

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – February 14, 2002
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairman: Craig H. Zetley (*voting on items 1-55*)

Members: Henry P. Szymanski (*voting on items 1-55*)
Scott R. Winkler (*voting on items 1-55*)
Catherine M. Doyle (*voting on items 1-55*)

Alt. Board Members: Georgia M. Cameron (*voting on items 1- 55*)

START TIME: 2:13 p.m.

End Time: 7:37 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	23715 Dim.Var. Dismissed	Tele Corp Realty, LLC Erick N. Jenkins; Lessee Request to construct a 100 ft. monopole tower on the premises.	3811 W. Morgan Av. A/K/A 3501 S. 35th St. 11th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
2	24012 Dimensional Variance	Mike Goldberg c/o the Albion Group, Inc.; Property Owner Request to build a new bar/restaurant.	1129-31 N. Water St. 4th Dist.
	Action:	Adjourned from a prior hearing	
	Motion:	This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
3	24013 Dimensional Variance	Reilly - Joseph Co. Leon Joseph; Property Owner Request to convert the existing warehouse into residential and retail uses.	191 N. Broadway 4th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 petitioner build in accordance with plans submitted. 4. That the plans are updated prior to submittal for building permit that indicate dimensions, all encroachments, and/or projections into the public right of way from the property line. 5. That these Variances are granted to run with the land. 	
4	24020 Special Use	MATC Lester C. Ingram; Lessee Request to occupy the premises as a parking lot.	807 W. Juneau Av. A/K/A 915 W. Juneau Ave. 4th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 not exceed twenty (20) sq. ft. 5. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
5	24021 Special Use	MATC Lester C. Ingram; Lessee	810 W. Juneau Av. 4th Dist.
		Request to occupy the premises as a parking lot.	
	Action:	Granted 1 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 not exceed twenty (20) sq. ft. 5. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	
6	23988 Use Variance	Church in God in Christ Terry Bell; Property Owner	2754 N. 30th St. 7th Dist.
		Request to continue occupying the premises as a church.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 this Variance is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	23993 Special Use	Cleotha Ward, Property Owner Request to continue occupying the premises as a motor vehicle repair facility.	2450 W. Center St. 7th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 no work or storage of vehicles occurs in the public right of way. 5. That no vehicles are parked on site that block ingress or egress through any driveway. 6. That the petitioner shall maintain landscaping and screening in a manner that meets the intent of city code. 7. That all previous conditions of case No. 23234 are complied with and maintained except as may be amended herein. 8. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	
8	24005 Special Use	Calvary Temple Lessee Request to occupy the premises as a church.	5330 W. Lisbon Av. 7th Dist.
	Action:	Adjourned from a prior hearing	
	Motion:	This item was adjourned at the request of The Department of Neighborhood Services and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	24011 Special Use	Wisconsin Correctional Service Stephen B. Swigart; Lessee Request to continue occupying the premises as a Community Living Arrangement with an increase in the number of clients from 34 to 37.	2930 N. 25th St. A/K/A 2470 W. Locust St. 7th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 prior conditions of the Board in Case No. 20825 are complied with and maintained except as may be amended herein. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
10	24014 Special Use	Enterprise Rent-a-Car Richard Resse; Lessee Request to occupy a portion of the premises as a motor vehicle rental facility.	745 S. Layton Bl. A/K/A 2716-22 W. National Ave. 8th Dist.
	Action:	Adjourned from a prior hearing	
	Motion:	This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	24022 Special Use	Priya Corporation Andy Khullar; Lessee Request to locate a diesel pump on adjacent property n/k/a 3514 W. Good Hope Rd (an expansion of existing operation).	3514 W. Good Hope Rd. A/K/A 7220 N. Teutonia Ave. 9th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 areas within the traffic pattern of the fuel pump are paved. 5. That there is no outdoor storage or display of products or merchandise. 6. That there is no outdoor display of banners or other advertising except that which is approved and on the site plan. 7. That a physical separation be provided between the pump isle and the KFC parking lot. 8. That all unpaved areas where vehicles are maneuvering are paved. 9. That a revised site plan, which excludes the use of the Taco Bell parking lot for vehicular maneuvering associated with the new pump island, is submitted to the Board of Zoning Appeals and is approved by the Zoning Administration Group prior to the issuance of any permits. 10. That the petitioner complies with all conditions of case No. 22379. 11. That this Special Use is granted for a period of time commencing with the date hereof and expiring on October 10, 2009. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
12	23996 Special Use	Harry Kaufmann Motor Cars, Inc. Lessee Request to occupy a portion of the premises as a motor vehicle sales facility.	5744 W. Good Hope Rd. A/K/A 5600 W. Good Hope Rd. 9th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 no disabled vehicles or parts are stored outside. 5. That the storefront windows remain and are restored to clear glass and maintained in an attractive manner. 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
13	24017 Special Use	Joseph Dallas and Takiyah Barnes Our New Creations Child Care; Lessee Request to occupy the premises as a day care center for 25 children, ages 6 wks. - 5yrs., from 7 a.m. to 6 p.m.	3936 W. Fond du Lac Av. A/K/A 3934-36 W. Fond du Lac Ave. 10th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 obtains an occupancy permit and complies with all State commercial codes for day care centers. 5. That none of the existing parking area be used as play space. 6. That parking stalls are delineated on site with pavement marking. 7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
14	23987 Special Use	Joseph Dallas New Creation Bible Church; Lessee	3934 W. Fond du Lac Av. 10th Dist.
		Request to continue occupying a portion of the premises as a church.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 parking stalls are delineated on site with pavement marking. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	23995 Special Use	David K. Gray Sr., Property Owner Request to continue occupying the premises as a motor vehicle repair facility (installation of trailer hitches, air shocks, etc.) with the sale of accessory equipment.	6800-08 W. Oklahoma Av. 11th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 there is no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris. 5. That there is no display of exterior banners or other advertising except that which is on the approved sign plan. 6. That no work or storage of vehicles occurs in the public right of way. 7. That no vehicles parked on site block ingress or egress through any driveway. 8. That existing landscaping and screening is maintained in a manner that meets the intent of city code. 9. That all previous conditions of case No. 20622 are complied with. 10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	23834 Special Use	Oscar Basurto, Prospective Buyer Request to continue occupying the premises as a motor vehicle repair facility.	1724 W. Forest Home Av. 12th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 there is no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris. 5. That there is no display of exterior banners or other advertising except that which is on the approved sign plan. 6. That no work or storage of vehicles occurs in the public right of way. 7. That no vehicles parked on site block the driveway. 8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
17	23997 Special Use	Charland Inc. Dale Trostorff; Property Owner Request to continue occupying the premises as a tavern and expand services to include a recreation facility (hall).	3000 S. 13th St. 14th Dist.
	Action:	Adjourned from a prior hearing	
	Motion:	This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	24003 Dimensional Variance	Wisconsin Correctional Service Stephen B. Swigart; Lessee Request to continue occupying the premises as a Community Based Residential Facility (CBRF) for 32 clients.	2404 N. 50th St. 17th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 conditions of case No. 20826 are complied with. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	24010 Special Use	Vivian M. Lee, Lessee Request to occupy the premises as a used furniture sales facility.	4117 W. North Av. 17th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 existing storefront windows remain 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 three (3) years, commencing with the date hereof. 	
20	24001 Special Use	Broderson Capitol Properties John Broderson; Prospective Buyer Request to continue occupying the premises as a type 'B' restaurant.	7458 W. Appleton Av. 2nd Dist.
	Action:	Adjourned from a prior hearing	
	Motion:	This item was adjourned at the request of the petitioner and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	24009 Special Use	Steven and Tyjuan Smith Kids Are Use Development Phase II; Lessee	5576 N. 76th St. A/K/A 5570 N. 76th St. 2nd Dist.
		Request to occupy the premises as a day care center for 40 children, ages 6 mos. - 12 yrs., from 6 a.m. to 12 p.m.	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 permit and complies with current State commercial code for day cares. 5. That the play area is reconfigured so that there are no conflicts with vehicles parked at the north end of the lot. 6. That the storefront windows remain as clear glass and are maintained in an attractive manner. 7. That signage is limited to the sign band above the storefront windows and the allotted space on the pylon sign. 8. That the petitioner submits a revised play area plan which maximizes the available on-site parking in front of the building. 9. That the outdoor play area is not utilized after 8:00 P.M. 10. That the outdoor play area is separated from the rest of the parking area / vehicle operating area by some type of physical barrier such as bollards. 11. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
22	24029 Dimensional Variance	Hugh and Shannon Mitchell Property Owner Request to construct a 2 car garage on the premises.	6009 W. Spencer Pl. 2nd Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	
23	24008 Special Use	Joel J. Kinlow, Property Owner Request to occupy the premises as a retail and wholesale furniture store.	3872 N. Fratney 3rd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 parking areas in the rear are paved (permit required). 5. That there is no storage of inoperative, unlicensed or nuisance vehicles. 6. That signage is limited to a maximum of fifty (50) square feet. 7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
24	24023 Special Use	James Cape & Sons Co. Property Owner Request to occupy the premises as a temporary concrete batch plant.	1304 W. Bruce St. 12th Dist.
	Action:	Adjourned from a prior hearing	
	Motion:	This item was adjourned at the request of The Department of City Development and will be rescheduled at the next available hearing.	
25	23969 Appeal of an Order	SR Bodies, LLC; Property Owner Request to appeal the order of the Department of Neighborhood Services.	711 E. Kilbourn Av. 4th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal with prejudice. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
26	23989 Special Use	Valerie A. Moore Humble Beginnings Child Care; Lessee Request to occupy the premises as a day care for 80 children, ages 4 wks. - 12 yrs., from 6 a.m. to 12 a.m.	208 E. Capitol Dr. 6th Dist.
	Action:	Adjourned from a prior hearing	
	Motion:	This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	
27	24007 Special Use	Zebest Commercial Group, Inc. Steve Nikolas; Prospective Buyer Request to construct a type 'B' restaurant on the premises.	250 E. Capitol Dr. A/K/A 4041 N. Richards St. 6th Dist.
	Action:	Adjourned from a prior hearing	
	Motion:	This item was adjourned at the request of The Department of City Development and will be rescheduled at the next available hearing.	

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28	24006 Special Use	Zebest Commercial Group Steve Nikolas; Prospective Buyer	270 E. Capitol Dr. 6th Dist.
		Request to construct a general retail sales facility on the premises.	
	Action:	Adjourned from a prior hearing	
	Motion:	This item was adjourned at the request of The Department of City Development and will be rescheduled at the next available hearing.	
29	23976 Special Use	Christian Faith Fellowship Church East Lessee	2001 N. Holton Av. 6th Dist.
		Request to occupy the premises as a church.	
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 landscaping and screening plan, meeting the intent of s.295-75, is submitted to and approved by the Department of City Development Planning Administration section within thirty (30) days of the date hereof and prior to the issuance of any permits. 5. That any site illumination is controlled to prevent glare onto adjacent streets and residences. 6. That the first floor windows remain as clear glass and are maintained in an attractive manner. 7. 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. 8. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	23941 Special Use	Legacy Bank, Property Owner Request to continue occupying the premises as a bank with the addition of a drive through facility.	2118 W. Fond du Lac Av. A/K/A 2102-16 W. Fond du Lac Ave. 7th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 no signage for the bank be placed in the public sidewalk area. 5. That signage elevation plans are submitted to the Department of City Development Long Range Planning Section for approval. 6. That the petitioner submits a certified survey map that combines these parcels and the certified survey map is approved by the common council. 7. That site illumination is controlled to prevent glare onto adjacent streets and residences. 8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
31	23955 Use Variance	Rushdi Hamdan, Lessee Request to occupy the premises as a retail grocery store.	2401-03 N. 21st St. 7th Dist.
	Action:	Adjourned from a prior hearing	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	23455 Special Use	Rev. Clarence R. Hill, Sr. Amazing Ministries Worship; Property Owner	5418 W. Burleigh St. A/K/A 5412-30 W. Burleigh St. 7th Dist.
		Request to continue occupying the premises as a church with associated social service programs.	
	Action:	Granted 1 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 parking lot, as proposed in the submitted site plan is constructed. 5. That loading and unloading of passengers along W. Burleigh Street and N. 55th Street do not block traffic. 6. That a landscaping and screening plan, meeting the intent of s.295-75, is submitted to and approved by the Department of City Development Planning Administration section within thirty (30) days of the date hereof and prior to the issuance of any permits. 7. That this Special Use and this Variance are granted for a period of one (1) year, commencing with the date hereof. 	
33	23959 Dimensional Variance	Eric Folds, Lessee	3201 N. 45th St. 7th Dist.
		Request to occupy the premises as a group foster home for 8 adolescents.	
	Action:	Adjourned from a prior hearing	
	Motion:	Catherine Doyle moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
34	23990 Special Use	Mary Lee Elam Tots Corner Inc.; Lessee	5902 N. 62nd St. 9th Dist.
		Request to occupy the premises as a day care center for 25 children, ages 3 mo. - 7yrs., from 5 a.m. - 6 p.m.	
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
35	23971 Special Use	Patrick K. Bowen, Prospective Buyer	4610 W. Fond du Lac Av. 10th Dist.
		Request to occupy the premises as a motor vehicle repair, sales and rental facility.	
	Action:	Adjourned from a prior hearing	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
36	23935 Special Use	Tamika Gray, Lessee	3752 N. 23rd St. 10th Dist.
		Request to occupy the premises as a day care center for 8 children, operating Monday - Friday 6:30 a.m. to 10:00 p.m.	
	Action:	Granted 1 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	23998 Special Use	U.S. Cellular, Lessee Request to construct an 80 ft. monopole tower on the premises.	3655 S. Point Terrace . A/K/A 3030 W. Loomis Rd. 11th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
38	23953 Special Use	Bret Le Houillier Church of Scientology; Lessee Request to occupy a portion of the premises as a church.	6806 W. Wedgewood Dr. 11th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 1 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	23619 Special Use	AM AB LLC M.K. Ali; Property Owner	2011-23 S. Kinnickinnic Av. A/K/A 2011 S. Kinnickinnic 14th Dist.
		Request to occupy the premises as a gas station with a convenience store and car wash.	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 submits revised plans that indicate that freestanding signage is limited to one 6-ft by 6-ft ground sign each for the Kinnickinnic Ave and the Beacher St. frontages. The signs should be encased in a masonry structure that does not exceed 8-ft by 8-ft. Petitioner to submit revised plans to the Zoning Administrative Group prior to the issuance of an occupancy permit. 5. That all previous conditions regarding case No. 22264 complied with. 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. 7. That this Special Use is granted for a period of time commencing with the date hereof and expiring on November 11, 2009. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	23983 Special Use	Robert A. Buhler Open Pantry Food; Lessee	8632 N. 107th St. 15th Dist.
		Request to modify the existing signage at this pumping station and convenience store.	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 conditions regarding Board of Zoning Appeals case No. 21054 are complied with. 5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on August 20, 2007. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	24024 Use Variance	Mark Poje, property owner Request to occupy the premises for light manufacturing.	3120 W. Burnham St. 16th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 paves all parking area prior to receiving a final occupancy certificate. 5. The applicant maintains the property free of junk and debris and there is no outdoor storage. 6. That there is no outdoor storage of materials or equipment. 7. That the petitioner agrees to work with the Zoning Administration Group staff on a landscaping and screening plan that includes a decorative metal fence as well as trees and shrubs. The petitioner must submit revised drawings that reflect these changes to the Board of Zoning Appeals for Zoning Administration Group review and approval. Plans submitted to the Plan Examination Section must be consistent with the final Zoning Administration group approved plan, or no permits will be issued. 8. That all landscape improvements are completed within 60 days of the approval of this landscape plan weather permitting. 9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	23966 Special Use	Duane and Shontina Gladney Come and Grow With Me; Lessee	3209 W. North Av. 17th Dist.
		Request to occupy the premises as a day care center for 75 children, ages 4 wks. - 12 yrs., from Monday - Friday 5 a.m. - 1 a.m. and 5 a.m. to 1 p.m. on Saturday.	
	Action:	Adjourned from a prior hearing	
	Motion:	This item was adjourned at the request of The Department of City Development and will be rescheduled at the next available hearing.	
43	24000 Use Variance	Pa Kue Xiong, Property Owner	1610 N. 35th St. 17th Dist.
		Request to occupy the premises as a type 'B' restaurant with catering.	
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
44	24002 Special Use	Chue Vang and Chia Lee Vang Property Owner	2000-02 W. Cherry . 17th Dist.
		Request to occupy the premises as a day care center with 8 children, ages 4 wks. - 13 yrs., 6 a.m. - 6 p.m.	
	Action:	Granted 2 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes Winkler, Zetley, Cameron, Doyle 1 Nay Szymanski, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	23985 Special Use	Graceland Church In Christ Pastor Henderson Wood; Prospective Buyer	5174 N. 35th St. 1st Dist.
		Request to occupy the premises as a church.	
	Action:	Adjourned from a prior hearing	
	Motion:	This item was adjourned at the request of the Alderman and will be rescheduled at the next available hearing.	
46	23994 Dimensional Variance	Linda Rogers, Property Owner	4532 N. 45th St. 1st Dist.
		Request to occupy the premises as a group home for 8 adolescents.	
	Action:	Adjourned from a prior hearing	
	Motion:	This item was adjourned at the request of the Alderman and will be rescheduled at the next available hearing.	
47	23664 Special Use	Wright Auto Sales Charles Wright; Property Owner	5003 N. Teutonia Av. 1st Dist.
		Request to occupy the premises as a motor vehicle sales, repair and car washing facility.	
	Action:	Adjourned from a prior hearing	
	Motion:	This item was adjourned at the request of the Alderman and will be rescheduled at the next available hearing.	
48	23992 Special Use	West State Street, LLC James A. Bouchard; Prospective Buyer	5962 W. Appleton Av. 2nd Dist.
		Request to construct two off-premise signs.	
	Action:	Denied	
	Motion:	Catherine Doyle moved to deny the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
49	24016 Special Use	Gloria J. Oglesby OPYP Child Care & Development Center; Lessee Request to occupy the premises as a day care for 8 children, ages 6 weeks to 12 years, 24 hours per day, 7 days per week.	4950 N. 65th St. 2nd Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	3 Ayes, 0 Nays, 1 C. Zetley Abstained.	
50	24028 Special Use	Gary and Samantha Wheeler, Prospective Buyer Request to continue occupying the premises as a training facility (social service) and day care center with the addition of a church.	6245 W. Fond du Lac Av. A/K/A 6243-45 W. Fond du Lac Av. 2nd Dist.
	Action:	Adjourned from a prior hearing	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
51	23950 Special Use	Phillip Simpson, Lessee Request to occupy a portion of the building as a church.	6815 W. Capitol Dr. 2nd Dist.
	Action:	Adjourned from a prior hearing	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	23942 Special Use	Johnny Whitney, Lessee Request to occupy a portion of the premises as a church.	6815 W. Capitol Dr. 2nd Dist.
	Action:	Adjourned from a prior hearing	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
53	23978 Dimensional Variance	Carl and Priscilla Kemp, property owner Request to construct a single family dwelling unit with a shortage of the required setbacks.	3410 N. Lake Dr. 3rd Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 petitioner build in accordance with plans submitted. 4. 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>
54	23892 Use Variance	Social Development Commission Wilberto Alvaro; Prospective Buyer Request to occupy the premises as a emergency homeless shelter/social service facility.	3025 W. Mitchell St. 16th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 is limited to a maximum of 17.5 sq. ft. 5. 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. 6. That at no time will there be an Alcohol or Other Drug Addiction (AODA) program offered on the premises. 7. That this Variance is granted for a period of three (3) years, commencing with the date hereof. 	
55	23831 Special Use	Sandstone Petroleum, Inc. Jay Walia; Property owner Request to continue occupying the premises as a motor vehicle pumping station with a convenience store.	6001 W. Burleigh St. A/K/A 3071 N. 60th St. 2nd Dist.
	Action:	Adjourned	
	Motion:	Catherine Doyle moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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Other Business:

Board member Scott Winkler moved to approve the minutes of the January 24, 2002 meeting. Seconded by Board member Catherine Doyle. Unanimously approved.

The Board set the next meeting for March 7th, 2002.

Board member Henry Szymanski moved to adjourn the meeting at 7:37 p.m. Seconded by Board member Catherine Doyle. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board