

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – May 22, 2008
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairman: Craig H. Zetley (*voting on items 1 - 47, 49 - 84*)

Members: Henry P. Szymanski (*excused*)
Scott R. Winkler (*voting on items 1 - 84*)
Catherine M. Doyle (*excused*)
Donald Jackson (*voting on items 1 - 84*)

Alt. Board Members: Georgia M. Cameron (*voting on items 1 - 84*)
Leni M. Siker (*voting on items 1 - 84*)

Start Time: 4:15 p.m.

End Time: 8:27 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	28691 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 (the matter before the Board on May 22nd is solely the dimensional variance request regarding the lack of the code required glazing on the proposed building. The Special Use for the drive-through facility was approved on March 27th.)	2701 W. National Av. A/K/A 2729 W. National Av. 8th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
2	28832 Use Variance	Traci Conner Lessee Request to occupy the premises as a day care center (located within 300 ft. of a liquor license) for 65 children per shift, infant to 12 years of age, Monday - Friday 6:00 a.m. - 12:30 a.m.	601 W. Historic Mitchell St. A/K/A 611 W. Historic Mitchell St. 12th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
3	27658 Special Use	MARBE, LLC Property Owner Request to occupy the premises as a carry-out restaurant.	6926 W. Capitol Dr. 2nd Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
4	28607 Special Use	Kiddie Kampus Junior Gentry;Lessee Request to occupy the premises as a day care center for 46 children, ages 6 wks. to 12 yrs., operating Monday through Friday from 6:30 a.m. to 11:00 p.m.	2431 N. Holton St. A/K/A 2437 N. Holton St. 6th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
5	28884 Special Use	Betty Ross Lessee	3735 N. 35th St. 7th Dist.
		Request to increase the hours of operation from 6:00 a.m. - 12:00 midnight Monday - Saturday, to 24 hrs. Monday - Saturday, and increase the number of children from 50 to 82 children per shift, and increase ages from infant - 12 yrs. to infant - 13 yrs. for the existing Board approved day care center.	
	Action:	Granted	
	Motion:	Donald Jackson 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 complies with all zoning conditions and building code requirements prior to occupancy. 5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 6. That the structures windows remain as clear glass and are maintained in an attractive manner. 7. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 8. That the outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards. 9. That the petitioner obtains a new occupancy certificate so the building can be evaluated for the increased capacity by having all required inspections, complies with current State commercial building code for institutional and educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 10. That this Special Use is granted for a period of time commencing with the date hereof and expiring on December 10, 2009. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
6	28897 Special Use	Donna Chambers Property Owner Request to continue occupying the premises as a group home for a maximum of 8 occupants at any given time.	3044 N. 25th St. A/K/A 3044 A N. 25th St. 7th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson 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 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>
7	28907 Dimensional Variance	Milwaukee Kollel Attn: Rabbi Pinchas Avruch;Property Owner Request to occupy the premises as a specialty/personal instruction school with (permitted) a primary entrance door on the side facade that is not located within 20 feet of the front facade (proposed 26 ft.) and without the minimum required glazing (required 22.5 ft. / proposed 1.125 ft.) .	3451 N. 50th St. A/K/A 3453 N. 50th St. 7th Dist.
	Action:	Granted	
	Motion:	Donald Jackson 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 petitioner build in accordance with plans submitted. 4. That these Variances are granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
8	28920 Special Use	Jay & Cee, LLC Juan McKinley, Registered Agent; Prospective Buyer	3861 N. 35th St. A/K/A 3849 N. 35th St. 7th Dist.
		Request to occupy the premises as a day care center for 70 children per shift, infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - 12:00 midnight.	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson 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 complies with all zoning conditions and building code requirements prior to occupancy. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 7. That the petitioner obtains an occupancy certificate 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. 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>
9	28898 Special Use	Opinder Singh Lessee Request to continue occupying the premises as a general retail establishment (grocery store).	2201 W. Orchard St. A/K/A 2201 A W. Orchard St. 8th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 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 complies with all zoning conditions and building code requirements prior to occupancy. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That no additional signage may be erected on the site unless it meets the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	28914 Use Variance	Reaching for the Goal Child Care & Development Tammy Ward;Other	3319 W. National Av. 8th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson 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 outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M. 5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 6. That this Variance is granted for a period of 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>
11	28892 Special Use	Chad or Jason Latvaaho Property Owner	9520 N. 107th St. 9th Dist.
		Request to occupy the premises as a ground transportation service (transporting and storing repossessed vehicles).	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 5. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
12	28895 Use Variance	Butterfield Trucking, Inc. David Deaton;Lessee	7350 N. 76th St. A/K/A 7340 N. 76th St. 9th Dist.
		Request to occupy the premises as a recycling/processing facility for mined materials (processing, crushing, storage and trucking of asphalt and concrete for N 76th road work project).	
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
13	28909 Special Use	Community Baptist Church of Greater Milwaukee Property Owner Request to occupy a portion of the proposed religious assembly hall/school (both permitted) as a 24 hr. day care center for 140 children (1st shift) and 75 children (2nd and 3rd shift), infant to 12 yrs. of age, operating Monday - Friday, and that is within 300 ft. of a facility that possesses a liquor license .	6850 W. Good Hope Rd. A/K/A 6800 W. Good Hope Rd. 9th 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>
14	28899 Special Use	Mohammed Fares Lessee	6927 W. Capitol Dr. 10th Dist.
		Request to continue occupying (new operator) the premises as a motor vehicle repair facility (Board approved site for motor vehicle repair facility case #25951).	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson 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 freestanding signage is limited to the existing pylon sign panel, and that all other signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That all repair work is conducted inside of the building. 6. That a landscape and screening plan that meets the intent of city code is submitted to the Board of Zoning Appeals by June 30, 2008, and that the petitioner implement landscaping and screening within ninety (90) days of the approval of the landscape and screening plan by the Zoning Administrative Group. 7. That there be no repair work conducted on vehicles in the public right of way. 8. That there be no vehicles stored in the public right of way. 9. That the applicant does not have outdoor storage or display of products or merchandise. 10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 11. That this Special Use is granted for a period of 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	28911 Special Use	Yousef Hamdan Lessee Request to continue occupying the premises as a motor vehicle repair facility.	5424 W. State St. A/K/A 5426 W. State St. 10th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson 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 all repair work is conducted inside of the building. 5. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 6. That there be no repair work conducted on vehicles in the public right of way. 7. That the applicant does not have outdoor storage or display of products or merchandise. 8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 9. That the applicant paves all parking areas and does not permit parking between the facade of the principal building and the street lot line per Department of Neighborhood Service order # 6741761 dated 4/9/08. 10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	28930 Special Use	Ruby and Melvin Grisby Property Owner Request to add an elementary school for 15 students, grade K4, operating Monday - Friday 8:00 a.m. - 3:00 p.m. to the existing day care center for 40 children infant to 12 years of age operating Monday - Sunday 6:00 a.m. - 1:00 a.m. .	5455 W. Burleigh St. A/K/A 5425 W. Burleigh St. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	
17	28933 Special Use	Ruby and Melvin Grisby Property Owner Request to add an elementary school for 25 students grade K5 operating Monday - Friday 8:00 a.m. - 3:30 p.m. and to continue occupying the premises as a day care center for 39 children infant to 12 years of age operating Monday - Sunday 6:00 a.m. - 1:00 a.m.	5301 W. Burleigh St. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	
18	28876 Dimensional Variance	Thomas C Esser Property Owner Request to use a portion of the front yard (currently existing driveway) for a parking space (driveway initially led to a garage which has been converted into a bedroom).	6315 W. Ohio Av. 11th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	28924 Dimensional Variance	Jeff and Laura Anderson Property Owner Request to allow a residential accessory structure (detached garage) that exceeds that maximum allowed height (allowed 16 ft. / proposed 21 ft. 10 in.).	8241 W. New Jersey Av. 11th Dist.
	Action:	Granted	
	Motion:	Donald Jackson 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 this Variance is granted to run with the land. 	
20	28748 Special Use	Abel Santos Property Owner Request to add an assembly hall to the existing bar/restaurant (permitted use).	1333 W. Greenfield Av. A/K/A 1337 W. Greenfield Av. 12th Dist.
	Action:	Adjourned	
	Motion:	The matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	28904 Dimensional Variance	Peter Tsitiridis Property Owner Request to raze and construct a general retail establishment (fruit market/grocery store) that is without a required primary entrance door.	1407 S. Muskego Av. A/K/A 1601 W. Greenfield Av. 12th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Georgia Cameron seconded.	
	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 automatic changeable message signs meet the standards of s.295-407-c of the Milwaukee zoning code. Specifically that the message is not changed more frequently than once every 60 seconds. 6. That the premises is developed in accordance to the plans submitted to the Board on April 28, 2008. 7. That glazing must meet the glazing standards of s295-605-i of the Milwaukee Zoning Code 8. 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>
22	28887 Special Use	Eder Mendez Lessee	2016 W. National Av. 12th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility and body shop.	
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That all repair work is conducted inside of the building. 6. That landscaping and screening is maintained in a manner that meets the intent of city code. 7. That there be no work conducted on vehicles in the public right of way. 8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That this Special Use is granted for a period of 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>
23	28903 Special Use	PyraMax Bank Karen Murphy, Senior V.P. Retail Banking;Prospective Buyer	1605 W. Mitchell St. A/K/A 1607 W. Mitchell St. 12th Dist.
		Request to construct a drive through facility that is located within 150 feet of a residential use (applicant will be remodeling existing bank, razing a multi-family residential building on 17th Street, and constructing a parking lot).	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winker.	
	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 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 prior to the issuance of any permits (the revised landscape plan must include landscaping for the S. 16th St frontage, and provide screening to the south-abutting residences). 6. 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 site plans, facade & elevation plans, and glazing 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). 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
24	28918 Special Use	AB Credit Union Frank Pierson;Property Owner Request to construct an addition to the existing Board approved financial institution (addition would function as a vestibule to the credit union).	225 W. Greenfield Av. A/K/A 239 W. Greenfield Av. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson 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 shall maintain landscaping and screening in accordance with the landscape plan approved by the Department of City Development on September 14, 1995. 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>
25	28921 Special Use	St. Anthony's Congregation Lessee Request to occupy the premises as an elementary or secondary school for 150 students in grades 4-8 operating Monday - Friday 7:30 a.m. - 3:30 p.m. (Board previously approved site for school, however occupancy permit was not obtained within one year).	929 W. Historic Mitchell St. A/K/A 931 W. Historic Mitchell St. 12th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson 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 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. 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>
26	28891 Special Use	Knowledge Learning Co. c/o Robert Brown, Regional Facilities Manager; Lessee	4854 S. 27th St. A/K/A 4858 S. 27th St. 13th Dist.
		Request to continue occupying the premises as a day care center for 120 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. to 6:00 p.m.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson 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 outdoor play area is not utilized before 9:00 A.M. 5. That landscaping for the parking lot is upgraded to be in compliance with the landscape plan submitted to the Department of city Development on March 2, 1987. Specifically additional shrubs must be added to supplement the existing trees and shrubs along the street frontage of the parking lot at the rate of 3-feet on-center. The shrubs must be Two (2) feet high at time of planting and not exceed a height of 3.5 feet at maturity. 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>
27	28890 Dimensional Variance	Mark F Krowski Property Owner Request to construct a residential building addition that is under the minimum required side setback (required 6 ft. / proposed 0 ft.).	3352 S. Taylor Av. A/K/A 3350 S. Taylor Av. 14th Dist.
	Action:	Granted	
	Motion:	Donald Jackson 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 petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	28901 Special Use	Bessie L Williams Property Owner	2812 W. Lisbon Av. A/K/A 2814 W. Lisbon Av. 15th Dist.
		Request to occupy the entire premises (this is an expansion of a Board approved day care center occupying the first floor) as a 24 hour day care center for 40 children per shift, infant to 14 years of age.	
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must 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 the petitioner obtains a new occupancy certificate to evaluate the space for the increase 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 occupancy. 7. 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>
29	28915 Use Variance	Tammy Perry Property Owner	4843 N. Hopkins St. A/K/A 4843 A N. Hopkins St. 1st Dist.
		Request to increase the hours of operation for the Board approved day care center from 6:00 a.m. - 1:00 a.m. Monday - Friday to 24 hours Monday - Sunday, for 40 children infant to 12 yrs. of age.	
	Action:	Granted	
	Motion:	Donald Jackson 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 outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 5. That this Variance is granted for a period of time commencing with the date hereof and expiring on June 14, 2010. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	28922 Special Use	Kenny & Sandy Lewis Lessee	4864 N. 26th St. 1st Dist.
		Request to continue occupying the premises as a 24 hr. day care center operating Monday - Sunday, for 8 children per shift infant - 12 yrs. of age.	
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson 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 outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M. 5. That there be no signage associated with the day care facility. 6. 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>
31	28929 Use Variance	Banner Learning Corp. Barry L Cohn & Sidney Yeldell, VP;Lessee	3718 W. Lancaster Av. A/K/A 3734 W. Lancaster Av. 1st Dist.
		Request to continue occupying a portion of the premises as office space and a secondary school for 100 children.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson 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 Variance 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>
32	28931 Special Use	More Than Conquerors Lessee	3727 W. Villard Av. 1st Dist.
		Request to add an elementary school for 40 students at one time in grades K4 and K5 to the Board approved day care center operating Monday through Friday from 6 a.m. to midnight (note that the total number of children, for both the school and day care center, will not exceed 60 children at any one given time).	
	Action:	Granted	
	Motion:	Donald Jackson 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 previous conditions of the Board of Zoning Appeals are complied with. 5. 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. 6. That this Special Use is granted for a period of time commencing with the date hereof and expiring on November 25, 2009. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	28871 Special Use	Shirley R Howard Property Owner Request to continue occupying the premises as a day care center for 98 children infant to 13 years of age, operating Monday - Friday 5:30 a.m. - 9:00 p.m.	4911 W. Good Hope Rd. A/K/A 4919 W. Good Hope Rd. 1st Dist.
	Action:	Granted	
	Motion:	Donald Jackson 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 outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 5. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That this Special Use is granted for a period of time commencing with the date hereof and expiring on March 31, 2018. 	
34	28866 Special Use	Wesley Bryant Lessee Request to occupy the premises as a repair facility (tire repair and installation).	6046 W. Fond Du Lac Av. A/K/A 6050 W. Fond Du Lac Av. 2nd Dist.
	Action:	Adjourned	
	Motion:	This appeal 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>
35	28912 Dimensional Variance	Johnny W Daney Property Owner Request to construct a single-family dwelling that is over the maximum allowed front setback (Allowed 1.175/Proposed 14.0).	936 E. Land Pl. 3rd Dist.
	Action:	Granted	
	Motion:	Donald Jackson 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 petitioner build in accordance with plans submitted. 4. That the petitioner agrees to work with the Zoning Administration Group on a revised facade & elevation plan. (Specifically the revised plan should include sidewalls on the stairway so that the stairway is integral to the building. The petitioner must submit revised drawings that reflect these changes to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits.) 5. That 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>
36	28888 Special Use	Robert Anderson Property Owner	3434 W. St Paul Av. 4th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson 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 landscaping for the parking lot is upgraded to be in compliance with the landscape plan submitted to the Department of city Development on March 12, 1999. 5. That all repair work is conducted inside of the building. 6. That there be no work conducted on vehicles in the public right of way. 7. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	28863 Special Use	Natasha Bishop Lessee Request to occupy the premises as a day care center for 6 children per shift, ages infant to 12 years, operating Monday through Friday from 6:00 a.m. to 10:00 p.m.	1801 W. Galena St. A/K/A 1551 A N. 18th St. 4th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson 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 outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M. 5. That signage must conform to the sign standards of s. 295-505-5 of the Milwaukee Zoning Code. 6. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	
38	28893 Special Use	Notkia Delarosa Lessee Request to occupy a portion of the premises as an adult day care center for 10 clients operating from 7:00 a.m. to 3:00 p.m. (Board approved motor vehicle repair facility operating out of the rear of the building).	8436 W. Lisbon Av. 5th Dist.
	Action:	Adjourned	
	Motion:	This appeal 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>
39	28870 Special Use	David A Guyton Lessee Request to occupy the premises as a social service facility (providing a variety of evaluation, diagnostic, and crisis and treatment services relating to substance abuse).	2821 N. 4th St. 119 A/K/A 2821 N. 4th St. 310C 6th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson 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>
40	28894 Special Use	Council for the Spanish Speaking, Inc. Property Owner	2669 N. Richards St. A/K/A 2678 N. Hubbard St. 6th Dist.
		Request to occupy the premises as a community center and a permitted preschool for 100 children ages 3 - 5 yrs. of age (also offering ESL & GED classes, youth education and recreation programs).	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson 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 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>
41	28905 Special Use	Roy Lewis Lessee Request to continue occupying a portion of the existing religious assembly hall as a day care center for 95 children per shift, infant to 12yrs of age, operating Monday - Friday 6:00 AM - 12:00 Midnight, and Saturday/Sunday from 8:00 a.m. to Midnight.	2498 W. Hopkins St. A/K/A 2486 W. Hopkins St. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	28862 Special Use	Neher Electric Supply, Inc. Richard Steggeman;Property Owner	3718 N. Teutonia Av. A/K/A 3727 N. 19th Pl. 6th Dist.
		Request to continue occupying the premises as an indoor storage facility.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson 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 all previous conditions of the Board regarding this property are complied with. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	28872 Special Use	Deondria P Owens Property Owner Request to increase the hours of operation for the existing day care from 5:00 a.m. - 10:00 p.m. Monday - Friday, to 5:00 a.m. - 12:00 midnight Monday - Sunday for 30 children per shift, infant to 12 yrs. of age.	3567 N. Martin L King Jr Dr. A/K/A 3567 A N. Martin L King Jr Dr. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson 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 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>
44	28874 Special Use	Danae Davis Lessee Request to continue occupying the premises as a social service facility (central office for youth service agency).	2100 N. Palmer St. A/K/A 2102 A N. Palmer St. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-505-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 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>
45	28875 Special Use	Nyishia Brown Lessee Request to continue occupying the premises as a group home for a maximum of 8 teenage females (teen mothers with children or pregnant) 12 to 17 yrs. of age.	3278 N. Richards St. A/K/A 3276 N. Richards St. 6th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson 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 does not exceed eight occupants at any one time including clients and their children. 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>
46	28787 Special Use	Rev. Richard Bush Property Owner	3416 N. Teutonia Av. 6th Dist.
		Request to continue occupying the premises as a general retail establishment (grocery store).	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-505-5 of the Milwaukee Zoning Code. 5. That the storefront windows are restored to clear glass and are maintained in an attractive manner. 6. That no interior or exterior window or door grates are used. 7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary. 8. That this 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>
47	28857 Use Variance	Larry Gamble Lessee Request to continue occupying the premises as a general retail establishment (scuba store).	101 W. Capitol Dr. A/K/A 103 W. Capitol Dr. 6th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson 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 storefront windows remain as clear glass and are maintained in an attractive manner. 5. That this Variance 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>
48	28801 Special Use	Murtaza Sajan Lessee Request to occupy the premises as a day care center for 60 children per shift, infant - 12 yrs. of age, operating Monday - Sunday 6:00 a.m. - 12:00 a.m.	3380 N. 35th St. A/K/A 3329 W. Townsend St. 7th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	3 Ayes, 0 Nays, 1 S. Winkler 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 for LB2 zoning districts. 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 this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	
49	28763 Special Use	Pardeep Kaleka Property Owner Request to construct a filling station and convenience store on site.	1900 S. Muskego Av. A/K/A 1904 S. Muskego Av. 8th Dist.
	Action:	Adjourned	
	Motion:	This appeal 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>
50	28923 Special Use	Willie Killins Lessee Request to occupy a portion of the premises as a secondary school for 300 students grades 9-12 operating Monday - Friday 7:30 a.m. to 5:30 p.m. and Saturday 8:00 a.m. - 12:00 noon.	8603 W. Brown Deer Rd. A/K/A 8730 N. 86th St. 9th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
51	28784 Other	Kurt Bechthold Property Owner Request to modify and/or delete condition #6 from case #27975 stating that "all trucks (and loads) entering and exiting the site be covered in some manner".	7460 N. 60th St. A/K/A 7500 N. 60th St. 9th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny 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>
52	28822 Use Variance	Michael C. Vilione, Sr. EOG Environmental, Inc.; Lessee	8111 W. Bradley Rd. A/K/A 8115 W. Bradley Rd. 9th Dist.
		Request to occupy the premises as a storage facility for hazardous materials.	
	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 has a plan review and obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for hazardous occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 5. That the applicant complies with storage requirements of NFPA 30 for storage of flammable and combustible liquids. 6. That this Variance 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>
53	28881 Special Use	Sandra and Jerome White Lessee	5114 W. Lisbon Av. 10th Dist.
		Request to occupy the premises as a day care center for 15 children per shift infant - 12 yrs. of age, operating from 7:00 a.m. to 12:00 midnight, 7 days per week.	
	Action:	Granted 1 yr.	
	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 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. 7. That no drop off or pick up occur on Lisbon Ave. 8. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
54	28927 Special Use	Calvary Temple C.B.C Shelina Harvey;Property Owner	5330 W. Lisbon Av. A/K/A 5336 W. Lisbon Av. 10th Dist.
		Request to add an elementary school for 49 students grades K4-K5 operating Monday - Friday 6:00 a.m. to 6:00 p.m. to the existing board approved day care center (for 50 children infant to 12 years of age operating Monday - Friday 6:00 a.m. to 6:00 p.m.) and religious assembly hall on site.	
	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 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. 5. That all previous conditions of the Board regarding this property are complied with. 6. That the fence on site is repaired within thirty (30) days. 7. That landscaping is maintained in an attractive manner. 8. That the graffiti on site is removed within thirty (30) days. 9. That any motor vehicle repair that occurs on site be performed indoors and limited to vehicles associated with the land uses on site. 10. That this Special Use is granted for a period of time commencing with the date hereof and expiring on September 14, 2009. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	28816 Special Use	Robert Anderson Prospective Buyer	6720 W. Forest Home Av. 11th Dist.
		Request to occupy the premises as a motor vehicle repair facility.	
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Leni Siker.	
	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 repair work is conducted inside of the building. 5. That landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on May 12, 2008 is installed within 180 days of occupancy. 6. That there be no work conducted on vehicles in the public right of way. 7. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 9. 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>
56	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:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
57	28919 Special Use	Henry Choconta Prospective Buyer Request to occupy the premises as a religious assembly hall.	706 S. 5th St. A/K/A 700 S. 5th St. 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 signage must meet the signage standards of s.295-805 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 assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 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>
58	28443 Dimensional Variance	Mickey Govani Property Owner Request to allow a freestanding sign (automatic changeable message sign) that is over the maximum allowed square footage and the maximum allowed height per code (two of the sign faces are to be mounted on opposite parallel sides counting as one and are permitted, but the third sign face is on the perpendicular side which then exceeds the allowed display area).	1614 W. National Av. A/K/A 1622 W. National Av. 12th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That the electronic message board display not change more frequently than once every 60 seconds. 5. That signage and landscaping plans meeting the intent of code are submitted to and approved by the Zoning Administrative Group. 6. That these Variances are granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
59	28848 Special Use	Khairi Alhassan Prospective Buyer	3170 S. 13th St. 14th Dist.
		Request to raze one (of 2) of the buildings on site (using new space for parking) and occupy the premises as a motor vehicle sales and repair facility.	
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson 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 agrees to work with the Zoning Administration Group staff on a landscape and screening plan. 5. That the petitioner must submit a scaled and dimensioned landscape plan that meets the intent of city code section 295-405 for Type 'D' landscaping to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits (the landscaping plan may require that asphalt is removed in order to create a planting strip for the installation of trees, shrubs and fencing). 6. That landscaping and screening is installed within 150 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). 7. That signage plans which meet the sign standards of s.295-605 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 8. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 9. That all repair work is conducted inside of the building. 10. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 11. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 12. That no sales or repair of motor vehicles take place in the public right of way. 13. 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>
60	28835 Dimensional Variance	Arthur Olson Property Owner Request to occupy the premises as an accessory use parking lot without the minimum required landscaping.	1834 W. Walnut St. A/K/A 1824 W. Walnut St. 15th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
61	28916 Special Use	Renovation Realty Investment Services, Inc. Property Owner Request to occupy a portion of the premises as a research and development facility.	1235 N. 35th St. A/K/A 1201 N. 35th St. 15th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler 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 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>
62	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:	Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
63	28902 Use Variance	Steve Hentzen Lessee Request to occupy the premises for the storage of hazardous materials (warehousing for industrial coatings).	7011 W. Mill Rd. A/K/A 7023 W. Mill Rd. 2nd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of staff and will be rescheduled for the next available agenda.	
64	28906 Special Use	James Harrison Lessee Request to occupy a portion of the premises as an assembly hall (teen night club).	8201 W. Silver Spring Dr. A/K/A 8243 W. Silver Spring Dr. 2nd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman of the district.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
65	28928 Special Use	Willie Killins Lessee Request to occupy a portion of the premises as a school for 300 students grades 8-12 operating Monday - Friday, 7:30 a.m. - 5:30 p.m. and Saturday 8:00 a.m. - 12:00 noon.	5310 W. Capitol Dr. A/K/A 4051 N. 53rd St. 2nd 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That 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. 7. That the applicant provides the Department of Neighborhood Services a scaled, dimensioned floor plan of the school that identifies the use of each room and the intended capacity. 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>
66	28820 Special Use	Mary Ann Gilpin Lessee Request to occupy a portion of the premises as a social service facility (counseling / support services / pregnancy tests).	1442 N. Farwell Av. 102 A/K/A 1442 N. Farwell Av. 508 3rd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman of the district.	
67	28879 Dimensional Variance	Pizza Shuttle, Inc. Mark Gold;Property Owner Request to reduce the period of time between message changes from 60 to 8 seconds for the Board approved sign on site.	1827 N. Farwell Av. A/K/A 1829 N. Farwell Av. 3rd Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
68	28823 Special Use/ Dimensional Variance	The Chateau 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 the Alderman of the district.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
69	28821 Special Use	Mary Ann Gilpin Lessee Request to occupy a portion of the premises as a social service facility (counseling / support services / pregnancy tests).	2051 W. Wisconsin Av. A/K/A 2042 W. Michigan St. 4th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson 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 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>
70	28860 Special Use	Marilyn Simms Lessee Request to increase the hours of operation from 6:00 a.m. - 6:00 p.m. to 6:00 a.m. - 8:00 p.m. and to continue occupying the premises as a day care center for 80 children per shift, infant to 12 yrs of age, Monday - Sunday. Action: Granted 5 yrs. Motion: Scott Winkler moved to grant the appeal. Seconded by Leni Siker. 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 this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	2939 W. Kilbourn Av. A/K/A 2933 W. Kilbourn Av. 4th Dist.
71	28802 Special Use	Kai Trimble d.b.a. This House is a Home, LLC; Lessee Request to occupy the premises as a group home facility offering AODA services to 6 females, 13 - 17 yrs. of age.	4542 N. 84th St. A/K/A 4544 N. 84th 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 agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
72	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:	Granted	
	Motion:	Georgia Cameron moved to grant the appeal. Seconded by Leni Siker.	
	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 the petitioner obtains a new occupancy certificate to evaluate the building for the increased capacity 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 this Special Use is granted for a period of time commencing with the date hereof and expiring on November 25, 2012. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
73	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:	Granted	
	Motion:	Leni Siker 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 all previous conditions of the Board regarding this property are complied with 5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on February 10, 2011 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
74	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:	Granted 10 yrs.	
	Motion:	Leni Siker 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 banner sign be removed. 5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 6. That the storefront windows remain as clear glass and are maintained in an attractive manner. 7. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 8. That the petitioner takes all measures necessary to control litter, loitering and loud noise on the premises. 9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
75	28791 Special Use	Anica Banyard Lessee Request to occupy the premises as an elementary/secondary school for 100 students in grades Kindergarten - 6th grade (Board approved religious assembly facility on site).	2201 N. Martin L King Jr Dr. A/K/A 2201 N. 3rd St. 6th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson.	
76	28819 Use Variance	Ronald and Janice Gaston Lessee Request to occupy the premises as an emergency residential shelter (5 family members per floor).	3715 N. 22nd St. A/K/A 3715 A N. 22nd St. 6th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
77	28850 Special Use	Gene Gokhmar Prospective Buyer Request to construct two principal buildings (single family residence and coach house, code allows only one principal building per parcel).	128 E. Vine St. A/K/A 134 E. Vine St. 6th Dist.
	Action:	Granted	
	Motion:	Donald Jackson 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 final plans are approved by the Historic Preservation Commission 5. That the certified survey map being used to create this parcel is approved by the Common Council. 6. That the petitioner records a legal instrument which guarantees access to the drive for occupants of each dwelling served by the shared drive and which assigns responsibility for maintenance of the drive. 7. That this Special Use is granted to run with the land, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
78	28851 Special Use/ Dimensional Variance	Gene Gokhman Prospective Buyer Request to construct two principal buildings (single family residence and coach house, code allows only one principal building per parcel) that do not meet the minimum required west-side setback (required 1 ft. 6 in. / proposed 0 ft.) .	120 E. Vine St. 6th Dist.
	Action:	Granted	
	Motion:	Donald Jackson 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 final plans are approved by the Historic Preservation Commission. 5. That the certified survey map being used to create this parcel is approved by the common council. 6. That the petitioner records a legal instrument which guarantees access to the drive for occupants of each dwelling served by the shared drive and which assigns responsibility for maintenance of the drive. 7. That this Special Use and this Variance are granted to run with the land, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
79	28858 Special Use	Foster Care Youth Independence Center of Wisconsin James A. Pekar; Lessee	2431 N. Holton St. A/K/A 2437 N. Holton St. 6th Dist.
		Request to occupy a portion of the premises (1st. floor) as a social service facility for youth and adults transitioning out of the foster care system.	
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the storefront windows remain as transparent vision glass 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. 	
80	28910 Special Use	Azie L Bonds Lessee	2947 N. Martin L King Jr Dr. A/K/A 2941 N. Martin L King Jr Dr. 6th Dist.
		Request to occupy a portion of the premises as a elementary or secondary school for 100 students grades 6 - 12 operating Monday - Friday 8:30 a.m. - 3:30 p.m.	
	Action:	Adjourned	
	Motion:	This matter was adjourned by staff and will be rescheduled for the next public hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
81	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:	Granted	
	Motion:	Scott Winkler 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on February 12, 2008, is installed within 120 days of occupancy. (If occupancy occurs between September 30th of the year of occupancy and March 1st of the following year then landscaping and screening must be installed within 120 days of March 1st.) 6. That this Special Use and Variance are granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
82	28414 Special Use/ Dimensional Variance	Freddie Jones Lessee Request to occupy a portion of the premises as an outdoor storage facility (motor vehicles and yard equipment) that is without the minimum required landscaping.	3408 N. Port Washington Av. A/K/A 3410 N. Port Washington Av. A 6th Dist.
	Action:	Granted 1 yr.	
	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 storage is limited to a maximum of 6 motor vehicles and minor lawn equipment as outlined by the letter submitted to the Board on January, 31 2008, and that all of these vehicles must be operable. 5. That the premises is screened in accordance with the plan submitted to the board on March 10, 2008 (and completed within 120 days). 6. That the parking area is paved within 120 days. 7. That this Special Use and this Variance are 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>
83	28836 Special Use/ Dimensional Variance	Mark C Lake Prospective Buyer Request to raze the existing building and construct a retail establishment with a drive-through facility that is within 150 ft. of a residential district, and that does not meet the required distance of an interior wall parallel to glazing location (required 6 ft. / proposed 3 ft.), and that exceeds the maximum height of a free-standing sign (maximum 14 ft. / proposed 20 ft. 4 in.).	2826 N. Martin L King Jr Dr. A/K/A 2812 N. Martin L King . 6th Dist.
	Action:	Granted, Special Use 10 years; Dimensional Variance (wall) Run with the land; Free-standing sign Adjourned	
	Motion:	Scott Winkler moved to grant the land use (drive through) and the Variance regarding the wall that is parallel to the glazing location. 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 automatic changeable message signs meet the standards of s.295-407-c of the Milwaukee zoning code. Specifically that the message is not changed more frequently than once every 60 seconds. 6. That the landscape and screening plan submitted to the Board of Zoning Appeals on March 5, 2008 is revised to meeting the intent of city code section 295-405. The revised plan must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits, and that landscaping and screening is installed within 90 days of occupancy (if occupancy occurs between September 30th of the year of occupancy and March 1st of the following year then landscaping and screening must be installed within 90 days of March 1st). 7. That landscaping and screening is maintained in accordance with the approved landscape plan. 8. That the Variance appeal to allow a free-standing sign of 20 ft. 4 in. on site is not part of this written approval and remains pending before the Board. 9. That the petitioner takes all measures necessary to control litter, loitering and loud noise (especially noise associated with the drive through speaker) on the premises, including, but not limited to, hiring private personnel. 10. That a 24-hour contact phone number and person be presented to any interested party that requests this information. 11. That this Special Use is granted for a period of ten (10) years and the Variance regarding the wall parallel to the glazing location is granted to run with the land, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
84	28710 Use Variance	Kashmir Multani Lessee Request to occupy the premises as a filling station (existing Board approved station which expired in 2005).	1530 W. State St. A/K/A 1560 W. State St. 4th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

Other Business:

Board member Scott Winkler moved to approve the minutes of the April 17, 2008 meeting. Seconded by Board member Donald Jackson. Unanimously approved.

The Board set the next meeting for July 10, 2008.

Board member Leni Siker moved to adjourn the meeting at 8:27 p.m. Seconded by Board member Scott Winkler. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board