

**CITY OF WEST ALLIS
RESOLUTION R-2023-0172**

**RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT FOR A COMMUNITY
LIVING ARRANGEMENT FOR UP TO 12 PERSONS AT 1467 S. 75TH ST.**

WHEREAS, Jamia Lowe of Lowe Properties, LLC has applied for a conditional use permit pursuant to WAMC 19.14 to establish a Community Living Arrangement for up to 12 persons; and

WHEREAS, after due notice, a public hearing was held by the Common Council on January 10, 2023, at 7:00 p.m., in the Common Council Chambers to consider the application; and

WHEREAS, the Common Council finds the following facts and information directly pertain to the requirements and conditions an applicant must meet to obtain this conditional use permit:

1. The applicant has offices at 11114 W. Meadow Creek Dr., Milwaukee, WI, 53224.
2. The applicant owns the subject property located at 1467 S. 75th Street, West Allis, Wisconsin.
3. The applicant proposes to establish a Community Living Arrangement for up to 12 persons at that subject property.
4. An unrelated and nonadjacent community living arrangement is located at 7400 West Greenfield Avenue, which is within 2,500 feet of the subject property.
5. The capacity of community living arrangements in Aldermanic District 2 exceeds one percent of the population of the district.
6. The subject property is zoned RB.
7. The use of this property as a Community Living Arrangements for 9 or more persons is a Conditional Use.
8. Adjacent properties are zoned and developed for residential use.

NOW THEREFORE, be it resolved by the Council of the City Of West Allis, in the State of Wisconsin, that the application for a conditional use permit for the subject property is granted, subject to all of the requirements and conditions, which are reasonable, measurable, related to the purpose of the zoning code, and based on substantial evidence:

1. Duration. This conditional use permit shall expire if the approved use is discontinued for a period of 12 months
2. Transfer. This conditional use permit is not transferrable to any other person.
3. Renewal. This conditional use permit is not renewable if it expires.
4. Site, Landscaping, Screening and Architectural Plans. The permittee shall maintain the property consistent with the Site, Landscaping, and Architectural Plans approved by the West Allis Plan Commission on December 7, 2022, including but not limited to improvements be made including fence repairs and the creation of a new 4-sided refuse enclosure. No alterations or modification to the approved plans shall be permitted without approval by the West Allis Plan Commission.
5. Code Compliance. The property shall be maintained in compliance with all applicable federal, state, and local laws.
6. Capacity Limitation. No more than 12 persons may be served by the program at any one time.
7. Refuse Collection. All refuse, recyclables and other waste material shall be located indoors and/or screened from view within a 4-sided enclosure or as approved by the Planning & Zoning office to match the building and removed during daytime hours only on a regular basis by a commercial waste disposal service.
8. Outdoor Lighting. All exterior lighting fixtures and/or lighting visible from public right-of-way shall be indirect and shielded in such a manner that no light splays from the property boundaries or creates a nuisance.

SECTION 1: **ADOPTION** “R-2023-0172” of the City Of West Allis Municipal Resolutions is hereby *added* as follows:

ADOPTION

R-2023-0172(*Added*)

SECTION 2: **REVOCATION** This conditional use permit may be revoked for violation of any conditions upon which it was granted.

PASSED AND ADOPTED BY THE CITY OF WEST ALLIS COUNCIL APRIL 18, 2023.

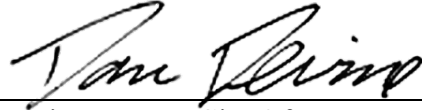
	AYE	NAY	ABSENT	ABSTAIN
Ald. Vince Vitale	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Ray Turner	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Tracy Stefanski	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Marty Weigel	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Suzzette Grisham	<u> </u>	<u> </u>	<u>X</u>	<u> </u>
Ald. Danna Kuehn	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Thomas Lajsic	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Dan Roadt	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Rosalie Reinke	<u> </u>	<u> </u>	<u>X</u>	<u> </u>
Ald. Kevin Haass	<u>X</u>	<u> </u>	<u> </u>	<u> </u>

Attest

Presiding Officer



Rebecca Grill, City Clerk, City Of
West Allis



Dan Devine, Mayor, City Of West
Allis

