

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – July 6, 2006
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairman: Craig H. Zetley (*voting on items 1-42, 44-83*)

Members: Henry P. Szymanski (*excused*)
Scott R. Winkler (*voting on items 41-83*)
Catherine M. Doyle (*voting on items 1-50, 52-83*)
Donald Jackson (*voting on items 1-83*)

Alt. Board Members: Georgia M. Cameron (*voting on items 1-83*)
Leni M. Siker (*voting on items 1-40, 51*)

START TIME: 2:12 p.m.

End Time: 6:20 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	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 the BOZA staff and will be rescheduled for the next available hearing.	
2	27346 Special Use	American Red Cross Greater Milwaukee Chapter, Lessee Request to occupy a portion of the premises as a transitional living facility for homeless individuals with mental illness (eligible for Social Security Benefits).	2713 W. Richardson Pl. 4th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
3	26556 Special Use	Bruce Croatt & Wayne Croatt, Lessee Request to occupy a portion of the premises as a health clinic (mental health clinic).	2801 W. Wisconsin Av. 4th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
4	27553 Special Use	Mattie L. Gray, Lessee Request to increase the number of children from 40 to 76 and continue occupying a portion of the premises as a day care center for children, infant to 12yrs. of age, operating Monday - Friday 5:30 a.m. to 6:30 p.m.	4240 N. 78th St. 5th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
5	27033 Dimensional Variance	Fabco Cat, Tom Suetnicka;Property Owner Request to erect a wall sign that is over the maximum allowed sign area and 2 freestanding signs on the premises that are over the maximum number of signs per site, maximum height of a freestanding sign, and maximum display area.	11200 W. Silver Spring Rd. 5th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
6	27536 Use Variance	Carmen M. Saygo, Property Owner Request to occupy the premises as a day care center for 8 children infant to 12yrs. of age, Monday - Friday 5:00 a.m. to Midnight.	3656 N. 13th St. 6th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
7	27482 Special Use	Mike Malatesta, Advanced Waste Services, Inc.; Lessee Request to occupy a portion of the premise as an outdoor storage facility of heavy motor vehicles.	3801 W. Mc Kinley Av. A/K/A 3801K W Mc Kinley 15th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled on the next available BOZA agenda.	
8	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:	Granted	
	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 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 does not use the basement for anything other than storage. 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>
9	27600 Dimensional Variance	Neighborhood Improvement Development Corporation, Property Owner Request to construct a single-family residential dwelling on the premises without minimum required side street and combine side setbacks (modification of BOZA case No. 26683).	2202 N. 51st St. 15th Dist.
	Action:	Granted	
	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 petitioner build in accordance with plans submitted. 4. That these Variances are granted to run with the land. 	
10	27560 Dimensional Variance	Academy of Learning and Leadership M. Camille Mortimore, Ph. D.;Property Owner Request to combine the parcels and construct an elementary/secondary school without the minimum required front setback.	1510 W. Center St. A/K/A 1508 W Center St 15th Dist.
	Action:	Granted	
	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 petitioner build in accordance with plans submitted. 4. That the petitioner submit revised façade and elevation plans to the Board of Zoning Appeals for approval by the Zoning Administration Group prior to the issuance of any permits. The revised plans must reduce the height of the split-face block wall on the westernmost panel of the building's south façade. 5. 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>
11	27327 Special Use	Robert Binsfeld, Lessee Request to occupy a portion of the existing car wash facility as a motor vehicle sales facility.	4110 N. Green Bay Av. A/K/A 4100 N Green Bay 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.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
12	27559 Special Use	Mary Smith-Reid, Lessee Request to increase the hours of operation from Monday thru Friday 6:00 a.m. - 6:00 p.m. to Monday thru Friday 6:00 a.m. to Midnight and reduce the number of children on site from 67 to 55 (infant to 12 yrs. of age) per shift, of the existing day care center.	4260 N. 27th St. 1st Dist.
	Action:	Granted	
	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 this Special Use is granted for a period of time commencing with the date hereof and expiring on July 12, 2009. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
13	27573 Special Use	LaBrew Troopers, Inc, Lessee Request to add a day care center for 50 children infant to 12yrs. of age, Monday - Friday 6:30 a.m. to 6:30 p.m. to the existing board approved elementary/secondary school (200 students K4-8th grade).	4055 N. 34th St. A/K/A 3420 W Capitol Dr 1st Dist.
	Action:	Granted	
	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 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 time commencing with the date hereof and expiring on September 29, 2008. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
14	27580 Special Use	Teutonia Gas, LLC, Lessee Request to continue occupying the premises as a motor vehicle filling station and convenience store.	4295 N. Teutonia Av. 1st Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 individually sold cigars, cigarette wrapping paper, Black and Mild cigars, Blunt cigars, glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia not be sold on the premises. 6. 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. 7. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 8. 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. 9. That the petitioner maintain landscaping and screening in a manner that meets the intent of city code. 10. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 11. 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. 12. 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>
15	27593 Special Use	Ben Kienbaum, Property Owner Request to continue occupying the premises as an outdoor salvage yard (junk yard).	3800 W. Mill Rd. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman of the district and will be rescheduled for the next available agenda.	
16	27569 Special Use	Teen Preneur #2, Lessee Request to add a day care center for 65 children infant to 12yrs. of age, Monday - Friday 6:30 a.m. to 5:30 p.m., to the existing board approved school for 145 students (k4 - 8th grade).	4248 N. 76th St. 2nd Dist.
	Action:	Granted	
	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 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 take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary. 7. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 8. That the outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards. 9. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 10. That this Special Use is granted for a period of time commencing with the date hereof and expiring on September 19, 2010. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	27571 Special Use	Stacey McKay, Property Owner Request to increase the hours of operation from Monday - Friday 6:00 a.m. - 6:00 p.m. to Monday - Friday 6:00 a.m. - Midnight and increase the number of children from 15 to 25 (infant to 12 years of age) on site of the existing day care center.	6342 W. Fond Du Lac Av. 2nd Dist.
	Action:	Granted	
	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 this Special Use is granted for a period of time commencing with the date hereof and expiring on March 1, 2009. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	27481 Special Use	Nivram LLC, Property Owner Request to continue occupying the premises as a motor vehicle repair facility (quick lube) and car wash.	6230 N. 76th St. 2nd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the applicant does not have outdoor storage or display of products or merchandise. 6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 7. That this Special Use is granted for a period of 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>
19	27472 Special Use	EPA, LLC, Property Owner Request to continue occupying the premises as a parking lot.	511 N. Broadway 4th 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 a revised landscape plan is submitted to the Board of Zoning Appeals, and approved by the Zoning Administration Group within 60 days of the approval of this special use. The revised landscape plan must provide additional trees and shrubs to meet the intent of city code section 295-405 5. That the additional landscaping and is installed within 60 days of the approval of the landscape plan weather permitting. 6. That the petitioner shall maintain landscaping and screening in a manner that meets the intent of city code, and that the petitioner shall be responsible for continuous landscape maintenance including plant material replacement on a seasonal basis if such material is no longer comparable in size to the plant list specification, and inconsistent with the typical form/shape of that species because of dieback, stunting or damage. 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>
20	27473 Special Use	Uihlein Properties LLC, Property Owner Request to continue occupying the premises as a parking lot.	503 N. Broadway 4th 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 a revised landscape plan is submitted to the Board of Zoning Appeals, and approved by the Zoning Administration Group within 60 days of the approval of this special use. The revised landscape plan must provide additional trees and shrubs to meet the intent of city code section 295-405 5. That the additional landscaping and is installed within 60 days of the approval of the landscape plan weather permitting. 6. That the petitioner shall maintain landscaping and screening in a manner that meets the intent of city code, and that the petitioner shall be responsible for continuous landscape maintenance including plant material replacement on a seasonal basis if such material is no longer comparable in size to the plant list specification, and inconsistent with the typical form/shape of that species because of dieback, stunting or damage. 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>
21	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: Granted 3 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 a full time security guard be employed and retained for the facility. 5. That the payphone located in the lobby of the facility be removed. 6. That staff be properly trained regarding when to contact the Police Department. 7. That the hours of operation for the facility be: Monday - Friday (8:00 a.m. - 9:00 p.m.), Saturday (8:00 a.m. - 7:00 p.m.) and Sunday (9:00 a.m. - 6:00 p.m.). 8. That this Variance is granted for a period of three (3) years, commencing with the date hereof. 	10400 W. Silver Spring Dr. 5th Dist.
22	27551 Dimensional Variance	Terry W. Lintonen, Property Owner Request to construct a detached garage in the front yard of the premises. Action: Adjourned Motion: This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	6839 N. 99th St. 5th Dist.
23	27496 Special Use	Love At First Sight LLC, Mayfield Management Group; Lessee Request to occupy a portion of the premises as a day care center for 100 children (100 first shift, 50 second shift) infant to 12 yrs. of age, operating Monday - Friday 6:00 a.m. to Midnight. Action: Adjourned Motion: This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	1718 N. 1st St. A/K/A 100 E Pleasant St 6th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
24	27522 Special Use	Diane Stowers, Jimmy's Amoco;Prospective Buyer	807 W. Atkinson Av. 6th Dist.
		Request to continue occupying the premises as a motor vehicle filling station with an expansion of the convenience store by eliminating the auto repair bays (expansion was approved in 2003 but not executed).	
	Action:	Granted	
	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 existing landscaping and screening is maintained in a manner that meets the intent of city code. 5. That signage plans are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits 6. That an elevation plan is submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. The plan must provide window glazing on the east elevation as required by s.295-605-2-i-3 of city code. 7. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 8. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary. 9. That 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. 10. That this Special Use is granted for a period of time commencing with the date hereof and expiring on July 23, 2013. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	27545 Special Use	Marie Stokes, Lessee Request to continue occupying the premises as a day care center for 52 children 4yrs. to 12yrs. of age, Monday - Friday 6:00 a.m. to 11:30 p.m.	2378 N. Martin L King Jr Dr. A/K/A 2376 N Martin L King Jr Dr 6th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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. 	
26	27566 Special Use	Nzingha Institute of Creative Learning for Living, Lessee Request to occupy a portion of the premises as a school (secondary, grades 9th - 12th).	1747 N. 6th St. A/K/A 600 W Walnut St 6th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	27576 Special Use	Boys & Girls Club of Greater Milwaukee Courtney Hunt; Lessee Request to occupy the premises as a community center.	611 W. Cherry St. A/K/A 1440 N 7th St 6th Dist.
	Action:	Granted 20 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 this Special Use is granted for a period of twenty (20) years, commencing with the date hereof. 	
28	27587 Special Use	Carolyn Outlaw, Property Owner Request to continue occupying the premises as a day care center for 8 children infant to 7 yrs of age, Monday - Friday 6:30 a.m. to 5:30 p.m.	1444 W. Hadley St. 6th 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 there be no signage associated with the day care facility. 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>
29	27484 Special Use	LaPricia Hooks, Property Owner Request to occupy the premise as a 24 hr. family day care home for 8 children, infant to 12 yrs. of age, operating Monday-Sunday.	4544 N. 38th St. 7th 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 outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M. 5. That no signage is permitted. 6. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	27561 Special Use	M & R Land Company, LLC, Richard S. Mechanic;Property Owner Request to continue occupying the premises as a material reclamation and outdoor storage facility. 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: 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.295-805 of the Milwaukee Zoning Code. 5. that existing landscaping and screening is maintained in a manner that meets the intent of city code. 6. That any stockpiles are in compliance with s.295-805-4-h-2 of the Milwaukee Zoning code. 7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	3033 W. Burleigh St. 7th Dist.
31	27568 Special Use	Tina F. Williams, Property Owner Request to occupy the premises as a 24hr. family day care home for 8 children, infant to 12yrs. of age, operating Sunday - Saturday.	4710 N. 42nd St. 7th Dist.
		Action: Adjourned	
		Motion: This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	27584 Special Use	Agape Love LLC., Property Owner Request to continue occupying the premises as a day care center for 70 children, infant to 12yrs. of age, 6:00 a.m. - Midnight.	3958 N. 51st Bl. A/K/A 3954 N 51st Bl 7th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 5. That this Special Use is granted for a period of 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>
33	27555 Use Variance	SRN Real Estate, Prospective Buyer Request to occupy the premises as a medical office.	1502 S. Layton Bl. 8th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 5. That this Variance is granted for a period of ten (10) years, commencing with the date hereof. 	
34	27548 Dimensional Variance	Darin Leveraus, Property Owner Request to construct a detached garage on the premises that is over the maximum building area and over the sidewall height.	11505 W. County Line Rd. 9th Dist.
	Action:	Granted	
	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 petitioner build in accordance with plans submitted. 4. That the garage is used for personal use only and the garage is not used for any commercial activity. 5. That these Variances are granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	27565 Special Use	Barb Lucas, QSR;Prospective Buyer Request to construct a fast-food carryout restaurant.	8030 W. Brown Deer Rd. A/K/A 8008 W Brown Deer Rd 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 landscaping and screening is implemented and maintained according to the landscape plan submitted to the Board of Zoning Appeals on June, 6, 2006. 6. That the petitioner submit revised signage plans to the Board of Zoning Appeals for approval by the Zoning Administration group within 60 days of approval of the special use and prior to the issuance of any permits. Approval of signage plans by the Zoning Administration Group may include a requirement that an application for a Master Sign Program Overlay Zone is submitted to the Department of City Development. 7. 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>
36	27577 Special Use	Homer D. Schultz, Lessee Request to occupy the premises as a light and heavy motor vehicle sales and repair facility, and a light motor vehicle outdoor storage facility.	10542 W. Donges Ct. 9th 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 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 all repair work is conducted inside of the building. 8. That this Special Use and 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>
37	27479 Special Use	St. Anthony Congregation, Lessee Request to occupy the premises as a secondary/elementary school.	929 W. Historic Mitchell St. A/K/A 931 W Historic Mitchell St 12th 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 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 two (2) years, commencing with the date hereof. 	
38	27578 Dimensional Variance	Horner Sod Farm, Michael Sanfelippo;Property Owner Request to erect an additional freestanding sign that is over the maximum allowed sign area and over the maximum allowed number of freestanding signs per site, to the Board approved filling station, car wash, convenience store, and fast-food restaurant.	605 S. 1st St. 12th Dist.
	Action:	Granted	
	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 these Variances are granted for a period of time commencing with the date hereof and expiring on July 10, 2010. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	27579 Special Use	Efren & Ramiro Gonzalez, Property Owner Request to occupy the premises as a motor vehicle sales facility (used cars, body bumping & detailing), discontinuing the board approved repair facility.	2201 S. 13th St. A/K/A 1308 W Windlake Av 12th Dist.
	Action:	Granted	
	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 there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 5. That all repair work is conducted inside of the building. 6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That landscaping and screening is implemented and maintained according to landscape plans as approved by the Zoning Administration Group 8. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan. 9. That there be no display or storage of vehicles on the street. 10. That the number of vehicles on-site does not exceed four as proposed on the applicants site plan. 11. That this Special Use is granted for a period of time commencing with the date hereof and expiring on August 2, 2008. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	27582 Dimensional Variance	Douglas Persich D.D.S., Property Owner Request to remodel the front facade of the existing dental office without the minimum required glazing that meets the transparency standard of code (petitioner is providing glazing panels with opaque inside surfaces).	3380 S. Kinnickinnic Av. 14th Dist.
	Action:	Granted	
	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 petitioner build in accordance with plans submitted. 4. That the petitioner submit a revised elevation plan to the Board of Zoning Appeals for approval by the Zoning Administration Group prior to the issuance of any permits. The revised plans must indicate that at least two (2) of the proposed windows will utilize transparent glass. 5. That this Variance is granted to run with the land. 	
41	Modification	Proposed modification to various sections of the Board's Rules and Procedure regarding the number of votes required to carry a motion.	
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the modification. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	27588 Special Use	Euranna Odom, Property Owner Request for a resubmission to occupy the premises as a 24 hr. family day care home for 8 children infant to 12yrs. of age, operating Monday - Friday.	5822 N. 35th St. 1st Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the resubmission request. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
43	26803 Special Use	Steven R. Tenley, Property Owner Request to raze the existing structure and construct a motor vehicle filling station, convenience store, and car wash facility.	9111 W. Silver Spring Dr. A/K/A 9101 W. Silver Spring Dr. 2nd Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Catherine Doyle.	
	Vote:	3 Ayes, 0 Nays, 1 S. Winkler Abstained.	
44	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:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
45	27371 Special Use	Cleotha Ward, Property Owner Request to continue occupying the premises as a motor vehicle repair facility (towing & repair).	2450 W. Center St. 15th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	27464 Special Use	House of David Inc., Lessee Request to occupy the premises as a transitional living facility for 8 adult men (AODA, homeless, mental illness, & transitioning from incarceration).	2650 N. 18th St. A/K/A 2652 N 18th St. 15th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
47	27554 Special Use	Christ Presbyterian Church Property Owner Request to occupy the premises as a community center.	1910 W. Walnut St. 15th Dist.
	Action:	Adjourned	
	Motion:	Catherine Doyle moved to adjourn this appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	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:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the intent of the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M 7. That the grocery store close by 9:00 P.M. 8. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	
49	27549 Use Variance	Tameka Lockett, Prospective Buyer Request to occupy the 1st floor of the premises as a day care center for 54 children infant to 12yrs. of age, operating Monday - Friday, 6:00 a.m. to Midnight.	1941 W. Hope Av. 1st Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	27556 Special Use	Brogall Holdings LLC., Prospective Buyer Request to occupy the premises as an outdoor salvage operation (motor vehicle recycler & vehicle parts retailer).	6333 N. Teutonia Av. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman of the district and will be rescheduled for the next available agenda.	
51	26877 Use Variance	Thomas H. Wynn, Jr., Property Owner Request to occupy the premises as a contractor's yard.	5023 N. Green Bay Av. 1st Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
52	27610 Dimensional Variance	Randy Bryant, Property Owner Request to re-affirm the approval for case No. 26640 (same proposal, but a citing was omitted).	2022 E. Lafayette Pl. A/K/A 2026 E. Lafayette Pl 3rd Dist.
	Action:	Granted	
	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 petitioner build in accordance with plans submitted. 4. That these Variances are granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
53	27460 Dimensional Variance	John Plichta, HACM - A&E Services;Property Owner Request to occupy a portion of the premises with an accessory parking lot without the code required number of parking stalls and social service facility (for residents only) for the new 120 unit residential high rise (parking lot does not meet the limited use standard of encompassing 10 acres of redevelopment project area).	403 E. Ogden St. A/K/A 1325 N Jefferson St 3rd 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 revised landscape plans are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group. 5. That these Special Uses and this Variance are granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
54	27557 Special Use	Oakland Avenue Associates, LLC. Property Owner	2914-38 N. Oakland St. A/K/A 2962 N Oakland Av 3rd Dist.
		Request to raze the existing structure, while combining the parcels, and constructing a general retail establishment with a drive-through facility and residential apartments (both uses are permitted, the drive-through requires Board approval because it is located within 150 ft. of residential uses).	
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 continue to work with DCD Planning staff on window glazing and other design issues. The petitioner must submit revised drawings that reflect these changes to the Board of Zoning Appeals for Department of City Development Planning staff review and approval. Plans submitted to the Plan Examination Section must be consistent with the final Department of City Development Planning Administration staff approved plan, and any variances that may be necessary to resolve glazing issues must be obtained or no permits will be issued. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That landscaping and screening is implemented in accordance with plans as submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group. 7. 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>
55	26760 Dimensional Variance	Larry Lococo & Kathleen D'Acquisto Irrevocable Trust;Property Owner Request to continue occupying the premises as a parking lot without the minimum required landscaping.	417 E. Chicago St. 4th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
56	27492 Dimensional Variance	Rev. Barbara Rasmussen, Property Owner Request to erect a freestanding sign for the existing religious assembly hall that is over the maximum allowed sign display area.	3022 W. Wisconsin Av. 4th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That a revised plan for the 48 square foot monument sign in which the message board was converted to reverse copy is submitted to the Zoning Administrative Group for approval. 5. That the existing freestanding sign currently located along the W. Wisconsin Ave. frontage is removed. 6. That this Variance is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
57	27451 Special Use	Hussain LLC., Property Owner Request to construct an addition to the existing motor vehicle filling station to expand the convenience store.	8210 W. Capitol Dr. 5th Dist.
	Action:	Granted 5 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 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. Specifically, additional trees are required along the street frontages. The petitioner should also provide fence details for the decorative metal fences along the street frontages. 5. Any additional 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 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 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. 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>
58	27574 Special Use	Felicia Blunt, Lessee Request to occupy the premises as a 24hr. family day care home for 8 children (per shift) infant to 12yrs. of age, operating Monday - Friday.	7802 W. Potomac Av. A/K/A 7800 W Potomac Av 5th Dist.
	Action:	Granted 2 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 outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M. 5. That no signage is permitted. 6. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	
59	27395 Special Use	Thomas P. Manske, Lessee Request to continue occupying the premises as a motor vehicle sales and repair facility.	7808 W. Congress St. 5th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant 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>
60	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:	This matter was adjourned at the call of the Chair and will be rescheduled for the next available BOZA hearing.	
61	27471 Special Use	Geneka Walton, Lessee Request to occupy the premises as a 24 hrs. day care center for 8 children (per shift) infant to 12 yrs. of age, Monday - Saturday.	3244 N. 7th St. A/K/A 3242 N 7th St 6th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
62	27501 Use Variance	Gwen Moore & Ingrid Moreland Other Request to occupy a portion of the premises for outdoor merchandise sales (soda vending machine at the front of the house).	3716 N. 24th Pl. 6th 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>
63	27463 Special Use	Homer Baylor, Property Owner Request to occupy the premises for outdoor merchandise sales (selling of watermelons & peanuts).	5854 W. Fond Du Lac Av. 7th Dist.
	Action:	Granted	
	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 applicant has no vehicles (business or customer) parked on unpaved surfaces. 5. That garbage disposal and other methods are taken to ensure that rodent infestation dose not occur. 6. That sales shall not occur between the hours of 9:00 P.M. and 7:00 A.M. 7. That this Special Use is granted for a period of time commencing with the date hereof and expiring on October 31, 2006. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
64	27489 Dimensional Variance	Eugene Smith, Property Owner Request to construct a 16 ft. x 30 ft. addition to the existing tavern over the maximum allowed front setback.	3910 W. Fond Du Lac Av. A/K/A 3900 W Fond Du Lac Av 7th Dist.
	Action:	Granted	
	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 petitioner build in accordance with plans submitted. 4. That landscaping and screening is implemented and maintained according to the landscape plan submitted to the Board of Zoning Appeals on June 6, 2006. 5. That this Variance is granted to run with the land. 	
65	27502 Special Use	John H. Gibson, Prospective Buyer Request to occupy the premises as a day care center for 50 children (25 per shift, 2 shifts total) infant to 12yrs of age, operating 6:00AM - Midnight, Monday-Sunday.	3106 N. 40th St. A/K/A 3930 W Burleigh St 7th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
66	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:	Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
67	27331 Special Use	Thelma L. Quinn, aka Thelma L. Jones;Property Owner Request to occupy the premises as a rooming house (5 bedrooms).	2778 N. 27th St. 7th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
68	27010 Dimensional Variance	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:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
69	27264 Dimensional Variance	Mark Cook, Property Owner Request to construct a building addition and attached garage to the existing residential dwelling without the minimum required front setback, and without the minimum north side setback.	7743 N. 51st Bl. 9th 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 petitioner build in accordance with plans submitted. 4. That these Variances are granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
70	27505 Use Variance	Decosa Hobson, Lessee Request to occupy the premises as a day care center for 8 children per shift (1st & 2nd shift) infant to 13 yrs. of age, Monday - Sunday 6:00 a.m. to Midnight.	5459 N. 53rd St. 9th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 Abstained.	
71	27506 Dimensional Variance	David Jasenski, Lessee Request to construct a free standing off premise sign to the existing board approved motor vehicle filling station & convenience store that is over the maximum allowed sign display area.	5909 W. Good Hope Rd. 9th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
72	27470 Special Use	Jewel C. Barrow & Jose H. Santos Lessee Request to occupy the premises as a motor vehicle body shop.	5401 W. Lisbon Av. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the petitioner and will be rescheduled for the next available BOZA agenda.	
73	27537 Special Use	Regina Hughes, Lessee Request to occupy a portion of the premises (1st floor & basement) as day care center for 50 children infant to 12yrs. of age, operating Monday - Friday, 6:00 a.m. to 6:00 p.m.	7251 W. Appleton Av. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the petitioner and will be rescheduled for the next available BOZA agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
74	27432 Special Use	Steven Skalecki, Property Owner Request to allow a transmission tower (50 ft. flag pole for weather observation) on the residential premises.	9026 W. Burdick Av. 11th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
75	27509 Special Use	LaToya Bates, Lessee Request to occupy the premises as a secondary school (all girl high school).	3924 S. 51st St. A/K/A 5001 W Howard St 11th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
76	27325 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).	6800 W. Oklahoma Av. 11th Dist.
	Action:	Denied the Special Use request & Dismissed the Dimensional Variance.	
	Motion:	Scott Winkler moved to deny the Special use request. Seconded by Catherine Doyle. Scott Winkler moved to dismiss the two dimensional variance requests. 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>
77	27513 Dimensional Variance	Jose A Santiago, Iglesia de Dios Pentecostal M.I.;Property Owner Request to occupy the premises as a religious assembly hall without the code required number of parking spaces.	1717 W. Mitchell St. 12th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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 and this Variance are granted for a period of five (5) years, commencing with the date hereof. 	
78	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:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 these Variances are granted for a period of six (6) months from the date of the oral decision granting these requests. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
79	27344 Special Use	National Real Estate Investment Mickey Govani;Property Owner Request to modify the Board approved case No. 25139 by not constructing the corner building which housed the filling station and to continue occupying a portion of the premises as a motor vehicle repair facility, creating a special use for an accessory parking lot located between the street facade of the principal building and a street lot line.	1614 W. National Av. 12th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
80	27564 Special Use	CR-SDC Head Start Mitchell Lessee Request to occupy the premises as a day care center for 142 children infant to 5yrs of age Monday-Friday 7:30AM - 5:30PM.	1717 S. 12th St. A/K/A 1715 S 12th St 12th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman of the district and will be rescheduled for the next available hearing.	
81	27462 Dimensional Variance	Nijmeh M. Hamad Property Owner Request to allow a 7th unit (constructed in basement) in the existing multi-family (6-unit) residential dwelling without the minimum required lot area per dwelling unit.	800 W. Grange Av. 13th 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>
82	27504 Special Use	Rory Oppenheimer Layton Avenue LLC.;Property Owner	1010 E. Layton Av. 13th Dist.
		Request to occupy the premises as a motor vehicle sales facility.	
	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 no disabled or unlicensed vehicles or parts are stored outside. 5. That all car washing and waxing activity is conducted inside of the building. 6. That all wastewater is contained on site. 7. That landscaping and screening is implemented and maintained according to the landscape plan submitted to the Board of Zoning Appeals on April 27, 2006. 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 no vehicles associated with this facility park on South Logan. 11. That a driving test route be devised and submitted to the Zoning Administrative Group for approval. 12. That a left turn only sign be placed at the South Logan curb cut and that said curb cut should be designed in a manner to encourage a left hand turn when exiting the premises (submit revised plans to the Zoning Administrative Group to this effect). 13. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
83	27466 Use Variance	Micaela Mendez, Property Owner Request to occupy the premise as a day care center for 8 children infant to 12yrs of age, Monday-Friday 6:00AM to Midnight (existing family day care home on site).	3000 S. 12th St. 14th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Georgia Cameron.	
	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 June 8, 2006 meeting. Seconded by Board member Winkler. Unanimously approved.

The Board set the next meeting for July 27, 2006.

Board member Winkler moved to adjourn the meeting at 6:20 p.m.. Seconded by Board member Doyle. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board