

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – July 29, 2004
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairman: Craig H. Zetley *(voting on items 1-52, 54-92)*

Members: Henry P. Szymanski *(voting on items 1-91)*
Scott R. Winkler *Excused*
Catherine M. Doyle *(voting on items 1-92)*
Donald Jackson *(voting on items 1-92)*

Alt. Board Members: Georgia M. Cameron *(voting on items 1-92)*

START TIME: 2:15p.m.

End Time: 7:07 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	25652 Special Use	Jose and Blanca Ramos Lessee	4126 W. Capitol Dr. 7th Dist.

Request to continue occupying the premises as a second hand sales facility (used appliances).

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>
2	25626 Special Use	Honey's Child Care & Learning Center Lessee	2939 W. Kilbourn Av. 4th Dist.
		Request to increase the number of children from 67 to 80 children, infant to 12 yrs of age, Monday - Sunday 6:00 a.m. - 6:00 p.m of the existing day care center.	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant obtains a new Certificate of occupancy to verify the building can accommodate the increased capacity. 5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on April 22, 2008. 	
3	25921 Use Variance	Thenkalo T. Xiong, Property Owner	1450 N. 33rd St. 4th Dist.
		Request to construct a detached garage in the front yard setback on the premises.	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That the petitioner submit revised plans to the Board of Zoning Appeals for approval by the Zoning Administration Group prior to the issuance of any permits. Specifically the revised plans must include an elevation drawing that includes a garage windows and landscaping along the Street frontage. 5. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
4	25963 Special Use	Milwaukee & Kilbourn Parking Corp. Lessee	325 E. Kilbourn Av. 4th Dist.
		Request to continue occupying the premises as a parking lot.	
	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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	
5	25968 Dimensional Variance	Marquette University, Thomas P. Ganey; Lessee	525 N. 16th St. 4th Dist.
		Request to remove the existing signage and erect a reduced sign that is over the maximum display area.	
	Action:	Granted 15 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted for a period of fifteen (15) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
6	25931 Special Use	The Word Center, Inc., Property Owner Request to continue occupying the premises as a religious assembly hall.	4713 N. 76th St. 5th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the lease for seven additional parking spaces remains in effect. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
7	25893 Special Use	James Lindsay, Other Request to occupy the premises as a fast-food/carryout restaurant.	3070 N. Martin Luther King Dr. 6th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
8	25879 Special Use	Ndowgo Diop, Lessee Request to occupy the premises as a community center.	4714 W. Fond Du Lac Av. A/K/A 4712-14 W. Fond Du Lac Ave. 7th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	
9	25917 Special Use	Arnetta Standberry, Lessee Request to occupy the premises as a day care center for 20 children infant to 2 years of age, Monday - Friday 7:00 a.m. to 6:00 p.m.	4126 W. Capitol Dr. A/K/A 4122-30 W. Capitol 7th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	25960 Special Use	Stacey Currie-Smith, Hopkins St. Wash- N-Detail; Lessee	4744 N. Hopkins St. 7th Dist.
		Request to continue occupying the premises as a hand car wash and detail facility.	
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	
11	25839 Special Use	The Church of Jesus Christ of Latter-Day Saints, Lessee	2524 W. Forest Home Av. A/K/A 2519-2525 W. Lincoln Ave. 8th Dist.
		Request to continue occupying the premises as a religious assembly hall.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
12	25897 Special Use	Katherine A Baillargeon Milwaukee Christian Center; Other	2906 W. Scott St. A/K/A 2906-12 W. Scott St. 8th Dist.
		Request to occupy a portion of the premises as a community center.	
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
13	25898 Special Use	Gary Poetz, Lessee Request to occupy the premises as a second-hand store (furniture).	3309 W. National 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 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. Specifically, wall signage must be limited to a maximum area of 25 square feet. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That no interior or exterior window or door grates are used. 7. That there is no outdoor display of products or merchandise. 8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	
14	25913 Special Use	Maxine Franklin, Lessee Request to occupy the premises as a 24 hr. day care center for 120 children per shift infant to 12 yrs of age, operating Monday-Sunday (previous approval was for 110 children, 6:30 a.m. - 5:30 p.m.).	3616 W. National Av. 8th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	25936 Special Use	Kimberly Nagy & Raul Acosta Jr. Request to occupy the premises as a motor vehicle repair facility and body shop.	2016 W. National Av. 12th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That no disabled or unlicensed vehicles or parts are stored outside. 6. That all repair work is conducted inside of the building. 7. That landscaping and screening plans must be submitted which meet the requirements of s. 295-405. 8. That the petitioner has no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris. 9. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan. 10. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	25842 Dimensional Variance	James A. & Julie A. Jurss Langfeldt Property Owner Request to divide the parcel and construct a single family dwelling without the required number of stories, minimum height, and minimum width.	1050 E. Waterford Av. A/K/A f/k/a 1104 E. Waterford Ave. 14th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That these Variances are granted to run with the land. 	
17	25851 Special Use	Cheryl L. Smith, Other Request to occupy the premises as a day care center for 20 children infant to 6yrs of age, Monday-Friday 9:00AM-11:30AM.	3340 S. Howell Av. A/K/A 3320 S. Howell Ave. 14th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the petitioner obtains an occupancy certificate and complies with current State commercial code for educational and institutional occupancies. 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	25946 Dimensional Variance	Daniel C. & Laura L. Dzievit Property Owner Request to allow the garage door to face the street without the required setback on the previously approved single-family residential dwelling.	1100 E. Waterford Av. 14th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	
19	25935 Dimensional Variance	Barbara Chudnow, Property Owner Request to construct a porch and building addition without the required front setback.	2017 E. Nock St. 14th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	

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20	25932 Dimensional Variance	Jerusalem Missionary Baptist Church Andrew Beatty;Property Owner	4646 N. Teutonia Av. 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.	
21	25929 Special Use	D.J. Perkins Academy of Excellence Demetria Perkins;Lessee	3622 W. Silver Spring Dr. A/K/A 3624 w. Silver Spring 1st Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains an occupancy certificate and complies with current State commercial code for an educational occupancy. 5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on November 12, 2011. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
22	25846 Special Use	Carl E.J. Nembhard, Lessee Request to occupy a portion the premises as a motor vehicle repair facility.	6122 N. 76th St. 2nd Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That no disabled or unlicensed vehicles or parts are stored outside. 5. That all repair work is conducted inside of the building. 6. That the petitioner has no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris. 7. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan. 8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	
23	25945 Special Use	Charlie Tate, Lessee Request to occupy the premises as a car wash and detail facility.	9300 W. Flagg Av. A/K/A 9306 W. Flagg Ave. 2nd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
24	25957 Dimensional Variance	David Winograd, Property Owner Request to continue to allow an 8 ft. x 9 ft. freestanding sign on the premises over the maximum sign area.	5401 N. 76th St. 2nd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	
25	25758 Special Use	Geoffrey Worman, Lessee Request to continue occupy the premises as a second-hand store (phonograph records & nostalgic toys).	1936-38 N. Farwell Av. 3rd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That there are no outdoor displays of products or merchandise. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
26	25834 Dimensional Variance	Wendy & Russell Wasserman Property Owner Request to continue to allow 3 residential dwelling units on the premises without the minimum side setbacks.	3044-46 N. Farwell Av. 3rd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman 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>
27	25841 Special Use	2531 Farwell, LLC, Property Owner Request to continue occupying the premises as a parking lot with a 3-family residential dwelling.	2531 N. Farwell Av. 3rd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski 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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in a manner that meets the intent of city code. 5. That this Special Use and these Variances are granted for a period of ten (10) years, commencing with the date hereof. 	
28	25934 Special Use	Stewart G. Friend, Property Owner Request to continue occupying the premises as a rooming house.	1472 N. Franklin Pl. A/K/A 1472-74 N. Franklin Pl. 3rd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

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29	25962 Special Use	The Counseling Center of Milwaukee, Inc., Pathfinders Program;Property Owner	1612 E. Kane Pl. A/K/A 1612-14 E. Kane Pl. 3rd Dist.
		Request to continue occupying the premises as a group foster home for eight youth ages 11-17.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

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30	25415 Special Use	Witzlib Holdings LLC, Property Owner Request to occupy the premises as a community living arrangement for 5 residents.	7060 N. 124th St. 5th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by staff and will be rescheduled for the next available hearing.	
31	25612 Special Use	Lynell Daniels & Tiffany Cross, Property Owners Request to occupy the premises as group home for 4 teenage mothers and their children (total of eight persons on site)	3282 N. 46 th St. 7th Dist.
	Action:	Granted 1 yr.	
	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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That no visitors be allowed on site. 5. That the petitioner take all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel. 6. That clients of the facility be inside the premises by 9:00 p.m. unless attending school, work, or function associated with this use. 7. That the applicant provide a 24-hour contact number to the Board office. 8. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	

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32	25114 Dimensional Variance	All City Communication, Inc., Optionee Request to replace the existing tower on site with a 150 ft. telecommunications tower.	5900-06 W. Vliet St. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by staff and will be rescheduled at the next available hearing.	
33	22918 Special Use	Damaund, Evelyn, and Robert Smith Property Owner Request to occupy the premises as a Community Based Residential facility (CBRF) for 8 adults (developmentally disabled).	3412 W. Rohr Av. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by staff and will be rescheduled for the next available hearing.	
34	24592 Special Use	Scott Wilder, Property Owner Request to occupy the premises as a community living arrangement for 12 adults.	7412 W. Silver Spring Dr. A/K/A 7410-14 W. Silver Spring Dr. 2nd 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>
35	24327 Special Use	Bobbie J. Davis, Property Owner Request to occupy the premises as a Community Based Residential Facility (CBRF) for 6 adults (developmentally disabled).	8613 W. Fond Du Lac Av. 2nd Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel. 5. That a six (6) ft. high privacy fence be erected on the premises. 6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	
36	25872 Special Use	Detra Ferguson, Lessee Request to occupy the premises as a day care center for 96 children (48 per shift) infant to 12yrs of age, Monday-Friday 5:30AM-Midnight.	2411-19 W. State 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.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	24757 Special Use	Marcus L. Burris, Property Owner Request to occupy the premises as a community living arrangement for 8 adults (either ambulatory or semi ambulatory/may have diagnosis of Alzheimer's or Dementia).	11010 W. Jeffrey Ct. 5th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
38	25793 Special Use	Sprint PCS, Lessee Request to erect a 108 ft. transmission tower on the premises.	9411 W. Fond Du Lac Av. 5th Dist.
	Action:	Adjourned	
	Motion:	Catherine Doyle moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
39	25871 Use Variance	Falls Baptist Church & Baptist College of Ministry, Lessee Request to occupy the premises as a dormitory for 12 individuals (six per unit).	4743-45 N. 77th Ct. 5th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
40	25889 Use Variance	John Camden, Property Owner Request to allow parking of motor vehicle (camper) that is in excess of the maximum length/height on the premises.	7143 N. 98th St. 5th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny 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>
41	25816 Special Use Granted	Decosa Hobson & Dewitt Webster Property Owner	425 E. Keefe Av. 6th Dist.
		Request to occupy the premises as a family day care facility for 8 children per shift infant to 12yrs of age, Monday-Friday 7:00 am -10:00 pm.	
	Action:	Granted 3 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 5. That there are no exterior signs or banners. 6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	25832 Special Use	Terri Strodthoff, PHD, Lessee Request to occupy the premises as a social service facility.	2568 N. Martin Luther King Dr. A/K/A 2568-70 N. Martin Luther King Jr. Dr. 6th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 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 security personnel if necessary. 7. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	25857 Special Use	Myron Wilburn, Property Owner Request to continue occupying the premise as a group home for 8 boys 12-17 yrs of age.	2660 N. 4th St. 6th Dist.
	Action:	Granted 3 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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That the petitioner take all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel. 6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
44	25468 Special Use	Nicosia N. King, Property Owner Request to occupy the premises as a community living arrangement for 8 adults.	3342 N. 10th St. 6th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Craig Zetley.	
	Vote:	4 Ayes, 1 Nays, Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel. 5. That the facility have only elderly clients on site. 6. That the applicant provide a 24-hour contact number to the Board office, the Alderman on the district and any neighboring resident that requests it. 7. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	
45	25615 Special Use	Kiana Williams, Property Owner Request to occupy the premises as a group home for 8 youth boys 12 yrs - 17 yrs of age.	3543 N. 10th St. A/K/A 3543-45 N. 10th St. 6th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson 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>
46	25819 Special Use	Sallies Loveland Before & After School Center, Lessee Request to increase the number of children from 15 to 60 on the existing day care center infant to 12yrs of age, Monday-Friday 6:30 AM to 5:30 PM.	3908 W. Capitol Dr. 7th Dist.
	Action:	Adjourned	
	Motion:	Catherine Doyle moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
47	25840 Special Use	Virginia F. Pratt, Property Owner Request to occupy the premises as a 24hr day care center for 24 children (8 per shift) infant to 12 yrs of age, Monday-Friday.	4454 N. 52nd St. 7th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M. 5. That no signage is permitted. 6. That the petitioner take all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel. 7. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	25808 Special Use	Universal Peace in Christ Church Paster Dorothy Glisper;Property Owner Request to continue occupying the premises as a religious assembly hall.	3615 W. Fond Du Lac Av. A/K/A 3611 W. Fond Du Lac Av. 7th Dist.
	Action:	Granted 10 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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the existing parking lot across the alley from the church continues to provide parking for church activities. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
49	24764 Special Use	Adriane Elaine Wade, Property Owner Request to occupy the premises as a community living arrangement for 8 adults (55 yrs. and older).	3144-46 N. 47th St. 7th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	25927 Use Variance	Rhonda Love Blackburn aka Rhonda Chambers;Property Owner Request to occupy the second floor of the premises as a transitional living facility for 6 clients.	5867 N. 60th St. A/K/A 5865-67 N. 60th St. 9th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the petitioner and will be rescheduled at the next available hearing.	
51	25954 Dimensional Variance	SBS Partnership, Property Owner Request to erect a new freestanding sign on the premises over the maximum height permitted by code.	7800 N. 76th St. 9th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
52	25849 Special Use	Karen Spencer, Lessee Request to occupy the premises as a secondhand and outdoor merchandise sales facility.	4311-15 W. Vliet St. 10th 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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the storefront windows and the outdoor display area are maintained in a neat and orderly manner. 6. That the applicant has no exterior display of products or merchandise. 7. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
53	25788 Special Use	Deirdre Lee Kozlowski, Lessee Request to occupy a portion of the premises as a health clinic.	6040 W. Lisbon St. 10th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
54	25795 Special Use	A-Able Auto Inc., Lessee Request to occupy the premises as a motor vehicle repair and sales facility.	6315 W. Forest Home Av. 11th Dist.
	Action:	Granted 5 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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening must be implemented according to the plans received by the Board of Zoning Appeals on May 11, 2004. 5. 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. 6. That site illumination plans must be revised to meet the requirements of s.295-409 of the Milwaukee Zoning Code and must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 7. That no disabled or junked vehicles or parts are stored outside. 8. That all repair work is conducted inside of the building. 9. That car wash activity is conducted inside of the building. 10. That the petitioner has no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris. 11. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan. 12. That the applicant repairs or replaces the defective parking lot prior to obtaining a final occupancy certificate. 13. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	25837 Dimensional Variance	North Shore Bank, Darrel Eisenhardt; Lessee Request to allow a wall sign that exceeds the maximum area and to add a cabinet sign to the existing pylon sign.	1433 W. Burnham St. 12th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the petitioner and will be rescheduled at the next available hearing.	
56	25850 Use Variance	George L. Cody, Property Owner Request to construct a 24 ft. x 32 ft. detached garage in the front yard setback.	3912 S. 1st Pl. 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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That the petitioner submit revised plans that must be approved by the Zoning Administrative Group prior to the issuance of a building permit for this project. 5. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
57	24176 Special Use	AH & S Realty/The Peltz Group, Inc. Property Owner Request to modify the previous granted special use #20629 as to hours of operation, from 7 AM to 6 PM (M-F) & 7 AM to 1 PM Saturday for the public office and recycling center, and 24 hours/day, 7 days/week fully enclosed processing facility. Action: Adjourned Motion: This matter was adjourned by staff and will be rescheduled for the next available hearing.	2101 W. Morgan Av. 13th Dist.
58	25661 Special Use	The Peltz Group, LLC, Mary Kliesmet; Lessee Request to occupy the premises as a heavy motor vehicle repair facility located within 150 ft. of a residential district and operating between the hours of 7 p.m. and 7 a.m. (site also has stock piles in excess of fence line height). Action: Adjourned Motion: This matter was adjourned by staff and will be rescheduled for the next available hearing.	2020 W. Morgan Av. 13th Dist.
59	25413 Other	AH&S Realty, LLC, Property Owner Request to appeal the denial of a certificate of occupancy by the Milwaukee Development Center to occupy the premises as a Mixed-waste processing facility. Action: Adjourned Motion: This matter was adjourned by staff and will be rescheduled for the next available hearing.	2101 W. Morgan Av. 13th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
60	25657 Special Use	AH&S Realty, LLC, c/o The Peltz Group, LLC, Attention: Mary Kliesmet;Property Owner Request to appeal an order issued by the Department of Neighborhood Services determining that the facility is being utilized as a mixed-waste processing facility.	2020 W. Morgan Av. 13th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by staff and will be rescheduled for the next available hearing.	
61	25781 Special Use	RCK III LLC, Ramesh Kapur;Prospective Buyer Request to occupy the premises as a motor vehicle filling station and convenience store.	3477 S. 16th St. A/K/A 3471-79 S. 16th St. 13th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
62	25867 Use Variance	Jesus Castro and Michele Castro, Other Request to occupy the premises as an assembly hall (banquet hall).	3001 S. 6th St. 14th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
63	25646 Special Use	Bridgeman Foods II, Inc./ JB Properties Property Owner Request to continue occupying the premises as a fast-food/carry-out restaurant with a drive through facility.	3050 S. Chase Av. A/K/A 3042-72 S. Chase Ave. 14th Dist.
	Action:	Granted 2 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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel. 5. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances. 6. That there be no increase in signage 7. That the petitioner maintain landscaping and screening in a manner that meets the intent of city code. 8. That the petitioner provide a 24-hour contact number to the Board office, the Alderman of the district and to any neighboring resident that requests it. 9. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
64	25878 Use Variance	Tim Knight, Lessee Request to construct a parking drive in the front setback to access a handicap ramp on the premises.	2429 S. Superior St. 14th Dist.
	Action:	Adjourned	
	Motion:	Catherine Doyle moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
65	25950 Dimensional Variance	Sarah Sielen, Property Owner Request to construct an attached one-car garage without the minimum side setback.	3433 S. Adams Av. 14th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled at the next available hearing.	
66	25617 Use Variance	Michael Patrick, Lessee Request to continue occupying the northeast portion of the premises as a motor vehicle repair facility.	2934 S. 9th St. 14th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That no work or storage of vehicles occurs in the public right of way. 6. That this Variance is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
67	25686 Special Use	Michael J. Drahonovsky, Property Owner Request to add motor vehicle sales to the existing car wash (detail shop).	3902 S. Whitnall Av. 14th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled at for the next available hearing.	
68	25856 Dimensional Variance	Ronnie Murphy, Prospective Buyer Request to occupy the premises as a religious assembly hall.	4219 W. North Av. A/K/A 4219-21 W. North Ave. 15th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny 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>
69	25902 Special Use	Willie J. Carter Jr., Lessee Request to occupy the premises as a motor vehicle repair facility and second hand sales (vehicle parts).	1638-40 N. 31st St. 15th 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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That no disabled or unlicensed vehicles or auto parts are stored outside. 5. That all repair work is conducted inside of the building. 6. That all car wash activity is conducted inside of the building. 7. That all wastewater is contained on site. 8. That the petitioner has no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris. 9. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan. 10. That the exterior of the building be maintained in an attractive manner. 11. That this Special Use and this Variance is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
70	25659 Special Use	Cherrie Simms, Tweety Tots Child Care & Development Academy; Lessee	3933 W. Center St. 15th Dist.
		Request to occupy the premises as a day care center for 97 children, ages 4 weeks to 12 years, 6:30 AM to 12:00 Midnight, Monday to Saturday.	
	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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That a loading zone is obtained directly in front of the site. 7. That the applicant obtains a certificate of occupancy and complies with all State commercial building code requirements for institutional and educational occupancies. 8. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
71	25863 Special Use	Lenora F. Ray, Lessee Request to occupy the premises as a day care facility for 8 children infant to 12yrs of age, Monday-Sunday 6:00AM-10:00PM.	1406 W. Fond Du Lac. Av. A/K/A 1400-06 W. Fond Du Lac Ave. 15th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. Specifically, wall signage must be limited to a maximum area of 25 square feet. 5. That the existing storefront windows remain as clear glass and are maintained in an attractive manner. 6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 7. That the applicant obtains a certificate of occupancy and complies with all State commercial code requirements for institutional and educational occupancies. 8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
72	25634 Special Use	Mr. Peter Helf, KFC;Property Owner Request to continue occupying the premises as a fast food/ carryout restaurant with increased hours of operation (Sun. 10:30 a.m. - 10:00 p.m., Monday - Saturday 10:30 a.m. - midnight).	1355 N. 35th St. A/K/A 1353 N. 35th St. 15th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 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. 5. That all previous conditions of the Board regarding this property are complied with. 6. That this use not operate between the hours of Midnight and 5:00 A.M. unless a Twenty-Four Hour Establishment License is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee Code of Ordinances. 7. That this Special Use is granted for a period of time commencing with the date hereof and expiring on December 12, 2013. 	
73	25864 Use Variance	OIC-GM, attn. Barbara L. Brown;Lessee Request to occupy the premises as a social service facility.	4030 N. 29th St. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by staff and will be rescheduled for the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
74	25882 Special Use	Trinette Blankenship, Lessee Request to occupy the premises as a community living arrangement for 8 girls 13yr-17yrs of age (behavioral problems, dysfunctional families,& juvenile delinquency).	5873 N. 34th St. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled for the next available hearing.	
75	25887 Special Use	Jimmy McClendon, Property Owner Request to occupy the premises as a transitional living facility for 16 males.	4339 N. 27th St. 1st Dist.
	Action:	Dismissed	
	Motion:	Catherine Doyle moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
76	25888 Special Use	Jimmy & Iola McClendon, Property Owner Request to occupy the premises as a transitional living facility for 16 males.	4355 N. 27th St. 1st Dist.
	Action:	Dismissed	
	Motion:	Catherine Doyle 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>
77	25907 Use Variance	CSJ Wholesale LLC, Sheila Jordan; Lessee Request to occupy a portion of the premises as a general retail and second-hand sales facility (wood furniture and furnishings). Action: Granted 1 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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted for a period of one (1) year, commencing with the date hereof. 	5150 N. 32nd St. 1st Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
78	25908 Special Use	Katherine Handy, Property Owner Request to occupy the premises as a day care center for 60 children (30 per shift) infant to 12 yrs of age, Monday-Friday 6:00AM-Midnight.	4620 N. 27th St. 1st Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-505-5 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	
79	25942 Dimensional Variance	Global Vision Center, John M. Kako Prospective Buyer Request to occupy the premises as a religious assembly hall without the required parking.	4911 W. Good Hope Rd. 1st Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned at the request of the petitioner and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
80	25896 Special Use	Living Epistle Church, Attn: Pastor Taper;Property Owner	4022 N. 27th St. 1st Dist.
		Request to expand the existing day care center increasing the number of children from 55 to 100 (50 per shift) infant to 12yrs and increasing the time from 6:00 AM - 6:30 PM to 6:00 AM - Midnight Monday - Friday and use the premises as a assembly hall (banquet) on the weekend.	
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous Board conditions are complied with. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the applicant obtains a new certificate of occupancy to verify the space is capable of the increased capacity. 7. That this Special Use is granted for a period of time commencing with the date hereof and expiring on November 22, 2008. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
81	25752 Special Use	Digna Williams, Prospective Buyer Request to occupy the premises as a community living arrangement for 8 residents (developmentally challenged).	6119 N. 38th St. 1st Dist.
	Action:	Granted 1 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel. 5. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
82	25843 Dimensional Variance	Liberty and Truth Ministries Pastor Darryl E. Seay;Prospective Buyer	6119 W. Fond Du Lac Av. 2nd Dist.
		Request to occupy a portion of the premises as a religious assembly hall (275 capacity) without the required parking.	
	Action:	Granted 5 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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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. 5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 6. That the parking spaces shown on the site plan be marked with paint. 7. That wheel stops or some other physical barrier be installed along the alley at the rear of the site. 8. That the applicant obtains a certificate of occupancy and complies with all State commercial code requirements for places of assembly. 9. That the premises be limited to 126 people on site, except for up to ten occasions per year, where the maximum amount of persons on site may increase to 275. 10. That a fence be erected on site to eliminate alley access. 11. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
83	25845 Special Use	Kenneth Riche, Property Owner Request to continue occupying the premises as a currency exchange.	5309 W. Fond Du Lac Av. 2nd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled at the next available hearing.	
84	25891 Special Use	Gloria J. Turner, Property Owner Request to increase the number of children on site of the existing day care from 20 to 44 infant to 12 yrs of age, Monday-Saturday 6:00 A.M. - Midnight.	5615 W. Capitol Dr. 2nd Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on September 29, 2006. 	
85	25905 Special Use	Ms. Kendra Terry, Lessee Request to occupy the premises as a 24 hr day care center for 30 children per shift infant to 12yrs of age, Monday-Sunday.	8950-52 W. Appleton Av. A/K/A 8948-52 W. Appleton Ave. 2nd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled for the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
86	25916 Special Use	Freewill Church of God in Christ attn: Jerry Ellis;Property Owner Request to construct a religious assembly hall with a parking lot located between the street facade of the principal building and a street line.	9220 W. Silver Spring Dr. A/K/A 9214 W. Silver Spring dr. 2nd Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That a revised landscape plan that meets the intent of city code section 295-405 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 must include shrubs in addition to trees along the N. 92nd St. frontage. 5. That there be no access to the alley north of the site. 6. That a fence be constructed between the parking lot and alley. 7. That this Special Use is granted to run with the land. 	
87	25920 Special Use	Les Fiore, Prospective Buyer Request to occupy the premises as a truck freight terminal (carpet distribution & trucking).	6066 N. 76th St. A/K/A 6000-20 N. 76th St. 2nd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled for the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
88	25776 Special Use	Arthur Miller, Lessee Request to occupy the premises as a religious assembly hall.	6228 W. Capitol Dr. 2nd Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
89	25805 Appeal of an Order	Arlyn Dieck, Property Owner Request to appeal an order issued by the Department of Neighborhood Services determining the premises to have a multi-family dwelling on site (this is a revocation of occupancy proceeding).	3215 N. Hackett Av. 3rd Dist.
	Action:	Adjourned	
	Motion:	Georgia Cameron moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
90	25865 Dimensional Variance	Langhoff Properties, LLC Attn:Peter J. Langhoff;Prospective Buyer Request to construct a commercial building without the required height, number of stories, and off street parking on the premises.	1704 E. Irving Pl. 3rd Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That these Variances are granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
91	25883 Dimensional Variance	George Dimitropoulos, Culver's of Shorewood; Lessee Request to allow an off premise sign on site that is in excess of the sign area permitted by code.	2403 N. Maryland Av. A/K/A 2401-09 N. Maryland Ave. 3rd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted for a period of five (5) years, commencing with the date hereof.	
92	25866 Use Variance	Columbia St. Mary's, Other Request to temporary located a helicopter landing facility (helipad) on the premises.	2275 N. Lincoln Memorial Dr. 3rd Dist.
	Action:	Granted 3 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted for a period of three (3) years, commencing with the date hereof.	

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

Board member Szymanski moved to approve the minutes of the July 22, 2004 meeting. Seconded by Board member Jackson. Unanimously approved.

The Board set the next meeting for September 9, 2004.

Board member Jackson moved to adjourn the meeting at 7:07 p.m.. Seconded by Board member Cameron. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board