

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – July 30, 2009
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairwoman: Catherine M. Doyle (*voting on items 1 - 55*)

Members: Henry P. Szymanski (*voting on items 1 - 55*)
Scott R. Winkler (*voting on items 25 – 37, 40 - 55*)
Donald Jackson (*voting on items 1 – 55*)
Georgia M. Cameron (*voting on items 1 - 55*)

Alt. Board Members: Jose L. Dominguez (*voting on items 1 – 24, 38 - 39*)
Leni M. Siker (*present, but not voting on items 1 - 55*)

START TIME: 4:05 p.m.

END TIME: 7:30 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	29391 Special Use/ Use Variance	Hamdan Corp. dba First Rate Auto & All Star Towing Yousef Hamdan;Lessee	4816 S. 13th St. A/K/A 4810 S. 13th St. 13th Dist.

Request to occupy the premises as an outdoor motor vehicle storage facility and ground transportation service (U-haul rental, towing and storage).

Action: Dismissed

Motion: Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.

Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.

Conditions of Approval: --

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
2	29802 Extension of Time	Francisco Hernandez Property Owner Request for an extension of time to comply with the conditions of case #27020.	2567 S. Howell Av. 14th Dist.
	Action:	Granted 1 yr.	
	Motion:	Henry Szymanski 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 petitioner build in accordance with plans submitted. 4. That the existing shrubs are maintained as a screen to the parking area. 5. That the Extension of Time to comply with the conditions listed above is granted for one (1) year. 	
3	29353 Special Use	Detra Callahan Lessee Request to occupy the premises as a day care center for 50 children per shift infant to 12 years of age, operating Monday - Saturday 5 a.m. - midnight.	7245 N. Teutonia Av. 1st Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
4	29797 Special Use	Dr. Chuck Holloway Prospective Buyer	6833 W. Fond Du Lac Av. 2nd Dist.
		Request to occupy the premises as a school for 120 students 6th - 12th grades, operating Monday - Friday 7:00 a.m. - 6:00 p.m.	
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
5	29799 Special Use/ Dimensional Variance	Abiding Faith Fellowship Baptist Church Lessee	4600 W. Burleigh St. A/K/A 4602 W. Burleigh St. 7th Dist.
		Request to continue occupying the premises as a religious assembly hall without the minimum required parking spaces (required 13 / proposed 0).	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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 this 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>
6	29715 Special Use	Bob Brown Lessee	6835 N. 76th St. A/K/A 6845 N. 76th St. 9th Dist.
		Request to continue occupying the premises as a day care center for 160 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m. (this is a new operator).	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized before 9:00 A.M. 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 hours a day. 6. That the petitioner shall maintain landscaping and screening in accordance with the landscape plan approved by the Department of City Development on August 29, 1984. 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>
7	29819 Special Use	Rauch and Romanshek Robert Rauch & Richard Romanshek;Property Owner	9401 W. Brown Deer Rd. 9th Dist.
		Request to continue occupying the premises as an ambulance service.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner agrees to work with the Zoning Administration Group on final on an upgraded landscape plan that meets the intent of city code section 295-405 for Type 'A' landscaping. The petitioner must submit revised drawings that reflect these changes to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits. Specifically the landscape plan must include additional 2 rows of shrubs planted 4-feet on-center along the W. Brown Deer Rd frontage. The shrubs must be at least 2-feet high at the time of planting and not exceed a height of 3½ feet when mature. Trees must be added to the street frontage located west of the driveway opening. 5. That the landscaping is implemented by November 30, 2009. 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>
8	29796 Special Use	8300 Brown Deer II LLC Thomas (Trey) R. Hester III;Prospective Buyer	8300 W. Brown Deer Rd. 9th Dist.
		Request to occupy the premises as a fast-food / carry-out restaurant.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That the landscape plan submitted to the Board of Zoning Appeals on June 24, 2009 is revised to meeting the intent of city code section 295-405. The revised plan must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. Specifically the revised landscape plan must include 2 rows of shrubs planted 4-feet on-center along the W. Brown Deer Rd frontage. The shrubs must be at least 2-feet high at the time of planting and not exceed a height of 3½ feet when mature. 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	29731 Special Use	Heather Anderson Lessee Request to occupy the premises as day care center for 50 children per shift, operating Monday - Friday 6:30 a.m. - midnight.	7251 W. Appleton Av. 1 A/K/A 7251 W. Appleton Av. 4 10th 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:	--	
10	29713 Dimensional Variance	Lisa Simon Property Owner Request to construct a detached garage that is closer to the side street than the existing principal building (a garage shall not be closer to a side street than the existing principal building).	3943 W. Blue Mound Rd. A/K/A 3943 A W. Blue Mound Rd. 10th 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. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	29785 Special Use	Sunlite Building Corp. Tom Kranick, President;Property Owner	1506 W. Pierce St. A/K/A 1512 W. Pierce St. 12th Dist.
		Request to continue occupying the premises as a social service facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by 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>
12	29782 Special Use	Tracy Roberts Lessee	1726 W. Lloyd St. 15th Dist.
		Request to continue occupying the premises as a day care center for 30 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 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 hours a day. 6. 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. 7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 8. That the storefront windows remain as clear glass and are maintained in an attractive manner. 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>
13	29581 Special Use	Fakhry D Maizer Lessee	2604 W. Capitol Dr. 1st Dist.
		Request to continue occupying the premises as a fast-food/carry-out restaurant with a drive-through facility.	
	Action:	Granted 10 yrs.	
	Motion:	Hnery Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel. 5. That landscaping and screening is maintained in a manner that meets the intent of city code. 6. That building signage is revised to be in accordance with the sign plan approved by the Dept. of City Development on 7/15/09, and that no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That 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	29756 Special Use	The Giving Tree Kimberly Hardrick;Lessee	5151 N. 35th St. 1st Dist.
		Request to increase the number of students from 90 to 180 for a Board approved school for K4 - 8th grades, operating Monday - Friday 7:30 a.m. - 5:00 p.m.	
	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:	--	
15	29789 Use Variance	Community Financial Service Center Karl Tatum;Lessee	6069 N. Teutonia Av. A/K/A 6071 N. Teutonia Av. 1st Dist.
		Request to continue occupying the premises as a currency exchange.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That 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>
16	29808 Special Use	Gregory R Owens Property Owner	4261 N. Teutonia Av. A/K/A 4261 N. Teutonia Av. 3 1st Dist.
		Request to continue occupying the premises as a group home for 8 occupants.	
	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>
17	29791 Special Use	Lighthouse Youth Center Lessee	5641 N. 68th St. 2nd Dist.
		Request to continue occupying a portion of the premises as a community center.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	29787 Special Use	Wanda M Beals Property Owner	830 E. Chambers St. A/K/A 830 A E. Chambers St. 3rd Dist.
		Request to expand the existing massage school into the lower level of the premises.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner retains registration with the State of Wisconsin as a massage therapist. 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 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	29812 Special Use	Andrew Davis Otis Cream City Rickshaw;Lessee	1020 E. Land Pl. 3rd Dist.
		Request to occupy the premises as a ground transportation service facility (bicycle taxi service).	
	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>
20	29560 Special Use	Fakhry Maizer-Member Great Steak & Potato LLC;Property Owner	7601 W. Hampton Av. 5th Dist.
		Request to continue occupying the premises as a fast-food / carry-out restaurant.	
	Action:	Granted 5 yrs.	
	Motion:	Henery Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel. 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 site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 7. That the storefront windows remain as clear glass and are maintained in an attractive manner. 8. That landscaping and screening in accordance to the plan submitted to the Board on December 21, 2005 is installed by August 1, 2010 and is maintained in a manner that meets the intent of city code. 9. That the driveway on West Hampton Avenue be signed as NO LEFT TURN. 10. 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>
21	29779 Special Use	Jesse Rowell Lessee	4871 N. 119th St. 5th Dist.
		Request to occupy a portion of the premises as a specialty school (karate/martial arts studio).	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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	29786 Use Variance	Community Financial Center Corp. Karl Tatum; Lessee Request to continue occupying a portion of the premises as a currency exchange.	10400 W. Silver Spring Dr. A/K/A 10400 W. Silver Spring Dr. B 5th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That 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 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>
23	29750 Special Use	Freddie Jones Lessee Request to continue occupying the premises as an outdoor storage facility (motor vehicles and yard equipment).	3408 N. Port Washington Av. A/K/A 3410 N. Port Washington Av. A 6th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the storage is limited to a maximum of 6 motor vehicles and minor lawn equipment as outlined by the letter submitted to the Board on January, 31 2008, and that all of these vehicles must be operable. 5. That the premises is screened in accordance with the plan submitted to the board on March 10, 2008. 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>
24	29811 Special Use	Deborah Tatum Property Owner	3818 N. Port Washington Av. 6th Dist.
		Request to continue occupying the premises as a day care center for 31 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 9:00 p.m.	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in a manner that meets the intent of city code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 8. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals. 9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	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:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	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 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 signage must meet the intent of the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. 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. 7. 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>
26	29553 Use Variance	Stanley E. Cole M H Gilly, LLC; Lessee Request to occupy the premises as a personal service facility (barber shop).	3410 W. Forest Home Av. 11th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	3 Ayes, 1 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
27	29656 Use Variance	Donneva Griffin Property Owner Request to occupy the premises as a day care center for 8 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 9 p.m.	4008 N. 41st St. A/K/A 4006 N. 41st St. 7th 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:	--	
28	29751 Special Use	Kathie Wiltturner Lessee Request to add a school for 100 students K3 - 8th grades, operating 7:45 a.m. - 3:00 p.m. Monday - Friday to the Board approved day care center for 70 children infant - 12 years of age, operating Monday - Saturday 6 a.m. - midnight.	3861 N. 35th St. A/K/A 3849 N. 35th St. 7th Dist.
	Action:	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>
29	29739 Special Use	Antonio Fernandez Property Owner Request to occupy the premises as a parking lot.	2230 W. Middlemass St. A/K/A 2234 W. Middlemass St. 8th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
30	29749 Special Use	Eliezer Cosme Property Owner Request to occupy the premises as a second-hand sales facility.	2517 W. Greenfield Av. A/K/A 2517 A W. Greenfield Av. 8th Dist.
	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 the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That the applicant does not have outdoor storage or display of products or merchandise. 7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 8. That this Special Use is granted for a period of 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>
31	29501 Special Use	Rigoberto Sanchez Property Owner	2534 W. Greenfield Av. A/K/A 1336 S. 26th St. 8th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility.	
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That all repair work is conducted inside the building. 6. That the petitioner meet the intent of the residential buffer screening requirements of s295-405-1-c-4 of the Milwaukee zoning code. 7. That there be no work conducted in the public right of way. 8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles, unlicensed 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 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>
32	29698 Dimensional Variance	Brad Elwing 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).	9468 W. Main St. 10th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski 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 this Variance is granted to run with the land. 	
33	29682 Special Use	Walker's Point Youth and Family Center Andre Olton;Property Owner Request to occupy the premises as a social service facility.	2030 W. National Av. A/K/A 2032 W. National Av. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski 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 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>
34	29728 Special Use	St. Anthony's Congregation Jorge A. Quiroz;Lessee	1644 S. 9th St. 12th Dist.
		Request to occupy the premises as a school for 250 students 9th - 10th grades, operating Monday - Friday 7:15 a.m. - 3:45 p.m.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 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 educational 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>
35	29733 Special Use	Columbia St. Mary's Inc. d/b/a Madre Angela Dental Clinic; Bill Solberg; Lessee	1730 S. 13th St. A/K/A 1738 S. 13th St. 12th Dist.
		Request to occupy the premises as a dental clinic.	
	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 the windows on the building's S. 13th St facade meet the glazing standards of s295-605-i of the Milwaukee Zoning Code. 5. That there be no increase in the height or area of the existing freestanding sign, and all other signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That within 60 days of Board approval of the special use the petitioner must meet with the Zoning Administration group to create a landscape plan for the parking lot along the S. 13th St. frontage. The petitioner must then submit a landscape plan to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits. The landscape plan may require the replacement of paved surfaces with a planting strip. 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>
36	29697 Special Use	Badger State Baptist School Lessee	3330 S. 16th St. A/K/A 3373 S. 15th Pl. 13th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the petitioner 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 educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 6. That the petitioner provides the Department of Neighborhood Services a scaled and dimensioned floor plan of the school that identifies the use of each room and the intended capacity of each room. 7. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	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:	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:	--	
38	29665 Special Use	Raul Rodriguez Lessee Request to occupy the premises as a contractor's yard.	2621 S. 5th Pl. 14th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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>
39	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:	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 the windows along the S. 13th St. façade are maintained and that no alterations are made to the S. 13th St. façade that would alter the historic nature of the building. 5. That the existing projecting sign may be utilized, but any other signage along the S. 13th St. façade must be approved by the Zoning Administration group in consultation with the City of Milwaukee Historic Preservation Staff prior to the issuance of any permits. 6. 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. 7. That this Special Use and this Variance 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>
40	29578 Special Use	Jessica E Key Lessee 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 - Saturday.	2229 N. 47th St. A/K/A 2231 N. 47th St. 15th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
41	29712 Special Use	Boys Into Men; Kaylan Nwonye Lessee Request to occupy the premises as a group home for 8 occupants.	1557 W. Hadley St. 15th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski 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>
42	29611 Special Use	Amaree's Awesome Angels Kiwani Moore;Lessee	3716 W. Roberts St. A/K/A 3718 W. Roberts St. 15th 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 the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 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 hours a day. 6. That there be no signage associated with the day care facility. 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 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>
43	29653 Special Use	William E. Robbins Sr. Christian Academy Inc. Dennis Alexander;Property Owner	2030 W. North Av. A/K/A 2014 W. North Av. 15th Dist.
		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.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the 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 educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 6. That the petitioner provides the Department of Neighborhood Services a scaled and dimensioned floor plan of the school that identifies the intended use and capacity of each room. 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>
44	29580 Special Use/ Dimensional Variance	Mark Lalonde Property Owner Request to occupy the premises as a facility engaged in the processing and recycling of mined materials that does not meet the code required screening and exceeds allowed stockpile heights.	2826 W. Silver Spring Dr. A/K/A 5608 N. Teutonia Av. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of staff and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	
45	29741 Use Variance	Margaret Smith Property Owner Request to occupy the premises as a day care center for 8 children per shift infant to 12 years of age, operating Monday - Sunday 6:30 a.m. - midnight.	4523 N. 22nd St. 1st Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	29468 Special Use	Bently Kienbaum Property Owner Request to occupy the premises as an outdoor salvage operation (to be utilized in conjunction with the Board approved facility at 3800 W. Mill Rd.).	3460 W. Mill Rd. A/K/A 6770 R N. 43rd St. 1st Dist.
	Action:	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 the landscaping along the north property line is maintained in accordance with the plans submitted to the Board on June 15, 2009. 5. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on November 23, 2016. 	
47	29743 Special Use	Berdie Cowser; Birdhouse Family Services, Inc. Residential Living Center;Property Owner Request to occupy the premises as a group home for 8 occupants.	7502 W. Congress St. 2nd Dist.
	Action:	Adjourned	
	Motion:	Georgia Cameron moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	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:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
49	29149 Special Use	Ali O Ismail Lessee	4405 N. 60th St. A/K/A 4407 N. 60th St. 2nd Dist.
		Request to occupy the premises as an outdoor sales facility (rug sales in parking lot).	
	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>
50	29744 Use Variance	Suzanne Seilers Lessee Request to occupy the premises as a personal service facility (massage therapy).	2460 N. Frederick Av. A/K/A 2462 N. Frederick Av. 3rd Dist.
	Action:	Granted 1 yr.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner receives a license from the City of Milwaukee to operate a massage establishment at this location. 5. That the petitioner retains registration with the State of Wisconsin as a massage therapist. 6. That there be no signage. 7. That the petitioner resides on the premises. 8. That this Variance is granted for a period of one (1) year, commencing with the date hereof. 	
51	29585 Special Use	ShaLeatha Love Lessee Request to occupy the premises as a day care center for 50 children per shift infant to 12 years of age, operating Monday - Sunday 5:00 a.m. - midnight.	832 E. Meinecke Av. A/K/A 830 E. Meinecke Av. 3rd Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the applicant and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	29759 Special Use	Clear Channel Outdoor Joseph Strible; Lessee Request to replace the existing sign with a digital changeable message sign (No person may erect a new off-premise automatic changeable message sign, or convert an existing off-premises sign with a static display area to an off-premise automatic changeable, without first obtaining a Special Use permit from the Board if the new or existing sign will be or is located more than 1,000 feet from a freeway or the Lake Parkway).	2017 E. North Av. A/K/A 2025 E. North Av. 3rd Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
53	29467 Dimensional Variance	Delores Lingelbach Property Owner Request to allow a berm that exceeds the maximum allowed height (allowed 6 ft. / proposed 18 ft.).	6700 N. 107th St. 5th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman of the District and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
54	29657 Special Use	Redemption Fellowship Church Robert Angel;Prospective Buyer	2524 W. Keefe Av. A/K/A 3500 N. 26th St. 6th Dist.
		Request to occupy the premises as a religious assembly hall.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the church purchases the parking lot for 14 vehicles as indicated in their plan of operation. 6. 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. 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>
55	29683 Special Use	Deneta Harrington Lessee Request to occupy the premises as a day care center for 50 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 7:00 p.m. Action: Granted 1 yr. Motion: Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski. Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained. Conditions of Approval: 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 glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 5. That the outdoor play area is not utilized before 9:00 A.M. 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 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. Specifically that any awning sign must be made of an opaque non-translucent material and is not internally illuminated. 9. That the applicant applies for a loading zone in front of the premises. 10. 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. 11. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.	2836 N. Teutonia Av. A/K/A 2834 N. Teutonia Av. 6th Dist.

Other Business:

Board member Szymanski moved to approve the minutes of the July 9, 2009 meeting. Seconded by Board member Jackson. Unanimously approved.

The Board set the next meeting for September 17, 2009.

Board member Winkler moved to adjourn the meeting at 7:30 p.m.. Seconded by Board member Szymanski. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board