

**BOARD OF ZONING APPEALS**  
**CITY OF MILWAUKEE**

**REGULAR MEETING – January 17, 2008**  
**City Hall, Common Council Committee Room 301-B**

***MINUTES***

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PRESENT:

**Chairman:** Craig H. Zetley (*voting on items 1-74*)

**Members:** Henry P. Szymanski (*voting on items 1-74*)  
Scott R. Winkler (*voting on items 1-74*)  
Catherine M. Doyle (*voting on items 1-74*)  
Donald Jackson (*voting on items 1-63*)

**Alt. Board Members:** Georgia M. Cameron (*voting on items 64-72*)  
Leni M. Siker (*voting on items 73-74*)

START TIME: 4:07 p.m.

END TIME: 9:06 p.m.

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<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	28323 Special Use	Toinette Owens Lessee  Request to occupy a portion of the premises as a day care center for 120 children infant to 12 yrs. of age, operating Monday - Saturday 6:00 a.m. to Midnight .	8701 W. Fond Du Lac Av. A/K/A 8701 W. Fond Du Lac Av. A 2nd Dist.

Action: Dismissed

Motion: Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.

Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
2	28234 Use Variance	Charanjeets WIS Properties One LLC Property Owner  Request to continue occupying the premises as a motor vehicle filling station and convenience store (previously denied by the Board to raze the structure and construct a new filling station & convenience store, this application is to renew the permit of the existing structure).	1530 W. State St. A/K/A 1560 W. State St. 4th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
3	28638 Special Use	Towne Peterson LLC Thomas Bernacchi;Property Owner  Request to continue occupying the premises as a parking lot.	735 W. Wisconsin Av. A/K/A 735 W. Wisconsin Av. 1200 4th Dist.
	Action:	Dismissed	
	Motion:	Scott Winker moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
4	28639 Special Use	Towne Peterson c/o Towne Properties Thomas Bernacchi;Property Owner  Request to continue occupying the premises as a parking lot.	625 N. James Lovell St. A/K/A 625 N. 7th St. 4th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
5	28326 Special Use	Brenda Pittman Lessee  Request to occupy the premises as a day care center for 48 children (no more than 30 per shift) infant to 12 yrs. of age, operating Monday - Friday 6:30 a.m. to Midnight and Saturday 7:00 a.m. to 4:30 p.m. (closed Sundays).	3700 N. 27th St. A/K/A 3702 N. 27th St. 7th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
6	28264 Use Variance	Valerie R Willis Lessee  Request to occupy the premises as a school (elementary or secondary) for a maximum of 150 students grades k4 - 8th.	8021 W. Tower Av. 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.	
7	28347 Use Variance	St. Joseph Hospital Lou Yeager, Reg. V.P. Facilities; Property Owner  Request to raze the house on the premises, and occupy the garage for indoor storage.	2978 N. 51st St. 10th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
8	28232 Special Use	Miguel A Rojas Lessee  Request to occupy the premises as a second-hand sales facility (sales of used mattresses & alteration of clothing).	1625 S. 6th St. A/K/A 1623 S. 6th St. 12th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
9	28658 Use Variance	Hussein Govani Property Owner  Request to add an indoor auto salvage to the existing Board approved auto repair facility.	1614 W. National Av. A/K/A 1622 W. National Av. 12th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
10	28231 Special Use	Yulonda Rodriguez Lessee  Request to occupy the premises as a day care center for a maximum of 8 children per shift infant to 12 yrs. of age, operating Monday - Friday 6:00 a.m. to Midnight and Saturday - Sunday 6:00 a.m. to 6:00 p.m.	1547 S. 13th St. 12th 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>
11	28415 Use Variance	Tammy Ward Lessee  Request to occupy the premises as a 24 hr. day care center for 75 children (25 per shift) infant - 13 yrs. of age, operating Sunday - Saturday that is within 300 ft. of an establishment that possesses a liquor license.	1724 W. Lincoln Av. A/K/A 2272 S. 18th St. B 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.	
12	28081 Special Use	Audrey White Property Owner  Request to occupy the premises as a 24 hr. day care center for 8 children (per shift) infant to 12 yrs. of age, operating Monday - Sunday (operator does not live on site).	2470 N. 22nd St. 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.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
13	28679 Special Use	I.K.O. Motors LLC Lessee  Request to continue occupying a portion of the premises as a motor vehicle sales facility.	5150 N. 32nd St. A/K/A 3117 W. Villard Av. 1st 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>6. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>7. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	
14	28626 Special Use	Little Tyke Academy & Childcare Center Tammie Anderson; Lessee  Request to occupy the premises as a day care center for 70 children (per shift), ages 4 weeks to 12 years, and also a private elementary school (K-4 to 6th grade) for 75 children, operating 24-hours (day care center) and from 6:00 a.m. to 4:00 p.m. (elementary school) .	5148 N. Teutonia Av. 1st Dist.
	Action:	Adjourned.	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	28634 Special Use	A Safe Place Supervised Visitation and Exchange Center; Lessee	6235 B N. Teutonia Av. A/K/A 6235 N. Teutonia Av. 1st Dist.
		Request to occupy the premises as a social service facility (supervised visitation and exchange center).	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	28590 Use Variance	Katherine Handy Property Owner  Request to increase the number of children per shift from 5 children to 8 children and to increase the days of operation to include weekends (Saturday and Sunday) operating from 6:00 a.m. to midnight for a previously Board approved day care center.	4620 N. 27th St. A/K/A 4620 N. 27th St. 3 1st 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all previous conditions of the Board regarding this property are complied with.</li> <li>5. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for institutional and educational occupancies and complies with all zoning conditions and building code requirements prior to increasing the number of children.</li> <li>6. That this Variance is granted for a period of time commencing with the date hereof and expiring on July 23, 2012.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	28667 Special Use	Ronald L. Edmiston Treasurer for Speedway SuperAmerica LLC;Property Owner	9200 W. Burleigh St. 5th Dist.
		Request to continue occupying the premises as a filling station with a convenience store.	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>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</li> <li>8. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>9. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>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.</li> <li>11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	28676 Special Use	Kareemah Shareef Property Owner	1012 W. Burleigh St. 6th Dist.
		Request to continue occupying the premises as a day care facility for 8 children ages 3 mos. - 12 yrs., Monday - Friday 6:00 am - 10:00 pm, Saturday - Sunday on call services (limited to approved hours).	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	28681 Special Use	Willie L Buchanan Property Owner	3800 N. Teutonia Av. 6th Dist.
		Request to continue occupying the premises as a fast food/carry-out restaurant.	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>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.</li> <li>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.</li> <li>7. 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.</li> <li>8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	28692 Special Use	Tijuana Odom Lessee  Request to modify the hours of operation from 6:00 a.m. - 3:30 p.m. to 6:00 a.m. - 11:00 p.m., Monday through Friday, for a previously Board approved day care center for 35 children, ages infant to 12 yrs.	1654 W. Hopkins St. A/K/A 1630 W. Chambers St. 6th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows are restored to clear glass and are maintained in an attractive manner.</li> <li>6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>7. That this Special Use is granted for a period of time commencing with the date hereof and expiring on March 28, 2012.</li> </ol>	
21	28110 Special Use	Ajit Singh Property Owner  Request to continue occupying the premises as a motor vehicle filling station with a convenience store.	1909 W. Hopkins St. 6th Dist.
	Action:	Adjourned.	
	Motion:	This matter was adjourned at the request of an interested party.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
22	28673 Special Use	Charles Elim Lessee  Request to occupy the premises as a second-hand store (clothing, shoes, glassware, etc.).	3049 N. 35th St. A/K/A 3051 N. 35th St. 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the storefront windows are restored to clear glass and are maintained in an attractive manner.</li> <li>5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>6. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>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.</li> <li>8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	
23	28686 Special Use	Integrated Mail Industries, Ltd. Property Owner  Request to occupy the premises as an outdoor storage facility and parking lot for heavy motor vehicles.	4125 N. 35th St. A/K/A 4165 N. 35th St. 7th 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>
24	28671 Special Use	Laura Angulo Lessee  Request to continue occupying the premises as an office and general retail establishment.	2635 W. Burnham St. A/K/A 1904 S. Layton Bl. 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the storefront windows are maintained in a neat and orderly manner.</li> <li>5. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code.</li> <li>6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	28694 Special Use	Cindy Fischer Other  Request to continue occupying the premises as a day care center for 142 children, ages infant to 12 years, operating Monday through Friday from 6:00 a.m. to 6:00 p.m..	2906 W. Scott St. A/K/A 2912 W. Scott St. 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the outdoor play area is not utilized before 9:00 A.M.</li> <li>5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	28606 Special Use	Junior Gentry Tammie Gentry; Lessee  Request to continue occupying the premises as a day care center for 77 children, ages 6 wks. to 12 yrs., operating Monday through Friday from 6:30 a.m. to 6:30 p.m..	8615 W. Brown Deer Rd. A/K/A 8730 N. 86th St. 9th 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

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27	28668 Special Use	Ronald L. Edmiston Treasurer for Speedway SuperAmerica LLC;Property Owner. Request to continue occupying the premises as a filling station with a convenience store.	907 W. Greenfield Av. A/K/A 1417 S. 9th St. 12th 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>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</li> <li>8. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>9. 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.</li> <li>10. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>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.</li> <li>12. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

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28	28687 Special Use	27th Street, LLC Anthony DeRosa;Property Owner  Request to occupy the premises as a drive-through facility operating from 5:00 a.m. - 10:00 p.m. daily for a proposed coffee shop.	4550 S. 27th St. A/K/A 4555 S. 27th St. 13th 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That landscaping and screening must meet the standards of 295-405 of the Milwaukee Zoning Code.</li> <li>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.</li> <li>7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	28695 Special Use	Enterprise Rent-a-Car Company, Inc. Lessee	5839 S. 27th St. 13th Dist.
		Request to occupy the premises as a motor vehicle sales/rental facility.	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on December 11, 2007 is installed within 120 days of occupancy. If occupancy occurs between September 30th of the year of occupancy and March 1st of the following year then landscaping and screening must be installed within 120 days of March 1st.</li> <li>5. That there be no increase in freestanding signage, and all other signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>6. That there be no vehicles displayed in the public right of way.</li> <li>7. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	28699 Use Variance	Covenant Apostolic Church, Inc. Lessee  Request to continue occupying a portion of the premises as a religious assembly hall.	1204 W. Layton Av. A/K/A 1208 W. Layton Av. 13th 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Variance is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	28670 Special Use	Robert C Koontz Property Owner	2671 S. 6th St. 14th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility.	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That a six (6) foot high opaque wood board-on board fence is provided along the southern property line to screen the site from the residence to the south.</li> <li>5. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>6. That all repair work is conducted inside of the building</li> <li>7. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>8. That no vehicles are parked in the alley to the west.</li> <li>9. That the storefront windows is clear glass and are maintained in an attractive manner.</li> <li>10. That all tow trucks are parked indoors.</li> <li>11. That the number of vehicles parked on the lot be limited to eight (8) at any given time.</li> <li>12. That the hours of operation are limited to 8:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 4:00 p.m. on Saturday.</li> <li>13. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>14. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>15. 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.</li> <li>16. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	28663 Special Use	Annie Coleman Lessee  Request to continue occupying the premises as a day care center for no more than 70 children per shift, ages 4 weeks to 12 years, operating 24-hours week-round, and also a school serving grades K-4 to 6th, operating from 6:00 a.m. to 4:00 p.m..	3432 W. Center St. A/K/A 3430 W. Center St. 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.	
33	28678 Special Use	Heavenly Angels Paula Nash and Alex Nash; Property Owner  Request to continue occupying the premises as a day care center for 106 children (46 on 1st floor, 60 on 2nd floor), ages infant to 12 yrs., operating 24-hours, 7 days a week.	2451 W. North Av. A/K/A 2455 W. North 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
34	28682 Special Use	Traci Conner Lessee  Request to continue occupying the premises as a day care center for 49 children, ages infant to 12 years, operating 24-hours, 7 days a week.	2664 N. 38th St. A/K/A 2674 N. 38th St. 15th 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>5. That the windows remain as clear glass and are maintained in an attractive manner.</li> <li>6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	28683 Dimensional Variance	Dr. Mohammad Shafi Shafi Enterprises, LLC;Prospective Buyer  Request to construct a general office building without the minimum required glazing.	1919 W. North Av. A/K/A 1935 W. North Av. 15th 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That this Variance is granted to run with the land.</li> </ol>	
36	28689 Dimensional Variance	United Methodist Children's Services Property Owner  Request to raze the existing property on site and construct a duplex that does not meet the minimum required building front facade width.	1929 31 N. 39th St. A/K/A 1931 N. 39th St. 15th 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That this Variance is granted to run with the land.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	28530 Use Variance	Jeremeiah Baptist Church Property Owner  Request to construct a principal use parking lot for a religious assembly hall.	4425 W. Villard Av. A/K/A 4423 W. Villard Av. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That a revised landscape and screening plan meeting the intent of city code section 295-405 is submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. Specifically the revised plan must contain the required number of trees to meet both perimeter and interior landscaping requirements and must provide a buffer to the abutting residences.</li> <li>5. That landscaping and screening is installed within 120 days of occupancy. If occupancy occurs between September 30th and March 1st then landscaping and screening must be installed within 120 days of April 1st.</li> <li>6. That this Variance is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	
38	27878 Special Use	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 has parking between the street facade of the principal building and street lot line.	4915 N. Hopkins St. 1st 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>
39	28561 Use Variance	Scott Robbins Lessee  Request to occupy the premises as a currency exchange/payday loan that is within 150 ft. of a single-family or 2-family residential district.  Action: Granted 2 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>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.</li> <li>6. That this Variance is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	6500 W. Capitol Dr. A/K/A 6524 W. Capitol Dr. 2nd Dist.
40	28572 Use Variance	Committed to Christ International Ministries Gregory Thornton; Prospective Buyer  Request to occupy the premises as a religious assembly hall.	10003 W. Carmen Av. 2nd Dist.
		Action: Adjourned.	
		Motion: This matter was adjourned at the request of the Alderman of the district.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	28616 Special Use	Sonja Norwood Lessee  Request to occupy the premises as a day care center for 50 children (two shifts of no more than 25 children per shift), ages 6 weeks to 12 years, operating Monday through Friday from 6:00 a.m. to 9:00 p.m..  Action: Adjourned.  Motion: This matter was adjourned at the request of the Alderman of the district.	4700 N. 76th St. 2nd Dist.
42	28672 Special Use	Claude Hill Property Owner  Request to occupy the premises as a group home for 5 teenage girls, ages 12 to 17 years.  Action: Adjourned.  Motion: This matter was adjourned at the request of the Alderman of the district.	5746 N. 96th St. 2nd Dist.
43	28553 Special Use	Ola Benson Lessee  Request to continue occupying a portion (unit 200) of the premises as a religious assembly hall.  Action: Granted 5 yrs.  Motion: Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  Conditions of Approval: <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all previous conditions of the Board regarding this property are complied with.</li> <li>5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	5401 N. 76th St. A/K/A 5401 N. 76th St. 100 2nd Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
44	28290 Use Variance	Rueben M. Katz Aztak Co.; Property Owner	8300 W. Florist Av. 2nd Dist.
		Request to continue occupying the premises as a metal processing and recycling facility with outdoor storage.	
	Action:	Adjourned.	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
45	28441 Special Use	Northwest Full Gospel Tabernacle Lessee	4405 N. 60th St. A/K/A 4411 A N. 60th St. 2nd Dist.
		Request to occupy a portion of the premises as a religious assembly hall.	
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
46	28268 Special Use	Kourtney Stevens Other	6830 W. Villard Av. 2nd Dist.
		Request to occupy the premises as a day care center for 85 children per shift infant to 12 yrs. of age, operating Monday - Saturday 6:00 a.m. to Midnight.	
	Action:	Adjourned.	
	Motion:	The matter was adjourned at the request of the applicant and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
47	28610 Appeal of an Order	Miriam Porush Property Owner  Request to appeal an order issued by the Department of Neighborhood Services determining that there is an illegal occupancy as a rooming house (for a single-family residential dwelling) and an illegal occupancy for a sleeping room in the basement on site.	2734 N. Maryland Av. A/K/A 2734 A N. Maryland Av. 3rd Dist.
	Action:	Adjourned.	
	Motion:	The matter was adjourned at the request of staff and will be rescheduled at the next available hearing.	
48	28685 Dimensional Variance	Michael Hosale, Cynthia Legrand Hosale Dianne D. Dziengel;Property Owner  Request to construct a building addition without the required setbacks and exceeding lot coverage.	2604 N. Lake Dr. A/K/A 2604 A N. Lake Dr. 3rd Dist.
	Action:	Adjourned.	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
49	28633 Special Use	Robert Settecase Lessee  Request to occupy the premises as a second-hand store selling DVDs, video games, and CDs.	1709 N. Farwell Av. A/K/A 1723 N. Farwell Av. 3rd 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage plans which meet the sign standards of s.295-605 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.</li> <li>5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	
50	28669 Use Variance	Natasha Bishop Lessee  Request to occupy the premises as a day care center for 6 children per shift, ages infant to 12 years, operating Monday through Friday from 6:00 a.m. to 10:00 p.m. that is within 300 ft. of an establishment that possesses a liquor license.	1801 W. Galena St. A/K/A 1551 A N. 18th St. 4th Dist.
	Action:	Denied	
	Motion:	Donald Jackson 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>
51	28434 Special Use	Janice Coleman Lessee  Request to occupy a portion of the premises as a religious assembly hall (sharing space on the 2nd floor with martial arts studio).	8528 W. Lisbon Av. 5th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	28485 Special Use	Josephine Adams Lessee  Request to occupy the premises as a day care center for 60 children ages 6 wks. to 12 yrs. from Monday - Sunday from 6:00 a.m. to 11:00 p.m. (there is a previously Board approved religious assembly hall on site).	3401 N. 76th St. A/K/A 7608 W. Townsend St. 5th Dist.
	Action:	Granted 1 yr.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	3 Ayes, 1 S.W. Nays, C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>7. That the outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards.</li> <li>8. That it is recommended the applicant obtain a loading zone on West Townsend Street.</li> <li>9. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for institutional and occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>10. That a contact person be provided to the Board office.</li> <li>11. That a privacy fence is erected on the perimeter of the site.</li> <li>12. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
53	27675 Special Use	Golden Rule C.O.G.I.C. Property Owner  Request to add a social service facility (storing and distributing donated items) to a site that also contains a board approved day care center.	2430 W. Hopkins St. A/K/A 2428 W. Hopkins St. 6th Dist.
	Action:	Granted 1 yr.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	3 Ayes, 1 S.W. Nays, C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>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.</li> <li>5. That there be no outdoor sales, receipt, or distribution of food, clothing, household goods or other items on the premises.</li> <li>6. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
54	28476 Special Use	Golden Rule Church Property Owner	2432 W. Hopkins St. A/K/A 2434 W. Hopkins St. 6th Dist.
		Request to continue occupying the premises as a religious assembly hall (board approved religious assembly hall but the applicant did not obtain an occupancy permit).	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>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.</li> <li>5. That there be no outdoor sales, receipt, or distribution of food, clothing, household goods or other items on the premises.</li> <li>6. That this Special Use is granted for a period of time commencing with the date hereof and expiring on July 10, 2010.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	28203 Special Use	Syed Hasan Turab Property Owner  Request to raze the existing structure and construct a new motor vehicle filling station, convenience store, and fast-food/carryout restaurant without the minimum required glazing on the secondary street facade.	307 E. Center St. A/K/A 301 E. Center St. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>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 security personnel if necessary.</li> <li>6. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee</li> <li>7. 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.</li> <li>8. That the premises is developed in accordance with the plans submitted to the Board on June 21, 2007.</li> <li>9. That landscaping and screening is installed within 120 days of occupancy. If occupancy occurs between September 30th of the year of occupancy and March 1st of the following year then landscaping and screening must be installed within 120 days of March 1st.</li> <li>10. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>11. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>12. 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.</li> <li>13. That these Special Uses are granted for a period of five (5) years and that this Variance is granted to run with the land, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
56	28647 Use Variance	Carl Diederichs, All Saints Catholic Church Archdiocese of Milwaukee; Lessee  Request to occupy the premises as a rooming house for homeless women and children.  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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>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 security personnel if necessary.</li> <li>5. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for residential occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>6. That the applicant obtains a rooming house license.</li> <li>7. That this Variance is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	3426 N. 38th St. 7th Dist.
57	28691 Special Use	Mike Imse, Joe Shortreed, and Dave Kane Property Owner  Request to raze the existing structure and construct a bank with a drive-through facility that does not possess the code required glazing on the primary street facade .  Action: Adjourned.  Motion: Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	2701 W. National Av. A/K/A 2729 W. National Av. 8th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
58	28621 Special Use	Valley Passage, LLC Steve Mech;Property Owner	3628 W. Pierce St. 8th Dist.
		Request to occupy the premises as a general office (proposed parking to be located at 701 S. 37th).	
	Action:	Granted 10 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code.</li> <li>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
59	28623 Special Use/Dimesional Variance	Valley Passage, LLC Steve Mech;Property Owner  Request to occupy the premises as a parking lot without the code required landscaping and edge treatment (to be used in conjunction with 3628 W. Pierce).	701 S. 37th St. 8th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>5. That a revised landscape and screening plan meeting the intent of city code section 295-405 is submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group within 60 days of Board approval of the special use and prior to the issuance of any permits. The revised landscape plan must provide additional shrubs along the W. Pierce St and S. 37th St frontages.</li> <li>6. That landscaping and screening is installed within 120 days of occupancy. If occupancy occurs between September 30th of the year of occupancy and March 1st of the following year then landscaping and screening must be installed within 120 days of March 1st.</li> <li>7. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>8. That this Special Use and this Variance are granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
60	28629 Special Use	Matt Sisson Property Owner  Request to modify the existing non-conforming 24 hour self-service car wash by eliminating two truck washing bays and converting them to standard car washing bays (Board approved Automatic Teller Machine on site).	8805 N. 107th St. A/K/A 8801 N. 107th St. 9th 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of time commencing with the date hereof and expiring on September 14, 2009.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
61	28545 Special Use	Garrett W. McIntosh Scrub-A-Dub Systems, Inc.;Property Owner	7315 W. Appleton Av. A/K/A 7327 W. Appleton Av. 10th Dist.
		Request to continue occupying the premises as a car wash facility.	
	Action:	Granted 1 yr.	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That existing landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>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.</li> <li>6. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision.</li> <li>7. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
62	28484 Special Use	Laquesha McEvelly Lessee	7251 W. Appleton Av. A/K/A 7251 W. Appleton Av. 4 10th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	3 Ayes, 1 C.D. Nays, C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. Specifically that there is no outdoor display of pennants or banners unless approved by the Zoning Administrative Group.</li> <li>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>6. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>7. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for institutional and educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>9. That the applicant does not use the basement for any purpose other than storage.</li> <li>10. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
63	28486 Special Use	Charlotte Randolph Lessee  Request to increase the hours from 6:00 a.m. to 6:00 p.m. on Monday - Friday to 24 hours 7 days per week and continue to occupy the premises as a day care center for 58 children, ages 4 wks. to 13 yrs. of age.	3125 S. 53rd St. 11th Dist.
	Action:	Adjourned.	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
64	28614 Dimensional Variance	Jeff Wegehaupt Property Owner  Request to construct a garage for the existing single-family dwelling higher than the maximum permitted height.	3160 S. 67th Ct. 11th 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That this Variance is granted to run with the land.</li> </ol>	
65	28653 Dimensional Variance	Daniel Mora Property Owner  Request to construct a one-story building, exceeding the permitted rear setback, to store collectable cars and cars that have been sold (in lay way terms) .	1959 S. 5th Pl. A/K/A 1963 S. 5th Pl. 12th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
66	28651 Use Variance	Ramiro Gonzalez Property Owner  Request to occupy the premises as motor vehicle sales facility.	1314 W. Grant St. 1 A/K/A 1314 W. Grant St. 3 12th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
67	28224 Special Use	Brian Wurch Property Owner  Request to occupy the premises as a rooming house for 10 residents (previously a rooming house but the license expired in 2004, therefore has to go before the Board).	623 S. 9th St. A/K/A 625 S. 9th St. 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner obtains an occupancy certificate by having all required inspection, complies with current State commercial building code for R-1 occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>5. That the petitioner obtains a rooming house license.</li> <li>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
68	28563 Use Variance	Community Financial Service Center Corp. Lessee  Request to occupy the premises as a currency exchange/pay day loan facility that is within 1500 ft. of another like facility.  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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner relinquish any licenses at its current location (845 W. Layton Av. and that no licenses or permits or other permissions for the premises at 845 W. Layton Ave may be transferred to another party for use as a currency exchange, payday loan, title loan or installment loan office.</li> <li>5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>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.</li> <li>7. That this Variance is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	1010 W. Layton Av. A/K/A 1006 W. Layton Av. 13th Dist.
69	28313 Special Use	Marcel Green-Minter Lessee  Request to continue occupying a portion of the premises as a second-hand sales facility (furniture sales).	4727 W. Center St. A/K/A 4723 W. Center St. 15th Dist.
		Action: Dismissed  Motion: Catherine Doyle moved to dismiss 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>
70	27734 Dimensional Variance	Auto Parts Service, Inc. Lessee  Request to remove the existing fence on site, (portions of which were 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:	Dismissed	
	Motion:	Catherine Doyle moved to dismiss this appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
71	28446 Special Use	Darcus Young Lessee  Request to occupy the premises as a rooming house for 17 people.	3500 W. Center St. A/K/A 3516 W. Center St. 15th Dist.
	Action:	Adjourned.	
	Motion:	Catherine Doyle moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
72	28119 Special Use	Agape Love Deliverance Church Property Owner  Request to add a religious assembly hall to the existing Board approved elementary/secondary school (and permitted religious specialty school on site).	4716 W. Lisbon Av. A/K/A 4718 W. Lisbon Av. 15th Dist.
	Action:	Adjourned.	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
73	28055 Special Use	Focus Academy Lessee  Request to occupy a portion of the premises (basement or lower level) as a school (high school for 100 students - the school will be used in conjunction with the church on site but operate as a separate entity).	6103 W. Capitol Dr. A/K/A 6101 W. Capitol Dr. 2nd 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>
74	28193 Dimensional Variance	Farwell-Cramer, LLC Property Owner  Request to continue occupying the premises as a multi-family (3-unit) residential dwelling without the minimum required lot area.	2710 N. Farwell Av. A/K/A 2712 N. Farwell Av. 3rd 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all previous conditions regarding this land use are complied with.</li> <li>5. That this Variance is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

**Other Business:**

Board member Henry Szymanski moved to approve the minutes of the December 13, 2007 meeting. Seconded by Board member Donald Jackson Unanimously approved.

The Board set the next meeting for February 7, 2008.

Board member Scott Winkler moved to adjourn the meeting at 9:06 p.m. Seconded by Board member Henry Szymanski Unanimously approved.

**BOARD OF ZONING APPEALS**

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Secretary of the Board