

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – December 11, 2008
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairman: Catherine M. Doyle (*voting on items 1 - 68*)

Members: Henry P. Szymanski (*voting on items 1 - 68*)
Scott R. Winkler (*voting on items 35 - 68*)
Donald Jackson (*voting on items 1 - 68*)
Georgia M. Cameron (*voting on items 1 - 68*)

Alt. Board Members: Leni M. Siker (*not present 1 – 36, present not voting 37 - 68*)

START TIME: 4:05 p.m.

END TIME: 8:35 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	29377 Special Use	Mary L Sims, CEO Property Owner Request to continue occupying the premises as an adult family home for 4 occupants.	2802 N. 40th St. 15th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
2	28826 Dimensional Variance	Osie Tatum, Jr. Property Owner Request to continue occupying the premises as a religious assembly hall without the minimum number of required parking spaces (required 173 / proposed 136). Action: Dismissed Motion: Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained. Conditions of Approval: --	6090 N. 35th St. 1st Dist.
3	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.). Action: Dismissed Motion: Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained. Conditions of Approval: --	4629 W. Stark St. A/K/A 4631 W. Stark St. 1st Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
4	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:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
5	29125 Use Variance	Wanda N Davenport Lessee Request to occupy the premises as a day care center for 16 children (8 children per shift) infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight (located within 300 ft. of a liquor license).	129 W. Keefe Av. A/K/A 131 W. Keefe Av. 6th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
6	29345 Special Use	Adriane E Wade Property Owner Request to continue occupying the premises as a community living arrangement for 8 occupants.	3144 N. 47th St. A/K/A 3146 N. 47th St. 7th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
7	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).	2921 N. 26th St. 7th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
8	29297 Special Use	David L. Ryan Stephen J. Ryan;Property Owner Request to occupy a portion of the premises as an indoor recreation facility (batting cages).	11000 W. Heather Av. A/K/A 10900 W. Heather Av. 9th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	29254 Special Use	Princess Brewer Lessee Request to occupy a portion of the premises as a day care center for 5 children per shift infant to 13 years of age, operating Monday - Sunday 6:00 a.m. - midnight.	2701 N. 51st St. 2 A/K/A 5100 W. Center St. 10th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
10	29229 Special Use	Sher and Youa Vang Lessee Request to continue occupying the premises as a daycare center for 20 children 2 to 13 years of age, operating Monday - Friday 6:00 a.m. - 11:00 p.m.	1115 N. 35th St. A/K/A 1101 N. 35th St. 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. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 5. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	29346 Special Use	Danario Kilgore Lessee	1721 N. 24th St. A/K/A 1725 N. 24th St. 15th Dist.
		Request to continue occupying the premises as a car wash.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the applicant has no exterior signs or banners except those approved and installed in conjunction with a sign permit. 6. That all car wash activity is conducted inside of the building. 7. That all wastewater is contained on site. 8. That there be no work conducted in the public right of way. 9. That there be no vehicles in the public right of way. 10. 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. 11. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
12	29348 Special Use	Joe Flippin Property Owner Request to continue occupying the premises as a religious assembly hall.	1811 W. Center St. 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. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That landscaping is maintained in a manner that meets the intent of city code. 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
13	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 has been adjourned at the request of the Alderman 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>
14	29324 Special Use	Marilyn Laster Lessee Request to continue occupying the premises as a day care center for 100 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight and Saturday 8:00 a.m. - 8:00 p.m..	3008 W. Capitol Dr. A/K/A 3012 W. Capitol Dr. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 5. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 6. That landscaping and screening is maintained in accordance with the landscape plan submitted to and approved by the Department of City Development on September 9, 2003. 7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	29341 Special Use	George Harris Property Owner	4630 N. Teutonia Av. 1st Dist.
		Request to continue occupying the premises as a contractor's yard.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	29350 Special Use	Clifton E Smith Property Owner	2729 W. Atkinson Av. 1st Dist.
		Request to continue occupying the premises as a fast-food / carry-out restaurant.	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is implemented and maintained in a manner that meets the intent of city code. 5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 6. That the storefront windows are restored to clear glass and are maintained in an attractive manner. 7. That no interior or exterior window or door grates are used. 8. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary. 9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	29347 Special Use	Karl Tatum Lessee Request to continue occupying the premises as a currency exchange facility.	5500 W. Fond Du Lac Av. 2nd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
18	29368 Special Use	Bernard Saffold Lessee Request to continue occupying the premises as a fast-food / carry-out restaurant (parking lot will also be available for parking at special events).	2455 W. Wisconsin Av. A/K/A 2445 W. Wisconsin Av. 4th 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	29370 Special Use	Patricia A. Hilliard DBA Jordan Early Childhood Academy, LLC;Lessee	3410 W. Mc Kinley Bl. A/K/A 3434 W. Mc Kinley Bl. 4th Dist.
		Request to continue occupying the premises as a day care center for 50 children 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 Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	29335 Special Use	Diane and Charles Dupar Property Owner	10135 W. Hampton Av. A/K/A 10139 W. Hampton Av. 5th Dist.
		Request to add a community living arrangement for 20 occupants and to continue occupying the premises as a day care center for 93 children infant to 12 years of age, operating Monday - Friday 6:30 a.m. - 11:00 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. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That the outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards. 7. That the storefront windows remain as clear glass and are maintained in an attractive manner. 8. That these Special Uses are granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	29349 Special Use	Roettgers Company, Inc. David J. Roettgers;Lessee	5501 N. Lovers Lane Rd. 5th Dist.
		Request to continue occupying the premises as a motor vehicle filling station and convenience store.	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That landscaping and screening is maintained in accordance with the approved landscape plan 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. 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 8. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances. 9. That the applicant does not have outdoor storage or display of products or merchandise. 10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 11. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on August 3, 2018. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
22	29098 Special Use	Dewayne Ross Property Owner Request to continue occupying the premises as a motor vehicle repair facility.	245 E. Keefe Av. 6th Dist.
	Action:	Adjourned	
	Motion:		
	Vote:	--	
	Conditions of Approval:	--	
23	29113 Special Use	New Horizon Center, Inc. Property Owner Request to continue occupying the premises as a group home for 8 occupants.	3790 N. 12th St. 6th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
24	29343 Special Use	Kathie Williams-Wiltner Prospective Buyer Request to occupy the premises as a day care center for 70 children infant - 12 years of age, operating Monday - Saturday 6 a.m. - midnight.	3861 N. 35th St. A/K/A 3849 N. 35th St. 7th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That this Special Use is granted for a period of time, commencing with the date hereof and expiring on May 27, 2013. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	29381 Special Use	Tina Williams Property Owner	4710 N. 42nd St. 7th Dist.
		Request to continue occupying the premises as a 24 hour family day care home for 8 children infant to 12 years of age, operating Monday - Sunday.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the operator continues to live on the premises 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That there be no signage associated with the day care facility 7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	29386 Special Use	Mike Riley Lessee Request to continue occupying the premises as a fast-food / carry-out restaurant.	3431 W. Fond Du Lac Av. A/K/A 3401 W. Fond Du Lac Av. 7th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That landscaping and screening is maintained in a manner that is meets the intent of city code. 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. 7. 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. 8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

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

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	29344 Special Use/ Dimensional Variance	Daystar, Inc. Mary Frances Willcoxson;Prospective Buyer Request to continue occupying the premises as social service facility and a rooming house for 10 occupants that does not meet the minimum required number of on-site parking spaces (required 3 / proposed 1).	1123 S. 25th St. 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. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use and Variance is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	29379 Special Use	Louise Chappell Lessee Request to continue occupying the premises as a 24 hour day care center for 100 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 Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained. Conditions of Approval: <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	3616 W. National Av. A/K/A 3614 W. National Av. 8th Dist.
30	29304 Special Use	Kurt Bechthold Construction Resources Management;Property Owner Request to continue occupying the premises as a facility engaged in the processing and recycling of mined materials (stockpiling and crushing of concrete and asphalt).	7460 N. 60th St. A/K/A 7500 N. 60th St. 9th 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>
31	29387 Special Use	Mike Riley Property Owner	7525 W. Capitol Dr. 10th Dist.
		Request to continue occupying the premises as a fast-food / carry-out restaurant.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That landscaping and screening is maintained in a manner that is meets the intent of city code. 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. 7. 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. 8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	29340 Special Use	John J Bartkowski Property Owner Request to occupy a portion of the premises as a health clinic.	1032 S. Cesar Chavez . A/K/A 1554 W. Washington 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. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	29357 Special Use	Karl Tatum Lessee	801 W. Historic Mitchell St. A/K/A 1709 S. 8th St. 3 12th Dist.
		Request to continue occupying a portion of the premises as a currency exchange facility.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 5. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
34	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:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all repair work is conducted inside of the building. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That landscaping and screening is implemented and maintained according to landscape plans as approved by the Zoning Administration Group. Specifically that the decorative metal fence is re-installed. 7. That the number of vehicles on-site does not exceed four as proposed on the applicant's site plan 8. That there be no vehicles stored in the public right of way. 9. That there be no vehicles displayed for sale in the public right of way. 10. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 11. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 12. That the applicant does not store or display any vehicles at 1314 W Grant. 13. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	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:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
36	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:	Granted 1 yr.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner not exceed five occupants. 5. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	29292 Use Variance	Francisco Sanchez Property Owner	1663 S. Muskego Av. 12th Dist.
		Request to construct a mixed use commercial and 12 unit residential building that does not meet the minimum required front, rear, and side street set back (multi-family dwellings with more than 4 units and general retail establishments not legally established and occupied by 2002 are not permitted).	
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
38	29293 Special Use	Francisco Sanchez Property Owner	1701 W. Lincoln Av. A/K/A 1703 W. Lincoln Av. 13th Dist.
		Request to occupy the premises as an assembly hall.	
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That the first floor windows along the W. Lincoln Ave façade are restored to clear glass and are maintained in an orderly manner. 7. That the decorative metal fence is installed in the parking lot in accordance to the plan submitted to the Board on October 6, 2008. 8. 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. 9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	29237 Dimensional Variance	Barbara and Les Kostera Property Owner Request to allow a residential accessory structure (detached garage) that is over the maximum allowed height (allowed 17 ft. / proposed 21 ft.).	5568 S. 14th St. 13th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted to run with the land commencing with the date hereof. 	
40	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:	Scott Winkler moved to adjourn the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	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:	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>
42	29365 Use Variance	Adam J Murawski Lessee Request to occupy a portion of the premises as a motor vehicle repair facility.	2948 S. 9th St. A/K/A 2954 S. 9th St. 14th Dist.
	Action:	Granted 1 yr.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 5. That all repair work is conducted inside of the building. 6. That there be no vehicles stored in the public right of way. 7. That there be no work conducted on vehicles in the public right of way. 8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That the applicant does all installation and testing of equipment inside with the doors closed. 11. That the applicant is prohibited from installing alarms or stereos. 12. That the applicant is restricted to operating between the hours of 7:00a.m. and 6:00p.m. 13. That this Variance is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	29290 Use Variance	Tameka Lockett Property Owner Request to occupy the premises as a day care center (located within 300 ft. of a liquor license) for 60 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight.	4715 W. Center St. A/K/A 4719 W. Center St. 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. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M. 5. That signage must conform to the sign standards of s. 295-605 of the Milwaukee Zoning Code. 6. That the applicant applies for a loading zone on West Center Street. 7. 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. 8. That this Variance is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
44	29063 Special Use	Tina Williams Sanford Lessee Request to occupy a portion of the premises (1st floor) as a 24 hour day care center for 90 children per shift infant - 12 years of age, Monday - Sunday.	2454 W. Lisbon Av. A/K/A 2460 W. Lisbon Av. 15th 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>
45	29303 Special Use	Hadeer Matloub Property Owner	4979 N. Teutonia Av. 1st Dist.
		Request to continue occupying the premises as a motor vehicle and tire sales and repair facility.	
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 5. That all repair work is conducted inside of the building. 6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. Specifically that the portable message sign is removed. 7. 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 8. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 9. That landscaping and screening is maintained in accordance with s.295-405 of the Milwaukee Code of Ordinances. Specifically that additional trees and shrubs are added to the petitioner's planting strips along the W. Teutonia Ave and W. Fairmount Ave. 10. That there be no work conducted on vehicles in the public right of way. 11. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 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. 13. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	29245 Special Use	Tammy's Tots Child Care Center Tammy D. Thompson; Lessee	7633 W. Fond Du Lac Av. A/K/A 7625 W. Fond Du Lac Av. 2nd Dist.
		Request to increase the number of children from 70 per shift to 102 per shift and the hours of operation from 6:00 a.m. - midnight to 24 hours Monday - Sunday for a Board approved day care center for children infant to 12 years of age.	
	Action:	Granted	
	Motion:	Georgia Cameron moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains a new occupancy certificate by having all required inspections to evaluate the building for the increased capacity, 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. 5. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on April 10, 2011 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
47	29284 Use Variance	Ella Griffin Lessee Request to occupy a portion of the premises as a day care center for 75 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 10:00 p.m. (located within 300 ft. of a liquor license) .	7434 W. Capitol Dr. A/K/A 7444 W. Capitol Dr. 2nd Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
48	29352 Dimensional Variance	Steve Tenley Property Owner Request to erect an ornamental fence that is over the maximum allowed height (allowed 6 ft. / proposed 8 ft.).	9101 W. Silver Spring Dr. A/K/A 9111 W. Silver Spring Dr. 2nd Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
49	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:	Georgia Cameron moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	29273 Special Use	DX Detail, Inc. Lessee	1418 W. St Paul Av. A/K/A 1430 W. St Paul Av. 4th Dist.
		Request to occupy the premises as a car wash.	
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all wastewater is contained on site. 5. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 6. That there be no work conducted on vehicles in the public right of way. 7. That there be no vehicles stored in the public right of way. 8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
51	29274 Special Use	2029 LLC James B. Schulhof;Prospective Buyer	2102 W. Michigan St. 4th Dist.
		Request to occupy the premises as a principal use parking lot.	
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the submitted landscape plan is revised to utilize shrubs that are 2 feet high at the time of planting and will not exceed a height of 3.5 feet when mature. 5. That landscaping and screening is installed within 120 days of the completion of the parking lot. 6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
52	28473 Special Use	St. James Estates LLC Therese Gilling;Property Owner	914 N. 18th St. A/K/A 916 N. 18th St. 4th Dist.
		Request to occupy the premises as a rooming house for eight occupants that does not meet the minimum required lot area per dwelling unit (required 4800 sq.ft. / 3175 sq.ft.) .	
	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>
53	29217 Special Use	Brew City Automotive Industries, Inc. Christopher Zilutis;Lessee Request to occupy the premises as a motor vehicle body shop, repair, sales and an indoor salvage facility.	933 W. Somers St. A/K/A 909 W. Vliet St. 6th 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:	--	
54	29291 Special Use	Claude W Hill Property Owner Request to occupy the premises as a rooming house for 8 occupants.	1717 W. Hopkins St. A/K/A 1717 A W. Hopkins St. 6th Dist.
	Action:	Adjourned	
	Motion:	Georgia Cameron moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	29295 Special Use	Mike Olsen Property Owner	3707 N. Richards St. 6th Dist.
		Request to occupy the premises as a medical service facility.	
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for business occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 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. 6. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
56	29339 Special Use	Ashley Glen Lessee Request to occupy the premises as a day care center for 8 children per shift infant to 13 years of age, operating Monday - Sunday 6:00 a.m. - midnight.	4045 N. Port Washington Av. A/K/A 4045 A N. Port Washington Av. 6th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 5. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	
57	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:	Donald Jackson moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
58	29185 Special Use	Selena Green Property Owner Request to occupy the premises as a group home for 8 occupants (serving teen males).	4678 N. 57th St. A/K/A 4678 A N. 57th St. 7th Dist.
	Action:	Granted 1 yr.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	
59	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:	Donald Jackson moved to adjourn the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
60	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:	Donald Jackson moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	--	
61	28981 Use Variance	AJA Enterprise, LLC Bevelyn Johnson;Property Owner Request to occupy the premises as a social service facility (mental health services and counseling). (This site was previously approved by the Board in 2004 as a group home, however the applicant is no longer pursuing that use).	8726 W. Mill Rd. A/K/A 8722 W. Mill Rd. 9th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-505-5 of the Milwaukee Zoning Code. 5. That this Variance is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
62	29221 Use Variance	Badger Investment Reality, LLC Henery J. Krier;Prospective Buyer Request to occupy the premises as a hazardous material storage facility (this facility will be operated in conjunction with the Board approved hazardous material storage facility located adjacent to the site).	5621 W. Hemlock St. A/K/A 5707 W. Hemlock St. 9th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for hazardous occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 5. That the applicant complies with storage requirements of NFPA 30 for storage of flammable and combustible liquids and all requirements of the International Fire Code. 6. That this Variance is granted for a period of time commencing with the date hereof, and expiring on February 20, 2022. 	
63	29287 Special Use	Laurence Trimble Lessee Request to occupy the premises as a group home for 6 occupants, 13 - 17 years of age.	8803 W. Cheyenne St. 9th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the item. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
64	29281 Special Use	Pastor Margaret Stone New Life, New Beginnings World Ministries Church;Prospective Buyer	5306 W. Center St. A/K/A 5308 W. Center St. 10th Dist.
		Request to occupy the premises as a community center and religious assembly hall.	
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
65	29309 Special Use	Jay & Cee Holdings, LLC Juan or Carl McKinley;Prospective Buyer	6610 W. Lisbon Av. A/K/A 6612 W. Lisbon Av. 10th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for institutional and educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 7. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
66	29233 Special Use	Educators Credit Union Jim Hooper, V.P. of Facilities;Property Owner	7025 W. Appleton Av. 10th Dist.
		Request to expand the existing parking lot and drive-through lanes (razing the residential dwelling on-site) and continue occupying the premises as a bank.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the landscape and screening plan submitted to the Board of Zoning Appeals on September 4, 2008 is revised to meet the intent of city code section 295-405 for Type 'A' landscaping. The revised plan must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. Specifically the revised landscape plan must provide two (2) staggered rows of shrubs along the W. Nash St. frontage. Each row must contain shrubs that are planted 4 feet on-center. Trees along the W. Nash St. frontage must be planted at the rate of one tree every 25 feet. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
67	29259 Special Use	I & S Petroleum, Inc. c/o Rajesh Kumar;Property Owner	7110 W. Lisbon Av. 10th Dist.
		Request to increase the hours of operation from 5:00 a.m. - 11:00 p.m. to 5:00 a.m. - midnight for a Board approved motor vehicle filling station, convenience store and car wash.	
	Action:	Adjourned	
	Motion:		
	Vote:	--	
	Conditions of Approval:	--	
68	28823 Special Use	The Chateau LLC c/o Katz Properties, Inc.;Property Owner	2535 N. Farwell Av. A/K/A 2223 E. Webster Pl. C 3rd Dist.
		Request to continue occupying the premises as a rooming house for 54 tenants.	
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

Other Business:

Board member Szymanski moved to approve the minutes of the November 13, 2008 meeting. Seconded by Board member Jackson. Unanimously approved.

The Board set the next meeting for January 22, 2009.

Board member Szymanski moved to adjourn the meeting at 8:35 p.m.. Seconded by Board member Winkler. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board