

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – April 19, 2007
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

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

Members: Henry P. Szymanski (*voting on items 1-83*)
Scott R. Winkler (*voting on items 1-78, 80-83*)
Catherine M. Doyle (*voting on items 1-83*)
Donald Jackson (*voting on items 1-83*)

Alt. Board Members: Georgia M. Cameron (*voting on items 79*)
Leni M. Siker (*present*)

START TIME: 4:05 p.m.

End Time: 9:02 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	28142 Extension of Time	Alejandro Mora, Property Owner Request for an extension of time to comply with conditions of case No. 26629.	3120 W. Burnham St. 8th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 Abstained.	
2	28116 Special Use	Gregory G Schaal, Lessee Request to occupy the premises as a heavy motor vehicle parking lot and heavy motor vehicle outdoor storage facility (both parcels are proposed to operate together as one entity).	5223 S. 9th St. A/K/A 5311 S. 9th St. 13th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
3	27779 Use Variance	Mary Albritton, Prospective Buyer Request to occupy the premises as multi-family residential (apartments), assembly hall (banquet hall), and a residential hotel (10 rooms reserved for emergency temporary rooming i.e. surgery, business, etc.).	3333 W. Highland Bl. A/K/A 1027 N. 33rd St. 15th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
4	28214 Dimensional Variance	Ralph J Cybela, Property Owner Request to convert a single-family dwelling into a two-family dwelling (converting attic into a dwelling unit) without the minimum required lot area.	5568 N. 42nd St. 1st Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
5	28160 Use Variance	Brewery Project LLC., Other Request to occupy the premises for the processing or recycling of mined materials (concrete crushing).	810 W. Juneau Av. 4th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
6	28161 Use Variance	Brewery Projects LLC. , Other Request to occupy the premises for the processing or recycling of mined materials (concrete crushing).	1003 W. Winnebago St. A/K/A 901 W. Winnebago St. 4th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
7	28129 Special Use	Catherine J Wendorf, Lessee Request to continue occupying the premises as a second-hand store (sales of used clothing, furniture, appliances, and household items).	729 S. Layton Bl. A/K/A 715 S. Layton Bl. 8th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the storefront windows remain as clear glass and are maintained in an attractive manner. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That the 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 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>
8	28200 Special Use	Ivory Rose Day Care, Alisha R. Turner-Wright; Lessee Request to continue occupying the premises as a day care center for 8 children infant to 12 yrs. of age, operating Monday - Sunday 6:00 a.m. to Midnight.	2201 S. 20th St. A/K/A 2203 S. 20th St. 8th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the 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 five (5) years, commencing with the date hereof. 	
9	28202 Dimensional Variance	Maria G Morena, Property Owner Request to convert the rear commercial space into a fourth dwelling unit (studio apartment) without the minimum required lot area per dwelling unit .	2731 W. Becher St. A/K/A 2100 S. 28th St. 8th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	28205 Special Use	Chengyi Lee, Property Owner Request to increase the number of children from 48 to 64 (per shift) and increase the hours of operation from Monday - Friday 6:00 a.m. - 10:00 p.m. to Monday - Sunday 5:00 a.m. to Midnight.	3327 W. National Av. A/K/A 3327 A W. National Av. 8th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code (specifically, the wall sign is limited to a maximum area of 25 square feet). 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 five (5) years, commencing with the date hereof. 	
11	28209 Dimensional Variance	L.C. Whitehead, Property Owner Request to modify the previous Boards decision to construct a single-family residential dwelling without the minimum required set back (the petitioner proposes to modify the location of the dwelling putting it closer to the lot line because of a required utility easement, which increases the previously approved variance).	9433 N. Michael Ct. 9th Dist.
	Action:	Adjourned	
	Motion:		
	Vote:		

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12	28184 Special Use	Asif Rana, Rana Oil Company LLC.;Property Owner Request to add retail floor space (build out of existing footprint of building) and continue to occupy the premises as a motor vehicle filling station, convenience store, and fast-food restaurant.	8628 N. 107th St. A/K/A 8626 N. 107th St. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the 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 there be no increase in freestanding signage, and any additional building signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code 6. That landscaping and screening is maintained in a manner that meets the intent of city code. 7. 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. 8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

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13	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 and continue occupying the premises as a motor vehicle filling station.	5602 W. Vliet St. A/K/A 5602 W. Vliet St. 10th Dist.
	Action:		
	Motion:		
	Vote:		
14	28149 Use Variance	James A Bottoni, Property Owner Request to occupy the premises as a general office (law office).	5625 W. Wells St. A/K/A 733 N. Hawley Rd. 10th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 5. That this Variance is granted for a period of ten (10) years, commencing with the date hereof. 	

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15	28157 Special Use	Rock Enterprises, Inc., Earl & Michele Turner;Property Owner Request to increase the number of children from 76 to 150 infant to 12 yrs of age and for the existing day care center, operating from 5:30 a.m. - 1:30 a.m. Monday-Friday.	3942 N. 76th St. 10th Dist.
	Action:	Adjourned	
	Motion:		
	Vote:		
16	28188 Special Use	Fuel Land USA Inc., Property Owner Request to continue occupying the premises as a motor vehicle filling station and convenience store.	3501 N. 60th St. 10th Dist.
	Action:	Adjourned	
	Motion:		
	Vote:		
17	28189 Dimensional Variance	Leo & George Petropoulos, Property Owner Request to construct a four car detached garage without the minimum side street setback (structure is closer to the side street than the existing principal building).	9730 W. Beloit Rd. 1 A/K/A 9730 W. Beloit Rd. 2 11th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	

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18	28144 Special Use	El Rey Enterprises LLP, El Rey Mexican Prod., Inc.;Property Owner Request to continue occupying the premises as a food manufacturing facility.	1500 S. Muskego Av. A/K/A 1530 S. Muskego Av. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in a manner that meets the intent of city code. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

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19	28072 Use Variance	Elotyey Y. Frutas, Agustin L. Rangel;Prospective Buyer	2001 S. 7th St. 12th Dist.
		Request to occupy the premises as an indoor storage and food preparation facility (storage of vender carts).	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-407 of the Milwaukee Zoning Code. 5. That the first floor storefront windows remain as transparent glass and are maintained in an attractive manner. 6. That these Variances 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>
20	28131 Special Use	Oleg Ryvkin, Prospective Buyer Request to occupy the premises as a motor vehicle sales and repair facility (sale of luxury used cars).	5801 S. 27th St. 13th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That freestanding signage is limited to that proposed on the sign plan submitted to the Board of Zoning Appeals on 3/12/07 and that all other signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That landscaping and screening is implemented and maintained according to the landscape plan approved by the Department of City Development on February 12, 2001. 7. That all repair work is conducted inside of the building. 8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
21	28114 Special Use	Mandeep Dhawan, Northside Petroleum;Property Owner Request to reaffirm the Boards previous decision to raze the existing structure and construct a motor vehicle filling station and convenience.	1605 W. Oklahoma Av. 13th Dist.
	Action:	Adjourned	
	Motion:		
	Vote:		

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22	28139 Special Use	Saadeddine Fliefel, Property Owner Request to occupy the premises as a fast-food/carry-out restaurant (burgers, gyros, & fries) (previously approved by the board as a restaurant with a different product). Action: Granted 10 yrs. Motion: Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	4125 S. Howell Av. 13th Dist.
	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 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 glazing must meet the glazing standards of s295-605-i of the Milwaukee Zoning Code 7. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 8. That existing landscaping and screening is maintained in a manner that meets the intent of city code. 9. The existing roof sign fixture may be utilized and the plastic-faced plate of an existing box-type sign may be replaced with a new plate, but all other signage must meet the signage standards of s. 295-605 of the Milwaukee Zoning Code. 10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

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23	28137 Special Use	Drive Star Shuttle Systems, Inc., Lessee Request to occupy the premises as an outdoor storage facility (storage of heavy motor vehicles).	6110 S. Howell Av. 13th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That there be no vehicles stored in the public right of way. 5. That the applicant paves all parking areas or obtains a variance from the Board of Standards and Appeals to park on unpaved surfaces. 6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	
24	28187 Special Use	Amira Otallah, Property Owner Request to continue occupying the premises as a day care center for 60 children infant to 12 yrs. of age, operating Monday - Sunday 6:00 a.m. to 7:00 p.m.	1209 W. Layton Av. 13th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

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25	28151 Special Use	Jacqueline Carson, Property Owner Request to continue occupying the premises as a group home for 8 girls.	2601 N. 46th St. 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
26	28170 Dimensional Variance	Metcalf Park Homes Owner Initiative, LLC, Prospective Buyer Request to construct a single-family dwelling without the minimum required front facade width.	2611 N. 35th St. A/K/A 2613 N. 35th St. 15th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	

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27	28167 Dimensional Variance	Metcalfe Park Homes Owner Initiative, LLC, Prospective Buyer Request to construct a single-family dwelling without the minimum required front facade width.	2456 N. 36th St. A/K/A 2458 N. 36th St. 15th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	

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28	28177 Special Use	Shawnkya & Terrence Turner, Lessee Request to occupy a portion of the premises as a day care center for 22 children infant to 12 yrs. of age, operating 24 hrs. Monday - Friday, 12:00 a.m. to 5:00 p.m. on Saturday, and closed on Sunday .	6005 N. Teutonia Av. A/K/A 6007 N. Teutonia Av. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for industrial 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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29	28196 Special Use	Judy Mays, Lessee Request to reduce the number of children from 8 - 20 to a maximum of 8 children per shift and continue occupying the premises as a 24 hr. day care center operating Monday - Sunday.	5378 N. Hopkins St. A/K/A 4117 W. Custer Av. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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>
30	28180 Special Use	Residential Living Service, Inc., Lessee Request to continue occupying the premises as a transitional living facility of 16 residents.	7820 W. Hampton Av. A/K/A 7820 W. Hampton Av. 1 2nd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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. 	
31	28181 Special Use	Residential Living Services, Inc., Joan Harris; Lessee Request to continue occupying the premises as a transitional living facility for 8 residents.	7806 W. Hampton Av. A/K/A 7806 W. Hampton Av. 1 2nd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That there be a maximum of 8 residents. 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>
32	28148 Special Use	McDonald's Corp, Rich Neubauer;Property Owner Request to raze the existing structure and construct a new fast-food/carryout restaurant with a drive through facility . Action: Granted 10 yrs. Motion: Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 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 plans which meet the sign standards of s.295-605-5 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary. 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	5265 W. Fond Du Lac Av. 2nd Dist.
33	28141 Special Use	Joseph Tajnai, Lessee Request to occupy the premises as a day care center for 80 children per shift infant to 12 yrs. of age, operating 24 hrs. Monday-Friday and 8:00 a.m. - 6:00 p.m. Saturday & Sunday (the Board previously approved a day care center under a different operator).	5572 N. 76th St. A/K/A 5566 N. 76th St. 2nd Dist.
		Action: Adjourned	
		Motion:	
		Vote:	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
34	28150 Special Use	Ambassador Enterprise LLC., Property Owner Request to remodel and continue occupying the 2nd and 3rd floors of the premises as a commercial hotel.	2301 W. Wisconsin Av. A/K/A 2305 W. Wisconsin Av. 4th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner maintain landscaping and screening for the parking lot in a manner that meets the intent of city code. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
35	28185 Special Use	Anthony Nash, Lessee Request to continue occupying the premises as a religious assembly hall.	510 N. 27th St. A/K/A 510 N. 27th St. B 4th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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 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>
36	28153 Special Use	WISPARK LLC, Property Owner Request to continue occupying the premise as a principal parking lot.	522 N. 2nd St. A/K/A 176 W. Clybourn St. 4th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in accordance with the approved landscape plan. 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>
37	28156 Dimensional Variance	AT&T, Property Owner Request to replace the fence enclosing the existing parking lot with a new ornamental metal fence which exceeds the maximum allowed fence height, and without the minimum required landscaping (proposed fence height is 8ft. which is over the allowable fence height of 6 ft.).	918 N. 26th St. 4th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That the applicant obtains a permit for the installation of the fence. 5. That these Variances are granted to run with the land. 	
38	28169 Special Use	LaShawnda Davis, Lessee Request to occupy a portion of the premises as a social service facility (providing therapy and counseling for foster care children and families).	3953 N. 76th St. 5th Dist.
	Action:	Adjourned	
	Motion:		
	Vote:		

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	28171 Special Use	Jennie Marie Shleiden, Atonement Lutheran; Lessee Request to occupy the premises as a day care center for 40-50 children 2 yrs.- 12 yrs. of age, operating 7:00 a.m. - 5:30 p.m. Monday-Friday (a former day care center was previously approved by the Board that is no longer operational).	4050 N. 95th St. A/K/A 4076 N. 95th St. 5th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the 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 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	28182 Special Use	Mazen Jaber, Property Owner Request to modify the Board approved plans to combine the parcels and raze the existing building that is located adjacent to the existing Board approved motor vehicle filling station (8332-34 W. Appleton Ave.) and construct a car wash facility (single-bay care wash).	8211 W. Hampton Av. A/K/A 8215 W. Hampton Av. 5th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening plans which meet the requirements of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 7. That all car wash activity is conducted inside of the building. 8. That all wastewater is contained on site. 9. That there be a maximum of two driveways accessing the site from West Hampton Avenue. 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 time commencing with the date hereof and expiring on April 10, 2011. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	28146 Special Use	Phoebe Bowie, Lessee Request to occupy the premises as a day care center for 56 children infant to 12 yrs. of age, operating 6:00 a.m. - Midnight Monday-Friday (this is a vacant day care center that was previously approved by the Board for 28 children operating 6:00 a.m. - 6:00 p.m. Monday-Friday).	325 E. Garfield Av. A/K/A 323 E. Garfield Av. 6th Dist.
	Action:	Adjourned	
	Motion:		
	Vote:		

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	28089 Special Use	Christ Ministries, Inc., Lessee Request to occupy the premises as a day care center for 50 children (25 per shift) infant to 12 yrs. of age, operating Monday - Friday 6:00 a.m. - Midnight and 6:00 a.m. - 5:00 p.m. Saturdays.	907 W. Atkinson Av. 6th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as to 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 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. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	28207 Special Use	Sondra Davis, Lessee Request to occupy the upper unit as day care center for 8 children infant to 12 yrs of age, operating 6:00 a.m. - 6:00 p.m. Monday-Friday.	3453 N. 15th St. A/K/A 3453 A N. 15th St. 6th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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>
44	28057 Special Use	Shun Tomlin, Property Owner Request to occupy the premises as a day care center for 32 children (16 per shift) infant to 12 yrs. of age, operating Monday-Friday 6:00 a.m. to Midnight .	3405 W. Auer Av. 1 A/K/A 3179 N. 34th St. 7th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-505-5 of the Milwaukee Zoning Code (specifically, wall signage is limited to a maximum area of 18 square feet). 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 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>
45	28127 Special Use	Pleasant Hill M.B. Church, Property Owner Request to continue occupying a portion of the premises as a religious assembly hall.	3934 W. Fond Du Lac Av. A/K/A 3936 W. Fond Du Lac Av. 7th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of time commencing with the date hereof and expiring on January 22, 2017. 	
46	28154 Dimensional Variance	Gloria Beckham, Property Owner Request to construct an addition (sun room) to the existing residential dwelling that exceeds the maximum allowed lot coverage and without the minimum side setback adjustment for a building that exceeds the maximum allowed building depth (requires a 6 ft. west side setback adjustment, petitioner proposes 4.5 ft. of setback).	5040 W. Medford Av. A/K/A 5040 A W. Medford Av. 7th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That 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>
47	28064 Special Use	Wisconsin Community Services Inc., Lessee Request to continue occupying the premises as a community based residential facility (with 37 clients).	2930 N. 25th St. A/K/A 2932 N. 25th St. 7th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the 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 if any permit or license from the State of Wisconsin is revoked by the State of Wisconsin, the Special use herein granted shall immediately become null and void. 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
48	28138 Rehearing Request	Earl Hines, Lessee Request for a rehearing to occupy the premises as a rooming house for 5 residents without the minimum required number of parking spaces.	3128 N. 7th St. 6th Dist.
	Action:	Granted	
	Motion:	Catherine Doyle moved to grant this reconsideration 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>
49	27948 Use Variance	Reaching for the Goal Child Care & Dev. Center, Tammy Ward;Property Owner Request to occupy the premises as a 24 hr. day care center for 8 children, infant to 12 yrs. of age, operating Monday-Sunday (within 300 ft. of a liquor establishment thus use requires a Variance).	3319 W. National Av. 8th Dist.
	Action:	Granted 1 yr.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M. 5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 6. That this Variance is granted for a period of one (1) year, commencing with the date hereof. 	
50	28133 Use Variance	Tracy M Laster, Lessee Request to occupy the premises as a school (elementary or secondary, 100 students K4 - 5th grade).	5700 W. Hemlock St. 9th Dist.
	Action:	Adjourned	
	Motion:		
	Vote:		

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
51	27975 Special Use	Kurt Bechthold, Property Owner Request to continue occupying the premises as a facility that engages in the 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:	Catherine Doyle moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
52	27950 Special Use	Amazing Ministries Worship Center Property Owner Request to continue occupying the premises as a religious assembly hall.	5412 W. Burleigh St. A/K/A 5418 W. Burleigh St. 10th Dist.
	Action:	Adjourned	
	Motion:		
	Vote:		
53	27594 Special Use	Amazing Ministries Worship Center Property Owner Request to continue occupying the premises as a principal parking lot.	5506 W. Burleigh St. A/K/A 5418 W. Burleigh ST. 10th Dist.
	Action:	Adjourned	
	Motion:		
	Vote:		
54	28056 Appeal of an Order	Jeff Vogeler, Property Owner Request to appeal an order issued by the Department of Neighborhood Services determining that there is an illegal occupancy and use as 2-family residential dwelling .	227 N. Story Pk. A/K/A 231 N. Story Pk. 10th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to uphold the order. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	28078 Special Use	Arthur & Mary Reid, Property Owner Request to occupy the second principal dwelling on the premises (residential dwelling) as a 24 hr. day care center for 8 children infant to 12 yrs of age, operating Monday-Sunday (Two principal buildings exist on this lot. This request pertains to the residential dwelling on the parcel. The commercial building has been approved for a 24 hr day care center for 95 children).	2745 N. 58th St. A/K/A 5836 W. Appleton Av. 10th 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 conditions of approval for the previous special use are complied with. 5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on May 1, 2008. 	
56	28125 Special Use	BEG Enterprises Eleven LLC. Visa International;Property Owner Request to continue occupying the premises a motor vehicle filling station with a convenience store.	5758 W. Appleton Av. A/K/A 5701 W. Center St. 10th Dist.
	Action:	Adjourned	
	Motion:		
	Vote:		

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
57	28073 Special Use	Developing Unity in the Community Lessee Request to occupy a portion of the premises as a social service facility (providing clients with parenting assistance, housing assistance, home management, and supervised visitation).	6815 W. Capitol Dr. 306 A/K/A 6815 W. Capitol Dr. 10th 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>
58	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:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That there be no usage of the building's south doors except for emergency access. 5. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 6. That these Variances are granted for a period of ten (10) years. 	
59	28134 Dimensional Variance	Rosa A De Anda, Lessee Request to allow a wall sign on the premises that is over the maximum allowed sign area.	1534 W. Windlake Av. A/K/A 1532 W. Windlake Av. 12th Dist.
	Action:	Denied	
	Motion:	Scott Winker 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>
60	28173 Dimensional Variance	Spectrum Development, Jimmy Rosen & Robert Westfall; Lessee Request to raze the existing structure and construct a general retail establishment that is over the maximum allowed front setback (retail facility is a permitted use) and to erect a wall sign that is over the maximum allowed sign display area.	3636 S. 27th St. 13th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
61	27866 Special Use	Nelida Rodriguez, Lessee Request to occupy the premises as a car wash facility (vehicle detailing, buffing/waxing, shampoo carpets).	2509 E. Oklahoma Av. A/K/A 2515 E. Oklahoma Av. 14th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening plans which meet the intent of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 5. That signage must conform to the sign standards of s. 295- 605-5 of the Milwaukee Zoning Code. Specifically, the existing banner sign, flags and portable message sign are not permitted. 6. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 7. That all car wash and detailing activity is conducted inside of the building. 8. That all wastewater is contained on site. 9. That no interior or exterior window or door grates are used. 10. 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. 11. That there be no work conducted in the public right of way. 12. That there be no vehicles stored in the public right of way. 13. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 14. 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. 15. 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>
62	28049 Special Use	Marlenes Touch of Class, Property Owner Request to expand the existing board approved second hand clothing store to include the sales of second hand furniture and mattresses .	2929 S. 13th 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 Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That the applicant does not have outdoor storage or display of products or merchandise. 7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 8. That the applicant eliminates the subdivision of the space and restores the building to its previous condition. 9. That the wall separating the two existing retail spaces be removed. 10. That this Special Use is granted for a period of time commencing with the date hereof and expiring on November 21, 2009. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
63	28132 Use Variance	Dan Druml, Property Owner Request to occupy the 1st and 2nd floors of the premises as secondary school (high school with maritime curriculum, includes small wooden boat building).	2156 S. 4th St. A/K/A 2146 S. 4th St. 14th Dist.
	Action:	Adjourned	
	Motion:		
	Vote:		
64	27734 Dimensional Variance	Auto Parts Service, Inc. Lessee Request to remove the existing fence on site, (previously approved by the Standards and Appeals Commission) and construct a new fence on the premises that is over the maximum height permitted by code and is affixed with barbed wire .	1832 W. North Av. A/K/A 1834 W. North Av. 15th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
65	27994 Special Use	Sandy Lewis, Kenny Lewis, & Keith Kohlheim, Lessee Request to occupy the premises as a day care center for 8 children, infant - 12 years, operating 24 hours per day/ seven days per week (operator does live within the unit offering day care). Action: Granted 1 yrs. Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson. Vote: 3 Ayes, 1 S.W. 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 there are no signs or banners on the premises. 5. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M. 6. That the facility have a maximum of 3 full time employees. 7. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.	4864 N. 26th St. 1st Dist.
66	28102 Special Use	Joseph Williams, Northside Church of God;Property Owner Request to raze the existing residential dwellings and combine the parcels to construct a new building, that is over the maximum allowed lot coverage and does not have the minimum required rear setback, that will occupy a community center (includes recreational center, social service facility, specialty school, AODA counseling, after school tutoring, employment programs, anger/money/home management classes, & basketball/team spirit classes).	4875 N. 19th St. A/K/A 4871 N. 19th St. 1st Dist.
		Action: Adjourned Vote:	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
67	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:	Adjourned	
	Vote:		
68	28168 Special Use	David Erck, Walgreens Co.;Lessee Request to expand the existing general retail establishment (drug/convenience store/pharmacy) by adding a permitted medical office (not operating 24 hrs.) and continuing to operate 24 hrs. within 150 ft. of a residential district.	1400 E. Brady St. A/K/A 1414 E. Brady St. 3rd 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 takes all measures necessary to control loitering and loud noise on the premises, including, but not limited to, hiring private personnel. 5. That this Special Use is granted for a period of 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>
69	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:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized before 9:00 A.M. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
70	28210 Dimensional Variance	Pragmatic Construction, LLC. Property Owner Request to construct a multi-family residential dwelling (3-Unit) without the minimum required side street setback, without the minimum required rear setback for a corner lot, and with windows that project into the setback that are over the maximum allowed window width and more than one-third of the facade.	2800 N. Pierce St. A/K/A 702 E. Hadley St. 3rd Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That 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>
71	28010 Special Use/ Variance	Christopher J Gruenewald Property Owner Request to construct a second principal building on the premises that both exceeds the number of permitted principle buildings per lot (detached garage with an upper residential living flat on the second floor) and that does not possess the code required lot area per dwelling unit.	2546 N. Pierce St. A/K/A 2546 A N. Pierce St. 3rd Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That the petitioner submits a complete set of plans to the Milwaukee Development Center that comply with the code requirements of the Uniform Dwelling Code and obtains all necessary permits. 5. That this Special Use permit 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>
72	27862 Special Use	Progeny Capital Partners, LLC Property Owner Request to continue occupying the premises as a surface parking lot.	746 N. Old World Third St. A/K/A 223 W. Wells St. 4th 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 this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	
73	27864 Special Use	Progeny Capital Partners, LLC Property Owner Request to continue occupying the premises as a surface parking lot.	215 W. Wells St. A/K/A 749 N. 2nd 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. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
74	28165 Dimensional Variance	Marquette University High School Property Owner Request to erect a fence that is over the maximum allowed height (6 ft. permitted, 8 ft. proposed).	3321 W. Michigan St. A/K/A 3321 W. Michigan St. 4th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
75	28166 Dimensional Variance	Marquette University High School Property Owner Request to allow a temporary banner sign on site that would be displayed for longer than code permits (allowed 60 days, proposing 313 days).	3401 W. Wisconsin Av. A/K/A 607 N. 32nd St. 4th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
76	28136 Dimensional Variance	Gary Benson, Shoreline Lake Bluff, LLC.;Property Owner Request to erect a temporary banner sign on the premises that is over the maximum allowed sign area.	1300 N. Prospect Av. A/K/A 1308 N. Prospect Av. 4th 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>
77	27585 Dimensional Variance	Clear Channel Outdoor, aka Eller Media Co.;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:	Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
78	27849 Dimensional Variance	Select Property Group, LLC. Property Owner Request to convert the existing structure into a multi-family residential dwelling (43 unit studio apartments) without the minimum required number of parking spaces.	506 N. 18th St. A/K/A 508 N. 18th St. 4th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
79	28158 Appeal of an Order	Tri-Corp Housing, Inc., Property Owner Request to appeal an order issued by the Department of Neighborhood Services determining that the premises has failed to comply with its approved plan of operation regarding BOZA case No. 26203 (this is a revocation proceeding).	2713 W. Richardson Pl. 4th Dist.
	Action:	Adjourned	
	Motion:	Catherine Doyle moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
80	28164 Dimensional Variance	True Church of First Born Apostolic Property Owner Request to reaffirm the Boards previous decision to construct a religious assembly hall without the minimum code required parking and without the minimum required rear setback (an additional of a 2nd variance (setback) has been added from the original approval).	231 E. Meinecke Av. A/K/A 237 E. Meinecke Av. 6th 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 petitioner work with the Zoning Administration Group on design related issues including, but not limited to site and façade plans. The petitioner must submit revised drawings that reflect these changes to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits. 5. That these Variances are granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
81	28111 Special Use	Murrel Hart Jr., Property Owner Request to occupy the premises as a day care center for 25-35 children infant to 12 yrs. of age, operating Monday-Friday 6:00a.m. - 10:00 pm (previously approved day care closed).	2925 N. Holton St. A/K/A 2927 N. Holton St. 6th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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 applicant obtains a loading zone on North Holton Street in front of the premises. 7. That the petitioner obtains a new 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 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>
82	28077 Dimensional Variance	S&J Properties Inc., Property Owner Request to raze a portion of the building and occupy the premises as a personal service facility (salon) and a general retail establishment (both uses are permitted) that is over maximum allowed front setback and parking between the street facade of the principal building and a street lot line.	2826 N. Martin L King Jr Dr. A/K/A 2812 N. Martin L King . 6th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
83	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:	Scott Winkler moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item</u> <u>No.</u>	<u>Case No./</u> <u>Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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Other Business:

Board member Szymanski moved to approve the minutes of the March 22, 2007 meeting. Seconded by Board member Winkler. Unanimously approved.

The Board set the next meeting for May 10, 2007.

Board member Winkler moved to adjourn the meeting at 9:02 p.m.. Seconded by Board member Doyle. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board