



Legislation Details (With Text)

**File #:** 161662      **Version:** 1  
**Type:** Resolution      **Status:** Passed  
**File created:** 3/14/2017      **In control:** COMMON COUNCIL  
**On agenda:**      **Final action:** 5/31/2017  
**Effective date:**

**Title:** Substitute resolution affirming the Historic Preservation Commission's decision and denying an appeal relating to a Certificate of Appropriateness for painting over a preexisting mural sign and installing multiple signs on the south elevation of 1003-1007 N. Old World 3rd Street in the Old World 3rd Street Historic District for owner Robert Wiltgen of Who's Milwaukee, LLC in the 4th Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** HISTORIC PRESERVATION COMMISSION, SIGNS

**Attachments:** 1. Appeal, 2. Appeal Rights Letter, 3. Staff Report, 4. Application Page 1.jpg, 5. Application Page 2.jpg, 6. BOZA Approval, 7. Photo 2.jpg, 8. Photo 3.jpg, 9. Photo of Storefront.jpg, 10. Photo 1.jpg, 11. Previous case file from 2014 (CCF# 140615), 12. Violation order 2015-11-23.pdf, 13. Violation order 2016-07-25.pdf, 14. Milwaukee Municipal Court Case Record.pdf, 15. Letter to Property Owner, 16. Letter to Property Owners Within 200 Feet, 17. List of Property Owners Within 200 Feet, 18. Hearing Notice List, 19. HPC ZND PowerPoint Presentation, 20. Certificate of Appropriateness, 21. Sign permit

Date	Ver.	Action By	Action	Result	Tally
4/10/2017	0	HISTORIC PRESERVATION COMMISSION	ADOPTED	Pass	4:0
5/17/2017	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
5/17/2017	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
5/17/2017	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
5/17/2017	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
5/17/2017	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
5/23/2017	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
5/23/2017	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	SUBSTITUTED	Pass	4:0
5/31/2017	1	COMMON COUNCIL	ADOPTED	Pass	15:0
6/9/2017	1	MAYOR	SIGNED		

161662  
SUBSTITUTE 1

THE CHAIR

Substitute resolution affirming the Historic Preservation Commission's decision and denying an appeal relating to a Certificate of Appropriateness for painting over a preexisting mural sign and

installing multiple signs on the south elevation of 1003-1007 N. Old World 3<sup>rd</sup> Street in the Old World 3<sup>rd</sup> Street Historic District for owner Robert Wiltgen of Who's Milwaukee, LLC in the 4<sup>th</sup> Aldermanic District.

This resolution affirms the Historic Preservation Commission's action to approve masonry painting, approve keeping one of two signs naming the tenant "Who's On Third" on the south wall, and denying all other signs promoting liquor products on the south wall of the business located at 1003-1007 N. Old World 3<sup>rd</sup> Street.

Whereas, In accordance with s.320-21-11-c of the Milwaukee Code of Ordinances, the Historic Preservation Commission reviewed the certificate of appropriateness at a April 10, 2017 meeting and, by a vote of four (4) ayes, zero (0) noes, and two (2) excused, approved masonry painting, approved one of two signs naming the tenant "Who's On Third" on the south wall, and denied all other signs promoting liquor products on the south wall of the business located at 1003-1007 N. Old World 3<sup>rd</sup> Street relative to a certificate of appropriateness.

Whereas, The owner of the property, pursuant to s.320-21-11-l of the Milwaukee Code of Ordinances, is entitled to appeal to the Common Council the Commission's decision to deny or grant with conditions on a certificate of appropriateness; and

Whereas, On May 1, 2017, the owner Robert Wiltgen, through legal counsel, appealed the Historic Preservation Commission's (HPC) decision to approve one of two signs naming the tenant "Who's On Third" and deny all other signs promoting liquor products on the south wall of the building relative a certificate of appropriateness; and

Whereas, The Zoning, Neighborhoods and Development Committee held a hearing on May 23, 2017 related to the appeal of owner Robert Wiltgen, through legal counsel, of the Historic Preservation Commission decision on the certificate of appropriateness; and

Whereas, By a unanimous vote of 5-0, the Committee affirmed the decision of the Historic Preservation Commission and denied the appeal filed by the owner through legal counsel relative to a certificate of appropriateness; now, therefore, be it;

Resolved, By the Common Council of the City of Milwaukee, that the appeal filed by the owner Robert Wiltgen through legal counsel relative to a certificate of appropriateness is denied; and

Further Resolved, By the Common Council of the City of Milwaukee, that the decision of the Historic Preservation Commission to approve masonry painting, approve one of two signs naming the tenant "Who's On Third" on the south wall, and deny all other signs promoting liquor products on the south wall of the business located at 1003-1007 N. Old World 3<sup>rd</sup> Street relative to a certificate of appropriateness be affirmed.

City Clerk's Office  
Chris Lee  
05/23/17