

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – September 17, 2009
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

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

Members: Henry P. Szymanski (*voting on items 1 - 69*)
Donald Jackson (*voting on items 1 - 69*)
Georgia M. Cameron (*voting on items 1 - 69*)

Alt. Board Members: Jose L. Dominguez, Jr. (*voting on items 1 - 69*)
Leni M. Siker (*present, not voting 42 - 69*)

START TIME: 4:05p.m.

END TIME: 8:45 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	29874 Special Use	Iglesia de la Comunidad "Casa de Rugio" Ministerio: Restauracion y Aviamiento;Lessee	4328 W. Forest Home Av. A/K/A 4326 W. Forest Home Av. 8th Dist.
		Request to occupy the premises as a religious assembly hall.	
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
2	29836 Dimensional Variance	Urban View 2, LLC c/o Common Bond Communities, Sole Member ;Property Owner Request to raze the existing garage and construct a second principal building (multiple principal buildings are not permitted on the lot).	9155 N. Jadam La. 101 A/K/A 9248 N. Jadam La. 204 9th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
3	29535 Dimensional Variance	Miguel Mora Property Owner Request to allow a detached garage that does not meet the minimum required side setback (required 18 in. / proposed 8 in.) and rear setback (required 48 in. / proposed 42 in.).	1021 W. Walker St. A/K/A 1023 W. Walker St. 12th 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	29814 Change of Operator	Ceria M. Travis Academy Lessee Request to continue occupying the premises as a conference facility and a day care center for 200 children and school for 200 students infant to 13 years of age, operating 6 a.m. to 10 p.m.	6618 N. Teutonia Av. A/K/A 6610 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:	--	
5	29119 Special Use/ Dimensional Variance	Bill Brachman Property Owner Request to occupy the premises as a principal use parking lot that does not meet the minimum required landscaping.	1503 W. Kilbourn Av. A/K/A 1519 W. Kilbourn Av. 4th 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:	--	
6	29825 Special Use	Atonement Lutheran Church and School Lessee Request to increase the hours of operation from 7:00 a.m. - 5:30 p.m. to 6:00 a.m. - 6:00 p.m. for a Board approved day care center for 50 children per shift, operating Monday - Friday.	4050 N. 95th St. A/K/A 4050 A N. 95th St. 5th 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>
7	29838 Extension of Time	Emad Oudeh American Auto Glass;Property Owner Request for an extension of time to comply with the conditions of case #28809.	1400 W. Mitchell St. 12th Dist.
	Action:	Granted 1 yr.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
8	29853 Extension of Time	Community Baptist Church of Greater Milwaukee Property Owner Request for an extension of time to comply with the conditions of case #28909.	6850 W. Good Hope Rd. A/K/A 6800 W. Good Hope Rd. 9th 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:	--	
9	29832 Extension of Time	Mohammed Mazharuddin Prospective Buyer Request for an extension of time to comply with the conditions of case #28942.	3105 N. Holton St. A/K/A 426 E. Burleigh St. 6th 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:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	29867 Other	Waldemar Rivera Property Owner	3335 W. National Av. 8th Dist.
		Request to modify condition #8 of case #29360 requiring that "the unused driveway on West National Avenue be restored to curb and gutter".	
	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 all repair work is conducted inside of the building. 5. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 6. That the portable sign be removed and that no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That if the unused driveway on West National Avenue be restored to curb and gutter then the petitioner must work with the Zoning Administration Group staff on a landscape and screening plan for the W. National Ave frontage. 8. That there be no repair work conducted in the public right of way. 9. That there be no vehicles displayed for sale in the public right of way. 10. That there be no more than 3 vehicles displayed for sale on site at any one given time. 11. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on February 18, 2011. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	29844 Special Use	AT85 LLC Attn: Adam Tereinski;Prospective Buyer Request to occupy the premises as a community living arrangement for 40 occupants.	8526 W. Mill Rd. A/K/A 8526 W. Mill Rd. 1 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
12	29868 Special Use	Tayo & Titilola Salako Property Owner Request to add a day care center for 15 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight to the Board approved elementary school for 120 students.	8980 N. 85th St. 9th 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>
13	29820 Special Use	Pass It On Club, Inc. Property Owner Request to continue occupying the premises as an assembly hall (sobriety club).	6229 W. Forest Home Av. A/K/A 6229 W. Forest Home Av. A 11th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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 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	29842 Special Use	Iglesia del Dios Vivo Columna y Apoyo de la Verdad "La Luz del Mundo";Property Owner Request to occupy the premises as a religious assembly hall (to be used in conjunction with the main assembly area located 1316 S. Cesar E Chavez Dr.).	1310 S. Cesar E Chavez Dr. A/K/A 1312 A S. Cesar E Chavez Dr. 12th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the storefront windows are restored with transparent vision glass and are maintained in a neat and orderly manner. 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>
15	29843 Special Use	Iglesia del Dios Vivo Columna y Apoyo de la Verdad "La Luz del Mundo";Property Owner	1570 W. Greenfield Av. A/K/A 1572 W. Greenfield Av. 12th Dist.
		Request to occupy the premises as a religious assembly hall (to be used in conjunction with the main religious assembly area located 1316 S. Cesar E Chavez Dr. and 1310 S. Cesar E. Chavez Dr. for meals and socializing after religious services).	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That 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>
16	29856 Special Use	Edith & Noel Martin Prospective Buyer	1511 W. Mitchell St. 12th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility (to be operated in conjunction with 1501 W. Mitchell St.).	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the storefront windows along W. Mitchell St. remain as clear glass and are maintained in an attractive manner. 6. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 7. That all repair work is conducted inside the building. 8. That no work or storage of vehicles occurs in the public right of way. 9. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 11. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on May 20, 2011. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	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:	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 glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises. 6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 7. That the filling station and convenience store not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances. 8. That the car washing facility remain closed between the hours of 10:00 p.m. and 6:00 a.m. 9. That landscaping and screening is maintained in a manner that meets the intent of city code. 10. That no additional signage may be erected on the site unless it meets the signage standards of s.295-805 of the Milwaukee Zoning Code. 11. That the applicant does not have outdoor storage or display of products or merchandise. 12. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 13. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	29870 Special Use	Marlene's Touch of Class Joe Befus;Lessee	805 W. Historic Mitchell St. A/K/A 1709 S. 8th St. 3 12th Dist.
		Request to continue occupying a portion of the premises as a second-hand sales store.	
	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 storefront windows remain as clear glass and are maintained in an attractive manner. 6. That no interior or exterior window or door grates are used. 7. That the applicant does not have outdoor storage or display of products or merchandise. 8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 9. That 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>
19	29774 Dimensional Variance	Yasser Jaber Bay View Quick Mart;Property Owner Request to allow a wall sign that exceeds the maximum allowed area (allowed 25 sq.ft. / proposed 96 sq.ft.).	2690 S. Kinnickinnic Av. A/K/A 2686 S. Kinnickinnic Av. 14th 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:	--	
20	29831 Special Use	United Methodist Children's Services of Wisconsin Lessee Request to continue occupying the premises as a social service facility.	3832 W. Lisbon Av. A/K/A 1904 N. 39th St. 1 15th 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>
21	29859 Special Use	Michael White Property Owner	1628 N. 40th St. A/K/A 1630 N. 40th St. 15th Dist.
		Request to continue occupying a portion of the premises as a day care center for 8 children per shift infant to 12 years of age, operating Monday - Saturday 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 Board approval of the special use. 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>
22	29781 Special Use	Devon Butler Lessee	6613 N. Teutonia Av. 1st Dist.
		Request to occupy the premises as a car wash.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 5. That all car wash activity is conducted inside of the building. 6. That all wastewater is contained on site. 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 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 N. Teutonia Ave frontage. The landscape plan may require the replacement of paved surfaces with a planting strip. 9. That landscaping and screening in accordance with an approved landscape plan is installed by November 30, 2012. 10. That the applicant does not have outdoor storage or display of products or merchandise. 11. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 12. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
23	29801 Use Variance	Eastbrook Church Inc. Property Owner Request to occupy a portion of the premises as a specialty school (site also contains a Board approved church and social service facility).	5409 N. Green Bay Av. A/K/A 5353 N. Green Bay Av. 1st Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of staff and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	
24	29864 Special Use	Kindergarten Plus Synovia Youngblood, Administrator; Lessee Request to occupy a portion of the premises as an elementary school for 50 children K4 - 1st grades, operating Monday - Friday 7:30 a.m. - 3:30 p.m.	6859 N. 43rd St. A/K/A 6859 N. 43rd St. 210 1st Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of an interested party and will be rescheduled for the next available public hearing.	
	Vote:	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>
25	29823 Special Use	Jean Templer and Sharnitta Templer Lessee	4248 N. 76th St. A/K/A 4248 N. 76th St. 1 2nd Dist.
		Request to increase the days of operation from Monday - Friday to Monday - Saturday and to continue occupying the premises as a day care center for 65 children per shift infant to 12 years of age, operating 6:00 a.m. - midnight.	
	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 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. 5. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 6. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 7. That the storefront windows remain as / are restored to clear glass and are maintained in an attractive manner. 8. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 9. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on September 9, 2010. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	29854 Special Use	Verizon Wireless c/o Velocitel Inc. Dave Trost;Lessee	5309 W. Fond Du Lac Av. A/K/A 5303 W. Fond Du Lac Av. 2nd Dist.
		Request to continue to allow a transmission tower.	
	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>
27	29727 Special Use	Iyad Kaid Property Owner	5653 N. 76th St. 2nd Dist.
		Request to continue occupying the premises as a fast-food / carry-out restaurant.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. Specifically, the roof sign must be limited to a maximum sign area of 32 square feet and the freestanding sign must not exceed 14 feet in height and the area of the main sign must not exceed 50 square feet. 5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary. 7. That landscaping and screening in accordance with the landscape and scareening plan submitted to the Board on June 4, 2004 is implemented by September 30, 2011. 8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	29839 Special Use	JCF Holdings, LLC Property Owner	2037 N. Farwell Av. A/K/A 1765 E. Windsor Pl. 3rd Dist.
		Request to continue occupying the premises as a motor vehicle sales and repair 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 the ornamental metal fence along the N. Farwell Ave. and E. Windsor Pl. street frontages is maintained. 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 there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 8. That there is no outdoor display of banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 9. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	29841 Special Use	Pathfinders, Inc. Timothy R. Baack;Property Owner Request to continue occupying the premises as a group home for 8 occupants.	1612 E. Kane Pl. A/K/A 1614 E. Kane Pl. 3rd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
30	29860 Dimensional Variance	George Dimitropoulos Culver's of Shorewood;Lessee Request to continue to allow a wall sign that exceeds the maximum allowed area (allowed 300 sq.ft. / proposed 1008 sq.ft.).	2403 N. Maryland Av. A/K/A 2410 N. Farwell Av. 3rd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this 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>
31	29888 Special Use	Willie D. Killins Jr. Outlook University; Lessee Request to add an elementary and secondary school to the Board approved specialty school.	161 W. Wisconsin Av. A/K/A 161 W. Wisconsin Av. 225 4th 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 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. 5. 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. 6. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on February 18, 2019. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	29851 Special Use	The Word Center, Inc. c/o Pastor Robert M. Jefferson;Property Owner	4713 N. 76th St. A/K/A 4715 N. 76th St. 5th Dist.
		Request to continue occupying the premises as a religious assembly hall.	
	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>
33	29818 Special Use	Rebecca D Clayton Lessee	3565 N. Martin L King Jr Dr. A/K/A 3565 N. Green Bay Av. 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 outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That 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 the applicant apply for a LOADING ZONE on Martin Luther King Drive in front of the premise. 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>
34	29824 Special Use	Carrie Williams Property Owner	4434 W. Capitol Dr. 7th Dist.
		Request to increase the days of operation from Monday - Friday to Monday - Saturday and to continue occupying the premises as a day care center for 27 children per shift infant to 12 years of age, operating 6 a.m. - 11:30 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:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	29826 Special Use	Linda K. Griffin All God's Kids, Inc.;Property Owner	4612 N. Hopkins St. 7th Dist.
		Request to continue occupying the premises as a day care center for 26 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m (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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 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 Board approval of the special use. 8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	29848 Special Use	Home 4 The Heart Property Owner	3160 N. 40th St. 7th Dist.
		Request to continue occupying the premises as a group home for five 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>
37	29719 Special Use	Saleh Saed Lessee	5735 W. Hampton Av. 7th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility (this is a new operator).	
	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 landscaping and screening in accordance to the plan approved by the Dept of City Development on April 20, 2005 is installed by September 1, 2010 and is maintained in a manner that meets the intent of city code. 5. That any testing of audio equipment and alarm systems be conducted at minimum amplification and with the overhead garage doors closed. 6. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 7. That all repair work is conducted inside of the building. 8. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 9. That there is no outdoor display of banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That there be no work or storage of vehicles in the public right of way. 11. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 12. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 13. That this Special Use is granted for a period of 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>
38	29863 Special Use	Calvary's Christian Academy Shelina Harvey;Property Owner Request to increase the number of students from 49 to 75 and the grades K4-K5 to K4-3rd and to continue occupying the premises as an elementary school operating Monday - Friday 8:00 a.m. - 3:00 p.m.; to increase the number of children from 25 per shift to 49 per shift and to continue operating a day care center for children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m. (Board approved religious assembly also on site).	5330 W. Lisbon Av. A/K/A 5336 W. Lisbon Av. 10th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of the Alderman of the District and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	
39	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:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	29658 Dimensional Variance	Mark Halbman Property Owner Request to occupy the premises as a permitted garden supply / landscaping center that does not meet the minimum required landscape buffer (required 15 ft. / proposed 5 ft.).	7000 N. 76th St. 9th 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 Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening in accordance to the landscape plan submitted to the Board of Zoning Appeals on August 20, 2009 is implemented by June 1, 2010. 5. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	29800 Special Use	Wilson Wright Prospective Buyer	5301 W. Lisbon Av. A/K/A 5311 W. Lisbon Av. 10th Dist.
		Request to continue occupying the premises as a motor vehicle repair 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That all repair work is conducted inside of the building. 7. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 8. That landscaping is upgraded to meet the intent of s295-405 of 295-405 of the Milwaukee Zoning Code. 9. That landscaping and screening is maintained in a manner that meets the intent of city code. 10. That landscaping and screening is implemented and maintained in accordance with plans as submitted to the Board of Zoning Appeals. 11. That no work or storage of vehicles occurs in the public right of way. 12. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles 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 the applicant installs permanent barricades to prevent parking on unpaved surfaces behind the building or submits plans, obtains required permit and paves the area. 15. 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>
42	29481 Special Use	Scrub Appleton LLC Garrett & Mary McIntosh;Property Owner	7315 W. Appleton Av. A/K/A 7327 W. Appleton Av. 10th Dist.
		Request to continue occupying the premises as a car wash facility.	
	Action:	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 existing landscaping and screening is maintained in a manner that meets the intent of city 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 a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. 7. That there be no work conducted in the public right of way. 8. That there be no vehicles stored in the public right of way. 9. That 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>
43	29758 Other	Ramiro and Efren Gonzalez Property Owner	1308 W. Windlake Av. A/K/A 2201 S. 13th St. 12th Dist.
		Request to modify condition #7 from case #29107 requiring that "the number of vehicles on-site does not exceed four as proposed on the applicant's site plan." (applicant is proposing 8 motor vehicles on site).	
	Action:	Granted	
	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 Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all repair work is conducted inside of the building. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That landscaping and screening is implemented and maintained according to landscape plans as approved by the Zoning Administration Group. Specifically that the decorative metal fence is re-installed. 7. That the number of vehicles on-site does not exceed eight as proposed on the applicant's site plan. 8. That there be no vehicles stored in the public right of way. 9. That there be no vehicles displayed for sale in the public right of way. 10. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 11. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 12. That the applicant does not store or display any vehicles at 1314 W. Grant. 13. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on December 15, 2013. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
44	29764 Special Use	Hector Selinas Property Owner	807 W. Historic Mitchell St. A/K/A 809 W. Historic Mitchell St. 2 12th Dist.
	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 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. 5. That signage plans meet the sign standards of s.295-605-5 of the Milwaukee Zoning Code. 6. That the storefront windows remain as clear glass and are maintained in an attractive manner. 7. 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. 8. That the petitioner takes all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel. 9. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	29776 Special Use	Oliver F Gardipee Lessee Request to add a motor vehicle sales facility to the permitted indoor salvage facility.	212 E. Washington St. A/K/A 206 E. Washington St. 12th Dist.
	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 signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 5. That all repair work is conducted inside the building. 6. That the petitioner agrees to work with the Zoning Administration Group staff on a landscape and screening plan. The petitioner must submit a scaled and dimensioned landscape plan that meets the intent of city code section 295-405 for Type 'D' landscaping to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits. The landscaping plan may require that asphalt is removed in order to create a planting strip for the installation of trees, shrubs and fencing. 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 the applicant does not permit any vehicles to be stripped in the parking lot and that all salvage operations are conducted indoors. 10. That the applicant have a maximum of 4 cars for sale at any one given time. 11. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	29784 Special Use	Tracy Haynes Lessee	977 W. Lincoln Av. A/K/A 977 A W. Lincoln Av. 12th 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That 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 a loading zone be applied for along the West Lincoln Avenue frontage. 9. 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 institutional 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 two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
47	29840 Special Use	Daniel Mora, Jr. El Jalisciense Auto Service, Inc.;Property Owner	1371 W. Windlake Av. 12th Dist.
		Request to occupy the premises as a motor vehicle repair facility.	
	Action:	Granted 3 yrs.	
	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 Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That any signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. All repair and car wash activities are conducted inside the building. 6. That all wastewater is contained on site. 7. That the premises be used exclusively for the washing and minor repair of vehicles in preparation for sale at one of the petitioner's off-site motor vehicle sales facilities, and that car wash and repair services are not offered to the general public. 8. That the petitioner submit a screening plan to the Board of Zoning Appeals for approval by the Zoning Administration Group that provides opaque fencing for the rear parking area. 9. That no work or storage of vehicles occurs in the public right of way. 10. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 11. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 12. That 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>
48	29718 Use Variance	Daisy Caban Lessee Request to occupy the premises as a day care center for 20 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m.	1720 W. Lincoln Av. A/K/A 1720 B W. Lincoln Av. 13th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Jose Dominguez.	
	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>
49	29651 Special Use	Nestor Rodriguez Lessee Request to continue occupying the premises as a car wash and motor vehicle sales facility .	2509 E. Oklahoma Av. A/K/A 2515 E. Oklahoma Av. 14th 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 an ornamental fence or landscaping is installed and maintained. 5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. Specifically, the existing banner sign, flags and portable message sign are not permitted. 6. That all car wash and detailing activity is conducted inside of the building. 7. That all wastewater is contained on site. 8. That no interior or exterior window or door grates are used. 9. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary. 10. That there be no work or storage of vehicles conducted in the public right of way. 11. That the applicant does not have outdoor storage or display of products and merchandise or outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 12. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 13. That these Special Uses are granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	29763 Special Use	Butterflies Home for Teen Girls, LLC Ceciley Glenn;Lessee Request to occupy the premises as a group home for 8 occupants.	3212 W. Walnut St. A/K/A 1720 N. 33rd St. 15th Dist.
	Action:	Granted 2 yrs.	
	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 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. 	
51	29795 Dimensional Variance	Arokia M. Sebastian Star Food Mart;Lessee Request to allow a wall sign that exceeds the maximum allowed area (allowed 25 sq.ft./ proposed 60 sq.ft.).	2309 N. 49th St. A/K/A 4906 W. North Av. 15th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	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:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the 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 the petitioner live in one of the dwelling units on the premises. 9. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
53	29765 Special Use	Jameson & Terska Beasley Lessee Request to occupy the premises as a 24 hour day care center for 75 children per shift infant to 13 years of age, operating Monday - Sunday.	8758 W. Fond Du Lac Av. 2nd 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:	--	
54	29768 Special Use	Kevin Thao Prospective Buyer Request to occupy the premises as a day care center for 20 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 1:00 a.m.	6001 N. 77th St. 2nd Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	29691 Special Use/ Dimensional Variance	Bashar Albana Property Owner Request to construct an addition to the existing building that does not meet the minimum required building height (required 18 ft. / proposed 16.8 ft.), minimum required glazing (required 60% / proposed 47.5%) and to occupy the premises as a hand car wash.	6212 W. Capitol Dr. A/K/A 6206 W. Capitol Dr. 2nd 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:	--	
56	29783 Special Use	Steve Yahr Property Owner Request to occupy a portion of the premises as a parking lot.	1222 N. Cass St. 100 A/K/A 1234 N. Cass St. 7 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>
57	29815 Dimensional Variance	Maksim Tuzhilkov Property Owner Request to construct a second principal residential structure (permitted) that does not meet the minimum required rear setback (required 15 ft. / proposed 3.9 ft.), the minimum facade width (required 85 ft. / proposed 69 ft.), and without the front door orientation facing the street.	1124 E. Lyon St. A/K/A 1124 A E. Lyon St. 3rd 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:	--	
58	29368 Special Use	Bernard Saffold Lessee Request to continue occupying the premises as a fast-food / carry-out restaurant (parking lot will also be available for parking at special events).	2455 W. Wisconsin Av. A/K/A 2445 W. Wisconsin Av. 4th Dist.
	Action:	Adjourned	
	Motion:		
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
59	29748 Special Use	Jay Shambeau Property Owner	8522 W. Hampton Av. 5th Dist.
		Request to continue occupying the premises as a motor vehicle sales and repair facility.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That landscaping and screening is maintained in a manner that meets the intent of city 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 these Special Uses are granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
60	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:		
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
61	29495 Special Use	Pedro Montero Lessee Request to occupy the premises as a motor vehicle repair facility.	3002 N. Martin L King Jr Dr. A/K/A 3004 N. Martin L King Jr Dr. 6th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That all repair work is conducted inside the building. 6. That no work or storage occurs in the public right of way. 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 this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	
62	29777 Special Use	Aline Sellers Property Owner Request to occupy the premises as a group home for 8 occupants.	3274 N. 15th St. A/K/A 3274 A N. 15th St. 6th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
63	29694 Special Use	Megan Martin 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 6:00 a.m. - midnight.	3311 N. 24th St. A/K/A 3311 A N. 24th St. 7th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Syzmanski moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That any signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for NS2 zoning districts. 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 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 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>
64	29769 Special Use	Brenda Pittman Lessee Request to occupy the premises as a day care center for 37 children per shift infant to 12 years of age, Monday - Friday 6:30 a.m to midnight and Saturday 7 a.m. to 5 p.m.	3700 N. 27th St. A/K/A 3702 N. 27th St. 7th 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:	--	
65	29790 Special Use	Kcal Skill and Recreational Development Center Property Owner Request to occupy the premises as an adult day care center for 25 clients, operating Monday - Friday 6 a.m. - midnight.	4353 W. Fond Du Lac Av. A/K/A 4351 W. Fond Du Lac Av. 7th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
66	29792 Special Use	Latrece Shelton Lessee Request to occupy the premises as a group home for 8 occupants.	3049 N. 28th St. A/K/A 3049 A N. 28th St. 7th 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 this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	
67	29872 Other	DV Residential LLC Property Owner Request to accept the modified design plans dated August 10, 2009.	1679 N. Humboldt Av. A/K/A 1677 N. Humboldt Av. 3rd Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal to Administrative Review. Seconded by Jose Dominguez.	
	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>
68	29759 Special Use	Clear Channel Outdoor Joseph Stribl;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:	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:	--	
69	29214 Other	Kilbourn Court, LLC c/o James Gladney;Property Owner Request to appeal a determination by the Department of City Development that the multi-family dwelling is not permitted.	2448 W. Kilbourn Av. A/K/A 2448 W. Kilbourn Av. 11 4th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman of the District and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	

Other Business:

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

The Board set the next meeting for October 8, 2009.

Board member Szymanski moved to adjourn the meeting at 8:45 p.m.. Seconded by Board member Jackson. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board