

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – February 12, 2009
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairwoman: Catherine M. Doyle (*voting on items 1 – 27, 29 - 62*)

Members: Henry P. Szymanski (*voting on items 1 - 62*)
Scott R. Winkler (*voting on items 1 - 39*)
Donald Jackson (*voting on items 1 - 62*)
Georgia M. Cameron (*voting on items 1 - 62*)

Alt. Board Members: Jose L. Dominguez, Jr. (*voting on items 40 - 62*)
Leni M. Siker (*present, but not voting on items 27- 62*)

START TIME: 4:05 p.m.

END TIME: 8:25 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	29267 Special Use	Shaun Weathers Palace of Dreams, Inc.;Lessee	4714 W. Medford Av. 7th Dist.
		Request to occupy the premises as a group home for 8 occupants (teen males).	
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss 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>
2	29411 Special Use	Antonio Riley Property Owner Request to continue occupying a portion of the premises as a religious assembly hall.	1115 N. 35th St. A/K/A 1101 N. 35th St. 15th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
3	29439 Special Use	Michael Hutchinson Property Owner Request to continue occupying the premises as an elementary and secondary school for 275 students and a day care center for 100 children infant to 12 years of ages, operating Monday - Friday 6 a.m. - 10 p.m.	5226 W. Hampton Av. A/K/A 4802 N. 53rd St. 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>
4	29451 Dimensional Variance	Timothy P Bailey Property Owner Request to allow a recreational vehicle that exceeds the maximum allowed length to park on site (no vehicle in excess of 22 feet in length may be parked on a lot in a residential district).	5462 N. 38th St. A/K/A 5462 A N. 38th St. 1st Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of an interested party and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	
5	29468 Special Use	Bently Kienbaum Property Owner Request to occupy the premises as an outdoor salvage operation (to be utilized in conjunction with the Board approved facility at 3800 W. Mill Rd.).	3460 W. Mill Rd. A/K/A 6770 R N. 43rd St. 1st Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of staff and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
6	29473 Special Use	Demeturia Sellers Property Owner	4075 N. Teutonia Av. 1st Dist.
		Request to increase the number of children from 50 to 79 per shift and the ages from infant - 12 years of age to infant - 13 years of age and to continue occupying the premises as a day care center operating Monday - Friday 5:30 a.m. - midnight.	
	Action:	Granted 10 yrs.	
	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 outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 5. That the petitioner obtains a new occupancy certificate to evaluate the building for the increased capacity by having all required inspections, complies with current State commercial building code for institutional and educational occupancies and complies with all zoning conditions and building code requirements prior to increasing capacity. 6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	29484 Use Variance	Kabao Yang Property Owner	7805 W. Bender Av. 2 A/K/A 7805 W. Bender Av. 1 2nd Dist.
		Request to continue occupying a portion of the premises as a day care center for 8 children infant to 12 years of age, operating Monday - Friday 5:30 a.m. - midnight.	
	Action:	Granted 5 yrs.	
	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 outdoor play area is not utilized after 8:00 P.M. or before 9:00 A.M. 5. That there be no signage associated with the day care facility. 6. That this Variance 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>
8	29455 Special Use	Willie Killins Lessee Request to occupy a portion of the premises as a specialty school (college preparation center) for 250 clients, operating 8:00 a.m. - 5:00 p.m. Monday - Friday, 8:00 a.m. - noon Saturday and 1:00 p.m. - 3:00 p.m. Sunday.	161 W. Wisconsin Av. A/K/A 161 W. Wisconsin Av. 225 4th Dist.
	Action:	Granted 10 yrs.	
	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 educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 5. That the applicant provides the Department of Neighborhood Services a scaled dimensioned floor plan of the school that identifies the use of each room and the intended capacity of each room. 6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	29459 Special Use	Lance Lichter John Hinkel Building LLC;Property Owner	316 W. State St. A/K/A 318 W. State St. 4th Dist.
		Request to continue occupying the premises as a parking lot.	
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of an interested party and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	29486 Special Use	Naseem & Co. LLC Mohammed Ghaffar;Property Owner	200 N. 35th St. A/K/A 212 N. 35th St. 4th Dist.
	Action:	Request to continue occupying the premises as a motor vehicle filling station and car wash facility. Granted 10 yrs.	
	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 take all measures necessary to control litter, loitering, panhandling, and loud noise on the premises, including, but not limited to, hiring private personnel. 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. 6. That the garbage dumpster be maintained at the northwest corner of the subject premises. 7. That the vacuum cleaner be kept at the west (North 35th Street) on the subject premises. 8. That the bumper guards or barrier type fencing is maintained along the east property line, except that a twelve (12) foot wide emergency exit opening may be permitted from a point immediately south of the north property line. 9. That the petitioner maintain an 'exit only' sign on West Park Hill Avenue adjacent to the driveway approach west of the public alley in order to avoid any traffic conflicts with cars exiting the carwash. 10. That during peak wash periods, the pump islands nearest North 35th Street on the West Side should be used exclusively for gas dispensing to avoid any spill-over onto streets of those cars waiting to be serviced. 11. That the lanes servicing the car wash be appropriately marked and identified. 12. That the petitioner regulate on-site vehicular circulation and capacity so no adverse impact is created. 13. That the petitioner clean-up graffiti promptly. 14. That the car wash doors remain closed when not in use. 15. That the petitioner continue to maintain the fence in good repair. 16. That the applicant does not have outdoor storage or display of products or merchandise. 17. 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. 18. 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. 19. That the applicant does not have outdoor storage or display of products or merchandise. 20. 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. 21. 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>
11	29454 Special Use	Shala Epps and Josephine Adams Lessee Request to continue occupying the premises as a day care center for 60 children per shift infant to 12 years of age, operating 6:00 a.m. - 11:00 p.m. Monday - Sunday.	3401 N. 76th St. A/K/A 7608 W. Townsend St. 5th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of the Alderman of the District and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
12	29478 Special Use	Golden Rule C.O.G.I.C. Property Owner Request to increase the hours of operation from 6 a.m. - 6 p.m. to 6 a.m. - 10 p.m. and to continue occupying the premises as a day care center for 63 children infant to 12 years of age, operating Monday - Sunday and as a social service facility (storing and distributing donated items).	2430 W. Hopkins St. A/K/A 2428 W. Hopkins St. 6th Dist.
	Action:	Granted 5 yrs.	
	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 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 there be no outdoor sales, receipt, or distribution of food, clothing, household goods or other items on the premises. 6. 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>
13	29420 Special Use	Virginia F Pratt Property Owner	4454 N. 52nd St. 7th Dist.
		Request to increase the ages from infant through 12 years to infant through 13 years of age and to continue occupying the premises as a 24 hour day care center for 8 children per shift operating Monday - Sunday.	
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of staff and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	
14	29466 Special Use	Brenda Greer-Coleman Lessee	4723 W. Hoyt Pl. 7th Dist.
		Request to increase the days of operation from Monday - Friday to Monday - Sunday for a Board approved day care center for 25 children infant to 12 years of age operating 6:00 a.m. - 11:00 p.m.	
	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 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 time commencing with the date hereof, and expiring on February 10, 2013. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	29477 Special Use	Wisconsin Community Services, Inc. Joe Spolowicz, Residential Administrator; Lessee	2930 N. 25th St. A/K/A 2932 N. 25th St. 7th Dist.
		Request to increase the number of clients from 37 to 40 for a Board approved community based residential facility .	
	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. 5. That all previous conditions of the Board regarding this property are complied with. 6. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on April 23, 2012. 	
16	29000 Special Use/ Dimensional Variance	Higher Love Ministries Outreach Inc. Property Owner	2700 W. Concordia Av. A/K/A 2702 W. Concordia Av. 7th Dist.
		Request to continue occupying the premises as a religious assembly hall that does not meet the minimum required parking (new operator).	
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of the applicant and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	29442 Special Use	Victoria L Mitchell Lessee Request to occupy a portion of the premises as a second-hand store.	7153 W. Burleigh St. A/K/A 7151 W. Burleigh St. 10th Dist.
	Action:	Granted 5 yrs.	
	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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the storefront windows remain as transparent vision glass and are maintained in an attractive manner. 6. That the applicant does not have outdoor storage or display of products or merchandise. 7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	29481 Special Use	Scrub Appleton LLC Garrett & Mary McIntosh;Property Owner	7315 W. Appleton Av. A/K/A 7327 W. Appleton Av. 10th Dist.
		Request to continue occupying the premises as a car wash facility.	
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of an interested party and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	
19	29476 Special Use	Oneida Tribe of Indians of Wisconsin Lessee	6811 W. Morgan Av. A/K/A 3515 S. 68th St. 11th Dist.
		Request to occupy a portion of the premises as a social service facility.	
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of the Alderman of the District and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	29430 Special Use	Lillian Alvarez Lessee Request to occupy a portion of the premises as a building maintenance service facility (cleaning service).	1405 S. 6th St. A/K/A 1401 S. 6th St. 12th Dist.
	Action:	Granted 10 yrs.	
	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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 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>
21	29480 Use Variance	Jim Dieter 1236 West Pierce Street LLC;Property Owner	1236 W. Pierce St. A/K/A 627 S. 12th St. 12th Dist.
		Request to continue occupying a portion of the premises as a second-hand store (antique store).	
	Action:	Granted 10 yrs.	
	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 signage must meet the signage standards of s.295-605 for Commercial Service districts of the Milwaukee Zoning Code. 5. That the applicant does not have outdoor display of products or merchandise. 6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 7. That this 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>
22	29485 Special Use	Voces de la Frontera Christine Neumann, Executive Director; Lessee	1027 S. 5th St. A/K/A 1025 S. 5th St. 3 12th Dist.
		Request to continue occupying the premises as a social service facility.	
	Action:	Granted 10 yrs.	
	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 signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 5. That the storefront windows remain as transparent vision glass and are maintained in an attractive manner. 6. That this Special Use is granted for a period of 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>
23	29464 Special Use	Jose M Lopez Lessee	2485 S. 13th St. 12th Dist.
		Request to continue occupying the premises as a motor vehicle sales and repair facility.	
	Action:	Granted 5 yrs.	
	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 site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 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. 7. That landscaping and screening in accordance with the landscape plan approved by the Zoning Administration Group on March 21, 2006 is installed by August 1, 2009 and is maintained in a manner that meets the intent of city code. 8. That there be no vehicles stored in the public right of way. 9. That there be no work conducted in the public right of way. 10. That there be no vehicles parked in the driveways. 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 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>
24	29417 Special Use	Rosen Nissan, Inc. Property Owner	5510 S. 27th St. A/K/A 5516 S. 27th St. 13th Dist.
		Request to continue occupying the premises as a motor vehicle sales facility (this is a new operator).	
	Action:	Granted 5 yrs.	
	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 a landscape plan for the northern portion of the premises utilizing trees and shrubs per the standards of city code section 295-405 for Type 'D' landscaping is submitted to the Board of Zoning Appeals within 30 days of Board approval of the special use. 5. That landscaping and screening is installed within 90 days of Zoning Administration Group approval of the landscape plan. 6. That landscaping and screening for the entire premises is maintained in a manner that meets the intent of city code. 7. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 8. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 9. That there be no vehicles displayed for sale in the public right of way. 10. That the applicant does not have outdoor storage or display of products or merchandise. 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 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>
25	29450 Special Use	Betty J Dills Property Owner	2542 N. 29th St. 15th 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 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 outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M. 5. That no signage is permitted. 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>
26	29482 Special Use	Joyce M Dixson Property Owner Request to continue occupying the premises as a religious assembly hall .	4716 W. Lisbon Av. A/K/A 4718 W. Lisbon Av. 15th Dist.
	Action:	Granted 5 yrs.	
	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's specialty school or any other permitted land use that provides daily activity in the building continue to operate from the premises. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
27	29322 Special Use/ Dimensional Variance	John Kako Global Vision Center, Inc.;Property Owner Request to construct a permitted religious assembly hall that does not meet the required rear street setback (required 63.1 ft. / proposed 3.82 ft.) with parking located between the front facade and street frontage does not meet the required landscaping standards.	7235 W. Villard Av. 2nd 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:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	29094 Special Use	Gena L Clark Property Owner	7200 W. Sheridan Av. 2nd Dist.
		Request to occupy the premises as a group home for 4 occupants, 12 - 17 years of age.	
	Action:	Granted 1 yr.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner takes all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel. 5. That the applicant submit a contact name and number that can be directly reached 24 hours a day and 7 days a week to all interested parties, including but not limited to, the Alderman of the District, the Board of Zoning Appeals, and the Department of Neighborhood Services. 6. 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>
29	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:	Granted	
	Motion:	Scott Winkler moved to uphold the order. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
30	29353 Special Use	Detra Callahan Lessee Request to occupy the premises as a day care center for 50 children per shift infant to 12 years of age, operating Monday - Saturday 5 a.m. - midnight.	7245 N. Teutonia Av. 1st 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>
31	29412 Special Use	Murece Johnson Lessee	4234 N. 26th St. 1st Dist.
		Request to occupy the premises as a group home for 7 occupants.	
	Action:	Granted 1 yr.	
	Motion:	Scott Winkler moved to approve 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 takes all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel. 5. That the applicant submit a contact name and number that can be directly reached 24 hours a day and 7 days a week to all interested parties, including but not limited to, the Alderman of the District, the Board of Zoning Appeals, and the Department of Neighborhood Services. 6. 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>
32	29313 Use Variance	LaBrew Troopers, Inc. Cmdr. Shan L. Owens;Lessee	4055 N. 34th St. A/K/A 3420 W. Capitol Dr. 1st Dist.
		Request to increase the number of students from 200 to 330 and to continue occupying the premises as a school for students K4 - 8th grade and as a day care center for 50 children 2 to 12 years of age, operating Monday - Friday 6:30 a.m. - 6:30 p.m.	
	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 a new occupancy certificate to evaluate the building for the increased capacity by having all 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 increasing capacity. 5. That the applicant provides the Department of Neighborhood Services a scaled dimensioned floor plan of the school that identifies the use of each room and the intended capacity of each room. 6. That the applicant provides an air balance report from an HVAC contractor to verify the mechanical ventilation system is adequate for the increased number of students. 7. That the applicant not operate a day care center unless otherwise approved by the Board of Zoning Appeals. Please note that the request for a day care center was withdrawn at the February 12, 2009 hearing. 8. That this Variance 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>
33	29362 Special Use	Pastor Romingo McQuay Lessee Request to occupy the premises as a religious assembly hall.	6715 W. Villard Av. A/K/A 6717 W. Villard Av. 2nd 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:	--	
34	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:	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:	--	
35	28473 Special Use/ Dimensional Variance	St. James Estates LLC Therese Gilling;Property Owner 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.) .	914 N. 18th St. A/K/A 916 N. 18th St. 4th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny 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>
36	29119 Special Use	Bill Brachman Property Owner Request to occupy the premises as a principal use parking lot.	1503 W. Kilbourn Av. A/K/A 1519 W. Kilbourn Av. 4th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
37	29446 Use Variance	Commercial Warehouse Services Lessee Request to occupy a portion of the premises as a hazardous material storage facility.	918 W. Somers St. A/K/A 916 W. Somers St. 6th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny 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	29361 Special Use	Angelia Lewis Lessee Request to occupy the premises as a group home for 5 occupants (any combination of mothers, children, etc.).	3517 N. 25th St. A/K/A 3517 A N. 25th St. 6th Dist.
	Action:	Granted 1 yr.	
	Motion:	Scott Winkler 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 takes all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel. 5. That the applicant submit a contact name and number that can be directly reached 24 hours a day and 7 days a week to all interested parties, including but not limited to, the Alderman of the District, the Board of Zoning Appeals, and the Department of Neighborhood Services. 6. 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>
39	29098 Special Use	Dewayne Ross Property Owner	245 E. Keefe Av. 6th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility.	
	Action:	Granted 5 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.295-805 of the Milwaukee Zoning Code. 5. That all repair work is conducted inside of the building. 6. That landscaping and screening is implemented and maintained in accordance with s.295-405 of the Milwaukee Code of Ordinances 7. That there be no work conducted in the public right of way. 8. That there be no vehicles stored in the public right of way. 9. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 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 motor vehicles that are on site for repair be moved indoors within 48 hrs. 12. 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>
40	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:	Henry Szymanski moved to adjourn the appeal. Seconded by Georgia Cameron.	
	Vote:	--	
	Conditions of Approval:	--	
41	29426 Special Use	Anthony Sephus Lessee Request to occupy the premises as a hand car wash and a second-hand sales facility (new and used tire sales).	925 W. Capitol Dr. A/K/A 3919 N. Martin L King Jr Dr. 6th 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:	--	
42	29441 Special Use	Doggy Day Care, Inc; Central Bark Doggy Day Care Jackie Jordan;Lessee Request to occupy the premises as an animal boarding facility.	4111 N. Port Washington Av. A/K/A 4125 N. Port Washington Av. 6th 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:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	29372 Special Use	Steve L. Anders Inspired Word Ministries;Property Owner	3410 W. Burleigh St. A/K/A 3404 W. Burleigh St. 7th 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 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 agrees to work with the Zoning Administration Group staff on a landscape and screening plan. 7. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for institutional and assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 8. That this Special Use is granted for a period of 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	29452 Special Use	Alice P Trunnell Property Owner	4238 N. 40th St. 7th Dist.
		Request to occupy the premises as a group home for 5 occupants.	
	Action:	Granted 1 yr.	
	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 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>
45	29360 Special Use	Waldemar Rivera Property Owner	3335 W. National Av. 8th Dist.
		Request to occupy the premises as a motor vehicle sales and repair facility (this is an intensification of a non-conforming use).	
	Action:	Granted 2 yrs.	
	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 all repair work is conducted inside of the building. 5. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 6. That the portable sign be removed and 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. 7. That if the unused driveway on West National Avenue be restored to curb and gutter then the petitioner must work with the Zoning Administration Group staff on a landscape and screening plan for the W. National Ave frontage. 8. That the unused driveway on West National Avenue be restored to curb and gutter. 9. That there be no repair work conducted in the public right of way. 10. That there be no vehicles displayed for sale in the public right of way. 11. That there be no more than 3 vehicles displayed for sale on site at any one given time. 12. 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>
46	29227 Special Use/ Dimensional Variance	Tammy Ward Lessee Request to occupy the premises as a religious assembly hall without the minimum required number of parking spaces (required 2 / proposed 0).	2201 W. Grant St. A/K/A 2205 S. 22nd St. 3 8th 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:	--	
47	29428 Special Use/ Dimensional Variance	Max Motors & Body Shop, Inc. Osamah Shelleh;Lessee Request to continue occupying the premises as an outdoor storage facility (motor vehicle storage) without the required landscaping.	2550 S. 30th St. 8th Dist.
	Action:	Granted 5 yrs.	
	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 all previous conditions of the Board regarding this property are complied with. 5. That there be no vehicles stored in the public right of way. 6. That this Special Use and this Variance 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>
48	29460 Special Use	Cassandra Holley Enterprise, Inc. Cassandra Holley;Property Owner	9049 N. 76th St. 9th Dist.
		Request to occupy the premises as a day care center for 120 children per shift infant to 12 years of age, operating Monday - Friday 5:30 a.m. - 1:00 a.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 meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized after 8:00 P.M. or before 9:00 A.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 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>
49	29440 Appeal of an Order	OOS Investments, LLC Attn: James Neumann;Property Owner Request to appeal an order from the Department of Neighborhood Services determining that the appellant is not compliant with Code Section 295-311-4-a, stating that the special use shall operate in conformance with the conditions of approval for case #29103 (this is a revocation order).	3450 S. 27th St. 11th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss 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>
50	29355 Special Use	Rafael Santiago Lessee Request to occupy a portion of the premises as a religious assembly hall.	1222 S. Cesar E Chavez Dr. A/K/A 1220 S. Cesar E Chavez Dr. 12th Dist.
	Action:	Granted 1 yr.	
	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 petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 6. That this Special Use is granted for a period of 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>
51	29434 Special Use/ Use Variance	Mickey Govani Vine Property LLC;Property Owner Request to occupy the premises as a motor vehicle sales, repair facility and a body shop with a watchman's quarters.	1538 W. National Av. 12th 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 signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That all repair work is conducted inside of the building. 7. That landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on 12/12/08 is installed within 120 days of occupancy. If occupancy occurs between September 30th of 2009 and March 1st of 2010 then landscaping and screening must be installed within 120 days of March 1st. 2010. 8. That no female Ginko trees are planted. 9. That the parcel located at 1548 W. National Ave is linked to the parcel at 1538 W. National Ave. by a legal instrument such as a deed restriction, shared tax key or certified survey map. 10. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 11. 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 12. That there be no work conducted in the public right of way. 13. That there be no vehicles displayed for sale in the public right of way. 14. That this Special Use and this Variance are 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>
52	29366 Special Use	Thomas R Zwicky Lessee	2437 S. 6th St. 12th Dist.
		Request to occupy the premises as a second-hand sales facility.	
	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>
53	29447 Use Variance	Willie Killins, Jr. Lessee	1236 W. Pierce St. A/K/A 633 S. 12th St. 12th Dist.
		Request to occupy a portion of the premises as a school for 250 students grades 8 - 12, operating Monday - Friday 8 a.m. - 5 p.m. and Saturday 8 a.m. - noon.	
	Action:	Granted 2 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 obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 5. That the applicant provides the Department of Neighborhood Services a scaled dimensioned floor plan of the school that identifies the use of each room and the intended capacity of each room. 6. That this Variance 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>
54	29367 Use Variance	Nora & Chris Calton Property Owner Request to occupy the premises as a day care center for 44 children infant to 2 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m. (located within 300 feet of a liquor license).	3147 S. 16th St. 13th 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:	--	
55	29406 Dimensional Variance	Dodge City of Milwaukee dba Subaru of Milwaukee Property Owner Request to erect a freestanding sign that exceeds the maximum allowed height (allowed 14 ft. / proposed 40 ft.) and the maximum allowed display area (allowed 50 sq.ft. / proposed 224 sq.ft.).	4640 S. 27th St. A/K/A 4670 S. 27th St. 13th 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:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
56	29378 Use Variance	Roland Haeuser Property Owner Request to convert the existing single family residence into a two family residence (a two family dwelling is not permitted in this district).	2991 S. Chase Av. 14th Dist.
	Action:	Denied	
	Motion:	Henry Syzmanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
57	29453 Special Use	Yusia House, Inc. Paoi Lor, Officer; Lessee Request to occupy the premises as an adult day care center for 6 clients, operating 8:00 a.m. - 5:00 p.m. Monday - Friday.	3718 W. Vliet St. A/K/A 3718 A W. Vliet St. 15th Dist.
	Action:	Granted 5 yrs.	
	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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
58	28974 Special Use	Keith Hughes Lessee	2224 W. North Av. A/K/A 2232 W. North Av. 15th Dist.
		Request to occupy a portion of the premises as a second-hand store.	
	Action:	Granted 2 yrs.	
	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 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 no interior or exterior window or door grates are used. 7. That the applicant does not have outdoor display of products or merchandise. 8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 9. That the applicant has no security bars or gates on the doors or windows unless they comply with the requirements of chapter 217 of the Milwaukee Code of Ordinances. 10. 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>
59	29063 Special Use	Tina Williams Sanford Lessee	2454 W. Lisbon Av. A/K/A 2460 W. Lisbon Av. 15th Dist.
		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.	
	Action:	Granted 3 yrs.	
	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 signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That no interior or exterior window or door grates are used. 6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 7. That the outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards. 8. That the applicant obtains a loading zone on West Lisbon Avenue. 9. 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. 10. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
60	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:	Granted 2 yrs.	
	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 obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
61	29166 Special Use	Angela Jackson Lessee	2746 N. 38th St. 15th Dist.
		Request to occupy the premises as a group home for 8 occupants (any combination of at-risk youth, teen mothers, and their children).	
	Action:	Granted 1 yr.	
	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 takes all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel. 5. That the petitioner submits a direct contact number that is available 24 hours a day and 7 days a week to the Board of Zoning Appeals, the Alderman of the District, the Department of Neighborhood Services, and any other interested parties. 6. 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>
62	29222 Dimensional Variance	Tracy Weber Property Owner Request to raze the existing building and construct a multi-family dwelling that does not meet the minimum required rear setback (required 10 ft. / proposed 3 ft.) and that does not meet the minimum required lot area per dwelling unit (required 3600 sq.ft. / proposed 3080 sq.ft.).	1644 N. Marshall St. A/K/A 909 E. Kewaunee St. 3rd Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

Other Business:

Board member Jackson moved to approve the minutes of the January 22, 2009 meeting. Seconded by Board member Szymanski. Unanimously approved.

The Board set the next meeting for March 19, 2009.

Board member Szymanski moved to adjourn the meeting at 8:25 p.m.. Seconded by Board member Cameron. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board