

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – March 16, 2006
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairman: Craig H. Zetley *(voting on items 1-74, 77-81)*

Members: Henry P. Szymanski *(voting on items 1-81)*
Scott R. Winkler *(voting on items 1-45, 47-81)*
Catherine M. Doyle *(voting on items 1-45, 47-55)*
Donald Jackson *(voting on items 1-81)*

Alt. Board Members: Georgia M. Cameron *(voting on items 46, 56-81)*
Leni M. Siker *(voting on items 75, 76)*

START TIME: 4:15 p.m.

End Time: 7:15 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	27215 Special Use	Randall Schlinke, Lessee Request to occupy the premises as a second-hand store (liquidation of surplus goods with outdoor storage).	5311 S. 9th St. 13th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
2	26610 Special Use	Suhas R. Pawar, Prospective Buyer Request to raze the existing structure and construct a motor vehicle filling station and convenience store.	3302 W. Center St. 15th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler 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	26914 Dimensional Variance	Mason Temple Church of God in Christ Osie Tatum Jr.;Property Owner Request to construct a permitted religious assembly hall without the minimum required number of parking spaces.	6090 N. 35th St. 1st Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal.	Seconded by Henry Szymanski.
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
4	26781 Special Use	Pat Echols, Property Owner Request to add a school (elementary or secondary) to the existing board approved day care center, (total number of children for both 80).	4861 N. Teutonia Av. 1st Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal.	Seconded by Henry Szymanski.
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
5	27012 Special Use	Tearman Spencer, Lessee Request to occupy the southern portion of the premises as a motor vehicle sales facility(separate vehicle repair facility located on the northern portion of the premises).	3030 N. Martin L King Jr Dr. 6th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available hearing.	
6	26589 Special Use	Brian McDowell Sr. Property Owner Request to occupy the premises as group home for 8 adolescent males (12-18 yrs. of age).	3301-03 N. 38th St. 7th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler 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>
7	27336 Special Use	Deanna Lyles & Anthony Moss Lessee Request to occupy the premises as a day care center for 50 children infant to 12 yrs. of age, Monday - Friday 7:00 a.m. to 10:00 p.m.	5611 W. Lisbon Av. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled for the next available hearing.	
8	26623 Special Use	Shawn Weaver, Lessee Request to occupy the premises as a 24 hr day care center for 100 children infant to 13 yrs of age, Monday-Sunday.	5100 W. Center St. A/K/A 5102 W Center St 10th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Ald. 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	27376 Special Use	Robert F. Foulston, Property Owner Request to continue occupying the premises as a motor vehicle repair facility.	3634 W. Lincoln Av. 11th 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 are 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 additional shrubs are planted along the W. Lincoln Av frontage to be in compliance with the landscape plan submitted to the board on July 27, 2001, and that all landscaping is maintained in a matter that meets the intent of city code. 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. 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 7. That any testing must be conducted inside the building with overhead doors closed. 8. That the applicant does not have outdoor storage or display of products or merchandise. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	27339 Special Use	Mouad Al-Azzeh, Lessee Request to occupy the premises as a second-hand store (clothes, shoes, toys).	1237 S. Cesar E Chavez Dr. A/K/A 1235 S Cesar E Chavez Dr 12th Dist.
	Action:	Granted 3 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 signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as / are restored to clear glass and are maintained in an attractive manner. 6. That the petitioner has no outdoor displays of products or merchandise. 7. That the petitioner has no display of exterior banners or other advertising except signs that are installed in accordance with the conditions of approval of a sign permit. 8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	27362 Special Use Granted	Manuel Cornejo Lessee Request to occupy the premises as a social service facility (alcoholics anonymous).	1551 W. Mitchell St. 12th Dist.
	Action:	Granted 3 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 signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That the security grates are removed from the storefront windows. 7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary. 8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
12	27333 Use Variance	Christopher Adams, Property Owner Request to continue occupying the premises as a general office.	2901 S. Wentworth Av. 14th 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 signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 5. That the eastern facade is modified in accordance to the elevation plan submitted to the Board of Zoning Appeals on February 2, 2006. 6. That this Variance is granted for a period of five (5) years, commencing with the date hereof. 	
13	27356 Special Use	Milwaukee Center for Independence Howard L. Garber;Property Owner Request to continue occupying the premises as a social service facility (rehabilitation facility for the developmentally disabled) and an adult day care facility.	3333 S. Howell Av. 14th Dist.
	Action:	Granted 10 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 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 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>
14	27330 Special Use	Jeffrey Schuster, Property Owner Request to continue occupying the premises as a material reclamation facility (scrap metal reclamation business).	2206 N. 30th St. A/K/A 2150 N 30th St 15th Dist.
	Action:	Granted 10 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 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. 	
15	27349 Special Use	George Noble, Property Owner Request to continue occupying the premises as a family day care home for 8 children, infant to 12yrs of age, 6:00 a.m. to 1:00 a.m. Monday - Sunday.	2134 N. 25th 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 outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	27350 Dimensional Variance	City of Milwaukee Redevelopment Authority, James Sayers;Property Owner Request to divide the parcel and construct a single-family residential dwelling without the minimum required front facade width.	1329 W. Lloyd St. A/K/A 1243 W Lloyd St 15th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of an interested party and will be rescheduled for the next available agenda.	
17	27351 Dimensional Variance	City of Milwaukee Redevelopment Authority James Sayers;Property Owner Request to divide the lot and construct a single-family residential dwelling without the minimum required front facade width.	1335 W. Lloyd St. A/K/A 1243 W Lloyd St 15th 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 petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	27354 Special Use	Doycellour Neal, Lessee Request to occupy the premises as a day care center for 25-30 children infant to 12yrs of age Monday-Friday 6:00AM to Midnight.	1726 W. Lloyd St. 15th Dist.
	Action:	Granted 3 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 signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 7. That all previous Board conditions of approval are complied with. 8. That the unused driveway on West Lloyd Street be restored to curb and gutter. 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. 10. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	27361 Special Use	John Sims, Property Owner Request to continue occupying the premise as a motor vehicle repair facility.	2419 W. Fond Du Lac Av. 15th Dist.
	Action:	Granted 3 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 all vehicles will enter and exit the site via W. Fond Du Lac Ave. 5. That the plan of operation submitted by the petitioner on February 18, 2003 is complied with. 6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 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 existing fence is maintained in a manner that meets the intent of city code. 10. That the house on the premises is retained per the site plan submitted on January 31, 2003. 11. That no vehicles associated with this use be parked in the alley. 12. That only one work vehicle (truck) associated with this use can use the rear entrance. 13. That the rear overhead door not be used for entry of vehicles. 14. That the applicant does not permit the security gate on Fond Du Lac Avenue to encroach into the city right-of-way or infringe on pedestrian traffic. 15. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 16. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan. 17. 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>
20	27363 Dimensional Variance	Rev. Willie Ray Gill, Property Owner Request to occupy the premises as a religious assembly without the minimum required number of parking spaces.	2617 W. Fond Du Lac Av. 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 signage must conform to the sign standards of s. 295-605-5 the Milwaukee Zoning Code. 5. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 6. That this Special Use and this Variance are granted for a period of five (5) years, commencing with the date hereof. 	
21	27381 Special Use	George Noble, Property Owner Request to continue occupying the premises as both a general retail facility (1st floor) and day care center for 8 children, 6 wks. to 12 yrs. of age, operating Sunday thru Saturday from 6 a.m. to 10 p.m.	1036-38 W. Wright St. 15th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
22	27312 Special Use	Lisa Lewis, Lessee Request to increase the number of children from 78 to 94 infant to 13 yrs. of age, and increase the hours of operation from 5:30 a.m. - 9:00 p.m. to 5:00 a.m. - 12:00 a.m. Monday thru Friday to the existing day care center.	3820 W. Florist Av. A/K/A 3814 W Florist Av 1st 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 the storefront windows remain as clear glass and are maintained in an attractive manner. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That this Special Use is granted for a period of time commencing with the date hereof and expiring on April 8, 2011. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
23	27329 Use Variance	New Hope Missionary Baptist Church Lessee	2440 W. Atkinson Av. 1st Dist.
		Request to increase the hours of operation of the existing day care center from 6:30AM - 6:00PM to 6:00AM - Midnight Monday-Friday for 8 children infant to 12yrs of age.	
	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 the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M. 5. That no signage is permitted. The existing ground sign in front of the building must be removed. 6. That this Variance is granted for a period of time commencing with the date hereof and expiring on June 14, 2010. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
24	27347 Special Use	Tina Oliver, Lessee Request to continue occupying the premises as a day care center for 54 children infant to 12 yrs. of age, Monday-Friday 6:00AM - 6:00PM.	5219 W. Villard Av. A/K/A 5223 W Villard Av 1st Dist.
	Action:	Granted 10 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 outdoor play area is not utilized before 9:00 A.M. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	27364 Special Use	Ellis Hand Car Wash, Lessee Request to continue occupying the premises as a hand car wash.	2335 W. Atkinson Av. 1st 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 all previous conditions of the Board regarding this property are complied with. 5. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 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. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	27360 Special Use	Ahmadiyya Movement Islam Property Owner	5600 W. Fond Du Lac Av. 2nd Dist.
		Request to continue occupying the premises as a secondary/elementary school.	
	Action:	Granted 10 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 petitioner obtains an occupancy certificate and complies with current State commercial building code for educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	27341 Special Use	Bik Wong, Lessee Request to occupy the premises as a second-hand store (used clothes).	825 E. Center St. 3rd Dist.
	Action:	Granted 3 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 storefront windows are maintained in a neat and orderly manner 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That the applicant does not have outdoor storage or display of products or merchandise. 7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 8. That the applicant removes the exterior security gate from store entrance. 9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	27365 Special Use	Jennifer Rau, Prospective Buyer Request to occupy a portion of the premises as second-hand store (vintage clothing) without the minimum required number of parking spaces.	1235 E. Brady St. 3rd 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 first floor window on the building's north facade remain as clear glass and is maintained in an attractive manner. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That the petitioner comply with any conditions of from the Historic Preservation Commission. 7. That the applicant submits a complete set of plans to the Milwaukee Development Center for the conversion of this residential duplex to a commercial building, that all required permits are obtained and the work is completed and complies with all zoning conditions and building code requirements prior to occupancy. 8. That this Special Use and this Variance are 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	27374 Special Use	Monica DePalma, Lessee Request to occupy the premises as a tavern (upscale lounge w/ food service).	1228 N. Astor St. A/K/A 1226 N Astor St 3rd 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 petitioner obtains an occupancy certificate and complies with current State commercial building code for assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	27319 Special Use	Charles Hausmann, Property Owner Request to occupy the premises as a second-hand store (new & used clothing).	954 N. 27th St. 4th 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 signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That the applicant does not have outdoor storage or display of products or merchandise. 7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 8. That this Special Use is granted for a period of 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>
31	27353 Special Use	Guillermo Garcia, Lessee Request to continue occupying the premises as a motor vehicle repair and sales facility.	505 N. 27th St. 4th 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 signage must conform to the sign standards of s. 295-605 of the Milwaukee Zoning Code. 5. That all repair work is conducted inside the building 6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 7. That existing fencing is maintained in a manner that meets the intent of city code. 8. That the petitioner obtains an occupancy certificate 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 (the occupancy application dated June 24, 2003 was canceled). 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 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>
32	27372 Special Use	Michael Rice, Rice Motors LLC; Lessee Request to occupy the premises as a motor vehicle sales facility (indoor display and sales).	2330 W. Clybourn St. 4th 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.	
33	27373 Dimensional Variance	London Square Apartment Homes LLC Property Owner Request to erect 3 internally illuminated freestanding sign that are over the maximum allowed display area and over the maximum allowed number of freestanding signs per site.	2101 W. Galena St. 4th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available hearing.	
34	27326 Special Use	Rick Feest, Pinkey's Capitol Auto Body; Property Owner Request to construct an addition to the existing structure and occupy the entire premise as a motor vehicle body shop with a drive through facility (work estimating area).	120 W. Melvina St. 6th Dist.
	Action:	Granted 15 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 this Special Use is granted for a period of fifteen (15) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	27328 Use Variance	Darlene Holmes, Property Owner Request to occupy the premises as an assembly hall (Christian social club).	3001 N. Richards 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.	
36	27368 Use Variance	Megan Linville, Lessee Request to occupy the 1st floor of the premises as a general retail establishment (art gallery).	1331 N. Martin L King Jr Dr. 6th Dist.
	Action:	Granted 3 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 signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That this Variance 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>
37	27314 Special Use	Ollie Levy, Lessee Request to increase the hours of operation from 6:00 a.m. - 6:00 p.m. to 6:00 a.m. - 12:30 a.m. Monday thru Friday to the existing day care center.	4833 W. Burleigh St. A/K/A 4829 W Burleigh St 7th 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 the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on October 10, 2009. 	
38	27335 Use Variance	Larry Johnson, Property Owner Request to continue occupying the premises as a day care center for 16 children (8 per shift) infant to 12 yrs. of age, Monday - Friday 6:00 a.m. to 12:00 a.m.	3035 N. 40th St. 7th 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 all previous conditions of the Board regarding this property are complied with. 5. That this Variance is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	27338 Special Use	Ken Dethloff, Property Owner Request to construct an addition (elevator vestibule) to the existing religious assembly hall.	2235 W. Greenfield Av. 8th 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 this Special Use is granted to run with the land, commencing with the date hereof. 	
40	27358 Special Use	Iglesia Pentecostal; Danny Mendez Property Owner Request to continue occupying the premises as a religious assembly.	2221 W. National Av. 8th 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 all previous conditions of the Board regarding this property are complied with. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	27359 Special Use	Iglesia Pentecostal; Danny Mendez Property Owner Request to occupy the premises as a parking lot (this will be use in conjunction with the adjacent church at 2221 W. National Ave.).	818 S. 23rd St. 8th Dist.
	Action:	Adjourned from a prior hearing	
	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 revised landscape plan that meets the intent of city code section 295-405 is submitted to the Board of Zoning Appeals, and approved by the Zoning Administration Group prior to the issuance of any permits, and that landscaping and screening is installed within ninety (90) days of occupancy weather permitting. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
42	27342 Special Use	Demetria Perkins, Lessee Request to add a day care center for 30 to 45 children infant to 12 yrs. of age (total number of children for the school & day care is 130), 5:30 a.m. - 11:00 p.m. Monday thru Saturday to the existing school (elementary or secondary).	9155 N. 76th St. A/K/A 9127 N 76th 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.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	27379 Other	Wayne & Montez Ashley, Property Owner Request to modify the Board approved plans of the single-family residential dwelling by adding an enclosed 8ft x 9ft patio room (located on the second floor).	8901 N. 70th St. 9th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
44	26061 Special Use	Jimmy & Iola McClendon, Property Owner Request to occupy the premises as a transitional living facility for 16 males.	4355 N. 27th St. 1st Dist.
	Action:	Granted 1 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 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 one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	26060 Special Use	Jimmy McClendon, Property Owner Request to occupy the premises as a transitional living facility for 16 female clients.	4339 N. 27th St. 1st 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 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 one (1) year, commencing with the date hereof. 	
46	26203 Rehearing Request	Tri-Corp Housing, Mike Brever;Property Owner Request for a rehearing request to continue occupying the premises as a transitional facility (92 resident rooms).	2713 W. Richardson Pl. 4th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the reconsideration request. Seconded by Donald Jackson.	
	Vote:	3 Ayes, 1 Nay, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
47	27173 Special Use	Southeastern Youth & Family Services, Inc., Property Owner	7918 W. Capitol Dr. 5th Dist.
		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.	
	Action:	Granted 1 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 outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 5. That a 24-hour contact phone number be provided to any interested party. 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 7. That there be no more than 20 children on site from 6:00 p.m. to midnight as proposed by the applicant in a letter submitted to the Board dated January 23, 2006. 8. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	26753 Special Use	Wilson Wright Jr., Lessee Request to continue occupying the premises as a motor vehicle repair facility (tire sales & installation).	5301 W. Lisbon Av. 10th Dist.
	Action:	Granted 1 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 signage must meet the signage standards of s.295-605 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 all repair work is conducted inside of the building. 7. That landscaping and screening is implemented and maintained in accordance with plans as submitted to the Board of Zoning Appeals. 8. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
49	27293 Special Use	Grisby's Child Development Center Property Owner Request to increase the hours of operation from 6:00AM - 12:30AM Monday-Friday to 6:00AM - 1:00AM Monday-Sunday for the existing day care center for 40 children infant to 12yrs of age.	5455 W. Burleigh 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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on November 13, 2010. 	
50	26722 Special Use	Roman Electric Co., Lessee Request to continue occupying a portion of the premises as a contractor's yard (outdoor vehicle storage).	7025 W. Main St. 10th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss 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>
51	27267 Special Use	Milwaukee Mudd, dba Mountain Mudd; Lessee Request to occupy a portion of the parking lot as a drive through facility (coffee kiosk w/ drive through) without the minimum required 200ft. of queuing lane (proposes 80 ft.). Action: Granted 3 yrs. Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 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.	6901 W. Oklahoma Av. 11th Dist.
52	27340 Use Variance	John Lemley, Property Owner Request to occupy the premises as an indoor storage facility (lumber, hardware, stored in garage) and to allow an accessory structure to be located on a lot not containing a principal building.	2465 S. 13th St. 12th Dist.
		Action: Adjourned Motion: Henry Szymanski moved to adjourn the appeal. Seconded by Donald Jackson. Vote: 3 Ayes, 1 Nay, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
53	27303 Special Use	Positive Real Estate LLC., Property Owner Request to occupy the 1st floor as a general office (real estate).	1021 W. Grant St. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-505-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for business occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
54	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:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	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:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
56	27258 Special Use	Fil-Am Bible Church, Lessee Request to occupy a portion of the premises as a religious assembly.	2479 S. Kinnickinnic Av. A/K/A 2469 S Kinnickinnic Av 14th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 7. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
57	27195 Special Use	House of David, Inc., Lessee Request to occupy the 1st floor of the premises as a social service facility and a transitional living facility located on the 2nd floor.	4415 W. North Av. A/K/A 4417 W North Av 15th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of staff and will be rescheduled for the next available hearing.	
58	27197 Dimensional Variance	Mohammad Rafiq, Lessee Request to continue occupying the premises as a fast-food/carry-out restaurant without the required landscaping.	2651 W. Fond Du Lac Av. A/K/A 2635 W Fond Du Lac Av 15th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of staff and will be rescheduled for the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
59	27261 Special Use	Horizons, Inc., Constance Shaver;Property Owner Request to combine the parcels and add an existing community based residential facility (adjacent property)for 20 individuals (women in the criminal justice system) to the existing board approved social service facility (constructing a small addition, connecting both facilities together).	1863 N. 25th St. A/K/A 1869 N 25th St 15th Dist.
	Action:	Granted	
	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 the petitioner submits plans, obtains all necessary permits and complies with current State commercial building code for the conversion of this residential property to commercial use and complies with all zoning conditions and building code requirements prior to occupancy. 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 as necessary. 6. That this Special Use is granted for a period of time commencing with the date hereof and expiring on February 23, 2009. 	
60	27263 Appeal of an Order	Luridean Nichols, Lessee Request to appeal an ordered issued by the Department of Neighborhood Services determining that the premises is occupied as a transitional living facility.	2840 N. 37th St. 15th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to uphold the order. 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>
61	27237 Special Use	Pick-n-Pull Auto Dismantlers, Milwaukee, LLC, Prospective Buyer	3801 W. Mill Rd. 1st Dist.
		Request to occupy the premises as an outdoor salvage operation (motor vehicle recycler & vehicle parts retailer/works in conjunction with 6333 N. Teutonia).	
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
62	27238 Special Use	Pick-n-Pull Auto Dismantlers Milwaukee LLC, Prospective Buyer	6333 N. Teutonia Av. 1st Dist.
		Request to occupy the premises as an outdoor salvage operation (motor vehicle recycler & vehicle parts retailer/works in conjunction with 3801 W. Mill Rd.).	
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
63	27154 Special Use	Euranna Odom, Property Owner	5822 N. 35th St. 1st Dist.
		Request to occupy the premise as a 24hr family day care home for 8 children infant to 12yrs of age, Monday - Friday.	
	Action:	Denied	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	3 Ayes, 2 Nays, Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
64	27122 Special Use	Joann Harris, Property Owner Request to occupy the premises as a transitional living facility for 16 clients.	7820-30 W. Hampton Av. 2nd Dist.
	Action:	Granted 1 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains an occupancy certificate and complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy. 5. That the facility be limited to elderly and or developmentally disabled clients. 6. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	
65	27142 Special Use	Chicago Philly Steak & Lemonade, LLC Lessee Request to occupy the premises as a fast-food/carry-out restaurant.	6926 W. Capitol Dr. 2nd Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to grant the appeal. Seconded Donald Jackson.	
	Vote:	3 Ayes, 2 Nays, Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
66	27123 Dimensional Variance	Farwell-Cramer, LLC., Lynn Quirk;Property Owner Request to continue occupying the premises as a multi-family (3-unit) residential dwelling without the minimum required lot area and without the minimum required north and south side setbacks.	2710 N. Farwell Av. A/K/A 2712 N Farwell Av 3rd Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
67	27253 Special Use	Willie Kohlheim Jr., Lessee Request to occupy the premises as a 24hr family day care home for 8 children infant to 12yrs of age, Monday - Sunday.	1811 N. Humboldt Av. 3rd Dist.
	Action:	Granted 1 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M. 5. That no signage is permitted. 6. That the applicant submit a parking plan to the Zoning Administrative Group for review and approval, consisting of a minimum of two parking spaces. 7. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
68	27307 Dimensional Variance	Blaze Selestow, Blaze Properties, LLC.;Property Owner Request to allow the usage of the third floor of the existing two-family residential dwelling without the required north side setback.	3352 N. Downer Av. A/K/A 3354 N Downer Av 3rd Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	5 Ayes, 0 Nays, Abstained.	
69	27192 Use Variance	Clear Channel Outdoor, Property Owner Request to reduce the height of the existing off premise sign and add another sign face on the east side of the structure.	1701 W. State St. 4th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the hearing and will be rescheduled for the next available hearing.	
70	27318 Appeal of an Order	Shangrila Enterprises, Ltd. dba J. R. News;Lessee Request to appeal an order issued by the Department of Neighborhood Services determining that the premises is being occupied by adult retail establishment without a certificate of occupancy.	831 N. 27th St. A/K/A 801 N 27th St 4th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the call of the Chairman and will be rescheduled for the next available agenda.	
71	26720 Special Use	Jay Shambeau, Property Owner Request to continue occupying the premise as a motor vehicle repair and sales facility.	8522 W. Hampton Av. 5th 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>
72	27107 Use Variance	Community Financial Service Center Corp., Lessee Request to continue occupying a portion of the premises as a currency exchange facility that is located within 1500ft. of another like facility and within 150 ft. of a one or two family residential district. Action: Adjourned Motion: This matter was adjourned by staff and will be rescheduled for the next available agenda.	10400 W. Silver Spring Dr. 5th Dist.
73	27141 Special Use	Super Hook Fish & Chicken LLC. Lessee Request to occupy the premises as a fast-food/carryout restaurant. Action: Adjourned Motion: This matter was adjourned by staff and will be rescheduled for the next available agenda.	7601 W. Hampton Av. 5th Dist.
74	27260 Special Use	Mazen Jaber, Property Owner Request to continue occupying the premises as a motor vehicle filling station, convenience store, and currency exchange facility within 150 ft. of a one or two family residential district (currency exchange open 9:00 a.m. - 7:00 p.m. Monday - Saturday), and to allow an additional sign for the currency exchange facility (signage was previously denied). Action: Adjourned Motion: This matter was adjourned by staff and will be rescheduled for the next available agenda.	8332 W. Appleton Av. A/K/A 8334 W Appleton Av 5th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
75	26542 Special Use	Makbul Sajan, Property Owner Request to continue occupying the premises as a motor vehicle filling station with a convenience store.	4302 W. Capitol Dr. 7th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 landscaping and screening is maintained in a manner that meets the intent of city code. 5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 7. That individually sold cigars, cigarette wrapping paper, Black and Mild cigars, Blunt cigars, glass tubes (i.e. type associated with individually sold flowers) and any other items deemed to be drug paraphernalia, not be sold on the premises. 8. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances. 9. That the applicant does not have outdoor storage or display of products or merchandise. 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. 11. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
76	26754 Dimensional Variance	Henry L. Watson Sr., Property Owner Request to continue occupying the premises as a religious assembly without the required parking.	3300 W. Burleigh St. 7th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
77	27193 Dimensional Variance	Clear Channel Outdoor, Lessee Request to add an additional sign face to the back of the existing off-premise sign without the minimum required setback from any street lot line.	3001 W. Forest Home Av. A/K/A 3007 W Forest Home Av 8th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
78	26978 Dimensional Variance	Abdel Naser Al-Hasan, Prospective Buyer Request to allow a wall sign that is over the maximum allowed sign area on the premises.	2632 W. Greenfield Av. A/K/A 2634 W Greenfield Av 8th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved deny the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
79	27252 Use Variance	Russell & Rhoda Volmer Property Owner Request to occupy a portion of the premises as a contractors yard (parking 2 snow plow trucks on the premises).	6477 N. 54th St. A/K/A 6479 N 54th St 9th Dist.
	Action:	Adjourned	
	Motion:	Matter was adjourned by staff and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
80	27301 Other	Love to Care Child Care Center Inc. Wanda Hudson;Lessee	9171 N. 76th St. 9th Dist.
		Request to modify the hours of operation from 6:00AM - 6:00PM Monday-Friday to 5:30AM - Midnight Monday-Sunday of the existing day care center and reducing the number of children from 150 to 106 infant to 13yrs of age.	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
81	26803 Special Use	Steven R. Tenley, Property Owner	9111 W. Silver Spring Dr. A/K/A 9101 W. Silver Spring Dr. 2nd Dist.
		Request to raze the existing structure and construct a motor vehicle filling station, convenience store, and car wash facility.	
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant 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 February 23, 2006 meeting. Seconded by Board member Jackson. Unanimously approved.

The Board set the next meeting for April 6, 2006.

Board member Winkler moved to adjourn the meeting at 7:15 p.m.. Seconded by Board member Jackson. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board