

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

**REGULAR MEETING – March 27, 2008**  
**City Hall, Common Council Committee Room 301-B**

***MINUTES***

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PRESENT:

**Chairman:** Craig H. Zetley (*voting on items 1 – 53, 55 - 59*)

**Members:** Henry P. Szymanski (*voting on items 1 - 59*)  
Scott R. Winkler (*voting on items 1 – 37, 39 – 55, & 57 - 59*)  
Catherine M. Doyle (*voting on items 1 - 59*)  
Donald Jackson (*voting on items 1 - 59*)

**Alt. Board Members:** Georgia M. Cameron (*voting on item 35, 54*)  
Leni M. Siker (*present but not voting*)

START TIME: 4:05 p.m.

End Time: 7:55 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	28657 Special Use	Pakhar Singh Prospective Buyer  Request to raze the existing building (existing canopy and pumps will be retained) and construct a new filling station and expanded convenience store.	5100 W. Burleigh St. 10th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
2	28806 Special Use	Experienced Automotive Attn: Leonard Pfeffer; Prospective Buyer  Request to occupy the premises as a motor vehicle repair facility.	6720 W. Forest Home Av. 11th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
3	28812 Special Use	Life 101 Career Development Life 101 "THINK" Institute; Lessee  Request to occupy the premises as a elementary / secondary school for 42 males ages 13 to 16.	2454 W. Lisbon Av. A/K/A 2460 W. Lisbon Av. 15th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
4	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:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded By Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
5	28807 Dimensional Variance	Department of Transportation and Public Works Milwaukee County;Property Owner  Request to install a bio-retention area between the existing parking lot and street frontage that does not provide the code required landscaping (Property is Located Across from 2400 N. Lincoln Memorial Dr. and abuts the helipad located at 2275 N. Lincoln Memorial Dr.).	2400 N. Lincoln Memorial Dr. A/K/A 2272 N. Lincoln Memorial Dr. 4th 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>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
6	28794 Special Use	Love, Laugh, and Learn Property Owner  Request to continue occupying the premises as a day care center for 70 children, infant to 11 yrs., from 5:30 a.m. to 6:00 p.m.  Action: Granted 10 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 the outdoor play area is not utilized before 9:00 A.M.</li> <li>5. That the banner signs be removed from the building's front facade.</li> <li>6. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	8028 W. Capitol Dr. 5th Dist.
7	28810 Special Use	Sandra S Williams Lessee  Request to increase the number of children per shift from 25 to 36 for a day care center for children infant to 12 years of age, operating Monday - Saturday 6:00a.m. to Midnight.	10527 W. Appleton Av. A/K/A 10529 W. Appleton Av. 5th Dist.
		Action: Adjourned.	
		Motion: 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>
8	28815 Use Variance	Paul M Scholl Property Owner  Request to continue occupying the premises as a dental office (with one dentist).	9211 W. Auer Av. A/K/A 9205 W. Auer Av. 5th 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 no employees park on Auer Ave.</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 five (5) years, commencing with the date hereof.</li> </ol>	
9	28837 Special Use	Church of the First Born International Linda Dickens;Property Owner  Request to continue occupying the premises as a day care center for 55 children per shift, infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 11:00 p.m. and Saturday 8:00 a.m - 4:00 p.m. and as an adult day care center for 30 individuals operating Monday - Friday 6:00 a.m. - 5:00 p.m. and Saturday 8:00 a.m. - 4:00 p.m.	4701 N. 76th St. A/K/A 4701 N. 76th St. 1 5th Dist.
	Action:	Adjourned.	
	Motion:	This matter was adjourned at the request of the Alderman on 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>
10	28843 Special Use	AM & PM Children's World Lessee  Request to expand the existing Board approved day care center to occupy the entire premises and increase number of children from 42 per shift to 84 per shift operating Monday - Friday from 6:00 a.m. - 11:00 p.m. and Saturday from 8:00 a.m. - 4:00 p.m.	10136 W. Fond Du Lac Av. A/K/A 10142 W. Fond Du Lac Av. 5th Dist.
	Action:	Adjourned.	
	Motion:	This matter was adjourned at the request of the Alderman on the district and will be rescheduled for the next available agenda.	
11	28744 Special Use/ Dimensional Variance	Homer Baylor Property Owner  Request to raze the existing outdoor merchandise sales facility and construct a new merchandise facility (fruit market) that is over the maximum side street setback and with parking that is located between the street facade of the principal building and street.	1985 W. Capitol Dr. 6th Dist.
	Action:	Adjourned.	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	
12	28787 Special Use	Rev. Richard Bush Property Owner  Request to continue occupying the premises as a general retail establishment (grocery store).	3416 N. Teutonia Av. 6th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of staff 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>
13	28805 Special Use/ Dimensional Variance	Gregory A Moss Property Owner  Request to continue occupying the premises as a fast-food/carry-out restaurant without the minimum required number of parking spaces (required 2 / proposed 0).	600 W. Burleigh St. A/K/A 604 W. Burleigh St. 6th Dist.
	Action:	Granted 10 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 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 the storefront windows remain as transparent vision glass and are maintained in an attractive manner.</li> <li>7. 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>
14	28842 Special Use	TwentyFour, SAC Property Owner	505 E. Capitol Dr. 6th Dist.
		Request to continue occupying the premises for the rental & sale of trucks, trailers & related items (U-Haul).	
	Action:	Granted 15 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 landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>5. That this Special Use is granted for a period of fifteen (15) 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>
15	28776 Special Use	Barbara Rose Lessee  Request to continue occupying the premises as a day care center for 60 children infant - 12 yrs of age, operating 7 days per week, 6:00 a.m. - midnight (currently closed on weekends).	2809 N. Teutonia Av. A/K/A 2807 N. Teutonia Av. 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 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>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	28841 Special Use	Janice Schmitt Property Owner  Request to continue occupying the premises as a day care center for 39 children ages infant - 10 yrs, operating 6:30 a.m. - 5:30 p.m. Monday - Friday .	2972 N. 49th St. A/K/A 2974 N. 49th St. 7th 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 the outdoor play area is not utilized before 9:00 A.M.</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>
17	28798 Special Use	Yolanda Cain d.b.a. Creative Minds Learning Academy; Lessee	5833 W. Silver Spring Dr. A/K/A 5803 W. Silver Spring Dr. 9th Dist.
		Request to increase the number of children from 40 to 66 per shift and to continue occupying the premises as a day care center for children ages infant - 12 years, operating Monday - Sunday, 6 a.m. to 12 midnight. .	
	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 the petitioner obtains a new occupancy certificate to evaluate the building for the increased number of children 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 increasing capacity.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>6. That the storefront windows remain as transparent vision glass and are maintained in an attractive manner.</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>
18	28829 Use Variance	Joe Fleming Lessee	5700 N. 58th St. 9th Dist.
		Request to increase the hours of operation from 6:00 a.m. - 10:00 p.m. to 6:00 a.m. - 12:00 a.m., increase days from Monday - Friday to Monday - Sunday, and to continue occupying the premises as a day care center for 8 children .	
	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"> <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 there be no signage associated with the day care facility.</li> <li>6. That this Variance 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>
19	28172 Special Use	Vincent J Wilkerson Lessee  Request to continue occupying a portion of the 1st floor of the premises as a secondary/elementary school, increasing the grade range from k4 - 5th to k4 - 8th and increasing the number of students on site from a maximum of 60 to 100 (operates in conjunction with a Board approved day care center) .	8634 W. Brown Deer Rd. 100 A/K/A 8634 W. Brown Deer Rd. 9th 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 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>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	28797 Special Use	E.L. Simeth Company Co., Inc. Property Owner	409 S. Hawley Rd. 10th Dist.
		Request to continue occupying the premises as a light manufacturing facility (metal processing).	
	Action:	Granted 10 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 landscaping and screening is maintained in a manner that meets the intent of city 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>
21	28795 Special Use	Christine Nueman Lessee  Request to expand the Board approved social service facility (at 1027 S. 5th St.) to the first floor suite at 1023 S. 5th St..	1023 S. 5th St. A/K/A 1025 S. 5th St. 3 12th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <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 submits plans for alterations, obtains a new occupancy certificate for the additional area by having all required inspections, complies with current State commercial building code for business occupancies and complies with all zoning conditions and building code requirements prior using the additional space.</li> <li>5. That all previous conditions of the Board regarding this property are complied with.</li> <li>6. That this Special Use is granted for a period of time commencing with the date hereof and expiring on January 30, 2009.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
22	28800 Special Use	Armando Sierra Property Owner	1439 W. Lincoln Av. A/K/A 2306 S. 15th St. 12th Dist.
		Request to continue occupying the premises as a religious assembly hall.	
	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 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>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
23	28809 Special Use/ Dimensional Variance	Emad Oudeh Property Owner  Request to construct an addition to the premises (an existing repair facility) that does not meet the minimum required glazing (required 15% / proposed 8.3%) and the minimum required garage door inset (required 4 ft. / proposed 0 ft.) .	1400 W. Mitchell St. 12th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <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 there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>5. That all repair work is conducted inside of the building.</li> <li>6. That any testing of audio equipment and alarm systems must be conducted inside the building with overhead doors closed and at minimum amplification.</li> <li>7. That there be no increase in roof signage, and all other signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>8. That there is no outdoor display of 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 time commencing with the date hereof and expires on March 5, 2011 and these Variances are 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>
24	28775 Dimensional Variance	Shane and Angela Pecorado Property Owner  Request to allow a residential accessory structure (detached garage) that exceeds that maximum allowed height (allowed 13 / proposed 15.5).	1421 W. Klein Av. 13th 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>	
25	28813 Special Use	Amira O'Tallah Property Owner  Request to increase the hours of operation from 6:00 a.m. - 7:00 p.m. to 6:00 a.m. - 11:30 p.m., Monday - Sunday, for a day care center for 60 children per shift infant - 12 years of age .	1209 W. Layton Av. 13th 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 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 April 23, 2017.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	28825 Special Use	Tiffany Dean Lessee  Request to occupy the premises as a family day care home for 8 children per shift infant to 12 years of age, Monday - Saturday 6:00 a.m. - 6:00 p.m. and Sunday 9:00 a.m. - 5:00 p.m..	2659 N. 24th St. 15th Dist.
	Action:	Adjourned.	
	Motion:	This matter was adjourned by staff and will be rescheduled for the next available hearing.	
27	28828 Special Use	Latasha Hines Lessee  Request to occupy the premises as a used appliance store (this is an expansion of a Board approved retail establishment located next door, case #28554).	3829 W. Center St. A/K/A 3825 W. Center St. 15th 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 Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all conditions of the Board from BOZA case# 28554 also apply to this premises and are complied with.</li> <li>5. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>7. That this Special Use is granted for a period of time commencing with the date hereof and expiring on November 25, 2010.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	28693 Use Variance	David Skwarek Michael Murray;Property Owner  Request to occupy the premises as an indoor storage facility (personal items).	3918 W. Kisslich Pl. A/K/A 3916 W. Kisslich Pl. 15th Dist.
	Action:	Adjourned.	
	Motion:	This matter was adjourned at the request of the Ald. of the district and will be rescheduled for the next available agenda.	
29	28419 Dimensional Variance	Bob Wellenstein Property Owner  Request to legalize the existing signage that is over the maximum allowed square footage per code (this a Board approved site where 6 signs at 40 sq. ft. each were previously approved but the permits were not obtained. Identical proposal now).	4535 W. North Av. A/K/A 2242 N. 46th St. 15th 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 Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the amount of signage not exceed that which is proposed by the signage plan submitted to the Board on February 4, 2008.</li> <li>5. That this Variance is granted for a period of time commencing with the date hereof and expiring on November 5, 2016.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	28827 Special Use	Marcus Glass Lessee  Request to continue occupying the premises as a day care center for 98 children, infant to 13 years of age, Monday - Sunday 5:30 a.m. - 9:00 p.m..  Action: Granted 10 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 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>	4919 W. Good Hope Rd. 1st Dist.
31	28765 Special Use	Durable Contract Services Lessee  Request to occupy the premises as a building maintenance service (custodial and transportation service) facility.  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"> <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>	8400 W. Silver Spring Dr. 2nd Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	28799 Special Use	Kenneth Riche Property Owner  Request to continue occupying the premises as a currency exchange (check cashing, money orders, postal supplies) facility.	5309 W. Fond Du Lac Av. A/K/A 5303 W. Fond Du Lac Av. 2nd Dist.
	Action:	Adjourned.	
	Motion:	This matter was adjourned at the request of the Alderman of the district and will be rescheduled for the next available agenda.	
33	28792 Special Use	David Charney Lessee  Request to continue occupying the premises as a fast-food/carry-out restaurant with a drive-through facility.	1801 E. North Av. A/K/A 1801 E. Kenilworth Av. 3rd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by 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 signage must meet the signage standards of s.295-605 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>
34	28823 Special Use / Dimensional Variance	The Chatreau LLC c/o Katz Properties, Inc.;Property Owner  Request to continue occupying the premises as a rooming house for 54 tenants without the minimum required number of parking spaces.	2535 N. Farwell Av. A/K/A 2223 E. Webster Pl. C 3rd Dist.
	Action:	Adjourned.	
	Motion:	This matter was adjourned at the request of an interested party 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>
35	28691 Special Use/ Dimensional Variance	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 .	2701 W. National Av. A/K/A 2729 W. National Av. 8th Dist.
	Action:	Special Use Granted 5 yrs. Dimensional Variance Adjourned.	
	Motion:	Scott Winkler moved to grant the Special Use (drive-thru). Seconded by Henry Szymanski. Henry Szymanski moved to adjourn the Dimensional Variance. 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 the petitioner agrees to work with the Department of City Development Planning Administration staff on final resolution of design issues including, but not limited to facade &amp; elevation plans. The petitioner must submit revised drawings that reflect these changes to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits.</li> <li>5. That a revised landscape and screening plan is submitted to the Board of Zoning Appeals and approved by the Department of City Development Planning Administration section prior to the issuance of any permits. The revised landscape and screening plan for the parking lot should include masonry pillars in addition to the decorative metal fence, and plant materials.</li> <li>6. That landscaping and screening is installed within 90 days of occupancy. If occupancy occurs between September 30th and March 1st then landscaping and screening must be installed within 90 days of April 1st.</li> <li>7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>8. That the Dimensional Variance regarding glazing shall remain pending before the Board and be resolved at a later date.</li> <li>9. 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>
36	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:	Granted 1 yr.	
	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 applicant supply a 24-hour contact phone number to the Board office and any interested party that requests it.</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 all functions at the facility conclude by 12 midnight.</li> <li>7. That a parking plan, that includes valet parking, be submitted to and approved by the Zoning Administration Group prior to the issuance of any permits.</li> <li>8. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	
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:	This matter was adjourned at the request of the applicant.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
38	28759 Use Variance	Martin Greenburg Prospective Buyer  Request to occupy the premises for general office use.	3130 W. Wells St. A/K/A 3130 A W. Wells St. 4th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <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 applicant submits a complete set of plans to the Milwaukee Development Center and obtains all required permits for the conversion of a two family residential property to business use.</li> <li>5. That this Variance is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	
39	28528 Special Use	Nick Antzoulatos Property Owner  Request to continue occupying the premises as a used motor vehicle sales facility.	8144 W. Appleton Av. A/K/A 8144 A W. Appleton Av. 5th Dist.
	Action:	Adjourned.	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	28741 Special Use	Katherine Handy Lessee  Request to occupy the premises as a family day care home operating from 6 am to 12 am, 7 days a week, for 16 children (8 per shift) infant to 12 years of age.	2411 N. Richards St. 6th Dist.
	Action:	Adjourned.	
	Motion:	Catherine Doyle moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
41	28830 Special Use	Caprice Mathies Lessee  Request to occupy the premises as a group foster home for a maximum of 8 occupants at any given time.	1019 W. Burleigh St. A/K/A 1017 W. Burleigh St. 6th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to approve 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 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>
42	28750 Special Use	Milwaukee Health Services, Inc. C.C. Henderson;Property Owner	2579 N. Martin L King Jr Dr. A/K/A 2579 N. 3rd St. 6th Dist.
		Request to continue occupying the premises as a principal use parking lot.	
	Action:	Granted 1 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 applicant provide trees and shrubs along the North Dr. Martin Luther King Jr. Dr. frontage.</li> <li>5. That the applicant submit a revised landscaping and screening plan that includes trees and shrubs along the West Clark St. frontage per Ch 295-405 of the Milwaukee Zoning Code or obtain a dimensional variance to waive the landscaping requirements for the West Clark St. frontage.</li> <li>6. That this approval to waive landscaping is temporary in nature.</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>
43	28642 Special Use	Milwaukee Health Services Inc. Property Owner  Request to continue occupying the premises as a parking lot.	2523 N. Martin L King Jr Dr. A/K/A 2535 N. Martin L King Jr Dr. 6th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <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 landscape plan must include trees at the rate of one tree every 25 feet and additional shrubs.</li> <li>5. That the additional trees and shrubs per an approved landscape plan be installed within 120 days of approval of the special use.</li> <li>6. That this is a temporary land use.</li> <li>7. 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>
44	28788 Dimensional Variance	Milwaukee Block 7 Properties L.P. A Delaware Limited Liability Company; Lessee  Request to erect an industrial sign that is over the maximum allowed wall signage (allowed 240 sq. ft./ proposed 520 sq. ft.).  Action: Granted 4 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 this Variance is granted for a period of four (4) years, commencing with the date hereof.</li> </ol>	520 W. Mc Kinley Av. 6th Dist.
45	28739 Special Use	J & L Child Care Company, Inc. Prospective Buyer  Request to occupy the premises as a day care center operating 24 hours a day, 7 days a week, for 50 children per shift, infant to 12 years of age (Board approved a day care center for this site in 2001 for 10 years) .  Action: Adjourned.  Motion: This matter was adjourned at the request of the Alderman of the district and will be rescheduled for the next available agenda.	3343 N. 35th St. 7th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	28831 Use Variance	Lecole Kidd Lessee  Request to occupy the premises as a day care center for 16 children (8 per shift) infant to 12 years of age, Monday - Friday 6:00 a.m. - 12:00 a.m. (midnight).	4950 N. 58th 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.	
47	28674 Dimensional Variance	Alfredo Ramos Property Owner  Request to expand the existing 30' x 26' garage adding a 26' x 12' carport for a total of 1,092 sq. ft..	2009 S. 35th St. A/K/A 2009 A S. 35th St. 8th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
48	28666 Special Use	John Erdmann Lessee  Request to continue occupying the premises as a motorcycle sales, repair, and service facility.	7016 N. 76th St. A/K/A 7020 N. 76th St. 9th 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>
49	28745 Dimensional Variance	Nicolas A Gamero Property Owner  Request to construct a second detached garage (30ft x 33ft) that is over the maximum allowed sidewall height (Proposed 13'/Allowed 10')(Applicant received Board approval in 2007, but was unable to construct).	6942 W. Bradley Rd. 9th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <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 use of the residential building and new garage are used only for residential purposes.</li> <li>5. That this Variance 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>
50	28749 Special Use	Zakaria Ali Property Owner	5201 W. Silver Spring Dr. 9th Dist.
		Request to occupy the premises as a used motor vehicle sales and repair facility .	
	Action:	Granted 3 yrs.	
	Motion:	Scott Winker 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 applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>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.</li> <li>6. That there be no work conducted on vehicles in the public right of way.</li> <li>7. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>8. That all repair work is conducted inside of the building.</li> <li>9. That there be no increase in height of the existing freestanding sign structure and that the area of the proposed freestanding sign be reduced to 32 square feet. All other signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>10. That a revised landscape plan that meets the intent of city code section 295-405 for Type 'D' or Type 'B' landscaping is submitted to the Board of Zoning Appeals, and approved by the Zoning Administration Group prior to the issuance of any permits. (The landscape plan submitted to the Board on February 19, 2008 utilizes shrubs that exceed the maximum permitted height requirement and lacks the required trees and decorative metal fence.)</li> <li>11. That the motor vehicles to be sold shall not be parked on the street.</li> <li>12. That there be a maximum of 12 parking stalls on site (two of which shall be reserved for customers)</li> <li>13. 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>
51	28696 Special Use	Tayo Salako Property Owner	8980 N. 85th St. 9th Dist.
		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.	
	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"> <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 inspections, complies with current State commercial building code for educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>5. That the applicant provides the Department of Neighborhood Services a scaled, dimensioned floor plan of the school that identifies the use of each room.</li> <li>6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB1 zoning districts.</li> <li>7. Parking lot landscaping along the east frontage of the premises is implemented and maintained in accordance with the landscape plan submitted to the board on December 13, 2007, or that a new landscape 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.</li> <li>8. 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.</li> <li>9. 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>
52	28758 Appeal of an Order	Steve Skalecki Property Owner  Request to appeal an order from the Department of Neighborhood Services determination that appellant is not compliant with board approved plan of operation (this is a revocation order).	9026 W. Burdick Av. 11th Dist.
	Action:	Adjourned.	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
53	28752 Dimensional Variance	Timothy J Dixon Property Owner  Request to erect a roof sign that is over the maximum allowed square footage permitted by code (Allowed 50 ft., Proposed 264 ft., Excess 214 ft.).	500 W. Florida St. 12th Dist.
	Action:	Granted 10 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 this Variance 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>
54	28714 Special Use	James Baker Lessee  Request to occupy a portion of 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:	Henry Szymanski moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
55	28796 Use Variance	Robert and Leonor Montemayor Property Owner  Request to occupy the premises as a currency exchange facility within 150 ft. of a two family residential district.	2873 S. 13th 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 agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
56	28624 Special Use	Manuel Garcia Property Owner	4030 S. Pine Av. A/K/A 4030 S. Pine St. 14th Dist.
		Request to add an auto sales facility to the existing non-conforming auto body shop and painting service facility.	
	Action:	Granted 5 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 the applicant does not have outdoor storage or display of products or merchandise.</li> <li>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.</li> <li>6. That there be no work conducted on vehicles in the public right of way.</li> <li>7. That there be no storage of vehicles in the public right of way.</li> <li>8. That landscaping and screening is implemented and maintained according to the landscape plan submitted to the Board of Zoning Appeals on December 14, 2007.</li> <li>9. That there be no increase in the number of freestanding signs, and all other signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code.</li> <li>10. That no signage relating to auto sales be on site (in or outside).</li> <li>11. 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>
57	28043 Special Use	Mohammad Amer Lessee	5003 N. Teutonia Av. 1st Dist.
		Request to occupy the premises as a motor vehicle repair facility.	
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal (repair only). 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 applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>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.</li> <li>6. That the applicant pave all parking areas.</li> <li>7. That there be no vehicles displayed for sale in the public right of way.</li> <li>8. That there be no work conducted on vehicles in the public right of way.</li> <li>9. That signage must conform to the sign standards of s. 295- 605-5 of the Milwaukee Zoning Code.</li> <li>10. That a revised landscape plan that meets 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 the approval of this special use, and 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>11. That all repair work is conducted inside of the building.</li> <li>12. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>13. That the applicant withdraw their request to sell vehicles on site.</li> <li>14. 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>
58	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:	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>
59	28502 Special Use	Troy Borgen Lessee  Request to continue occupying the premises as a motor vehicle repair facility.	909 E. Locust St. A/K/A 2872 N. Bremen St. 3rd Dist.
	Action:	Granted 1 yr.	
	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 there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>5. That all repair work is conducted inside of the building.</li> <li>6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>7. That a revised landscape and screening plan that includes a decorative metal fence along the E. Locust Street frontage is submitted to the Board of Zoning Appeals, and approved by the Zoning Administration Group prior to the issuance of any permits.</li> <li>8. That the fence is to be installed within the next ninety (90) days.</li> <li>9. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	

**Other Business:**

Board member Scott Winkler moved to approve the minutes of the February 28, 2008 meeting. Seconded by Board member Henry Szymanski. Unanimously approved.

The Board set the next meeting for April 17, 2008.

Board member Henry Szymanski moved to adjourn the meeting at 7:55 p.m.. Seconded by Board member Scott Winkler. Unanimously approved.

**BOARD OF ZONING APPEALS**

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Secretary of the Board