

**BOARD OF ZONING APPEALS**  
**CITY OF MILWAUKEE**

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

***MINUTES***

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PRESENT:

**Chairman:** Craig H. Zetley (*voting on items 1-52, 54-63*)

**Members:** Henry P. Szymanski (*voting on items 1-24, 27, 29, 31-52, 55-63*)  
Scott R. Winkler (*voting on items 1-26, 28-34, 36-63*)  
Catherine M. Doyle (*voting on items 1-24, 26-63*)  
Roy B. Nabors (*voting on items 1-26, 28-34, 36-63*)

**Alt. Board Members:** Georgia M. Cameron (*voting on items 25, 27, 28, 35, 53*)  
Donald Jackson (*voting on items 25-27, 30, 35, 53, 54*)

START TIME: 4:00 p.m.

End Time: 8:25 p.m.

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<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	24505 Special Use	Bessie Carter, Lessee  Request to occupy the premises as a 24hr day care facility for 8 children, newborn-12yrs, Monday-Sunday.	4741 N. 18th St. 1st Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
2	24506 Special Use	Bessie Carter Lessee  Request to occupy the premises as a 24hr day care facility for 8 children, newborn-12yrs, Monday-Sunday.	4647 N. 19th Pl. 1st Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss 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>
3	24342 Special Use	Ocoma Oil Sajan Makbul;  Request to raze the existing motor vehicle repair facility and construct a motor vehicle pumping station and convenience store.	3507 W. Wright St. 17th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
4	24582 Special Use	G.S. Chawla Property Owner  Request to construct an addition to the existing indoor wholesale and distribution facility.	9709 W. Appleton Av. 5th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
5	24556 Special Use	David Radovich Oil Change Plus, Inc.; Lessee  Request to continue occupying the premises as a motor vehicle repair facility and motor vehicle supply store.	7440 W. Brown Deer Rd. A/K/A 7500 W. Brown Deer Rd. 15th Dist.
	Action:	Adjourned	
	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>
6	24534 Special Use	Shirley Quinn Lessee	2812 W. Lisbon Av. A/K/A 2812-14 W. Lisbon Ave. 17th Dist.
		Request to occupy the premises as a day care center for 24 children ages 6wks-12yrs, Monday-Friday 6:00am-12:00am.	
	Action:	Granted 3 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner obtains an occupancy certificate and complies with current State commercial code for educational and institutional occupancies.</li> <li>5. That the use is restricted to the first floor and that no part of the basement or second floor is used for the day care.</li> <li>6. That the exterior security gates are removed form the building.</li> <li>7. That the garage at the rear of the building is made available for employee parking.</li> <li>8. That a loading zone is obtained along the front on West Lisbon Avenue.</li> <li>9. That signage conforms to the sign standards of the Milwaukee Zoning Code adopted by the Common Council (file # 991763).</li> <li>10. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>11. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	24553 Special Use	Nick Buttitta Property Owner	847 N. 15th St. 17th Dist.
		Request to continue occupying the premises as a rooming house for 7 residents.	
	Action:	Granted 5 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	
8	24575 Special Use	Gloria Wren Property Owner	2416 W. Lisbon Ave Av. 17th Dist.
		Request to occupy the premises as a 24 hr. day care center for 30 children ages 6wks-12yrs, Monday-Friday.	
	Action:	Granted	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage conforms to the sign standards of the Milwaukee Zoning Code adopted by the Common Council (file # 991763).</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>6. That this Special Use is granted for a period of time commencing with the date hereof and expiring on May 9, 2004.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	24567 Special Use	Mt. Hermon Baptist Church Property Owner	1831 W. Atkinson Av. 1st Dist.
		Request to occupy the premises as a day care center for 84 children ages 4wks-12yrs, Monday-Friday 5:00am-6:00pm.	
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant this appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner obtains an occupancy certificate and complies with current State commercial code for educational and institutional occupancies.</li> <li>5. That security gates are removed from the building.</li> <li>6. That landscaping and screening plans which meet the requirements of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. Specifically, the fence along North 19th Street must be a decorative metal fence, not the slatted chain link fence as proposed. In addition, a 6-foot high wood fence is required along the south property line.</li> <li>7. That signage must conform to the sign standards of s.295-407 of the Milwaukee Zoning Code. Specifically, the two wall signs must each be limited to a maximum of 25 square feet.</li> <li>8. That the outdoor play area is not utilized prior to 9:00 A.M.</li> <li>9. That the outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as curbing or bollards.</li> <li>10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	24557 Special Use	Associated Counseling & Training Services, Inc. Clarence Johnson; Lessee  Request to continue occupying the premises as a social service facility (counseling, training and office space).	6815 W. Capitol Dr. A/K/A 6815 W. Capitol Dr. Suite 310 2nd Dist.
	Action:	Granted	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	
11	24593 Special Use	Community Financial Tom Musial; Lessee  Request to continue occupying the premises as a currency exchange facility with the addition of loan services.	7410 W. Capitol Dr. A/K/A 7425 W. Appleton Ave. 2nd Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned by staff and will be rescheduled at the next available hearing.	
12	24566 Special Use	Rashinder Lal & Harshinder Bhatia Property Owner  Request to continue occupying the premises as a motor vehicle pumping station and convenience store, Monday-Sunday 5:00am-12:00am.	6727 W. Villard Av. 2nd Dist.
	Action:	Adjourned	
	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>
13	24581 Dimensional Variance	David Amos Property Owner  Request to construct a 5 ft. (non-metal) fence along the front property line.	2118 N. Cambridge Av. 3rd Dist.
	Action:	Granted	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That this Variance is granted to run with the land.</li> </ol>	
14	24591 Special Use	Paul Haislmaier Property Owner  Request to continue occupying the premises as an office.	1042 E. Juneau Av. A/K/A 1042 E. Juneau Ave. Unit #1 4th 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	24576 Special Use	626 East LLC Property Owner  Request to construct a parking structure on the premises.	730 N. Jackson St. A/K/A 626 E. Wisconsin Ave. 4th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	
16	24564 Special Use	Faith Lutheran School Other  Request to occupy a portion of the premises as a day care center for 12 children ages 2yrs and older, Monday-Friday 7:00am-6:00pm.	4050 N. 95th St. 5th 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner obtains an occupancy certificate and complies with current State commercial code for educational and institutional occupancies.</li> <li>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	24598 Special Use	Gloria Wren Prospective Buyer  Request to occupy the premises as a day care facility for 8 children ages 6wks-12yrs, Monday-Friday 6:00am-12:am.	2460 W. Fond Du Lac Av. A/K/A 2458-60 W. Fond Du Lac Ave. 7th Dist.
	Action:	Granted 3 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>5. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	
18	24466 Special Use	Curative Care Network Lessee  Request to continue occupying approx. 480 sq. ft. of the 1st floor (nw corner)for speech & physical therapy for 35 disabled children.	1645 S. 36th St. A/K/A 1645-59 S. 36th St. 8th 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	24579 Special Use	Paul Schlagenhauf Lessee  Request to occupy the premises as a motor vehicle repair center (commercial trucks).	2001 W. Mt. Vernon Av. 8th Dist.
	Action:	Granted 3 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That there is no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris.</li> <li>5. That there is no display of exterior banners or other advertising except that which is on the approved sign plan or in the plan of operation.</li> <li>6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	
20	24587 Special Use	Jerome F. Huiras Lessee  Request to occupy the 2nd floor of the premises as a specialty school (nursing school).	2778 S. 35th St. 8th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the approval. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>5. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	24590 Special Use	Community Financial Service Center Corp. Tom Musial;Lessee	8921 W. Brown Deer Rd. A/K/A 8923 W. Brown Deer Rd. 9th Dist.
		Request to continue occupying the premises as a currency exchange.	
	Action:	Granted 5 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
22	24521 Use Variance	Living Epistles Church Property Owner	3401 N. 35th St. A/K/A 3401-03 N. 35th St. 10th Dist.
		Request to occupy the premises as a church.	
	Action:	Granted 1Yr.	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the applicant obtains a permit to remove the auto service door and seals the opening with an approved material.</li> <li>5. That the unused driveway on W. Townsend Avenue is closed and restored with curb and gutter.</li> <li>6. That the variance is granted for a period of 1 year during which time the petitioner must apply for a zoning change request to the Department of City Development - Planning Administration to change the zoning to Commercial Service.</li> <li>7. That landscape plans for the parking lot along the North 35th St. frontage meeting the intent of city code section 295-405 for Type 'B' landscaping are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. Plan should include 2 trees, 19 shrubs and a decorative metal fence.</li> <li>8. That signage must meet the signage standards of s.295-407 of the Milwaukee Zoning Code.</li> <li>9. That the windows along the North 35th St. frontage remain as clear glass and are maintained in an attractive manner.</li> <li>10. That this Variance is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
23	24538 Special Use	Surjit Singh Toor Prospective Buyer  Request to continue occupy the premises as a motor vehicle pumping station and car wash facility with the addition of a general retail sales facility (liquor store).	3565-67 N. Teutonia Av. 10th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	
24	24588 Dimensional Variance	Dean & Julie Drajkowski Prospective Buyer  Request to construct a single family residential dwelling without the required lot area.	5204 S. 26th St. 13th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 Abstained.	
25	23322 Special Use	Wisconsin Correctional Service Stephen B. Swigart, Exec. Director; Lessee  Request to occupy 20,000 sq. ft. of the premises as a health clinic.	3716 W. Wisconsin Av. A/K/A 3716-32 W. Wisconsin Av. 16th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn this appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
26	24493 Special Use	Gloria Oglesby Property Owner  Request to occupy the premises as a day care center for 18 children, 4wks-12yrs, 6:00am-6:00pm Monday-Sunday.	4261 N. 68th St. 2nd Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny this appeal. Seconded by Catherine Doyle.	
	Vote:	3 Ayes, 1 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	24215 Special Use	John Nelson Sims Property Owner	2419 W. Fond Du Lac Av. 7th Dist.
		Request to continue occupying the premise as a motor vehicle repair center.	
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	3 Ayes, 1 Nays, 1 C. Zetley Abstained.	
28	24106 Use Variance	James W Lyte Lessee	2140 N. 27th St. 7th Dist.
		Request to occupy the premises as a personal service facility (barber shop).	
	Action:	Denied	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Georgia Cameron. The vote failed 3-2.	
	Vote:	3 Ayes, 2 Nays, 0 Abstained.	
29	24523 Special Use	Rabinder Khahra Property Owner	6325 N. 76th St. A/K/A 6321 N. 76th St. 15th Dist.
		Request to increase the hours of operation of the existing motor vehicle pumping station, car wash, and convenience store to 24 hrs.	
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner take all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel.</li> <li>5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	24264 Special Use	Interweld, Inc. Lessee	5839 N. 94th St. 15th Dist.
		Request to occupy the premises as a recreational facility/social hall for dinners, dances, receptions & other social gatherings.	
	Action:	Granted 3 yrs.	
	Motion:	Roy Nabors 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the majority of the building continues to be utilized for industrial purposes.</li> <li>5. That the assembly hall is restricted to the office portion of the building and is operated within the hours as outlined in the plan of operation.</li> <li>6. That the parking lot is landscaped with trees and shrubs per the standards of Type 'A' landscaping as outlined in ch. 405 of the city's zoning code.</li> <li>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.</li> <li>8. That the appellant provide a 24 hr. contact name and phone number to the Board, the Alderman and any neighboring resident that requests it.</li> <li>9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	24387 Use Variance	Jimmy McClendon Property Owner	8719 W. Spokane St. 15th Dist.
		Request to park in the front yard setback.	
	Action:	Denied	
	Motion:	Roy Nabors moved to deny this appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
32	24425 Special Use	AJA Enterprise, LLC Prospective Buyer	8726 W. Mill Rd. 15th Dist.
		Request to occupy the premises as transitional living facility for 8 female adults with children.	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the applicant obtains an occupancy certificate and complies with all of the State commercial code requirements for health clinics and CBRFs.</li> <li>5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	24535 Special Use	Mark Poje Property Owner	3120 W. Burnham St. 16th Dist.
		Request to add a metal recycling collection facility to the existing light manufacturing business.	
	Action:	Granted 2 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all activity and storage occurs indoors.</li> <li>5. That no work or storage of material occurs in the public right of way.</li> <li>6. That the driveway and parking areas are paved.</li> <li>7. That all previous Board conditions regarding this site are complied with.</li> <li>8. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	
34	24422 Special Use	Ralph W. Sellers Lessee	3309 W. National Av. 16th Dist.
		Request to occupy the premises as a second-hand sales facility.	
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn this 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>
35	24272 Special Use	US Cellular Lessee  Request to construct a 80' telecommunication tower on the premises.	5225 W. Vliet St. 16th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
36	24509 Special Use	Bridget Sanders & Violetta Joseph Lessee  Request to occupy the premises as a recreational facility.	1900-26 W. North Av. 17th Dist.
	Action:	Granted 4 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner take all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel.</li> <li>5. That this Special Use is granted for a period of four (4) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	24507 Rehearing Request	Bessie Carter Property Owner  Request for a rehearing request to occupy the premises as a day care facility with revised hours, for 8 children, newborn-12yrs, Monday-Sunday.	1961 W. Purdue . 1st Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny this appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
38	24526 Special Use	Cassandra Sturghill Lessee  Request to occupy the premises as a day care facility for 8 children ages 6wks-12yrs, Monday-Friday 6:30am-5:30pm.	5059 N. 27th St. A/K/A 5057 N. 27th St. 1st Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 1 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That there are no exterior signs or banners on the premises.</li> <li>5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	24528 Special Use	Evelyn Oliphant Lessee	4630 N. 36th St. 1st Dist.
		Request to occupy the premises as a day care facility for 8 children ages 6wks-12yrs, Monday-Friday 6:00am-10:00pm.	
	Action:	Granted 2 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That there are no exterior signs or banners on the premises.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>6. That there be no signage associated with the day care facility.</li> <li>7. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	24533 Special Use	Kathy Armon Lessee  Request to occupy the premises as a day care facility for 8 children ages 6wks-12yrs, Monday-Friday 6:00am-10:00pm.	5177 N. 31st St. 1st Dist.
	Action:	Granted 2 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That there are no exterior signs or banners on the premises.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>6. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	
41	24550 Special Use	Lisa Lor Property Owner  Request to occupy the premises as a day care facility for 8 children ages 6wks-12yrs, Monday-Sunday 6:00am-12:00am.	5900 N. 75th St. 2nd Dist.
	Action:	Adjourned	
	Motion:	Roy Nabors moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetely Abstained.	
42	24559 Special Use	James Smith Property Owner  Request to occupy the premises as a temporary (3 yrs.) concrete crushing facility (limestone).	7240 W. Douglas Av. 2nd Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned by staff and will 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>
43	24547 Special Use	Marilyn Kern Lessee  Request to occupy the premises as a day care center for 20 children ages 6wks-12yrs, Monday-Saturday 6:00am-9:00pm.	7205 W. Burleigh St. A/K/A 3075 N. 72nd St. 2nd Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner obtains an occupancy certificate and complies with current State commercial code for educational and institutional occupancies.</li> <li>5. That employees park in the area at the rear of the site.</li> <li>6. That a loading zone is obtained on West Burleigh Street.</li> <li>7. That on-site play area plans are submitted to the Board of Zoning Appeals and are approved by the Zoning Administration Group prior to the issuance of any permits.</li> <li>8. That the play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>9. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	
44	24572 Use Variance	John Droudes Property Owner  Request to occupy the premises as a fraternity for 8 people.	3453 N. Oakland Av. 3rd Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss 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>
45	24573 Appeal of an Order	Richard B. Mitchell Property Owner  Request to appeal an order of the Department of Neighborhood Services determining the occupancy to be a tavern.	3056-58 N. Maryland Av. 3rd Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the applicant and will be rescheduled for the next available hearing.	
46	24542 Dimensional Variance	James Maurer Property Owner  Request to raze the existing garage and construct a new detached garage on the premises.	1535 N. Cass St. 3rd Dist.
	Action:	Adjourned	
	Motion:	Catherine Doyle moved to adjourn this appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
47	24527 Appeal of an Order	James H. & Laura Stamm Property Owner  Request to appeal an order of the Department of Neighborhood Services determining the occupancy to be a community living arrangement.	4050-52 N. 91st St. 5th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the applicant 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>
48	24568 Special Use	Rilla Williams & Noel Williams Tristar Development, LLC;Property Owner  Request to construct a two story building and occupy the 1st floor as a day care center for 53 children ages 6wks-12yrs.  Action: Granted 10 yrs.  Motion: Scott Winkler 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage conforms to the sign standards of s.295-606-5 of the Milwaukee Zoning Code.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	1832-50 N. Martin Luther King Dr. 6th Dist.
49	24288 Dimensional Variance	Patti Jump Property Owner  Request to expand the existing 3 unit residential dwelling to a 5 unit residential dwelling.	2100-04 S. 32nd St. 8th Dist.
	Action:	Adjourned	
	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>
50	24561 Special Use	MRED Commercial Development Corp. Prospective Buyer  Request to raze the existing structure and construct a new general retail facility with a drive thru.	2410 W. Forest Home Av. A/K/A 2400 W Lincoln Ave. 8th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the Chair and will be rescheduled at the next available hearing.	
51	24583 Dimensional Variance	The Khamit Institute Property Owner  Request to construct a temporary structure to occupy two classroom facilities.	4716 W. Fond Du Lac Av. A/K/A 4716-18 W. Fond Du Lac Ave. 10th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny this request. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
52	24539 Special Use	Roberta Henry Property Owner  Request to occupy the premises as a day care facility for 8 children ages 6wks-12yrs, 6:00am-10:00pm Monday-Friday.	3379 N. Sherman Bl. 10th Dist.
	Action:	Granted 2 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That there are no signs on the premises.</li> <li>5. That there are no signs or banners on the premises.</li> <li>6. That there is no signage associated with the family day care center.</li> <li>7. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>8. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
53	24513 Rehearing Request	Tamaran Geter Lessee  Request for a rehearing request to occupy the premises as a day care facility WITH revised hours, for 8 children, 3wks-12yrs, Monday-Friday.	3807 N. 38th St. A/K/A 3807-09 N. 38th St. 10th Dist.
	Action:	Denied	
	Motion:	Catherine Doyle moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained., C. Zetley Recused	
54	24458 Special Use	Tamairo Moutry Lessee  Request to occupy the premises as a 24hr day care facility for 8 children, 4wks-12yrs, Monday-Saturday.	3370 N. 27th St. A/K/A 3370-72 N. 27th St. 10th Dist.
	Action:	Adjourned from a prior hearing	
	Motion:	Catherine Doyle moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
55	24030 Special Use	Bulk Petroleum Corporation Prospective Buyer  Request to occupy the premises as a motor vehicle pumping station with convenience store.	4907 W. Fond du Lac Av. A/K/A 4901-07 W. Fond du Lac Av. 10th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn this 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>
56	24586 Appeal of an Order	Ryan Clancy Lessee  Request to appeal an order of the Department of Neighborhood Services determining the occupancy to be an assembly hall.	422 N. 15th St. A/K/A 1418-30 W. St. Paul Ave. 12th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	3 Ayes, 1 Nays, 1 C. Zetley Abstained.	
57	24271 Other	Cashland Check Cashing Corp.  Request to appeal a determination of the department of Neighborhood Services determining the check cashing machines located on the premises to be accessory use to the primary function of tax return preparation.	1842 S. 15th St. A/K/A 1201 N. 35 & 5209 W. Fond du Lac Ave 12th Dist.
	Action:	Adjourned	
	Motion:	Catherine Doyle moved to adjourn this appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
58	24549 Special Use	Aleksandra M. Kowalkowski Property Owner  Request to occupy the premises as a day care center for 45 children ages 6mo-12yrs, Monday-Friday 6:00am-6:00pm.	4328 S. 20th St. 13th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned by staff 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>
59	24496 Special Use	Quincy Lynk & Patrice Mckinley Property Owner	2550 N. 58th St. 7th Dist.
		Request to occupy the premises as a 24hr day care facility for 8 children, 6wks-12yrs, Monday-Sunday.	
	Action:	Granted 3 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That there is no signage associated with the family day care center.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	
60	24530 Use Variance	Bobbie Sims Bobbie Auto Service and Towing, LLC AKA BAST;Property Owner	2419A W. Fond Du Lac Av. 7th Dist.
		Request to occupy the premises as a motor vehicle repair and outdoor storage facility.	
	Action:	Adjourned	
	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>
61	24529 Special Use	Bobbie Sims Lessee  Request to occupy the premises as a motor vehicle repair and storage facility.	2415 W. Fond Du Lac Av. 7th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
62	24537 Use Variance	Bobbie Sims Property Owner  Request to occupy the premises as a parking lot.	2470 W. Medford Av. 7th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn this appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
63	23272 Special Use	Loan Max Roderick Aycox; Lessee  Request to occupy the premises as a title loan company.	4342-46 S. 27th St. 13th Dist.
	Action:	Dismissed	
	Motion:	Roy Nabors moved to dismiss this appeal request. 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>
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**Other Business:**

Board member Nabors moved to approve the minutes of the October 17, 2002 meeting. Seconded by Board member Winkler. Unanimously approved.

The Board set the next meeting for December 12, 2002.

Board member Winkler moved to adjourn the meeting at 8:25 p.m.. Seconded by Board member Doyle. Unanimously approved.

BOARD OF ZONING APPEALS

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Secretary of the Board