

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – September 6, 2007
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairman: Craig H. Zetley (*voting on items 1 – 41, 43 – 93, & 95*)

Members: Henry P. Szymanski (*voting on items 1 - 95*)
Scott R. Winkler (*voting on items 1 – 76 & 78 - 95*)
Catherine M. Doyle (*voting on items 1 - 76*)
Donald Jackson (*voting on items 1 – 50 & 58 - 95*)

Alt. Board Members: Georgia M. Cameron (*voting on items 42, 51 – 57 & 77 - 95*)
Leni M. Siker (*voting on item 94*)

START TIME: 4:15 p.m.

End Time: 8:20 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	28401 Extension of Time	Dagoberto Ibarra Property Owner Request for an extension of time to comply with conditions of case No. 27958.	1937 S. 13th St. 12th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant 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>
2	28275 Special Use	Cindy Neeley Lessee Request to occupy the premises as a transitional living facility for a maximum of 5 residents.	2225 S. 14th St. A/K/A 2225 A S. 14th St. 12th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
3	28317 Special Use	Jackson Square LLC Robert Joseph;Property Owner Request to occupy the premises as a temporary (60 days) parking lot without the minimum required landscaping.	167 N. Jackson St. A/K/A 189 N. Jackson St. 4th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
4	28385 Use Variance	Goodwill Industries of S.E. Wisconsin, Inc. Dorothy Buckhanan, V.P.;Lessee Request to continue occupying a portion of the premises as an adult day care center for 35 adults (developmentally disabled).	4240 N. 78th St. 5th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
5	28133 Use Variance	Tracy M Laster Lessee	5700 W. Hemlock St. 9th Dist.
		Request to occupy the premises as a school (elementary or secondary, 100 students K4 - 5th grade).	
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
6	28224 Special Use	Brian Wurch Property Owner	623 S. 9th St. A/K/A 625 S. 9th St. 12th Dist.
		Request to occupy the premises as a rooming house for 10 residents (previously a rooming house but the license expired in 2004, therefore has to go before the Board).	
	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>
7	28369 Dimensional Variance	Zulma Peters Property Owner Request to occupy the premises as a two-family dwelling without the minimum required lot area .	2068 S. 16th St. 12th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 plans to the Milwaukee Development Center, obtains a conversion permit, electrical permit and plumbing permit and allows access for all required inspections. 5. That this Variance is granted to run with the land. 	
8	28376 Special Use	Ernesto Villarreal Property Owner Request to raze both the existing two-family and single-family dwellings on site and occupy the premises as a parking lot (this will be an extension to the existing parking lot located at 1556 W. Mineral St.).	1550 W. Mineral St. A/K/A 1550 A W. Mineral St. 12th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	28338 Special Use/ Dim. Variance	Amin Bhimani Property Owner Request to construct a new storage addition to existing filling station & convenience store and renovate the exterior facade of the building (without the required glazing on two street frontages).	605 W. Lapham Bl. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 build in accordance with plans as submitted to the Board of Zoning Appeals on August 14, 2007. 5. That this Special Use is granted for a period of ten (10) years and these 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>
10	28438 Special Use	Paramjit Singh Property Owner	610 W. Becher St. 12th Dist.
		Request to continue occupying the premises as a motor vehicle filling station and convenience store.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to approve the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises 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 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>
11	28380 Special Use	Tim Schneider Lessee Request to continue occupying the premises as a motor vehicle repair facility (motorcycles repair & restoration).	2631 S. Greeley St. A/K/A 2526 S. Greeley . 14th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
12	28382 Special Use	Thomas Orlando Lessee Request to occupy a portion of the premises as a religious assembly hall.	2625 S. Greeley St. 200 A/K/A 2526 S. Greeley . 14th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for NS2 zoning districts. 5. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 6. That this Special Use 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>
13	28398 Dimensional Variance	Greggory Baier Property Owner Request to allow a detached garage on premises that is over the maximum allowed sidewall height (allowed 10 ft., proposed 11 ft., excess 1 ft.). Action: Granted Motion: Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 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.	3020 S. Superior St. 14th Dist.
14	28245 Special Use	Wisconsin Community Service Lessee Request to continue occupying a portion of the premises (20,000 sq. ft.) as a health clinic. Action: Granted 5 yrs. Motion: Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 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 if necessary. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	3734 W. Wisconsin Av. A/K/A 3716 W. Wisconsin Av. 15th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	28403 Special Use	Schnell Price Property Owner Request to increase the hours of operation from 24 hrs. Monday - Friday to 24 hrs. Monday - Sunday, increase the number of children from 140 to 151 infant - 12 yrs. of age, and continue occupying the premises as a day care center (expanding to the 2nd floor) .	4801 W. North Av. A/K/A 2245 N. 48th St. 15th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 the petitioner obtains an occupancy certificate by having all required inspections, 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 of the second floor. 6. That this Special Use is granted for a period of time commencing with the date hereof and expiring on October 10, 2009. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	28417 Special Use	Anthony Collins Lessee Request to increase the hours of operation from 6:00 a.m. - Midnight Monday - Friday to 24hrs. Monday - Friday, increase the number of children from 12 to 79, and continue occupying premises as a day care center for children infant to 12 yrs. of age.	3826 W. Lisbon Av. A/K/A 3826 A W. Lisbon Av. 1 15th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the storefront windows remain as clear glass and are maintained in an attractive manner. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner obtains a new occupancy certificate by having all required inspections, 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 for the increased number of children. 7. That this Special Use is granted for a period of time commencing with the date hereof and expiring on December 12, 2008. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	28418 Special Use Granted	<p>Doycellour Neal Property Owner</p> <p>Request to combine two parcels and construct a day care center for a maximum of 30 children (per shift) infant to 12 yrs. of age, operating Monday - Friday 6:00 a.m. to Midnight (the petitioner owns the property at 1432 W. Fond Du Lac and is attempting to purchase 1430 W. Fond Du Lac from the City of Milwaukee to combine the parcels).</p>	<p>1430 W. Fond Du Lac Av. A/K/A 1423 W. Fond Du Lac Av. 15th Dist.</p>
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 submit revised façade and elevation plans to the Board of Zoning Appeals for approval by the Department of City Development - Real Estate Section prior to the issuance of any permits. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 7. That 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>
18	28442 Dimensional Variance	Ezekiel Community Development Corporation Property Owner Request to construct a single-family dwelling that is without the minimum required front facade width, minimum required height, and without the minimum required number of stories per code.	1647 N. 16th St. A/K/A 1631 W. Walnut St. 15th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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. 	

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19	28340 Special Use	Hope Harris Property Owner	2334 W. Galena St. A/K/A 2336 W. Galena St. 15th Dist.
		Request to continue occupying the premises as a day care center for 8 children infant to 12 yrs. of age, operating Monday - Friday 6:00 a.m. to Midnight.	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner take all measures necessary to control loud noise on the premises associated with late night drop-offs and pickups. 7. That there are no signs or banners on the premises. 8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	28356 Special Use	Lakesha Young - Cooper Lessee Request to continue to occupy the premises as a day care center for 8 children per shift infant to 12 yrs. of age, Monday-Friday 6:30AM-6:30PM, Saturday 6:30AM-3:30PM.	7555 N. Teutonia Av. A/K/A 7557 N. Teutonia Av. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 7. That the petitioner provide at least 750 square feet of fenced outdoor play space to meet the minimum requirements of the State of Wisconsin. 8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	28363 Special Use	Cherie Sims Lessee Request to extend days of operation to Monday - Sunday (currently Monday - Friday), and to continue occupying the premises as a 24 hr. day care center for 92 children infant to 12 yrs. of age .	3532 W. Villard Av. A/K/A 3552 W. Villard Av. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 five (5) years, commencing with the date hereof. 	

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22	28368 Special Use	<p>Sherri Bond Lessee</p> <p>Request to continue occupying the premises as a community living arrangement for 20 residents.</p> <p>Action: Granted 5 yrs.</p> <p>Motion: Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	<p>5926 N. Teutonia Av. 1st Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
23	28406 Special Use	Bridget Roberts Lessee Request to occupy a portion of the premises as a day care center for 30 children per shift, ages infant - 5 yrs, operating Monday - Friday 6:00 a.m. - 12:00 a.m., and Saturday 7:00 a.m. - 12:00 a.m.(closed Sundays).	6003 N. Teutonia Av. A/K/A 6037 N. Teutonia Av. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 by having all required inspections, 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 this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

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24	28429 Special Use	Juanita Beeman Property Owner Request to continue occupying the premises as a day care center for 50 children per shift infant to 12yrs of age, Monday-Sunday 6:00 a.m. - Midnight.	4145 N. Green Bay Av. A/K/A 4151 N. Green Bay Av. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	28359 Special Use	Alisa Gilchrist Property Owner Request to add a school (elementary or secondary) for a maximum of 100 students K4 through 5th grade to the existing Board approved day care center . Action: Granted 5 yrs. Motion: Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 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 by having all required inspections, 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 five (5) years, commencing with the date hereof.	6915 W. Fond Du Lac Av. 2nd Dist.
26	28360 Special Use	Gene Berres Property Owner Request to increase the number of resident beds from 28 to 58 (54 beds for residents & 4 beds for on site staff), to construct two new buildings on site, and continue occupying the premises as a rooming house (the first building will be a 30 bed dorm room adjacent to the current building, and the second will be a chapel/multi-purpose building).	9222 W. Appleton Av. A/K/A 5281 N. 91st St. 2nd Dist.
		Action: Adjourned Motion: This matter was adjourned by staff and will be rescheduled for the next available hearing.	

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27	28361 Special Use	Craig Harper Property Owner	9246 W. Appleton Av. 2nd Dist.
		Request to continue occupying the premises as a motor vehicle sales, detailing, repair, and whole sales facility.	
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available hearing.	
28	28381 Special Use	Tery Nemoure Lessee	7337 W. Fond Du Lac Av. A/K/A 7301 W. Fond Du Lac Av. 2nd Dist.
		Request to continue occupying the premises as a second hand sales facility (used furniture).	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 display or storage of merchandise outside the building. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code (specifically that there be no banner signage). 6. That there is no outdoor storage of products or merchandise. 7. That there is no additional signage except that which is on the site plan and approved by the Board. 8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	28386 Special Use	Carl Nembhard Lessee Request to continue occupying a portion of the premises as a motor vehicle repair facility. Action: Granted 5 yrs. Motion: Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: <ol style="list-style-type: none"> 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 all previous conditions of the Board regarding this property are complied with. 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	6122 N. 76th St. 2nd Dist.
30	28404 Special Use	Jean Templer Lessee Request to increase the hours of operation from 6:00 a.m. - 5:30 p.m Monday - Friday to 6:00 a.m.- Midnight, Monday - Friday and continue occupying the premises as a day center for 65 children infant to 12 yrs. of age (also there is an existing school for 145 children on site). 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.	4248 N. 76th St. A/K/A 4248 N. 76th St. 1 2nd Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	28410 Special Use	Titilola Salako Property Owner Request to increase the hours of operation from 6:00 a.m. - 6:00 p.m. Monday - Friday, to 6:00 a.m. - midnight Monday - Friday, and to continue occupying the premises as a day care center for 65 children, infant to 12 yrs. of age.	7110 W. Fond Du Lac Av. A/K/A 7108 W. Fond Du Lac Av. 2nd Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on July 12, 2010. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	28426 Special Use	Tammy Thompson Lessee Request to increase the number of children from 40 to 70 per shift, and to continue occupying the premises as a day care center for children infant to 12 yrs. of age, operating Sunday - Saturday 6:00 a.m. to Midnight.	7625 W. Fond Du Lac Av. A/K/A 7633 W. Fond Du Lac Av. 2nd Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That the petitioner obtains an occupancy certificate by having all required inspections, 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 for the increase number of children. 6. That this Special Use is granted for a period of time commencing with the date hereof and expiring on April 10, 2011. 	
33	28433 Special Use	Christopher Townsend Lessee Request to occupy the premises as a motor vehicle repair facility (specializing in rims and tires).	7540 W. Fond Du Lac Av. 2nd 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.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
34	28312 Special Use	Larry Lococo & Kathleen D'Acquisto Irrevocable Trust; Request to continue occupying the premises as a parking lot.	300 N. Van Buren St. A/K/A 306 N. Van Buren St. 4th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 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. 5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	
35	28389 Special Use	Virginia Cassel The Young Women's Institute for Global Studies,Inc;Lessee Request to occupy a portion of the premises as a school (secondary) for a maximum of 100 young women 9th - 12th grade (enrollment is expected to be approximately 60 students year one and expanding to 100 students year two).	230 W. Wells St. 200 A/K/A 230 W. Wells St. 4th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	28390 Special Use	Mitchell of Delaware, Inc. Property Owner Request to continue occupying the premises as a parking lot (permit-only parking for employees and tenants, reserved parking for special events, public parking prohibited).	795 N. Van Buren St. 4th 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.	
37	28392 Special Use	Michell of Delaware, Inc. Property Owner Request to continue occupying the premises as a parking lot.	766 N. Jackson St. A/K/A 780 N. Jackson St. 4th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant 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>
38	28408 Special Use	Michael Multhauf Property Owner	1025 N. Milwaukee St. A/K/A 338 W. State St. 4th Dist.
		Request to continue occupying the premises as a surface parking .	
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in accordance with the approved landscape plan. 5. That all previous conditions of the Board regarding this property are complied with. 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>
39	28413 Special Use	Robert Joseph Property Owner	117 N. Jefferson St. 4th Dist.
		Request to occupy the premises as a health clinic .	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 building comply with the window glazing standards of s295-605-i-3 of the Milwaukee zoning code. 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>
40	28411 Special Use	Walgreens #4537 Lessee Request to continue occupying the premises as a retail drug store with a 24 hr. drive-thru pharmacy window.	7600 W. Capitol Dr. A/K/A 7700 W. Capitol Dr. 5th Dist.
	Action:	Granted 15 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 5. That the pole-mounted banner sign and any other banner signs be removed. 6. 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. 7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 8. That landscaping and screening is maintained in accordance with the site plan dated June 19, 1997 and in a manner that meets the intent of city code. 9. That this Special Use is granted for a period of fifteen (15) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	28366 Special Use	Emilia Nunez Lessee	2118 N. Buffum St. 6th Dist.
		Request to continue occupying the premises as a 24 hr. day care center for 24 children (8 per shift) infant to 12 yrs. of age, Monday- Friday and Saturday & Sunday 6:00 a.m. - 10:00 p.m.	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	28391 Special Use	Clara Wright Prospective Buyer Request to expand to the 2nd floor (students in grades 6th, 7th, & 8th) and increase the number of children from 175 to 275 K-4 - 9th grade for the existing school on the premises (this site also has a Board approved day care center for a maximum of 60 children).	334 W. Brown St. A/K/A 326 W. Brown St. 6th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy for the increase number of children. 5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on September 14, 2009. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	28399 Use Variance	Paul Riesen Property Owner Request to continue occupying a portion of the premises as three residential dwelling units.	419 W. Vliet St. A/K/A 1351 N. 4th St. 6th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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. 	
44	28445 Dimensional Variance	Jean Dow Property Owner Request to construct a detached garage (accessory structure) without the minimum required side street setback and over the maximum allowed sidewalk height.	2104 N. 1st St. A/K/A 110 E. Lloyd St. 6th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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>
45	28357 Special Use	Rev. Benjamin Nabors Property Owner	4767 N. Hopkins St. A/K/A 4769 N. Hopkins St. 7th Dist.
		Request to continue occupying the premises as a religious assembly hall.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That 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>
46	28373 Special Use	Homer Baylor Property Owner	5854 W. Fond Du Lac Av. 7th Dist.
		Request to continue occupying the premises for outdoor merchandise sales (selling of watermelons & peanuts).	
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 garbage disposal and other methods are taken to ensure that rodent infestation does not occur. 5. That sales shall not occur between the hours of 9:00 P.M. and 7:00 A.M. 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>
47	28384 Special Use	Brenda Lewis Lessee Request to increase the hours of operation from 6:00 a.m. - 6:30 p.m. Monday - Friday to 6:00 a.m. to Midnight Monday - Friday and continue occupying the premises as a day care center for 55 children infant to 12 yrs. of age.	4704 W. Center St. A/K/A 4710 W. Center St. 7th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	28424 Use Variance	Sumthin Different Lessee Request to occupy the premises as a personal service facility (beauty and barber shop, this site was previously approved by the Board for a personal service facility).	3911 N. 27th St. A/K/A 3907 N. 27th St. 3 7th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the storefront windows remain as transparent glass in accordance with the glazing standards of s295-605-2-i-3 of the Milwaukee Code of Ordinances, and are maintained in an attractive manner. 5. That no additional signage may be erected on the site unless it meets the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 6. That this Variance 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>
49	28464 Special Use	Jerry Karczewski Property Owner	1901 W. Canal St. 8th Dist.
		Request to construct a new building on the premises for the existing intense manufacturing (beef processing) facility (building will house new water heaters, water tank, and equipment).	
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted to run with the land commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	28405 Special Use	Mary Krueger Property Owner Request to continue occupying the premises as a day care center for 39 children infant to 12 yrs. of age, operating 6:00a.m. - 6:00p.m. Monday - Friday.	118 N. 76th St. A/K/A 120 N. 76th St. 10th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. and after 8:00 P.M.- 6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
51	28310 Special Use	Jorge Alvarez Prospective Buyer Request to occupy the premises as a motor vehicle sales facility (includes towing of cars for sale as well as service to the public).	4661 S. 20th St. 13th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny 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>
52	28000 Special Use	Bessie L Williams Lessee Request to occupy a portion of the premises as a 24 hr. day care center for 35 children infant to 12 yrs. of age, operating Monday - Sunday.	4405 N. 60th St. A/K/A 4407 N. 60th St. 2nd Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Catherine Doyle.	
	Vote:	3 Ayes, 0 Nays, 2 H.S and C. Zetley Abstained.	
53	28082 Special Use	Bessie Peavy Lessee Request to occupy the premise as a day care center for 40 children (20 per shift) infant to 12 yrs. of age, operating 6:00 a.m. - 10:00 p.m. Monday-Friday.	6107 W. Fond Du Lac Av. A/K/A 6109 W. Fond Du Lac Av. 2nd Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Catherine Doyle.	
	Vote:	3 Ayes, 0 Nays, 2 H.S. C. Zetley Abstained.	
54	28287 Rehearing request	Ray & Tiscia Fitzgerald Property Owner Request to continue occupying the premises as a day care center for 30 children, infant to 12 yrs. of age, Monday - Friday, 7:00 a.m. - 6:00 p.m..	8320 W. Lisbon Av. 5th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to approve this rehearing request. 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>
55	28203 Special Use	Syed Hasan Turab Property Owner Request to raze the existing structure and construct a new motor vehicle filling station, convenience store, and fast-food/carryout restaurant without the minimum required glazing on the secondary street facade.	307 E. Center St. A/K/A 301 E. Center St. 6th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
56	28215 Rehearing request	Kanwar Gill Property Owner Request to construct an addition to the existing structure adding a convenience store and continue to occupy the premises as a hand car wash within 150 ft. of a residential use.	1839 W. Hopkins St. A/K/A 1845 W. Burleigh St. 6th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal (rehearing). 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>
57	28247 Special Use	Jearlean Jordan & Tanya F. Coleman Lessee	7945 N. 76th St. A/K/A 7919 N. 76th St. 9th Dist.
		Request to occupy the premises as a 24hr day care center for 50 children per shift infant to 12yrs of age, operating Monday-Sunday.	
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the 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. 295-605-5 of the Milwaukee Zoning Code. 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 the outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards. 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>
58	28325 Special Use	Daniel Mora Property Owner Request to combine the parcels and raze the building on site (located at 1501 S. Muskego Av.) for the purpose of expanding the existing motor vehicle sales, repair, and body shop (this lot will be used in conjunction with 1505 - 1519 S. Muskego to display cars for sale).	1501 S. Muskego Av. A/K/A 1501 A S. Muskego Av. 12th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That revised 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, a 5 foot landscape area needs to be provided along the West Bow Street frontage. The revised plan must also include a decorative metal fence along all street frontages. 5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. Specifically, the height of the freestanding sign must not exceed 14 feet. 6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 7. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 8. That 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. 9. That this Special Use is granted for a period of time commencing with the date hereof and expiring on September 14, 2014. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
59	28443 Dimensional Variance	Mickey Govani Property Owner Request to allow a freestanding sign (automatic changeable message sign) that is over the maximum allowed square footage and the maximum allowed height per code (two of the sign faces are to be mounted on opposite parallel sides counting as one and are permitted, but the third sign face is on the perpendicular side which then exceeds the allowed display area).	1614 W. National Av. A/K/A 1622 W. National Av. 12th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by staff and will be rescheduled for the next available agenda.	
60	28469 Dimensional Variance	Natalio Lopez Property Owner Request to allow an attached garage on premises that is over the maximum allowed wall height (allowed 10 ft., proposed 16 ft., excess 6 ft.).	906 S. 17th St. 12th 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 the upper storage area remain unfinished and be utilized for storage only. 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>
61	28352 Appeal of an Order	Joseph Paradowski Property Owner Request to appeal an order issued by the department of Neighborhood Services determining that the facility has conducted more than 2 rummage sales, on a residential premises, in one calendar year. Action: Denied. Motion: Donald Jackson moved to uphold the order. Seconded by Catherine Doyle. Vote: 4 Ayes, 1 Nays (SW).	3501 S. 18th St. 13th Dist.
62	28334 Dimensional Variance	Mary Gustafson Property Owner Request to construct a detached garage that is over the maximum allowed sidewall height (allowed 10 ft., proposed 13 ft. 7 inches, and in excess of 3 ft. 7 inches). Action: Adjourned Motion: This matter was adjourned at the request of the Board Chairman and will be rescheduled for the next available hearing.	3149 S. Superior St. 14th Dist.
63	28286 Use Variance	Sandhar Corporation Lessee Request to continue occupying the premises as a motor vehicle filling station and convenience store with signage in excess of both the sign area and height requirements. 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.	2175 N. 35th St. A/K/A 2173 N. 35th St. 15th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
64	28333 Special Use	Jimmie Williams Property Owner Request to occupy the premises as a day care center for 16 children (8 per shift) infant - 12 yrs. of age, operating Sunday - Saturday 6:00 a.m. to 10:00 p.m .	2364 N. 15th St. A/K/A 2366 N. 15th 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.	
65	28419 Dimensional Variance	Bob Wellenstein Property Owner Request to legalize the existing signage that is over the maximum allowed square footage per code (this a Board approved site where 6 signs at 48 sq. ft. each were previously approved but the permits were not obtained, now 7 signs at 40 sq. ft. each are being proposed).	4535 W. North Av. A/K/A 2242 N. 46th St. 15th 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>
66	28440 Special Use	Mohammad Shafi M.D. Prospective Buyer	1919 25 W. Monroe St. 15th Dist.
		Request to occupy the premises as a parking lot (to be used in conjunction with medical clinic on same block).	
	Action:	Granted 10 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the landscape and screening plan submitted to the Board on August 22, 2007 is revised to meet the standards of city code section s295-403 for Type 'B' landscaping. (1. The revised plan must also include buffer landscaping and screening to the abutting residences. 2. The revised plan 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 landscaping and screening is installed within 120 days of occupancy. If occupancy occurs between September 30th of the year of occupancy and March 1st of the following year then landscaping and screening must be installed within 120 days of March 1st. 6. 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>
67	28272 Special Use	Albert Lue-Hing Property Owner Request to increase the hours of operation from 5:00 a.m. to 9:00 p.m. Monday - Saturday to 24 hrs. Monday - Saturday, and continue occupying the premises as a day care center for 85 children infant to 12 yrs. of age. 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: 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 outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That this Special Use is granted for a period of time commencing with the date hereof and expiring on September 19, 2015.	1710 N. 24th St. A/K/A 1722 N. 24th St. 15th Dist.
68	28159 Special Use	Solution Group Inc. Jimmy McClendon;Property Owner Request to continue occupying the premises as a transitional living facility for 16 female clients. Action: Adjourned Motion: This matter was adjourned at the request of the applicant.	4339 N. 27th St. 8 A/K/A 4339 N. 27th St. 1st Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
69	28162 Special Use	Solution Group Inc. Jimmy McClendon;Property Owner Request to continue occupying the premises as a transitional living facility for 16 male clients.	4355 N. 27th St. A/K/A 4355 N. 27th St. 2 1st Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant.	
70	28261 Special Use	Theresa & Leden Tucker Property Owner Request to occupy the premises as a contractor's yard (parking dump trucks in the rear of the premises, no repairs are done on site).	4923 W. Villard Av. A/K/A 4923 A W. Villard Av. 1st Dist.
	Action:	Granted 2 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 site is landscaped and screened in accordance to the landscape and screening plan submitted to the Board of Zoning Appeals on July 18, 2007. 5. That there be no vehicles stored in the public right of way. 6. That the applicant does not park any vehicles on the unpaved gravel surface of the lot and installs a physical barrier to prevent vehicles from parking in this area or submits plans to the Milwaukee Development Center, obtains a permit and paves this area. 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>
71	28400 Use Variance	Tinesha Anderson Lessee Request to occupy the premises as a day care center for a maximum of 8 children per shift infant to 12 yrs. of age, operating Monday - Sunday 6:00 a.m. - Midnight.	5961 N. 42nd St. 1st Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
72	27973 Special Use	Surit Toor Property Owner	5016 N. Hopkins St. A/K/A 5024 N. Hopkins St. 1st Dist.
		Request to continue occupying the premises as a motor vehicle filling station and convenience store.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That a physical barrier such as curb stops are installed along the Hopkins St. and 39th St property lines to prevent encroachment onto the public sidewalk. 5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises 7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 8. That the applicant does not have outdoor storage or display of products or merchandise. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
73	28321 Special Use	Shartavia Adams Lessee Request to increase the number of children from 68 to 90 and continue occupying the premises as a 24 hr. day care center for children infant to 12 yrs. of age, operating Monday through Friday.	6627 W. Capitol Dr. 2nd Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
74	28364 Special Use	John Kelly Property Owner Request to occupy the premises as a sit-down restaurant without the minimum required parking on site.	3129 N. Bremen St. A/K/A 3129 A N. Bremen St. 3rd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by staff and will be rescheduled for the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
75	28387 Dimensional Variance	Carol L Galletly Property Owner Request to construct a parking space (driveway) that is within the minimum required side setback (an easement has been drafted with the adjacent property owner as the proposed drive may encroach on that property).	1710 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 this Variance is granted to run with the land. 	
76	28425 Special Use/ Dim. Variance	DV Residential, LLC Wayne Dansby & Gregory J. Vasil, LLC Member; Property Owner Request to construct two principal buildings (two-family dwellings) on the premises without the minimum required south side setback (rear building) and without the minimum required front setback (front building).	1679 N. Humboldt Av. 3rd Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Special Use and 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>
77	28158 Appeal of an Order	Tri-Corp Housing, Inc. Property Owner Request to petition the Board to accept a revised plan of operation for the facility and/or be afforded a reasonable accommodation to continue to occupy the premises as a transitional living facility (this is a continuation of the revocation proceeding initiated by the Department of Neighborhood Services order dated, March 2, 2007, determining that the facility had failed to operate in accordance with the Board approved plan of operation) .	2713 W. Richardson Pl. 4th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to approve a modified plan of operation for the facility. 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 Board adopts the amended plan of operation as the approved plan of record for this facility (with all supplemental attachments to the original amended plan) along with the Memorandum of Agreement among the Milwaukee County Behavioral Health Division, American Red Cross - Greater Milwaukee Chapter and Housing With Help, Incorporated - A division of Tri-Corp Housing. 5. That the Department of Neighborhood Services order, dated March 2, 2007, is hereby upheld in its entirety as ruled by the Board on March 22, 2007. 6. That this Special Use is granted for a period of time commencing with the date hereof and expiring on June 19, 2008. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
78	28274 Special Use	Oliver F Gardipee Lessee Request to occupy the premises as an indoor motor vehicle sales and salvage facility.	2330 W. Clybourn St. 4th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be set for dismissal, at the request of the applicant, on the next available agenda.	
79	28423 Special Use	T - Mobile USA Todd Klassy;Lessee Request to erect a transmission tower (80 ft. monopole) on the premises.	10136 W. Fond Du Lac Av. A/K/A 10142 W. Fond Du Lac Av. 5th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 1 C. Zetley Nays, Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
80	28206 Special Use	Glenda Hampton Lessee Request to occupy the second and third floors of the premises as a transitional living facility for 48 tenants (a social service facility/outpatient clinic has been approved by the Board to occupy the 1st floor).	2323 W. Capitol Dr. A/K/A 2323 W. Capitol Dr. 14 6th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for residential 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 March 28, 2012. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
81	28291 Special Use	J & M Janitorial LLC Josette Page;Property Owner Request to occupy the premises as a day care center for 8 children (per shift) infant to 12 yrs. of age, operating Monday - Friday 6:00 a.m. to Midnight . 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: 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 two (2) years, commencing with the date hereof.	2943 N. 11th La. A/K/A 2937 N. 11th La. 6th Dist.
82	28330 Special Use	Lisa Netterville Living With Hope House;Lessee Request to occupy the premises as a group home for a maximum of 8 female clients 12 to 17 yrs. of age (this site was previously approved by the Board for a Rooming House). Action: Granted 3 yrs. Motion: Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.	3002 N. 9th St. 6th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
83	28365 Special Use	Andrew Neumann Educational Enterprises;Prospective Buyer Request to raze the existing building on site and construct a school (elementary or secondary) for 250 children kindergarten through 8th grade (this project will be built in three phases).	3601 N. Port Washington Av. A/K/A 3609 N. Port Washington Av. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
84	28395 Use Variance	David Johnson Lessee Request to occupy the premises as a community center.	1340 N. 6th St. A/K/A 515 W. Vliet St. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 6. That this Variance is granted for a period of five (5) years, commencing with the date hereof. 	
85	27836 Special Use	Susan Watkins Property Owner Request to occupy the premises as a day care center for 35 children infant to 12 yrs. of age, operating Monday - Sunday 6:00 a.m. to 10 p.m..	2216 N. 1st St. 6th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler 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>
86	28219 Special Use	Paula Lampley Property Owner Request to occupy the premises as a day care center for 57 children (per shift) infant to 12 yrs. of age, operating Monday - Saturday 5:30 a.m. to 12:30 a.m. (closed Sunday) (previously approved for a day care center by the current petitioner, but the day care center has never been opened).	2801 N. Martin L King Jr Dr. A/K/A 310 W. Hadley 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.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
87	28289 Special Use/ Dim. Variance	John Hightower Property Owner Request to occupy the premises as a motor vehicle sales facility (used cars) without the code required landscaping.	3900 N. Teutonia Av. 6th 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That landscaping and screening is implemented and maintained according to the landscape plan submitted to the Board of Zoning Appeals on July 2, 2007, and that landscaping and screening is installed within 90 days of Board approval of the special use. 6. That there be no vehicles stored or displayed for sale in the public right of way. 7. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 9. That this Special Use and this Variance are granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
88	28375 Special Use	Lanetta N Greer Property Owner	3160 N. 40th St. 7th Dist.
		Request to occupy the premises as a group foster home for a maximum of five girls 12 - 17 years of age.	
	Action:	Granted 2 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 two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
89	28344 Special Use	Audrey Jolly Lessee	2800 W. Forest Home Av. 8th Dist.
		Request to occupy the premises as a day care center for 40 children (per shift) infant to 12 yrs. of age, operating Sunday - Saturday 5:00 a.m. to Midnight.	
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler 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 signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 7. That the petitioner obtains a loading zone on South 28th Street in front of the premises. 8. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for institutional and educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 9. That the petitioner restricts the day care to the first floor and there is no day care activity or children on the second floor. 10. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
90	28343 Dimensional Variance	Mc Donald's Corp Libby Fisher, project mg.;	7130 N. 76th St. 9th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant variances to signage on access road and to deny the variances along N. 76th St. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the sign variances required along the N. 76th St. frontage are denied. 5. That the sign variances required along the rear access road are approved for a period of time commencing with the date hereof and expiring on March 28, 2017. 	
91	28422 Special Use	T - Mobile USA Todd Klassy;Lessee	7125 W. Dean Rd. A/K/A 8372 N. Steven Rd. 9th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
92	28108 Use Variance	Cynthia Black Lessee Request to occupy the premises as a day care center for 84 children infant to 12 yrs. of age, operating Monday - Sunday 6:00 a.m. - Midnight (the facility is located within 300 ft. of an establishment that possesses an alcohol beverage license) .	5225 W. Mill Rd. A/K/A 5225 A W. Mill Rd. 9th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler 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>
93	28147 Special Use	JW One Investments, LLC Property Owner Request to convert the service bays (auto repair facility) into an expansion of the existing convenience store and continue occupying the premises as a motor vehicle filling station and car washing facility.	5602 20 W. Vliet St. A/K/A 5602 W. Vliet St. 10th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That a video camera be mounted in the rear of the premises. 5. That the petitioner takes all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel. 6. That landscaping and screening be maintained in a manner that meets the intent of code. 7. That all previous conditions of the Board regarding this property are complied with. 8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
94	28197 Special Use/ Dim. Variance	Dwayne Toliver Request to continue occupying the premises as a hand car wash without the minimum required landscaping and screening.	2571 N. 55th St. A/K/A 5514 W. Lisbon Av. 10th Dist.
	Action:	Granted 1 yr.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That a plan for a decorative metal fence to be installed along the N. 55th St frontage is submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits, and that the fence is installed within 90 days of the approval of the fence plan. 5. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 6. That all car washing, drying and detailing activity is confined to inside of the building. 7. That the overhead door remain closed while cars are being serviced. 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 personnel. 9. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 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 Board approved decorative metal fence for this site be erected within sixty (60) days. 12. That this Special Use and this Variance are granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
95	27984 Special Use	Mandeep Dhawan Northside Petroleum;Prospective Buyer Request to raze the existing structure and construct a new motor vehicle filling station with a convenience store that proposes glazing which is over the maximum allowed sill height, and would not possess the required screening around the dumpster.	5204 W. Center St. 10th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

Other Business:

Board member Winkler moved to approve the minutes of the July 19, 2007 meeting. Seconded by Board member Szymanski. Unanimously approved.

The Board set the next meeting for October 11, 2007.

Board member Szymanski moved to adjourn the meeting at 8:20 p.m. Seconded by Board member Jackson. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board