

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – January 26, 2006
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairman: Craig H. Zetley *(voting on items 1-75, 77-105)*

Members: Henry P. Szymanski *(voting on items 1-107)*
Scott R. Winkler *(voting on items 1-91, 93-107)*
Catherine M. Doyle *(voting on items 1-107)*
Donald Jackson *excused*

Alt. Board Members: Georgia M. Cameron *(voting on items 1-107)*
Leni M. Siker *(voting on items 76, 92, 106, 107)*

START TIME: 4:00p.m.

End Time: 8:13 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	27044 Special Use	Sheme Thorns & Daniel Wiltuner Lessee Request to add a day care center to the approved secondary/elementary school (50 preschool children 6:00 AM - 2:00 PM, 80 children 2 yrs - 12 yrs of age 3:00 PM - Midnight, and 50 children third shift).	7429 W. Bradley Rd. A/K/A 7431 W Bradley Rd 9th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
2	27169 Dimensional Variance	Priya Corporation, Property Owner Request to allow a portable sandwich board sign and banner sign on the premises.	7141 N. 76th St. A/K/A 7605 W Good Hope Rd 9th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
3	26780 Dimensional Variance	Kevin & Shanda Johnikin, Property Owner Request to construct a single-family dwelling without the minimum front facade width.	6742 N. 53rd St. 9th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
4	27090 Special Use	Appleton Angels Christian Preschool, LLC., Prospective Buyer Request to occupy the premises as a day care center for 130 children infant to 12yrs of age, Monday-Friday 6:00AM - 6:00PM.	3942 N. 76th St. 10th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
5	24611 Special Use	Pat Echols, Property Owner Request to occupy the premises as a community living arrangement for 4 adults.	2766 N. 54th St. 10th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
6	26761 Special Use	Oklahoma Development, LLC, Kelly K. Falker & Dan Seibel;Property Owner Request to construct an addition to the existing general retail establishment and occupy it as bank with a drive-through facility. Action: Dismissed Motion: Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	5200 W. Oklahoma Av. 11th Dist.
7	26767 Special Use	Daniel Woda & Robert Kulinski Property Owner Request to continue occupying the premises as a motor vehicle repair facility. Action: Adjourned Motion: This matter was adjourned by staff and will be rescheduled for the next available hearing.	3634 W. Lincoln Av. 11th Dist.
8	26693 Dimensional Variance	Enterprise Rent-A-Car Company Inc. Lessee Request to install an additional ground sign to the existing motor vehicle rental facility (rental facility is located within the existing motor vehicle sales facility). Action: Dismissed Motion: Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	4100 S. 27th St. 13th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	26786 Use Variance	Hanke Trucking Terminals, Lessee Request to occupy the premises as a processing or recycling of mined materials facility (concrete crushing and storage).	6245 S. 6th St. 13th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
10	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:	Adjourned	
	Motion:	This matter was adjourned by the applicant.	
11	26391 Special Use	William Smith, Property Owner Request to occupy the premises as a contractor's yard.	2812 W. Fond Du Lac Av. 15th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
12	26591 Special Use	Shabach Barach, Inc., Property Owner Request to occupy the premises as a rooming house for 4 residents.	2731 N. 8th St. 15th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
13	26822 Special Use	Cassandre Kelly, Lessee Request to occupy a portion (lower level) of the premises as a day care center for 10 children infant to 12 yrs. of age, 6:00 a.m. - 6:00 p.m. Monday thru Friday.	5231 W. Villard Av. 1st Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
14	27170 Dimensional Variance	Priya Corp, Property Owner Request to allow a portable sandwich board sign on the premises.	7220 N. Teutonia Av. A/K/A 7222 N Teutonia Av 1st Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
15	26637 Use Variance	Rashell M. Gladney, Other Request to occupy the premises as a 24 hr. day care center for 8 children infant to 12yrs of age, Monday-Sunday.	4437 N. 64th St. 2nd Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	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:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
17	27057 Dimensional Variance	John C. Poelstra, Milwaukee Midtown Housing Corp.;Prospective Buyer Request to construct a single-family residential dwelling without the minimum required facade width, minimum number of stories, and minimum required building height.	1424 N. 29th St. 4th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
18	27171 Dimensional Variance	Anup Khullar & Greg Westphal Property Owner Request to allow a portable sandwich board sign on the premises.	5401 N. Lovers Lane Rd. A/K/A 5349 N Lovers Lane Rd 5th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	25445 Appeal of an Order	Tim Whitehouse, Agent Request to appeal an order issued by the Department of Neighborhood Services determining the premises requires landscaping and that the stock pile height is greater than what is allowed by code.	5000 N. 124th St. 5th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
20	26731 Dimensional Variance	Duraina Wilder, Property Owner Request to construct an attached garage with the garage door facing the street and within the front yard setback.	2134 N. Booth St. 6th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
21	26497 Special Use D	Daniel E. Taylor, Property Owner Request to occupy the premises as a group home for 8 young males 12yrs-18yrs of age (from foster homes, correctional facilities, dysfunctional families).	2930 N. 39th St. 7th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
22	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:	Adjourned	
	Motion:	This matter was adjourned by the applicant.	
23	27219 Special Use	Vince Ferrera Request to continue occupying the premises as a motor vehicle repair and sales facility.	2727 S. 27th St. 8th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the petitioner.	
24	27225 Special Use	DCS Sanitation Management Inc. Lessee Request to occupy a portion of the 1st floor as a general office.	3642 W. Lapham St. 8th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	27232 Special Use	Fikri Alusevski, Property Owner Request to continue occupying the premises as a rooming house for 7 rooms.	3528 W. National Av. A/K/A 3530 W National Av 8th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
26	27241 Dimensional Variance	New Testament Christian Church Lessee Request to continue occupying the premises as a religious assembly hall without the minimum required number of parking spaces (40 members).	4310 W. Forest Home Av. A/K/A 4300 W Forest Home Av 8th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use and this Variance are 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>
27	27055 Special Use	Anne Coleman, Together We Stand Day Care; Lessee Request to occupy the premises as a day care center for 40 children infant to 13 yrs. of age, Monday - Saturday 5:00 a.m. to 11:00 p.m.	2842 W. Forest Home Av. A/K/A 2844 W Forest Home Av 8th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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. Specifically, wall signage is limited to a maximum of 25 square feet. 6. That the storefront windows are restored to clear glass and are maintained in an attractive manner. 7. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 8. That any unused curb cuts be restored with curb and gutter. 9. That the applicant obtains a loading zone on South 28th Street. 10. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for institutional and educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 11. That the petitioner restricts the occupancy and use of the day care center to the first floor. 12. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

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28	27227 Special Use	Joseph Dukler, Lessee Request to occupy a portion of the premises as a second-hand store (sale & repair of new/used computers).	8070 N. 76th St. A/K/A 8042 N 76th St 9th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant does not have outdoor storage or display of products or merchandise. 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. 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	27243 Special Use Granted	JC Detail Shop Lessee Request to occupy the premises as car wash facility (porter and wash vehicles for auto dealers).	9442 N. 107th St. A/K/A 9434 N 107th St 9th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-805-5 of the Milwaukee Zoning Code. 5. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 6. That all car wash activity is conducted inside of the building. 7. That all wastewater is contained on site. 8. 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>
30	27246 Special Use	Bell Therapy/ Belwood Ltd., Lessee Request to increase the number of clients from 40 to 46 for the existing community living arrangement.	5151 W. Silver Spring Dr. A/K/A 5555 N 51st Bl 9th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of time commencing with the date hereof and expiring on January 28, 2009. 	
31	27206 Use Variance	Sheila L. Jordan, Lessee Request to continue occupying the premises as a day care center for 25 children infant to 12 yrs of age, and increase the hours of operation from Monday-Friday 6:00AM - 6:00PM to 6:00AM - 11:00PM.	2611 N. 51st St. 10th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted for a period of time commencing with the date hereof and expiring on June 22, 2008. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	27200 Special Use	Alverno College, Attn. Jim Oppermann;Property Owner Request to construct an accessory parking structure for the adjacent college.	3400 S. 43rd St. A/K/A 3401 S 39th 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.	
33	27117 Special Use	Kathleen D'Acquisto Irrevocable Trust;Property Owner Request to occupy the premises as a fast-food/carryout restaurant and a seasonal market (outdoor fruit & vegetable market).	1010 S. 1st St. 12th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-805-5 of the Milwaukee Zoning Code. 5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That the applicant restore the unused driveway on South 1st Street to curb and gutter. 7. 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>
34	27172 Use Variance	Patricia Hynes, Other Request to allow a parking area in the front yard of the premises.	1558 S. 2nd St. 12th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	
35	27190 Special Use	Abel A. Arteaga, Property Owner Request to continue occupying the premises as a motor vehicle repair facility.	1601 W. Becher St. 12th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	27198 Special Use	Anthony D'Acquisto, Property Owner Request to occupy the second floor as a specialty/personal instruction facility (dance studio).	112 E. Mineral St. A/K/A 120 E Mineral St 12th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-805-5 of the Milwaukee Zoning Code. 5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on October 11, 2010. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	27201 Special Use	Jose Lopez, Lessee Request to occupy the premises as a motor vehicle sale and repair facility.	2485 S. 13th St. 12th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 5. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 6. That all repair work is conducted inside of the building. 7. That the unused curb cut is restored with curb and gutter. 8. That the applicant restore the unused driveway opening on West Arthur Avenue to curb and gutter. 9. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 10. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan. 11. That the petitioner does not permit spray painting of vehicles or vehicle parts on the premises. 12. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

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38	27202 Special Use	Centrobroom Church, Lessee Request to continue occupying the 2nd floor of the premises as a religious assembly hall.	1139 W. National Av. A/K/A 1125 W National Av 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
39	27204 Special Use	Regina Thompson, Lessee Request to continue occupying the premises as a daycare center for 50 children infant to 12yrs of age, Monday-Friday 6:00 a.m. - 6 p.m.	1926 W. Arrow St. 12th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

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40	27236 Special Use	Lawrence Peters, Property Owner Request to occupy a portion of the premises as a social service facility.	1027 S. 5th St. A/K/A 1023 S 5th St 12th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the storefront windows remain as clear glass and are maintained in an attractive manner. 5. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	
41	27143 Dimensional Variance	Wisconsin Electric Power Company d/b/a WE Energies;Property Owner Request to erect a barbed wire fence without the minimum setback from the front lot line, without the minimum required screening, and over the maximum allowed fence height.	333 S. 2nd St. 12th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
42	27182 Special Use	Milwaukee Mudd, d/b/a Mountain Mudd Espresso;Lessee Request to modify the location within the parking lot of the Board approved drive through facility (coffee kiosk w/ drive through)without the minimum required 200ft. of queuing lane.	835 W. Layton Av. A/K/A 841 W Layton Av 13th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	27199 Special Use	New Deal Inc., Prospective Buyer Request to occupy the premises as a sales facility (used cars).	600 E. Layton Av. 13th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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 site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That all repair work is conducted inside of the building. 7. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 8. That the storefront windows remain as / are restored to clear glass and are maintained in an attractive manner. 9. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 10. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan. 11. That the petitioner has no spray painting of vehicles or vehicle parts on the premises. 12. 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>
44	27220 Special Use	Dodge City of Milwaukee, Inc. Michael J. Schlossmann; Property Owner Request to continue occupying the premises (both parcels) as a surface parking lot to be used for employee parking & vehicle inventory storage.	4580 S. 27th St. A/K/A 4590 S 27th St 13th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Cathering Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in a manner that meets the intent of city code. 5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on March 29, 2010. 	
45	27222 Dimensional Variance	Kenneth & Shelby Fritsch Property Owner Request to divide the existing lot into two seperate parcels without the minimum required lot area (creates a separate lot at 2034 W. Birchwood).	5752 S. 21st St. 13th Dist.
	Action:	Adjourned	
	Motion:	This matter has been 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>
46	27223 Dimensional Variance	Gregory & Donnalyn Habeck Prospective Buyer Request to divide the existing lot into two separate parcels and construct a single-family residential dwelling without the minimum required lot area, lot width, and front setback (result of lot split at 5752 S. 21st St.).	2034 W. Birchwood Av. A/K/A 5752 S 21st St 13th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of an interested party and will be rescheduled for the next available agenda.	
47	27188 Special Use	David L. Plennes, Property Owner Request to occupy the premises as a motor vehicle repair facility.	1122 E. Holt Av. 14th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That any additional signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code for LB2 zoning districts. 5. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 6. That all repair work is conducted inside of the building. 7. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 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. 9. 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>
48	27187 Special Use	Maurice Lawrence, Property Owner Request to continue occupying the premises as a social service facility.	2126 N. 23rd St. A/K/A 2128 N 23rd St 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
49	27205 Special Use	Harvey Carson, David Carson, & Willie B. Anderson, Property Owner Request to continue occupying the premises as a religious assembly hall.	2487 W. Fond Du Lac Av. 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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>
50	27216 Special Use	Renaissance Food Court LLC. Prospective Buyer Request to combine the parcels and construct a fast-food/carryout restaurant.	3617 W. North Av. A/K/A 3619 W North Av 15th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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. 5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That the applicant post a 'Do Not Enter' sign to discourage northbound vehicles from using the eastern parking area as a shortcut to West North Avenue. 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
51	27235 Dimensional Variance	Alan F. Koenig, Property Owner Request to divide the premises into two separate properties and occupy a portion (northeast) of the premises as a general office without the minimum required number of parking spaces.	4005 W. North Av. A/K/A 4015 W North Av 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 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	27025 Special Use	Bonnie Gray, Property Owner Request to occupy the premises as an adult family home for 3 individuals total (cognitively disabled adults).	4034 N. 18th St. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available hearing.	
53	27226 Special Use	Shirley R. Howard, Property Owner Request to increase the number of children on site from 60 to 98 children of the existing day care center infant to 13yrs of age, Monday - Friday 5:30AM - 9:00PM (adult day care center on site will be eliminated).	4919 W. Good Hope Av. 1st Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains an new occupancy certificate to re-evaluate the building for the increased capacity and complies with current State commercial building code for institutional and educational occupancies and complies with all building code requirements prior to increasing the number of occupants. 5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on May 25, 2008. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
54	27245 Special Use	Graceland Community Church Prospective Buyer Request to construct a multi-family (16 unit senior housing) residential dwelling without the required front setback, and occupy a portion of the premises as an adult day care for a maximum of 50 individuals Monday - Friday 6:00 a.m. to 6:30 p.m.	6859 N. 43rd St. 1st Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner submits finalized plans that incorporate the recommendations of the DCD design review team as stated in the memo dated January 13, 2006. 5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on December 20, 2024 and that this Dimensional Variance is granted to run with the land. 	
55	27237 Special Use	Pick-n-Pull Auto Dismantlers, Milwaukee, LLC, Prospective Buyer Request to occupy the premises as an outdoor salvage operation (motor vehicle recycler & vehicle parts retailer/works in conjunction with 6333 N. Teutonia).	3801 W. Mill Rd. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	
56	27238 Special Use	Pick-n-Pull Auto Dismantlers Milwaukee LLC, Prospective Buyer Request to occupy the premises as an outdoor salvage operation (motor vehicle recycler & vehicle parts retailer/works in conjunction with 3801 W. Mill Rd.).	6333 N. Teutonia Av. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
57	27244 Special Use	Paulette Smith, Lessee Request to occupy the premises as a car wash and detail facility.	4911 N. 31st St. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-805-5 of the Milwaukee Zoning Code. 5. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 6. That all car wash activity is conducted inside of the building. 7. That all wastewater is contained on site. 8. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 9. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan. 10. That the petitioner submits architectural plans for the conversion of this space as noted in inspection order #5344891 dated November 18, 2005. 11. That no certificate of occupancy is issued until the site is in compliance with all building and zoning code requirements. 12. 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>
58	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:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled at the next available hearing.	
59	27189 Special Use	Lurean Slocum, Property Owner Request to continue occupying the premises as an adult family home for 4 residents (ambulatory adults).	4109 N. 50th St. 2nd Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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>
60	27228 Use Variance	Catherine Griffin, Lessee Request to continue occupying the premises as a day care center for 8 children infant to 12yrs of age, Monday-Friday 6:00am-10:00pm.	4045 N. 47th St. 2nd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized after 8:00 P.M. or before 9:00 A.M. 5. That all previous conditions of the Board regarding this property are complied with. 6. That this Variance is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
61	27233 Special Use	Wando Crawford, Lessee Request to continue occupying the premises as a motor vehicle repair facility.	8517 W. Kaul Av. 2nd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 5. That all previous conditions of the Board regarding this property are complied with. 6. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan. 7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
62	27239 Special Use	Rashinder Lal & Harshinder P. Bhatia Property Owner Request to continue occupying the premises as a motor vehicle filling station and convenience store.	6727 W. Villard Av. 2nd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
63	27247 Special Use	Shirley Gladney, Property Owner Request to continue occupying the premises as an adult family home for 4 clients (elderly & developmentally disabled).	4676 N. 70th St. 2nd Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	
64	27185 Dimensional Variance	Michael M. Rego, Property Owner Request to construct a detached garage on the premises without the minimum north side setback and over the maximum allowed wall height.	1924 N. Oakland Av. 3rd Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That these Variances are granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
65	27217 Special Use	Historic Third Ward Assoc. Inc. Request to erect a freestanding sign on the premises that is over the maximum required limited-permission sign standards per code. Action: Granted 10 yrs. Motion: Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 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.	400 N. Water St. 4th Dist.
66	27234 Special Use	Ms. Barbara Gloeckner, Cafritz Interests;Property Owner Request to modify the plans of the Board approved rooming house increasing the number of units from 120 to 131 units. 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: 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 April 4, 2020.	2040 W. Wisconsin Av. 4th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
67	27242 Dimensional Variance	Juneau Avenue Partners LLC, Property Owner Request to occupy the premises as a surface parking lot without the minimum required landscaping (810 & 1009 W. Juneau are adjacent to each other).	810 W. Juneau Av. A/K/A 1009 W Juneau Av 4th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use and this Variance are 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>
68	27196 Special Use	St. Charles Youth & Family Services Property Owner Request to continue occupying the premises as a social service facility.	4757 N. 76th St. 5th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
69	27186 Special Use	Euranna Odom, Property Owner Request to occupy the premises as an adult family home for 4 adults (elderly, mentally/physically disabled).	3703 N. 15th St. 6th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
70	27212 Special Use	Trinity Christian Methodist Episcopal Church, Property Owner Request to continue occupying the premises as a religious assembly hall.	3820 N. 20th St. 6th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
71	27213 Dimensional Variance	Gregory A. Moss, Property Owner Request to occupy the premises as fast-food/carry-out restaurant without the minimum required number of parking spaces.	600 W. Burleigh St. A/K/A 602 W Burleigh St 6th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
72	27203 Special Use	Frederick & Roshelle Rutledge Prospective Buyer	3651 N. 27th St. 7th Dist.
		Request to occupy the premises as a day care center for 250 children (125 children per shift) infant to 12yrs of age, Monday-Friday 6:00AM - Midnight, Saturday 9:00AM - 6:00PM.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening plans which meet the requirements of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 7. That the outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards. 8. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for institutional and educational 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 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>
73	27066 Special Use	Mary Phillips, Property Owner Request to occupy the premises as a day care center for 100 children (50 per shift) infant to 12 yrs. of age, Monday - Friday 6:00 a.m. - Midnight. Action: Granted 5 yrs. Motion: Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. Specifically, banner signs are not permitted. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 7. That the height and placement of all fences must meet the requirements of s.295-605-4-g of the Milwaukee Zoning Code. Specifically, the 6-foot high wood fences proposed along the West Hopkins Street and North 24th Place frontages are not permitted by code. Fence height at the proposed location is limited to 4 feet, unless the fence is of an ornamental metal type. 8. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for institutional and educational 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 five (5) years, commencing with the date hereof. 	2431 W. Hopkins St. 7th Dist.
74	Modification	Proposed modification to the Board's Rules of Procedure relating to the Resubmission request criteria. Action: Granted Motion: Scott Winkler moved to granted the modification. Seconded by Catherine Doyle. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
75	26629 Special Use	Alejandro Mora, Mora's Auto Sales Ltd.;Property Owner Request for a rehearing to occupy the premises as a motor vehicle sale and repair facility (tire installation).	3120 W. Burnham St. 8th Dist.
	Action:	Granted	
	Motion:	Catherine Doyle moved to grant the rehearing. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
76	26728 Use Variance	Neal S. Levin, Lessee Request to expand the existing indoor recreation facility (skate park) into the adjacent building on site.	224 N. 25th St. 8th Dist.
	Action:	Granted	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Henry Szymanski.	
	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 this Variance is granted for a period of time commencing with the date hereof and expiring on December 6, 2009. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
77	27023 Use Variance	Leonard F. Dziuble & Donald R. Fnitz Property Owner Request for a rehearing to occupy the premises as a community living arrangement for 8 adult individuals (previously applied for a transitional living facility).	7229 W. Brentwood Av. A/K/A 7231 W Brentwood Av 9th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the rehearing. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
78	27016 Special Use	Safee Mian, Property Owner Request to add outdoor storage (storage trailer) to the existing motor vehicle filling station and convenience store.	5030 W. Howard Av. 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.	
79	27134 Special Use	Platinum Motors LLC., Rigoberto Arteaga;Prospective Buyer Request to occupy the premises as a motor vehicle repair facility and body shop.	3822 W. National Av. 8th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
80	27221 Dimensional Variance	American Signature, Inc., Lessee Request to erect a wall sign on the premises that is over the maximum allowed sign area.	7700 W. Brown Deer Rd. 9th Dist.
	Action:	Granted 1 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"> 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 Master Sign Program Overlay Zone application is submitted to the Department of City Development at or by the expiration date of this written decision. 5. That this Variance is granted for a period of one (1) year, commencing with the date hereof. 	
81	26948 Special Use	SF&S Petroleum Inc., Prospective Buyer Request to occupy the premises as a motor vehicle filling station with a convenience store.	4235 W. Silver Spring Dr. 9th 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>
82	25951 Special Use/ Dim. Variance	John Kerr Jr., Lessee Request to continue occupying the premises as a motor vehicle repair facility (with signage in access of what is permitted by code).	6927 W. Capitol Dr. 10th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Catherine Doyle moved to grant the Special use and deny both Dim. Variances. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the 300 square foot freestanding sign is removed. 5. That freestanding signage is limited to the existing pylon sign panel, and that all other signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That landscape plans meeting the intent of city code section 295-405 are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits 7. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 8. That all repair work is conducted inside of the building. 9. That the driveways not be blocked with parked vehicles. If the applicant desires to use that area adjacent to the driveway for parking, the driveway must be removed and restored with curb and gutter. 10. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 11. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan. 12. That both dimensional variance requests are denied. 13. 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>
83	27129 Special Use	Henry & Rose Mallett, Other Request to continue occupying the premises as a motor vehicle repair facility.	5004 W. Center St. 10th 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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 5. That all repair work is conducted inside of the building with the overhead doors closed. 6. That vehicles associated with the business are not parked on the street or in the alley to the north. 7. That signage plans which meet the sign standards of s.295-605 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 8. That plans for a decorative metal fence to be erected along the West Center Street frontage be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 9. That no vehicles be parked in, or otherwise obstruct , any driveways to the site. 10. That no repair, storage or long-term parking of vehicles related to this use occur within any public street, sidewalk or alley. 11. That the unused driveway entrance on West Center Street be restored to curb and gutter by the applicant. 12. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 13. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan. 14. That the petitioner applies for a full occupancy inspection and complies with current State commercial building code for auto repair occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 15. That the applicant not plow snow into the public right of way. 16. That the storefront windows remain as clear glass and are maintained in an attractive manner. 17. 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>
84	27144 Special Use	Sandra White, Lessee Request to occupy the premises as a day care center for 8 children infant to 2 yrs of age, Monday-Friday 6:00 AM - 7:00PM, Saturday 9:00 AM - 5:00 PM.	1403 N. 52nd St. A/K/A 1405 N 52nd St 10th Dist.
	Action:	Dismissed	
	Motion:	Catherine Doyle moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
85	26356 Dimensional Variance	Jordan Beck, Lessee Request to continue to allow an 8' high solid fence without the minimum landscaping area width.	125-39 E. Mineral St. 12th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled at the next available hearing.	
86	27166 Use Variance	Mary McDonald, Property Owner Request to convert the existing single-family dwelling into a two-family dwelling.	4223 S. 1st St. 13th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny 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>
87	27100 Special Use	Garrett W. McIntosh, c/o Scrub-A-Dub;Property Owner Request to construct an employee parking area (rear portion of 6215 S Howell Av) for the adjacent car wash and motor vehicle repair facility.	6215 S. Howell Av. A/K/A 6221 S Howell Av 13th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 property owner record an easement with the Milwaukee County Register of Deeds granting permission for the south-abutting carwash facility to utilize a portion of this parcel as indicated on the site plan submitted to the Board of Zoning Appeals, and that a copy of the easement is submitted to the Board of Zoning Appeals. 6. That a 24-hour contact number is provided to the Alderman of the district. 7. That the fence, as illustrated on the approved site plan, be erected within 90 days (weather permitting). 8. That this Special Use is granted for a period of time commencing with the date hereof and expiring on October 10, 2010. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
88	27168 Special Use	Margaret E. Flynn, Eddie's Auto Sales, Inc.; Lessee	3477 S. 16th St. A/K/A 3471 S 16th St 13th Dist.
		Request to add motor vehicle sales to the existing vehicle repair facility.	
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 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 in lieu of the required landscaping and screening, plans for a decorative metal fence which meet the requirements of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 5. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 6. That all repair work is conducted inside of the building. 7. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 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. 9. That a lighting plan meeting the requirements of code section 295-409, is submitted to the Zoning Administrative Group for review and approval. 10. 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>
89	27161 Dimensional Variance	Mark LaLonde, Property Owner Request to allow an off-premise sign that is over the maximum sign area allowed and within 200ft. of another off-premise sign.	2929 S. Chase Av. A/K/A 148 W Dewey Pl 14th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
90	27184 Dimensional Variance	Brian Roslawski, Property Owner Request to divide the lot that creates a new parcel that the does not have the required off-street parking, without the minimum required rear setback, and to allow an accessory building to be located on a lot not containing a principal building.	2557 S. Superior St. 14th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
91	27104 Dimensional Variance	Allen Ebenezer C.M.E. Church Property Owner Request to raze the existing dwelling and construct a religious assembly hall without the minimum required amount of parking, minimum required secondary street setback, parking between the facade and the street lot line, and without the minimum required glazing.	2669 N. 19th St. A/K/A 2677 N 19th St 15th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner agrees to work with the Zoning Administration Group staff on final resolution of issues the city's glazing requirements. The petitioner must submit revised drawings, within 60 days of the issuance of this written decision, that reflect these changes to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits. 5. That any signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That these Variance requests are granted to run with the land, commencing with the date hereof. 7. That the Special Use permit to occupy the premises as a religious assembly hall is granted for a period of ten (10) years and the Special Use permit to park between the street facade of the principle building and the street lot line is granted to run with the land, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
92	27183 Special Use	Walter Lee, Lessee Request to occupy the premises as an assembly hall (motorcycle clubhouse).	2226 W. North Av. A/K/A 2228 W North Av 15th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
93	27059 Use Variance	Aldi Inc., Prospective Buyer Request to occupy the premises as general retail establishment (grocery store).	5301 N. Hopkins St. 1st Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
94	27194 Appeal of an Order	Miriam M. Porush & Mardechai Porush Property Owner Request to appeal an order issued by the Department of Neighborhood Services determining that the premises is being utilized as a rooming house, that the third floor is being illegally occupied and that the premises is being used as a three-family residential dwelling without the proper Board approvals (this is a revocation of occupancy proceeding).	3285 N. Shepard Av. A/K/A 3287 N Shepard Av 3rd Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
95	27218 Appeal of an Order	Michael J. Schramm, Property Owner Request to appeal an order issued by the Department of Neighborhood Services determining the premises to have a rooming house and a three family residents without the minimum lot area per dwelling unit.	3018 N. Oakland Av. 3rd Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to uphold the order. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
96	27248 Special Use	The Brewery Works, Inc.,Property Owner Request to combine the parcels and construct a parking structure on the premises.	210 W. Cherry St. A/K/A 230 W Cherry St 3rd Dist.
	Action:	Granted 25 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 twenty-five (25) 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>
97	27080 Special Use	William Weslow, Lessee Request to occupy the premises as a motor vehicle sale and repair facility (scooter dealership 7 service center).	1652 N. Water St. 3rd Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner seeks an amendment to the Park East Redevelopment Plan to allow this use. 5. That all repair work is conducted inside of the building. 6. That the storefront windows remain as clear glass and are maintained in an attractive manner. 7. That the petitioner has no outdoor storage of parts, tires, nuisance or other junk and debris. 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. 9. That this Special Use and this Variance are 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>
98	26954 Use Variance	Gerry Scharnek, J&G Foods, INC.; Lessee Request to occupy the premises as an outdoor storage facility and allow a fence that is over the maximum allowed height.	1620 N. Water St. 3rd Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 a permit for the installation of the fence and the fence is properly installed in a workmanlike manner. 5. That the trailers are restricted to the use outlined in the applicant's plan of operation. 6. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 7. That the petitioner paves the surface under the trailers or receives a variance from the Board of Standards and Appeals by June 30, 2006. 8. That these Variances are 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>
99	26124 Special Use	Jagdisher S. Kler, Property Owner Request to continue occupying the premises as a motor vehicle filling station and car wash.	9922 W. Capitol Dr. 5th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel. 6. That 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. 7. That the unused driveway on West Sarasota Place be removed and restored with curb and gutter. 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>
100	27173 Special Use	Southeastern Youth & Family Services, Inc., Property Owner Request to increase the hours of operation from 6:00AM - 6:00PM to 6:00AM - Midnight of the existing day care center for 102 children infant to 13 yrs. of age, Monday-Friday.	7918 W. Capitol Dr. 5th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
101	26843 Special Use	Wendell J. Harris, Lessee Request to occupy the premises as a day care center for 8 children infant to 12 yrs. of age, 6:00 a.m. - 10:00 p.m. Monday thru Sunday.	3134 N. 16th St. 6th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
102	26805 Special Use	Renee Prophet, Property Owner Request to occupy the premises as a religious assembly hall and day care center for 25 children infant to 12 yrs. of age, 6:00 a.m. to 6:00 p.m. Monday thru Friday.	4856 W. Fond Du Lac Av. 7th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by staff 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>
103	27021 Dimensional Variance	Wisconsin Bell, Inc. d/b/a AT&T Wisconsin;Property Owner Request to erect a transmission tower on the premises that is over the maximum permitted height allowed by code.	801 N. 35th St. A/K/A 3516 W Wells St 15th 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"> 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 variance is granted for a period of five (5) years to allow sufficient time for the petitioner to develop an alternative method of receiving transmissions from local television stations. 5. That this variance is conditioned upon AT&T obtaining all permits, licenses, franchises and permissions required under federal, state or local law prior to AT&T's commencement of the use of the tower to provide any video programming or other programming services, as those terms are defined in 47 U.S.C. Section 522, as amended to subscribers in the City. Further, AT&T agrees it will not use the tower as part of a network occupying the City of Milwaukee public right-of-way for the provision to subscribers in the City of video programming or other programming service, as those terms are defined in 47 U.S.C. Section 522, as amended, unless AT&T provides the City Clerk 30 days prior written notice. Except for the grant of this variance under Chapter 295, Milwaukee Code of Ordinances, this action by the Board of Zoning Appeals shall not constitute nor be construed as a grant of any permit, license, franchise or permission otherwise required under federal, state or local law. 6. That landscaping and screening for the tower must meet the requirements of s.295-413-1-a of the City of Milwaukee Zoning Code. 7. That the tower meets the design requirements of s.295-413-1-g of the City of Milwaukee Zoning Code. 8. That the equipment on the tower be is limited to reception antennas only and at no time shall the tower transmit any signals of any kind in any way. 9. That the applicant not provide for co-location systems, as described in s.295-413-1-g of the City of Milwaukee Zoning Code, to be erected on the tower. 10. That this Variance is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
104	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:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available agenda.	
105	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 at the call of the Chair and will be rescheduled on the next available agenda.	
106	27036 Special Use	Michael Landry, Area Rental;Property Owner Request to add two additional pumps and continue occupying the premises as motor vehicle filling station in conjunction with the existing equipment rental facility.	8712 W. Lisbon Av. 5th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
107	26107 Dimensional Variance	PDQ Food Store, Prospective Buyer Request to raze the existing structure and construct a motor vehicle filling station, convenience store, and car wash facility on the premises.	11811 W. Silver Spring Rd. 5th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item</u> <u>No.</u>	<u>Case No./</u> <u>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 December 8, 2005 meeting. Seconded by Board member Doyle. Unanimously approved.

The Board set the next meeting for February 23, 2006.

Board member Szymanski moved to adjourn the meeting at 8:13 p.m.. Seconded by Board member Doyle. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board