

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – May 18, 2006
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairman: Craig H. Zetley (*voting on items 1-51*)

Members: Henry P. Szymanski (*voting on items 1-25, 27-51*)
Scott R. Winkler (*excused*)
Catherine M. Doyle (*voting on items 1-43, 45, 47-51*)
Donald Jackson (*voting on items 1-51*)

Alt. Board Members: Georgia M. Cameron (*voting on items 1-51*)
Leni M. Siker (*voting on items 26, 44, 46*)

START TIME: 4:13 p.m.

End Time: 8:54 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	27181 Use Variance	Nevin Mseitif, Lessee Request to occupy the premises as a day care center for 8 children infant to 12yrs of age, 6:00AM - 6:00PM Monday-Friday.	641 W. Maplewood Ct. 13th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
2	27145 Dimensional Variance	Mr. Humphrey, Property Owner Request to erect 2 wall signs that are over the maximum allowed display area.	2300 W. Highland Av. 4th 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>
3	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:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
4	27410 Special Use	Rafael Lopez, Property Owner Request to occupy the premises as an accessory parking lot, which is, located between the street facade of a principal building and a street lot line (employee parking lot for 2934 W. Burnham).	2911 W. Burnham St. 8th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
5	27420 Dimensional Variance	Mark Gramz, B&G Realty, Inc. n/k/a B&G Realty LLC.; Property Owner Request to erect a wall sign (mural sign 10.6 ft. x 37 ft.) that is over the maximum sign display area for the existing theater.	7440 N. 76th St. 9th 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>
6	27476 Special Use	Thelma L Quinn, Property Owner Request to continue occupying the premises as a rooming house for 10 individuals.	1801 W. North Av. 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 five (5) years, commencing with the date hereof. 	
7	27483 Use Variance/ Special Use	John F. Andes, Prospective Buyer Request to construct an indoor storage facility (for the adjacent cleaners located at 1844 W. Fond Du Lac Ave.) without the minimum required building height, and without an entrance door that faces a street.	2135 N. 18th St. 15th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the use for 10 years and the dim. Variance to run with the land. 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 indoor storage facility is used in conjunction with the petitioner's business located at 1844 W. Fond du Lac Av. 5. That this Use Variance is granted for a period of ten (10) years and that the Dimensional Variances are granted to run with the land, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
8	27490 Special Use	Calvin Coleman, Lessee Request to continue occupying a portion of the premises as a detailing and hand car wash facility.	3716 W. North Av. 15th Dist.
	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:	<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 has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 6. That all previous conditions of the Board regarding this property are complied with. 7. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	
9	27491 Dimensional Variance	Willie J. Ellis, Prospective Buyer Request to construct a single-family residential dwelling without the minimum front facade width.	2245 W. Walnut St. A/K/A 1634 N 23rd St 15th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	

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10	27422 Special Use	Mary Orr, Other Request to occupy the premises as an assembly hall (facility that houses seminars, conferences, & fundraisers).	6737 N. Teutonia Av. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening plans which meet the requirements of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 5. That signage must conform to the sign standards of s. 295-805-5 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 security personnel if necessary. 7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
11	27498 Special Use	Michael Hutchinson, Knowledge is Power Christian Leadership Academy;Property Owner Request to increase the hours of the existing 2nd floor elementary/secondary school to allow hours from 4:00PM-10:00PM (existing hours 7:00AM - 5:00PM, this will provide hours for an educational program for students/teen parents in grades 7-12).	5226 W. Hampton Av. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
12	27486 Dimensional Variance	Balm In Gilead for All People Ministries, Inc., Property Owner Request to construct a religious assembly hall on the premises with parking in the front yard setback.	6200 N. 84th St. A/K/A 6100 N 84th St 2nd Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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. 	
13	27452 Special Use/ Use Variance	Kirby G. Shoaf, Community Care Organization;Prospective Buyer Request to occupy the premises as an adult day care center and health clinic (additional permitted accessory uses within the development are general offices and indoor storage, and a ground transportation service facility that provides van and bus services).	3220 W. Vliet St. 4th 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>
14	27461 Special Use	Doris J. Pinkney, Lessee Request to increase the hours of operation from 6:00AM - 6:00PM to 6:00AM - 10:00PM Monday-Friday of the existing day care center for 20 children infant to 12yrs of age.	1420 N. 33rd St. 4th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 September 13, 2011. 	
15	27468 Use Variance	Michael A. Olson, Prospective Buyer Request to occupy the premises as 19 live-work units (1st floor is work area, 2nd floor is living area).	3707 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 agenda.	

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16	27478 Dimensional Variance	Faithful Mission Pentecostal Church of Holiness 2, Pastor Eddie Smith;Property Owner Request to allow the permitted religious assembly hall without the required residential buffer (fence).	935 W. Keefe Av. 6th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof. 	
17	27480 Special Use	James Podewils, Prospective Buyer Request to allow a drive through facility for the proposed mixed use building (which houses a permitted bank, retail, and residential uses).	2500 W. Lincoln Av. 8th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening plans which meet the requirements of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

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18	27477 Special Use	Mara Bakke, Property Owner Request to construct an addition to the existing non-conforming contractor's shop (storage of construction equipment & dump trucks).	9530 N. 107th St. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
19	27467 Dimensional Variance	Michael R. Collins, Property Owner Request to allow a 5 ft. 4 in. fence to be erected along the side street property line that is closer than 5 ft. from the sidewalk.	151 S. 72nd St. 10th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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>
20	27487 Dimensional Variance	Jean L. Lehman-Yaros, Property Owner Request to construct an addition to the existing detached garage that is located closer to the side street lot line than the existing principal building.	5502 W. Martin Dr. 10th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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. 	
21	25352 Special Use	John Andrews, Milwaukee Front Row Restaurant Joint Venture, LLC; Lessee Request to construct a sign on the premises that is not attached to a flat opaque wall surface (on top of glass).	201 S. 46th St. A/K/A Miller Park, 301 S. 44th St. 10th Dist.
	Action:	Granted 7 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 seven (7) years, commencing with the date hereof. 	

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22	27499 Special Use	Rafael Gandia, Lessee Request to continue occupying the premises as a motor vehicle repair facility.	600 S. 5th St. 12th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 6. That all previous conditions of the Board regarding this property are complied with. 7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
23	27036 Special Use	Michael Landry, Area Rental;Property Owner Request to add two additional pumps and continue occupying the premises as motor vehicle filling station in conjunction with the existing equipment rental facility on site.	8712 W. Lisbon Av. 5th 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>
24	27298 Special Use	Lillie M. Key, Prospective Buyer Request to occupy the premises as a day care center for 9 children infant to 12yrs of age, Monday-Friday 6:00AM - 10:00PM (operator would not live on site).	6935 N. 76th St. 9th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	2 Ayes, 2 C. Doyle & G. Cameron Nays, 1 C. Zetley Abstained.	
25	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:	Dismissed	
	Motion:	Georgia Cameron moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
26	27409 Special Use/ Dim Variance	Schneider Excavating, Inc., Other Request to occupy the premises for the processing or recycling of mined materials (concrete recycling facility) without the code required landscaping and with stockpile heights that exceed code.	1225 S. Carferry Dr. 14th Dist.
	Action:	Granted 2 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"> 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 appellant will not seek renewal of this appeal upon its expiration. 5. That this Special Use and this Variance are granted for a period of six (6) months for parcel 'B' and for a term of two (2) years for parcel 'A', 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	27020 Use Variance	Francisco Hernandez, Property Owner Request to allow parking in the front yard of premises.	2567 S. Howell Av. 14th Dist.
	Action:	Granted	
	Motion:	Catherine Doyle 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 petitioner build in accordance with plans submitted. 4. That the existing shrubs are maintained as a screen to the parking area. 5. That this Variance is granted to run with the land. 	
28	27421 Special Use	Michelle M. Evans, Lessee Request to occupy the premises as a 24hr family day care home for 8 children infant to 12yrs of age, Monday-Sunday.	2546-A W. Medford Av. 15th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
29	27370 Special Use	The American Dream, Donna Martinez; Lessee Request to occupy the premises as a transitional living facility for 7 men (homeless men or individuals from a correctional institution).	2523 N. 27th St. 15th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available hearing.	

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30	27375 Special Use	Donna Martinez, The American Dream;Property Owner Request to occupy the premises as a transitional living facility for 6 women (homeless, correctional institution).	1024 W. Hadley St. 15th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available hearing.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
31	27407 Special Use	Bobby & Frances Sanford, Prospective Buyer Request to occupy the premises as a religious assembly hall.	4108 W. Villard Av. 1st Dist.
	Action:	Granted 3 yrs.	
	Motion:	Catherine Doyle 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 for assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 6. That the storefront windows are restored to clear glass and are maintained in an attractive manner. 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 all agreements for off-site parking remain in effect for the term of the special use. 9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

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32	27441 Special Use	Linda Jackson, Property Owner Request to occupy the premises as a 24 hr family day care home for 8 children per shift infant to 12yrs of age, Monday-Sunday.	1405 W. Congress St. 1st Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant has no exterior signs or banners. 5. That the applicant does not use the basement for anything other than storage. 6. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M. 7. That no signage is permitted. 8. 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>
33	27448 Special Use	Logistics Plus Transportation, Lessee Request to occupy the premises as a truck freight terminal.	1700 W. Cornell St. 1st Dist.
	Action:	Granted 5 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"> 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 landscape plans meeting the intent of city code section 295-405 are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
34	27430 Dimensional Variance	David Schulte, Property Owner Request to remodel the 3rd floor attic to be use in conjunction with the 2nd floor dwelling unit by building out the north and south side dormers without the minimum north side setback (building will remain a two-family dwelling).	2757 N. Downer Av. A/K/A 2755 N Downer Av 3rd Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That 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>
35	27443 Special Use	Peter Hansen, Hansen Storage;Property Owner Request to combine the parcels and raze the existing structures to create a principal parking lot.	518-38 E. Erie St. 4th Dist.
	Action:	Denied	
	Motion:	Catherine Doyle moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	5 Ayes, 0 Nays, 0 Abstained.	
36	27436 Dimensional Variance	James R. Blau, Property Owner Request to remove a portion of the existing freestanding sign and erect a changeable message board (below the existing sign) that is over the maximum sign display area.	12000 W. Silver Spring Dr. 5th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	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:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 6. That all previous conditions of the Board regarding this property are complied with. 7. 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. 8. That additional shrubs are planted in order to be in compliance with the landscape plan approved on October 17, 2002. 9. That landscaping is maintained in a manner that meets the intent of city code. 10. That the applicant plant the number of shrubs required by code within sixty (60) days of the date hereof. 11. 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>
38	26690 Dimensional Variance	Integrated Mail Industries, Lessee Request to allow an additional sign on the existing freestanding sign that exceeds the maximum required sign area.	208 E. Capitol Dr. 6th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
39	27103 Special Use	Linda Rogers, Property Owner Request to occupy the premises as a group home for 6-8 girls 12yrs-17yrs of age.	4532 N. 45th St. 7th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled for the next available hearing.	
40	27401 Special Use	Ronald Gaston, Lessee Request to occupy the premises as a motor vehicle sales facility and car wash.	3823 W. Fond Du Lac Av. 7th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
41	26625 Use Variance	Adam Hampton, Lessee Request to occupy a portion of the premises as a general retail establishment (grocery store).	4201 W. Bonny Pl. 7th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	27424 Use Variance	Patti A. Jump, Property Owner Request to expand the existing multi-family (4 unit) residential dwelling into a 5 unit multi-family residential dwelling.	2100-04 S. 32nd St. 8th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available agenda.	
43	27442 Special Use	Guillermo Picado, Property Owner Request to occupy the premises as a motor vehicle sales facility, (used cars) repair facility, (body bumping & detailing) and hand car wash.	2320 W. Greenfield Av. 8th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Catherine Doyle 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 has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 6. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for motor vehicle occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 7. That the automobile repair, body bumping, detailing and car wash functions of the business be limited to vehicles intended for sale. 8. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 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>
44	27412 Special Use	Carmen Velasquez, Property Owner Request to occupy the premises as a day care center for 25 children infant to 12yrs of age 6:00AM - 6:00PM.	1829 S. 25th St. 8th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner 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. 5. That signage must conform to the sign standards of s. 295-505-5 of the Milwaukee Zoning Code. Specifically, signage must be limited to a maximum of 18 square feet. 6. That the storefront windows remain as clear glass and are maintained in an attractive manner. 7. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	
45	27010 Dimensional Variance/ Special Use	Edmund G. Pohl, Property Owner Request to occupy the premises as an outdoor salvage facility (vehicles, equipment) without the minimum code required landscaping.	2738 S. 29th St. 8th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by the Alderman of the district and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	27325 Dimensional Variance/ Special Use	David Gray & Mark Schwebke Property Owner Request to raze the existing structure and construct a motor vehicle filling station, car wash, convenience store (with food service), and to allow two off-premise signs to be located on site and within 500 ft. of one another.	6800 W. Oklahoma Av. 11th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
47	27418 Dimensional Variance	Glenn Gaszak, Property Owner Request to allow multi-family (4 unit) residential in the existing residential dwelling without the minimum lot area per dwelling unit.	2458 S. 13th St. 12th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
48	27097 Special Use	Saleh Bazzar, Property Owner Request to continue occupying the premises as a general retail establishment (grocery store).	2000 S. 14th St. 12th Dist.
	Action:	Adjourned	
	Motion:	Catherine Doyle 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>
49	27070 Dimensional Variance	Maria F. & Norma A. Ramos Property Owner Request to allow an attached stairway addition in the rear portion of the residential dwelling that extends over the north side lot line and convert the existing single family dwelling into a two-family residential dwelling without the minimum required lot area per dwelling unit.	1412 S. 15th St. 12th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski move to approve 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 petitioner build in accordance with plans submitted. 4. That the applicant submits a complete set of plans to the Milwaukee Development Center, obtains all required permits (plumbing, electrical and alteration), and complies with all building code requirements. 5. Records an easement with the Milwaukee County Register of Deeds for that portion of the stairway that extends over the north side lot line. 6. That these Variances are granted to run with the land. 	
50	27406 Special Use	Waldemar Rivera, Prospective Buyer Request to occupy the premises as a motor vehicle repair facility (with towing).	630 W. National Av. A/K/A 640 W National Av 12th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
51	26203 Special Use	Tri-Corp Housing, Mike Brever;Property Owner Request to continue occupying the premises as a transitional facility for 92 clients (this is a reasonable accommodation proceeding).	2713 W. Richardson Pl. 4th Dist.
	Action:	Adjourned	
	Motion:	Catherine Doyle moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<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 Jackson moved to approve the minutes of the April 27, 2006 meeting. Seconded by Board member Doyle. Unanimously approved.

The Board set the next meeting for June 8, 2006.

Board member Doyle moved to adjourn the meeting at 8:54 p.m.. Seconded by Board member Szymanski. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board