

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – May 21, 2009
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairwoman: Catherine M. Doyle (*voting on items 1 - 76*)

Members: Henry P. Szymanski (*voting on items 1 - 76*)
Scott R. Winkler (*voting on items 1 - 75*)
Donald Jackson (*voting on items 1 - 76*)
Georgia M. Cameron (*voting on items 1 - 76*)

Alt. Board Members: Jose L. Dominguez (*present, voting on item 76*)
Leni M. Siker (*excused*)

START TIME: 4:05 p.m.

END TIME: 8:20 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	29664 Special Use	School of the Arts Marcia Goodwin;Property Owner Request to occupy the premises as an elementary school.	3919 N. Martin L King Jr Dr. A/K/A 925 W. Capitol Dr. 6th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss 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>
2	29211 Use Variance	Cliff Davis Wal-Mart Financial Services;Property Owner Request to occupy a portion of the premises as a currency exchange, payday loan or title loan facility.	401 E. Capitol Dr. 6th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
3	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:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
4	29000 Special Use/ Dimensional Variance	Higher Love Ministries Outreach Inc. Property Owner Request to continue occupying the premises as a religious assembly hall that does not meet the minimum required parking (new operator).	2700 W. Concordia Av. A/K/A 2702 W. Concordia Av. 7th Dist.
	Action:	Adjourned	
	Motion:		
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
5	28895 Use Variance	Butterfield Trucking, Inc. David Deaton;Lessee Request to occupy the premises as a recycling/processing facility for mined materials (processing, crushing, storage and trucking of asphalt and concrete for N 76th road work project).	7350 N. 76th St. A/K/A 7340 N. 76th St. 9th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
6	29398 Special Use	LaTronda Jones Lessee Request to occupy a portion of the premises as a day care center for 40 children per shift infant to 13 years of age, operating Monday - Sunday 6:00 a.m. - midnight.	3928 W. St Paul Av. A/K/A 404 A N. 40th St. 10th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
7	29145 Special Use	River Corner, LLC Daniel Druml;Property Owner Request to occupy the premises as a temporary concrete / batch plant (concrete production for the Greenfield Avenue repaving project).	1980 S. 4th St. A/K/A 1940 S. 4th St. 12th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss 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>
8	29366 Special Use	Thomas R Zwicky Lessee Request to occupy the premises as a second-hand sales facility.	2437 S. 6th St. 12th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
9	29277 Special Use	Latanya Jones Lessee Request to continue occupying a portion of the premises as a day care center for 30 children per shift infant to 12 years of age, operating Monday - Saturday 6:00 a.m. - midnight.	6003 N. Teutonia Av. A/K/A 6037 N. Teutonia Av. 1st Dist.
	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>
10	29668 Special Use	Craig Karmazin Lessee Request to occupy a portion of the premises as broadcasting / recording studio.	310 W. Wisconsin Av. 120 A/K/A 310 W. Wisconsin Av. 130 4th 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 this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	29670 Special Use	Bryant & Stratton College Peter Pavohe, College Director; Lessee Request to expand the Board approved college to adjacent units (converting office space into additional classrooms and a library).	310 W. Wisconsin Av. A/K/A 310 W. Wisconsin Av. 130 4th Dist.
	Action:	Granted	
	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 the petitioner obtains an alteration permit and 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 time commencing with the date hereof, and expiring on April 8, 2011. 	
12	29674 Dimensional Variance	Clear Channel Outdoor David Jasenski; Property Owner Request to continue to allow an off-premise sign that does not meet the minimum required setback (required 75 ft. / proposed 68 ft.) and the minimum required space between signs (required 1000 ft. / proposed 760 ft.).	2455 W. Clybourn St. 4th 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>
13	29680 Special Use	Gloria Tatum Property Owner	4444 W. Capitol Dr. 7th Dist.
		Request to continue occupying the premises as a religious assembly hall.	
	Action:	Granted 5 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 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>
14	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:	Granted 5 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 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 a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	29685 Special Use/ Dimensional Variance	Efrian Rodriguez Lessee Request to continue occupying the premises as a religious assembly hall that does not meet the minimum required number of parking spaces (required 7 / proposed 0).	4310 W. Forest Home Av. A/K/A 4304 W. Forest Home Av. 8th Dist.
	Action:	Granted 5 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 storefront windows remain as transparent vision glass and are maintained in an attractive manner. 6. That this Special Use and 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>
16	29594 Special Use	Trierweiler Construction Co. Joe Matchey;Lessee	9168 N. 124th St. 9th Dist.
		Request to occupy a portion of the premises as a temporary concrete / batch plant (concrete production for the Brown Deer Road repaving project) .	
	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>
17	29672 Special Use	KAK Enterprises LLC Jim Appleton;Property Owner	10525 W. Donges Ct. 9th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility (tire sales and service).	
	Action:	Granted 10 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 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 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	29676 Special Use	John Brodersen Property Owner	7519 W. Good Hope Rd. A/K/A 7525 W. Good Hope Rd. 9th Dist.
		Request to continue occupying the premises as a fast-food / carry-out restaurant.	
	Action:	Granted 10 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 site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 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 landscaping and screening is maintained 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 this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances. 9. That 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>
19	29678 Special Use	Larry & Julette Wade Property Owner	6442 N. 91st St. 9th Dist.
		Request to increase the number of occupants from 5 to 6 and to continue occupying the premises as a group home.	
	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:	--	
20	29612 Special Use	Kuldip Inc. Property Owner	1009 S. 1st St. A/K/A 117 W. Mineral St. 12th Dist.
		Request to continue occupying the premises as a motor vehicle filling station and car wash.	
	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>
21	29646 Special Use	Gabriel Garcia Lessee Request to occupy a portion of the premises as an assembly hall (AA meeting place).	1561 W. Greenfield Av. A/K/A 1563 W. Greenfield Av. 6 12th 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 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>
22	29663 Special Use	Thomas Orlando Lessee Request to continue occupying a portion of the premises as a religious assembly hall (this is a Board approved use in suite #200, the church is now relocating to suite #1000).	2625 S. Greeley St. 1000 A/K/A 2625 S. Greeley St. 423 14th Dist.
	Action:	Granted	
	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.295-805 of the Milwaukee Zoning Code. 5. That the petitioner submits plans prepared by an architect, obtains all required permits for conversion of this building and obtains a final 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 time commencing with the date hereof, and expiring on September 13, 2012. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
23	29554 Special Use	Harley-Davidson Motor Company Group, LLC Lessee	1127 N. 35th St. A/K/A 3525 W. Juneau Av. 15th Dist.
		Request to occupy the premises as an indoor storage facility.	
	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 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>
24	29557 Special Use	Emmanuel Williamson Lessee	4419 W. North Av. A/K/A 4421 W. North Av. 15th Dist.
		Request to increase the hours of operation from 6:00 a.m. - 6:00 p.m. to 6:00 a.m. - midnight for a Board approved day care center for 40 children infant to 12 years of age operating Monday - Friday.	
	Action:	Granted 5 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 the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 5. That all previous conditions of the Board regarding this property are complied with. 6. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 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>
25	29624 Special Use	Life & Liberty Church Property Owner	2009 W. Hampton Av. 1st Dist.
		Request to continue occupying the premises as a religious assembly hall.	
	Action:	Granted 10 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 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>
26	29666 Special Use	Alex Karagodsky Miki's Auto Salvage;Property Owner Request to continue occupying the premises as a motor vehicle repair and used auto parts sales facility (installation of used glass and radiators).	4385 N. Green Bay Av. A/K/A 4389 N. Green Bay Av. 1st Dist.
	Action:	Granted 10 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 there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 5. That there be no parking in the alley to the rear of the premises; and the alley shall be kept clear. 6. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That there be no work conducted in the public right of way. 8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	29667 Special Use/ Use Variance	Alex Karagodsky Miki's Auto Salvage;Property Owner Request to continue occupying the premises as an indoor and outdoor salvage operation.	4440 N. Green Bay Av. 1st Dist.
	Action:	Granted 10 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 landscaping and screening is maintained in a manner that meets the intent of city code. 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 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 Special Use and Variance 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>
28	29689 Special Use	Eboness Briant Property Owner	5140 N. Teutonia Av. 1st Dist.
		Request to continue occupying the premises as a 24 hour day care center for 50 children per shift infant to 12 years of age, operating Monday - Sunday.	
	Action:	Granted 5 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 a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hrs/day. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 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>
29	29677 Dimensional Variance	Meinecke Holding's LLC James S. Meinecke;Property Owner Request to continue to allow two wall signs that exceed the maximum allowed area (allowed 80 sq.ft. / proposed 161 sq.ft.).	5020 W. Fond Du Lac Av. A/K/A 5022 W. Fond Du Lac Av. 2nd Dist.
	Action:	Granted 5 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 the changeable message is not changed more frequently than once every 60 seconds. 5. 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>
30	29686 Special Use	Invisible Faith CME Church Pastor Eleanor Turman;Property Owner	6519 W. Fond Du Lac Av. 2nd Dist.
		Request to continue occupying the premises as a religious assembly hall.	
	Action:	Granted 5 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 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>
31	29671 Dimensional Variance	Silvia and Ruben Lewin Property Owner Request to divide the existing lot with two single family dwellings creating a new lot with one dwelling that does not meet the minimum required lot area (required 2400 sq.ft. / proposed 1281 sq.ft.), lot width (required 24 ft. / proposed 21 ft.) and east side setback (required 3.5 ft. / proposed 3 ft.).	1317 E. Kane Pl. A/K/A 1321 E. Kane Pl. 3rd Dist.
	Action:	Granted	
	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 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>
32	29673 Dimensional Variance	Silvia and Ruben Lewin Property Owner Request to divide the existing lot with two single family dwellings creating a new lot with one dwelling that does not meet the minimum required lot area (required 2400 sq.ft. / proposed 1281 sq.ft.) and the minimum required lot width (required 24 ft. / proposed 21 ft.).	1321 E. Kane Pl. A/K/A 1317 E. Kane Pl. 3rd Dist.
	Action:	Granted	
	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 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>
33	29690 Special Use	Abundant Life Ministries Lessee Request to continue occupying the premises as a community based residential facility for 42 occupants.	1904 E. Belleview Pl. A/K/A 2618 N. Cramer St. 3rd Dist.
	Action:	Granted 10 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 this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
34	29568 Special Use	Vernon Townsend Property Owner Request to occupy the premises as a motor vehicle repair facility.	2452 N. Martin L King Jr Dr. A/K/A 2452 N. 3rd St. 6th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	29302 Special Use/ Dimensional Variance	Iglesia Crisitana Palabra de Vida Ormar Ortiz;Property Owner Request to continue occupying the premises as a religious assembly hall without the minimum required number of parking spaces (required 50 / proposed 30).	3232 W. Lincoln Av. A/K/A 3232 W. Lincoln Av. B 8th Dist.
	Action:	Granted 5 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 the windows remain as clear glass and are maintained in an attractive manner. 5. That signage must conform to the sign standards of s. 295-605-5 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 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>
36	29555 Special Use	Kingdom International Childcare & Development Center; Tammy Ward; Lessee	3435 W. Clybourn St. A/K/A 3435 W. W Clybourn . 4th Dist.
		Request to occupy a portion of the premises as a day care center for 49 children first shift and 35 children second shift infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - midnight.	
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman of the District and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	
37	29368 Special Use	Bernard Saffold Lessee	2455 W. Wisconsin Av. A/K/A 2445 W. Wisconsin Av. 4th Dist.
		Request to continue occupying the premises as a fast-food / carry-out restaurant (parking lot will also be available for parking at special events).	
	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:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
38	29508 Special Use/ Dimensional Variance	St. James Community Mission Church Property Owner Request to occupy the premises as a religious assembly hall without the minimum required parking (required 13 / proposed 0).	1831 W. Atkinson Av. 6th 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:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	29590 Special Use	Darneshia Jackson Property Owner	4018 N. 7th St. 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 Monday - Sunday.	
	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 submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license. 5. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hrs/ day. 6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 7. That there be no signage associated with the day care facility. 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>
40	29592 Special Use	Shytanya Highshaw Lessee Request to occupy the premises as a tavern.	3001 N. Richards St. A/K/A 3001 A N. Richards St. 6th 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:	--	
41	29514 Special Use	Pilgrim Rest Missionary Baptist Church Rev. Martin Childs, Jr.;Property Owner Request to add a day care center for 15 children first shift and 25 children second shift infant to 12 years of age, operating Monday - Friday 5:30 a.m. - midnight and Saturday 6:00 a.m. - 9:00 p.m. to the Board approved community center.	4427 W. Fond Du Lac Av. A/K/A 4429 W. Fond Du Lac Av. 7th 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:	--	
42	29645 Special Use	New Greater Love Baptist Church Lessee Request to occupy the premises as a religious assembly hall.	3029 N. 35th St. 7th 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:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	29662 Use Variance	Jewish Community Center Dorene Paley;Lessee Request to occupy a portion of the premises as a social service facility (food pantry affiliated with the Hunger Task Force).	3003 W. Burleigh St. A/K/A 3033 W. Burleigh St. 7th Dist.
	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 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>
44	29542 Special Use	LaQuanda Gray Property Owner	2434 W. Hadley St. A/K/A 2804 N. 24th Pl. 7th Dist.
		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.	
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the main storefront window along the W. Hadley St. frontage remain as transparent vision glass and is maintained in an attractive manner. 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 State issuance of the license. 8. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hrs/ day. 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>
45	29376 Special Use	Feras Rahman and Emad H. Oudeh Property Owner	2300 W. Lincoln Av. 8th Dist.
		Request to occupy the premises as a motor vehicle sales facility.	
	Action:	Granted 4 yrs.	
	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 there is a maximum of 6 vehicles parked or displayed on the premises in accordance with the site plan submitted to the Board on 11/10/08. 5. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 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 site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 9. That landscaping and screening is maintained in a manner that meets the intent of city code. 10. That there be no vehicles displayed for sale in the public right of way. 11. That there be no work conducted on vehicles in the public right of way. 12. That there be no vehicles parked in the driveway openings. 13. That this Special Use is granted for a period of four (4) 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	29503 Special Use	Courtney Powell & Naomi Nuutinen-Powell Jamaica Jamaica;Lessee	6542 N. 76th St. A/K/A 6548 N. 76th St. 9th Dist.
		Request to occupy a portion of the premises as an assembly hall (banquet hall).	
	Action:	Adjourned	
	Motion:		
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
47	29644 Special Use	Juanita and Gregory Brown Prospective Buyer	5714 W. Florist Av. 9th Dist.
		Request to occupy 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. - midnight.	
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	3 Ayes, 2 Nays, 0 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 institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 5. That the petitioner obtains a permit, removes the vehicle door and infill the opening with matching building material. 6. 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. 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 this written decision. 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>
48	29603 Special Use	Barbara McElroy Property Owner Request to continue occupying the premises as a day care center for 18 children per shift infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - 11:00 p.m. (this is a new operator).	6411 W. Burleigh St. 10th Dist.
	Action:	Adjourned	
	Motion:		
	Vote:	--	
	Conditions of Approval:	--	
49	29537 Special Use/ Dimensional Variance	Hunger Task Force, Inc. Sherrie Tussler, Executive Director;Property Owner Request to remove the existing sign and construct a new sign that exceeds the maximum allowed display area (allowed 50 sq.ft. / proposed 406 sq.ft.) and the maximum allowed height (allowed 14 ft. / proposed 47 ft.) and to continue occupying the premises as an indoor wholesale and distribution facility .	201 S. Hawley Ct. 10th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the special use appeal. Seconded by Donald Jackson. Scott Winkler moved to deny the variance appeals. 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>
50	29259 Special Use	I & S Petroleum, Inc. c/o Rajesh Kumar;Property Owner	7110 W. Lisbon Av. 10th Dist.
		Request to increase the hours of operation from 5:00 a.m. - 11:00 p.m. to 5:00 a.m. - midnight for a Board approved motor vehicle filling station, convenience store and car wash.	
	Action:	Adjourned	
	Motion:		
	Vote:	--	
	Conditions of Approval:	--	
51	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:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	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:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
53	29507 Special Use	Milwaukee Native American Ministry UMC Rev. Robert Odum;Property Owner Request to occupy the premises as a religious assembly hall.	1738 S. 11th St. A/K/A 1038 A W. Maple St. 12th Dist.
	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.295-605 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 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>
54	29558 Special Use/ Dimensional Variance	Joel Velazquez Property Owner Request to occupy the premises as a religious assembly hall that does not meet the minimum required number of parking spaces (required 10 / proposed 5).	1574 W. Becher St. A/K/A 2072 S. 16th St. 12th 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 first floor window along the W. Becher St. frontage remain as transparent vision glass and is maintained in an attractive manner. 6. 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. 7. 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>
55	29556 Dimensional Variance	Emmet and Judith Pritchett Property Owner Request to construct a garage that is located within the front yard of the premises (a garage is not permitted in the front yard).	4171 S. 3rd St. 13th Dist.
	Action:	Granted	
	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 in order to meet the intent of s.295-505-2-L-3 regarding location of garages that face streets the garage is set back 4 feet west of the location shown on the plan submitted to the Board on March 5, 2009. 5. That a revised site plan be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 6. That this Variance is granted to run with the land. 	
56	29534 Use Variance	Joni Sablich Rock Transfer and Storage; Lessee Request to occupy the premises as a hazardous material storage facility.	130 W. Edgerton Av. 13th Dist.
	Action:	Adjourned	
	Motion:		
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
57	29639 Dimensional Variance	Fidel Soto Property Owner Request to construct a detached garage that exceeds the maximum allowed size of an accessory structure (allowed 1000 sq.ft. / proposed 1424 sq.ft.) and the maximum allowed sidewall height (allowed 10 ft. / proposed 14 ft.).	2607 W. Ramsey Av. A/K/A 2607 A W. Ramsey Av. 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:	--	
58	29023 Special Use	Nargis Anis Nida Petroleum, LLC;Lessee Request to continue occupying the premises as motor vehicle filling station and convenience store with a fast-food / carry-out restaurant and to continue to allow the additional signage as granted in case #27802 (this is a new operator).	4709 S. Howell Av. A/K/A 110 E. Layton Av. 13th Dist.
	Action:	Adjourned	
	Motion:		
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
59	29488 Special Use	Richard Schetter Property Owner	401 E. Oklahoma Av. 14th Dist.
		Request to occupy the premises as a motor vehicle sales and repair facility.	
	Action:	Granted 2 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 the landscape plan submitted to the Board on February 24, 2009 is revised to include some trees along the street frontages and to include a 6-foot high opaque fence or wall to screen the south-abutting residence. The revised landscape plan must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 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 all repair work is conducted inside the building. 7. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 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 site illumination plans (photometric plan) which meet the requirements of s.295-409 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 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>
60	29647 Special Use/ Dimensional Variance	All Bible Baptist Church Prospective Buyer Request to occupy the premises as a religious assembly hall that does not meet the minimum required parking spaces (required 25 / proposed 7).	3068 S. 13th St. 14th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman of the District and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
61	29497 Special Use	Inspiring Young Men Tasha Walker;Lessee Request to occupy the premises as a group home for 6 occupants.	2309 N. 39th St. 15th 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>
62	29548 Special Use	Sue Steinbrecher Property Owner	2256 W. Fond Du Lac Av. A/K/A 2404 N. 23rd St. 15th Dist.
		Request to occupy a portion of the premises as a light motor vehicle sales and repair facility (motorcycle sales and repair).	
	Action:	Granted 3 yrs.	
	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 all work is conducted inside the building. 5. That the testing motorcycle engines and alarm systems must be conducted inside the building with overhead doors closed. 6. That the test drive of any motorcycle not be conducted on W. Meinecke Ave, N. 23rd St. N. 22nd St or any other neighboring residential street. 7. That the south-abutting city owned parking lot not be used for the parking or storage of disabled or inoperable motorcycles. 8. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 9. That there be no vehicles stored in the public right of way. 10. That there be no work conducted on vehicles in the public right of way. 11. That there be no vehicles displayed for sale in the public right of way. 12. That the applicant has no outdoor storage of parts, tires or other junk and debris. 13. 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. 14. That these Special Uses 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>
63	29653 Special Use	William E. Robbins Sr. Christian Academy Inc. Property Owner Request to occupy the premises as an elementary school for 250 students K4 - 8th grades operating Monday - Friday 7:30 a.m. - 4:00 p.m.	2030 W. North Av. A/K/A 2014 W. North Av. 15th Dist.
	Action:	Adjourned	
	Motion:		
	Vote:	--	
	Conditions of Approval:	--	
64	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:	Donald Jackson moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
65	29149 Special Use	Ali O Ismail Lessee Request to occupy the premises as an outdoor sales facility (rug sales in parking lot).	4405 N. 60th St. A/K/A 4407 N. 60th St. 2nd Dist.
	Action:	Adjourned	
	Motion:		
	Vote:	--	
	Conditions of Approval:	--	
66	29505 Dimensional Variance	Tucker's Garage, LLC Property Owner Request to allow an accessory parking lot (permitted) that does not meet the minimum required landscaped area along a street frontage (required 90 ft. / proposed 50 ft.).	7415 W. Mill Rd. A/K/A 7419 W. Mill Rd. 2nd Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	3 Ayes, 1 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
67	29409 Use Variance	Margery Mullett Property Owner Request to occupy the premises as a 3 unit multi-family dwelling (multi-family dwellings that have not been legally established and occupied by 2002 are not permitted in this district).	2841 N. Frederick Av. A/K/A 2843 N. Frederick Av. 3rd Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted to run with the land. 	

Other Business:

Board member Jackson moved to approve the minutes of the April 30, 2009 meeting. Seconded by Board member Szymanski. Unanimously approved.

The Board set the next meeting for June 11, 2009.

Board member Szymanski moved to adjourn the meeting at 8:20 p.m.. Seconded by Board member Jackson. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board