

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING - April 15, 1999
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT: **Chairman:** Craig H. Zetley (*recused from item #50*)
 Members: Danny L. Iverson (*not voting - excused early*)
 Henry P. Szymanski (*voting on items 1-50*)
 Scott R. Winkler (*voting on items 43-50*)
 Catherine M. Doyle (*voting on items 1-43,45-50*)

Alt. Board Members: Georgia M. Cameron (*voting on items 1-42, 43*)
 Donald Jackson (*voting on items 1-50*)

Start time: 2:00 p.m.

End Time: 7:00 p.m.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
1	22082 Dimensional Variance Dismissed	Jeanetta Parker, Property Owner d/b/a Calvery Hill Temple Request to continue occupying the premises as a Community Living Arrangement for 8 persons.	3150 N. 35th St. (10th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Henry P. Szymanski moved to dismiss the request without prejudice for want of prosecution. Seconded by Donald Jackson.

2	22084 Dimensional Variance Adjourned	C.H. Coakley & Co., Property Owner By: Dan Pomeroy, Agent Request to install an off-premise advertising sign.	3742 W. Wisconsin Ave. (16th)
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This item was adjourned at the request of the Chair and will be rescheduled for the next available hearing date.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
3	22169 Use Variance Dismissed	QSI Incorporated, Property Owner By: Jerry C. Schwarten Request to occupy a portion of the existing building as a social service facility.	1417 E. Brady St. (3rd) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
Board member Henry P. Szymanski moved to dismiss the appeal without prejudice. Seconded by Catherine M. Doyle.			
4	22174 Special Use Adjourned	William Delgado, Lessee Request to occupy the premises as a video game center.	1554 W. Lincoln Ave. a/k/a 1550-56 W. Lincoln Ave. (8th)

This item was adjourned at the request of the Department of City Development and will be rescheduled for the next available hearing date.

5	22116 Use Variance Granted 10 yrs.	Ameritech, Easement By: Denise A. Waite Request to install a controlled environment vault on the premises.	1967 S. 37th St. (8th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

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 six (6) months 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 abandoned driveways to the property on S. 37th St. and W. Burnham St. are removed, with curb, gutter, and sidewalk restored per City Ordinance.
5. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
6	22170 Special Use Granted 10 yrs.	Ebenezer Child Care Centers, Inc., Lessee By: Beverly J. Anderson Request to occupy one classroom, first floor, southwest in building as a child care center for approximately 30 children, ages 4-12 years, from 6:30 AM to 5:30 PM, Monday through Friday.	1515 S. Layton Blvd. a/k/a 1545-55 S. Layton Blvd. (8th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

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 six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
7	21973 Special Use Granted 10 yrs.	Star Petroleum By: Daljit S. Kler, Property Owner Request to construct a gas station, canopy and retail sales.	3115 W. Fond Du Lac Ave. (10th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

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 six (6) months 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 be controlled to prevent glare onto adjacent streets and residences.
5. That signage be limited to a maximum of 150 sq. ft.
6. That the appellant continues to work with the Department of City Development, Planning Administration staff on issues relating to the design of the south and west building elevations.
7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
8	21162 Special Use/Variance Granted 10 yrs.	Fifth Street Investments, LLC, Property Owner By: Vera Frazier Request to occupy the second floor of the premises as a rooming house for 8 persons.	711-13 S. 5th St. (12th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

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 six (6) months 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 alteration permits are obtained for the creation of three additional rooming units.
5. That this Special Use and this Variance are granted for a period of ten (10) years, commencing with the date hereof.

9	22164 Special Use Adjourned	PJ's Blue Chipper, Property Owner & Lessee By: Peter J. Lentscher Request to continue occupying the premises as a tavern with a volley ball court.	4014-24 S. Howell Ave. (13th)
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This item was adjourned at the request of an interested party and will be rescheduled for the next available hearing date.

10	22140 Special Use Adjourned	MKE-PRO c/o William P. Zanetis d/b/a Holiday Inn Express Request to construct and occupy premises as a hotel.	1400 W. Zellman Ct. (13th)
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This item was adjourned at the request of an interested party and will be rescheduled for the next available hearing date.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
11	22194 Special Use Granted 10 yrs.	H & R Block, Lessee By: Francine Royce Request to occupy the premises as a tax preparation service office.	2197 S. Kinnickinnic Ave. (14th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

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 six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
12	22186 Special Use Granted 10 yrs.	Virdell Jordan, Property Owner d/b/a Dell's Washers & Dryers-Sales & Repair Request to occupy the premises for storage and retail sale of used appliances.	2924 W. Lisbon Ave. (17th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

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 six (6) months 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 rear parking area is paved as required by City Code.
5. That signage be limited to a maximum of 50 sq. ft. and is placed in the sign band above the front windows.
6. That the windows are restored to clear glass and maintained in an attractive manner.
7. That no appliances or parts are to be stored outside or displayed outside.
8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
13	22051 Special Use Granted 10 yrs.	Mark Schiller, Property Owner d/b/a BMC Associates, LLC Request to occupy premises as a rooming house for 5 individuals.	937 N. 17th St. (17th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

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 six (6) months 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 rear parking area is paved, as required by City Ordinance.
5. That no occupancy permit is issued until the rear parking lot is paved.
6. That rooming house residency is limited only to Marquette University Students.
7. That conversion permits are obtained and the current State building code for commercial building, including building code setback restrictions, is complied with.
8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
14	22147 Dimensional Variance Granted	Wesley Miller, Property Owner Request to occupy the third floor attic space as living space in connection with 2nd floor dwelling unit.	3072-74 N. Fratney St. (3rd) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

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 six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That these Variances are granted to run with the land.

15	22178 Special Use Granted 10 yrs.	Milwaukee Institute of Art & Design, Property Owner By: John Murphy Request to occupy the 4th floor of the premises as a school & light manufacturing business.	273 E. Erie St. f/k/a 297 E. Erie St. & 131 N. Broadway (4th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

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 six (6) months 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 conditions of Decision No. 17868 are complied with in every respect except as otherwise amended herein.
5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
15a	22172 Special Use Granted 10 yrs.	Symmetry Corporation, Property Owner By: Linda Wilhelms Request to occupy the entire premises as an office for a software consulting firm.	1201 N. Prospect Ave. a/k/a 1201-07 N. Prospect Ave. (4th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

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 six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

16	22217 Use Variance Adjourned	Wisconsin Correctional Foundation, Prospective Buyer By: Dale Ormond Request to occupy the premises as an office.	3106 W. Vliet St. (4th)
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This item was adjourned at the request of the petitioner and will be rescheduled for the next available hearing date.

17	22008 Special Use Adjourned	Mark Schiller, Property Owner d/b/a SG Properties, LLC Request to occupy the premises as a rooming house for no more than eight individuals.	841 N. 19th St. (4th)
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This item was adjourned at the request of an interested party and will be rescheduled for the next available hearing date.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
18	22011 Special Use/Variance Granted 10 yrs.	Mark Schiller, Property Owner d/b/a SG Properties, LLC. Request to occupy the premises as a rooming house for up to eight individuals.	847 N. 19th St. (4th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

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 six (6) months 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 remote parking lot referenced in the plan of operation is paved as required by City Ordinance.
5. That buffer is installed between the parking lot and the sidewalk on N. 20th St. to preclude vehicles from encroaching into the sidewalk area.
6. That parking stalls identified on the site plan are delineated with permanent pavement markings.
7. That a paved walkway is provided between the premises and the remote parking lot.
8. That all on-site surface water drainage shall be intercepted on-site and conveyed to a storm sewer.
9. That no occupancy permit shall be issued until all of the conditions listed above have been complied with.
10. That rooming house residency is to be limited only to Marquette University students.
11. That conversion permits are obtained and the current State building code for commercial building, including building code setback restrictions, is complied with.
12. That this Special Use and this Variance are granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
19	22009 Special Use/Variance Granted 10 yrs.	Mark Schiller, Property Owner d/b/a SG Properties, LLC Request to occupy the premises as a rooming house for up to eight individuals.	853 N. 19th St. (4th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

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 six (6) months 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 remote parking lot referenced in the plan of operation is paved as required by City Ordinance.
5. That buffer is installed between the parking lot and the sidewalk on N. 20th St. to preclude vehicles from encroaching into the sidewalk area.
6. That parking stalls identified on the site plan are delineated with permanent pavement markings.
7. That a paved walkway is provided between the premises and the remote parking lot.
8. That all on-site surface water drainage shall be intercepted on-site and conveyed to a storm sewer.
9. That no occupancy permit shall be issued until all of the conditions listed above have been complied with.
10. That rooming house residency is to be limited only to Marquette University students.
11. That conversion permits are obtained and the current State building code for commercial building, including building code setback restrictions, is complied with.
12. That this Special Use and this Variance are granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
20	22012 Special Use Adjourned	Mark Schiller, Property Owner d/b/a SG Properties, LLC Request to occupy the premises as a rooming house for no more than twelve individuals.	1902-1904 W. Kilbourn Ave. (4th)

This item was adjourned at the request of an interested party and will be rescheduled for the next available hearing date.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
21	22010 Special Use/Variance Granted 10 yrs.	Mark Schiller, Property Owner d/b/a SG Properties, LLC Request to occupy the premises as a rooming house for up to eight individuals.	1913 W. Kilbourn Ave. (4th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

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 six (6) months 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 remote parking lot referenced in the plan of operation is paved as required by City Ordinance.
5. That buffer is installed between the parking lot and the sidewalk on N. 20th St. to preclude vehicles from encroaching into the sidewalk area.
6. That parking stalls identified on the site plan are delineated with permanent pavement markings.
7. That a paved walkway is provided between the premises and the remote parking lot.
8. That all on-site surface water drainage shall be intercepted on-site and conveyed to a storm sewer.
9. That no occupancy permit shall be issued until all of the conditions listed above have been complied with.
10. That rooming house residency is to be limited only to Marquette University students.
11. That conversion permits are obtained and the current State building code for commercial building, including building code setback restrictions, is complied with.
12. That this Special Use and this Variance are granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
22	22013 Special Use Granted 10 yrs.	Mark Schiller, Property Owner d/b/a SG Properties, LLC Request to occupy the premises as a rooming house for no more than eight individuals.	1726 W. State St. (17th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

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 six (6) months 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 rear parking area is paved, as required by City Ordinance.
5. That no occupancy permit is issued until the rear parking lot is paved.
6. That rooming house residency is limited only to Marquette University students.
7. That conversion permits are obtained and the current State building code for commercial building, including building code setback restrictions, is complied with.
8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
23	22184 Special Use Granted 10 yrs.	Intelligence, Inc., Lessee d/b/a Kids R Smart Learning Centers By: Gertrude McKnight Request to occupy the first floor of the premises as a day care center for 54 children, ages 6 weeks to 12 years, 5 days per week, from 6:30 a.m. to 6:00 p.m.	8500 W. Capitol Dr. (5th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

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 six (6) months 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 conditions of Decision No. 20795 are complied with in every respect except as otherwise amended herein.
5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
24	22154 Special Use Granted 10 yrs.	Tata Petroleum Inc., Property Owner d/b/a Citgo/Subway By: Harjeet S. Walia Request to continue occupying the premises as a gas station/convenience store/subshop.	1030 E. North Ave. (6th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

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 six (6) months 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 conditions of Decision No. 20146 are complied with in every respect except as otherwise amended herein.
5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

25	22182 Dimensional Variance Granted	Milw. Public Schools, Dept. of Facilities & Maintenance, Property Owner By: Richard Moore Request to build a school addition, portions of which exceed the 40 feet height district limit with a maximum of three stories.	800 W. Walnut St. (6th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

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 six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That this Variance is granted to run with the land.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
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26	22176 Special Use/Variance Adjourned	Wisconsin Correctional Service, Lessee d/b/a The Joshua Glover Center By: Christopher D. Roberts	2105 N. Booth St. (6th)
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Request to occupy the premises as a CBRF for 28 persons.

This item was adjourned at the request of an interested party and will be rescheduled for the next available hearing date.

27	22173 Dimensional Variance Granted	Kenneth Tatro, Property Owner Request to construct an addition to the existing garage which exceeds the allowable height.	2927-29 N. 2nd St. (6th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

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 six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That these variances are granted to run with the land.

28	22138 Special Use Adjourned	Firststar c/o Torke Wirth Pujara, Lessee By: Steve Peterman, Agent	2322 W. Oak St. (7th)
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Request to install an ATM with one drive lane on parking lot of food store (Lena's).

This item was adjourned at the request of an interested party and will be rescheduled for the next available hearing date.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
29	22185 Dimensional Variance Granted	Mr. & Mrs. Virgilo Baeza, Property Owner c/o Architectonics, Inc. By: Emilio S. Ramirez, Agent Request to construct a building addition (carport) in the required setback.	928 S. 11th St. (12th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.			
Conditions as recorded below and in the decision of the Board:			
1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.			
3. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.			
4. That the petitioner build in accordance with plans as submitted to the Board.			
5. That these Variances are granted to run with the land.			
30	22025 Dimensional Variance Granted	Tim Jordan / David Arnett, Property Owner d/b/a Evangel Assembly of God Request to install a 24 square foot ground sign.	9920 W. Good Hope Rd. (15th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

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 six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That this Variance is granted to run with the land.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
31	22133 Special Use/Variance Granted 10 yrs.	Milwaukee Cycle Supply, Inc., Property Owner By: David Soika Request to construct a building addition to the Board approved special use.	5754 N. Teutonia Ave. (9th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
Board member Henry P. Szymanski moved to grant the appeal. Seconded by Donald Jackson.			
Conditions as recorded below and in the decision of the Board:			
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 six (6) months of the date hereof.			
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.			
4. That no motorcycles are parked on unpaved surfaces.			
5. That no parts or junk is stored outside.			
6. That the appellant submit a Certified Survey Map to the Department of City Development, Planning Administration Section, separating the parcel acquired for construction of the storage building from the remainder of the seller's property.			
7. That this Special Use and this Variance is granted for a period of ten (10) years, commencing with the date hereof.			
32	21443 Special Use Denied	The House of God Church, Property Owner By: Connie Hewing Request to occupy the premises as a church.	4800-08 W. Fond du Lac Ave. (10th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Catherine M. Doyle moved to deny the request. Seconded by Henry P. Szymanski.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
33	22103 Special Use Adjourned	Omni Enrichment, Inc., Lessee By: Barbara Tripp Request to occupy the premises as a social service facility.	4900 W. Fond du Lac Ave. (10th)

This item was adjourned at the request of the applicant and will be rescheduled for the next available hearing date.

34	22033 Special Use Denied	Lyle Messinger, Lessee d/b/a Automation Wholesale Dealers Request to occupy premises as a motor vehicle sales and repair facility with outdoor storage.	3100 W. Lynddale Ave. (11th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Catherine M. Doyle moved to deny the request. Seconded by Donald Jackson.

35	22197 Special Use Denied	Walgreens/JDN Development Co., Property Owner By: Richard W. Schalk/AE-3, Ltd., Agent Request to alter the signage for the board-approved special use.	3333 S. 27th St. (11th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Henry P. Szymanski moved to deny the appeal. Seconded by Catherine M. Doyle.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
36	22151 Special Use/Variance Granted	Mian's Oil Corporation, Property Owner By: Riaz Mian Request to expand the hours of operation on an existing motor vehicle pumping station/convenience store to 24 hours per day, 7 days per week.	1707 W. Rogers St. (12th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Henry P. Szymanski moved to grant the request. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

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 six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That landscaping and screening be updated to meet the intent of s.295-75.
5. That this Special Use and this Variance are granted for a period of time commencing with the date hereof and expiring June 12, 2005.

37	22153 Special Use Granted 10 yrs.	Kuldip, Inc., Property Owner d/b/a Citgo/Subway By: Harjeet S. Walia Request to continue occupying the premises as a gas station/convenience store/subshop.	1009 S. 1st St. (12th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

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 six (6) months 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 conditions of Decision No. 20670 are complied with in every respect except as otherwise amended herein.
5. That this Special Use is granted for a period of ten (10) years, commencing with the date

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
		hereof.	
38	22129 Use Variance Granted 10 yrs.	Rosemary Morales, Property Owner Request to convert the existing single-family dwelling into a two-family dwelling.	715 S. Cesar Chavez Dr. (12th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

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 six (6) months of the date hereof.
3. That the petitioner remodel in accordance with plans as submitted to the Board.
4. That conversion, electrical, and plumbing permits are obtained.
5. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.

39	22092 Special Use Adjourned	La Causa, Inc., Property Owner By: Nedda Lopez Request to continue occupying as a day care for up to 325 children, ages 3 months to 12 years, and to modify the plan of operation to be open 24 hours per day.	809 W. Greenfield Ave. (12th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Henry P. Szymanski moved to adjourn the appeal to allow the petitioner to submit a parking layout plan. Seconded by Catherine M. Doyle.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
40	22123 Special Use Granted 10 yrs.	The "Living" Room Christian Family Gathering, Property Owner By: Maria Jenkins Request to occupy the premises as a church.	814 S. 5th St. (12th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

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 six (6) months 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 existing storefront windows are maintained as clear glass and are maintained in an attractive manner.
5. That signage is limited to the sign band above the storefront windows.
6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
41	22161 Special Use/Variance Granted 15 yrs.	Walgreen's, Prospective Buyer By: Rick Schalk, AE-3, Architects-Engineers Request to construct a new retail store with drive-thru on the premises and to alter the existing off-premise sign.	4720 S. 27th St. (13th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

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 six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That landscaping and screening plans must be upgraded to include landscaping in the setback along S. 26th St. and the portion of West Layton Blvd. east of the proposed driveway.
5. That a residential landscape buffer, including trees, must be developed along the east and south property lines adjacent to the residential uses.
6. That site illumination is to be controlled to prevent glare onto adjacent streets and residences.
7. That the appellant is to work with DCD staff to develop a mutually agreeable sign plan and structural element design at the corner of S. 27th St. and W. Layton Blvd.
8. That this Special Use and Variance is granted for a period of fifteen (15) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
42	22109 Special Use Adjourned	The Salvation Army, Property Owner By: Major Ronald G. Larsen Request to continue to occupy the premises for the sale of second hand merchandise.	2254 S. Kinnicinnic Ave. (14th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Henry P. Szymanski moved to adjourn the appeal to allow the appellant to address concerns regarding

42a	22080 Special Use Granted 10 yrs.	Jet Intermodal, Inc., Lessee By: Jon E. Krohn Request to occupy the premises for tractor and trailer repair (motor vehicle repair).	445 W. Oklahoma Ave. (14th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

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 six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
42b	22143 Special Use/Variance Granted 10 yrs.	Jet Intermodal, Inc., Lessee By: Jon E. Krohn, Pres. Request to occupy the entire site as a truck freight terminal, less than 500' from a residence district, without the entire code required screening & landscaping.	550 W. Oklahoma Ave. (14th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

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 six (6) months 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 industrial district boundary line is hereby extended 60 feet to the west.
5. That this Special Use and this Variance are granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
43	22181 Special Use Granted 3 yrs.	Kevin Roberts/Daniel Hawkins, Lessee d/b/a Get Your Shine On Auto Wash & Detail Request to occupy premises as a hand car wash facility.	4744 N. Hopkins St. (1st) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Catherine M. Doyle moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

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 six (6) months of the date hereof.
3. That all activity must take place on the premises.
4. That the appellant submits a final landscape plan to the Department of City Development, Planning Administration Section, for review and approval within thirty (30) days of the date hereof.
5. That a small sign is clearly posted on the premises advising all patrons to keep the volume of their car stereos low.
6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.

44	22177 Dimensional Variance Adjourned	Dennis J. Lutynski, Property Owner d/b/a JAEL Properties, LLC By: Howard B. Tolkan, Agent Request to permit the occupancy of the premises as three dwelling units.	3007-09 N. Maryland Ave. (3rd) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Henry P. Szymanski moved to adjourn the appeal for sixty (60) days to allow the appellant to explore the State building code issues. Seconded by Scott R. Winkler.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
45	22024 Boundary Line Ext. Granted	Devon Reid, Property Owner d/b/a Junior's Sports Bar & Grill Request to extend the local business boundary line 60 feet west and to construct a deck in the rear of the parcel.	5409 N. Green Bay Ave. (1st) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Henry P. Szymanski moved to grant the request to extend the district boundary line. Seconded by Catherine M. Doyle.

46	21239 Special Use Adjourned	Hickman's Academy of Excellence, Lessee By: Bennie S. Hickman Request to operate a day care center for 300 children ages infant to 12 years, operating 6:00 AM to 11:00 PM Monday thru Friday at the above subject premises.	6401 West Capitol Drive (2nd) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Scott R. Winkler moved to adjourn the request to allow staff to review the revised plans submitted at the hearing. Seconded by Henry P. Szymanski.

47	22134 Dimensional Variance Granted	State of Wisconsin Dept. of Administration Div. of Facilities Development, Property Owner By: Russell E. VanGilder Request to build a dormitory building 189' in height.	3400 N. Maryland Ave. (3rd) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

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 six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That this Variance is granted to run with the land.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
48	22203 Use Variance Adjourned	C & E Williams Family Child-Care, Property Owner By: Eddie M. Rutledge	2835-37 N. 35th St. (7th)

Request to occupy the premises as a day care center for approximately 35-50 children, ages 6 weeks to 12 years, from 6:30 a.m. to 6:30 p.m.

This item was adjourned at the request of the Chair and will be rescheduled for the next available hearing date.

49	22126 Use Variance Granted 10 yrs.	Faithworks, Milwaukee, Inc., Lessee By: Susan Vergeront	3516 W. Center St. (7th)
		Request to occupy a portion of the existing facility as a group living facility (rooming house).	Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

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 six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
50	22106 Special Use Granted 10 yrs.	Brodersen Management, Prospective Buyer d/b/a Popeye's Chicken By: John Brodersen Request to construct a new Type "B" restaurant with drive through facility open during late hours.	7519 W. Good Hope Rd. a/k/a 7525 W. Good Hope Rd. (9th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Henry P. Szymanski moved to grant the appeal. Seconded by Georgia M. Cameron.

Conditions as recorded below and in the decision of the Board:

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 six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That landscaping and screening plans must be upgraded to meet the intent of s.295-75; including additional trees along the W. Good Hope frontage.
5. That the proposed wooden fence along N. 76th St. and W. Good Hope Rd. should be replaced with a decorative iron fence.
6. That site illumination be controlled to prevent glare onto adjacent streets and residences.
7. That the appellant is to use sign alternative MFP-80, as contained in the file, with a maximum 100 sq. ft. main sign.
8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

Other Business:

Board member Henry P. Szymanski moved to approve the minutes of the March 18, 1999 meeting. Seconded by Board member Catherine M. Doyle. Unanimously approved.

The Board set the next meeting for May 6, 1999.

Board member Henry P. Szymanski moved to adjourn the meeting at 7:00 p.m. Seconded by Board member Catherine M. Doyle. Unanimously approved.

BOARD OF ZONING APPEALS

By _____
Secretary