

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – February 7, 2008
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairman: Craig H. Zetley (*voting on items 1-64*)

Members: Henry P. Szymanski (*excused*)
Scott R. Winkler (*voting on items 1-64*)
Catherine M. Doyle (*1-64*)
Donald Jackson (*voting on items 1-35, 37-64*)

Alt. Board Members: Georgia M. Cameron (*voting on items 1-35, 37-64*)
Leni M. Siker (*voting on item 36*)

START TIME: 4:15 p.m.

End Time: 7:37 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	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: 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>
2	28433 Special Use	Christopher Townsend Lessee Request to occupy the premises as a motor vehicle repair facility (specializing in rims and tires).	7540 W. Fond Du Lac Av. 2nd Dist.
	Action:	Adjourned.	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available hearing.	
3	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:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
4	28439 Dimensional Variance	Lewis R Brooks Property Owner Request to erect a pylon sign that is over the maximum allowed height and over the maximum allowed square footage per code.	12101 W. Silver Spring Dr. 5th 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>
5	28332 Use Variance	Clara Mohammed School Lessee Request to occupy the premises as a day care center for a maximum of 75 children infant to 12 yrs. of age, operating Monday - Friday 6:00 a.m. to 6:00 p.m.	317 W. Wright St. A/K/A 2475 N. Martin L King Jr Dr. 6th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
6	28414 Special Use	Freddie Jones Lessee Request to occupy a portion of the premises as an outdoor storage facility (motor vehicles and yard equipment) .	3408 N. Port Washington Av. A/K/A 3410 N. Port Washington Av. A 6th Dist.
	Action:	Adjourned.	
	Motion:	This matter was adjourned at the request of the applicant and will be scheduled at the next available hearing.	
7	28282 Special Use	Walid Mousa Property Owner Request to continue occupying the premises as motor vehicle sales and as a hand car wash facility.	3823 W. Fond Du Lac Av. 7th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
8	28432 Dimensional Variance	Ascension Lutheran Church Property Owner Request to erect multiple replacement signs that are over the maximum allowed number of free standing signs, over the maximum allowed square footage, and over the maximum allowed height per code (sign also has a changeable message board).	1236 S. Layton Bl. A/K/A 1300 S. Layton Bl. 8th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Donald Jackson	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
9	28534 Special Use	Cindy Neeley Lessee Request to occupy the premises as a transitional living facility for 10 to 15 homeless persons.	2214 S. 15th St. 12th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
10	28066 Special Use	James Valona Property Owner Request to occupy a portion of the premises as a social service facility (providing outpatient counseling) .	2197 S. Kinnickinnic Av. A/K/A 350 E. Ward St. 14th 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>
11	28371 Special Use	Kenneth Dyess Lessee	1122 W. Wright St. 15th Dist.
		Request to occupy the premises as a transitional living facility for no more than seven adult men at any time and to occupy without the minimum required sq. ft. per roomer (200 ft. short/per roomer).	
	Action:	Adjourned.	
	Motion:	This matter was adjourned at the request of the applicant and will be scheduled at the next available hearing	
12	28703 Special Use	New Life Assembly of God Reverend Kevin Olson; Property Owner	6701 W. Villard Av. 2nd Dist.
		Request to continue occupying the premises as a religious assembly hall.	
	Action:	Granted 10 yrs.	
	Motion:	Scott Winker 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 for the parking lot 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. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
13	28733 Special Use	Alicia Szalewski Lessee	1219 N. Cass St. 3rd Dist.
		Request to continue occupying a portion (2 offices on 2nd floor) of the premises as a personal service facility (massage therapy).	
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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>
14	28735 Special Use	Ann Tilque Lessee	1668 N. Warren Av. A/K/A 1668 A N. Warren Av. 3rd Dist.
		Request to continue occupying the premises as a second-hand store.	
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant does not have outdoor storage or display of products or merchandise. 5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That the storefront windows remain as transparent glass and are maintained in an attractive manner. 8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	28705 Special Use	Genesis Behavioral Sciences, Inc. Amy Winkler; Lessee Request to expand the social service facility to occupy an adjacent suite, unit #316, and to continue occupying a portion of the premises as a social service facility (32 clients on site maximum at any given time).	230 W. Wells St. 312 A/K/A 230 W. Wells St. 801 4th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains a new occupancy certificate by having all required inspections for expanding into the adjacent office space. 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>
16	28452 Special Use	Sandra D Williams Lessee Request to continue occupying the premises as a day care center for 50 children (25 per shift) infant to 12 yrs. of age, operating Monday - Saturday 6:00a.m. to Midnight, closed Sunday.	10527 W. Appleton Av. A/K/A 10529 W. Appleton Av. 5th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 7. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	
17	28707 Special Use	Alphabet Street Learning Center Property Owner Request to continue occupying the premises as a day care center for 71 children, ages infant to 12 years operating 5:30 a.m. to midnight, Monday - Sunday.	4473 N. 76th St. 5th Dist.
	Action:	Adjourned.	
	Motion:	This matter was adjourned at the request of the Alderman of the district and will be rescheduled for the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	28716 Special Use	William B Hussel Property Owner	5349 N. Lovers Lane Rd. 5th Dist.
		Request to continue occupying the premises as a contractor's shop.	
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
19	28725 Special Use	Reverend Edward Johnson Property Owner	1444 W. Atkinson Av. A/K/A 1446 W. Atkinson Av. 6th Dist.
		Request to continue occupying the premises as a religious assembly hall.	
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	28740 Special Use	My Home, Your Home Inc. Property Owner Request to continue occupying the premises as a small group shelter care facility for 8 males.	1033 W. Keefe Av. A/K/A 1027 W. Keefe Av. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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>
21	28711 Special Use	Lisa Olson Lessee	4723 W. Hoyt Pl. 7th Dist.
		Request to increase the hours of operation from 6:00 a.m. to 6:00 p.m. to 6:00 a.m. to 11:00 p.m. and continue occupying the premises as a group day care center for 25 children, infant to 12 yrs. of age operating Monday - Friday .	
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That this Special Use is granted for a period of ten (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>
22	28728 Special Use	Western Investment, LLC Lessee	1801 W. Forest Home Av. 8th Dist.
		Request to continue occupying the premises as a car wash and motor vehicle sales facility.	
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That landscaping and screening is maintained in a manner that meets the intent of city code. 8. That all car wash activity is conducted inside the building. 9. 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. 10. 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>
23	28747 Special Use	Schnell Price Property Owner Request to continue occupying the premises as a day care center for 150 children infant to 11 years of age, Monday - Friday 6:00 am - 6:00 pm.	3023 W. Greenfield Av. A/K/A 1420 S. 31st St. 8th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That landscaping and screening is maintained in a manner that meets the intent of city code. 6. That the storefront windows remain as transparent glass and are maintained in an attractive manner. 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

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24	28732 Special Use	Community Financial Service Center, Corp. Lessee	8921 W. Brown Deer Rd. A/K/A 8917 W. Brown Deer Rd. 9th Dist.
		Request to continue occupying the premises as a currency exchange / payday loan facility.	
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
25	28737 Special Use	Day Care Services for Children Property Owner	8842 N. Swan Rd. A/K/A 8834 N. Swan Rd. 9th Dist.
		Request to continue occupying the premises as a day care center operating from 6:00 am to 6:00 pm Monday - Friday, for 76 children (at any given time), infant to 12 years of age.	
	Action:	Adjourned.	
	Motion:	This matter was adjourned by staff and will be reschedule for the next available BOZA hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	28220 Special Use	Erv Martens Property Owner Request to continue occupying the premises as an indoor storage facility (mini-warehouses) without the minimum required landscaping and over the maximum allowed front setback.	7420 W. Bradley Rd. A/K/A 7422 W. Bradley Rd. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That screening is implemented and maintained in accordance with plans submitted to the Board on November 27, 2007. 5. That this Special Use and these Variances are granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	28222 Special Use	Erv Martens Property Owner Request to continue occupying a portion of the premises as an indoor storage facility (mini-warehouses) without the minimum required landscaping and over the maximum allowed front setback.	8010 N. 76th St. A/K/A 7530 W. Bradley Rd. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
28	28719 Dimensional Variance	Donald R Brownell Property Owner Request to construct a two-family residential dwelling without the minimum required lot area per dwelling unit (shortage of 40 square ft).	2873 N. 58th St. 10th 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 builds 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>
29	28722 Dimensional Variance	Nicholas Anton Property Owner Request to continue the use of an off-premise sign that is within 200 ft. of another off-premise sign.	815 W. National Av. A/K/A 817 W. National Av. 12th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted for a period of five (5) years, commencing with the date hereof. 	
30	28714 Special Use	James Baker Lessee Request to occupy the premises as an ambulance service facility operating 24 hrs (ambulance service is an addition to a permitted contractor's shop).	5044 S. 27th St. A/K/A 5050 S. 27th St. 13th Dist.
	Action:	Adjourned.	
	Motion:	This matter was adjourned at the request of the Alderman of the district and will be rescheduled for the next available hearing.	
31	28624 Special Use	Manuel Garcia Property Owner Request to add an auto sales facility to the existing non-conforming auto body shop and painting service facility.	4030 S. Pine Av. A/K/A 4030 S. Pine St. 14th Dist.
	Action:	Adjourned.	
	Motion:	This matter was adjourned at the request of the Alderman of the district and will be rescheduled for the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	28723 Special Use	Ahmad Zraik Property Owner	2910 W. Fond Du Lac Av. 15th Dist.
		Request to continue occupying the premises as a general retail establishment (grocery store).	
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB2 zoning districts. 6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	28726 Special Use	Bessie L Williams Property Owner Request to occupy the premises as a 24 hour day care center for 40 children per shift, infant to 14 years old, operating Monday - Sunday (Previous 2007 Board approved day care on site that has varying hours/days, # of children).	2814 W. Lisbon Av. A/K/A 2812 W. Lisbon Av. A 15th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That this Special Use is granted for a period of time commencing with the date hereof and expiring on February 27, 2011. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
34	28738 Special Use	Nate Jefferson Lessee Request to continue occupying the premises as a social service facility (diet & nutrition assessment) .	4630 W. North Av. A/K/A 2306 N. 47th St. 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the storefront windows remain as transparent glass and are maintained in an attractive manner. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	28715 Special Use	Latasha Jackson Property Owner Request to continue occupying the premises as a day care center for 134 children, infant to 12 years of age, operating from 6 a.m. to 11 p.m. seven days per week.	2400 W. Capitol Dr. A/K/A 2404 W. Capitol Dr. 1st Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
36	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:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	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:	Donald Jackson moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
38	28486 Special Use	Charlotte Randolph Lessee	3125 S. 53rd St. 11th Dist.
		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.	
	Action:	Granted 2 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 5. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 6. That the petitioner takes all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel. 7. That the hours of operation shall be from 6:00 a.m. - 11:00 p.m. 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>
39	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:	Granted 1 yr.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the Board approved elementary/secondary school or any other permitted land use that provides daily activity in the building continue to operate from the premises. 5. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	28672 Special Use	Claude Hill Property Owner	5746 N. 96th St. 2nd Dist.
		Request to occupy the premises as a group home for 5 teenage girls, ages 12 to 17 years.	
	Action:	Granted 2 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner takes all measures necessary to control litter, 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 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>
41	28628 Special Use	Katie M Harris Lessee Request to occupy the premises as an adult day care center for 18-20 developmentally/physically disabled, advanced aged, and/or mentally challenged individuals operating Monday through Friday from 6:00 a.m. to midnight.	8405 W. Burleigh St. A/K/A 8401 W. Burleigh St. 5th 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 6. That the hours of operation shall be 6:00 a.m. - 8:00 p.m. 7. That the facility may have up to 20 clients on site at any given time. 8. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	
42	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:	Scott Winkler moved to adjourn the appeal. Seconded by Craig Zetley.	
	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>
43	28327 Special Use	Jerome Johnson Property Owner	3607 N. Richards St. 6th Dist.
		Request to occupy the premises as a motor vehicle repair facility (batteries, tires, mufflers, brakes, etc.).	
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 6. That there be no repair work conducted on vehicles in the public right of way. 7. That there be no storage of vehicles in the public right of way. 8. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 9. That all repair work is conducted inside of the building. 10. That landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on December 7, 2007 is implemented and that landscaping and screening is installed by September 1, 2008. 11. 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>
44	28708 Special Use	Tasha Walker Lessee Request to occupy the premises as a group home for a maximum of eight female residents between 12 - 17 years of age. 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 the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	2770 N. 45th St. A/K/A 2772 N. 45th St. 7th Dist.
45	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: This matter was adjourned at the request of staff and will be rescheduled for the next available hearing.	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>
46	28696 Special Use	Tayo Salako Property Owner Request to occupy the premises as a kindergarten/elementary school for children ages 3 to 12, operating Monday through Friday from 6:00 a.m. to 6:00 p.m. for 120 students.	8980 N. 85th St. 9th Dist.
	Action:	Adjourned.	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
47	28650 Special Use	Lisa M Reed Property Owner Request to modify the hours of operation in which children are prohibited from being picked up from midnight - 6:00 a.m. to 1:00 a.m. to 5:00 a.m. and to continue occupying the premises as 24-hour family day care home operating 7 days per week for 8 children, ages infant to 12 yrs.	3619 N. 63rd St. 10th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all of the other previous conditions are complied with (except condition #7 from case No. 27754). 5. 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>
48	28188 Special Use	Fuel Land USA Inc. Rajesh Kumar;Property Owner	3501 N. 60th St. 10th Dist.
		Request to continue occupying the premises as a motor vehicle filling station and convenience store.	
	Action:	Adjourned.	
	Motion:	This item was adjourned at the request of the Alderman of the district and will be rescheduled for the next available agenda.	
49	28562 Special Use	Nancy L Jablonski Prospective Buyer	5310 W. North Av. A/K/A 2315 N. 53rd St. 10th Dist.
		Request to occupy the premises as a day care center for a maximum of 200 children, ages 6 wks. to 12 yrs., operating Monday through Friday from 6:30 a.m. to 6:00 p.m.	
	Action:	Adjourned.	
	Motion:	This item was adjourned at the request of the Alderman of the district and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	28697 Special Use	Jeff Dickrell Property Owner	726 S. 6th St. A/K/A 538 W. National Av. 12th Dist.
		Request to occupy the premises as a rooming house for six adult men.	
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for R-1 occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 5. That the name of a contact person, that can be reached on a 24-hour basis, is supplied to the Board office within ten days of the issuance of this written decision. 6. That the petitioner takes all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel. 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>
51	28720 Special Use	James Valona Property Owner Request to occupy the premises as a social service facility.	1314 A W. National Av. RM 6 A/K/A 1314 W. National Av. 12th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the first floor windows along the building's National Ave facade are restored to transparent glass in accordance with the glazing standards of s295-605-2-i-3 of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	
52	28709 Dimensional Variance	CM Residence Group, LLC Hugh Kerr; Prospective Buyer Request to construct a four story hotel that is over the maximum allowed building height, over the maximum allowed front setback requirements, has over the number of freestanding signs and height allowed, with signage display area in excess of what is permitted by code.	6511 S. 13th St. A/K/A 6425 S. 13th St. 13th Dist.
	Action:	Adjourned.	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
53	28286 Use Variance/Dimensional Variance	Sandhar Corporation Lessee Request to continue occupying the premises as a motor vehicle filling station and convenience store with signage in excess of both the sign area and height requirements.	2175 N. 35th St. A/K/A 2173 N. 35th St. 15th Dist.
	Action:	Granted 3 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 in accordance with the landscape plan approved by DCD on July 20, 2007 is installed by July 1, 2008. 5. That landscaping and screening is maintained in accordance with the approved landscape plan 6. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises 7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 8. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances. 9. That revised signage plans, either for a pylon sign that is 32 sq. ft. in area and 14 ft. in height or a monument sign consisting of 40 sq. ft. of sign area, are submitted to and approved by the Zoning Administration Group (Variance allows for either design with outlined specifications). 10. That these Variances are granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
54	28665 Special Use	Dessa Jordan Property Owner Request to occupy the premises as a group home for eight girls, 11-17 yrs. of age.	2823 N. 36th St. A/K/A 2823 A N. 36th St. 15th 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 the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 5. That this Special Use is granted for a period of 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>
55	28712 Special Use	Lisa Harris Lessee Request to occupy the premises as a group home for 8 female clients. Action: Granted 2 yrs. Motion: Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	4430 W. Meinecke Av. 15th Dist.
56	28731 Use Variance	Leonard Howard Lessee Request to occupy the premises as a day care center (located within 300 ft of a liquor license) operating from 6:30am - 10pm for 80 children per shift, infant to 12 yrs. of age. Action: Denied. Motion: Scott Winkler moved to deny the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	2115 W. North Av. A/K/A 2111 W. North Av. 15th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
57	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:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	2 Ayes, 2 Nays, 1 C. Zetley Abstained.	
58	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:	Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
59	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:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
60	27932 Special Use	Asad Elwir Prospective Buyer Request to add a motor vehicle sales facility (used cars) to the existing non-conforming motor vehicle repair facility.	4957 N. Teutonia Av. 1st Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
61	28159 Special Use	Solution Group Inc. Jimmy McClendon;Property Owner Request to continue occupying the premises as a transitional living facility for 16 female clients.	4339 N. 27th St. 8 A/K/A 4339 N. 27th St. 1st Dist.
	Action:	Granted 3 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 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>
62	28162 Special Use	Making Connection, LLC. Jimmy McClendon;Property Owner Request to continue occupying the premises as a transitional living facility for 16 male clients.	4355 N. 27th St. A/K/A 4355 N. 27th St. 2 1st Dist.
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 5. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	
63	28345 Appeal of an Order	Five Corners of Faith Church Pastor John Perry;Lessee Request to appeal an order from the Department of Neighborhood Services determining that there is an illegal use and occupancy of a rooming house and transitional living facility(8 residents total).	3444 N. 41st St. 7th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to uphold the order. 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>
64	28315 Special Use	Abel Rodriguez Property Owner Request to continue occupying the premises as an assembly hall (banquet hall).	1104 W. Lincoln Av. A/K/A 1100 W. Lincoln Av. 12th Dist.
	Action:	Adjourned.	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

Other Business:

Board member Scott Winkler moved to approve the minutes of the January 17, 2008 meeting. Seconded by Board member Catherine Doyle. Unanimously approved.

The Board set the next meeting for February 28, 2008.

Board member Scott Winkler moved to adjourn the meeting at 7:37 p.m. Seconded by Board member Donald Jackson. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board

<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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