

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

**REGULAR MEETING – November 13, 2008**  
**City Hall, Common Council Committee Room 301-B**

***MINUTES***

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PRESENT:

**Chairman:** Craig H. Zetley (*voting on items 1 – 58, 60 - 90*)

**Members:** Henry P. Szymanski (*voting on items 1 – 53, 56 - 90*)  
Scott R. Winkler (*voting on items 1 – 80, 82 - 90*)  
Catherine M. Doyle (*voting on items 1 - 90*)  
Donald Jackson (*voting on items 1 - 90*)

**Alt. Board Members:** Georgia M. Cameron (*present but not voting on items 1 - 90*)  
Leni M. Siker (*not present 1 – 53, present not voting 54 - 90*)

START TIME: 4:05 p.m.

End Time: 4:05 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	29283 Special Use	Disabilities Unlimited, Inc. Michael Harper, Interim Director; Lessee  Request to add an assembly hall to the Board approved adult day care center.	3808 W. Elm St. A/K/A 3724 W. Elm St. 1st Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	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	29199 Special Use	Deron Coleman Property Owner  Request to occupy the premises as a day care center for 25 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 10:00 p.m.	1331 N. 23rd St. A/K/A 1333 N. 23rd St. 4th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	--	
3	25017 Special Use	Gregory Stebbins Property Owner  Request to occupy the premises as a personal service facility(massage therapy).	925 N. 29th St. 4th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	--	
4	24413 Use Variance	Mian's Oil Corporation Inc. Riaz Mian;Property Owner  Request to construct and occupy the premises as a motor vehicle pumping station and convenience store with accessory retail.	3105 N. Holton St. A/K/A 424 E. Burleigh ST. 6th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	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	29247 Extension of Time	The Church of Jesus Christ of Latter-Day Saints Attn: Lynn Bailey;Property Owner	1170 W. Windlake Av. A/K/A 1201 W. Becher St. 12th Dist.
		Request for an extension of time to comply with conditions of case No. 28497.	
	Action:	Granted 1 yr.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	Extension of time approved, must comply with conditions of case #28497	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
6	29312 Special Use	Daniel and Celia Mora Property Owner	2001 S. 6th St. 12th Dist.
		Request to continue occupying the premises as a motor vehicle sales facility.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscaping and screening is maintained in accordance with the landscape plan submitted to the Board on August 5, 2005.</li> <li>5. That site illumination must be controlled to meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>6. That all repair work is conducted inside of the building.</li> <li>7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>8. That there is no outdoor display of banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit</li> <li>9. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>10. That there be no vehicles displayed for sale in the public right of way.</li> <li>11. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	29314 Special Use	Lupe Martinez Property Owner	1644 S. 9th St. 12th Dist.
		Request to continue occupying the premises as a social service facility (W-2 Work Force Development programs).	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
8	29320 Special Use	Robert F Smith Property Owner	906 S. Barclay St. 12th Dist.
		Request to continue occupying the premises as a tavern with an outdoor patio.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner maintain landscaping and screening in a manner that meets the intent of city code</li> <li>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
9	29107 Special Use	Ramiro and Fren Gonzales Property Owner	1308 W. Windlake Av. A/K/A 2201 S. 13th St. 12th Dist.
		Request to continue occupying the premises as a motor vehicle sales facility.	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff 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>
10	29333 Special Use	The Pregnancy Help Center Julie Alonzo-Calteaux;Lessee  Request to occupy a portion of the premises as a social service facility (counseling / support services / pregnancy tests).	1225 W. Historic Mitchell St. A/K/A 1213 W. Historic Mitchell St. 12th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That 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>
11	29269 Special Use	JM Auto Care, LLC; Jeffery A. Mattice Jeff Ropicky, Curtis Ambulance; Lessee  Request to continue occupying a portion of the premises as a 24 hour ambulance service facility.	5044 S. 27th St. A/K/A 5050 S. 27th St. 13th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all previous conditions of the Board regarding this property are complied with.</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>
12	29328 Use Variance	Prince of Peace ELCA Church Property Owner	125 W. Martin La. 13th Dist.
		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.).	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Variance is granted 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>
13	29276 Special Use	Abhinav Sekhri Lessee	575 W. Becher St. A/K/A 573 W. Becher St. 14th 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 Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>5. That 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 landscaping and screening is maintained in a manner that meets the intent of city 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 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 there is no outdoor display of banners or other advertising except that which is approved and on the site plan.</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>
14	29318 Dimensional Variance	George Hansen III Lynn Hansen;Property Owner  Request to allow parking in the front yard of the premises (this modification also eliminates the required walkway from the sidewalk to the entrance of the building).	3920 S. Whitnall Av. 14th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the landscape plan submitted to the Board on October 27, 2008 is revised to use a medium-sized shrub instead of a tall shrub in the planting area along the S. Whitnall Ave. frontage south of the driveway.</li> <li>5. That this Variance is granted to run with the land.</li> </ol>	
15	29266 Special Use	Mohammad Rafiq Lessee  Request to continue occupying the premises as a fast-food / carry-out restaurant without the required landscaping.	2635 W. Fond Du Lac Av. A/K/A 2627 W. Fond Du Lac Av. 15th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff 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>
16	29296 Special Use	Tonya Neal T-Marie's Childcare;Lessee	1862 W. Fond Du Lac Av. A/K/A 2222 N. 19th St. 15th Dist.
		Request to continue occupying a portion of the premises as a day care center for 100 children per shift infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - midnight.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That 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 this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	29321 Dimensional Variance	Milwaukee Pentecostal Outreach Ministries, Inc. Jerry & Venodia Reeves Sr.;Property Owner  Request to continue occupying the premises as a permitted religious assembly hall without the minimum required number of parking spaces (required 17 / proposed 0).	2401 N. 36th St. A/K/A 2403 N. 36th St. 15th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catehrine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
18	29112 Dimensional Variance	Milwaukee Cycle Dave Soika;Property Owner  Request to continue to allow an on- premise sign that is over the maximum allowed height (allowed 14 ft. / proposed 20 ft. 7 in.) and exceeds the maximum allowed display area (allowed 32 sq. ft. / proposed 111.22 sq. ft.) .	5754 N. Teutonia Av. A/K/A 5756 N. Teutonia Av. 1st Dist.
	Action:	Adjourned	
	Motion:		
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	29209 Special Use	James Williams Lessee	4893 N. Green Bay Av. 1st Dist.
		Request to increase the number of children from 25 to 45 per shift and increase the hours of operation from 6:00 a.m. - 6:00 p.m. to 6:00 a.m. - midnight and to continue occupying the premises as a day care center for children infant to 12 years of age, operating Monday - Sunday.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That 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 outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</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>
20	29271 Special Use	Lakesha Young-Cooper Lessee  Request to increase the number of children per shift from 8 to 12 and the hours of operation from 6:30 a.m. - 6:30 p.m Monday - Friday, 6:30 a.m. - 3:30 p.m Saturday to 6:30 a.m. - midnight Monday - Saturday for a Board approved day care center.	7557 N. Teutonia Av. A/K/A 7555 N. Teutonia Av. 1st Dist.
	Action:	Granted	
	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 regarding this property are complied with.</li> <li>5. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on September 13, 2012.</li> </ol>	
21	29277 Special Use	Latanya Jones Lessee  Request to continue occupying a portion of the premises as a day care center for 30 children per shift infant to 12 years of age, operating Monday - Saturday 6:00 a.m. - midnight.	6003 N. Teutonia . A/K/A 6037 N. Teutonia Av. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff 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>
22	29303 Special Use	Hadeer Matloub Property Owner  Request to continue occupying the premises as a motor vehicle and tire sales and repair facility.	4979 N. Teutonia Av. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of an interested party and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
23	29305 Dimensional Variance	Housing Authority of the City of Milwaukee Property Owner  Request to raze the existing duplex and detached garage and construct a single family dwelling that does not meet the minimum required east side setback (required 6 / proposed 4), combined side setback (required 12 / proposed 9) and does not meet the minimum required lot width (required 40 ft. / proposed 31 ft.).	4629 W. Stark St. A/K/A 4631 W. Stark St. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter has been 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>
24	29308 Dimensional Variance	Housing Authority of the City of Milwaukee Property Owner  Request to raze the existing duplex and detached garage and construct a single family dwelling that does not meet the minimum required east side setback (required 6 ft. / proposed 4.5 ft.), combined side setback (required 12 ft. / 9013 ft.) and does not meet the minimum required lot width (required 40 ft. / proposed 31.15 ft.). (This project is in conjunction with 4629 W. Stark).	4631 W. Stark St. A/K/A 4629 W. Stark St. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of an interested party and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
25	29160 Dimensional Variance	Michael Dube, Jr. Property Owner  Request to construct a detached garage that does not meet the minimum side setback (required 6 ft. / proposed 3.6 ft.).	3916 W. Rochelle Av. 1st Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Variance is granted 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>
26	29272 Special Use	Alisa M Gilchrist Property Owner	6915 W. Fond Du Lac Av. 2nd Dist.
		Request to continue occupying the premises as a day care center for 68 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight. (The site currently has a Board approved school, approved to 2012).	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>6. That there is no outdoor display of banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit</li> <li>7. That this Special Use is granted for a period of 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>
27	29334 Special Use	Julie Alonzo-Calteaux Property Owner  Request to continue occupying the premises as a social service facility (counseling / support services / pregnancy tests).	6234 W. Capitol Dr. 2nd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That 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 vision glass</li> <li>6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	
28	29116 Special Use	N and J United Group, LLC Lessee  Request to occupy the premises as a fast-food / carry-out restaurant.	2860 N. Holton St. A/K/A 2864 N. Holton St. 3rd Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff 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>
29	29206 Special Use	GS Family Limited Partnership #01 Lessee  Request to occupy the premises as a motor vehicle repair facility (this is an intensification of a non-conforming use) .	1729 N. Water St. A/K/A 1721 N. Water St. 3rd Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the applicant and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
30	29280 Special Use	Rethreads, LLC Nicholas Isaacson, Managing Member; Lessee  Request to occupy a portion of the premises as a second-hand store.	2999 N. Humboldt Bl. A/K/A 2963 N. Humboldt Bl. 3rd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows are maintained in a neat and orderly manner</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>
31	29219 Special Use	Yes Men, Inc. Lessee  Request to occupy the premises as a multi-family dwelling with 5 or more units (multi-family dwellings with units located in the street level area require Board approval).	305 N. Plankinton Av. A/K/A 311 N. Plankinton Av. 4th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	--	
32	29289 Special Use	Patricia McManus Lessee  Request to occupy a portion of the premises as a social service facility.	3020 W. Vliet St. 4th Dist.
	Action:	Granted	
	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 time commencing with the date hereof, and expiring on October 17, 2012.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	29310 Special Use	Milwaukee City Center, LLC c/o Marcus Corporation;Property Owner	509 W. Wisconsin Av. A/K/A 646 N. 6th St. 4th Dist.
		Request to continue occupying the premises as a parking structure.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner make no structural changes that would preclude future development of retail use on the 1st fl of the parking structure.</li> <li>5. That the storefront windows along the N. 5th St facade remain as transparent vision 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>
34	29316 Special Use	CPS Parking of Wisconsin, Inc. Mike Kenney;Lessee  Request to continue occupying the premises as a parking lot.	232 N. Jackson St. A/K/A 202 N. Jackson St. 4th Dist.
	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 landscaping and screening is maintained in a manner that is 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>	
35	29327 Use Variance	Center for Veterans Affairs, Ltd. Dawn Nuoffer;Property Owner  Request to continue occupying the premises as a general office facility.	3312 W. Wells St. 4th 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 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>
36	29329 Special Use	Center for Veterans Issues, Ltd. Dawn Nuoffer;Property Owner	3330 W. Wells St. 4th Dist.
		Request to continue occupying the premises as a social service facility, a rooming house for 14 occupants, and a transitional living facility for 72 occupants.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner 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>
37	29330 Special Use	Center for Veterans Issues, Ltd. Dawn Nuoffer;Property Owner  Request to continue occupying the premises as a parking lot.	3402 W. Wells St. A/K/A 3404 W. Wells St. 4th 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 landscaping and screening is maintained in a manner that is meets the intent of city code.</li> <li>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
38	29331 Special Use	Harold R Butler, Jr. Lessee  Request to continue occupying the premises as a car wash.	1422 N. 27th St. 4th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff 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>
39	29263 Special Use	St. James Estates, LLC Property Owner  Request to continue occupying the premises as a rooming house for 36 occupants.	1720 W. Kilbourn Av. 61 A/K/A 1724 W. Kilbourn Av. 69 4th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner 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>
40	29180 Special Use	Bishop Charles Dickens Property Owner	8310 W. Appleton Av. 5th Dist.
		Request to occupy the premises as a religious assembly hall.	
	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 the petitioner agrees to work with the Zoning Administration Group staff to revise the landscape / site plan submitted to the Board on August 29, 2008. The revised landscape plan must be submitted to the Board of Zoning Appeals for approval by the Zoning Administration Group within 60 days of Board approval of the special use permit.</li> <li>5. That the windows along the W. Appleton Ave frontage are restored to transparent vision glass</li> <li>6. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	
41	29211 Special Use	Cliff Davis Wal-Mart Financial Services;Property Owner	401 E. Capitol Dr. 6th Dist.
		Request to occupy a portion of the premises as a currency exchange, payday loan or title loan facility.	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff 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>
42	29275 Special Use	Israel Nunez Cruz Property Owner  Request to continue occupying the premises as a rooming house for 6 occupants.	423 E. Garfield Av. A/K/A 423 E. Garfield Av. 6 6th 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 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>
43	29285 Special Use	Kenisha Briggs Lessee	2979 N. Palmer St. A/K/A 137 E. Chambers St. 6th Dist.
		Request to increase the hours of operation from 6:00 a.m. - 6:00 p.m. Monday - Friday to 24 hours Monday - Sunday for a day care center for 50 children per shift, infant to 12 years of age .	
	Action:	Granted	
	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 meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code.</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 this Special Use is granted for a period of time commencing with the date hereof, and expiring on October 26, 2009.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
44	29240 Special Use	Ulysses Dugger Lessee	3823 W. Fond Du Lac Av. 7th Dist.
		Request to occupy the premises as a motor vehicle/motorcycle repair facility and car wash.	
	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 landscaping and screening is implemented and maintained in a manner that is consistent with city code.</li> <li>5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>6. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>7. That all repair work and all car wash activity is conducted inside of the building.</li> <li>8. That all wastewater is contained on site.</li> <li>9. That there be no work conducted in the public right of way.</li> <li>10. That there be no vehicles stored in the public right of way.</li> <li>11. 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>
45	29306 Special Use	Harriet & Cleorars Conway Property Owner  Request to continue occupying the premises as a day care center for 30 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 11:00 p.m.	4313 W. Fond Du Lac Av. A/K/A 4315 W. Fond Du Lac Av. 7th Dist.
	Action:	Granted 1 yr.	
	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 outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M</li> <li>6. That within 60 days of Board approval of the special use the petitioner must meet with the Zoning Administration group to create a landscape plan for the parking lot along the W. Fond du Lac Ave frontage. The petitioner must then submit a landscape plan to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits. The landscape plan may require the replacement of paved surfaces with a planting strip.</li> <li>7. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	29317 Use Variance	Carrie Palmer Property Owner	3272 N. 30th St. 7th Dist.
		Request to continue occupying the premises as a 24 hour day care center for 8 children per shift infant to 12 years of age, operating Monday - Sunday .	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the outdoor play area is not utilized after 8:00 P.M. or before 9:00 A.M.</li> <li>5. That signage be limited to a maximum of 18 square feet.</li> <li>6. That this Variance is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	
47	29332 Special Use	Genesis Behavioral Services, Inc. Amy Winkler;Lessee	5427 W. Villard Av. A/K/A 5405 W. Villard Av. 7th Dist.
		Request to continue occupying the premises as a community living arrangement for 25 occupants.	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman of the district 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>
48	29302 Special Use	Iglesia Crisitana Palabra de Vida Ormar Ortiz;Property Owner  Request to continue occupying the premises as a religious assembly hall without the minimum required number of parking spaces (required 50 / proposed 30).	3232 W. Lincoln Av. A/K/A 3232 W. Lincoln Av. B 8th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of an interested party and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
49	29319 Special Use	Bell Therapy/Belwood Ltd. Leonard F. Dziubla;Property Owner  Request to continue occupying the premises as a community living arrangement for 46 occupants.	5151 W. Silver Spring Dr. A/K/A 5555 N. 51st Bl. 9th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That 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>
50	29337 Special Use	Barbara A Rose Property Owner	9222 W. Joleno La. A/K/A 9220 W. Joleno La. 9th Dist.
		Request to continue occupying the premises as a family day care home for 8 children per shift infant to 12 years of age, operating 24 hours Monday - Sunday.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>5. That there be no signage associated with the day care facility</li> <li>6. That this 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>
51	29278 Use Variance	Didacus Udeoji Property Owner  Request to continue occupying the premises as a general retail establishment (home medical supplies).	6633 W. Burleigh St. A/K/A 6631 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 signage must conform to the sign standards of s. 295-505-5 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 Variance is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
52	29286 Special Use	Ruth A. Hau Rah-Rah Investments, II, LLC;Property Owner  Request to occupy a portion of the premises as an adult day care center for 60 individuals, operating Monday - Friday 7 a.m. - 6 p.m .	6251 W. Forest Home Av. 11th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman of the district 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>
53	29298 Use Variance	Gerald F Poborsky Property Owner  Request to continue occupying the premises as a personal service facility (barber shop).	5601 W. Oklahoma Av. A/K/A 3109 S. 56th St. 11th 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 no additional signage may be erected on the site unless it meets the signage standards of s.295-505-5 of the Milwaukee Zoning Code.</li> <li>5. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
54	28990 Special Use	Nyishia Brown Lessee  Request to occupy the premises as a group home for 8 occupants (any combination of teen mothers and their children).	6463 W. Leon Tr. 2nd Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	29062 Special Use	Will & Billie Gordon Lessee  Request to occupy a portion of the premises as a day care center for 50 children infant to 12 years of age, operating Monday - Sunday 5:00 a.m. - 9:00 p.m.	6046 W. Fond Du Lac Av. A/K/A 6050 W. Fond Du Lac Av. 2nd Dist.
	Action:	Denied	
	Motion:	Catherine Doyle moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	--	
56	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:	Denied	
	Motion:	Scott Winkler moved to deny 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>
57	29282 Use Variance	Joseph Wikrent, Bruce Marne & David Hase Seeds of Health;Prospective Buyer	1278 S. Barclay St. A/K/A 1300 S. Barclay St. 12th Dist.
		Request to construct a school for 160 students 5th - 8th grades, operating Monday - Friday 7:30 a.m. - 5:00 p.m.	
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. The proposed retention pond is removed</li> <li>5. 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, landscape 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>6. 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>
58	29117 Appeal of an Order	Integrated Enterprises, Inc. Greg Solfest, Registered Agent;Property Owner  Request to appeal an order from the Department of Neighborhood Services determining that the appellant is not compliant with Code Section 295-803-2-n, stating that a heavy motor vehicle repair facility located within 150 feet of a residential district shall be totally enclosed within a building and shall not operate between the hours of 7 p.m. and 7 a.m. (This is a revocation order).	5467 S. 9th St. A/K/A 904 W. Grange Av. 13th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the applicant 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>
59	29226 Use Variance	Patrick A. Brosseau AMERIGAS;Lessee  Request to occupy the premises as a hazardous material storage facility (wholesale and distribution of propane gas).	6050 S. Howell Av. A/K/A 6034 S. Howell Av. 13th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner has a plan review and obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for hazardous occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>5. That the applicant complies with storage requirements of NFPA 58 for propane gas.</li> <li>6. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
60	29023 Special Use	Nargis Anis Nida Petroleum, LLC;Lessee  Request to continue occupying the premises 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 (this is a new operator).	4709 S. Howell Av. A/K/A 110 E. Layton Av. 13th 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:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
61	29105 Special Use	Corne' Hanssen Property Owner	5356 S. 13th St. A/K/A 5352 S. 13th St. 13th Dist.
		Request to continue occupying the premises as an outdoor recreation facility (volleyball courts).	
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>5. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code.</li> <li>6. That the volleyball court and outdoor seating area is not used after 10:00 P.M.</li> <li>7. 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>8. 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>
62	29157 Special Use	Zubair Arshad Property Owner	2009 W. College Av. 13th Dist.
		Request to continue occupying the premises as a motor vehicle filling station (this is a new operator).	
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That 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 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 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>9. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>11. That the applicant has no outdoor vacuum of any sort.</li> <li>12. 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>
63	29197 Dimensional Variance/ Special Use	Raymond J Kaszuba Property Owner  Request to raze the existing garage and construct a second principal building with a gambrel-style roof (detached garage with bathroom) and an additional detached garage with a gambrel-style roof located within the front yard.	473 E. Waterford Av. 13th 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 principal structure is constructed in such a manner so that it is not used as living space or a habitable dwelling.</li> <li>5. That this Special Use and this Variance are granted to run with the land.</li> </ol>	
64	29054 Special Use	Nasreen F Azam Lessee  Request to occupy the premises as a day care center for 35 children infant - 13 years of age, operating Monday - Friday 6:00 a.m. - 6:30 p.m.	3122 S. 13th St. A/K/A 3122 B S. 13th St. 14th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff 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>
65	29166 Special Use	Angela Jackson Lessee  Request to occupy the premises as a group home for up to 8 occupants (including any combination of at-risk youth, teen mothers, and their children).	2746 N. 38th St. 15th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned by staff and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
66	29176 Special Use	Jerome Mason Lessee  Request to occupy a portion of the premises as a motor vehicle sales facility (this facility will be operated independent from the existing motor vehicle repair facility .	1711 W. Center St. 15th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Catherine Doyle.	
	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>
67	29228 Special Use/ Dimensional Variance	Balwinder Singh Lessee  Request to occupy the premises as a general retail establishment with a projecting sign that is over the maximum allowed display area (allowed 12 sq.ft. / proposed 17 sq.ft.). (This is an expansion of a non-conforming use) .	2101 N. 38th St. A/K/A 2103 N. 38th St. 15th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the special use and dismiss the variance associated with 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 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 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>6. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code.</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>
68	29010 Special Use	Alphaomega, LLC Property Owner	3412 W. Center St. 15th Dist.
		Request to occupy the premises as a social service facility (providing family services and community outreach).	
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of staff and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
69	29268 Special Use	Sherri Bond Prospective Buyer	5927 N. Teutonia Av. A/K/A 5927 N. Teutonia Av. 4 1st Dist.
		Request to occupy the premises as a transitional living facility for 16 occupants .	
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on September 13, 2012.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
70	29104 Special Use	Veronica McKelvin Prospective Buyer	5250 N. 35th St. A/K/A 5252 N. 35th St. 1st Dist.
		Request to increase the hours of operation from 6 a.m - 6 p.m. Monday - Friday to 24 hours Monday - Sunday for a Board approved daycare for 85 children (45 children per shift) infant to 12 years of age .	
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M</li> <li>5. That all previous conditions of the Board regarding this property are complied with.</li> <li>6. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on March 17, 2013.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
71	29186 Special Use	Dawn Robertson Property Owner	4573 N. 29th St. 1st Dist.
		Request to occupy the premises as a group home for 8 occupants (teen males).	
	Action:	Granted 1 yr.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
72	29025 Dimensional Variance	Thomas A Schlicht Property Owner  Request to occupy the premises as a 4 unit multi-family dwelling that does not meet the minimum required lot area per dwelling unit (required 3200 sq. ft./ proposed 1550 sq. ft.).	833 E. Wright St. A/K/A 2477 N. Bremen St. 1 3rd Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. The applicant complies with DNS order dated October 22, 2007 to obtain a conversion permit to convert the previous first floor store front to residential space.</li> <li>5. That this Variance is granted to run with the land.</li> </ol>	
73	29241 Special Use	Carrie Williams Lessee  Request to occupy the premises as a day care center for 95 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. to 11:30 p.m.	7607 W. Townsend St. A/K/A 3365 N. 76th St. 5th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman of the district and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
74	29123 Special Use	Henry L Brown Lessee  Request to occupy the premises as a tavern.	2479 N. 5th St. A/K/A 2475 N. 5th St. 6th 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:	--	
75	29253 Dimensional Variance	Ola B Alexander Property Owner  Request to allow a fence that exceeds the maximum allowed height for a rear-yard fence and the maximum allowed height for an opaque fence (allowed 6 ft., 4 ft. opaque / proposed 7.5 ft., 6 ft. opaque).	3907 N. 12th St. A/K/A 3909 N. 12th St. 6th Dist.
	Action:	Adjourned	
	Motion:	This matter is adjourned at the request of staff and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
76	29169 Special Use	Investing In You, Inc. Property Owner  Request to occupy the premises as a group home for eight occupants (any combination of teen mothers and their children).	4532 N. 44th St. 7th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal to Administrative Review. 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>
77	29175 Special Use	Enduring Truth Fellowship, Inc. Walter Fields;Lessee  Request to occupy the premises as a religious assembly hall.	5331 W. Hampton Av. A/K/A 5333 W. Hampton Av. 7th 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 the petitioner must meet with the Zoning Administration Group to review landscaping issues within 60 days of Board approval of the Special Use. A landscaping plan that meets the intent of city code section 295-405 must then be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. Landscaping may require the removal of pavement from the existing parking lot in order to create a planting strip that is at least 5 feet wide.</li> <li>5. That the windows along the W. Hampton Ave frontage are restored to clear vision glass in a manner that meets the intent of the glazing standards of city code section 295-605-2-i-3.</li> <li>6. That there be no increase in the size of the existing freestanding sign structure, and all other 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 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>
78	29184 Special Use	Altha Grant Lessee  Request to occupy the premises as a group home for 8 occupants (any combination of teen mothers and children).  Action: Adjourned  Motion: This matter was adjourned at the request of the applicant and will be rescheduled for the next available agenda.  Vote: --  Conditions of Approval: --	2921 N. 26th St. 7th Dist.
79	29185 Special Use	Selena Green Property Owner  Request to occupy the premises as a group home for 8 occupants (serving teen males).  Action: Adjourned  Motion: This matter has been adjourned at the request of the Alderman of the district, and will be rescheduled for the next available agenda.  Vote: --  Conditions of Approval: --	4678 N. 57th St. A/K/A 4678 A N. 57th St. 7th Dist.
80	29267 Special Use	Shaun Weathers Palace of Dreams, Inc.;Lessee  Request to occupy the premises as a group home for 8 occupants (teen males).  Action: Adjourned  Motion: Donald Jackson moved to adjourn the appeal. Seconded by Henry Szymanski.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  Conditions of Approval: --	4714 W. Medford Av. 7th Dist.

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

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
82	29178 Dimensional Variance	John R Thiel Property Owner  Request to allow a structure (for the use of indoor storage) that does not meet the minimum required building height (required 18 ft. / proposed 15 ft. 4 in.) and that has a metal wall facade within 100 ft. of a street.	2737 S. 34th St. 8th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <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 these Variances are granted to run with the land.</li> </ol>	
83	29227 Special Use	Tammy Ward Lessee  Request to occupy the premises as a religious assembly hall without the minimum required number of parking spaces (required 6 / proposed 0).	2201 W. Grant St. A/K/A 2205 S. 22nd St. 3 8th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of staff 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>
84	28932 Special Use	Oscar Diaz Property Owner	4129 W. Greenfield Av. A/K/A 4131 W. Greenfield Av. 8th Dist.
		Request to occupy the premises as a motor vehicle repair and sales facility (installing alarms and stereos).	
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code.</li> <li>5. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>6. That there be no vehicles displayed for sale in the public right of way.</li> <li>7. That there be no work conducted on vehicles in the public right of way.</li> <li>8. That there be no vehicles stored in the public right of way.</li> <li>9. The applicant does not install or test equipment in the parking lot and that all work is performed inside the building and all testing is done with the garage doors closed.</li> <li>10. That the applicant does not allow customers to test equipment in the parking lot.</li> <li>11. That the property, 126 W. Orchard St., cannot be used for the long term (more than 48 hours) parking of motor vehicles, the storage of disabled vehicles, or the display of sale vehicles without obtaining a separate variance from the Board of Zoning Appeals.</li> <li>12. That the applicant does not install motor vehicle alarms or stereos.</li> <li>13. 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>
85	29181 Special Use	Risen Savior Evangelical Lutheran Church Rev. Kenneth Fisher;Prospective Buyer	9505 W. Brown Deer Rd. A/K/A 9435 W. Brown Deer Rd. 9th Dist.
		Request to occupy the premises as a social service facility, health clinic and secondhand sales facility.	
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <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 for NS1 zoning districts.</li> <li>5. That landscape plans for the parking lot are submitted to the Board of Zoning Appeals for approval by the Zoning Administration Group</li> <li>6. That these Special Uses are 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>
86	29204 Use Variance	William F Richardson, Jr. Lessee  Request to occupy a portion of the premises as a religious assembly hall.	5225 W. Mill Rd. A/K/A 5225 A W. Mill Rd. 9th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <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 for LB1 zoning districts.</li> <li>5. That the storefront windows remain as transparent vision glass and are maintained in an attractive manner.</li> <li>6. That this Variance is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	
87	29242 Dimensional Variance	KAK Enterprises, LLC Property Owner  Request to allow landscaping that does not meet the required landscaping standards for a permitted heavy motor vehicle parking lot. (This site also contains a Board approved heavy motor vehicle repair facility).	10801 W. County Line Rd. 9th 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:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
88	29133 Special Use	Brentwood C.O.C. Day Care Center Lessee  Request to add a day care center for 50 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m. to the Board approved religious assembly hall.	6425 N. 60th St. A/K/A 6475 N. 60th St. 9th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB1 zoning districts.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M.</li> <li>6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for institutional and educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>7. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on May 28, 2020.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
89	28943 Special Use	Michael Tsirlin Property Owner	5200 W. Mill Rd. 9th Dist.
		Request to add a motor vehicle sales facility to the existing Board approved motor vehicle repair facility (permitted driving school on site).	
	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 site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>5. That signage plans which meet the sign standards of s.295-605 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. Specifically the freestanding sign may not exceed a height of 14 feet or an area of 50 sq.ft.</li> <li>6. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>7. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>8. That all repair work is conducted inside of the building.</li> <li>9. That there be no vehicles displayed for sale in the public right of way.</li> <li>10. That the number of vehicles on display are limited to 5 vehicles at any one time.</li> <li>11. That there be no work conducted on vehicles in the public right of way.</li> <li>12. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>13. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on September 14, 2009.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
90	29003 Special Use	Robin Pitts Lessee  Request to occupy the premises as a day care center for 49 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 11:30 p.m. and Saturday 6:00 a.m. - 5:00 p.m..	5916 W. North Av. A/K/A 5918 W. North Av. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of staff and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	

**Other Business:**

Board member Winkler moved to approve the minutes of the October 16, 2008 meeting. Seconded by Board member Jackson. Unanimously approved.

The Board set the next meeting for December 11, 2008.

Board member Szymanski moved to adjourn the meeting at 7:10 p.m.. Seconded by Board member Doyle. Unanimously approved.

**BOARD OF ZONING APPEALS**

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Secretary of the Board

<u>Item</u> <u>No.</u>	<u>Case No./</u> <u>Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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