

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – March 19, 2009
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairwoman: Catherine M. Doyle (*voting on items 1 - 69*)

Members: Henry P. Szymanski (*excused*)
Scott R. Winkler (*voting on items 1 – 57, 60 - 69*)
Donald Jackson (*voting on items 1 - 69*)
Georgia M. Cameron (*voting on items 1 -69*)

Alt. Board Members: Jose L. Dominguez (*voting on items 1 -69*)
Leni M. Siker (*present, voting on items 58 - 59*)

START TIME: 4:05 p.m.

END TIME: 9:10p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	29487 Special Use	Joe Lee Turner Property Owner Request to continue occupying the premises as a community living arrangement for 8 occupants.	7764 W. Potomac Av. A/K/A 7762 W. Potomoac . 5th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler 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	29422 Special Use	Virginia Pratt Prospective Buyer	220 W. Auer Av. 6th Dist.
		Request to occupy the premises as a 24 hour day care center for 8 children per shift infant to 12 years of age, operating Sunday - Saturday.	
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
3	29511 Special Use	Walker's Point Youth and Family Center Andre Olton;Property Owner	730 S. 21st St. A/K/A 732 S. 21st St. 12th Dist.
		Request to continue occupying the premises as a group home for 8 occupants.	
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
4	29438 Dimensional Variance	James Bach Clybourn Commons, LLC;Property Owner	501 N. 20th St. A/K/A 505 N. 20th St. 4th Dist.
		Request to raze the existng structures and construct a permitted multi-family dwelling that does not meet the minimum required lot area per dwlling unit (required 28,800 sq.ft. / proposed 16,290 sq.ft.).	
	Action:	Dismissed	
	Motion:	Scott Winkler 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>
5	29490 Special Use	Bridgeman Foods II, Inc. J.B. Properties;Property Owner Request to continue to occupy the premise as a fast-food / carry-out restaurant with a drive-through facility.	6223 W. Capitol Dr. A/K/A 6225 W. Capitol Dr. 2nd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. 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 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. 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 landscaping and screening is maintained in a manner that meets the intent of city code. 7. 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. 8. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 9. 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>
6	29509 Special Use	Wells Fargo Bank Brent Hanson;Property Owner Request to continue occupying the premises as a bank with a drive through within 150 feet of a residential use (this is a new operator).	7600 W. Hampton Av. A/K/A 7600 W. Hampton Av. 207 2nd Dist.
	Action:	Granted 10 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 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	29519 Dimensional Variance	University Bible Fellowship Paul Dang, Director;Property Owner Request to continue occupying the premises as a religious assembly hall (permitted) without the minimum required parking (required 7 / proposed 4).	2976 N. Farwell Av. 3rd Dist.
	Action:	Granted 10 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 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>
8	29500 Use Variance	Mohammed B Abdellatif Property Owner Request to continue occupying the premises as a general retail establishment (grocery store).	1556 N. 33rd St. A/K/A 1554 N. 33rd St. 4th Dist.
	Action:	Granted 10 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 no additional signage may be erected on the site unless it meets the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 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 storefront windows remain as clear glass and are maintained in an attractive manner. 7. That the applicant complies with pending orders to repair the garage by June 30, 2009. 8. 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>
9	29513 Special Use	Iowa College Acquisition Corp.; Kaplan University Kaplan Inc.; Lessee	201 W. Wisconsin Av. A/K/A 215 W. Wisconsin Av. 4th Dist.
		Request to occupy a portion of the premises as a university.	
	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 the premises is developed in accordance with the site, elevation, & signage plans submitted to the Board. No changes may be made to these plans without approval of the Zoning Administration Group. 5. That window blinds, draperies or other similar devices, that would cut off the vision into the space, shall not be used. 6. That the facility shall maintain the evening and weekend hours as submitted in the plan to ensure a brightly lit and active space on the street. 7. 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. 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>
10	29521 Special Use	Omar Barkhadle Property Owner	2715 W. Clybourn St. A/K/A 2717 W. Clybourn St. 4th 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 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 no body bumping or painting is to occur on site. 6. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 8. That there is no outdoor display of banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit 9. That there be no work conducted in the public right of way. 10. That there be no vehicles stored in the public right of way. 11. That the applicant complies with the DNS order to make repairs to the roof by June 30, 2009. 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>
11	29526 Special Use	Chahal Corp. Lessee	3308 W. Vliet St. 4th Dist.
		Request to continue occupying the premises as a motor vehicle filling station.	
	Action:	Granted 10 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 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 site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That the petitioner maintain landscaping and screening in a manner that meets the intent of city code. 7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 8. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises. 9. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances. 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 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>
12	29518 Special Use	Carisch Brothers Fred Stauber;Property Owner	11231 W. Silver Spring Dr. 5th Dist.
		Request to continue occupying the premises as a fast-food/carry-out restaurant with a drive through.	
	Action:	Granted 10 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 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 maintain landscaping and screening in a manner that 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 Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

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13	29522 Special Use	Pavittar Singh Lessee Request to continue occupying the premises as a motor vehicle filling station.	7646 W. Appleton Av. A/K/A 4225 N. 76th St. 5th Dist.
	Action:	Granted 10 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 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 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 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. 7. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 8. 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. 9. That trees and shrubs are installed in accordance with the landscape plan submitted to the Board of Zoning Appeals on March 16, 1999. The trees and shrubs must be installed by September 1, 2009 and must be maintained in a manner that meets the intent of city code. 10. That the applicant does not have outdoor storage or display of products or merchandise. 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 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>
14	29533 Special Use	Caprice Hill Lessee Request to continue occupying the premises as a group home for 8 occupants.	3730 N. 6th St. A/K/A 3730 A N. 6th St. 6th Dist.
	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 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	29536 Special Use	Comprehensive Health Education Lessee Request to occupy a portion of the premises as a social service facility (HIV prevention and treatment).	2821 N. 4th . A/K/A 2821 N. 4th St. 206 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 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 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>
16	29543 Special Use	Elzora D Collins Lessee Request to occupy a portion of the premises as a social service facility (mental health and AODA services).	2821 N. 4th . A/K/A 2821 N. 4th St. 206 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 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 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. 6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	29502 Special Use	Jamon Hamilton Property Owner	5614 W. Hampton Av. 7th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility.	
	Action:	Granted 10 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 all repair work is conducted inside of the building. 6. That there be no work conducted in the public right of way. 7. That there be no vehicles stored in the public right of way. 8. That the applicant does not have outdoor storage or display of products or merchandise. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That this Special Use is granted for a period of 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>
18	29531 Special Use	Leonard F Dziubla Property Owner Request to continue occupying the premises as an adult day care center.	4065 N. 35th St. 7th Dist.
	Action:	Granted 10 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 this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
19	29542 Special Use	LaQuanda Gray Property Owner Request to occupy the premises (first floor only) as a 24 hour day care center for 40 children per shift infant to 12 years of age, operating Monday - Sunday .	2434 W. Hadley St. A/K/A 2804 N. 24th Pl. 7th 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:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	29496 Special Use	Sherry Williams Lessee Request to increase the hours of operation from 6:00 a.m. - 6:00 p.m. Monday - Friday to 6:00 a.m. - midnight Monday - Sunday for a Board approved day care center for 51 children infant to 12 years of age.	5402 W. Vliet St. A/K/A 1409 N. 54th St. 10th 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:	--	
21	29524 Special Use	Jacqueline Shellaugh and Patrice Bond Lessee Request to increase the number of children from 90 to 101 children per shift and the hours of operation from Monday - Friday 6:00 a.m. - 6:00 p.m. to Monday - Sunday 6:00 a.m. - 8:00 p.m. and to continue occupying the premises as a day care center for children infant to 12 years of age .	2700 N. 54th St. A/K/A 5330 W. Center St. 10th 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>
22	29525 Special Use	Nancy Jablonski Property Owner Request to increase the hours of operation from 6:30 a.m. - 6:00 p.m. to 6:00 a.m. - midnight for a Board approved day care center for 200 children infant to 12 years of age, operating Monday - Friday.	5310 W. North Av. A/K/A 2315 N. 53rd St. 10th 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>
23	29529 Special Use	Lewis R Poberezny Property Owner	7515 W. Lisbon Av. A/K/A 3238 N. 76th St. 10th Dist.
		Request to continue occupying the premises as a motor vehicle sales and repair facility.	
	Action:	Granted 10 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 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 all repair work is conducted inside of the building. 6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 7. That there be no vehicles displayed for sale in the public right of way. 8. That there be no work conducted in the public right of way. 9. That the applicant does not have outdoor storage or display of products or merchandise. 10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 11. That this Special Use is granted for a period of 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	29546 Special Use	United Seniors of Wisconsin Inc. Property Owner	4415 W. Forest Home Av. 11th Dist.
		Request to continue occupying the premises as a community center.	
	Action:	Granted 10 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 decorative metal fence along the W. Forest Home Ave. frontage is maintained in a manner that meets the intent of city 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>
25	29491 Use Variance	Shorty's Catering & Restaurant Elisa Maldonado;Property Owner	2075 S. 13th St. A/K/A 2077 S. 13th St. 4 12th Dist.
		Request to continue occupying the premises as an assembly hall.	
	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 signage must meet the signage standards of s.295-505-5 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 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 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>
26	29515 Special Use	Right Turn II Inc. Antonio Mayfield;Property Owner Request to continue occupying the premises as a group home for 8 occupants.	2479 S. 11th St. A/K/A 2479 A S. 11th St. 12th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. 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>
27	29530 Special Use	Michael Sanfelippo d.b.a. Sanfelippo Auto Repair, Inc.;Property Owner	646 S. 2nd St. A/K/A 642 S. 2nd St. 12th Dist.
		Request to continue occupying the premises as a ground transportation.	
	Action:	Granted 10 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 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	29545 Special Use	Juan Sanchez Property Owner	827 S. Cesar Chavez Dr. A/K/A 827 S. Cesar E Chavez Dr. 12th Dist.
		Request to continue occupying the premises as a currency exchange.	
	Action:	Granted 10 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 storefront windows remain as transparent vision glass and are maintained in an attractive manner. 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 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	29392 Special Use	Yousef Ali Lessee	4125 S. Howell Av. 13th Dist.
		Request to occupy the premises as a fast-food / carry-out restaurant.	
	Action:	Granted	
	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 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. 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 glazing must meet the glazing standards of s295-605-i of the Milwaukee Zoning Code. 7. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 8. That existing landscaping and screening is maintained in a manner that meets the intent of city code. 9. That there be no increase in the size of the existing roof sign, and all other signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 10. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on April 23, 2017. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	29492 Special Use	Guarding Your Angels Inc. Nara Colton;Property Owner Request to continue occupying the premises as a day care center for 72 children infant to 12 years of age, operating Monday - Saturday 6:00 a.m. - midnight.	2340 S. 6th St. A/K/A 2338 S. 6th St. 14th 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:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	29516 Use Variance	Angel Garcia Lessee Request to continue occupying the premises as a motor vehicle repair facility (this is a new operator).	206 E. Lincoln Av. A/K/A 210 E. Lincoln Av. 14th Dist.
	Action:	Granted	
	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 all repair work is conducted inside of the building. 5. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 6. That there be no work conducted in the public right of way. 7. That there be no vehicles stored in the public right of way. 8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That this Variance is granted for a period of time commencing with the date hereof, and expiring on March 2, 2011. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	29517 Special Use	Elmo Wilson Property Owner	2354 N. Teutonia Av. 15th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility.	
	Action:	Granted 10 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 all repair work is conducted inside of the building. 5. That signage must conform to the sign standards of s. 295-605 of the Milwaukee Zoning Code. 6. That there be no work conducted in the public right of way. 7. That there be no vehicles stored in the public right of way. 8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That this Special Use is granted for a period of 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>
33	29510 Special Use	New Life Academy of Learning Terrell H. Cistrunk;Property Owner Request to occupy a portion of the premises as a day care center for 72 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m. (to be operated in conjunction with the existing nonconforming church).	3410 W. Silver Spring Dr. 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:	--	
34	29439 Special Use	Michael Hutchinson Property Owner Request to continue occupying the premises as an elementary and secondary school for 175 students and a day care center for 50 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:	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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. 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>
35	29217 Special Use	Brew City Automotive Industries, Inc. Christopher Zilutis; Lessee	933 W. Somers St. A/K/A 909 W. Vliet St. 6th Dist.
		Request to occupy the premises as a motor vehicle body shop, repair, sales and an indoor salvage facility.	
	Action:	Granted 1 yr.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	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 applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 5. 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. 6. That these Special Uses are granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	29235 Special Use	Christopher Ozodi Prospective Buyer	6430 W. Fond Du Lac Av. 2nd Dist.
		Request to occupy the premises as a religious assembly hall.	
	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 signage must meet the intent of the signage standards 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 the petitioner obtains a permit and infills the vehicle doors with matching exterior material. 7. That the hours of operation are limited to 6:00a.m. - 12:00a.m. Monday - Friday, 6:00a.m. - 12:00p.m. - Saturday, and 9:00a.m. - 2:00p.m. - Sunday. 8. 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>
37	29358 Use Variance	Arester Young Property Owner	7917 W. Winfield Av. 2nd Dist.
		Request to occupy the premises as a day care center for 8 children per shift infant to 12 years of age, operating Monday - Friday 8:00 a.m. - 11:00 p.m.	
	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 hearing.	
	Vote:	--	
	Conditions of Approval:	--	
38	29116 Special Use	N and J United Group, LLC Lessee	2860 N. Holton St. A/K/A 2864 N. Holton St. 3rd Dist.
		Request to occupy the premises as a fast-food / carry-out restaurant.	
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
39	29211 Use Variance	Cliff Davis Wal-Mart Financial Services;Property Owner	401 E. Capitol Dr. 6th Dist.
		Request to occupy a portion of the premises as a currency exchange, payday loan or title loan facility.	
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	29423 Dimensional Variance	CTC Supplies Bob and Sandy Woycke;Property Owner	3845 N. Bremen St. 6th Dist.
		Request to occupy the premises as a mixed-waste processing facility (rag distribution center) that does not meet the required landscaping along the street frontage. (The mixed-waste processing facility is permitted as it meets the limited use standard that operations shall be totally enclosed within a building and not operate between the hours of 7 p.m. and 7 a.m.).	
	Action:	Granted	
	Motion:	Scott Winkler moved to approve 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 in accordance with the plan submitted to the Board on December 11, 2008. 5. That this Variance is granted to run with the land. 	
41	29461 Special Use	Joseph Fix Property Owner	3695 N. Richards St. 6th Dist.
		Request to occupy the premises as an outdoor salvage operation (temporary storage of operable and inoperable vehicles).	
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderperson 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>
42	29475 Special Use	Michael Coakley C.M.K., Inc. ;Property Owner Request to occupy a portion of the premises as an outdoor storage facility (storing portable storage containers).	2212 N. 4th St. A/K/A 2228 N. 4th 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 hearing.	
	Vote:	--	
	Conditions of Approval:	--	
43	29494 Special Use	Ladiama L Johnson Property Owner Request to occupy the premises as a day care center for 8 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 11:00 p.m.	3313 N. 10th St. 6th Dist.
	Action:	Granted 1 yr.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	3 Ayes, 1 S. Winkler 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 submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of licensure. 5. That the petitioner not use the play space between the hours of 8:00p.m. and 9:00a.m. 6. 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. 7. 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>
44	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:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	3 Ayes, 0 Nays, 2 C. Doyle/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 these Variances are granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	29419 Special Use/ Dimensional Variance	McDonald's Corp. Dawn Bourseau;Prospective Buyer Request to raze the existing structure and construct a fast-food/carry-out restaurant with a drive-through located within 150 ft. of a residential use that does not meet the minimum required glazing percentage (required 60% / proposed 17%) and that exceeds the maximum allowed number of parking spaces (allowed 15 / proposed 35).	4925 W. Hampton Av. A/K/A 4770 N. 50th St. 7th Dist.
	Action:	Granted 10 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 site illumination must meet the lighting standards of s.295-409 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 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. 7. That revised landscape and signage plans are submitted to the Board of Zoning Appeals, and approved by the Zoning Administration Group prior to the issuance of any permits. 8. That landscaping and screening is installed within 90 days of occupancy. If occupancy occurs between September 30, 2009 and March 1, 2010 then landscaping and screening must be installed by June 1, 2010. 9. That landscaping and screening is maintained in accordance with the approved landscape plan 10. That the variance for glazing is dismissed without prejudice. 11. That these Special Uses are 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>
46	29425 Special Use	Susie Anders Property Owner	3359 N. 25th St. A/K/A 3359 A N. 25th St. 7th Dist.
		Request to occupy the premises as a group home for 8 occupants, 10 - 17 years of age.	
	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 takes all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel. 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>
47	29462 Special Use	Tamara Collins Lessee Request to occupy the premises as a day care center for 25 children per shift infant to 12 years of age, operating Monday - Sunday 7 a.m. - midnight.	4235 W. Fond Du Lac Av. A/K/A 4235 A W. Fond Du Lac Av. 7th Dist.
	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 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 storefront windows remain as transparent vision glass and are maintained in an attractive manner. 7. That the applicant applies for a loading zone on West Fond Du Lac Avenue. 8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 9. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of licensure. 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>
48	29376 Special Use	Feras Rahman and Emad H. Oudeh Property Owner	2300 W. Lincoln Av. 8th Dist.
		Request to add motor vehicle sales and to continue occupying the premises as a motor vehicle repair facility.	
	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>
49	29435 Special Use	J. Trinidad Martin Property Owner	3715 W. National Av. 8th Dist.
		Request to occupy the premises as an outdoor motor vehicle storage facility and a motor vehicle body shop.	
	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 all plans as submitted to the Board, be fully complied with and maintained. 4. That there be no work conducted in the public right of way. 5. That there be no vehicles stored in the public right of way. 6. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 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 the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for motor vehicle occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 9. That the applicant has no more than 6 cars stored outside at any one given time. 10. That the applicant submit a revised plan of operation to the Board Office for approval by the Zoning Administration Group. 11. That the applicant does not operate between the hours of 4:00 p.m. and 8:30a.m. Monday - Friday, and 6:00p.m. and 8:30a.m. on Saturday. 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>
50	29479 Special Use	Dan R Walz Lessee Request to occupy a portion of the premises as a motor vehicle sales facility.	1623 S. 38th St. A/K/A 1603 S. 38th St. 8th Dist.
	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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB2 zoning districts. 5. That there be no vehicles displayed for sale in the public right of way. 6. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 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 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>
51	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:	--	
52	29414 Special Use	Stephanie Thomas Lessee Request to occupy the premises as a day care center for 30 children per shift infant to 12 years of age, operating Monday - Sunday 5 a.m. - 12 a.m..	5510 W. Clinton Av. A/K/A 5500 W. Clinton Av. 9th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned to a contested hearing and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
53	29445 Use Variance	Credit Corp Of Wisconsin, LLC; Check Into Cash Attn: Susan E. Cole;Lessee	6816 W. Brown Deer Rd. A/K/A 6843 W. Brown Deer . 9th Dist.
		Request to occupy a portion of the premises as a currency exchange, payday loan, and title loan agency (this is an intensification of a nonconforming payday loan agency).	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the applicant and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	
54	29444 Use Variance	Credit Corp of Wisconsin LLC; Check Into Cash Attn: Susan E. Cole;Lessee	3906 N. 76th St. A/K/A 3910 N. 76th St. 10th Dist.
		Request to occupy a portion of the premises as a currency exchange, payday loan and title loan agency (this is an intensification of a nonconforming payday loan agency).	
	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>
55	29504 Special Use	Cheryl Meeks Lessee Request to occupy the premises as a day care center for 32 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 10:00 p.m.	5512 W. Center St. A/K/A 5514 W. Center St. 1 10th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal to Administrative Review. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. 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	29421 Special Use	Verlondia Johnson and Tiffany Dean Lessee Request to occupy a portion of the premises as a day care center for 40 children per shift infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - 11 p.m.	6733 W. Capitol Dr. A/K/A 6729 W. Capitol Dr. 10th Dist.
	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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 7. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of licensure. 8. 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. 9. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
57	29413 Dimensional Variance	OOS Investments, LLC Attn: James Neumann; Lessee Request to allow a Board approved changeable message sign that does not meet the minimum required setback (required 34.66 ft. / proposed 18.91 ft.).	3450 S. 27th St. 11th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	--	
	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 for a period of time commencing with the date hereof, and expiring on October 20, 2018. 	
58	29463 Dimensional Variance	616 University LLC Arthur Brazy; Property Owner Request to erect a freestanding sign that exceeds the maximum allowed display area (allowed 100% / proposed 155%).	3432 S. 27th St. 11th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Leni Siker.	
	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>
59	29493 Special Use	Ruth A. Hau Rah-Rah Investments, II, LLC;Property Owner Request to occupy a portion of the premises as a religious assembly hall.	6251 W. Forest Home Av. 11th Dist.
	Action:	Adjourned	
	Motion:	Georgia Cameron moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
60	29286 Special Use	Ruth A. Hau Rah-Rah Investments, II, LLC;Property Owner Request to occupy a portion of the premises as an adult day care center for 60 elderly individuals, operating Monday - Friday 7 a.m. - 6 p.m .	6251 W. Forest Home Av. 11th Dist.
	Action:	Granted 5 yrs.	
	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.295-605 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 institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 6. That this Special Use is granted for a period of 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>
61	29356 Use Variance	Rosaura Sanchez Lessee Request to occupy the premises as a currency exchange facility.	541 W. Historic Mitchell St. A/K/A 541 B W. Historic Mitchell St. 12th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Scott Winkler.	
	Vote:	3 Ayes, 2 Nays, 0 Abstained.	
	Conditions of Approval:	--	
62	29292 Use Variance/ Dimensional Variance	Francisco Sanchez Property Owner 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).	1663 S. Muskego Av. 12th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler 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>
63	29483 Dimensional Variance	S&JP Hospitality Group Inc. Property Owner Request to modify the display area of an existing freestanding sign which exceeds the maximum allowed display area (allowed 50 sq.ft. / proposed 195 sq.ft.) and the maximum allowed height (allowed 14 ft. / proposed 40 ft. height was previously nonconforming).	6541 S. 13th St. 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:	--	
64	29443 Use Variance	Monte Financial Services Leonor Montemayor; Lessee Request to occupy the premises as a currency exchange facility (this use will be added to the permitted tax preparation facility).	2873 S. 13th St. 14th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	3 Ayes, 1 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	29456 Dimensional Variance	Eric E Hartung Property Owner Request to allow a residential accessory structure (detached garage) that exceeds the maximum allowed height (allowed 18 ft. / proposed 21 ft.).	3396 S. Chase Av. 14th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 0 Nays, 2 C.Doyle/S. Winkler Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
66	29266 Special Use/ Dimensional Variance	Mohammad Rafiq Lessee Request to continue occupying the premises as a fast-food / carry-out restaurant without the required landscaping.	2635 W. Fond Du Lac Av. A/K/A 2627 W. Fond Du Lac Av. 15th Dist.
	Action:	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 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 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. 7. That within 60 days of Board approval of the Special Use the petitioner must meet with the Zoning Administration Group to create a landscape and screening plan. The petitioner must then submit a landscape and screening plan to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits. 8. That landscaping and screening is installed by June 1, 2009 9. 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>
67	29489 Special Use	Jerome Mason Lessee Request to occupy a portion of the premises as a motor vehicle sales facility.	7924 W. Appleton Av. A/K/A 7924 W. Appleton Av. 5 5th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
68	29454 Special Use	Shala Epps 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:	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>
69	29241 Special Use	Carrie Williams Lessee Request to occupy the premises as a day care center for 95 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. to 11:30 p.m.	7607 W. Townsend St. A/K/A 3365 N. 76th St. 5th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn 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 February 12, 2009 meeting. Seconded by Board member Cameron. Unanimously approved.

The Board set the next meeting for April 30, 2009.

Board member Winkler moved to adjourn the meeting at 9:10 p.m. Seconded by Board member Jackson. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board