

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

**REGULAR MEETING – 11/06/2003**  
**City Hall, Common Council Committee Room 301-B**

***MINUTES***

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PRESENT:

**Chairman:** Craig H. Zetley (*voting on items 1-68, 77,78*)

**Members:** Henry P. Szymanski (*voting on items 1-78*)  
Scott R. Winkler (*voting on items 1-78*)  
Catherine M. Doyle (*voting on items 1-36, 38-53, 55-78*)  
Roy B. Nabors (*voting on items 1-78*)

**Alt. Board Members:** Georgia M. Cameron (*voting on items 37, 69-78*)  
Donald Jackson (*voting on items 54*)

START TIME: 2:13p.m.

End Time: 6:30 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	Proposed rule change	Discussion and possible action regarding proposed changes to the Board's Rules of Procedure regarding resubmission requests.	3201 S. 60th St. 11th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the modification to the Board's Rules of Procedure. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
2	25133 Special Use	Munir Hamdan (POA), Other  Request to occupy the premises as a 24hr. motor vehicle filling station and convenience store.	2483 W. Capitol Dr. A/K/A 2477-83 W. Capitol Dr. 10th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
3	25173 Special Use	Helen Miller & Norman K. Knox Property Owner  Request to construct an addition to the existing residential dwelling.	3201 S. 60th 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.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
4	25102 Special Use	Shavonn Wright, Lessee  Request to occupy the premises as a car wash facility.	4404 W. Lisbon Av. A/K/A 4404-10 W. Lisbon Ave. , 2199 N. 44th St. 17th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
5	24849 Special Use	Deborah N. Allen, Other  Request to increase the hours of the drive thru facility to 24hrs, of the existing fast food/carry out restaurant.	2700 W. Capitol Dr. A/K/A 2710 W. Capitol Dr. 1st Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
6	25250 Extension of Time	Bennie Hickmann Hickman Academy Preparatory School Day Care;Property Owner  Request for an extension of time to comply with the conditions of Case No. 21573.	5613-15 W. Hampton Av. 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:	3-month approval.	
7	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:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss 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>
8	25118 Special Use	Greater Holy Temple Christian Learning Institute, Lessee  Request to occupy the premises as an elementary or secondary school.	3401 N. 76th St. 5th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
9	24859 Special Use	The Way and the Truth Ministries Paster Johnny Whitney; Lessee  Request to occupy the premises as a social service facility and a religious assembly hall.	7800 W. Fond Du Lac Av. 5th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
10	24846 Special Use	Greg Ruffing, Property Owner  Request to add motor vehicle sales to the existing rental facility of moving vehicles, trailers, and towing equipment.	5701 W. Good Hope Rd. 9th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss 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>
11	25258 Special Use	Andre Carter, Lessee  Request to extend the hours from 7:00am-6:00pm to 6:00am-10:00pm Monday-Friday of the existing day care center for 25 children birth to 12yrs of age.	3936 W. Fond Du Lac Av. A/K/A 3934-36 W. Fond Du Lac Ave. 10th 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"> <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 time commencing with the date hereof and expiring on February 18, 2007.</li> </ol>	
12	25274 Special Use	Carrie L. Palmer, Property Owner  Request to continue occupying the premises as a 24hr day care facility for 15 children infant to 12yrs of age, Monday-Sunday.	3272 N. 30th St. 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"> <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 after 8:00 P.M. or before 9:00 A.M.</li> <li>5. That signage be limited to a maximum of 18 square feet.</li> <li>6. 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>
13	25277 Special Use	Cynthia Williamson Genesis I Child Day Care Inc.; Lessee  Request to occupy the premises as a 24 hr. day care center for 56 children 6wks-12yrs of age, Monday-Friday.	4345 W. Fond Du Lac Av. A/K/A 4345-47 W. Fond Du Lac Ave. 10th Dist.
	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"> <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 must conform to the sign standards of s. 295-505-5 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>7. That the applicant obtains an occupancy certificate and complies with all State commercial building code requirements for educational and institutional occupancies.</li> <li>8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	
14	25248 Special Use	George J. Kilmer, Property Owner  Request to continue occupying the premises as a transitional living facility.	931-33 S. 15th St. 12th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of 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>
15	25197 Special Use	Corey Smith, Property Owner  Request to occupy the premises as a day care center for 80 children 6wks to 12yrs of age, Monday-Friday 6:30am-5:30pm.	10003 W. Carmen Av. 15th 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"> <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 certificate of occupancy and complies with all State commercial building code requirements 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>	
16	25259 Dimensional Variance	H.A.C.M., Property Owner  Request to construct a single-family residential dwelling.	1623 W. Vine St. 17th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	

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17	25262 Dimensional Variance	Elbridge Lock, Unity Gospel House of Prayer;Property Owner  Request to continue occupying the premises as a religious assembly hall.	1747 N. 12th St. A/K/A 1731-47 N. 12th St. 17th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler 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 previous conditions of the Board regarding this property are complied with.</li> <li>5. That this Special Use and these Variances are granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
18	25264 Special Use	Sallie Thomas, Property Owner  Request to continue occupying the premises as a day care center for 15 children, 6wks to 2 1/2 yrs of age, Monday-Friday 6:00am-6:00pm.	4032 N. 39th St. 1st 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"> <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>	

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19	25253 Special Use	Bennie Hickman Hickman's Academy Preparatory School;Property Owner	5613-15 W. Hampton Av. 2nd Dist.
		Request to add an elementary or secondary school to the existing day care center (same number of children will be on site).	
	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"> <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 certificate of occupancy and complies with all State commercial building code requirements for educational occupancies.</li> <li>5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on June 2, 2008.</li> </ol>	

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20	24848 Special Use	Deborah N. Allen, Other  Request to continue occupying the premises as a fast food/ carry out restaurant (open 5 a.m. until midnight).	5265 W. Fond Du Lac Av. 2nd 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"> <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 maintain landscaping and screening in a manner that meets the intent of city code</li> <li>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 if necessary.</li> <li>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

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21	25225 Dimensional Variance	Brandt Zacher, Property Owner  Request to build an attached garage on the premises.	1910 N. Oakland Av. 3rd 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"> <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 the applicant builds in accordance with all applicable building and zone codes.</li> <li>5. That this Variance is granted to run with the land.</li> </ol>	
22	25230 Special Use	H&K Partners, LLC, Peter Helf;Property Owner  Request to continue occupying the premises as a fast-food/carry-out restaurant with a drive through facility (open Sunday-Thursday 10:30am-10:00pm, Friday & Saturday 10:30am-11:00pm).	605 N. 27th St. 4th 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"> <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 previous conditions of the Board regarding this property are complied with.</li> <li>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 if necessary.</li> <li>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

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23	25256 Special Use	Neighborhood House of Milwaukee Lessee  Request to continue occupying the premises as a day care center for 20 children 3yrs to 5 yrs of age, Monday-Thursday 8:30am-12:00pm.	639 N. 25th . A/K/A 2501 W. Wisconsin Ave. 4th 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"> <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>	
24	25280 Dimensional Variance	Richard W. & Jane I. Beisser Property Owner  Request to raze the existing garage and construct a detached garage on the premises.	951 N. 31st St. 4th 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"> <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 these Variances are granted to run with the land.</li> </ol>	

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25	25286 Special Use Granted	Center for Veterans Issues, Ltd. Property Owner  Request to continue occupying the premises as a parking lot.	3402 W. Wells St. 4th 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"> <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 previous conditions of the Board regarding this property are complied with.</li> <li>5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on September 29, 2008.</li> </ol>	
26	25288 Special Use	Walfred Friedman, Other  Request to continue occupying the premises as a parking lot.	102-12 N. Water St. 4th Dist.
	Action:	Granted 2 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 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 two (2) years, commencing with the date hereof.</li> </ol>	

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27	25215 Special Use	William F. Specht & James F. Sheppard Property Owner  Request to continue occupying the premises as a fast-food/carry-out restaurant with a drive through facility.	9015 W. Appleton Av. A/K/A 9013-15 W. Appleton Ave. 5th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant this 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 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 all previous conditions of the Board regarding this property are complied with.</li> <li>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

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28	25244 Special Use	John P. Bowles, Bowles Development Group, Inc; Lessee	1600 N. 6th St. 6th Dist.
		Request to occupy the premises as a contractor's shop and yard.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant this 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 revised landscaping and screening plans which meet the intent 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, type B landscaping and screening for the parking area must be provided along the West Galena Street frontage. In addition, a six (6) foot high 100% opaque fence must be installed along the eastern property line from the West Galena Street landscaped area to the existing fence/gate.</li> <li>5. That signage must conform to the sign standards of s. 295-805-5 of the Milwaukee Zoning Code.</li> <li>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

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29	25276 Special Use	M&S Clinical Services, Inc., Lessee  Request to occupy a portion of the premises as a social service facility.	2821 N. 4th St. A/K/A 2801-21 N. 4th St. 6th Dist.
	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"> <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 security personnel if necessary.</li> <li>5. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	
30	25265 Special Use	Marcel Green-Minter, Lessee  Request to occupy the premises as a secondhand store (furniture sales).	4727 W. Center St. A/K/A 4723-27 W. Center St. 7th Dist.
	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"> <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 must conform to the sign standards of s. 295-505-5 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>6. 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	25268 Special Use	Lemuel C. Cannon, Property Owner  Request to continue occupying the premises as a day care center for 25 children 6wks to 12yrs of age, Monday-Friday 6:00 a.m. - Midnight.	3540 N. 20th St. 7th 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"> <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 must meet the sign standards of s.295-505 of the Milwaukee Zoning Code.</li> <li>5. That the outdoor play area is not utilized after 8:00 P.M. or before 9:00 A.M.</li> <li>6. 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>
32	25269 Special Use	Thelmer J. Lock, Property Owner  Request to increase the hours of operation on Friday from 7:00am-5:30pm to 7:00am-Midnight of the existing day care facility for 24 children (8 per shift) 6wks to 12yrs of age Monday-Friday.	7120 W. Villard Av. A/K/A 7118-20 W. Villard Ave. 2nd Dist.
	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"> <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 must not be 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>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	25240 Special Use	Joel Breen, Lessee  Request to occupy the premises as a secondhand store (furniture store).	8075 N. 76th St. 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"> <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 must meet the requirements for Type A landscaping of s.295-405 of the Milwaukee Zoning Code.</li> <li>5. That signage must conform to the sign standards of s. 295-805-5 of the Milwaukee Zoning Code. Specifically the proposed freestanding sign is limited to a maximum sign area of 40 square feet and a maximum sign height of 15 feet.</li> <li>6. That no merchandise is displayed outside.</li> <li>7. 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>
34	25211 Special Use	Gregory A. Lockman, Lessee  Request to continue occupying the premises as a motor vehicle repair facility.	5302 W. Woolworth St. 9th 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"> <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 parts, tires, nuisance vehicles or other junk and debris.</li> <li>5. That all repair work is conducted inside of the building.</li> <li>6. That signage plans which meet the sign standards of s.295-805 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.</li> <li>7. That the applicant does not have outdoor storage of auto part, tires, nuisance vehicles or other junk and debris.</li> <li>8. That the applicant displays no exterior banners or other advertising except signs that are approved by permit and on the site plan.</li> <li>9. 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>
34a	25229 Special Use	Bridgeman Foods II, Prospective Buyer  Request to raze the existing structure and construct a fast-food/carry-out restaurant with a drive through facility (open Sunday-Saturday, 10:00 AM to 11:00 p.m.).	914 N. 27th St. 4th 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"> <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 meets the requirements of s.295-405 of the Milwaukee Zoning Code.</li> <li>5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee 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 security personnel if necessary.</li> <li>8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
35	25272 Resubmission Request	Wayne Armon Property Owner  Request for a resubmission to occupy the premises as a day care facility for 8 children 6wks to 12yrs of age, Monday-Sunday 6:00am-10:00pm.	8521 W. Fairy Chasm Dr. 15th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski 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>
36	25271 Resubmission Request	Linda Anthony Property Owner  Request for a resubmission to occupy the premises as a day care center for 20 children newborn to 12yrs of age, Monday-Friday 6:30am-Midnight.	4585 N. 23rd St. 1st Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
37	24341 Special Use	Title Lenders, Inc., d/d/a USA Payday Loans;Lessee  Request to occupy a portion of the premise as a payday loan agency.	714 N. Broadway . A/K/A 312 E. Wisconsin Ave. 4th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
38	25186 Dimensional Variance	Suzane E. & Richard Pieper Property Owner  Request to replace the existing signage of the existing general retail establishment.	100 E. Capitol Dr. A/K/A 100-202 E. Capitol Dr. 6th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
39	25210 Dimensional Variance	Brian Mehlberg Property Owner  Request to legalize the existing 6 ft. high fence in the front and side yard setback on site.	3260 S. 63rd St. 11th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski 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>
40	25234 Special Use	Regina Thompson, Lessee  Request to occupy the premises as a daycare center for 50 children 6wks to 12yrs of age, Monday-Friday 6:00am-Midnight.	1926 W. Arrow Av. 12th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the Alderman and will be rescheduled at the next available hearing.	
41	25224 Dimensional Variance	Steven Falk, Property Owner  Request to widen the existing attached garage without the proper setback.	5750 S. 14th St. 13th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
42	25260 Appeal of an Order	James Letizia, DBA Diamond Jim's, Auto Sales; Lessee  Request to appeal the order of the Department of Neighborhood Services determination that the non-conforming Special use was enlarged without Board approval.	5848 S. 27 St. 13th Dist.
	Action:	Adjourned	
	Motion:	This matter 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>
43	25174 Use Variance	Joseph G. Paradowski, Property Owner  Request to construct a detached 22' x 20' garage at the front of the premises.	3501 S. 18th St. 13th 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"> <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>	
44	25052 Special Use	TMJ CYGS, LLC c/o Quality Air Forwarding Inc., Property Owner  Request to construct an addition to the existing airfreight forwarding business (truck freight terminal) and modify the parking layout on site.	137 W. Boden St. 13th 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 landscape plans meeting the intent of city code section 295-805 are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. Landscape plans must also include a buffer to all residential abutters.</li> <li>5. That all loading and unloading done before 8 a.m. or after 6 p.m. take place at the existing loading dock.</li> <li>6. That this Special Use is granted for a period of time commencing with the date hereof and expiring on January 25, 2010.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	25182 Special Use	Christ Child Society, Prospective Buyer  Request to occupy the premises as a secondhand sales facility.	2510 S. Kinnickinnic Av. 14th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the call of the chair and will be scheduled as a contested item at the next available hearing.	
46	25232 Special Use	Barbara A. Rose, Property Owner  Request to occupy the premises as a 24 hr day care facility for 8 children 6wks-12yrs of age, Monday-Sunday.	9222 W. Joleno Ln. A/K/A 9220-222 W. Joleno Ln. 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Scott Winkler.	
	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 no signage relating to the daycare be erected on site.</li> <li>5. That the play area not be utilized before 9:00 a.m. or after 8 p.m.</li> <li>6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	
47	25282 Dimensional Variance	Martha J. Irby, Prospective Buyer  Request to construct a single family residential dwelling.	6041 N. Denmark St. 15th Dist.
	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>
48	25214 Special Use	Dennis Kaul, Property Owner  Request to remodel and expand the existing motor vehicle filling station and convenience store (open Monday-Saturday 5:00am-11:00pm, Sunday 7:00am-10:00pm).	5881 N. 91st St. A/K/A 5931 N. 91st St. 15th 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"> <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 must meet the requirements of s.295-405 of the Milwaukee Zoning Code.</li> <li>5. That signage must conform to the sign standards of s. 295-805-5 of the Milwaukee Zoning Code.</li> <li>6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee 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 security personnel if necessary.</li> <li>8. That individually sold cigars, cigarette wrapping paper, Black and Mild cigars, Blunt cigars, glass tubes (i.e. type associated with individually sold flowers) and any other items deemed to be drug paraphernalia, not be sold on the premises.</li> <li>9. That there is no outdoor storage or display of products or merchandise.</li> <li>10. That there is no outdoor display of banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>11. 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>
49	25294 Dimensional Variance	Bobby L. Parker, Property Owner  Request to construct a detached garage on the premises with an excessive sidewall height.	6911 N. 91st St. 15th 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"> <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>	
50	25298 Dimensional Variance	TDC Milwaukee, LLC, c/o Tucker Development Corporation;Other  Request to occupy the premises as a general retail establishment without the required landscaping.	7700 W. Brown Deer Rd. A/K/A 7700 (S&M) W. Brown Deer Rd. 15th 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"> <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 a revised landscape and screening plan is submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. The revised plan should identify the species of tree to be used in each location, and should spread the trees throughout the site to provide greater coverage.</li> <li>5. That this Variance is granted to run with the land.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
51	24512 Special Use	Kevin Griffin, Lessee  Request to occupy the premises as a transitional living facility for 16 clients.	448 N. 39th St. 16th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Ald. and will be scheduled as a contested hearing item at the next available meeting.	
52	25219 Special Use	Fikri Alusevski, Prospective Buyer  Request to continue occupying the premises as a rooming house for 7 rooms.	3528 W. National Av. A/K/A 3528-30 W. National Ave. 16th Dist.
	Action:	Granted 2 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 all previous conditions of the Board regarding this property are complied with.</li> <li>5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	
53	25095 Use Variance	Laurel Scherbarth, Property Owner  Request to allow parking within the front yard setback of the principal building.	230 N. 70th St. 16th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn this 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>
54	25128 Special Use	Ehab Daoud, d/b/a Shark's Fish & Chicken; Prospective Buyer	1515 W. North Av. 17th Dist.
		Request to occupy the premises as a fast-food/ carry out restaurant and drive through facility (open 10:00am-10:00pm) Monday-Sunday) that is located less than 150 ft. from a residential use.	
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
55	25165 Special Use	Luevelle Carson, Property Owner	2125 N. 16th St. A/K/A 2125-27 N. 16th St. 17th Dist.
		Request to occupy the premises as a day care facility for 8 children, 6wks to 10yrs of age, Monday-Friday 7:00am-6:00pm.	
	Action:	Granted 2 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 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 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>
56	25223 Special Use	Murice Johnson, Lessee  Request to occupy the premises as a 24hr day care facility for 8 children 6wks to 13 yrs of age, Monday-Sunday.	4234 N. 26th St. 1st Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 1 Nays, 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 must not be 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 two (2) years, commencing with the date hereof.</li> </ol>	
57	25289 Use Variance	Pastor Joe A. Games Sr., Property Owner  Request to add a community center and increase the existing day care facility form 25 to 36 children 6wks-12yrs of age Monday-Friday 7:00am-6:00pm.	4730 N. Teutonia Av. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Roy Nabors moved to grant this 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 parking lot is developed before they expand their operations.</li> <li>5. That decision No. 22342 is amended to allow up to 36 children on site.</li> <li>6. That this Variance 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>
58	25106 Dimensional Variance	Rheatra Daniels-Hubbard, Lessee  Request to occupy the premises as a day care center for 40 children (20 per shift) 6wks-12yrs of age, Monday-Sunday 6:00 a.m.- Midnight.	1808 W. Atkinson Av. A/K/A 1808-14 W. Atkinson Ave. 1st 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"> <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 certificate of occupancy and complies with all State commercial code requirements for educational and institutional occupancies.</li> <li>5. That landscaping and screening plans for the parking area must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</li> <li>6. That signage must be limited to the sign band above the storefront windows and must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>7. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>8. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>9. That the outdoor play area is separated from the parking area by some type of physical barrier such as bollards.</li> <li>10. That this Special Use and this Variance are 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>
59	25249 Appeal of an Order	Khalid Ahmed, Property Owner  Request to appeal an order of the Department of Neighborhood Service determining that the conditions of decision #22390 have not been met.	2200 N. Prospect Av. 3rd Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to uphold the order. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
60	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:	Denied	
	Motion:	Henry Szymanski moved to uphold the order. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 1 Nays, Abstained.	
61	25261 Use Variance	Bob Seefeld, Wisconsin Center District;Property Owner  Request to add an electronic automatic changeable message sign on the premises.	400 W. Kilbourn Av. A/K/A 412-518 W. Kilbourn Ave. 4th Dist.
	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 this Variance 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>
62	25220 Special Use	Bob Seefeld, Property Owner  Request to add additional parking to the existing surface parking lot.	400 W. Wisconsin Av. A/K/A Wells to Kilbourn - 4th to 6th St. 4th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
63	25228 Special Use	H&K Partners, LLC, Peter Helf;Property Owner  Request to continue occupying the premises as a fast-food/carry-out restaurant with a drive through facility (open Sunday-Thursday 10:30am-10:00pm, Friday & Saturday 10:30am-11:00pm).	5903 N. 76th St. 5th Dist.
	Action:	Granted 10 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 landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>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.</li> <li>6. 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>
64	25178 Dimensional Variance	Jack C. & Carol L. Jensen, Property Owner  Request to park in the side yard without the required setback.	3125 N. Colonial Dr. 5th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Catherine Doyle 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 the applicant abides by the conditions outlined in the letter dated November 3, 2003, submitted by the property owner located at 3115 N. Colonial Dr.</li> <li>5. That this Variance is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	
65	25117 Dimensional Variance	John R. Schenkel, Property Owner  Request to replace the existing signage on the premises with new signage that is in access of the permitted height.	8333 W. Appleton Av. A/K/A 8349 W. Appleton Ave. 5th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski 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 petitioner build in accordance with plans submitted.</li> <li>4. That this Variance 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>
66	25209 Dimensional Variance	Joel Blaeser, Property Owner  Request to construct a 6 ft high fence around the two parcels.	2025-31 N. Booth St. 6th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
67	25124 Special Use	Nicole Brown, d/b/a Jasmine's Learning House; Lessee  Request to occupy the premises as a day care center, for 24 children (8 per shift), infant to 12 yrs. of age, 7 days a week, 24 hours per day.	2712 N. Weil St. A/K/A 1000 E. Center St. 6th 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>
68	25237 Special Use	Chiquilla Holloway, Prospective Buyer  Request to occupy the premises as a 24 hr day care center for 120 children (40 per shift) 6wk to 12 yrs of age, Monday-Sunday.	4527 W. Center St. 7th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 1 Nays, 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 a loading zone is obtained in front of the site on West Center Street.</li> <li>5. That the unused driveway on North 46th Street be closed and restored with curb and gutter.</li> <li>6. That parents be informed that they should not park vehicles on the adjacent side streets.</li> <li>7. That the petitioner obtains an occupancy certificate and complies with current State commercial building for institutional and educational occupancies.</li> <li>8. That the play area not be utilized before 9 a.m. or after 8 p.m.</li> <li>9. That no drop off or pick up occur between the hours of 11 p.m. and 6 a.m.</li> <li>10. That this Special Use 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>
69	25020 Special Use	Simyon Loshak, Property Owner  Request to include motor vehicle sales to the existing motor vehicle repair facility.	2727 S. 27th St. A/K/A 2712 S. 28th St. 8th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 S.Winkler 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 existing landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>6. That no disabled or unlicensed vehicles or parts are to be stored outside</li> <li>7. That any additional signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. This condition forbids the erection of any additional freestanding signage.</li> <li>8. That there is no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris.</li> <li>9. That there is no display of exterior banners or other advertising except signs that are approved by permit and on the site plan.</li> <li>10. 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>
70	25227 Special Use	Alberto R. & Silvia Valle, Property Owner  Request to occupy the premises as a motor vehicle repair and sales facility.	2053-57 S. Muskego Av. 8th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler 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 implemented and maintained according to the landscape plan submitted to the Board of Zoning Appeals on 9/24/03</li> <li>5. That all work is done inside the building</li> <li>6. That the petitioner complies with Board of Zoning Appeals conditions for 2059 S. Muskego Ave.</li> <li>7. That no more than 20 vehicles be displayed or stored on site.</li> <li>8. That no work or storage of vehicles occurs in the public right of way.</li> <li>9. That the applicant has no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris.</li> <li>10. That the applicant has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan.</li> <li>11. That the applicant stripe the parking area according to the site plan submitted.</li> <li>12. 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>
71	25222 Special Use	Cherry McKnight, Lessee  Request to occupy a portion of the premises as a day care center for 100 children(50 per shift) 3wks to 13yrs of age, Monday-Friday 5:30am-1:00am.	7000 W. Good Hope Rd. A/K/A 7000-18 W. Good Hope Rd. 9th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler 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 must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>6. That the play area not be utilized before 9 a.m. or after 8 p.m.</li> <li>7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	
72	25287 Use Variance	Eric Koepp, Property Owner  Request to convert the existing duplex to a 4 unit residential dwelling.	6330 W. Carmen Av. 9th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler 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>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
73	25213 Special Use	Erma J. Belin, Lessee  Request to continue occupying the premises as a day care center for 100 children 6wks to 12yrs of age, Monday-Friday 6:30am-5:30pm.	3320 W. Wren Av. A/K/A 3433 W. Florist Ave. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Georgia Cameron moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler 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 employees of the day care park their vehicles on the north side of West Wren Avenue, not in front of the neighborhood residences.</li> <li>5. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for educational and institutional occupancies.</li> <li>6. 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>
74	25135 Special Use	Shirley Howard, Property Owner  Request to increase the number of children from 19 to 60 children 4wks-13yrs of age of the existing day care center, Monday-Friday 5:30 am - 9:00 pm.	4919 W. Good Hope Rd. 9th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler 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 previous conditions regarding this premises are complied with.</li> <li>5. That the petitioner obtains an occupancy certificate and complies with current State commercial building for institutional and educational occupancies.</li> <li>6. That this Special Use is granted for a period of time commencing with the date hereof and expiring on February 25,2008.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
75	25283 Special Use	Kunal Enterprises Prospective Buyer  Request to construct a motor vehicle filling station, convenience store, and car wash facility (open 5:00am-Midnight).	7141 N. 76th St. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler 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 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. Plans must include identifiable pedestrian links to the street.</li> <li>5. That signage plans which meet the sign standards of s.295-605 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.</li> <li>6. That site illumination plans which meet the requirements of s.295-409 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.</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 security personnel if necessary.</li> <li>8. That individually sold cigars, cigarette wrapping paper, Black and Mild cigars, Blunt cigars, glass tubes (i.e. type associated with individually sold flowers) and any other items deemed to be drug paraphernalia, not be sold on the premises.</li> <li>9. That the petitioner work with the Zoning Administration Group on design related issues including but not limited to site plans and façade plans. Revised drawings that reflect these changes must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to submission to the Plan Examination Section or no permits will be issued.</li> <li>10. That the petitioner has no outdoor storage or display of products or merchandise.</li> <li>11. That the petitioner has no outdoor display of banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>12. 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>
76	24833 Special Use	Jermaine Reed, FreshStart Therapeutic Center, Inc.; Lessee  Request to occupy the premises as a social service facility.	7101 W. Capitol Dr. 2nd Dist.
	Action:	Granted 1 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler 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 any modifications to the existing signage must conform to the sign standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the applicant obtains a certificate of occupancy and complies with all State commercial code requirements for places of assembly.</li> <li>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.</li> <li>7. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	
77	25309 Special Use	Amazing Ministries Property Owner  Request to continue occupying the premises as a church.	5418 W. Burleigh St. 7th Dist.
	Action:	Adjourned	
	Motion:	This matter has been 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>
78	25304	Amazing Ministries Property Owner	5506 W. Burleigh St. 7th Dist.
		Request to occupy the premises as a commercial parking lot.	
	Action:	Adjourned from a prior hearing	
	Motion:	This matter has been adjourned at the request of the applicant and will be rescheduled at the next available hearing.	
1	Proposed rule change	Discussion and possible action regarding proposed changes to the Board's Rules of Procedure regarding resubmission requests.	3201 S. 60th St. 11th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the modification to the Board's Rules of Procedure. 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>
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**Other Business:**

Board member Szymanski moved to approve the minutes of the October 16, 2003 meeting. Seconded by Board member Winkler. Unanimously approved.

The Board set the next meeting for December 11, 2003.

Board member Szymanski moved to adjourn the meeting at 6:30 p.m.. Seconded by Board member Doyle. Unanimously approved.

BOARD OF ZONING APPEALS

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Secretary of the Board