

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

**REGULAR MEETING – July 10, 2008**  
**City Hall, Common Council Committee Room 301-B**

***MINUTES***

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PRESENT:

**Chairman:** Craig H. Zetley (*voting on items 1 - 89, 91 - 93*)

**Members:** Henry P. Szymanski (*voting on items 1 - 56, 60 - 94*)  
Scott R. Winkler (*voting on items 1 – 63, 65 - 94*)  
Catherine M. Doyle (*voting on items 1 – 56, 60 - 94*)  
Donald Jackson (*voting on items 1 - 94*)

**Alt. Board Members:** Georgia M. Cameron (*voting on items 1 - 94*)  
Leni M. Siker (*voting on items 61 - 94*)

START TIME: 1:12 p.m.

End Time: 4:56 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	28371 Special Use	Kenneth Dyess Lessee	1122 W. Wright St. 15th Dist.

Request to occupy the premises as a transitional living facility for no more than seven adult men at any time and to occupy without the minimum required sq. ft. per roomer (200 ft. short/per roomer).

Action: Dismissed

Motion: Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.

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

Conditions of Approval: --

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
2	28955 Use Variance	Marshall & Ilsley Corp. Brent Kelly, SVP;Property Owner  Request to install a temporary banner (for the use of promoting Summerfest) that exceeds more than one percent of the building facade and that covers windows.	770 N. Water St. A/K/A 778 N. Water St. 4th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	--	
3	28721 Use Variance	Karah Letherwood Lessee  Request to occupy the premises as a day care center (located within 300 ft of a liquor license) operating Monday - Saturday from 6:30A.M. to 12:00A.M.for 70 children ages infant to 12 yrs. of age.	3064 N. 27th St. A/K/A 3068 N. 27th St. 304 7th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	--	
4	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:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
5	28961 Special Use	Samuel Perez Lessee  Request to continue occupying the premises as a general retail establishment (grocery store).	3100 W. Mitchell St. A/K/A 1665 S. 31st St. 8th Dist.
	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 petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	
6	28976 Special Use	Gary C Lindsay Property Owner  Request to continue occupying the premises as a light manufacturing facility (meat processing facility).	2209 W. National Av. A/K/A 2217 W. National Av. 8th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That 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>
7	28978 Special Use	Raymond Nagy Lessee  Request to continue occupying the premises as an auto repair and body shop (replacement of hoods, fenders, bumpers, grills, head lamps, and doors).	2130 W. National Av. A/K/A 2132 W. National Av. 3 8th Dist.
	Action:	Granted 3 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 no signage for the motor vehicle repair facility is erected on site.</li> <li>5. That all repair work is conducted inside of the building.</li> <li>6. That there be no work conducted on vehicles in the public right of way.</li> <li>7. That there be no vehicles stored in the public right of way.</li> <li>8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>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.</li> <li>10. 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>
8	28958 Special Use	Robert Pyles and Brenda Ellis dba McDonalds;Property Owner	8100 W. Brown Deer Rd. 9th Dist.
		Request to continue occupying the restaurant as a fast-food / carry-out restaurant with a drive-through facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>5. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.</li> <li>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 landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	28973 Special Use	Peek-A-Boo II, LLC Lessee	8842 N. Swan Rd. A/K/A 8834 N. Swan Rd. 9th Dist.
		Request to increase the hours of operation from 6:00 a.m. - 6:00 p.m. operating Monday - Friday to 24 hours operating Monday - Sunday and to increase the number of children from 76 to 96 for an existing Board approved day care center.	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <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 time commencing with the date hereof and expiring on March 2, 2018.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	28935 Special Use	Arthur and Mary, LLC Attn: Mary Smith-Reid;Property Owner	5836 W. Appleton Av. A/K/A 2745 N. 58th St. 10th Dist.
		Request to continue occupying the residential dwelling as a 24 hr. day care center for 8 children, infant to 12 yrs of age, operating Monday-Sunday and to continue occupying the second principle dwelling (commercial building) on site as a group day care center for 95 children, infant to 12 yrs. of age, operating on a 24 hr. basis, 7 days per week.	
	Action:	Granted 3 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 landscaping and screening is maintained per the plan approved by the Department of City Development on June 27, 2006.</li> <li>5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>6. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>7. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>8. That 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>
11	28939	Shalanda Magloire Green Lessee  Request to occupy a portion of the premises (units #118, #206, and #310) as a social service facility (job placement, and job training).	6815 W. Capitol Dr. 310 A/K/A 6815 W. Capitol Dr. 105 10th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	
12	28971 Dimensional Variance	Mount Olive Lutheran Church Andy Braatz;Property Owner  Request to continue to allow a freestanding sign that is over the maximum permitted display area.	5327 W. Washington Bl. A/K/A 1634 N. 54th 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 hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
13	28996 Special Use	Christine Monty Lessee	6161 W. Forest Home Av. A/K/A 6163 W. Forest Home Av. 11th Dist.
		Request to occupy the premises as a day care center for 50 children infant to 12 years of age, operating Monday - Friday 5:30 a.m. - 10 p.m.	
	Action:	Granted 3 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 signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>7. That the outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards.</li> <li>8. That 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.</li> <li>9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

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14	28992 Special Use	Chris P Simko Property Owner  Request to continue occupying the premises as an outdoor salvage operation (recycled motor vehicle parts).	450 S. 11th St. A/K/A 800 Ra W. Virginia St. 12th Dist.
	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 petitioner shall maintain landscaping and screening in accordance with the landscape plan submitted to the Department of City development on August 12, 1993.</li> <li>5. That there be no vehicles stored in the public right of way.</li> <li>6. That there be no work conducted on vehicles in the public right of way.</li> <li>7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	
15	28945 Special Use	Donald and Celia Constantineau Property Owner  Request to occupy the premises as a fast-food/carry-out restaurant with a drive-through facility (The existing canopy had collapsed requiring Board approval under Code Section 415-2-d.).	5572 S. 27th St. 13th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	28984 Special Use	Saul Rosen Property Owner  Request to raze a portion of the premises and rebuild a motor vehicle showroom. (This is an intensification of a Board approved motor vehicle sales facility).	5575 S. 27th St. 13th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party.	
	Vote:	--	
	Conditions of Approval:	--	
17	29014 Use Variance	Prince of Peace ELCA Church Property Owner  Request to reconfigure the existing principal use parking lot to alter the existing green space and parking on site (parking lot was previously approved in 1978 for a period of 3 years; the addition of green space works in conjunction with increased parking at 126 W. Bottsford Ave.).	126 W. Bottsford Av. 13th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <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>
18	29015 Dimensional Variance	Prince of Peace ELCA Church Property Owner  Request to construct a parking lot that is located between the property line and the front facade of the principal building (this appeal works in conjunction with 126 W. Bottsford Ave.) .	4419 S. Howell Av. 13th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <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>	
19	29023 Special Use	Nargis Anis Nida Petroleum, LLC;Lessee  Request to continue occupying the premises (new operator) as motor vehicle filling station and convenience store with a fast-food / carry-out restaurant and to continue to allow the additional signage as granted in case #27802.	4709 S. Howell Av. A/K/A 110 E. Layton Av. 13th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	28947 Use Variance	Chad Carroll Lessee  Request to continue occupying the premises as a day care center for 75 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. to 3:00 a.m. (located within 300 ft. of a liquor license).	2806 W. Lisbon Av. A/K/A 2806 A W. Lisbon Av. 15th Dist.
	Action:	Granted 3 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 signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. Specifically, banner signs are not permitted.</li> <li>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>7. That the applicant obtains a loading zone on West Lisbon Avenue.</li> <li>8. 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>
21	28957 Special Use	Fernandous Chambers Property Owner  Request to continue occupying the premises as a religious assembly hall without the minimum required number of parking spaces (required 15 / proposed 0).	3918 W. Center St. A/K/A 3920 W. Center St. 15th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of staff.	
	Vote:	--	
	Conditions of Approval:	--	
22	28974 Special Use	Keith Hughes Lessee  Request to occupy a portion of the premises as a second-hand store.	2224 W. North Av. A/K/A 2232 W. North Av. 15th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
23	28994 Special Use	Genesis Behavioral Services, Inc. Amy Winkler;Lessee	2436 N. 50th St. 15th Dist.
		Request to continue occupying the premises as a community living arrangement for 87 occupants.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

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24	28693 Use Variance	David Skwarek Michael Murray;Property Owner	3918 W. Kisslich Pl. A/K/A 3916 W. Kisslich Pl. 15th Dist.
	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 this Variance is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	28940 Special Use	New Greater Love Baptist Church Lessee	6245 N. Teutonia Av. A/K/A 6243 N. Teutonia Av. 1st Dist.
		Request to occupy a portion of the premises as a religious assembly hall.	
	Action:	Granted 3 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 signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for assembly occupancies, including the installation of a second restrooms and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>7. 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>
26	28965 Special Use	Kcal Skill and Recreation Development Center Prospective Buyer	4236 N. Teutonia Av. A/K/A 4234 N. Teutonia Av. 1st Dist.
		Request to occupy the premises as an adult day care center for 24 clients operating Monday - Friday 6:00 a.m. - 12:00 midnight and Saturday 8:00 a.m. - 6:00 p.m.	
	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 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.</li> <li>5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	
27	28993 Special Use	Greg and Juanita Brown Prospective Buyer	4031 W. Kiehnau Av. 1st Dist.
		Request to occupy the premises as a day care center for 60 children per shift, infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - midnight.	
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	29001 Special Use	Charlene Wilson-Durr Lessee  Request to increase the hours of operation from 6:00 a.m. - 7:00 p.m. to 24 hours and to continue occupying a portion of the premises as a day care center for 8 children, infant to 12 years of age, operating Monday - Friday.	1927 W. Hampton Av. A/K/A 1925 W. Hampton Av. 1st Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows remain as transparent glass and are maintained in an attractive manner.</li> <li>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	28963 Special Use	Madan Lal Property Owner	5170 N. 76th St. A/K/A 5168 N. 76th St. 2nd Dist.
		Request to continue occupying the premises as a motor vehicle filling station and convenience store.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That landscaping and screening is maintained in accordance with the approved landscape plan</li> <li>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>7. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises</li> <li>8. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>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.</li> <li>10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	28959 Special Use	Meta House, Inc. Bill Gollmar & Francine Feinberg;Property Owner	2618 N. Bremen St. 3rd Dist.
		Request to continue occupying the premises as a community living arrangement that offers AODA services for 23 occupants.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>5. That 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>
31	28960 Special Use	Meta House, Inc. Bill Gollmar & Francine Feinberg;Property Owner	2626 N. Bremen St. A/K/A 2626 N. Bremen St. 2 3rd Dist.
		Request to continue occupying the premises as a community living arrangement that offers AODA services for 30 occupants .	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	28982 Special Use	<p>Scotalia, Inc. dba Planet Scooter Jeffrey Radtke, Secretary; Lessee</p> <p>Request to occupy a portion of the premises as a motor vehicle sales facility (moped sales) .</p>	<p>904 E. Center St. A/K/A 904 A E. Center St. 1 3rd Dist.</p>
	Action:	Granted 3 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That there be no vehicles stored in the public right of way.</li> <li>6. That the applicant has no outdoor storage of parts, tires or other junk and debris.</li> <li>7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	28983 Special Use	Terry Sisters, LLC Kendra Terry and Nikiiya Williams; Lessee	2500 N. Holton St. A/K/A 2506 N. Holton St. 3rd Dist.
		Request to continue occupying the premises as a day care center for 45 children, infant to 12 years of age, operating 24 hours Monday - Sunday.	
	Action:	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 storefront windows remain as clear glass and are maintained in an attractive manner.</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 signage must meet 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 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	28846 Use Variance	J & G Foods, Inc. Gerry Scharnek;Lessee	1620 N. Water St. A/K/A 1622 N. Water St. 3rd Dist.
		Request to continue occupying the premises as an outdoor storage facility.	
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant this appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all previous conditions of the Board regarding this property are complied with.</li> <li>5. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</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 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>
35	28956 Special Use	Thanks A-Lot, LLC Bonnie Bockl Joseph;Property Owner	843 N. Plankinton Av. A/K/A 863 N. Plankinton Av. 4th Dist.
		Request to continue occupying the premises as a principal parking lot.	
	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 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 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>
36	28964 Use Variance	St. Michael's Congregation Carl Quindel & Rev. Dennis J. Lewis;Property Owner	1445 N. 24th St. A/K/A 1441 N. 24th St. 4th Dist.
		Request to continue occupying a portion of the premises (second & third floors) as a rooming house for 13 occupants .	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
37	28977 Dimensional Variance	Laurie Pevnick Property Owner	527 N. 27th St. 4th Dist.
		Request to continue to allow a 6 foot high chain link fence with 3 strands of barbed-wire on the north end of the premises.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That 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>
38	28987 Special Use	The Cat Doctors, S.C. Kathryn L. Christensen; Lessee	236 N. Water St. 1 4th Dist.
		Request to continue occupying a portion of the premises as an animal hospital / clinic for cats.	
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party. It will be rescheduled on the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	29005 Special Use	Edwin Sweeney Lessee	1400 W. Wells St. A/K/A 1404 W. Wells St. 4th Dist.
		Request to occupy a portion of the premises as a second-hand store (new and used books).	
	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 signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>6. That no interior or exterior window or door grates are used.</li> <li>7. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>9. That this Special Use is granted for a period of 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>
40	29007 Special Use	Jill Seebantz Prospective Buyer  Request to continue occupying the premises as a personal service facility (massage therapy).	1234 N. Prospect Av. A/K/A 1230 N. Prospect Av. 4th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
41	29009 Special Use	Mental Health America Martha Rasmus;Property Owner  Request to occupy a portion of the premises as a social service facility (mental health services).	734 N. 4th St. 4th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That 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>
42	29011 Special Use	Marshall & Wells, LLC Gary Taxman;Property Owner  Request to continue occupying the premises as a parking lot .	807 N. Marshall St. A/K/A 809 N. Marshall St. 4th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant this 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 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 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>
43	28999 Special Use	Great Lakes Quick Lube dba Valvoline Instant Oil Change; Dorothy Ramsey, T.B. Howard, Jim Wheat; Lessee	10014 W. Silver Spring Dr. 5th Dist.
		Request to continue occupying the premises as a motor vehicle sales facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner shall maintain landscaping and screening in accordance with the landscape plan approved by the Department of City Development on June 9th, 1988.</li> <li>5. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>6. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>8. That this Special Use is granted for a period of 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>
44	29024 Dimensional Variance Fence	Lynn Marie Slichter Property Owner  Request to install a residential fence that is over the maximum allowed height (allowed 4 / proposed 6).  Action: Dismissed  Motion: Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  Conditions of Approval: --	10800 W. Fairmount Av. 5th Dist.
45	28950 Special Use	Quincy Johnson Property Owner  Request to continue occupying the premises as a day care center for 8 children infant to 12 years of age , operating Monday - Friday 6:00 a.m. - Midnight .  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: 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 other dwelling unit continues to be utilized as a residence.  5. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M.  6. That no signage is permitted.  7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof	3780 N. 10th St. A/K/A 3782 N. 10th St. 6th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	28951 Special Use	Wee Care Day Care Nate Jefferson;Lessee	3882 N. Teutonia Av. 6th Dist.
		Request to occupy a portion of the premises (first floor) as a social service facility (this facility was previously approved in 1994 for a period of five years).	
	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 this Special Use is granted for a period of five (5) years, commencing with the date hereof</li> </ol>	
47	28952 Special Use	East Point Residential Facility, LLC Rita Gillespie;Property Owner	608 E. North Av. 6th Dist.
		Request to continue occupying the premises as a community based residential facility for 7 ambulatory adults.	
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal without prejudice. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	28962 Special Use	Pastor George Marshall Property Owner	1131 W. Keefe Av. A/K/A 1135 W. Keefe Av. 6th Dist.
		Request to continue occupying the premises as a religious assembly hall.	
	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 petitioner shall maintain landscaping and screening in accordance with the landscape plan approved by the Department of City Development on April 22, 2003</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>
49	29012 Special Use	Northcott Neighborhood House Bob Johnson, Program Director;Property Owner	2460 N. 6th St. A/K/A 539 W. Wright St. 6th Dist.
		Request to continue occupying the premises as a community center (offering youth programs, Head Start, and literacy training) .	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That 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>
50	29016 Special Use	Anthony L Jones Property Owner	2053 W. Hopkins St. 6th Dist.
		Request to continue occupying the premises as a car wash.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That 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 there be no work conducted on vehicles in the public right of way.</li> <li>7. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
51	28946 Special Use	Rolanda Cornelius Lessee  Request to continue occupying the premises as a day care center for 50 children (25 children per shift) infant-12 yrs of age, operating Monday-Sunday 6:00 a.m. - Midnight.	4006 W. Burleigh St. A/K/A 4004 W. Burleigh St. 7th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>7. That the outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards.</li> <li>8. That 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	28969 Special Use	David Houle Property Owner	5426 W. Hampton Av. A/K/A 5420 W. Hampton Av. 7th Dist.
		Request to continue occupying the premises as a motor vehicle sales and repair facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>6. That all repair work is conducted inside of the building.</li> <li>7. That there be no work conducted in the public right of way.</li> <li>8. That there be no vehicles displayed for sale in the public right of way.</li> <li>9. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
53	28997 Special Use	Gloria Oglesby Lessee  Request to increase the hours of operation for a Board approved day care center from 6:00 a.m. - 6:00 p.m. to 6:00 a.m. - 9:00 p.m.; to increase the number of children from 75 to 80 per shift, and to continue occupying the premises as a day care center for children ages infant to 12 yrs. of age.	5613 W. Hampton Av. A/K/A 5615 W. Hampton Av. 7th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party. It will be rescheduled on the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
54	29000 Special Use	Higher Love Ministries Outreach Inc. Property Owner  Request to continue occupying the premises as a religious assembly hall (new operator).	2700 W. Concordia Av. A/K/A 2702 W. Concordia Av. 7th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of staff. It will be rescheduled on the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	29004 Special Use	Maebell Burrell Property Owner	4122 W. Fond Du Lac Av. A/K/A 4118 W. Fond Du Lac Av. 7th Dist.
		Request to continue occupying the premises as a 24 hr. day care center for 50 children per shift, operating Monday - Sunday for children ages infant to 12 yrs. of age.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>6. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M</li> <li>7. That this Special Use is granted for a period of 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>
56	29027 Special Use	James A Arms Property Owner	4335 W. Fond Du Lac Av. 7th Dist.
		Request to continue occupying the premises as a day care center for 30 children increasing ages from infant to 10 years to infant - 12 yrs of age, operating Monday - Friday 6:00 a.m. - 11:30 p.m.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must conform to the sign standards of s. 295-605 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>7. That 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>
57	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:	Granted 1 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	3 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 and the intended capacity.</li> <li>6. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	
58	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:	This matter was adjourned at the request an interested party. It will be rescheduled for Administrative Review on the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
59	28932 Special Use	Oscar Diaz Property Owner  Request to occupy the premises as a motor vehicle repair and sales facility (installing alarms and stereos).	4129 W. Greenfield Av. A/K/A 4131 W. Greenfield Av. 8th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman of the district. It will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
60	28972 Dimensional Variance	Rogers Street School Property Owner  Request to install a freestanding automatic changeable message sign (automatic signs are not permitted in this district) .	2430 W. Rogers St. A/K/A 2404 W. Rogers St. 8th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
61	28988 Use Variance	Inocente and Graciela Hernandez Prospective Buyer  Request to occupy the premises as a general retail establishment (grocery store).	3911 W. Greenfield Av. A/K/A 3913 W. Greenfield Av. 8th Dist.
	Action:	Granted 2 yrs.	
	Motion:		
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the storefront windows remain as transparent vision glass and are maintained in an attractive manner.</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 glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises</li> <li>7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB2 zoning districts.</li> <li>8. 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>
62	28585 Special Use	Salvador Sanchez Property Owner	2606 W. Greenfield Av. 8th Dist.
		Request to occupy the premises as an auto sales facility.	
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	--	
	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 site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>6. That landscaping along the W. Greenfield Ave frontage is maintained in a manner that meets the intent of city code.</li> <li>7. That all repair work is conducted inside of the building.</li> <li>8. That there be no vehicles displayed for sale in the public right of way.</li> <li>9. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>11. That the applicant has no more than 11 vehicles for sale or repair at any one given time.</li> <li>12. 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>
63	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:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	--	
64	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:	Catherine Doyle moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
65	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:	Granted	
	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 all previous conditions of the Board regarding this property are complied with.</li> <li>5. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>6. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on November 13, 2010.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
66	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:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all previous conditions of the Board for this property are complied with.</li> <li>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
67	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 staff. It will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
68	28804 Other	Daniel Mora Property Owner  Request to modify condition #4 of case #28325, requiring the erection of a "decorative metal fence along all street frontages".	1501 S. Muskego Av. A/K/A 1501 A S. Muskego Av. 12th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C.Zetley Abstained.	
	Conditions of Approval:	--	
69	28934 Special Use	Ahmed Karim Lessee  Request to occupy a portion of the premises as a secondary school for 60 students grades 9 - 12 operating Monday - Friday 7:30 a.m. - 2:30 p.m.	1724 W. Mitchell St. A/K/A 1728 W. Mitchell St. 12th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
70	28748 Special Use	Abel Santos Property Owner	1333 W. Greenfield Av. A/K/A 1337 W. Greenfield Av. 12th Dist.
		Request to add an assembly hall to the existing bar/restaurant (permitted use).	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>6. That the storefront windows are restored to transparent glass in accordance with the glazing standards of s295-605-2-i-3 of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</li> <li>7. 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.</li> <li>8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
71	28980 Dimensional Variance	Dean LaGrow Property Owner  Request to construct a carport / roof-top deck that is over the maximum allowed lot coverage for an accessory structure (allowed 600 sq.ft. / proposed 768 sq.ft.).	2810 S. Clement Av. A/K/A 2812 S. Clement Av. 14th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. The second story of the garage is used only for storage.</li> <li>5. 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>
72	28483 Special Use	Abdul Haq Property Owner	2341 S. Chase Av. 14th Dist.
		Request to continue occupying the premises as a motor vehicle filling station and convenience store.	
	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 fencing and landscaping is maintained in accordance with the approved plan.</li> <li>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>6. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises</li> <li>7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>8. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision.</li> <li>9. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.</li> <li>10. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>11. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>12. That this Special Use is granted for a period of 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>
73	28989 Special Use	Kalim M Beg Property Owner  Request to raze and construct a motor vehicle filling station and convenience store utilizing the original pumps and canopy (applicant will be combining two adjacent lots and razing the existing filling station and two residential dwellings).	2624 W. Lisbon Av. A/K/A 2642 W. Lisbon Av. 15th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	--	
74	29022 Special Use	Midwest Hospitality, LLC Lessee  Request to occupy the premises as a fast-food / carry-out restaurant with a drive-through that is within 150 feet of a residential use (The Board has previously approved the site for this use. The new operator is renovating and intensifying the site) .	1635 W. North Av. A/K/A 1625 W. North Av. 15th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman. This item will be rescheduled at the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
75	28572 Use Variance	Committed to Christ International Ministries Gregory Thornton;Prospective Buyer	10003 W. Carmen Av. 2nd Dist.
		Request to occupy the premises as a religious assembly hall.	
	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 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.</li> <li>5. 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>
76	28902 Use Variance	Steve Hentzen Lessee	7029 W. Mill Rd. A/K/A 7011 W. Mill Rd. 2nd Dist.
		Request to occupy the premises for the storage of hazardous materials (warehousing for industrial coatings).	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 c. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner 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.</li> <li>5. That the applicant has the building and all proposed storage products reviewed by a registered architect or engineer and provide the Department of Neighborhood Services a detailed report on how the building and storage of products complies with the International Fire Code</li> <li>6. That the applicant complies with storage requirements of NFPA 30 and the International Fire Code for storage of flammable and combustible liquids.</li> <li>7. 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>
77	28954 Special Use	Gregory L Goner Lessee  Request to occupy a portion of the premises (first and second floors) as an elementary and secondary school for 250 students grades K4-12 operating Monday - Friday 7:15 a.m. - 3:30 p.m.	924 E. Clarke St. A/K/A 2611 N. Weil St. 3rd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman of the district. It will be rescheduled on the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
78	28986 Use Variance	Harold W Schnell Property Owner  Request to occupy the premises as a 4 unit multi-family dwelling (multi-family dwellings that have not been legally established and occupied by 2002 are not permitted in this district).	2582 N. Cramer St. 3rd Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
79	28937 Dimensional Variance	James R Bach Prospective Buyer  Request to construct a two-family residential dwelling that is over the maximum allowed front setback (allowed 6 ft. 32 in. / proposed 88 ft. 5 in.) .	949 N. 15th St. 4th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	--	
80	28953 Special Use	The Young Women's Institute for Global Studies Virginia Cassel;Lessee  Request to occupy a portion of the premises as a secondary school for 200 students grades 9-12, operating Monday - Friday 8:30 a.m. - 5:30 p.m.	310 W. Wisconsin Av. A/K/A 310 W. Wisconsin Av. 130 4th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That 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 and the intended capacity.</li> <li>6. 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>
81	28966 Dimensional Variance	MacDowell Montessori School Property Owner  Request to install a freestanding automatic changeable message sign (automatic signs are not permitted in this district) .	1706 W. Highland Av. A/K/A 1712 W. Highland Av. 4th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	--	
82	28968 Dimensional Variance	Dimitrios or Alexia Jifas Property Owner  Request to raze and construct a 4 unit multi-family dwelling that does not meet the minimum required lot area per unit (required 4800 / proposed 4445).	939 N. 17th St. A/K/A 939 N. 17th . 4th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	--	
83	28926 Use Variance	Erik Peterson Lessee  Request to construct an addition to a Board approved hazardous material storage facility without the required minimum residential buffer (required 25 ft. / proposed 3 ft.).	11927 W. Silver Spring Dr. 5th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant. It will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
84	28948 Special Use	Heritage Reserve Holding, LLC c/o Baraboo Growth, LLC;Property Owner	12111 W. Good Hope Rd. 5th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <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 obtains a land filling permit from the Milwaukee Development Center and complies with all conditions of approval for the permit.</li> <li>5. That this Special Use 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>
85	28967 Special Use	Nigerian Community in Milwaukee, Inc. Theo Iyasele, President;Property Owner	8028 W. Appleton Av. 5th Dist.
		Request to occupy the premises as a community center (Nigerian cultural center offering language and culture classes).	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	
86	28893 Special Use	Notkia Delarosa Lessee	8436 W. Lisbon Av. 5th Dist.
		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).	
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant. It will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
87	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:	Granted 2 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <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 adheres to the plan of operation submitted at the July 10, 2008 Board of Zoning Appeals hearing.</li> <li>5. 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>6. 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>
88	28917 Special Use	House of Hope Girls Group Home of Milwaukee Attn: Monique Simms;Other	123 E. Chambers St. 6th Dist.
		Request to occupy the premises as a group home offering correctional aftercare for 5 occupants 13 to 17 years of age.	
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <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>
89	28942 Special Use	Mohammad Ali Prospective Buyer	3105 N. Holton St. A/K/A 426 E. Burleigh St. 6th Dist.
		Request to renovate and occupy the premises as a filling station and convenience store that is without the minimum required glazing (required 60% / proposed 30%) .	
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That 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 &amp; 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.</li> <li>5. That revised 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. The revised sign plan must include a fully scaled and dimensioned rendering of the proposed freestanding sign and include information on the method of illumination.</li> <li>6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>8. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises</li> <li>9. That landscape plans utilizing trees, shrubs and fencing per the standards of city code section 295-405 for Type 'B' landscaping are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. The plans must also include identifiable pedestrian links to the building from N. Holton St. and E. Burleigh St.</li> <li>10. That landscaping and screening is installed within 90 days of occupancy and maintained in accordance with the approved landscape plan. 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.</li> <li>11. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> <li>12. This 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>
90	29002 Dimensional Variance	St. Francis of Assisi Church Fr. Michael Bertram, OFM Capuchin;Property Owner  Request to erect a freestanding automatic changeable message sign that is not permitted in a Two-Family Residential district and that exceeds the maximum allowed display area (allowed 18 sq. ft. / proposed 27 sq. ft.).	1927 N. 4th St. A/K/A 411 W. Brown St. 6th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	3 Ayes, 1 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	--	
91	28741 Special Use	Katherine Handy Lessee  Request to occupy the premises as a day care center (operator does not live on site) 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:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	3 Ayes, 0 Nays, 2 Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
92	28913 Special Use	Maria's Learning Center Barbara Moore;Lessee	2301 W. Burleigh St. 7th Dist.
		Request to occupy the premises as a 24 hr. day care center operating 24 hrs. Monday - Friday for 8 children per shift, infant to 12 yrs. of age.	
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman of the district. It will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
93	28941 Dimensional Variance	Ellis Baylis Property Owner	3428 W. Burleigh St. A/K/A 3110 N. 35th St. 1 7th Dist.
		Request to occupy the premises as a multi-family dwelling with 6 units that do not meet the minimum required lot area per dwelling (required 4800 ft. / proposed 4440).	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That 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>
94	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:	Denied	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	--	

**Other Business:**

Board member Jackson moved to approve the minutes of the May 22, 2008 meeting. Seconded by Board member Doyle. Unanimously approved.

The Board set the next meeting for July 31, 2008.

Board member Szymanski moved to adjourn the meeting at 4:56 p.m.. Seconded by Board member Doyle. Unanimously approved.

**BOARD OF ZONING APPEALS**

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Secretary of the Board