

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – January 18, 2007
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairman: Craig H. Zetley (*voting on items 1-68*)

Members: Henry P. Szymanski (*voting on items 1-36, 38-68*)
Scott R. Winkler (*voting on items 1-35, 37-43, 45-68*)
Catherine M. Doyle (*voting on items 1-61*)
Donald Jackson (*voting on items 36-68*)

Alt. Board Members: Georgia M. Cameron (*voting on items 1-37, 44, 62-68*)
Leni M. Siker (*excused*)

START TIME: 4:09 p.m.

End Time: 7:09 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	27207 Use Variance	Jacklyn Gordon Lessee Request to occupy the premises as a day care center for 72 children (36 per shift) infant to 12 Yrs.. of age, Sunday - Saturday 6:00 a.m. to midnight.	3206 N. 45th St. 7th Dist.
	Action:	Adjourned	
	Motion:	Matter was adjourned by applicant and will be rescheduled for the next available hearing.	
2	27497 Dimensional Variance	Mt. Calvary Lutheran Church Property Owner Request to raze the residential dwelling to combine the lots (adjacent to the existing church) and construct an addition to the existing school without the required rear setback, south side setback, and over the maximum allowed lot coverage.	2846 N. 53rd St. A/K/A 2848 N. 53rd ST. 10th 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>
3	27958 Extension of Time	Dagoberto & Aide G. Ibarra Property Owner Request for an extension of time to comply with conditions of case No. 27092.	1937 S. 13th St. 12th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
4	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:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
5	27240 Special Use	Jerry J. Lockett, Property Owner Request to continue occupying the premises as a community based residential facility and reducing the number of clients from 8 to 6 adults (developmentally disabled).	3412 W. Rohr Av. 1st Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
6	27871 Special Use	Javier Johnson, Lessee Request to occupy the premises as a motor vehicle repair facility (oil changes, window tinting tire rotating, repair), car wash (auto detailing/washing), and motor vehicle sales facility (vehicles & scooters).	4735 N. 76th St. 5th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by the Alderman of the district and will be rescheduled for the next available agenda.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
7	27951 Dimensional Variance	Bharat N Patel Property Owner Request to continue the use of two on-premise signs without the minimum required landscaping, over the maximum allowed sign display area and the sign oriented to US Hwy 45 is over the maximum allowed sign height.	5601 N. Lovers Lane Rd. A/K/A 5599 N. Lovers Lane Rd. 5th 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.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
8	27949 Special Use	Mike Loos, Lessee Request to continue occupying a portion of the premises as a motor vehicle repair facility.	324 W. Cherry St. A/K/A 333 W. Court . 6th Dist.
	Action:	Granted 10 Yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant does not have outdoor storage or display of products or merchandise. 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 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>
9	27953 Special Use	Kalim Beg, Property Owner Request to continue occupying the premises as a motor vehicle filling station and convenience store.	406 W. Center St. 6th 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 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. 5. 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 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 7. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 8. That landscaping and screening is maintained in a manner that meets the intent of city code. 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 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>
10	27956 Special Use	Connie & Roderick Johnson, Lessee Request to occupy the premises as a 24 hrs. day care center for 60 children infant to 12 Yrs. of age, operating Monday - Sunday.	3444 N. Port Washington Av. A/K/A 3444 A N. Port Washington Av. 1 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 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 applicant obtains a loading zone in front of the premises on North Port Washington Avenue. 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 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>
11	27957 Special Use	Duane Gladney, d/b/a Executive Kids Early Childhood; Lessee Request to continue occupying the premises as a day care center for 72 children infant to 12 Yrs. of age, operating from 6:00 a.m. to 11:00 p.m. Monday-Friday.	2044 N. Martin L King Jr Dr. A/K/A 2038 N. Martin L King Jr Dr. 6th Dist.
	Action:	Granted 10 Yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the storefront windows remain as clear glass and are maintained in an attractive manner. 5. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M. 6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
12	27963 Special Use	Social Development Commission Property Owner Request to continue occupying the premises as a day care center (head start program) for 320 children (160 children 8:00 a.m. - 11:30 a.m., 160 children 12:30 p.m. - 4:00 p.m.) 3 to 5 Yrs. of age, operating Monday - Thursday.	606 W. Concordia Av. A/K/A 3311 N. 6th St. 6th 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 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>
13	27988 Special Use	James & Andre Carter, Lessee Request to continue occupying the premises as a day care center for 25 children infant to 12 Yrs. of age, operating 6:00 am. - 10:00 pm. Monday-Friday and an elementary school for 21 children.	3936 W. Fond Du Lac Av. A/K/A 3934 W. Fond Du Lac Av. 7th Dist.
	Action:	Granted 10 Yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
14	27829 Special Use	Daphne Eiland, Property Owner Request to occupy the premises as a day care center for 100 children per shift (1st & 2nd shift) infant to 12 Yrs. of age, operating 6:00 a.m. to Midnight.	3526 W. Capitol Dr. A/K/A 3524 W. Capitol Dr. 7th Dist.
	Action:	Granted 3 Yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 5. 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>
15	27979 Special Use	Dilheet Singh Khahra, Manor Quick Mart Property LLC., Property Owner Request to continue occupying the premises as a motor vehicle filling station with a convenience store.	1901 S. 35th St. A/K/A 1909 S. 35th St. 8th 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 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 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 landscaping and screening is maintained in a manner that meets the intent of city code. 8. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 9. 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. 10. That the applicant does not have outdoor storage or display of products or merchandise. 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>
16	27940 Use Variance	Mark von Hagke, Lessee Request to continue occupying the premises as a second-hand store (antique store).	2045 W. St Paul Av. 8th Dist.
	Action:	Granted 5 Yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant does not have outdoor storage or display of products or merchandise. 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 this Variance is granted for a period of five (5) years, commencing with the date hereof. 	
17	27975 Special Use	Kurt Bechthold, Property Owner Request to continue occupying the premises as processing or recycling of mined materials (stockpiling and crushing of concrete and asphalt).	7460 N. 60th St. A/K/A 7500 N. 60th St. 9th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available hearing.	
	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>
18	27962 Dimensional Variance	Jason Wolff, Property Owner Request to occupy a third dwelling unit on the parcel that will both exceed the maximum number of dwelling units permitted for this site and meet the minimum lot area requirement (in 1954 a third unit was granted strictly to the individual that owned the parcel at that time).	1546 N. 48th St. A/K/A 1548 A N. 48th St. 10th 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.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
19	27939 Special Use	Teddy Bear Child Care, LLC Brenda Luckett;Property Owner Request to occupy the 1st of the premises as an adult day care center (the board approved religious assembly hall is located on the 2nd floor).	5202 W. Lisbon Av. 10th 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.	
	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>
20	27841 Special Use	Armen Parker, Lessee Request to raze the existing structure and construct a fast-food/carryout restaurant with a drive through facility.	3334 S. 27th St. 11th Dist.
	Action:	Granted 10 Yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is implemented per the plan submitted to the Board on October 13, 2006. 5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. Specifically, the sign area for the freestanding sign must not exceed 32 square feet. 6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code; specifically, maximum illumination at any lot line is 5 foot candles. 7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary. 8. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances. 9. That 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>
21	27968 Special Use	Nicholas & Nancy Talkowski, Property Owner Request to continue occupying the premises as a transitional living facility for 8 tenants (some of which may have disabilities and require physical assistance).	6225 W. Nebraska Av. A/K/A 6225 W. Nebraska Av. 1 11th Dist.
	Action:	Granted 5 Yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans 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. 	
22	27970 Special Use	Luis A Vergara, Property Owner Request to continue occupying a portion of the premises as a rooming house for 5 residents without the minimum required number of parking spaces.	1729 S. 11th St. A/K/A 1729 S. 11th St. 1 12th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by staff and will be rescheduled at an upcoming BOZA hearing.	
	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>
23	27978 Special Use/ Dim. Variance	BRIC (15th/Burnham) Associates Prospective Buyer Request to construct a general retail establishment that is over the maximum side street setback.	1425 W. Burnham St. A/K/A 1901 S. 14th St. 12th 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 a revised site plan is submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group. The revised site plan must include an identifiable pedestrian link between the building and S. 14th Street. 5. 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. Landscaping and screening must be installed within 90 days of occupancy. 6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for NS2 zoning districts. 7. That this Special Use and this Variance 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>
24	27959 Special Use	Jill Lackey, Lessee Request to continue occupying the premises as a cultural institution (settlement museum, room replication of early settlement of Polish & Latino immigrants).	707 W. Lincoln Av. A/K/A 705 W. Lincoln Av. 12th Dist.
	Action:	Granted 5 Yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
25	27941 Dimensional Variance	Raymond B Otto, Property Owner Request to allow a wheel chair ramp on the premises without the minimum required south side setback (ramp is closer to the lot line) .	2909 S. 10th St. 14th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	27943 Special Use	Faith Temple Pentecostal, Property Owner Request to occupy the premises as a 24 hr. day care center for 30 children infant to 12Yrs of age, operating Monday-Friday (school will discontinue).	2416 W. Lisbon Av. A/K/A 2402 W. Lisbon Av. 15th Dist.
	Action:	Granted 10 Yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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 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. 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>
27	27946 Special Use	Laura A Wyse, Property Owner Request to continue occupying the premises as a 24 hr day care facility for 8 children per shift, infant to 12Yrs of age, operating Monday-Sunday. Action: Granted 5 Yrs. Motion: Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M. 5. That no signage is permitted. 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	2746 N. 25th St. 15th Dist.
28	27944 Special Use	The Turning Point Ministries Inc., Lessee Request to continue occupying the premises as a social service facility and a religious assembly.	5239 N. 35th St. A/K/A 5235 N. 35th St. 1st Dist.
		Action: Adjourned Motion: This matter was adjourned by staff and will be rescheduled at an upcoming BOZA hearing. 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>
29	27973 Special Use	Surit Toor, Property Owner Request to continue occupying the premises as a motor vehicle filling station and convenience store.	5016 N. Hopkins St. A/K/A 5024 N. Hopkins St. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by the Alderman of the district and will be rescheduled at an upcoming BOZA hearing.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
30	27878 Special Use/ Dim. Variance	Jeff Hoover, Property Owner Request to construct a fast-food/carryout restaurant with a drive through facility that is over the maximum allowed front setback, without the minimum required landscaping and parking between the street facade of the principal building and street lot line.	4915 N. Hopkins St. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by the Alderman of the district and will be rescheduled at an upcoming BOZA hearing.	
	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>
31	27971 Special Use	Freewill Church of God in Christ Property Owner Request to construct a religious assembly hall with an accessory parking lot located between the street facade of the principal building and a street line (this request was previously approved by the Board, the petitioner is seeking to comply with all previous conditions and to reaffirm the Boards previous decision).	9220 W. Silver Spring Dr. 2nd 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 permit is granted to run with the land. 	
32	27969 Use Variance	Earline Owens, Lessee Request to continue occupying 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.	6514 W. Carmen Av. A/K/A 6516 W. Carmen Av. 2nd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by staff and will be rescheduled on an upcoming BOZA agenda.	
	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>
33	27977 Special Use	Council for the Spanish Speaking, Inc. Lessee Request to continue occupying the 1st & 2nd floor of premises as a day care center (head start preschool program) for 132 children, 2 1/2 Yrs. to 5 Yrs. of age, operating 7:00 am. to 5:30 pm. Monday-Friday.	2611 N. Weil St. A/K/A 924 E. Clarke St. 3rd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled on an upcoming BOZA agenda.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
34	27925 Special Use	Regency House Condominium Association, Ltd., Other Request to add a new concrete approach to the existing accessory parking lot.	929 N. Astor St. 4th 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 is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	27960 Special Use	Lance Lichter, Property Owner Request to continue occupying the premises as a parking lot.	316 W. State St. A/K/A 318 W. State St. 4th Dist.
	Action:	Granted 2 Yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	
36	27806 Dimensional Variance	Nicolas A Gamero, Property Owner Request to construct a second detached garage (30ft x 33ft) that has sidewalls over the maximum allowed sidewall height (existing 18.8ft x 22.9ft garage to remain).	6942 W. Bradley Rd. 9th Dist.
	Action:	Granted 1 Yr.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	3 Ayes, 2 Nays C. Zetley & D. Jackson, 0 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 there be no repair of vehicles outside. 5. That the petitioner only repairs vehicles that he owns on site. 6. That this Variance is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	27534 Special Use	Nina M. Evans, Property Owner Request to occupy the premises as a group home for 8 girls 12 to 17Yrs. of age.	5515 N. 32nd St. 1st Dist.
	Action:	Denied	
	Motion:	Catherine Doyle moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
38	27585 Dimensional Variance	Clear Channel Outdoor Property Owner Request to modify the height of this board approved off-premise sign (sign height is 35 ft/proposed modification to 50 ft) and request an exemption from the minimum required setback from the street.	2455 W. Clybourn St. 4th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of staff (DNS) and will be rescheduled on an upcoming BOZA agenda.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
39	27927 Dimensional Variance	Harbhajan Singh, Property Owner Request to erect a freestanding sign that is both over the maximum allowed height and sign area permitted by code.	11840 W. Silver Spring Dr. A/K/A 11900 W. Silver Spring Dr. 5th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
40	27822 Special Use/ Dim. Variance	Earl Hines, Lessee Request to occupy the premises as a rooming house for 5 residents.	3128 N. 7th St. 6th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler 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>
41	27952 Special Use/ Dim. Variance	Pamela Blossom, Lessee Request to occupy the premises as a religious assembly hall without the minimum required number of parking spaces (17 spaces required).	2201 N. Martin L King Jr Dr. A/K/A 2201 N. 3rd St. 6th Dist.
	Action:	Granted 3 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 the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 7. That this Special Use and this Variance are 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>
42	27769 Special Use	Will O Gibson, Property Owner Request to continue occupying a portion of the first floor as a grocery store.	128 E. Burleigh St. A/K/A 128 A E. Burleigh St. 6th 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 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. 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 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>
43	27541 Special Use	Syed Hasan Turab, Property Owner Request to continue occupying the premises as a fast-food carryout restaurant.	307 E. Center St. 6th Dist.
	Action:	Granted 1 Yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in accordance to the landscape and screening plan approved on May 24, 1995. 5. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That 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 personnel if necessary. 8. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
44	27709 Special Use	Earl Grunwald, Property Owner Request to occupy the premises as a motor vehicle repair facility.	4105 N. Richards St. 6th Dist.
	Action:	Granted 1 Yrs.	
	Motion:	Georgia Cameron 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.295-805 of the Milwaukee Zoning Code. 5. That there be no repair work conducted in the public right of way. 6. That there be no storage of vehicles in the public right of way. 7. That there be no display of vehicles for sale in the public right of way. 8. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That all repair work is performed inside the building. 11. That the petitioner does not have any vehicles parked or stored on the City sidewalk or public right-of-way along Fiebrantz. 12. That the petitioner does not store vehicles on public streets along Fiebrantz, Richards or Hubbard Streets or place vehicles "For Sale" on public streets along Fiebrantz, Richards or Hubbard Streets. 13. That the operator maintain the exterior premises in a clean and sanitary condition. 14. That motor vehicles on site to be repaired are licensed and repaired in a timely fashion. 15. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	27450 Special Use	Kalim M Beg, c/o KAL Services, Inc.;Property Owner Request to add a car wash to the existing board approved motor vehicle filling station and convenience store.	232 W. Locust St. A/K/A 2910 N. Martin Luther King Dr. 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.	
46	27910 Special Use	Candace Pointer, Lessee Request to occupy a portion of the premises as a second-hand sales facility (used furniture).	3611 N. Martin L King Jr Dr. A/K/A 3609 N. Martin L King Jr Dr. 5 6th Dist.
	Action:	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 clear glass and are maintained in an attractive manner. 5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	
47	27934 Appeal of an Order	Sammie L Glass, Property Owner Request to appeal an order issued by the Department of Neighborhood Services determining that there is no certificate of occupancy or certificate of zoning as a material reclamation facility for the premises.	3302 N. 29th St. A/K/A 3302 A N. 29th St. 7th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to uphold the order. 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>
48	27776 Special Use/ Dim. Variance	Max Motors & Body Shop Inc., Lessee Request to occupy the premises as an outdoor storage facility (motor vehicle storage).	2550 S. 30th St. 8th 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 existing landscaping and screening is maintained in a manner that meets the intent of city code. 5. That there be no storage or display of vehicles for sale in the public right of way. 6. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 8. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for outdoor motor vehicle storage occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 9. That the petitioner has no parking on unpaved surfaces and the parking spaces are delineated to identify vehicle spaces. 10. That the facility be locked and secure when staff is not on site. 11. That this Special Use 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>
49	27923 Special Use	Follow Your Dreams, Lessee Request to reduce the hours of operation from 24 hrs. to 6:00 a.m. to 11:00 p.m. and continue occupying the premises as a day care center for 80 children (40 per shift), infant to 12 Yrs. of age, operating Monday - Sunday.	8225 N. 107th St. 9th Dist.
	Action:	Granted 3 Yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. 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>
50	27928 Special Use	Brown Deer Sales, James Reno; Lessee Request to occupy a portion of the premises (repair bays) as a motor vehicle repair facility (repair facility is use in conjunction with the petitioners sales facility located at 8975 W. Brown Deer Rd.).	7440 W. Brown Deer Rd. A/K/A 7410 W. Brown Deer Rd. 9th Dist.
	Action:	Granted 3 Yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 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 three (3) years, commencing with the date hereof. 	
51	27563 Special Use	Willye Banks, Alphabet Street Learning Center; Prospective Buyer Request to occupy the premises as a day care center for 200 children, infant to 12Yrs. of age, Sunday - Saturday 6:00 a.m. to Midnight.	8940 N. 85th St. 9th 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>
52	27789 Special Use Granted	Jacqueline Shellaugh Lessee Request to occupy the premises as a day care center for 90 children, infant to 12 Yrs. of age, operating Monday - Friday 6:00 a.m. to 6:00 p.m.	5324 W. Center St. A/K/A 2700 N. 54th St. 10th 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 the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 5. That the petitioner submits a copy of the Wisconsin Exemption from the play area requirements. 6. That the applicant obtains a loading zone in front of the premises on West Center Street. 7. 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. 8. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	
53	27883 Special Use	Steps Forward ECAC, LLC. Eyarna Stewart;Property Owner Request to occupy the premises as a day care center for 50 children, infant to 12Yrs of age, operating 6:00AM - 6:00PM Monday-Friday.	411 S. Hawley Rd. 10th 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.	
	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>
54	27872 Dimensional Variance	Cynthia Gunnarson, Property Owner Request to construct a single-family dwelling without the minimum required side-yard setback.	232 S. 65th St. 10th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn this item. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
55	27833 Special Use	Mary S Reid, Property Owner Request to increase the hours of operation from Monday-Friday 6:00AM to Midnight to 24hrs Monday-Sunday and increase the number of children from 75 to 95 per shift, infant - 12 Yrs. of age to the previous Board approved day care center.	5836 W. Appleton Av. A/K/A 2745 N. 58th St. 10th 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 landscaping and screening is maintained per the plan approved by the Department of City Development on June 27, 2006. 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 this Special Use is granted for a period of time commencing with the date hereof and expiring on May 1, 2008. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
56	27874 Special Use	Ibrahim Issa, Lessee Request to allow a heavy motor vehicle rental facility to operate in conjunction with the existing general retail establishment on site.	5160 W. Forest Home Av. A/K/A 5158 W. Forest Home Av. 11th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled at an upcoming BOZA hearing.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
57	27961 Dimensional Variance	Timothy Dixon, Property Owner Request to allow two temporary banner signs (promotion for grand opening, requesting 433 days) over the maximum allowed display time period of 60 days.	500 W. Florida St. 12th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled on a future hearing date.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
58	27858 Special Use	Kenneth M Gebhard, Property Owner Request to occupy a portion of the premises as a second-hand store (used mattresses & bed frames).	2929 S. 13th St. 14th Dist.
	Action:	Denied	
	Motion:	Scott Winkler 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>
59	27767 Special Use	Bridgeman Foods II, Inc./ J.B. Properties Property Owner Request to continue occupying the premises as a fast-food/carry-out restaurant with a drive through facility.	3050 S. Chase Av. A/K/A 3042 S. Chase Av. 14th 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 the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel. 5. That this 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. 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 maintain landscaping and screening in a manner that meets the intent of city code. 8. That the petitioner provides a 24-hour contact number to the board office, the Alderman of the district and to any neighboring resident that requests it. 9. 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>
60	27840 Special Use	Azie Bonds, Lessee Request to occupy a portion of the premises as a day care center for a maximum of 100 children, infant to 12 Yrs. of age, operating Monday - Friday 6:00 a.m. to 6:00 p.m .	2720 N. 36th St. A/K/A 3500 W. Center St. 15th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
61	27867 Special Use	Joye A Peterson, Property Owner Request to occupy the premises as a day care center for 48 children infant to 12Yrs of age, operating 6:00AM-Midnight Monday-Friday.	3922 W. Vliet St. A/K/A 3924 W. Vliet St. 15th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn this appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
62	27375 Special Use	Donna Martinez, The American Dream;Property Owner Request to occupy the premises as a transitional living facility for 6 women (homeless, correctional institution).	1024 W. Hadley St. 15th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	3 Ayes, 1 S.W. Nays, C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
63	27852 Use Variance	Shawna K Whitehead, Prospective Buyer Request to continue occupying the premises as a 24 hrs. day care center for 8 children infant to 12 Yrs. of age, operating Monday - Friday.	4616 N. 30th 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.	
64	27815 Special Use	Shirley Howard, Property Owner Request to continue occupying the premises as a day care center for 98 children, infant to 13Yrs of age, with increased operating hours of 24 hrs. per day, 7 days per week (previous hours and days were 5:30 a.m. - 9:00 p.m./ Monday - Friday).	4919 W. Good Hope Rd. A/K/A 4911 W. Good Hope Rd. 1st Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal.	Seconded by Henry Szymanski.
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
65	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:	Denied	
	Motion:	Henry Szymanski moved to deny 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>
66	27839 Special Use	Sims Quality Parts & Service, Lessee Request to continue occupying the premise as a motor vehicle repair and sales facility (sales of vehicles & parts) and to expand these facilities by constructing a new sales building and adding additional parking spaces for customer parking, vehicle sales display, and vehicle storage for cars to be repaired (storage located in the rear of the premises).	6300 N. 76th St. 2nd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of staff and will be rescheduled at a future BOZA hearing.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
67	27855 Appeal of an Order	Michael Bashaw, Lessee Request to appeal an order issued by the Department of Neighborhood Services determining that an off-premise sign has been erected without obtaining the necessary Board approval .	2403 N. Maryland Av. A/K/A 2400 N. Farwell Av. 3rd Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to uphold the order based upon the appeal being withdrawn. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
68	27905 Other	Direct Supply, Inc. & KJ Greentree LLC Request to appeal the issuance of construction permits issued by the City of Milwaukee Development Center .	6760 N. Industrial Rd. A/K/A 6750 N. Industrial Rd. 9th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Chairman and will be rescheduled at a future BOZA hearing.	
	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>
-----------------	----------------------------	--------------------	------------------------------------

Other Business:

Board member Winkler moved to approve the minutes of the December 7, 2007 meeting. Seconded by Board member Szymanski. Unanimously approved.

The Board set the next meeting for February 15, 2007.

Board member Jackson moved to adjourn the meeting at 7:09 p.m.. Seconded by Board member Winkler. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board