

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

**REGULAR MEETING – December 7, 2006**  
**City Hall, Common Council Committee Room 301-B**

***MINUTES***

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PRESENT:

**Chairman:** Craig H. Zetley (*voting on items 1-58*)

**Members:** Henry P. Szymanski (*voting on items 1-45*)  
Scott R. Winkler (*voting on items 44-58*)  
Catherine M. Doyle (*voting on items 1-43, 46-58*)  
Donald Jackson (*voting on items 1-58*)

**Alt. Board Members:** Georgia M. Cameron (*voting on items 39-58*)  
Leni M. Siker (*voting on items 1-38*)

START TIME: 4:06 p.m.

End Time: 5:35 p.m.

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<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	27618 Dimensional Variance	Santino L. Bando Property Owner  Request to raze the existing structure and to construct a mixed-use building (retail & residential) that is over the maximum number of dwelling units allowed based on lot area per dwelling unit.	2001 N. Holton St. 6th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
2	27562 Use Variance	Danielle Chelese McClendon Property Owner  Request to occupy the premises as a rooming house for 12 residents.	2621 N. 53rd St. 10th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
3	27920 Special Use	Donnie Wellington, Property Owner  Request to continue occupying the premises as an adult family home for 4 individuals (developmentally disabled/mentally challenged).	2506 N. 56th St. A/K/A 2508 N. 56th St. 10th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
4	27828 Special Use	Lisbon Avenue Neighborhood Development, Other  Request to occupy the premises as a parking lot (used for clients and employees located at 3701 W. Lisbon Av.) with an alley relied upon for vehicular circulation, located on a corner lot, and without the minimum required landscaping.	3631 W. Lisbon Av. A/K/A 1866 N. 37th St. 15th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
5	27891 Dimensional Variance	IBEXX II, LLC, John Schenkel;Property Owner  Request to continue to allow a pylon sign on site that is over the maximum allowed height.	8333 W. Appleton Av. A/K/A 8323 W. Hampton Av. 5th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner builds in accordance with plans submitted.</li> <li>4. That this Variance is granted to run with the land.</li> </ol>	
6	27899 Use Variance	Tammy Campbell, Lessee  Request to continue occupying the premises as a 24 hrs. day care center for 8 children (per shift) infant to 12 yrs. of age, operating Monday - Sunday.	3355 N. 20th St. 6th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>5. That there be no signage associated with the day care facility.</li> <li>6. That this Variance is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	27900 Special Use	Betty Pryor, Property Owner  Request to continue occupying the premises as a day care center for 40 children infant to 12 yrs. of age, operating Monday - Friday 6:00 a.m. to 5:30 p.m.	1026 W. Atkinson Av. A/K/A 1028 W. Atkinson Av. 6th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M.</li> <li>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
8	27910 Special Use	Candace Pointer, Lessee  Request to occupy a portion of the premises as a second-hand sales facility (used furniture).	3611 N. Martin L King Jr Dr. A/K/A 3609 N. Martin L King Jr Dr. 5 6th 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.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	27931 Special Use	Milwaukee Health Services, Property Owner  Request to occupy the premises as a temporary principal parking lot.	2579 N. Martin L King Jr Dr. A/K/A 2579 N. 3rd St. 6th Dist.
	Action:	Granted 1 Yr.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	
10	27836 Special Use	Susan Watkins, Property Owner  Request to occupy the premises as a day care center for 35 children infant to 12 yrs. of age, operating Monday - Sunday 6:00 a.m. to 10 p.m..	2216 N. 1st 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>
11	27848 Special Use	ENGELDINGER PLUMBING & HEATING/AIR CONDITIONING INC. Property Owner  Request to occupy the premises as a principal parking lot (temporary).	2523 N. Martin L. King Jr. Dr. A/K/A 2535 N. Martin L. King Jr. Dr. 6th Dist.
	Action:	Granted 1 Yr.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	
12	27829 Special Use	Daphne Eiland, Property Owner  Request to occupy the premises as a day care center for 100 children per shift (1st & 2nd shift) infant to 12 yrs. of age, operating 6:00 a.m. to Midnight.	3526 W. Capitol Dr. A/K/A 3524 W. Capitol Dr. 7th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by the Alderman of the district 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>
13	27903 Use Variance	Irena Moore, Lessee  Request to continue occupying the premises as a 24 hrs. day care center for 8 children (per shift) infant to 12 yrs. of age, operating Monday - Sunday.	3120 N. 37th St. A/K/A 3120 A N. 37th St. 7th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>5. That there be no signage associated with the day care facility.</li> <li>6. That this Variance is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	
14	27895 Special Use	Steps of Milwaukee, Lessee  Request to continue occupying the premises as a day care center for 100 children (50 children per shift) infant to 12 yrs. of age, increasing the hours of operation from 6:30AM-11:30PM to 6:00-Midnight Monday - Saturday.	3735 N. 35th St. 7th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all previous conditions of the Board regarding this property are complied with.</li> <li>5. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	27896 Use Variance	Rashell Gladney, Property Owner  Request to continue occupying the lower unit of premises as 24hr day care center for 8 children per shift infant to 12yrs of age, Monday-Sunday.	4649 N. 52nd St. A/K/A 4649 A N. 52nd St. 7th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>5. That there be no signage associated with the day care facility.</li> <li>6. That this Variance is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	
16	27913 Special Use	Cassandra Holley Enterprise Inc., Lessee  Request to continue occupying the premises as a day care center for 65 children infant to 12yrs of age, operating 6:00AM-6:00PM Monday-Friday.	3109 W. Burnham St. A/K/A 3103 W. Burnham St. 8th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>5. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

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17	27860 Special Use	Irma S. & Cesar Esparza, Property Owner  Request to occupy the premises as a day care center for 8 children infant to 12yrs of age, operating 6:00AM - 6:00PM Monday-Friday.  Action: Granted 2 yrs.  Motion: Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  Conditions of Approval: <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	2047 S. 26th St. A/K/A 2049 S. 26th St. 8th Dist.
18	27847 Special Use	Faith Temple Pentecostal Church Property Owner  Request to continue occupying the premises as a religious assembly hall.  Action: Granted 10 yrs.  Motion: Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.  Vote: 4 Ayes, 0 Nays, 1 C. Zeltey Abstained.  Conditions of Approval: <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	5000 W. Villard Av. 9th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	27923 Special Use	Follow Your Dreams, Lessee  Request to reduce the hours of operation from 24 hrs. to 6:00 a.m. to 11:00 p.m. and continue occupying the premises as a day care center for 120 children (40 per shift) infant to 12 yrs. of age, operating Monday - Sunday.	8225 N. 107th St. 9th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available hearing.	
20	27928 Special Use	Brown Deer Sales, James Rene; Lessee  Request to occupy a portion of the premises (repair bays) as a motor vehicle repair facility (repair facility is use in conjunction with the petitioners sales facility located at 8975 W. Brown Deer Rd.).	7440 W. Brown Deer Rd. A/K/A 7410 W. Brown Deer Rd. 9th 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.	
21	27901 Dimensional Variance	Jamila McLaurin, Property Owner  Request to construct a single-family residential dwelling without the minimum required set back (proposing to be closer to the front lot line).	9433 N. Michael Ct. A/K/A 9409 N. Michael Ct. 9th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That this Variance is granted to run with the land.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
22	27902 Special Use	Edward McMahon, Property Owner  Request to continue occupying the premises as a motor vehicle filling station and convenience store.	5602 W. Vliet St. A/K/A 5614 W. Vliet St. 10th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises</li> <li>5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>6. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>7. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.</li> <li>8. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>9. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>11. That this Special Use is granted for a period of time commencing with the date hereof and expiring on October 16, 2008.</li> </ol>	

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23	27911 Special Use	Thomas Dunham, Lessee  Request to continue occupying the premises as a motor vehicle repair facility.	5101 W. North Av. A/K/A 5109 W. North Av. 10th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscaping and screening is implemented and maintained according to the landscape plan submitted to the Board of Zoning Appeals on October 10, 2006, and that landscaping and screening is installed within 180 days of Board approval of the special use permit.</li> <li>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>6. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>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.</li> <li>8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

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24	27922 Special Use	WE Energies, d/b/a Wisconsin Gas Co.;Property Owner	2425 S. 35th St. 11th Dist.
		Request to continue occupying as an intense manufacturing facility (the dispensing of compressed natural gas for motor vehicles from above ground pumps).	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zeltey Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

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25	27918 Special Use	Budget Rent-A-Car System Inc. Property Owner  Request to continue occupying the premises as a rental facility (cars & trucks).	550 W. Grange Av. A/K/A 528 W. Grange Av. 13th Dist.
	Action:	10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
26	27933 Dimensional Variance	Elden Molter, Other  Request to construct a detached garage without the minimum required rear setback .	2220 E. Bennett Av. A/K/A 2222 E. Bennett Av. 14th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That this Variance is granted to run with the land.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	27858 Special Use	Kenneth M Gebhard, Property Owner  Request to occupy a portion of the premises as a second-hand store (used mattresses & bed frames).	2929 S. 13th St. 14th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by the Alderman of the district and will be rescheduled for the next available hearing.	
28	27917 Dimensional Variance	Ezekiel Community Development Corporation, Property Owner  Request to construct a single-family residential dwelling without the minimum front facade width.	1636 N. 17th St. A/K/A 1632 N. 17th St. 15th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zeltey Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That this Variance is granted to run with the land.</li> </ol>	

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29	27924 Special Use	Only God Can House of Peace Inc., Lessee	2035 N. 39th St. 15th Dist.
		Request to continue occupying the premises as a group home for a maximum of 8 girls ages 12 to 17.	
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>5. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	27897 Special Use	Michelle Evans-Williams, Lessee  Request to occupy the premises as a 24hr day care center for 150 children (50 children per shift) infant to 12yrs of age, operating 24hrs Monday-Friday and 6:00AM - 6:00PM Saturday.	3805 W. Center St. A/K/A 3807 W. Center St. 15th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must conform to the sign standards of s. 295-606-5 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>7. That the fenced outdoor play area is separated from the parking area by some type of physical barrier such as bollards.</li> <li>8. That the petitioner obtains a loading zone on West Center Street in front of the premises.</li> <li>9. 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.</li> <li>10. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	27919 Special Use	Deborah Allen, Franchisee  Request to continue occupying the premises as a fast-food/carryout restaurant with a drive through facility.	2700 W. Capitol Dr. A/K/A 2710 W. Capitol Dr. 1st Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.</li> <li>5. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>6. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	27929 Use Variance	United Migrant Opportunity Services, Inc., UMOS Inc.;Lessee  Request to continue occupying the premises as a social service facility.	4030 N. 29th St. A/K/A 2800 W. Capitol Dr. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Variance is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	27845 Special Use	Joseph Fix, Property Owner  Request to add a motor vehicle sales facility to the existing motor vehicle repair facility.	631 E. Center St. A/K/A 631 E. Center St. 1 3rd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>5. That all vehicle display is conducted inside of the building.</li> <li>6. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>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.</li> <li>8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
34	27859 Special Use	Learn the Seas America, Lessee  Request to occupy a portion of the premises as a specialty school (training high school students in wood manufacturing & maintaining outdoor adventure gear).	2210 W. Clybourn St. A/K/A 505 N. 22nd St. 4th Dist.
	Action:	Granted 1 Yr.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	
35	27857 Special Use	Naegele Awning Co., Property Owner  Request to continue occupying the premises as a parking lot.	417 E. Chicago St. A/K/A 152 N. Milwaukee St. 4th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscaping and screening is implemented and maintained according to the landscape plan submitted to the Board of Zoning Appeals on October 11, 2006 and that landscaping and screening is installed within 180 days of Board approval of the special use permit.</li> <li>5. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	27904 Special Use	Omar Barkhadle, Property Owner  Request to continue occupying the premises as a motor vehicle repair and second-hand sales facility (used parts).	2715 W. Clybourn St. A/K/A 2717 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 agenda.	
37	27898 Special Use	CPS Parking of Wisconsin, Inc., Lessee  Request to continue occupying the premises as a parking lot.	751 N. Plankinton Av. A/K/A 738 N. 2nd St. 4th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
38	27926 Special Use	Milwaukee City Center, LLC., Property Owner  Request to continue occupying the premises as an 8-level parking structure without providing by permitted uses or uses approved by the board at the street level.	509 W. Wisconsin Av. A/K/A 501 W. Wisconsin Av. 4th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner makes no structural changes that would preclude future development of retail use on the first floor of the parking structure.</li> <li>5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	
39	27806 Dimensional Variance	Nicolas A Gamero, Property Owner  Request to construct a second detached garage (30ft x 33ft) that has sidewalls over the maximum allowed sidewall height (existing 18.8ft x 22.9ft garage to remain).	6942 W. Bradley Rd. 9th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	27725 Special Use	Dwight MacKinney, Lessee  Request to construct a drive through facility to the existing fast-food/carryout restaurant (restaurant is permitted) .	3161 S. 76th St. A/K/A 3155 S. 76TH ST. 11th Dist.
	Action:	Granted 1 Yr.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That existing landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>5. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>7. That the petitioner obtains an occupancy certificate and complies with current State commercial code for business occupancies and complies with all zoning conditions and building code requirements.</li> <li>8. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	27647 Special Use	Daniel Mora, Property Owner  Request to occupy the premises as a motor vehicle sales facility (includes hand washing, detailing, & minor repairs for vehicles being sold only).	2690 S. 16th 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>5. That a revised site plan &amp; Landscape plan submitted is to the Board of Zoning Appeals BOZA &amp; approved by the Zoning Administration Group prior to the issuance of any permits (the plan should be based on the fax submitted by the architect of record (via DPW) on 09/14/06).</li> <li>6. That landscaping and screening is installed within 180 days of the approval of the landscape plan weather permitting.</li> <li>7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>8. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>9. That all repair work is conducted inside of the building.</li> <li>10. That the applicant submit a revised plan of operation to the Board office detailing a motor vehicle test drive route that discourages the usage of surrounding residential streets.</li> <li>11. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	27650 Special Use	Cloyee & Deborah Atkins, Property Owner  Request to occupy the premises as a rooming house for 7 residents without the minimum required number of parking spaces.	1128 W. Wright St. 15th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
43	27752 Special Use	Seidel Tanning Corporation, Property Owner  Request to construct an addition to the north side of the building for the existing heavy manufacturing facility (leather drying, dyeing and finishing facility).	1306 E. Meinecke Av. 3rd Dist.
	Action:	Denied	
	Motion:	Catherine Doyle moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
44	27837 Dimensional Variance	Laverne Hayes, Property Owner  Request to allow a deck without both the minimum required front setback and the minimum required side street setback, with a fence over maximum allowed height permitted by code.	1903 N. 47th St. A/K/A 1901 N. 47th St. 10th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	27833 Special Use	Mary S Reid, Property Owner  Request to increase the hours of operation from Monday-Friday 6:00AM to Midnight to 24hrs Monday-Sunday and increase the number of children from 75 to 95 per shift infnat-12yrs of age to the previous Board approved day care center .	5836 W. Appleton Av. A/K/A 2745 N. 58th St. 10th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
46	27827 Dimensional Variance	John Ginderske, Property Owner  Request to allow parking within the front yard of the premises.	2849 N. 58th St. 10th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That the existing buffer landscaping along the north and south property lines is retained and maintained.</li> <li>5. That the petitioner implements additional landscaping in accordance with the landscape plan submitted to the Board of Zoning Appeals on October 26, 2006.</li> <li>6. That this Variance is granted to run with the land.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
47	27870 Special Use	Linda M Gaskin, Lessee  Request to occupy a portion of the premises as a social service facility (learning academy for youth).	7127 A W. Lisbon Av. A/K/A 7127 W. Lisbon Av. 10th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the hours of operation shall be the following: Friday (7:00 p.m. - 9:00 p.m.), Saturday (9:00 a.m. - 3:00 p.m./ with one Saturday per month with extended hours until 7:30 p.m. and Sunday (9:00 a.m. - 2:00 p.m.).</li> <li>5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	
48	27863 Special Use	Children's Service Society of Wisconsin Kenneth Munson, CEO; Lessee  Request to occupy a portion of the premises as offices/social service facility (child welfare agency).	620 S. 76th St. A/K/A 7225 W. Main St. 10th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
49	27728 Special Use	Deborah Robinson, Deborah's Small World Daycare, Inc.;Property Owner	2937 N. 50th St. 10th Dist.
		Request to occupy the premises as a 24 hrs. family day care home for 8 children infant to 12 yrs. of age, operating Monday - Sunday.	
	Action:	Granted 1 Yr.	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>5. That no signage is permitted.</li> <li>6. That the petitioner takes all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel</li> <li>7. That no drop off or pick up occur on the premises between the hours of midnight and 6 a.m.</li> <li>8. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	27754 Special Use	Lisa M Reed, Property Owner  Request to occupy the premises as a 24hr family day care home for 8 children infant to 12yrs of age, operating Monday-Sunday (currently operating until Midnight as a permitted family day care home increasing hours).	3619 N. 63rd St. 10th Dist.
	Action:	Granted 1 Yr.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>5. That no signage is permitted.</li> <li>6. That the petitioner takes all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel</li> <li>7. That no drop off or pick up occur on the premises between the hours of midnight and 6 a.m.</li> <li>8. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
51	27831 Special Use/Dim.Variance	BRIC (15th/Burnham) Associates Prospective Buyer  Request to raze the existing structure and construct a general retail establishment with hours of operation between midnight and 5 a.m., a drive through facility without the minimum required queue lane distance and is located within 150 ft. of a residential use (and hours between 10 p.m. and 7 a.m.), without the code required glazing, with an accessory parking lot located between the street facade of the principal building and the street lot line and with a front setback that is over the maximum permitted by code.	1433 W. Burnham St. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>6. That the landscape plan submitted to the Board of Zoning Appeals is revised to meet the intent of city code section 295-405. The revised landscape plan must be submitted to BOZA for approval by the Zoning Administration group within sixty (60) days of the approval of the special use.</li> <li>7. That landscaping is implemented in accordance with the approved landscape plan within 120 days of occupancy.</li> <li>8. That the petitioner agrees to work with the Department of City Development Planning Administration staff on final resolution of design issues including, but not limited to site plans, facade &amp; elevation plans, and glazing plans (the petitioner must submit revised drawings that reflect these changes to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits).</li> <li>9. That signage meets the sign standards of s.295-605 of the Milwaukee Zoning Code for NS2 zoning districts.</li> <li>10. That the driveway opening on west Burnham Street be reduced to thirty (30) ft.</li> <li>11. That the Special Use permits regarding the hours of operation and the drive through facility be granted for a period of ten (10) years and that all other Special Use permits and Variances be granted to run with the land, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	27666 Special Use	161 First, LLC., c/o Vetter Denk Properties; Lessee	122 W. Pittsburgh Av. 12th Dist.
		Request to occupy the premises as a principal parking lot.	
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C . Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscaping and screening is implemented in accordance with the landscape plan submitted to the Board of Zoning Appeals.</li> <li>5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
53	27824 Special Use	Luis A Sanchez, Property Owner  Request to continue occupying the premises as a motor vehicle repair facility, sales facility, and body shop .	1202 W. Greenfield Av. 12th Dist.
	Action:	Granted 10 Yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all repair work is conducted inside of the building.</li> <li>5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>6. That there be no work or storage of vehicles in the public right of way.</li> <li>7. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>9. That no painting occurs on site.</li> <li>10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
54	27846 Special Use	Jorge Alvarez, Lessee  Request to add a body shop (custom body painting & body kits) to the non-conforming motor vehicle repair and sales facility without the code required landscaping.	3229 S. 13th St. 14th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all repair work is conducted inside of the building.</li> <li>5. That bollards are installed in accordance to the plan submitted to the Board of Zoning Appeals on November 8, 2006.</li> <li>6. That there be no repair conducted on vehicles in the public right of way.</li> <li>7. That there be no storage of vehicles in the public right of way.</li> <li>8. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>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.</li> <li>10. That this Special Use and this Variance are granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	
55	27809 Dimensional Variance	Cheryl & Randy Kernats, Lessee  Request to erect a fence on the premises without the minimum required setback.	3475 S. 10th St. 14th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That this Variance is granted to run with the land.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
56	27534 Special Use	Nina M. Evans, Property Owner  Request to occupy the premises as a group home for 8 girls 12 to 17yrs. of age.	5515 N. 32nd St. 1st Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
57	27839 Special Use	Sims Quality Parts & Service, Lessee  Request to continue occupying the premise as a motor vehicle repair and sales facility (sales of vehicles & parts) and to expand these facilities by constructing a new sales building and adding additional parking spaces for customer parking, vehicle sales display, and vehicle storage for cars to be repaired (storage located in the rear of the premises).	6300 N. 76th St. 2nd Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
58	27849 Dimensional Variance	Select Property Group, LLC., Property Owner  Request to convert the existing structure into a multi-family residential dwelling (44 unit studio apartments) without the minimum required number of parking spaces.	506 N. 18th St. A/K/A 508 N. 18th St. 4th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the petitioner and will be rescheduled for the next available hearing.	

<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 Szymanski moved to approve the minutes of the November 16, 2006 meeting. Seconded by Board member Jackson. Unanimously approved.

The Board set the next meeting for January 18, 2006

Board member Jackson moved to adjourn the meeting at 5:35 p.m.. Seconded by Board member Doyle. Unanimously approved.

BOARD OF ZONING APPEALS

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Secretary of the Board