

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

**REGULAR MEETING – September 25, 2003**  
**City Hall, Common Council Committee Room 301-B**

***MINUTES***

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PRESENT:

**Chairman:** Craig H. Zetley *(voting on items 1-72 )*

**Members:** Henry P. Szymanski *(voting on items 1-32, 34-73 )*  
Scott R. Winkler *(voting on items 1-73 )*  
Catherine M. Doyle *(voting on items 33, 49-54, 58-66, 68-73 )*  
Roy B. Nabors *(voting on items 1-65 )*

**Alt. Board Members:** Georgia M. Cameron *(voting on items 1-32, 34-47, 67, 73 )*  
Donald Jackson *(voting on items 33, 34, 55-57, 66-73 )*

START TIME: 2:10p.m.

End Time: 7:21p.m.

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|---|----------------------|--|--|
| 1 | 25061<br>Special Use | QC Financial Services Inc., Lessee<br><br>Request to occupy a portion of premises<br>as a payday loan agency.  | 9811 W. Oklahoma Av.<br>A/K/A 9801-13 W. Oklahoma<br>Ave.<br>11th Dist.                  |
|   | Action:              | Dismissed  |  |
|   | Motion:              | Henry Szymanski moved to dismiss the appeal. Seconded by Scott Winkler.  |  |
|   | Vote:                | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.   |  |
| 2 | 25067<br>Special Use | First Payday Loan of Wisconsin, LLC<br>d/b/a First Payday Loans; Lessee<br><br>Request to occupy a portion of the<br>premises as a payday loan agency. | 1200 W. Historic Mitchell St.<br>A/K/A 1202-12 W. Historic<br>Mitchell St.<br>12th 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>
3	25183 Change of Operator	Milwaukee's Firehouse LLC, Lessee  Request to continue occupying the premises as a tavern.	354 E. National Av. 12th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
4	24950 Special Use	Verizon Wireless, Lessee  Request to construct a 90 ft telecommunications tower (flagpole) on the premises.	5600 S. 22nd St. A/K/A 2000 W. Grange Ave. 13th 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	24979 Dimensional Variance	The University Club of Milwaukee Property Owner  Request to relocate the rear side property line without the required setback.	924 E. Wells St. A/K/A 831 N. Prospect Ave. 4th 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	25171 Special Use	Brian Campbell CAMS Real Estate Co. Inc., Lessee  Request to occupy the premises as an outdoor seasonal market.	633 E. Buffalo St. 4th 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>
7	25059 Special Use	QC Financial Services Inc. Lessee	9201 W. Capitol Dr. 5th Dist.
		Request to occupy the premises as a payday loan agency.	
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
8	25124 Special Use	Nicole Brown d/b/a Jasmine's Learning House; Lessee	2712 N. Weil St. A/K/A 1000 E. Center St. 6th Dist.
		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.	
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
9	25070 Dimensional Variance	Neighborhood Improvement Development Corporation Prospective Buyer	2759 N. 49th St. A/K/A 2759-61 N. 49th St. 7th Dist.
		Request to relocate a single family residential dwelling on the premises without the proper side setback.	
	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>
10	25141 Special Use	Human Services Triangle Attn: Doris Green;Property Owner  Request to occupy the premises as a community living arrangement for 8 residents.	7022 N. 43rd St. A/K/A 7022-24 N. 43rd St. 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.	
11	25087 Dimensional Variance	Forest County Potawatomi Community of Wisconsin, Property Owner  Request to occupy the premises as a surface parking lot without the required landscaping.	301 S. 19th St. 8th 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>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
12	25069 Use Variance	Kent Kaiser, Property Owner  Request to include motor vehicle sales facility to the existing motor vehicle repair, van remolding facility and storage facility.	6944 N. Teutonia Av. 9th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <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 295-405 are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits</li> <li>5. That all landscaping and screening is installed within 60 days of the approval of this landscape plan weather permitting.</li> <li>6. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>7. That all repair work is conducted inside of the building.</li> <li>8. That signage must meet the signage standards of the Milwaukee Zoning Code.</li> <li>9. 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>10. That this Variance is granted for a period of time commencing with the date hereof and expiring on August 1, 2010.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
13	25140 Special Use	Jeff Milneritsch, Lessee  Request to occupy a portion of the premises as a motor vehicle repair facility.	8045 N. 76th St. A/K/A 8025-55 N. 76th St. 9th 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. 295-605 of the Milwaukee Zoning Code.</li> <li>5. That all repair work is conducted inside of the building.</li> <li>6. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>7. 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>8. 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>
14	25160 Special Use	Cashland Check Cashing Corp., Lessee  Request to continue occupying a portion of the premises as a currency exchange.	801 W. Historic Mitchell St. A/K/A 801-05 W. Historic Mitchell St. 12th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <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 five (5) years, commencing with the date hereof.</li> </ol>	
15	25172 Special Use	La Causa Inc., Property Owner  Request to include K4-12th grade and expand from 300-500 children to the existing school, daycare, community center, and medical center.	1643-87 S. 2nd St. 12th 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>
16	25157 Dimensional Variance	Berthold Brickner, Property Owner  Request to construct a detached garage on the premises.	2263 S. Woodward St. 14th 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>	
17	25170 Use Variance	Todd Diaz, Lessee  Request to continue occupying the premises as a motor vehicle repair facility.	8667 N. 107th St. 15th 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 all previous conditions of the Board regarding this property are complied with.</li> <li>5. That there is no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris.</li> <li>6. 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>7. 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>
18	25147 Special Use	Latisha & Nicholas Little, Lessee  Request to occupy the premises as a 24hr day care center for 120 children (40 per shift), 6wk to 12yrs of age, Monday-Sunday.	8225 N. 107th St. A/K/A 8223-5 N. 107th St. 15th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned at the request of an interested party and will be rescheduled at the next available hearing.	
19	25189 Special Use	SG Properties LLC, Prospective Buyer  Request to construct three 8-bedroom rooming houses on the premises.	1408 W. State St. A/K/A 1406 W. State 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 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>
20	25192 Dimensional Variance	Iverson White, Property Owner  Request to construct a single-family residential dwelling without the required building width.	1719 N. 18th St. 17th 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 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 plan should include screening between the building's front façade and the side yard property lines.</li> <li>5. That this Variance is granted to run with the land.</li> </ol>	
21	25143 Special Use	Alvin Laster, Property Owner  Request to occupy the premises as a daycare center for 100 children, 6wks to 12 yrs of age, Monday-Friday 6:00am-Midnight, Saturday 8:00am-8:00pm.	3008 W. Capitol Dr. A/K/A 3008-12 W. Capitol Dr. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	
22	25106 Dimensional Variance	Rheatra Daniels-Hubbard, Lessee  Request to occupy the premises as a day care center for 40 children (20 per shift) 6wks-5yrs of age, Monday-Sunday 6:00 a.m.- Midnight.	1808 W. Atkinson Av. A/K/A 1808-14 W. Atkinson Ave. 1st Dist.
	Action:	Adjourned	
	Motion:	This item has been 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>
23	25187 Special Use	Dana Kerr AT&T Wireless Services; Lessee	1615 E. Locust St. 3rd Dist.
		Request to replace the flagpole located on top of the school on the premises with a new telecommunication flagpole.	
	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 this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	
24	25151 Special Use	Center for Veterans Issues, Ltd. Property Owner	3330 W. Wells St. A/K/A 3018-30 W. Wells St. 4th Dist.
		Request to continue occupying the premises as a social service facility, a transitional living facility with an increase from 60 to 72 residents, and a rooming house with a decline from 20 to 14 residents.	
	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 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>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 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>
25	25152 Use Variance	Center for Veterans Issues, Ltd. Property Owner  Request to continue occupying the building for offices in conjunction with services rendered in adjacent building (Center for Veterans).  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 this Variance is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	3312 W. Wells St. 4th Dist.
26	25166 Dimensional Variance	The Word is God Worship Center Property Owner  Request to continue to occupy the premises as a religious assembly hall.  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 this Special Use and this Variance are granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	3320 W. Vliet St. A/K/A 3320-28 W. Vliet St. 4th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	25194 Dimensional Variance	Paul Campbell, Property Owner  Request to split the parcel into two separate parcels without the required side setback.	633 E. Wright St. A/K/A 633-35 E. Wright St. 6th 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 certified survey map separating these parcels is approved by the common council.</li> <li>5. That this Variance is granted to run with the land.</li> </ol>	
28	25195 Dimensional Variance	Paul Campbell, Property Owner  Request to split the parcel into two separate parcels without the required side setback.	635 E. Wright St. A/K/A 633-35 E. Wright St. 6th 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 certified survey map separating these parcels is approved by the common council.</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>
29	25161 Special Use	Ramiro Sandoval, Property Owner  Request to occupy the premises as a motor vehicle body shop.	1829-35 W. Center St. 7th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned at the request of an interested party and will be rescheduled at the next available hearing.	
30	25163 Special Use	Eloise Perry, Property Owner  Request to expand the existing day care center (4322 W.Center) to the adjacent unit to provide a child care center for 22 children 3yrs to 12 yrs of age, Monday-Friday 6:00am-Midnight.	4326 W. Center St. A/K/A 2702 N. 44th St. 7th 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 storefront windows remain as clear glass and are maintained in an attractive manner.</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 the applicant obtains a certificate of occupancy and complies with all State commercial code requirements for educational and institutional occupancies.</li> <li>7. 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>
31	25169 Resubmission Request	Dhillon's Market Interjeet S. Dhillon; Property Owner  Request for a resubmission to construct a car wash and laundromat to the existing motor vehicle filling station and convenience store.	551-75 W. Becher St. 12th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the re-hearing request. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
32	24928 Rehearing Request	GT Wisconsin Investments, LLC Property Owner  Request for a rehearing to occupy the premises as a motor vehicle repair facility.	2349 S. Austin St. 14th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to deny the re-hearing request. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
33	25006 Use Variance	Mary L. Brown Children Crisis, Inc Academic Solutions C.L.; Lessee  Request to occupy the premises as an elementary/secondary school.	4055 N. 34th St. A/K/A 3420 W. Capitol Dr. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Roy Nabors 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 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>
34	25112 Special Use	The Manger Church Of God, Inc. Lessee  Request to occupy the premises as a religious assembly hall.	1735 S. Muskego Av. A/K/A 1735-39 S. Muskego Ave. 8th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 1 Nays, Abstained.	
35	25060 Special Use	QC Financial Services Inc., Lessee  Request to occupy a portion of the premises as a payday loan agency.	6454 N. 76th St. A/K/A 6406-6540 N. 76th St. 9th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
36	25062 Special Use	First Payday Loan Of Wisconsin, LLC d/b/a First Payday Loans;Lessee  Request to occupy a portion of the premises as a payday loan agency.	8155 W. Brown Deer Rd. A/K/A 8155-73 W. Brown Deer Rd. 9th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned at the request of the Ald. and will be rescheduled at the next available hearing.	
37	25065 Use Variance	First Payday Loans of Wisconsin, LLC d/b/a First Payday Loans;Lessee  Request to occupy the premises as a payday loan agency.	6902 N. 76th St. A/K/A 6900-02 N. 76th St. 9th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny 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>
38	25138 Special Use	Zira Corporation Daljit S. Kler;Property Owner  Request to raze the existing filling station and construct a new 24 hr. motor vehicle filling station, convenience store (open 5 a.m. - 1 a.m.), car wash (open 7:00 am to 9:00 pm), and fast-food restaurant (open 8:00am to 10:00pm) on the premises.	8015 N. 76th St. 9th 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 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.</li> <li>5. 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>6. That signage plans which meet the sign standards of s.295-605-5 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 a fence is erected along the west side of the site between the trash enclosure and the car wash.</li> <li>10. That there is no outdoor storage or display of products or merchandise.</li> <li>11. 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>12. That the car wash only operates between the hours of 7am and 9pm.</li> <li>13. That the convenience store be closed between the hours of 1 a.m. and 5 a.m.</li> <li>14. 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>
39	25154 Dimensional Variance	Dee Balk, Property Owner  Request to allow a 6ft. fence in a the front yard setback.	5767 N. 42nd St. A/K/A 5767 (-A) n 42nd St. 9th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the applicant and will be rescheduled for the next available hearing.	
40	25127 Special Use	Pat Echols d/b/a Little Blessing Academy II; Lessee  Request to occupy the premises as a day care center for 16 children (8 per shift), Monday-Friday, 5 AM to 2 AM.	3742 N. 39th St. A/K/A 3740-42 N. 39th St. 10th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
41	25116 Special Use	The Future Children of Tomorrow Jameeleh Salaam; Lessee  Request to occupy the premises as a day care facility for 8 children, 6wks-12yrs of age, Monday-Sunday, 6 AM to midnight.	3249 N. 26th St. 10th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	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 there are no exterior signs or banners.</li> <li>5. That the play area not be utilized before 9 a.m. or after 8 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>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	25144 Dimensional Variance	John M. & Angela F. Dobron Property Owner  Request to occupy the premises as a rooming house with 7 units.	729 S. 21st St. 12th 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 this Special Use and this Variance are granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	
43	25191 Special Use	Robert Smith, Property Owner  Request to continue occupying the premises as a tavern with an outdoor patio area.	906 S. Barclay St. 12th Dist.
	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 all previous Board conditions for this site are adhered to.</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>
44	24958 Special Use	Christian Family Gathering, Property Owner  Request to occupy the premises as a day care center for 35 children per shift, ages 6wks-12yrs, Monday-Friday 6:00am-12:00am.	2255 S. 6th St. 12th 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>
45	25139 Special Use	National Investment Inc. Mickey Govani; Property Owner  Request to raze the existing structures and combine two parcels to construct a 24 hr. motor vehicle filling station and convenience store, repair facility (open 7:00am. to 11:00pm.), car wash (open 7:00am. to 9:00pm.), and retail facility (open 6:00am. to Midnight).	1614 W. National Av. A/K/A 1614 W. National Ave. & 725-29 S. Cesar E. Chavez 12th 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 landscape plans meeting the intent of city code section 295-405 are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits</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 all repair work is conducted inside of the building.</li> <li>8. that there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>9. 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>10. 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>11. That there is no outdoor storage or display of products or merchandise.</li> <li>12. 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>13. That the car wash is limited to the hour of operation from 7am to 9pm.</li> <li>14. 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>
46	25149 Dimensional Variance	Silk Joscojo Inc., Jon J. Ferraro; Prospective Buyer  Request to replace an existing sign with a new sign that is greater in height and area for the existing tavern (night club).	11400 W. Silver Spring Dr. 15th Dist.
	Action:	Adjourned	
	Motion:	That item was adjourned at the request of the petitioner and will be rescheduled for the next available hearing.	
47	25114 Special Use	All City Communication, Inc. Optionee  Request to replace the existing tower with a 150 ft. telecommunications tower.	5900-06 W. Vliet St. 16th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
48	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:	This item has been adjourned at the request of staff and will be rescheduled at the next available hearing.	
49	25119 Use Variance	Monique & Roosevelt Fisher, Lessee  Request to continue occupying the premises as a motor vehicle repair and sales facility with body bumping.	1739 N. 35th St. A/K/A 1739-43 N. 35th St. 17th 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>
50	25128 Special Use	Ehab Daoud d/b/a Shark's Fish & Chicken; Prospective Buyer  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.	1515 W. North Av. 17th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
51	25142 Special Use	Arletha Washington, Property Owner  Request to occupy the premises as a day care facility for 8 children, 6wks to 12 yrs of age, Monday-Friday 6:00am-10:00pm.	2448 N. 16th St. 17th Dist.
	Action:	Granted 3 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 there are no signs or banners on the premises.</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>
52	25145 Dimensional Variance	Dimitrios Jifas, Property Owner  Request to construct a 9-unit apartment building without the required number of parking spaces.	920 N. 16th St. A/K/A 920-22 N. 16th St. 17th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
53	25165 Special Use	Luevelle Carson, Property Owner  Request to occupy the premises as a day care facility for 8 children, 6wks to 10yrs of age, Monday-Friday 7:00am-6:00pm.	2125 N. 16th St. A/K/A 2125-27 N. 16th St. 17th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
54	25023 Special Use	Rafik F. Mseitif, Lessee  Request to occupy the premises as a motor vehicle repair facility and sales facility(installation of tires, and electronic sound equipment).	1400 W. North Av. 17th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the alderman and will be rescheduled at the next available hearing.	
55	25089 Special Use	Community Loans of America b/d/a Wisconsin Auto Title Loans;Lessee  Request to add a payday loan agency to the existing title loan agency.	3500 W. Capitol Dr. 1st Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Donald Jackson.	
	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	25066 Special Use	First Payday Loan of Wisconsin, LLC d/b/a First Payday Loan; Lessee  Request to occupy the premises as a payday loan agency.	5570 N. 76th St. A/K/A 5574-76 N. 76th St. 2nd Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned at the request of the Ald. and will be rescheduled at the next available hearing.	
57	25126 Special Use	Gloria Jean Turner d/b/a Little Bossy One Stop;  Request to occupy 2 lower units of a 4-family building as a day care center for 20 children, ages 3 months to 7 years, 5:30 AM to 6:30 PM.	5615 W. Capitol Dr. 2nd Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 day care center provides 100 % transportation for the children.</li> <li>5. That the applicant inform all parents that parking is prohibited on West Capitol Drive between the hours of 6:30 a.m. and 8:30 a.m., and in the bus stop at all times. Parents should park on North 56th Street or at the rear of the site during those times that parking is prohibited on West Capitol Drive.</li> <li>6. That signage must conform to the sign standards of s. 295-505-5 of the Milwaukee Zoning Code.</li> <li>7. That an outdoor play area of at least 750 square feet must be established in the rear yard of the premises.</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 / vehicle operating area by some type of physical barrier such as bollards.</li> <li>10. 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>
58	25042 Special Use	Ramish Kapur RCK I LLC;Property Owner  Request to modify the board approved filling station and c-store by moving the location of the proposed building on site and adding a car wash to the premises (filling station & store open 5:00am - Midnight Monday-Sunday, car wash open 7:00 am - 9:00 pm Monday-Sunday).	5835 W. Hampton Av. 2nd 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 plans which meet the requirements of s.295-405 of the Milwaukee Zoning Code including a residential buffer consisting of a 6-foot high wood fence and trees along the eastern and southern property lines 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>5. That site illumination plans which meet the lighting standards 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>6. That signage plans which meet the sign standards of s.295-605-5 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 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 hours of operation for the car wash be from 7am-9pm.</li> <li>10. That signs are posted at the entrance to the car wash informing customers to turn sound systems off and close vehicle windows.</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>
59	24890 Special Use	Open Pantry Foods Marts Property Owner	3301 N. Oakland Av. A/K/A 3301-09 N. Oakland Ave. 3rd Dist.
		Request to raze the residential dwelling on the adjacent property and combine the two parcels to construct an addition and a parking lot addition to the existing 24hr convenience store.	
	Action:	Granted 10 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 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.</li> <li>5. 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 item deemed to be drug paraphernalia not be sold on the premises.</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 a contact person representing this facility be made available for the Alderman and neighboring residents.</li> <li>8. That this Variance is granted to run with the land.</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>
60	25123 Use Variance	Dennis Lutynski, Property Owner  Request to continue occupying the premises as a 3-family dwelling unit.	2977-79 N. Cramer St. A/K/A 2977A N. Cramer St. 3rd Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the applicant and will be rescheduled at the next available hearing.	
61	25035 Special Use	RA Katz Properties, Property Owner  Request to construct a principal use parking lot on the premises.	2510 E. Webster Pl. A/K/A 2502 E. Webster Pl. 3rd 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 parking lot is developed according to the plan submitted to the Board of Zoning Appeals on August 28, 2003.</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>
62	25155 Special Use	Debra Noel, Lessee  Request to occupy the premises as a day care facility for 8 children 6wks to 12yrs of age, Monday-Saturday 6:00am-10:00pm.	1218 N. 34th St. A/K/A 1218-20 N. 34th St. 4th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Roy Nabors.	
	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 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>	
63	24872 Special Use	Olyfunmilayo Abioye, Property Owner  Request to occupy the premises as a day care facility for 8 children 6wks-12yrs of age, Monday-Saturday 6:00am-10:00pm.	5801 N. 76th St. 5th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Roy Nabors.	
	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 there are no signs or banners on the premises.</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>
64	24975 Other	Jasper Jaber, Property Owner  Request to appeal condition #11 of decision #24772 of the existing 24hr motor vehicle filling station.	8332-34 W. Appleton Av. 5th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Roy Nabors.	
	Vote:	3 Ayes, 1 Nays, 1 C. Zetley Abstained.	
65	25057 Special Use	Madeline Thornton, Property Owner  Request to occupy the premises as a 24hr day care center for 100 children per shift 6wks-12yrs of age, Monday-Sunday.	8421 W. Villard Av. 5th Dist.
	Action:	Adjourned	
	Motion:	Roy Nabors 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>
66	25055 Special Use	Border Patrol WI D/B/A Taco Bell Property Owner  Request to continue occupying the premises as a fast-food/carry-out restaurant and a drive through facility with the hours of 9:00am-2:00am Monday-Saturday and a reduction of hours on Sunday from 9:00am-2:00am to 9:00am-Midnight.	4143 N. 76th St. A/K/A 4117 N. 76th St. 5th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <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 contact person representing this facility be made available for the Alderman and neighboring residents.</li> <li>5. That landscaping and screening is maintained in a manner that meets the intent of city code.</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 these Special Uses are granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	
67	25063 Special Use	First Payday Loan of Wisconsin, LLC d/b/a First Payday Loans; Lessee  Request to occupy a portion of the premises as a payday loan agency.	2410 N. Martin Luther King Dr. A/K/A 2400-30 N. Martin Luther King Jr Dr. 6th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
68	25159 Use Variance	Ilias A. Sharif & Bashir M. Nur, Lessee  Request to occupy the premises as a general retail establishment.	400 E. Burleigh St. 6th 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 signage plans which meet the sign standards of s.295-505 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>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 the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>7. That no alcoholic beverages/ liquor are sold on the premises.</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 item deemed to be drug paraphernalia not be sold on the premises.</li> <li>9. 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>
69	25167 Other	The Brewery Works, Inc., Property Owner  Request for an interpretation of the Department of Neighborhood Services determination that the premises is being utilized as an outdoor storage facility.	1430 N. Commerce St. A/K/A 1430, 1442, 1450-62 N. Commerce St. 6th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
70	25105 Use Variance	John B. Fratrack, Property Owner  Request to construct a detached garage in the front setback of the premises.	2238 N. Booth St. A/K/A 2238 (A) N. Booth St. 6th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 parcel located at 2238 N. Booth St and the parcel located at 2238A N. Booth St. are combined to create a single parcel to be used a unit, and that said parcel shall not be divided without the approval of the Common Council of the City of Milwaukee.</li> <li>5. That a revised site plan is submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group that moves the location of the garage several feet to the east of its proposed location so that the garage does not protrude in front of the south abutting residence.</li> <li>6. That the front and rear lots are combined into a single lot.</li> <li>7. 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>
71	25148 Other	Rosie L. Stevenson, Property Owner  Request to appeal condition #4 of the decision for case #24636 that no more than two (2) children enrolled in the daycare be on site between the hours of 10:00 p.m. and midnight.	2234 N. 26th St. 7th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant 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>
72	24904 Special Use	Bulk Petroleum Corp., Property Owner  Request to raze the existing structure and construct a new motor vehicle pumping station and convenience store operating 24 hours.	2312 W. Fond Du Lac Av. A/K/A 2306 W. Fond Du Lac Ave. 7th Dist.
	Action:	Granted	
	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 there is no outdoor storage or display of products or merchandise.</li> <li>5. 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>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. Plans must include an urban edge treatment along West Fond Du Lac Avenue and North 23rd Street.</li> <li>7. That signage plans which meet the sign standards of s.295-605-5 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>8. That site illumination plans (photometric plan) 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>9. 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>10. 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>11. That all driveways on North 23rd St. are closed with curb and gutter.</li> <li>12. That this Special Use is granted for a period of time commencing with the date hereof and expiring on April 19, 2005.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
73	25150 Dimensional Variance	Lee & Sonya Roohr, Property Owner  Request to construct a detached garage(sidewall exceeds maximum height) and an addition to the existing residential dwelling (exceeds allowable lot coverage).	2943 N. 55th St. 7th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal for the lot coverage and side set back. Seconded by Donald Jackson.  Henry Szymanski moved to deny the appeal for the height exemption. Seconded by Donald Jackson.	
	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 these Variances are 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>
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**Other Business:**

Board member Winkler moved to approve the minutes of the September 4, 2003 meeting. Seconded by Board member Szymanski. Unanimously approved.

The Board set the next meeting for October 16, 2003.

Board member Szymanski moved to adjourn the meeting at 7:21 p.m. Seconded by Board member Jackson. Unanimously approved.

BOARD OF ZONING APPEALS

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Secretary of the Board

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