



PETITION FOR A SPECIAL PRIVILEGE ccl-246 (12/13)

SP _____
CCF _____

- New application \$250.00 Fee**
- Amendment to add items to Special Privilege # _____ (\$125.00 Fee)**
- Amendment to remove items from Special Privilege # _____ (No fee)**
- Amendment for change of ownership for Special Privilege # _____ (No fee)**

- File petition with the Department of Public Works, Attention: Special Privileges, 841 North Broadway, Room 919, Milwaukee, WI 53202.
- Fee must be submitted with petition. Checks should be made payable to the City of Milwaukee.
- Questions? Call 414-286-2454

To the Honorable, The Common Council of the City of Milwaukee:

The Licensee 7-Eleven, Inc.
(Name of Individual, Partners, Corporation or LLC)

being the owners of the following property known by street address as 3301 North Oakland Avenue, Milwaukee, WI 53211 (Street Address and Zip Code) in the 3rd Aldermanic District respectfully petition the Common Council of the City of Milwaukee according to the provisions of Section 66.0425 of the Wisconsin Statutes, that the following privilege be granted:

Description of Special Privilege: A decorative metal fence occupies the public right-of-way, as illustrated on the attached image. This petition is submitted in connection with the issuance of a special use permit by the Board of Zoning Appeals (Case No. 33541, also attached hereto), whereby the Board of Zoning Appeals conditions the issuance of the special use permit on this petition being submitted no later than July 15, 2015.

Of which a plan or sketch is herewith submitted. Petitioner agrees to comply with all laws and all ordinances of the City of Milwaukee, to abide by any order or resolution of the Common Council affecting this privilege, to be primarily liable for damages to person or property by reason of the granting of such privilege, pay annual compensation as provided by law in the sum to be fixed by the proper city officers, and to file and keep current throughout the existence of the privilege, a certificate of insurance indicating applicant holds a public liability policy in at least the sums of \$25,000.00/\$50,000.00 bodily injury, and \$10,000.00 property damage, insuring the city against any liability that might arise by reason of the privilege.

Petitioner further agrees to remove said privilege whenever public necessity so requires when so ordered upon resolution adopted by the Common Council or other legislative body.

Should this special privilege be discontinued for any reason whatsoever, petitioner agrees to remove all construction work executed pursuant to this special privilege, to restore to its former condition and to the approval of the Commissioner of Public Works, any curb, pavement, or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Petitioner further agrees not to contest the validity of Section 66.0425 of the Wisconsin Statutes, or the legality of this special privilege in any way.

Name (Please Print): Carey S. Hime
(Individual, Partner, or Agent if corporation or LLC as shown above)

Signature: [Handwritten Signature]
(Individual, Partner, or Agent if corporation or LLC)

Corporation or LLC Name: 7-Eleven, Inc.
(If applicable, as shown above)

Mailing Address (If different than property address above): Attn: Licensing Coordinator, One Arts Plaza, 1722 Routh Street, Suite 1000

City: Dallas State: TX Zip: 75201

Telephone: 972.828.7748 E-Mail: carey.himel@7-11.com

Architect/Engineer/Contractor (If Applicable)

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-Mail: _____

IMPORTANT NOTICE FOR CUSTOMERS PAYING BY CHECK

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction.

RECEIVED
JUN 23 2015

#35853

BOARD OF ZONING APPEALS

CITY OF MILWAUKEE

In the Matter of the Appeal of:
7-ELEVEN, INC., PETITIONER

Case No. 33541

Premises:

3301 N. OAKLAND AV.
A/K/A 3305 N. OAKLAND AV.; 3309 N. OAKLAND AV.; 1724 E. HARTFORD AV.

The above matter was heard before the Board of Zoning Appeals of the City of Milwaukee on January 15, 2015, April 16, 2015, June 11, 2015, based on an appeal from a determination of the Commissioner of Neighborhood Services of the City of Milwaukee dated November 4, 2014, of a request for permit to continue occupying a portion of the premises as an accessory use parking lot. A decision of the Board was rendered on June 11, 2015. The decision and the minutes were filed immediately thereafter in the office of the Board of Zoning Appeals pursuant to Wisconsin Statutes, 62.23(7)(e)3.

IT IS FOUND:

That the Plan Examiner from the Department of Neighborhood Services properly denied the request to continue occupying a portion of the premises as an accessory use parking lot.

Special Uses are required by the Milwaukee Code of Ordinances for the following reasons:

295-603-2-L-1

An accessory use parking lot that is located between a street façade of a principal building and a street lot line is a Special Use in a Local Business District.

The Board of Zoning Appeals concluded, after receiving the Notice of Appeal and Application for Review from the petitioner, and after due notice to the parties in interest, and having heard the evidence of the petitioner, interested parties, and the City of Milwaukee, and being fully advised in the premises,

IT IS CONCLUDED:

Based on the testimony heard by the Board, that the proposed Special Use under Section 295-603-2-L-1 of the Milwaukee Code of Ordinances is consistent with:

1. Protection of Public Health, Safety and Welfare.
That the use is designed, located, and operated in a manner so that the public health safety and welfare is protected.
2. Protection of Property.
That the use, value and enjoyment of other property in the neighborhood will not be substantially impaired or diminished by the establishment, maintenance or operation of the special use.
3. Traffic and Pedestrian Safety.
That adequate measures have been or will be taken to provide safe pedestrian and vehicular access.
4. Consistency with Comprehensive Plan.
That this special use will be designed, located and operated in a manner consistent with the city's comprehensive plan.

provided that the following conditions are complied with,

IT IS ORDERED AND DETERMINED:

On the basis of the Findings, Conclusions, and the record herein, that a Special Use permit to continue occupying a portion of the premises as an accessory use parking lot is hereby granted.

Subject to the following conditions:

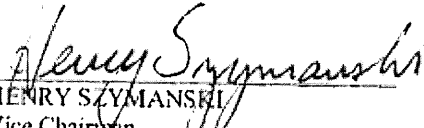
1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
5. That landscaping and screening is implemented and maintained in accordance with s295-405-1-c-9 of the Milwaukee Zoning Code. Specifically that shrubs are planted along the N. Oakland Ave frontage in accordance with city code and that all plant material shall be maintained on an on-going basis, including seasonal tree and plant replacement.
6. That a Special Privilege be obtained from the City of Milwaukee Common Council to allow the decorative metal fence to occupy the public right-of-way. The Special Privilege application must be submitted within thirty (30) days.
7. That this Special Use is granted to run with the land.

That this Special Use permit is subject to revocation upon a finding that these conditions have not been fully complied with.

Anyone aggrieved by the decision of the Board may appeal to the Circuit Court within thirty (30) days of the date hereof.

Dated, June 16, 2015

BOARD OF ZONING APPEALS


HENRY SZYMANSKI
Vice Chairman


LINDSEY ST. ARNOLD BELL
Secretary

In an effort to gather information about the Board of Zoning Appeals process, the Board office would appreciate if you would take a moment to answer a few questions about your experience.
Please return your questionnaire using the enclosed envelope.

Address of Parcel: _____

Proposed use: _____

Please answer these general questions regarding the zoning appeals process:

Is this the first time you have come before the Board of Zoning Appeals?

Yes No

Please rate the effectiveness of the blue General Information Booklet.

Poor Fair Good Excellent Not Applicable

Please rate the effectiveness of the Board of Zoning Appeals website.

Poor Fair Good Excellent Not Applicable

Please rate the helpfulness of the Board of Zoning Appeals staff.

Poor Fair Good Excellent Not Applicable

This section will give us more information about your experience with the zoning appeals process:

Did you contact the Alderman of the District prior to the Board of Zoning Appeals hearing?

Yes No

Did you hold a neighborhood meeting prior to the Board of Zoning Appeals hearing?

Yes No

Was your item adjourned from a Board of Zoning Appeals hearing?

Yes No

How many times was your item adjourned from a Board of Zoning Appeals hearing?

0 1 2 3+

Are you aware of the next steps needed to obtain your occupancy permit?

Yes No

Please share any additional comments below:

Thank you for taking a moment to complete this questionnaire.



