

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

**REGULAR MEETING – September 9, 2004**  
**City Hall, Common Council Committee Room 301-B**

***MINUTES***

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PRESENT:

**Chairman:** Craig H. Zetley (*voting on items 1-101*)

**Members:** Henry P. Szymanski (*voting on items 1-83, 85-101*)  
Scott R. Winkler (*voting on items 1-101*)  
Catherine M. Doyle (*voting on items 1-101*)  
Donald Jackson (*voting on items 1-101*)

**Alt. Board Members:** Georgia M. Cameron *Excused*

START TIME: 1:08p.m.

End Time: 4:39 p.m.

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<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	25885 Dimensional Variance	Edward H. Wolf & Sons, Kurt Kleinhans;Other  Request to install a free standing sign that is over the required height and area.	9208 W. Capitol Dr. 5th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
2	25890 Dimensional Variance	Edward H. Wolf & Sons Inc Kurt Kleinhans;Other  Request to install a free standing sign that is over the required height.	232 W. Locust Av. A/K/A 2910 N. Martin Luther King Jr. Dr. 6th 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	25623 Special Use	Mill Valley Recycling LLC., Property Owner  Request to continue occupying the premises as a mixed waste processing facility (without being entirely enclosed).	1006 S. Barclay St. 12th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
4	25544 Special Use	Tim O'Connell/ John Poblocki, Lessee  Request to occupy the premises as an outdoor storage facility (crushed stone).	2000 S. 4th St. 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.	
5	25438 Dimensional Variance	Braeger Ford, Property Owner  Request to add additional signage to the existing motor vehicle repair facility.	3804 S. 27th St. 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.	
6	25787 Dimensional Variance	Beverly Koch, Property Owner  Request to construct an attached garage in the front yard setback of the premises.	1728 E. Iron St. 14th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	25886 Dimensional Variance	Edward H. Wolf & Sons, Inc., Other  Request to install a free standing sign that is over the required height and area.	2624 W. Lisbon Av. 15th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
8	25989 Special Use	Gary Mulheron, Lessee  Request to continue to occupy the premises as a wholesale and distribution facility.	2233 W. Fond Du Lac Av. A/K/A 2229-31 W. Fond Du Lac Ave. 15th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
9	25439 Special Use	Cornell Stallworth, Property Owner  Request to occupy the premises as an adult day care center for 15 adults, Monday-Friday 7:00 a.m. - 5:00 p.m.	4911 W. Mill Rd. 1st Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
10	25912 Special Use	Erma Mosley, Property Owner  Request to occupy the premises as a group shelter care facility for 6 young male clients (adolescents to develop skills to function in society, from Milwaukee county bureau of children welfare).	5173 N. 28th St. 1st Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	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:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
12	25193 Appeal of an Order	Mr. O. Harrison, c/o Daniel Welytor; Lessee  Request to appeal an order of the Department of Neighborhood Services determining the premises to be an adult entertainment establishment.	6222 W. Fond Du Lac Av. 2nd Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
13	25002 Special Use	Makbul Sajan, Property Owner  Request to raze the existing non- conforming filling station on site and construct a new filling station and convenience store on the premises (open 5:00am-Midnight).	2043 E. North Av. 3rd Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
14	25971 Special Use	U.S. Cellular, Lessee  Request to erect a temporary cellular transmission tower on the premises without the required landscaping and co-location.	631 E. Chicago St. A/K/A 625 E. Chicago 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.	
15	25175 Use Variance	Victory Christian Academy Michael Neuburg, Exec. Director; Lessee  Request to occupy the premises as a secondary school, grades 6-12.	2202 W. Clybourn St. A/K/A 2202-2312 W. Clybourn 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.	
16	24558 Special Use	Bell Therapy/ Belwood Ltd., Property Owner  Request to continue occupying the premises as a community based residential facility (CBRF) and increase the number of clients served from 46 to 50.	839 N. 27th St. A/K/A 837-53 N. 27th St. 4th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available hearing.	
17	25855 Special Use	Joseph & Shirley Dallas, Prospective Buyer  Request to occupy a portion the premises as a day care center for 15 children infant to 12yrs of age, Monday-Friday 7:00 AM-6:00 PM.	8731 W. Burleigh St. 5th 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>
18	26038 Special Use	Barbara Wyatt Sibley, Property Owner  Request to occupy the premises as a school (elementary or secondary/ 175 children).	334 W. Brown St. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner obtains an occupancy certificate and complies with current State commercial code for educational occupancies.</li> <li>5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	
19	26012 Special Use	Latonia Jackson, Property Owner  Request to continue occupying the premises as a day care facility for 8 children, infant to 10 yrs of age, Mon.- Fri. 6:30 a.m.- 6:00 p.m.	4536 N. 50th St. 7th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That there is no signage identifying the daycare facility.</li> <li>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

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20	26051 Special Use	Scott Wilder, Property Owner  Request to continue occupying the premises as a community living arrangement for 4 adults (developmentally disabled).	2935 N. 44th St. A/K/A 2935-37 N. 44th St. 7th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That 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 three (3) years, commencing with the date hereof.</li> </ol>	
21	25652 Special Use	Jose and Blanca Ramos, Lessee  Request to continue occupying the premises as a second hand sales facility (used appliances).	4126 W. Capitol Dr. 7th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows are maintained in a neat and orderly manner.</li> <li>6. That the applicant does not display any merchandise on the exterior of the building.</li> <li>7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

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22	25754 Special Use	Victory Outreach Milwaukee Inc. Property Owner	2427 W. National Av. 8th Dist.
		Request 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 the applicant does not use the premises as a car wash.</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>
23	26003 Use Variance	Barry Ringwell, Property Owner  Request to continue occupying the premises as a motor vehicle repair facility.	3312 W. Greenfield Av. 8th 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 no disabled or unlicensed vehicles or parts are stored outside.</li> <li>5. That all repair work is conducted inside of the building.</li> <li>6. That the petitioner take necessary steps so that the alley abutting the subject premises shall not be blocked.</li> <li>7. That the petitioner shall install a 'No Parking - Violators Subject to Tow' sign in front of the residential garage immediately to the west of the property.</li> <li>8. That the petitioner must control snow removal from the site such that it does not interfere with traffic operation in the alley or the residential garage immediately to the west of the alley.</li> <li>9. That no work or storage of materials occurs in the public right of way.</li> <li>10. That the petitioner has no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris.</li> <li>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.</li> <li>12. That this Variance is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	
24	26017 Dimensional Variance	South Community Organization Property Owner  Request to divide the parcel and construct a single-family residential dwelling without the minimum front facade width.	2319 S. 27th St. 8th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman 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>
25	26030 Dimensional Variance	South Community Organization Property Owner  Request to divide the parcel and construct a single-family residential dwelling without the minimum front facade width and minimum rear setback.	2329 S. 27th St. A/K/A 2319 S. 27th St. 8th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman and will be rescheduled for the next available agenda.	
26	26032 Dimensional Variance	South Community Organization Property Owner  Request to divide the parcel and construct a single-family residential dwelling without the minimum front facade width and minimum rear setback.	2339 S. 27th St. A/K/A 2319 S. 27th St. 8th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman and will be rescheduled for the next available agenda.	
27	26033 Dimensional Variance	South Community Organization Property Owner  Request to divide the parcel and construct a single-family residential dwelling without the minimum front facade width and minimum rear setback.	2349 S. 27th St. A/K/A 2319 S. 27th St. 8th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman 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>
28	25980 Dimensional Variance	Arkadiy Tsirlin, Property Owner  Request to occupy the premises as a motor vehicle repair facility and erect a fence on site that does not meet the landscaping requirements (all shrubs and trees meet code).	5200 W. Mill Rd. 9th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the use for a period of five years and to grant the landscape variance to run with the land. 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 site is developed according to the revised plans received by the Board of Zoning Appeals on August 6, 2004.</li> <li>5. That no disabled or unlicensed vehicles, parts or tires are stored outside.</li> <li>6. That all repair work is conducted inside of the building.</li> <li>7. That the petitioner has no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris.</li> <li>8. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan.</li> <li>9. That this Special Use is granted for a period of five (5) years and that the Variance is granted to run with the land, commencing with the date hereof.</li> </ol>	
29	25997 Special Use	Office Furniture Resources, Lessee  Request to continue occupying the premises as a second-hand store (new & used furniture).	6546 N. 76th St. A/K/A 6546-50 N. 76th St. 9th 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>
30	26018 Special Use	Rita Bergeron, Lessee  Request to add a school (elementary or secondary) k-3 to 5th grade to the existing day care center.	8634 W. Brown Deer Rd. 9th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>5. That the applicant obtains a certificate of occupancy and complies with all State commercial code requirements for educational occupancies.</li> <li>6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

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31	25922 Dimensional Variance	TDC Milwaukee LLC, Property Owner  Request to construct an off premise pylon sign that exceeds the maximum sign area allowed by code.	8120 W. Brown Deer Rd. A/K/A 7700 (F) W. Brown Deer Rd. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That these Variances are granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
32	26109 Other Granted	Robert B. Pyles, Lessee  Request to modify the drive-thru facility of the existing fast food/carry-out restaurant.	6574 N. 76th St. 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 all previous Board decisions are complied with.</li> <li>2. 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.</li> <li>3. 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>4. That this approval will run concurrent with that of the fast food/carryout restaurant on site and expire on June 22, 2008.</li> </ol>	

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33	25919 Dimensional Variance	TDC Milwaukee LLC, Property Owner  Request to construct an off premise pylon sign that exceeds the maximum sign area allowed by code.	7700 W. Brown Deer Rd. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
34	25977 Dimensional Variance	Gina Spang, Manager-Design and Construction Group;Property Owner  Request to occupy the premises as a school (secondary/elementary) with parking between a street facade of the principal building and a street lot line.	2360 N. 52nd St. 10th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner submit a revised landscape plan that provides additional landscaping along the W. North Ave. frontage to match the existing landscaping.</li> <li>5. That these Variances are granted to run with the land, 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>
35	25972 Special Use	Bridgeman Foods Inc., Property Owner  Request to continue occupying the premises as a fast-food/carryout restaurant with a drive-through facility.	2310 S. 43rd St. 11th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner maintain landscaping and screening in a manner that meets the intent of city code</li> <li>5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>6. That this 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.</li> <li>7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
36	26067 Special Use	Aboul R. Mutlani, Property Owner  Request to construct a car wash facility on the premises.	3535 W. Lincoln Av. 11th 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>
37	25975 Special Use	Amy Sidello & Kenneth Sidello Property Owner	914 S. 5th St. 12th Dist.
		Request to occupy the premises as a day care center for 50 children infant to 12yrs of age, Monday-Friday 6:30 AM-6:00 PM.	
	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 signage shall conform to the sign standards of s. 295-805-5 of the Milwaukee Zoning Code and be limited to the sign band above the storefront windows.</li> <li>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>6. That the outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards.</li> <li>7. That the petitioner obtains an occupancy certificate and complies with current State commercial code for educational and institutional occupancies.</li> <li>8. 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>
38	25984 Special Use	Rick Dolan, McDonalds Corp.;Property Owner  Request to continue occupying the premises as a fast-food/carryout restaurant with a drive through facility and expansion of the dining area.	707 S. 1st St. A/K/A 103 W. Pierce St. 12th 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 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.</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 petitioner maintain landscaping and screening in a manner that meets the intent of city code.</li> <li>7. 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	25991 Dimensional Variance	Wisconsin Corporation of Seventh-Day Adventist, Property Owner  Request to continue occupying the premises as a religious assembly hall without the minimum parking requirements.	1403 W. Hayes Av. 12th 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 Variance is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	25999 Use Variance	Mr. Daniel Mora, Property Owner  Request to combine the parcels to expand the existing motor vehicle sales, repair, and body shop.	1505-19 S. Muskego Av. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Syzmanski 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 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.</li> <li>5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>7. That the petitioner must obtain a zoning change so that the entire premises lies within the boundaries of the LB2 zoning district.</li> <li>8. That all previous conditions of the Board regarding this property are complied with.</li> <li>9. That the petitioner has no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris.</li> <li>10. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan.</li> <li>11. That this Special Use and this Variance are 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>
41	26016 Special Use	Jaun Ruiz, United Community Center; Lessee  Request to expand the parking area of the existing parking lot.	828 S. 9th St. 12th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available hearing.	
42	26023 Dimensional Variance	JTL Properties, LLC, Property Owner  Request to construct a sit-down restaurant without the minimum required landscaping.	158 S. Barclay St. 12th 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>	
43	26056 Special Use	Chimsiab Yang, Property Owner  Request to add an adult day care facility for 8 individuals to the existing medical office.	1423 S. Muskego Av. A/K/A 1423-27 S. Muskego Ave. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>6. That 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>
44	25870 Special Use	Russell A. Wilson, Property Owner  Request to add motor vehicle sales to the existing motor vehicle repair facility.	3940 S. 13th St. 13th 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 landscaping and screening plans submitted to the Board of Zoning Appeals on July 13, 2004 are implemented.</li> <li>5. That no disabled or unlicensed vehicles or parts are stored outside.</li> <li>6. That the petitioner has no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris.</li> <li>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.</li> <li>8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
45	25988 Special Use	Lutheran Social Services of WI & Upper Mil. Inc., Property Owner  Request to increase the number of residents from 5 to 6 of the existing community living arrangement (clients are developmentally disabled, ambulatory or semi ambulatory).	2423 W. Abbott Av. 13th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available hearing.	
46	26019 Special Use	Jeanette Barquet, Prospective Buyer  Request to occupy the premises as a day care center for 70 children infant to 12yrs of age, Mon.-Fri. 7:00a.m.-6:00p.m.	1202 W. Oklahoma Av. 14th 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>
47	26020 Special Use	Chris & Nara Colton, Lessee  Request to occupy the premises as a day care center for 25 children infant - 12yrs of age, Monday-Friday 6:00AM - 6:00PM.  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. 295-605-5 of the Milwaukee Zoning Code. Specifically, wall signage must be limited to one sign with a maximum sign area of 25 square feet.</li> <li>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>6. That the outdoor play area is not utilized before 9:00 A.M.</li> <li>7. That a loading zone is obtained along this site.</li> <li>8. That the petitioner obtains an occupancy certificate and complies with current State commercial code for educational and institutional occupancies.</li> <li>9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	2340 S. 6th St. A/K/A 2338-40 S. 6th St. 14th Dist.
48	26031 Special Use	Klement's Sausage Company Property Owner  Request to combine the parcels and raze the existing structures to occupy the premises as a parking lot.  Action: Adjourned  Motion: This matter was adjourned at the request of an interested party and will be rescheduled for the next available hearing.	2332 S. Austin St. A/K/A 2318, 2324, 2332 S. Austin St. 14th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
49	26058 Special Use	Paul Bouraxis, Property Owner  Request to remodel the existing structure with a drive through facility located within 150 ft. of a residential property.	2130 S. Kinnickinnic Av. 14th 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 revised landscaping and screening plans which meet the requirements of s.295-405 of the Milwaukee Zoning Code for Type 'B' landscaping must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. The revised landscape plan must include a decorative metal fence along the S. Kinnickinnic Ave. and East Bay St. frontages.</li> <li>5. That a revised site plan is submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. The revised site plan must include an identifiable pedestrian link between the building and S. Kinnickinnic Ave.</li> <li>6. 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>7. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>8. 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>9. 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.</li> <li>10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	26068 Other	EP Venture LLC., Property Owner  Request to modify the condition of the previous approval of case 23619 regarding condition No. 4 (signage) to allow for a larger sign.	2023 S. Kinnickinnic Av. A/K/A 2011-23 S. Kinnickinnic Ave. 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 sign is mounted on a base that is at least as wide as the sign</li> <li>2. That the combined height of the sign and the base does not exceed 8 feet</li> <li>3. That the sign meets the criteria as a Type 'A' sign under s.295-407 of the Milwaukee Zoning code.</li> <li>4. That all previous conditions of the Board regarding this property are complied with.</li> <li>5. That this approval run concurrent with case No. 23619.</li> </ol>	
51	25967 Special Use	Paula Blan-Nash, Property Owner  Request to increase the number of children from 46(1st & 2nd floor) to 106 (46 1st floor & 60 2nd floor) of the existing 24 hrs. day care center, infant to 12yrs of age, Mon.-Sun.	2451 W. North Av. A/K/A 2451-57 W. North Av. 15th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>5. That the petitioner obtains an occupancy certificate and complies with current State commercial code for educational and institutional occupancies for both floors.</li> <li>6. That this Special Use is granted for a period of time commencing with the date hereof and expiring on January 29, 2007.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	25969 Special Use	Verdella Harvey, Property Owner  Request to increase the number of residents from 4 to 8 of the existing community living arrangement (developmentally disabled, mentally ill, elderly).	2624-26 N. 16th St. 15th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the 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 time commencing with the date hereof and expiring on June 9, 2009.</li> </ol>	
53	26021 Dimensional Variance	Annie Robinson, Prospective Buyer  Request to construct a single-family dwelling without the minimum facade width.	2142 N. 15th St. 15th 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>
54	26024 Dimensional Variance	West End Development Corporation Other  Request to combine the parcels and construct a single-family residential dwelling without the minimum front facade width and required number of stories.	1621-25 N. 36th St. 15th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That this Variance is granted to run with the land.</li> </ol>	
55	26025 Dimensional Variance	West End Development Corporation Other  Request to construct a single-family residential dwelling without the minimum front facade width and required number of stories.	3935-39 W. Galena St. 15th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That approval of certified survey map is obtained from the Milwaukee 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>
56	26065 Special Use	Wee Care Day Care, Lessee  Request to occupy the premises as a social service facility (diet & nutrition assessment).	4630 W. North Av. 15th 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. 295-605-5 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	
57	26066 Use Variance	Tony A. Kearney, Lessee  Request to occupy the premises as a social service and emergency shelter facility.	3628 W. Wright St. A/K/A 2504 N. 37th St. 15th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner take all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel.</li> <li>5. That these Variances are 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	26074 Special Use	Fawn G. Pusateri, Property Owner  Request to expand the convenience store area of the Board approved motor vehicle filling station, convenience store and car wash.	4803 N. Green Bay Av. A/K/A 1708 W. Hampton 1st Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscaping and screening is maintained per the plan approved by the Department of City Development on August 17, 1988.</li> <li>5. That the hours of operation for the car wash are limited to 7:00 A.M. to 10:00 P.M. as approved by the Board of Zoning Appeals decision dated November 29, 1988.</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 security personnel if necessary.</li> <li>7. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</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>
59	25941 Special Use	Juanita Beeman, Lessee  Request to occupy the premises as a day care center for 50 children per shift infant to 12yrs of age, Monday-Sunday 6:00 a.m. - Midnight.	4145-51 N. Green Bay Av. 1st 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. 295-605-5 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>6. That no interior or exterior window or door grates are used.</li> <li>7. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>8. That the fence for the play area shall be an ornamental metal fence (not chain link) and shall otherwise comply with all applicable code requirements.</li> <li>9. That the driveway approach on West Hope Avenue is closed and restored with curb and gutter.</li> <li>10. That a loading zone is obtained on West Green Bay Avenue in front of the site.</li> <li>11. That a physical barrier be constructed separating the play area from the alley.</li> <li>12. That the petitioner obtains an occupancy certificate and complies with current State commercial code for educational and institutional occupancies.</li> <li>13. 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>
60	25995 Special Use	John Hughes, Prospective Buyer  Request to occupy the premises as a ground transportation service facility.	1969 W. Hampton Av. 1st Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
61	26062 Dimensional Variance	HR Academy, Property Owner  Request to erect six wall signs on the premises.	4834 N. 35th St. A/K/A 4834 N. Mother Daniels Way 1st Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
62	25928 Special Use	Mandeep Dhawan, Property Owner  Request to raze the existing structure and construct a new motor vehicle filling station and convenience store (canopy and pumps location remain the same).	6028 W. Fond du Lac Av. 2nd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscaping and screening is maintained per the plan approved by the Department of City Development on December 11, 1998.</li> <li>5. That the site is developed per the revised plan submitted to the Board of Zoning Appeals on July 15, 2004.</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 security personnel if necessary.</li> <li>7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
63	25973 Special Use	Tommy's Kitchen & Papa Rosa, LLC. Lessee  Request to occupy the premises as a fast-food/carryout restaurant.	1500 N. Farwell Av. A/K/A 1504 N. Farwell Ave. 3rd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Ald. 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>
64	26043 Special Use	Victoria Leigh, Property Owner  Request to continue occupying the premises as a personal service facility (message therapy).	3347 N. Bartlett Av. 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 petitioner receives and maintains all the necessary licenses and registrations from the city of Milwaukee and the State of Wisconsin to operate as a massage therapist.</li> <li>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
65	26054 Use Variance	Linda Tatro, Lessee  Request to continue occupying the premises a personal service facility (therapeutic message).	3229 N. Newhall St. 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 petitioner receives and maintains all the necessary licenses and registrations from the city of Milwaukee and the State of Wisconsin to operate as a massage therapist.</li> <li>5. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
66	26059 Special Use	Rob Settecase, Lessee  Request to continue occupying a portion of the premise as a second-hand store (used cds & dvds).	1428 E. Brady St. 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 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>
67	25965 Use Variance	Tripoli Temple, Property Owner  Request to add an assembly hall to the existing fraternal organization (Tripoli Temple).	3000 W. Wisconsin Av. 4th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code.</li> <li>5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>6. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
68	25982 Special Use	Towne Realty, Inc., Lessee  Request to occupy a portion of the premises as a college.	736-48 N. 4th St. A/K/A 744 N. 4th St. Ste 300 4th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
69	26000 Special Use	CPS Parking of Wisconsin Inc., Lessee  Request to continue occupying the premises as a parking lot.	202 N. Jackson St. A/K/A 232 N. Jackson St. 4th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner maintain landscaping and screening in a manner that meets the intent of city code</li> <li>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>6. That signage must meet the signage standards of s.295-407 of the Milwaukee Zoning Code.</li> <li>7. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	
69a	26041 Dimensional Variance	St. Joseph's Hospital of Franciscan of Mil., Inc. a/k/a St. Joseph Regional Medical Center; Property Owner  Request to both occupy the premises as a surface parking lot and to seek a variance from landscaping required by code.	3026 N. 49th St. A/K/A 3004-56 N. 49th St. 7th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available public hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
70	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 at the request of an interested party and will be rescheduled for the next available agenda.	
71	25911 Special Use	Gethsemane M. B. Church, Petria Scott; Lessee  Request to occupy the premises as a religious assembly hall (40).	3401 N. 76th St. 5th 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>6. That the 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 applicant provides a 24-hour contact phone number to the Board office in writing.</li> <li>8. That the petitioner provide notice (flier) to the surrounding area regarding their hours of operation.</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>
72	25990 Special Use	Vernistine Carr, Lessee  Request to occupy the premises as a day care center for 39 children infant to 12yrs of age, Mon.-Fri. 6:00a.m.-10:00p.m.	7968 W. Appleton Av. A/K/A 7970 W. Appleton Av. 5th 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. Specifically, wall signage is limited to one sign with a maximum area of 25 square feet.</li> <li>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>7. That the outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards.</li> <li>8. That the petitioner obtains an occupancy certificate and complies with current State commercial code for educational and institutional occupancies.</li> <li>9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
73	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:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	
74	25914 Special Use	Mattie M. Hollingsworth Property Owner  Request to occupy the premises as an adult family home for 4 residents (individuals that require services, money management counseling, independent living skills, counseling to assist day to day living).	2480 W. Keefe Av. 6th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant 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>
75	26079 Dimensional Variance	Mt.Zion Church of God in Christ Wings of Glory, Pastor Eugene Yarbough; Property Owner	2628-30 N. 6th St. 6th Dist.
		Request to raze the existing structure and construct a religious assembly hall without the minimum number of parking spaces, required building height and number of stories.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal for a parking shortage for 10 years and all other Variances to run with the land. 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 a revised landscape plan meeting the intent of city code section 295-405 for Type 'B' landscaping are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. The revised plan should include a 6-foot high opaque wood fence along the south property line and should include a decorative metal fence with trees and shrubs to screen the parking lot from the street frontage.</li> <li>5. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code.</li> <li>6. That the Variance for the parking shortage is approved for a period of ten (10) years and all other Variances are granted to run with the land, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
76	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:	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 submitted landscape plan is revised to indicate that decorative metal fencing will be installed along the North Dr. Martin Luther King Jr. Drive and the West Burleigh St. frontages. The revised landscape plan 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 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 the storefront window along the front façade is restored to clear glass and is maintained in an attractive manner.</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 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.</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>
77	25909 Dimensional Variance	KCW Inc., Kevin C. Williams;Property Owner  Request to allow a fence that is closer then 5 ft. from the sidewalk.	3202 N. Sherman Bl. A/K/A 3200-10 N. Sherman Blvd. 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.	
	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>	
79	25915 Special Use	Earl L. & Karen Baker, Property Owner  Request to occupy the premises as a community living arrangement for 4-6 residents (developmentally disabled, mentally challenged and wheel chair bound).	3206 N. 39th St. 7th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <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 one (1) year, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
79	25947 Special Use	Shawna K. Whitehead, Lessee  Request to increase the hours of operation of the existing family day care from the current hours of 6:00 am - 10:00 pm to 24 hrs. per day (8 children on site, infant to 12 years of age).	4672 N. 40th St. 7th Dist.
	Action:	Adjourned	
	Motion:	Catherine Doyle moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
80	25897 Special Use	Katherine A Baillargeon Milwaukee Christian Center;Other  Request to occupy a portion of the premises as a community center.	2906 W. Scott St. A/K/A 2906-12 W. Scott 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 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 time commencing with the date hereof and expiring on December 3, 2007.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
81	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:	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code, specifically that banner signs are not permitted.</li> <li>5. That the outdoor play area is not utilized after 8:00 P.M. or before 9:00 A.M.</li> <li>6. That the applicant obtains a certificate of occupancy and complies with all State commercial code requirements for institutional and educational occupancies.</li> <li>7. That the petitioner provide van service on site, as referenced in the approved plan of operation, within ninety (90) days.</li> <li>8. 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>
82	25131 Special Use G	Donna M. Ivory, d/b/a Nonna's Crisis Shelter;Property Owner  Request to occupy the premises as a group home for 8 boys 12yrs-17yrs of age.	6529-31 N. 52nd St. 9th 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"> <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 are complied with.</li> <li>5. That the petitioner take all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel.</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>
83	25996 Dimensional Variance	Dion & Karen Hill, Property Owner  Request to construct a single-family residential dwelling without the minimum combined side setback.	8903 N. 70th St. 9th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That this Variance is granted to run with the land.</li> </ol>	
84	25114 Special Use	All City Communication, Inc., Optionee  Request to replace the existing tower on site with a 115 ft. telecommunications tower.	5900-06 W. Vliet St. 10th Dist.
	Action:	Denied	
	Motion:	Catherine Doyle moved to deny the appeal. Seconded by Scott Winkler.	
	Vote:	3 Ayes, 1 Nays, Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
85	25767 Special Use	Calvary Temple CBC, Property Owner  Request to add a day care center for 50 children infant to 12 yrs of age, Monday-Friday 6:00 a.m. - 6:00 p.m to the existing religious assembly hall.	5330 W. Lisbon Av. 10th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That any signage for the day care center must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M.</li> <li>6. 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>7. That the applicant obtains a certificate of occupancy and complies with all State commercial code requirements for institutional and educational occupancies.</li> <li>8. 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>9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	
86	26034 Dimensional Variance	James Mikecz & Theresa Costello Property Owner  Request to construct a detached garage over the maximum height.	8630 W. Burdick Av. 11th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	3 Ayes, 1 Nays, C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
87	26046 Special Use	Miller Compressing Company, Lessee  Request to construct two buildings on site and continue occupy the premises as an outdoor salvage operation facility.	4025 W. Lincoln Av. A/K/A 3921 W. Lincoln Ave. 11th 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"> <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 that meet the intent of city code section 295-405 are submitted to and approved by the Zoning Administration Group prior to the issuance of any permits.</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>
88	25397 Dimensional Variance	Raul Vega, Other  Request to continue to occupy the premises as a religious assembly hall (without the required parking).	830 S. 6th St. 12th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all previous conditions of the Board regarding this property are complied with.</li> <li>5. That this Special Use and this Variance are 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>
89	25311 Special Use	Edgar Mendoza, Property Owner  Request to continue occupying the premises as a religious assembly hall and social service facility.	1401 S. 6th St. A/K/A 1401-09 S. 6th St. 12th Dist.
	Action:	Granted 10 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the petitioner provide and maintain landscaping and screening in a manner that meets the intent of city code.</li> <li>6. That the petitioner provide the Board office and the Alderman of the district with the name, phone number and address of a 24 hour contact person.</li> <li>7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
90	25861 Special Use	Samson Trusts Venture, Lessee  Request to occupy the premises as a home improvement center (sale of light industrial equipment).	5659 S. 27th St. 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.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
91	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:	Granted 10 yrs.	
	Motion:	Catherine Doyle 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 an acceptable site plan is submitted to and approved by the Zoning Administrative Group within thirty (30) days.</li> <li>5. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
92	25903 Special Use	Tautila Russell, Lessee  Request to occupy a portion of the premises as a day care center for 200 children infant to 12yrs of age, Monday-Friday 6:00AM-Midnight.	4212 W. Highland Bl. 15th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
93	25452 Special Use	Regina Williams, Lessee  Request to occupy the premises as a social service facility (assist ex-female offenders with resources, referrals, clothing and food).	2415 W. Fond Du Lac Av. 15th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on May 10, 2005.</li> </ol>	
94	25933 Special Use	Babies Christian Day Care & Preschool Lessee  Request to occupy the premises as a 24hr day care center for 85 children infant to 12yrs of age, Monday-Sunday.	3618 W. Villard Av. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled for the next available agenda.	
95	25932 Dimensional Variance	Jerusalem Missionary Baptist Church Andrew Beatty;Property Owner  Request to construct a religious assembly hall without the minimum glazing along the primary street and required parking.	4646 N. Teutonia Av. 1st Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler 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>
96	25825 Special Use	Mary Jones, Lessee  Request to occupy the premises as a community living arrangement for 5 developmental disabled residents.	4635 N. 66th St. 2nd Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
97	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:	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. 295-805-5 of the Milwaukee Zoning Code.</li> <li>5. That no disabled or unlicensed vehicles or parts are stored outside.</li> <li>6. That all car wash activity is conducted inside of the building.</li> <li>7. That all wastewater is contained on site.</li> <li>8. That there are no exterior banners.</li> <li>9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
98	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:	Granted 10 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 this Variance is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
99	25757 Special Use	Joann Harris, Property Owner  Request to occupy the premises as a transitional living facility for 12 clients.	7806 W. Hampton Av. 2nd Dist.
	Action:	Granted 1 yrs.	
	Motion:	Catherine Doyle 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 applicant obtains a certificate of occupancy and complies with all State commercial code requirements for R-4 residential occupancy.</li> <li>5. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
100	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:	Henry Szymanski moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
102	25958 Special Use	Kris W. Roberts, Property Owner  Request to construct a habitable space in the detached garage creating multiple principle buildings on a single parcel.	2637 N. Fratney St. 3rd 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>
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**Other Business:**

Board member Szymanski moved to approve the minutes of the July 29, 2004 meeting. Seconded by Board member Jackson. Unanimously approved.

The Board set the next meeting for October 5, 2004.

Board member Winkler moved to adjourn the meeting at 4:39 p.m. Seconded by Board member Szymanski. Unanimously approved.

BOARD OF ZONING APPEALS

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Secretary of the Board