

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – October 28, 2004
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairman: Craig H. Zetley *(voting on items 1-91)*

Members: Henry P. Szymanski *(voting on items 1-91)*
Scott R. Winkler *(excused)*
Catherine M. Doyle *(voting on items 1-44, 46-72)*
Donald Jackson *(voting on items 1-91)*

Alt. Board Members: Georgia M. Cameron *(voting on items 45-91)*

START TIME: 1:10 p.m.

End Time: 5:11p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	25608 Special Use	Janara Jenkins, Lessee Request to occupy the premises as a car wash facility.	3700 W. Burleigh St. 7th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, Abstained.	
2	25734 Special Use	Michelle Harmon, Lessee Request to occupy the premises as a second-hand store (clothing & household items).	5506 W. Center St. A/K/A 5506-10 W. Center St. 10th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
3	26111 Use Variance	Caroline Minogue, Lessee Request to occupy the premises as a recording studio.	5625 W. Wells St. 10th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
4	25983 Appeal of an Order	Eleanore Tadych, Property Owner Request to appeal an order from the Department of Neighborhood Services determining the premises to have erected a fence without providing the required vision setback.	5811 W. Howard Av. 11th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
5	26138 Special Use	Si Smits, Property Owner Request to continue occupying the premises as a tavern with a parking lot located between the street facade of a principal building and a street lot line.	205-09 E. National Av. 12th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
6	26162 Dimensional Variance	Amanda Herriges, Property Owner Request to erect a 6ft. fence in the front yard setback of the premises which exceeds the maximum required height.	160 W. Saveland Av. A/K/A 160-62 W. Saveland Ave. 13th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the petitioner and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	25668 Special Use	Marlene's Touch of Class, Prospective Buyer Request to occupy the premises as a second-hand store.	2929 S. 13th St. 14th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the petitioner and will be rescheduled for the next available agenda.	
8	24584 Special Use	Tautila Russell, Property Owner Request to occupy the premises as a community living arrangement for 8 male adults.	2511-13 N. 50th St. 15th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
9	25401 Special Use	Selina Cain, Lessee Request to occupy the premises as a 24hr day care facility for 24 children(8 per shift) infant to 12yrs of age, Monday-Sunday.	2609 N. 39th St. A/K/A 2609-11 N. 39th St. 15th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
10	24585 Special Use	Tautila Russell, Property Owner Request to occupy the premises as a community living arrangement for 8 disabled adults.	5475 N. 41st St. 1st Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	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:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
12	25956 Use Variance	Sia Vang Property Owner Request to combine the parcels and construct a general retail establishment (grocery store) with parking between the front facade of the principle building on site and the street lot line.	7411 W. Hampton Av. A/K/A 7411 & 7429 W. Hampton Ave. 2nd Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
13	25196 Special Use	Warwick Seay, Property Owner Request to add an outdoor patio to the existing tavern.	932 E. Chambers St. 3rd Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
14	26084 Dimensional Variance	Berea Lutheran Church, Property Owner Request to erect two ground signs on the premises over the maximum number of signs and square footage.	4873 N. 107th St. 5th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	25721 Special Use	Ms. Kendra Terry, Lessee Request to occupy a portion of the premises as a 24hr day care center 45 children infant to 12 yrs of age, Monday-Sunday.	2323 N. Martin Luther King Dr. A/K/A 2349 N Martin Luther King Jr. Dr. 6th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
16	26191 Special Use	Atonement Lutheran Church Property Owner Request to continue occupying the premises as a day care center for 35 children infant to 11yrs of age, Monday - Friday 7:00 a.m. - 5:30 p.m.	4536 N. Sherman Bl. A/K/A 4206 W. Ruby Av. 7th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	
17	26125 Dimensional Variance	Peter O, Bockhorst, Property Owner Request to create a 16 ft. x 7 ft. entrance off of the alley to the existing detached garage without the minimum required setback (4 ft. off the alley).	2123 S. Layton Bl. 8th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	26152 Special Use	Social Development Commission (SDC) Property Owner	3025 W. Mitchell St. 8th Dist.
		Request to continue occupying the premises as an emergency residential shelter and a social service facility.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	25930 Special Use	Robert A. Zoesch, Property Owner Request to continue occupying the premises as a motor vehicle repair facility with the addition of motor vehicle sales.	8722 N. Granville Rd. A/K/A 8724 N. Granville rd. 9th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all repair work and bodywork is conducted inside of the building. 5. That landscaping and screening is implemented and maintained in a manner that meets the intent of city code. 6. That any area utilized for the outdoor storage of auto parts, or tires, is landscaped and screened with Type 'E' landscaping per s295-405 of the Milwaukee Code of ordinances. 7. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 8. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 9. That the petitioner has no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris. 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. 11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	26145 Special Use	Wanda Hudson, Lessee Request to occupy a portion of the premises as a day care center for 150 children infant to 13yrs of age, Monday - Friday from 6:00 a.m.- 6:00 p.m.	9175 N. 76th St. A/K/A 9127-9191 N. 76th St. 9th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant obtains a certificate of occupancy and complies with all State commercial code requirements for institutional and educational occupancies. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That the fenced outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards. 7. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	
21	26153 Special Use	Leslie Feiler, Property Owner Request to occupy a portion of the premises as an assembly hall (bridge club).	9001 N. 76th St. 9th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

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22	26094 Special Use	Ruby Grisby, Grisby's Child Development Center; Request to occupy the premises as a day care center for 25 children infant to 5yrs of age, Monday-Friday 6:30a.m.-5:30p.m.	3090 N. 53rd St. A/K/A 3072 N. 53rd St. 10th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the existing loading zone on N. 53rd Street is retained. 5. That the petitioner obtains an occupancy certificate and complies with current State commercial code for educational and institutional occupancies. 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
23	26189 Special Use	Garrett W. McIntosh, Scrub-A-Dub Systems Inc., Property Owner Request to continue occupying the premises as a car wash.	7315 W. Appleton Av. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	

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24	26190 Special Use	Garrett W. McIntosh, Scrub-A-Dub Car Wash;Property Owner Request to continue occupying the premises as a car wash and motor vehicle repair facility (oil change). Action: Granted 10 yrs. Motion: Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle. Vote: 4 Ayes, 0 Nays, 0 Abstained. Conditions of Approval: <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner maintain landscaping and screening in a manner that meets the intent of city code. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	555 S. 84th St. 10th Dist.
25	26144 Special Use	Options for Community Growth Inc. Lessee Request to continue occupying the premises as an adult family home for 4 adults with developmental disabilities. Action: Granted 3 yrs. Motion: Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle. Vote: 4 Ayes, 0 Nays, 0 Abstained. Conditions of Approval: <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	7207 W. Morgan Av. 11th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	26174 Special Use	Jaime Gonzalez, Botana's Restaurant;Property Owner	825 S. 5th St. 12th Dist.
		Request to occupy the premises as a principal parking lot.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That a revised landscape plan that meets the intent of city code section 295-405 is submitted to the Board of Zoning Appeals, and approved by the Zoning Administration Group prior to the issuance of any permits. 5. That any site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That an internal drainage system is constructed. 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
27	25416 Special Use	Bynjami Zegiri, Dita Investments, LLC;Property Owner	5354 S. 27th St. 13th Dist.
		Request to add a drive thru facility (pick up of phoned in orders only, operating 6:00am - 10:00pm) to the existing permitted sit down restaurant.	
	Action:	Adjourned	
	Motion:	This matter was adjourned by staff and will be rescheduled for the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	25820 Special Use	Lawrence Gaffney, Lessee Request to continue occupying the premises as a motor vehicle repair and sales facility.	4161 S. Howell Av. 13th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening plans for the north parking lot must be submitted to meet the intent of s.295-405 of the Milwaukee Zoning Code. If any planting will occur in the public right of way, the petitioner must receive permission from the City Forester. 5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 7. That all repair work is conducted inside of the building. 8. That the storefront windows remain as clear glass and are maintained in an attractive manner. 9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
29	26184 Special Use	Bridgeman Foods, Inc., Lessee Request to construct a fast-food/carryout restaurant with a drive through facility.	580 W. Layton Av. A/K/A 4575 S. 5th St. 13th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by staff and will be rescheduled for the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	26148 Special Use	Land Investors LLC, Prospective Buyer Request to construct a multi-family residential dwelling with ground floor retail with an accessory parking lot located between the street frontage of a principal building and street lot line(mixed development containing retail with condominiums), in addition to not providing the required front and side setbacks for the principal building.	2121 S. Kinnickinnic Av. 14th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That a revised landscape plan that meets the intent of city code section 295-405 for Type 'B' landscaping is submitted to the Board of Zoning Appeals, and approved by the Zoning Administration Group prior to the issuance of any permits. 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. 6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 7. That the S. Kinnickinnic Ave. and E. Becher St. facades meet the glazing standards of s295-605-2-i-3 of the Milwaukee Zoning code 8. That this Special Use and these Variances are granted to run with the land, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	26150 Use Variance	Sean J. Maroney, Maroney Dental Lab LLC;Prospective Buyer Request to occupy a portion of the residential dwelling as a light manufacturing facility (dental laboratory that fabricates crown & bridge prosthetics, that is not open to the public).	2602 E. Oklahoma Av. 14th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 5. That this Variance is granted for a period of five (5) years, commencing with the date hereof. 	
32	25949 Special Use	Ms. Brendis Hopson, Lessee Request to occupy the premises as an adult day care center, Monday-Saturday 6:00 AM-6:00 PM (20 clients maximum).	4731 W. North Av. A/K/A 4733 W. North Ave. 15th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available hearing.	

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33	25955 Special Use	Community Relations-Social Development Commission Lessee	2201 N. 35th St. 15th Dist.
		Request to continue occupying the top floor of the premises as a social service facility.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

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34	26156 Special Use	Rosetta Carr, Lessee Request to continue occupying the premises as a day care facility for 16 children (8 per shift) infant to 12yrs of age, Monday - Saturday 6:00a.m.- 11:30p.m.	2735 W. Wright St. A/K/A 2733-35 W. Wright St. 15th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	26188 Special Use	New Living Church of Immanuel Ministries, Other Request to continue occupying the first floor of the premises as a religious assembly.	4031 W. North Av. A/K/A 4025-31 W. North Av. 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
36	26141 Special Use	Sherri Bond, Lessee Request to add a community living arrangement for 8 adolescent girls to the existing transitional living facility that currently consists of 12 clients.	5926 N. Teutonia Av. 1st 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>
37	26155 Special Use	Tonya A. Rogers, Lessee Request to occupy a portion of the premises as a religious assembly hall.	3002 W. Silver Spring Dr. A/K/A 5627 N. Teutonia Ave. 1st Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That this Special Use is granted for a period of time commencing with the date hereof and expiring March 26, 2011. 	
38	26143 Special Use	Madeline Thornton, Property Owner Request to increase the hours of operation on Saturday & Sunday from 6:00 AM-6:00 PM to 6:00 AM - Midnight and continue occupying the premises as a day care center for 100 children per shift infant to 12yrs of age, Monday-Friday 6:00AM-Midnight.	8421 W. Villard Av. 2nd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	
39	26192 Special Use	Pat & Paul Haislmaier, Property Owner Request to raze the 2 story wood porch and construct a 3-story side addition to the existing office building.	1042 E. Juneau Av. A/K/A 1042 E. Juneau Ave. Unit 1 3rd 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>
40	26140 Special Use	Gurinder S. Nagra, Lessee Request to occupy a portion of the existing general retail establishment as a currency exchange agency (check cashing).	2903 W. Clybourn St. A/K/A 2901-09 W. Clybourn St. 4th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled for the next available hearing.	
41	26151 Special Use	Anitra Massey & Peter Massey, Lessee Request to occupy a portion of the premises as a day care center for 84 children (42 per shift) infant to 12yrs of age, Mon.-Fri. 6:00 a.m.-11:00 p.m. and Sat. 8:00 a.m.-4:00 P.m.	10136 W. Fond Du Lac Av. 5th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening plans which meet the requirements of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 6. That the outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards. 7. That the petitioner obtains an occupancy certificate and complies with current State commercial code for educational and institutional occupancies. 8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	26193 Dimensional Variance	John F. & Marcia R. Koehler Prospective Buyer Request to construct a single-family residential dwelling without the minimum required building height and minimum number of stories.	4308 N. 100th St. 5th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled for the next available agenda.	
43	26096 Special Use	Rev. Joe Todd, Ephesians Missionary Baptist Church;Property Owner Request to occupy a portion of the existing religious assembly hall as a day care center for 72 children infant to 12yrs of age, Monday-Saturday 6:00AM-6:00PM.	2418 N. 6th St. 6th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available hearing.	
44	26105 Special Use	Sunrise Baptist Church, Prospective Buyer Request to remodel the existing structure and occupy the premises as a religious assembly.	3725 N. Teutonia Av. A/K/A 3723-25 N. Teutonia Av. 6th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available hearing.	
45	25062 Special Use	First Payday Loan Of Wisconsin, LLC d/b/a First Payday Loans;Lessee Request to occupy a portion of the premises as a payday loan agency.	8155 W. Brown Deer Rd. A/K/A 8155-73 W. Brown Deer Rd. 9th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny this appeal. Seconded by Henry Szymanski.	
	Vote:	2 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>
46	26082 Special Use	Irena Moore, Lessee Request to occupy the premises as a day care facility for 8 children (per shift) infant to 12yrs of age, Monday-Sunday open 24hrs.	3120 N. 37th St. 7th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M. 5. That no signage is permitted. 6. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
47	26098 Special Use	Brenda Carter, Other Request to occupy the premises as a community living arrangement for a total of 8 tenants (4 girls with 1 child each) ages 12-18.	3617 N. 42nd St. 7th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	26137 Special Use	Rashell M. Gladney, Property Owner Request to occupy the lower unit of premises as 24hr day care facility for 8 children per shift infant to 12yrs of age, Monday-Sunday.	4649 N. 52nd St. 7th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M. 5. That no signage is permitted. 6. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	
49	26064 Special Use	Hassan J. Hassan, Lessee Request to occupy a portion of the existing furniture store as a motor vehicle repair facility (installation of car alarms, stereos, and electronics).	2525 W. Lincoln Av. A/K/A 2519-25 W. Lincoln Ave. 8th Dist.
	Action:	Denied	
	Motion:	Catherine Doyle moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	26093 Special Use	Manasseh Sarpong & Baaba Andoh Property Owner Request to occupy the premises as a community living arrangement for 8 developmentally disabled individuals (handicap or elderly).	6587 N. 73rd St. A/K/A 6587-89 N. 73rd St. 9th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	
51	26118 Special Use	Poinciana Sprewell, Property Owner Request to occupy the premises as a community based residential facility for 8 tenants (disabled & elderly).	7730 W. Hustis St. 9th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	26075 Dimensional Variance	David Richard Thurow, Property Owner Request to construct an addition to existing detached garage over the maximum area and height.	3317 S. 51st St. 11th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That revised plans be submitted to and approved by the Zoning Administrative Group prior to the issuance of any permits. 5. That the garage have no plumbing installed. 6. That these Variances are granted to run with the land. 	
53	26116 Special Use	Christiane Davis, Lessee Request to occupy the premises as an adult family home for 4 adults with cognitive and physical disabilities.	1706 W. Mineral St. A/K/A 1706-08 W. Mineral St. 12th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
54	26134 Special Use	Saleh Bazzar, Property Owner Request to occupy the premises as a general retail establishment (grocery store).	2000 S. 14th St. 12th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the security grates are removed from the windows and that the storefront windows remain as clear glass and are maintained in an attractive manner. 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. 6. That revised signage plans which limit wall signage to a maximum of 18 square feet per street frontage must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 7. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	
55	26081 Special Use	Armando Sierra, Lessee Request to occupy the premises as a religious assembly.	1439 W. Lincoln Av. A/K/A 1437-39 W. Lincoln Av. 12th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
56	25925 Dimensional Variance	Mathew Wolf, Property Owner Request to erect an 8 ft. fence along the front property line.	824 W. Armour Av. 13th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That the applicant obtain a Special Privilege from the Common Council to allow the fence in the public right of way at the west end of the site. 5. That this Variance is approved for the portion of the fence that is on the petitioner's property. 6. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
57	24176 Special Use	AH & S Realty/The Peltz Group, Inc. Property Owner	2101 W. Morgan Av. 13th Dist.
		Request to modify the previous granted special use #20629 as to hours of operation, from 7 AM to 6 PM (M-F) & 7 AM to 1 PM Saturday for the public office and recycling center, and 24 hours/day, 7 days/week fully enclosed processing facility.	
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner pick up litter, trash, garbage, debris, stray recyclables etc. on the premises and in the surrounding neighborhood on a daily basis including on private property upon request of the property owner. 5. That petitioner remove trash, litter etc. from sewer openings and manhole covers as needed. 6. That the petitioner take all measures necessary to control loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary. 7. That the petitioner conduct meetings with neighborhood residents on a quarterly basis or more frequently as needed. 8. That the petitioner provide a telephone number that neighbors may utilize to call with complaints and concerns 9. That there be no loose storage of paper or other recyclable materials on site. All materials must be stored in containers, or in another manner that restricts materials from blowing onto neighboring property 10. That the petitioner take reasonable measures to control the early morning queuing of trucks along W. Morgan Ave. 11. That signage must conform to the sign standards of s. 295-805 of the Milwaukee Zoning Code. 12. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 13. That landscaping and screening is maintained in a manner that meets the intent of city code. 14. That the applicant complies with all conditions. 15. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
58	25661 Special Use	The Peltz Group, LLC, Mary Kliesmet; Lessee Request to occupy the premises as a heavy motor vehicle repair facility located within 150 ft. of a residential district and operating between the hours of 7 p.m. and 7 a.m.	2020 W. Morgan Av. 13th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to approved the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner pick up litter, trash, garbage, debris, stray recyclables etc. on the premises and in the surrounding neighborhood on a daily basis including on private property upon request of the property owner. 5. That petitioner remove trash, litter etc. from sewer openings and manhole covers as needed. 6. That the petitioner take all measures necessary to control loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary. 7. That the petitioner conduct meetings with neighborhood residents on a quarterly basis or more frequently as needed. 8. That the petitioner provide a telephone number that neighbors may utilize to call with complaints and concerns 9. That there be no loose storage of paper or other recyclable materials on site. All materials must be stored in containers, or in another manner that restricts materials from blowing onto neighboring property 10. That the petitioner take reasonable measures to control the early morning queuing of trucks along W. Morgan Ave. 11. That signage must conform to the sign standards of s. 295-805 of the Milwaukee Zoning Code. 12. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 13. That landscaping and screening plans which meet the requirements of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 14. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
59	25413 Other	AH&S Realty, LLC, Property Owner Request to appeal the denial of a certificate of occupancy by the Milwaukee Development Center to occupy the premises as a Mixed-waste processing facility.	2101 W. Morgan Av. 13th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
60	25657 Special Use	AH&S Realty, LLC c/o The Peltz Group, LLC, Attention: Mary Kliesmet;Property Owner Request to appeal an order issued by the Department of Neighborhood Services determining that the facility is being utilized as a mixed-waste processing facility.	2020 W. Morgan Av. 13th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
61	26108 Special Use	Sprint PCS, Lessee Request to erect a 68ft. transmission tower (stealth flagpole) on the premises.	5790 S. 27th St. 13th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
62	26114 Dimensional Variance	Gary A. Tiedke, Property Owner Request to allow the parking of a vehicle (boat) in excess of 22 ft. in length on the premises.	1555 W. Whitaker Av. 13th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
63	25784 Dimensional Variance	Steve Goretzko, Lessee Request to allow a wall sign that exceeds the allowable area to the existing sit-down restaurant (coffee shop).	2699 S. Kinnickinnic Av. 14th 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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
64	26135 Dimensional Variance	Susan M. Hosking, Property Owner Request to raze the existing detached garage and construct a two story addition, that includes a garage that is not set back 4 ft. from the main building mass, has it's door facing the street and lacks the required minimum rear setback.	3155 S. Illinois Av. 14th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That revised plans are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group that include design features that animate the front façade of the garage. Design features may include, but are not limited to garage windows, and a decorative wooden garage door. 5. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
65	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.	2332 S. Austin St. A/K/A 2318, 2324, 2332 S. Austin St. 14th 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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is implemented in accordance with plans as submitted to the Board of Zoning Appeals including plans to install a decorative metal fence along the S. Austin St. frontage 5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. This requires that maximum illumination along the residentially zoned north, south and east property lines not exceed 1 foot-candle, and that maximum illumination along the industrially zoned west property line not exceed 5 foot-candles. 6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
66	26077 Special Use	Bridget Howard, Other Request to occupy the premises as a day care facility for 8 children infant to 12yrs of age, Mon.-Sun. 6:00 AM-2:30 PM & 11:00 PM-6:00 AM.	2747 N. 40th St. A/K/A 2745-47 N. 40th St. 15th Dist.
	Action:	Adjourned	
	Motion:	Georgia Cameron moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
67	25443 Dimensional Variance	Willie D. Weeks Sr., Property Owner Request to continue occupying the premises as a motor vehicle repair facility with the addition of a second hand sales facility (also seeking exemption from the required landscaping).	1819 W. North Av. A/K/A 1809-19 W. North Ave. 15th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to approved the Special use and deny the Dimensional Variance. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all repair work is conducted inside of the building. 5. That if the eastern portion of the premises is used for parking then landscape plans 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. 6. That the petitioner has no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris. 7. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan. 8. That the petitioner eliminates all outdoor storage on the adjacent lot that is controlled by the petitioner. 9. That the Dimensional Variance request is denied. 10. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
68	26103 Special Use	Venodia Reaves, Property Owner Request to occupy the premises as a day care facility for 8 children infant to 7yrs of age, Monday-Friday 6:00 AM-6:00 PM.	2409 N. 36th St. 15th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized before 9:00 A.M. 5. That there are no exterior signs or banners. 6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	
69	26070 Special Use	Alma P. Gardner, Property Owner Request to occupy the premises as a community living arrangement for 6 adolescent males ages 12-17.	5086 N. 48th St. 1st Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
70	26123 Special Use	Angela Cooper & Demetrius Cooper Lessee Request to continue occupying the premises as a day care center for 50 children infant to 12yrs of age, amending hours from 5:30 a.m. - 9:00 p.m. to 24 hour facility.	3821 W. Florist Av. A/K/A 3821-29 W Florist Av. 1st Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on October 10, 2011. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
71	26131 Use Variance	Boys & Girls Club of Greater Milwaukee Dan Corry; Lessee Request to occupy a portion of the premises as a community center.	4834 N. 35th St. A/K/A 4834 N. Mother Daniels Way 1st Dist.
	Action:	Granted 10 yrs.	
	Motion:	Georgia Cameron moved to approve the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel. 5. That this Variance is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
72	26071 Use Variance	Bertha Collier, Lessee Request to occupy the premises as a choice school (elementary or secondary/ 238 students). Action: Granted 5 yrs. Motion: Georgia Cameron moved to grant the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-407 of the Milwaukee Zoning Code. 5. That the applicant obtains a certificate of occupancy and complies with all State commercial code requirements for educational occupancies. 6. That this Variance is granted for a period of five (5) years, commencing with the date hereof. 	4911 W. Good Hope Rd. 1st Dist.
73	25822 Special Use	Shirla Kinlow, Property Owner Request to occupy the premises as a day care center for 53 children infant to 7 yrs, 7:30 am-6:00 pm, Monday-Friday.	4025 N. 50th St. A/K/A 4025-27 N. 50th St. 2nd Dist.
		Action: Adjourned	
		Motion: This matter was adjourned at the request of the Alderman and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
74	26011 Special Use	Jeff Eaton, Lessee Request to add a contractor's yard and continue occupying the premises as an office, equipment repair (repair personal and business vehicles) and contractor's shop.	7219 W. Fond Du Lac Av. A/K/A 7219-35 W. Fond Du Lac 2nd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled at the next available hearing.	
75	25776 Special Use	Arthur Miller, Lessee Request to occupy the premises as a religious assembly hall.	6228 W. Capitol Dr. 2nd Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the second floor windows remain as clear glass and are maintained in an attractive manner. 6. That the facility only be utilized for religious assembly purposes. 7. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
76	26119 Special Use	Jose Rodriguez & Joe Johnson, Lessee Request to occupy the premises as a motor vehicle repair and sales facility.	632 E. Center St. 3rd Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	3 Ayes, 0 Nays, 1 C. Zetley Abstained.	
77	26130 Special Use	Jaswinder Singh, Lessee Request to occupy a portion of the existing general retail establishment (grocery store) as a currency exchange facility.	801 N. 27th St. A/K/A 801-31 N. 27th St. 4th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled for the next available hearing.	
78	25872 Special Use	Detra Ferguson, Lessee Request to occupy the premises as a day care center for 96 children (48 per shift) infant to 12yrs of age, Monday-Friday 5:30AM-Midnight.	2411-19 W. State St. 4th Dist.
	Action:	Adjourned	
	Motion:	Georgia Cameron moved to adjourn the appeal. Seconded by Donald Jackson	
	Vote:	3 Ayes, 0 Nays, 1 C. Zetley Abstained.	
79	26107 Dimensional Variance	PDQ Food Store, Prospective Buyer Request to raze the existing structure and construct a motor vehicle filling station, convenience store, and car wash facility on the premises.	11811 W. Silver Spring Rd. 5th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
80	24757 Special Use	Marcus L. Burris, Property Owner Request to occupy the premises as a community living arrangement for 8 adults (either ambulatory or semi ambulatory/may have diagnosis of Alzheimer's or Dementia).	11010 W. Jeffrey Ct. 5th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
81	25923 Special Use	Mattie Hollingsworth, Property Owner Request to occupy the premises as a community living arrangement for 8 residents (assisted living).	3030 N. Palmer St. A/K/A 3030-32 N. Palmer St. 6th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Georgia Cameron moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the owner removes the front exterior stairway to the third floor prior to occupancy. 5. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
82	26022 Special Use	Audrey White, Property Owner Request to occupy the premises as a group home for 8 females ages 8-18.	3179 N. Richards St. A/K/A 3179-81 N. Richards St. 6th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	
83	26080 Special Use	Ferlisha Ivy, Lessee Request to occupy the premises as a day care facility for 8 children infant to 12yrs of age, Monday-Friday open 24 hrs.	133 E. Concordia Av. 6th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M. 5. That no signage is permitted. 6. That the applicant provide drop off and pick up for the four children that will be on site between the hours of 10 p.m. and 5 a.m. 7. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
84	26089 Special Use	Vickie Foster, Property Owner Request to occupy the premises as a day care facility for 8 children per shift (2 shifts), 6wks-12yrs of age, Monday-Friday 6:00AM-11:00PM, Saturday 8:00AM-5:00PM, Closed Sunday.	1905-07 W. Chambers St. 6th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That there are no exterior signs or banners. 5. That the petitioner take all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel. 6. That the hours of operation shall be from 6 a.m. until 10 p.m. Monday - Friday, Saturday 8 a.m. until 5 pm. and the facility is closed on Sunday. 7. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
85	26129 Special Use	Harolyn Moore, Lessee Request to occupy the premises as a day care facility for 8 children per shift infant to 12yrs of age, Monday-Friday 6:00a.m. to Midnight.	221 W. Ring St. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M. 5. That no signage is permitted. 6. That there are no exterior signs or banners. 7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
86	25385 Special Use	Dewayne Ross, Property Owner Request to increase the parking area of the existing motor vehicle repair and body shop facility by adding light motor vehicle outdoor storage to the premises.	245 E. Keefe Av. 6th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Georgia Cameron.	
	Vote:	3 Ayes, 0 Nays, 0 Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
87	24335 Special Use	Patrina Echols, Lessee Request to occupy the premise as a community living arrangement for 8 children.	400-02 E. Meinecke Av. 6th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by staff and will be rescheduled at the next available hearing.	
88	25749 Special Use	Latarra Nealy, Lessee Request to occupy the premises as a day care center for 8 children infant to 12 years of age, Monday-Friday 7:00 a.m.- 10:00 p.m.	3639 N. 25th St. 6th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	3 Ayes, 0 Nays, 1 C. Zetley Abstained.	
89	25505 Special Use	Tiffany Terry, Lessee Request to occupy the premises as a community living arrangement for 4 residents.	3342 N. 54th St. A/K/A 3340-42 N. 54th St. 7th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	3 Ayes, 0 Nays, 1 C. Zetley Abstained.	
90	24592 Special Use	Scott Wilder, Property Owner Request to occupy the premises as a community living arrangement for 12 adults.	7412 W. Silver Spring Dr. A/K/A 7410-14 W. Silver Spring Dr. 2nd Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	3 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	26036 Appeal of an Order	Scott Wilder, Mt. Castle Corporation;Property Owner Request to appeal an order from the Department of Neighborhood Services determining that the premises is being occupied as a community living arrangement.	7412 W. Silver Spring Dr. A/K/A 7410-14 W. Silver Spring Dr. 2nd Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to uphold the order. Seconded by Donald Jackson.	
	Vote:	3 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 Jackson moved to approve the minutes of the October 5, 2004 meeting. Seconded by Board member Doyle. Unanimously approved.

The Board set the next meeting for November 18, 2004.

Board member Szymanski moved to adjourn the meeting at 5:11 p.m.. Seconded by Board member Jackson. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board