granted	
	Motion:	Marjorie Rucker moved to grant the appeal. Seconded by Lindsey St. Arnold Bell.	
	Vote:	5 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 petitioner contacts and schedules an inspection with DNS condemnation to inspect for any interior fire damage of the building within 30 days of BOZA approval if approved.
		5.	That the proper permit(s) are obtained for renovations/alterations within 60 days of BOZA approval if approved.
		6.	That the storage container be a temporary use for a period of a maximum of 2 years
		7.	That this Use Variance is granted for a period of two (2) years.
41	BZZA-24-00063 Dimensional Variance, Special Use	Raceway on Lisbon, LLC, Lessee	3230-3230 W LISBON AV Ald. District 15
		Request to add a light motor vehicle repair facility and to continue occupying the premises as a heavy motor vehicle rental facility without the required screening	
	Action:	Adjourned	
	Motion:		
	Vote:		

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	BZZA-24-00079 Special Use	Love Bird Family Childcare Center, LLC, Lessee	2624-2624 N 19TH ST Ald. District 15
		Request to occupy the premises as a 24-hour family day care home for 8 children per shift, infant - 13 years of age, operating Monday - Saturday	
	Action:	Granted	
	Motion:	Jennifer Current moved to grant the appeal. Seconded by Terry Witkowski.	
	Vote:	5 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 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 signage must meet the signage standards of s.295-505 of the Milwaukee Zoning Code.
		6.	That the petitioner submits 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 outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.
		8.	That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
		9.	That no prohibited signage be displayed at the location per code section 295-407-9.
		10.	That the petitioner takes 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 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 three (3) years.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	BZZA-24-00089 Special Use	Smarties Child Care, LLC, Lessee	1628-1628 N 17TH ST Ald. District 15
		Request to occupy the premises as a 24-hour family day care home for 8 children per shift infant - 13 years of age operating Monday - Sunday	
	Action:	Granted	
	Motion:	Jennifer Current moved to grant the appeal. Seconded by Marjorie Rucker.	
	Vote:	5 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 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 signage must meet the signage standards of s.295-505 of the Milwaukee Zoning Code.
		6.	That the petitioner submits 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 outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.
		8.	That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
		9.	That no prohibited signage be displayed at the location per code section 295-407-9.
		10.	That the petitioner takes 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 building code and complies with all zoning conditions and building code requirements prior to occupancy.
		12.	That the facility does not exceed the capacity established by the State Department of Children and Families.
		13.	That this Special Use is granted for a period of five (5) years.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
44	BZZA-24-00027 Use Variance	Dr. Howard Fuller Collegiate Academy, Inc., Property Owner	4030-4030 N 29TH ST Ald. District 1
		Request to occupy the premises as a secondary school for 350 students, grades 6 - 8, operating Monday to Friday 6am to 5pm	
	Action:	Adjourned	
	Motion:	Marjorie Rucker moved to adjourn the appeal. Seconded by Lindsey St. Arnold Bell.	
	Vote:	5 Ayes, 0 Nays, 0 Abstained.	
45	BZZA-24-00045 Use Variance	Glendale Mini Market, LLC, Lessee	3101-3101 W GLENDALE AV Ald. District 1
		Request to occupy the premises as a general retail establishment	
	Action:	Adjourned	
	Motion:	Marjorie Rucker moved to adjourn the appeal. Seconded by Jennifer Current.	
	Vote:	5 Ayes, 0 Nays, 0 Abstained.	
46	BZZA-24-00061 Special Use	GB Realty Acquisitions, LLC, Property Owner	4722-4722 N 28TH ST Ald. District 1
		Request to occupy the premises as a self-service storage facility	
	Action:	Adjourned	
	Motion:		
	Vote:		

**Other Business:**

Board member Jennifer Current moved to approve the minutes of the March 7, 2024 meeting. Seconded by Board member Terry Witkowski. Unanimously approved.

The Board set the next meeting for May 2, 2024

Board member Jennifer Current moved to adjourn the meeting at 7:17 p.m.. Seconded by Board member Marjorie Rucker. Unanimously approved.

**BOARD OF ZONING APPEALS**

---

Secretary of the Board