

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

**REGULAR MEETING – May 19, 2005**  
**City Hall, Common Council Committee Room 301-B**

***MINUTES***

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PRESENT:

**Chairman:** Craig H. Zetley (*voting on items 1-82*)

**Members:** Henry P. Szymanski (*voting on items 1-82*)  
Scott R. Winkler (*voting on items 1-44, 46-80*)  
Catherine M. Doyle (*voting on items 1-46, 77-82*)  
Donald Jackson (*voting on items 1-82*)

**Alt. Board Members:** Georgia M. Cameron (*voting on items 45-76, 81-82*)  
Leni M. Siker (*present 4:30 p.m.*)

START TIME: 2:08 p.m.

End Time: 6:58 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	26197 Use Variance	Kimberly Brown, Lessee  Request to occupy the premise as a 24 hr. day care center for 8 children infant to 12yrs of age, Monday-Sunday.	5084 N. 19th Pl. 1st Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
2	26374 Appeal of an Order	Samaritan Inn Ministries, Property Owner  Request to appeal an ordered issued by the Department of Neighborhood Services determining the premises to be a transitional living facility.	2522 W. Capitol Dr. 1st Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson 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	26540 Special Use	LaReina Harris & Lauren Berlin, Lessee  Request to occupy the premises as an adult family home for 4 individuals (developmentally disabled adults).	5414 N. 53rd St. 9th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
4	23999 Special Use	Wisconsin Correctional Service Stephen B. Swigart; Lessee  Request to occupy the premises as a medical service facility.	5434 W. Capitol Dr. 2nd Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
5	26223 Special Use	Amazing Grace Child Care Center Olufunmilayo Abioye; Prospective Buyer  Request to occupy the premises as a day care center for 120 children (60 per shift) infant to 12yrs of age, Monday - Friday 6:00 a.m. to 12:00 a.m.	7625 W. Mill Rd. A/K/A 7627 W. Mill Rd. 2nd Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
6	26237 Special Use	Tammy Campbell, Lessee  Request to occupy the premises as a 24 hr. family day care home for 8 children per shift infant-12yrs of age, Monday-Sunday.	5241 N. 68th St. A/K/A 5243 N. 68th St. 2nd Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	26126 Special Use	Afroz Ahmed, Lessee  Request to occupy the premises as a fast food restaurant with carry-out.	2860 N. Holton Av. A/K/A 2864 N. Holton Av. 3rd Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
8	26620 Use Variance	Fernando Caraballo, Property Owner  Request to park two commercial vehicles on a residential lot and occupy the premise as a contractors yard.	1308 W. Washington St. 12th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
9	26562 Special Use	John Dubord, Friedens Community Ministries; Lessee  Request to occupy the premises as a social service facility.	1220 W. Vliet St. 15th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson 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 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>
10	26590 Special Use	House of Sacrifice Church, Inc. Property Owner	930-32 W. Center St. 15th Dist.
		Request to continue occupying the premises as a religious assembly.	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	26592 Special Use	ML Petroleum, Lessee  Request to continue occupying the premises as a motor vehicle filling station and convenience store.	1341 W. Center St. 15th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson 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 be no increase in freestanding signage, and any additional building signage must meet the signage standards of s.295-605 of the Milwaukee Zoning 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 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>7. That individually sold cigars, cigarette wrapping paper, Black and Mild cigars, Blunt cigars, glass tubes (i.e. type associated with individually sold flowers) and any other items deemed to be drug paraphernalia, not be sold on the premises.</li> <li>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 landscaping and screening is implemented in accordance with the landscape plan approved by the Department of City Development on November 11, 2005 within (sixty) 60 days of Board approval of the special use permit.</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>
12	26598 Special Use	Victoria Ochi, Property Owner  Request to occupy the premises as a day care center for 50 children infant to 12 yrs. of age, Monday thru Friday 6:00 a.m. to Midnight.	4518-20 W. Lisbon Av. 15th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled for the next available hearing.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
13	26624 Special Use	Micole Jackson, Lessee  Request to occupy the premises as a day care center for 8 children infant to 12yrs of age, Monday-Friday 7:00 AM-6:00 PM.	2445 N. 39th St. A/K/A 2447 N 39th St 15th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled for the next available agenda.	
14	26628 Special Use	Kashika Williams, Lessee  Request to continue occupying the premises as a day care center for 8 children infant to 12 yrs. of age, 6:00 a.m. to 12:00 a.m. Monday thru Friday.	1944 N. 38 St. 15th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>5. That this Special Use is granted for a period of 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>
15	26642 Special Use	Faith Temple Pentecostal Church Property Owner	2416 W. Lisbon Av. 15th Dist.
		Request to occupy the premises as an elementary/secondary school.	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson 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 and complies with all zoning conditions and building code requirements prior to occupancy.</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>
16	26582 Special Use	Automotive Professional Services Inc. a/k/a APSCO & On the Go Motors, Inc.; Lessee	7289 N. Teutonia Av. 1st Dist.
		Request to add motor vehicle sales (vehicles equipped for the disabled) to the existing motor vehicle repair facility and parts sales facility (installation and sales of handicap products and equipment).	
	Action:	Granted	
	Motion:	Donald Jackson 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 implemented and maintained in accordance with the landscape plan approved by DCD on 7/11/01</li> <li>5. That there be no outdoor storage of vehicle parts, nuisance vehicles, tires or other debris.</li> <li>6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>7. That this Special Use is granted for a period of time commencing with the date hereof and expiring on August 7, 2011.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	26600 Special Use	Antionette L. Warren, Lessee  Request to occupy the premises as a car wash.	4060 N. 34th St. 1st Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson 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 all car wash activity is conducted inside of the building.</li> <li>6. That all wastewater is contained on site.</li> <li>7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary.</li> <li>8. That the ownership of the property is properly recorded with the Department of Neighborhood Services prior to occupancy.</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>
18	26645 Special Use	Greg & Ericka Wilder, Lessee  Request to increase the hours of operation from 6:00 AM-6:00 PM to 24 hrs of the existing day care center for 96 children infant to 12yrs of age, Monday-Friday.	2812 W. Fairmount Av. 1st Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all previous conditions of the Board regarding this property are complied with.</li> <li>5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on June 2, 2014.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	26646 Use Variance	Ed-U-Care Academy Inc., Lessee  Request to continue occupying the premises as a day care center for 8 children, infant to 12 yrs of age, Monday-Friday 6:00am-11:00pm, and Saturday 7:00am-5:00pm.	4819 N. 36th St. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the outdoor play area is not utilized after 8:00 P.M. or before 9:00 A.M.</li> <li>5. That there be no signage for the day care facility and that the existing signage be removed.</li> <li>6. That this Variance is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	26648 Special Use	Mt. Castle Corporation, Prospective Buyer  Request to occupy the premises as an adult day care center for 30 individuals.  Action: Granted 5 yrs.  Motion: Donald Jackson 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 and institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	3808 W. Elm St. 1st Dist.
21	26644 Special Use	Frederick & Roshelle Rutledge Property Owner  Request to continue occupying the premise as a day care center for 55 children, 24hrs. Monday-Friday, 6:00am-5:00pm Saturday, and 10:00pm-6:00am Sunday.  Action: Adjourned  Motion: This matter was adjourned at the request of an interested party and will be rescheduled for the next available hearing.	5629 N. 91st St. 2nd Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
22	26653 Special Use	Thomas Weigand, Prospective Buyer  Request to continue occupying the premises as a motor vehicle sales facility.	9832-38 W. Appleton Av. A/K/A 9838 W Appleton Ave 2nd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson 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 be no increase in height of the existing pylon sign and that signage must otherwise meet the standards of S295-605 of the Milwaukee Zoning 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 there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>7. That all repair work is conducted inside of the building.</li> <li>8. That an as-built landscaping plan is submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits and that additional landscape materials are installed per the approved plan within 90 days of the issuance of this special use.</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>
23	26639 Dimensional Variance	Dorothy M. Vitucci, Angelo & Dorris Vitucci Trustees of Vitucci Trust;Property Owner  Request to construct additions (rear and side) to the existing tavern without the required front and side street setback, without the minimum required parking spaces, and parking between the street facade of building and the street lot line.	1832 E. North Av. 3rd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled for the next available meeting.	
24	26640 Other	Randy Bryant, Property Owner  Request to modify the Board approved plans for the second principal dwelling unit on the premises(reducing size).	2022-24 E. Lafayette Pl. 3rd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party 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	26609 Special Use	Keith M. Pajot, Lessee  Request to occupy the premises as a second hand store (used bookstore, CD's, movies).	633 N. Broadway . A/K/A 631 N Broadway 4th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>5. That the 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>	
26	26548 Special Use	A Bishop Farm, Inc., Lessee  Request to occupy the premises as a contractors yard and shop.	3373 N. Holton St. A/K/A 419 E. Townsend St. 6th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by an interested party and will be rescheduled for the next available agenda.	
	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>
27	26632 Special Use	George Wilson Jr., Property Owner  Request to occupy the premise as a second-hand store (retail store new & used goods).	2976 N. Martin Luther King Dr. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson 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 the petitioner has no outdoor display of products or merchandise.</li> <li>7. That the petitions has no signs or banners except those approved and install according to the conditions of a sign permit.</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>
28	26634 Special Use	Christian Faith Fellowship Church East Lessee	2001 N. Holton St. 6th Dist.
		Request to occupy the second floor of the existing religious assembly hall as a social service facility.	
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all previous conditions of the Board regarding this property are complied with.</li> <li>5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on April 26, 2009.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	26643 Use Variance	Tamarah Geter, Property Owner  Request to continue occupying the premises as a 24 hr day care center for 8 children infant to 12yrs of age, Monday-Friday.  Action: Granted 5 yrs.  Motion: Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized after 8:00 P.M. or before 9:00 A.M. 5. That there be no signage for the day care facility. 6. That this Variance is granted for a period of five (5) years, commencing with the date hereof.	3243 N. 21st St. 6th Dist.
30	26542 Special Use	Makbul Sajan, Property Owner  Request to continue occupying the premises as a motor vehicle filling station with a convenience store.  Action: Adjourned  Motion: This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	4302 W. Capitol Dr. 7th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	26631 Special Use	Linda Rogers, Lessee  Request to continue occupying the premises as a community living arrangement for 8 teenage girls.  Action: Granted 3 yrs.  Motion: Donald Jackson 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 three (3) years, commencing with the date hereof.</li> </ol>	3630 N. 27th St. 7th Dist.
32	26601 Use Variance	Donald R. Martinson, Property Owner  Request to add an outdoor patio to the existing tavern (and add food services).  Action: Granted 10 yrs.  Motion: Donald Jackson 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.295-605-5 of the Milwaukee Zoning Code for LB2 zoning.</li> <li>5. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	1712 W. Pierce St. 8th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	26605 Special Use	Hmong Senior Paradise Center, LLC Lessee  Request to occupy the premises as an adult day care center, Monday-Friday 8:30AM-4:40PM, Saturday 9:00AM-Noon.	3616 W. National Av. 8th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	
34	26612 Special Use	Laura AnguloLessee  Request to add a general retail establishment to the existing office.	2635 W. Burnham St. A/K/A 1904 S Layton Bl 8th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled for the next available agenda.	
35	26619 Special Use	Atlas Foods LLC, Lessee  Request to occupy the premises as a general retail establishment (grocery store).	2108 S. 25th St. A/K/A 2439 W Becher St 8th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson 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 signage is limited to a maximum of one sign per street frontage and that the total area of all signage does not exceed 36 Square Feet. This requires that some of the existing signs be removed.</li> <li>6. That the petitioner obtains an occupancy certificate and complies with current State commercial code for retail occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>7. 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>
36	26606 Dimensional Variance	William Acker, Property Owner  Request to construct a detached garage in the front setback of the premises.	9307 W. Stevenson St. 10th Dist.
	Action:	Granted	
	Motion:	Donald Jackson 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>	
37	26261 Special Use	Sandstone Petroleum Inc. Property Owner  Request to continue occupying the premises as a motor vehicle filling station with a convenience store.	6001 W. Burleigh St. A/K/A 3071 N. 60th St. 10th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson 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 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>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>
38	26523 Dimensional Variance	Karla Ponce De Leon, Property Owner  Request to remodel the front portion of the existing structure (rear portion residential) to incorporate a 2 car garage with overhead doors facing the street (S. 6th St.).	1924 S. 6th St. 12th Dist.
	Action:	Granted	
	Motion:	Donald Jackson 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>	
39	26626 Special Use	Douglas Quigley, Property Owner  Request to continue occupying the first floor of the premises as a second-hand store (antiques).	1108-12 S. 1st St. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson 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.295-805 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 has no exterior signs or banners except signage that has been approved and installed according to the conditions of a sign permit.</li> <li>7. That the applicant has no outdoor display of products or merchandise.</li> <li>8. That this Special Use is granted for a period of ten (10) years, commencing with the date</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	25833 Special Use	Nicholas & JoAnne Anton, Property Owner  Request to occupy a portion of the permitted parking lot for outdoor storage.  Action: Granted 5 yrs.  Motion: Donald Jackson 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 dumpsters and any other outdoor storage items are screened in a manner that meets the intent of city code.</li> <li>5. That landscaping for the parking lot is implemented and maintained in a manner that meets the intent of city code.</li> <li>6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	717 S. 4th St. 12th Dist.
41	26588 Special Use	James & Carol Airoidi, Property Owner  Request to construct a new building to accommodate heavy motor vehicle repair to the west of the existing heavy motor vehicle repair and leasing facility (truck repair & leasing).	5467 S. 9th St. A/K/A 5457 S. 9th St. 13th Dist.
		Action: Adjourned  Motion: This item 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>
42	26593 Special Use	Mandeep Dhawan, Prospective Buyer  Request to modify the board approved plans to raze the existing structure and construct a motor vehicle filling station and convenience.	1605 W. Oklahoma Av. 13th Dist.
	Action:	Granted	
	Motion:	Donald Jackson 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 plans which meet the sign standards of s.295-605-5 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</li> <li>5. That site illumination plans which meet the requirements of s.295-409 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</li> <li>6. That 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 individually sold cigars, cigarette wrapping paper, Black and Mild cigars, Blunt cigars, glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia not be sold on the premises.</li> <li>8. That the existing driveway widths are maintained.</li> <li>9. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>10. 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>11. That the petitioner obtains an occupancy certificate and complies with current State commercial code for service station and retail occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>12. That this Special Use is granted for a period of time commencing with the date hereof and expiring March 7, 2015.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	26650 Special Use	Mark D. Gradian, Prospective Buyer  Request to occupy premises as a motor vehicle sales facility (5510 S. 27th is a vacant lot and would be used as an extension to the adjacent motor vehicle sales facility).	5510 S. 27th St. 13th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by an interested party and will be rescheduled for the next available hearing.	
44	26584 Special Use	Chris Colton, Lessee  Request to occupy the premises as a day care center for 40 children infant to 12 yrs. of age, Monday thru Friday 6:00 a.m. to 12:00 a.m.	569 W. Lincoln Av. 14th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled for the next available agenda.	
45	25834 Use Variance	Wendy & Russell Wasserman Property Owner  Request to continue to allow a 3 residential dwelling units on the premises.	3044-46 N. Farwell Av. 3rd 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 this Variance is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	26469 Special Use	Joan Love, Property Owner  Request to occupy the premises as a general retail establishment (grocery store).	2976-78 N. 6th St. 6th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That revised signage plans which meet the sign standards of s.295-505 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. A maximum of two wall signs are permitted and neither sign may exceed 18 square feet.</li> <li>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>6. That the storefront windows are retained as transparent glass and are 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 security personnel if necessary.</li> <li>8. That individually sold cigars, cigarette wrapping paper, Black and Mild cigars, Blunt cigars, glass tubes (i.e. type associated with individually sold flowers) and any other items deemed to be drug paraphernalia, not be sold on the premises.</li> <li>9. That there be no outdoor placement on the premises of merchandise or of equipment such as pay phones, vending machines or ice machines.</li> <li>10. That the petitioner obtains an occupancy certificate and complies with current State commercial code for retail occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>11. 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>
47	26552 Special Use	Angela Lovett, Lessee  Request to occupy the premises as a day care center for 65-70 children infant to 12yrs of age, Monday-Friday 5:00AM-8:00PM.	2465 W. Fond Du Lac Av. A/K/A 2469 W. Fond Du Lac Ave. 15th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
48	26595 Special Use	Victoria Ochi, Property Owner  Request to occupy the premises as a day care center for 50 children infant to 12 yrs. of age, Monday thru Friday 6:00 a.m. to Midnight.	2525 W. Fond Du Lac Av. 15th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
49	26602 Special Use	Russell W. Stamper II, Property Owner  Request to occupy the premises as a group home for 7 young men 13yr to 17yrs of age (at risk youth, temporary placement through Milwaukee County Juvenile court System).	2634 W. Medford Av. 15th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available agenda.	
50	26610 Special Use	Suhas R. Pawar, Prospective Buyer  Request to raze the existing structure and construct a motor vehicle filling station and convenience store.	3302 W. Center St. 15th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
51	26507 Special Use	Bernard Kallman & Eric Broxton, Lessee  Request to occupy the premises as a motor vehicle repair facility (tire sales and repair).	2222 W. Meinecke Av. A/K/A 2404 N. 23rd St. 15th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
52	26520 Special Use	FeMaria Whittaker, Property Owner  Request to occupy the premises as a community based residential facility for 8 elderly clients.	4147 N. 24th St. 1st Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
53	26567 Special Use	Gregory R. Owens, Lessee  Request to occupy the premise as a group home for 8 boys 12yrs-17yrs of age.	4261 N. Teutonia Av. 1st Dist.
	Action:	Granted 1 yrs.	
	Motion:	Scott Winkler 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 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>
54	26568 Use Variance	Paster Willie Ojo, Prospective Buyer  Request to occupy the premise as a religious assembly hall.	3718 W. Elm St. 1st Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
55	26572 Special Use	Samaritan Inn Ministries, Inc., Property Owner  Request to occupy the premises as a transitional living facility.	2522 W. Capitol Dr. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler 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 petitioner obtains an occupancy certificate and complies with current State commercial code for a transitional living facility and complies with all zoning conditions and building code requirements prior to occupancy.</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>
56	26585 Special Use	Yolanda Bender, Property Owner  Request to occupy the premises as a group home for 8 individuals (includes any combination of pregnant teens and/or teen mother with their children to total 8 individuals at any given time).	5070 N. 49th St. 1st Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
57	26397 Special Use	Shirley Howard, Prospective Buyer  Request to occupy the premises as a day care center for 98 children infant to 13 yrs. of age, 5:30 a.m. - 12:00 a.m. Monday thru Friday.	4911 W. Good Hope Rd. 1st Dist.
	Action:	Granted	
	Motion:	Scott Winkler 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 plans for any additional signage must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</li> <li>5. That the petitioner obtains an occupancy certificate and complies with current State commercial code for institutional and educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>6. That the facility operate from 5:30 a.m. through 9:00 p.m., Monday through Friday.</li> <li>7. That this Special Use is granted for a period of time commencing with the date hereof and expiring on February 25, 2008.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
58	26061 Special Use	Jimmy & Iola McClendon, Property Owner  Request to occupy the premises as a transitional living facility for 16 males.	4355 N. 27th St. 1st Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	3 Ayes, 2 Nays, Abstained.	
59	26060 Special Use	Jimmy McClendon, Property Owner  Request to occupy the premises as a transitional living facility for 16 males.	4339 N. 27th St. 1st Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	3 Ayes, 2 Nays, Abstained.	
60	26583 Special Use	Michelle & Joseph Deutsch, Property Owner  Request to occupy the premises as a tavern and sit-down restaurant.	830-32 E. Meinecke Av. 3rd Dist.
	Action:	Adjourned	
	Motion:	This matter was 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>
61	26543 Special Use	Jacob A. Henes, Property Owner  Request to occupy the premises as a motor vehicle repair facility.	801 E. Keefe Av. 3rd Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscaping and screening plans which meet the requirements of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</li> <li>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>6. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>7. That all repair work is conducted inside of the building.</li> <li>8. That 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 no repairs be conducted on vehicles outside of the repair facility.</li> <li>10. That no repairs or vehicle storage take place on the street.</li> <li>11. 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>
62	26366 Special Use	Nehemiah Project, Inc. Rev. Ed Ruen & Marye Beth Dugan;Property Owner  Request to continue occupying the premises as a group home for 8 children, 13yrs to 17 yrs of age.	2574 N. Cramer St. 3rd 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 this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	
63	26556 Special Use	Bruce Croatt & Wayne Croatt, Lessee  Request to occupy a portion of the premises as a health clinic (mental health clinic).	2801 W. Wisconsin Av. 4th 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>
64	26545 Special Use	Lisa Parsons, Lessee  Request to occupy the premises as a family day care home for 6 children (3 children are the petitioner's) ages infant to 12yrs of age Monday-Sunday 10:00PM-10:00AM (3rd shift only).	3181 N. 81st St. 5th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>5. That no signage is permitted.</li> <li>6. That there are no exterior signs or banners.</li> <li>7. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	
65	26581 Special Use	Deondria P. Owens, Property Owner  Request to occupy the premise as a day care center for 80 children (40 per shift) infant to 12 yrs of age, Monday-Friday 5:00AM-10:00PM.	3567 N. Martin Luther King Dr. 6th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
66	26596 Special Use	Emma Allen-Green & Earnestine Allen-Miliken, Lessee  Request to occupy the premises as a group home for 8 residents 6yrs-17yrs of age.	3763 N. 10th St. 6th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler 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 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>
67	26483 Use Variance	Shirley King, Property Owner  Request to continue occupying the premises as a motor vehicle sales facility and body shop facility (painting).	2301 W. Forest Home Av. A/K/A 2313 W. Forest Home Ave. 8th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Henry Szymanski moved to grant this appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>5. That all repair work is conducted inside of the building.</li> <li>6. That landscaping and screening is implemented and maintained in accordance with the landscape plan approved by the Department of City Development on November 3, 1992.</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 permits are obtained for the spray booth and the spray booth is properly installed prior to reoccupancy of the facility.</li> <li>10. That the petitioner obtains a new occupancy certificate and complies with current State commercial code for motor vehicle occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>11. That the property ownership is recorded with the Department of Neighborhood Services.</li> <li>12. That this Special Use and this Variance are 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>
68	26586 Special Use	Sheme S. Thorns, Lessee  Request to occupy a portion of the premises as a school for 300 children (elementary/secondary).	7429 W. Bradley Rd. A/K/A 7415 W. Bradley Rd. 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 the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>5. That the petitioner obtains an occupancy certificate and complies with current State commercial code for educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</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>
69	26607 Dimensional Variance	Wayne & Montez Ashley, Property Owner  Request to construct a single-family residential dwelling on the premises without the minimum combined side setbacks.	8901 N. 70th St. 9th Dist.
	Action:	Granted	
	Motion:	Donald Jackson 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>	
70	26597 Use Variance	Phill Johnson, Brentwood Church of Christ;Property Owner  Request to construct an addition to the existing religious assembly hall.	6425 N. 60th St. 9th Dist.
	Action:	Granted 15 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner obtains an occupancy certificate and complies with current State commercial code for assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>5. That this Variance is granted for a period of fifteen (15) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
71	26566 Appeal of an Order	David P. Ryan & Jean M. Ryan Property Owner  Request to appeal an ordered issued by the Department of Neighborhood Services determining the premises to be occupied as a heavy and light motor vehicle outdoor storage facility and an outdoor salvage operation.	5834-36 W. Lisbon Av. 10th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
72	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:	Granted 1 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 1 Nays, 1 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision.</li> <li>5. That existing landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>7. 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>
73	26317 Dimensional Variance	Karan Dhillon LLC., Property Owner  Request to allow a commercial sign that exceeds the maximum required sign area.	3404 S. 27th St. 11th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
74	26553 Special Use	Eduardo Salgado, Lessee  Request to occupy a portion of the premises as a motor vehicle sales facility.	1576 W. National Av. A/K/A 1574 W. National Ave. 12th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny this appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
75	26622 Appeal of an Order	Kendall Breuning, Property Owner  Request to appeal an ordered issued by the Department of Neighborhood Services determining the fence erected on the property has razor wire.	1201 W. Canal St. 12th Dist.
	Action:	Denied	
	Motion:	Scott Winkler 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>
76	26177 Dimensional Variance	James J. Valona, Property Owner  Request to continue occupying the premises as a rooming house for 11 persons without the minimum required number of parking spaces.	822 W. Scott St. 12th 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 the applicant provide the Board office with a contact person and phone number.</li> <li>5. That all previous conditions of the Board regarding this property are complied with.</li> <li>6. That this Special Use and Variance are granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
77	26283 Special Use	Jose & Juana Ocon, Property Owner  Request to continue occupying the premises as a motor vehicle repair facility.	1042-58 W. Windlake Av. 12th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>5. That all repair work is conducted inside of the building.</li> <li>6. That the petitioner work with the Zoning Administration Group on a Landscaping plan and that the plan is submitted to the Board of Zoning Appeals prior to the issuance of any permits.</li> <li>7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
78	26509 Special Use	George W. Buresh, Auto SPA LLC;Property Owner  Request to add motor vehicle sales to the existing motor vehicle repair facility and car wash.	160 W. Layton Av. 13th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the 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 no disabled or unlicensed vehicles or parts are stored outside.</li> <li>6. That landscaping and screening is implemented and maintained in a manner that meets the intent of city code.</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 time commencing with the date hereof and expiring on September 14, 2009.</li> </ol>	
79	26611 Dimensional Variance	Lance & Kathy Dornbrook,Property Owner  Request to construct a second detached garage on the premises without the minimum required east side setback.	1723-25 E. Ontario St. 14th 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>
80	26203 Special Use	Tri-Corp Housing, Mike Brever;Property Owner  Request to continue occupying the premises as a transitional facility (92 resident rooms).	2713 W. Richardson Pl. 4th Dist.
	Action:	Adjourned	
	Motion:	Catherine Doyle moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
81	25292 Special Use	Omar Barkhadle, Property Owner  Request to continue occupying the premises as a motor vehicle repair and second hand sales facility retail(used vehicle parts).	2715 W. Clybourn St. A/K/A 2717 W. Clybourn St. 4th Dist.
	Action:	Adjourned	
	Motion:	Catherine Doyle moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
82	26227 Appeal of an Order	Salvatore Purpero, Property Owner  Request to appeal an order from the Department of Neighborhood Services determination that the facility is not operating in accordance with the Board approved plan of operation.	851 W. Grange Av. 13th Dist.
	Action:	Denied	
	Motion:	Catherine Doyle moved to uphold the order. 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>
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**Other Business:**

Board member Szymanski moved to approve the minutes of the April 21, 2005 meeting. Seconded by Board member Winkler. Unanimously approved.

The Board set the next meeting for June 9, 2005.

Board member Doyle moved to adjourn the meeting at 6:58 p.m.. Seconded by Board member Szymanski. Unanimously approved.

BOARD OF ZONING APPEALS

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Secretary of the Board