

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – July 27, 2006
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairman: Craig H. Zetley (*voting on items 1-69, 71-79*)

Members: Henry P. Szymanski (*excused*)
Scott R. Winkler (*voting on items 1-79*)
Catherine M. Doyle (*excused*)
Donald Jackson (*voting on items 1-79*)

Alt. Board Members: Georgia M. Cameron (*voting on items 1-79*)
Leni Siker (*voting on items 1-79*)

START TIME: 2:05 p.m.

End Time: 3:20 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	27068 Special Use	Katherine M. Handy, Property Owner Request to occupy 2 separate adult family homes (elderly & disabled) for 3 individuals in each unit (Units 3 & 4).	4620 N. 27th St. 1st Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
2	27240 Special Use	Jerry J. Luckett, Property Owner Request to continue occupying the premises as a community based residential facility and reducing the number of clients from 8 to 6 adults (developmentally disabled).	3412 W. Rohr Av. 1st 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>
3	27278 Special Use	Kimberly Hardrick, Property Owner Request to occupy the premises as a group home for 8 males ages 12 - 17 (mental & medical disabilities).	5556 N. 35th St. 1st Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
4	27635 Dimensional Variance	Daniel H. Bruckner, Property Owner Request to park heavy motor vehicle equipment (excavating) on the premises without the required paved surface for the existing permitted contractor's yard.	6701 N. Teutonia Av. 1st Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
5	27289 Special Use	Gwen L. Webb, Property Owner Request to continue occupying the premises as an adult family home for 4 female adults with developmental disabilities.	5760 N. 42nd St. 1st Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
6	27291 Special Use	Deborah & Andre Crowley The Esther House 2;Property Owner Request to continue occupying the premises as an adult family home for 4 individuals (developmentally disabled, functional impaired elderly, ambulatory, non-ambulatory, semi-ambulatory).	7057 N. 44th St. 1st Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Georgia Cameron.	
	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	27275 Special Use	Gwendolyn Jackson, Property Owner Request to occupy the premises as a group home for 6 individuals (young women 12yrs-18yrs of age).	5010 N. 85th St. 2nd Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
8	27306 Special Use	Rosemary Durr, Property Owner Request to occupy the premises as an adult family home for 2-3 men or women (elderly that are mentally or functionally handicapped).	6620 W. Carmen Av. A/K/A 6620-22 W. Carmen Av. 2nd Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
9	26603 Special Use	Evelyn B. Patterson, Property Owner Request to occupy the premises as a community living arrangement for 12 individuals (elderly, developmentally disabled).	5405-09 W. Capitol Dr. 2nd Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
10	27159 Special Use	Barbara Ambrose, Property Owner Request to continue occupying the premises as a community living arrangement for 4 developmentally disabled adults.	5057 N. 65th St. 2nd Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	26429 Special Use	Larry Butler, Property Owner Request to continue occupying the premises as a community living arrangement for 5-8 women.	2526 W. Highland Av. A/K/A 2528 W. Highland Ave. 4th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
12	27149 Special Use	Cassandra Martin, Property Owner Request to occupy the premises as a group home for a maximum of 6 girls, ages 12 - 17.	3550 N. 9th St. 6th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
13	27285 Special Use	April Juett, Property Owner Request to occupy the premises as a community living arrangement for 5 adults (disabled adults 18yrs of age & older).	2760 N. 4th St. 6th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
14	27369 Special Use	Keith Terry, 2227 N 31st St LLC; Lessee Request to occupy the premises as a group home for 8 males 10 - 17 yrs. of age (non wheel chair medical & mental disabilities).	2045 N. Hubbard St. 6th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Georgia Cameron.	
	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>
15	26939 Special Use	Shalanda Green, We R Family Inc.; Lessee Request to occupy the premises as a group home for 8 girls 12yrs - 17 yrs of age (mentally or non wheel chair medically disabled). Action: Dismissed Motion: Scott Winkler moved to dismiss the appeal. Seconded by Georgia Cameron. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	2045 N. Hubbard St. 6th Dist.
16	27186 Special Use	Euranna Odom, Property Owner Request to occupy the premises as an adult family home for 4 adults (elderly, mentally/physically disabled). Action: Dismissed Motion: Scott Winkler moved to dismiss the appeal. Seconded by Georgia Cameron. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	3703 N. 15th St. 6th Dist.
17	27073 Special Use	Jeanetta Anderson-Schwartz & Shaquanna Briggs, Property Owner Request to occupy the premises as a community living arrangement for 6-8 individuals (developmental disabilities). Action: Dismissed Motion: Scott Winkler moved to dismiss the appeal. Seconded by Georgia Cameron. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	4768 N. 39th St. 7th Dist.
18	27214 Special Use	Dorothy J. Smith, Property Owner Request to occupy the premises as a community living arrangement for 5 adults (developmentally disabled/challenging behaviors, this is a client increase from 3 to 5 clients of the existing adult family home). Action: Dismissed Motion: Scott Winkler moved to dismiss the appeal. Seconded by Georgia Cameron. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	4070 N. 39th St. 7th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	26992 Special Use	Earl & Karen Baker, Property Owner Request to continue occupying the premises as a community living arrangement for 4 - 6 residents (developmentally disabled, mentally challenged and wheel chair bound).	3206 N. 39th St. 7th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
20	27252 Use Variance	Russell & Rhoda Volmer, Property Owner Request to occupy a portion of the premises as a contractors yard (parking 2 snow plow trucks on the premises).	6477 N. 54th St. A/K/A 6479 N 54th St 9th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
21	27292 Dimensional Variance	Jimmy Fisher, Lessee Request to occupy the premises as a religious assembly without the minimum required number of parking spaces.	7165 W. Burleigh St. 10th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
22	27259 Dimensional Variance	Francisca Rodriguez & Reyna Rodriguez Property Owner Request to allow a carport on the premises over the maximum allowed lot coverage.	2115 S. 6th St. 12th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Georgia Cameron.	
	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>
23	26649 Special Use	DaLynn Brookshire, Lessee Request to occupy the premises as a group home for 5-8 females 12yrs-17yrs of age.	2639 S. 3rd St. 14th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
24	26602 Special Use	Russell W. Stamper II, Property Owner Request a reasonable accommodation 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:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
25	27174 Special Use	Neighborhood Living, Willie Mae Moore;Property Owner Request to modify the Board approved adult family home to include 3 individuals that are 18yrs of age and older (previous approval was individuals ages 60 and over).	2319 N. 39th St. A/K/A 2321 N 39th St 15th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
26	27465 Use Variance	House of David Inc., Lessee Request to occupy the premises as a transitional living facility for 6 adult women (AODA, homeless, mental illness, & transitioning from incarceration).	2840 N. 37th St. 15th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Georgia Cameron.	
	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	27616 Special Use	Gregory R. Owens, Property Owner Request to continue occupying the premises as a group home for 8 boys 12yrs. to 17yrs. of age.	4261 N. Teutonia Av. 1st Dist.
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	
28	27624 Special Use	Walgreens #00295, Property Owner Request to continue occupying the premises as a general retail establishment with a drive through facility.	4808 N. Hopkins St. 1st Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner shall maintain landscaping and screening in accordance with plans as approved by the Department of City Development and 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. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	27645 Special Use	James Parkinson, Lessee Request to occupy the premises as a motor vehicle repair facility (includes tire sales).	5206 N. Hopkins St. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening plans which meet the requirements of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 6. That no disabled or unlicensed vehicles, auto parts or tires are stored outside. 7. That all repair work is conducted inside of the building. 8. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 9. 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. 10. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

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30	27663 Special Use	Bessie L. Williams, Lessee Request to increase the hours of operation from Monday-Friday 5:30AM - 12:30AM to 24hrs Monday-Sunday of the existing day care center for 33 children per shift (3 total shifts).	3622 W. Silver Spring Dr. A/K/A 3624 W Silver Spring Dr 1st Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of time commencing with the date hereof and expiring on November 12, 2011. 	
31	27664 Special Use	LaTanya Jones, Lessee Request to continue occupying a portion of the premises as a day care center with 150 children per shift, infant to 12 yrs. of age, with increased operating hours from 6:00 a.m. - 10:00 p.m. to 6:00 a.m. to midnight.	6125 N. Teutonia Av. A/K/A 6063 N Teutonia Av 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That the petitioner obtains an occupancy permit and complies with current State commercial code for day cares. 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

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32	27646 Special Use	Michael A. Jones, Lessee Request to occupy the premises as a motor vehicle repair facility (window tinting, detailing).	8740 W. Kaul Av. 2nd Dist.
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-805-5 of the Milwaukee Zoning Code. 5. That no disabled or unlicensed vehicles or parts are stored outside. 6. That all repair work is conducted inside of the building. 7. That the petitioner has no outdoor storage of auto parts, tires, nuisance or other junk and debris. 8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 9. That the petitioner has no vehicle parking on unpaved surfaces. 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>
33	27636 Special Use	Lacy Landre, Lessee Request to occupy a portion of the premises as a second-hand store (vintage & used clothing). Action: Granted 5 yrs. Motion: Scott Winkler moved to grant the appeal. Seconded by Georgia Cameron. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-505-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That the applicant does not have outdoor storage or display of products or merchandise. 7. 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. 8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	1625 E. Irving Pl. 3rd Dist.
34	27641 Dimensional Variance	Lake Park Lutheran Church Pastor David Dragseth;Property Owner Request to replace an existing monument sign for the existing religious assembly hall by erecting a new monument sign that is over the maximum allowed sign height and maximum allowed sign area.	2647 N. Stowell Av. 3rd Dist.
		Action: Adjourned	
		Motion: This matter was adjourned at the request of staff and will be rescheduled for the next available hearing.	

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35	27585 Dimensional Variance	Clear Channel Outdoor aka Eller Media Co.;Property Owner Request to modify the height of the board approved off-premise sign that is over the maximum allow sign height (sign height is 35 ft/proposed modification to 50 ft).	2455 W. Clybourn St. 4th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available hearing.	
36	27655 Use Variance	Normerstine Pullian, Lessee Request to continue occupying the premises as a 24 hr. day care center for 8 children infant to 12 yrs. of age, operating Monday - Friday.	3870 N. 27th St. 7th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Variance is granted for a period of five (5) years, commencing with the date hereof. 	

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37	27639 Dimensional Variance	Thomas Westfahl, Property Owner Request to raze the existing detached garage and construct a new detached garage that is over the maximum allowed lot coverage for an accessory structure and without the minimum required north side setback.	2673 S. 30th St. 8th Dist.
	Action:	Granted	
	Motion:	Scott Winkler 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 these Variances are granted to run with the land. 	
38	27652 Dimensional Variance	Sergio Montenegro, Property Owner Request to allow a detached garage without the minimum required side setback (already constructed).	2107 S. 28th St. 8th Dist.
	Action:	Granted	
	Motion:	Scott Winkler 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 this Variance is granted to run with the land. 	

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39	27586 Special Use	James A. Grzanna, Lessee Request to occupy a portion of the premises as a motor vehicle sales facility (used cars).	9400 N. 124th St. 9th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 5. That no disabled or unlicensed vehicles or parts are stored outside. 6. That all repair work is conducted inside of the building. 7. That there be no storage or display of vehicles for sale in the public right of way. 8. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 9. 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. 10. That this Special Use is granted for a period of time commencing with the date hereof and expiring on October 16, 2010. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	27510 Dimensional Variance	Roger Kriete, Milwaukee Mack Sales, Inc.;Property Owner Request to replace the existing sign of the non-conforming motor vehicle sales facility that is over the maximum allowed sign display area.	4444 W. Blue Mound Rd. 10th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the 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.	
41	27546 Special Use	Joseph Gipson & Maron Alexander Other Request to add car wash to an existing non-conforming motor vehicle sales facility.	5700 W. Center St. A/K/A 5704 W Center St 10th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman of the district and will be rescheduled for the next available agenda.	
42	27609 Special Use	Marilyn Kern, Lessee Request to increase the number of children from 19 to 40 and continue occupying a portion of the premises (1st floor) as a day care center for children infant to 12yrs. of age, operating Monday - Saturday 6:00 a.m. to 9:00 p.m.	3077 N. 72nd St. A/K/A 3075 N 72nd St 10th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman of the district and will be rescheduled for the next available hearing.	

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43	27620 Dimensional Variance	James C. Bigger, Property Owner Request to install mechanical equipment (condensing unit for an air-conditioner) without the minimum required side-yard setback.	1603 N. 50th St. 10th Dist.
	Action:	Granted	
	Motion:	Scott Winkler 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 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>
44	27640 Special Use	Future Heights, LLC & Greystone Gallery, Property Owner Request to occupy the premise as a second-hand store (decorative & architectural items for older homes & providing home restoration consulting).	5201 W. North Av. A/K/A 5203 W North Av 10th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s.295-605-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That the applicant does not have outdoor storage or display of products or merchandise. 7. 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. 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>
45	27604 Special Use	Safeer Mian, Property Owner Request to continue occupying the premises as a motor vehicle filling station and convenience store.	5030 W. Howard Av. 11th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 5. That landscaping and screening is maintained in a manner that meets the intent of city code. 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. 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. 8. 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>
46	27615 Special Use	Jose D. Lopez, Property Owner Request to raze the existing building and construct a fast-food/sit-down, carryout restaurant.	4600 W. Forest Home Av. 11th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code (specifically, the proposed freestanding sign must not exceed 14 feet in height and the main sign must not exceed 32 square feet). 5. That the applicant does not have outdoor storage or display of products or merchandise. 6. 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. 7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
47	27619 Dimensional Variance	Douglas L. Muszynski & Carla D. Muszynski, Property Owner Request to construct a front porch in excess of the front setback average of the two abutting residential dwellings.	3615 S. 95th St. 11th 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>
48	27644 Dimensional Variance	Lori J. Peierl, Property Owner Request to expand the existing 12ft x 12ft accessory structure (gambrel roofed shed) to a 12ft x 16ft accessory structure with gambrel roof (with this increase, the accessory structure is over the 150 sq. ft. to be considered under the shed design standards per code, therefore, the structure must meet the design standards of a garage).	8120 W. Morgan Av. 11th Dist.
	Action:	Granted	
	Motion:	Scott Winkler 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 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>
49	27648 Special Use	Dennis Polzin, Property Owner Request to continue occupying the premises as a motor vehicle filling station, convenience store, and car wash facility.	3510 W. Lincoln Av. A/K/A 3500 W Lincoln Av 11th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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. 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 landscaping and screening is maintained in a manner that meets the intent of city code. 7. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 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. 9. That the car wash not operate before 7:00 A.M. or after 9:00 P.M. 10. That all equipment associated with the car wash not be utilized after (nine) 9 p.m. 11. That the air compressor on site not be utilized after (nine) 9 p.m. 12. That the applicant does not have outdoor storage or display of products or merchandise. 13. 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. 14. 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>
50	27517 Dimensional Variance	Rain Maker Enterprises, Property Owner Request to divide the lot into two separate parcels without the minimum required lot area coverage.	1748 S. 3rd St. 12th Dist.
	Action:	Granted	
	Motion:	Scott Winkler 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 this Variance is granted to run with the land. 	
51	27597 Dimensional Variance	Rainmaker Enterprises, Inc., Property Owner Request to divide the lot into two separate parcels without the minimum required lot area (lot is currently 1748 S 3rd St.).	220 W. Maple St. A/K/A 1748 S. 3rd St. 12th Dist.
	Action:	Granted	
	Motion:	Scott Winkler 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 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>
52	27605 Special Use	Martin Belkin, Property Owner Request to continue occupying the premises as a rooming house (2nd floor 4 residents, 3rd floor 6 residents).	231 S. 2nd St. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
53	27621 Dimensional Variance	George Prentice Jr., Property Owner Request to remodel the existing residential dwelling and construct an attached garage without the minimum required south side setback and rear setback.	922 S. 3rd St. A/K/A 930 S 3rd St 12th Dist.
	Action:	Granted	
	Motion:	Scott Winkler 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 these Variances are granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
54	27633 Special Use	Edward R. Pero, Lessee Request to continue occupying a portion of the premises as a second-hand store.	805 W. Historic Mitchell St. A/K/A 801 W Historic Mitchell St 12th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That the applicant does not have outdoor storage or display of products or merchandise. 6. 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. 7. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	
55	27599 Dimensional Variance	Jose Valle, Property Owner Request to add a carport to the existing detached garage over the maximum allowed lot area coverage.	3454 S. 16th St. 13th Dist.
	Action:	Granted	
	Motion:	Scott Winkler 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 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>
56	27617 Special Use	Milwaukee Pre-Owned, LLC, Lessee Request to occupy a portion of the premises (1st floor) as a motor vehicle sales facility (site has permitted office use on site).	524 E. Layton Av. 13th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That revised signage plans 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 landscaping and screening is implemented and maintained according to the landscape plans as submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group (landscaping and screening must be installed within 120 days of occupancy). weather permitting. 6. That there be no vehicles stored or displayed for sale in the public right of way. 7. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 9. 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>
57	27653 Special Use	Rock Transfer & Storage, Inc., Lessee Request to occupy the premises as a truck freight terminal (previously approved truck freight terminal has left the premises).	1500 W. Zellman Ct. 13th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
58	27625 Special Use	Walgreens #03509, Lessee Request to continue occupying the premises as a general retail establishment with a drive through facility.	620 W. Oklahoma Av. A/K/A 618 W Oklahoma Av 14th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Georgia Cameron	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 5. that signage & landscaping is in compliance with the guidelines of the site plan review overlay district for this site (Common council file #931408). 6. 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>
59	27592 Special Use	Hughey McClinton, Sr., Property Owner Request to add a day care center for 20 children infant to 12yrs. of age, operating Monday - Friday 6:00 a.m. to 6:00 p.m. and Saturday 7:00 a.m. to 5:30 p.m. to the permitted religious assembly.	3100 W. Lisbon Av. 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the security gates are removed from the front entrance. 6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 7. That the petitioner submits documentation of the availability of the proposed outdoor play space. 8. That the outdoor play area is separated from any parking area / vehicle operating area by some type of physical barrier such as bollards. 9. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 10. 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>
60	27637 Special Use	Isha Enterprises Inc., d/b/a Vliet Shell;Lessee Request to continue occupying the premises as a motor vehicle filling station with a convenience store.	1361 N. 36th St. 15th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of an interested party and will be rescheduled for the next available hearing.	
61	27658 Resubmission Request	MARBE, LLC Request for a resubmission to occupy the premises as a carryout restaurant (made by the property owner).	6926 W. Capitol Dr. 2nd Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to reconsider the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
62	27502 Special Use	John H. Gibson, Prospective Buyer Request to occupy the premises as a day care center for 50 children (25 per shift, 2 shifts total) infant to 12yrs of age, operating 6:00AM - Midnight, Monday-Sunday.	3106 N. 40th St. A/K/A 3930 W Burleigh St 7th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Georgia Cameron.	
	Vote:	3 Ayes, 1 Nays D. Jackson, 1 C. Zetley Abstained.	
63	27103 Special Use	Linda Rogers, Property Owner Request to occupy the premises as a group home for 6-8 girls 12yrs-17yrs of age.	4532 N. 45th St. 7th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Georgia Cameron.	
	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>
64	27432 Special Use	Steven Skalecki, Property Owner Request to allow a transmission tower (50 ft. flag pole for weather observation) on the residential premises.	9026 W. Burdick Av. 11th 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"> 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 base of the tower must meet the intent of s.295-413-1-a of the Milwaukee Zoning Code. 5. 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>
65	27509 Special Use	LaToya Bates, Lessee Request to occupy the premises as a secondary school (all girl high school).	3924 S. 51st St. A/K/A 5001 W Howard St 11th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary. 7. That the special use is granted for a short period of time so that the impacts of the facility can be reevaluated. 8. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 9. That the school not be allowed to expand nor add day care services on the premises. 10. 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>
66	27344 Special Use	National Real Estate Investment Mickey Govani;Property Owner	1614 W. National Av. 12th Dist.
		Request to modify the Board approved case No. 25139 by not constructing the corner building which housed the filling station and to continue occupying a portion of the premises as a motor vehicle repair facility, creating a special use for an accessory parking lot located between the street facade of the principal building and a street lot line.	
	Action:	Granted	
	Motion:	Georgia Cameron moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	3 Ayes, 1 Nays D. Jackson, 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 and landscaping plans meeting the intent of code are submitted to and approved by the Zoning Administrative Group. 5. That this Special Use is granted for a period time commencing with the date hereof and expiring on September 29, 2013. 	
67	27583 Special Use	David Cunningham Northland Companies;Property Owner	6123 N. Teutonia Av. A/K/A 6063 N Teutonia Av 1st Dist.
		Request to occupy a portion of the premises as a school (elementary or secondary), (K3-8th grade, maximum of 63 students).	
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Leni Siker.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
68	27588 Special Use	Euranna Odom, Property Owner Request to occupy the premises as a 24 hr. family day care home for 8 children infant to 12yrs. of age, operating Monday - Friday.	5822 N. 35th St. 1st Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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. 	
69	27549 Use Variance	Tameka Lockett, Prospective Buyer Request to occupy the 1st floor of the premises as a day care center for 17 children infant to 12yrs. of age, operating Monday - Friday, 6:00 a.m. to Midnight.	1941 W. Hope Av. 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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 5. That this Variance is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
70	27613 Special Use	Sajan Makbul, Property Owner Request to raze the existing motor vehicle filling station and convenience store and construct a new motor vehicle filling station, (four existing & adding one new pump island) convenience store and a fast-food carryout restaurant on the premises.	9040 W. Silver Spring Dr. 2nd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler 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 site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 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 security personnel if necessary. 6. 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. 7. That the applicant does not have outdoor storage or display of products or merchandise. 8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 9. 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>
71	27608 Dimensional Variance	James Wiechmann, Mansion Row LLC.;Prospective Buyer Request to construct a multi-family residential dwelling (townhouses) on the premises without the minimum rear setback required per code.	711 E. Kilbourn Av. 4th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will rescheduled for an upcoming BOZA hearing.	
72	27547 Special Use	Cassandra Perine, Lessee Request to occupy the premises as a day care center for 48 children (maximum of 24 per shift) infant to 12yrs. of age, operating 7 days a week, 6:00 a.m. to Midnight.	413 E. North Av. 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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the storefront windows are restored to clear glass and are maintained in an attractive manner. 6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 7. That the applicant obtains a loading zone in front of the premises on North Avenue. 8. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 9. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
73	27496 Special Use	Love At First Sight LLC, Mayfield Management Group; Lessee Request to occupy a portion of the premises as a day care center for 100 children (100 first shift, 50 second shift) infant to 12 yrs. of age, operating Monday - Friday 6:00 a.m. to Midnight.	1718 N. 1st St. A/K/A 100 E Pleasant St 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-705-7 of the Milwaukee Zoning Code. 5. That the applicant obtain a loading zone of at least 60' in length in front of the premises on North 1st Street. 6. That the alley behind the daycare and loading dock next to the daycare not be used for dropping off and picking up children. 7. That the daycare takes steps to encourage the use of its van service. 8. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 9. That the petitioner relocates the outdoor play area from the required exit court of the building. 10. 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>
74	27494 Use Variance	Theodora McQueen, Lessee Request to occupy the premises as a 24hrs. day care center for 8 children (per shift) infant to 12 yrs. of age, operating Monday - Sunday.	2607 W. Auer Av. 7th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
75	27601 Special Use	King of Kings Missionary Baptist Church Rev. John C. Hughes;Property Owner Request to construct an addition and continue occupying the premises as a religious assembly hall.	4706 W. Fond Du Lac Av. A/K/A 4708 W Fond Du Lac Av 7th 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"> 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. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
76	27631 Use Variance	Maxie's Milwaukee, LLC, Lessee Request to occupy a portion of the premises as a principal parking lot for the proposed sit-down restaurant to be located at (6732 W. Fairview Ave).	6820 W. O'Connor St. A/K/A 6732 W Fairview Av 10th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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. 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>
77	27572 Special Use	Gustavo Brenes, Clark Tire Service & Auto Sales; Lessee	4440 W. Forest Home Av. 11th Dist.
		Request to add a motor vehicle sales facility (used cars) to the existing board approved repair facility.	
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That a revised landscape plan that meets the intent of city code section 295-405 is submitted to the Board of Zoning Appeals, and approved by the Zoning Administration Group prior to the issuance of any permits (the revised landscape plan should include trees as required by code). 5. That there is no increase in the size of the existing freestanding sign and that all other signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 7. 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. 8. That the number of vehicles for sale on site does not exceed seven (7). 9. That this Special Use is granted for a period of time commencing with the date hereof and expiring on November 14, 2008. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
78	27554 Special Use	Christ Presbyterian Church, Property Owner	1910 W. Walnut St. 15th Dist.
		Request to occupy the premises as a community center.	
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That all repair work and training is conducted inside of the building. 6. That the storefront windows remain as clear glass and are maintained in an attractive manner. 7. That no interior or exterior window or door grates are used. 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. 9. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 10. That the petitioner removes exterior security gates from the building. 11. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
79	27482 Special Use	Mike Malatesta, Advanced Waste Services, Inc.; Lessee Request to occupy a portion of the premise as an outdoor storage facility of heavy motor vehicles.	3801 W. Mc Kinley Av. A/K/A 3801K W Mc Kinley 15th Dist.
	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 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>
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Other Business:

Board member Winkler moved to approve the minutes of the July 6, 2006 meeting. Seconded by Board member Jackson. Unanimously approved.

The Board set the next meeting for September 14, 2006.

Board member Cameron moved to adjourn the meeting at 3:20 p.m.. Seconded by Board member Siker. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board

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