

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – October 8, 2009
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairwoman: Catherine M. Doyle (*voting on items 1 - 77*)

Members: Henry P. Szymanski (*voting on items 1 - 77*)
Donald Jackson (*voting on items 1 - 77*)
Georgia M. Cameron (*voting on items 1 - 77*)
Martin E. Kohler (*voting on items 1 - 46, 49 - 75*)

Alt. Board Members: Jose L. Dominguez, Jr. (*voting on items 47 - 48, 76 - 77*)
Leni M. Siker (*present, not voting 48 - 77*)

START TIME: 4:05 p.m.

END TIME: 9:45 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	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:	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	29903 Special Use	Mt. Vernon Baptist Church Pastor Willie Jackson; Property Owner Request to continue occupying the premises as a day care center for 37 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m.	2345 N. 18th St. A/K/A 2325 N. 18th St. 15th 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	29497 Special Use	Inspiring Young Men Tasha Walker; Lessee Request to occupy the premises as a group home for 6 occupants.	2309 N. 39th St. 15th Dist.
	Action:	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:	--	
4	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:	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>
5	29882 Special Use	Matt Sisson Pit Stop of Wisconsin, Inc.;Property Owner	8805 N. 107th St. A/K/A 8801 N. 107th St. 9th Dist.
		Request to continue occupying the premises as a 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 applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
6	29910 Special Use	Rob Settecase Property Owner	7320 W. Good Hope Rd. 9th Dist.
		Request to occupy the premises as a second-hand sales facility (used CDs, videos and DVDs).	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB1 zoning districts. 5. That the storefront windows remain as transparent glass in accordance with the glazing standards of s295-605-2-i-3 of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 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>
7	29921 Special Use	Arkadiy Tsirlin Property Owner	5200 W. Mill Rd. 9th Dist.
		Request to continue occupying the premises as a motor vehicle repair and sales 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 site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 5. That signage meet the sign standards of s.295-605 of the Milwaukee Zoning Code. 6. That landscaping and screening is maintained in a manner that meets the intent of city code. 7. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 8. That all repair work is conducted inside of the building. 9. That there be no vehicles displayed for sale in the public right of way. 10. That there be no work conducted on 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 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>
8	29953 Special Use	Alnita Allen Property Owner	6537 W. Spokane St. 9th Dist.
		Request to continue occupying the premises as a group home for 5 occupants.	
	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:	--	
9	29817 Special Use	City Kids Learning Academy Lessee	921 N. 49th St. A/K/A 917 N. 49th St. 10th Dist.
		Request to occupy a portion of the premises as a day care center for 60 children per shift 2 - 12 years of age, operating Monday - Saturday 7:00 a.m. - 6:00 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 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. 5. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	29945 Use Variance	Charles Homa Lessee Request to continue occupying the premises as a ground transportation service.	6317 W. Fairview Av. A/K/A 6317 A W. Fairview Av. 10th 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 this Variance is granted for a period of five (5) years, commencing with the date hereof. 	
11	29798 Special Use	Pastor Henry Choconta ALMAS;Property Owner Request to occupy the premises as a religious assembly hall(this is an expansion of a nonconforming religious assembly).	1304 S. 6th St. A/K/A 1312 S. 6th St. 12th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of staff and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
12	29889 Special Use	Fr. David Shields, S.J. Property Owner	423 W. Bruce 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>
13	29927 Special Use	Henry Choconta Ministries A.L.M.A.S.;Property Owner	1317 S. 5th St. 12th Dist.
		Request to occupy the premises as a parking lot (to be used in conjunction with the church at 1304 S. 6th St.).	
	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 a revised landscape plan utilizing trees, shrubs and fencing per the standards of city code section 295-405 for Type 'B' landscaping are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. The revised plan must also include screening to abutting residential properties. 5. That landscaping and screening is installed within 120 days of occupancy. If occupancy occurs between September 30th of the year of occupancy and March 1st of the following year then landscaping and screening must be installed within 120 days of March 1st. 6. That the parking lot is to be used in conjunction with the petitioner's religious assembly hall located at 1304 S. 6th St. 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>
14	29911 Special Use	Toor Auto Services, Inc. Tarlokh Singh;Property Owner	4161 S. Howell Av. 1 A/K/A 4161 S. Howell Av. 3 13th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of staff and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	29925 Special Use	Buetow Automotive Group, LLC dba: CarX;Lessee	6112 S. 27th St. 13th Dist.
		Request to continue occupying the premises as motor vehicle 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 site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 5. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That landscaping and screening is maintained in a manner that meets the intent of city code. 7. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 8. That all repair work is conducted inside the building. 9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	29897 Use Variance	Sheryl Dix Lessee Request to continue occupying the premises as a general retail establishment (flower shop).	319 E. Howard Av. A/K/A 319 B E. Howard Av. 14th 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 signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 5. That this Variance is granted for a period of ten (10) years, commencing with the date hereof. 	
17	29939 Special Use	Jeanette Barquet Happy Days Day Care Center 2;Property Owner Request to continue occupying the premises as a day care center for 70 children infant to 12 years of age, operating Monday - Friday 7:00 a.m. - 6:00 p.m.	1202 W. Oklahoma Av. 14th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of the Alderman of the District and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	29878 Use Variance	Jon J Frey Lessee Request to continue occupying the premises as a light manufacturing facility (custom furniture, cabinet & home bar manufacturing).	3916 W. Kisslich Pl. A/K/A 3918 W. Kisslich Pl. 15th 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 there is no outdoor storage of materials. 5. That all work is conducted inside of the building. 6. That this Variance is granted for a period of time commencing with the date hereof, and expiring on July 15, 2013. 	
19	29880 Special Use	Taleka Saffold-Gordon Lessee Request to occupy the premises as a day care center for 23 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight and Saturday - Sunday 6:00 a.m. - 6:00 p.m.	2101 N. 48th St. A/K/A 4808 W. Lloyd St. 15th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of an interested party and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	29895 Special Use	Dalal Alalawneh Lessee Request to continue occupying the premises a general retail establishment (convenience/grocery store).	2801 N. 20th St. A/K/A 2008 W. Hadley St. 15th 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 signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	29914 Special Use/ Dimensional Variance	Greater New Birth Baptist Church Rev. James Wall;Property Owner Request to continue occupying the premises as a religious assembly hall without the minimum required number of parking spaces (required 134 / proposed 23).	2207 W. Center St. A/K/A 2223 W. Center St. 15th 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the decorative metal fence along the Center St. property line is maintained. 6. That this Special Use and Variance are granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
22	29941 Special Use	New Testament Church of Milwaukee Michael Harden;Property Owner	2324 W. Center St. 15th Dist.
		Request to continue occupying the premises as a parking lot.	
	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 shall maintain landscaping and screening in accordance with the landscape plan approved by the Board of Zoning Appeals on October 12, 2002. 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>
23	29942 Special Use	New Testament Church of Milwaukee Michael Harden;Property Owner Request to continue occupying the premises as a religious assembly hall.	2400 W. Center St. A/K/A 2715 N. 24th St. 15th 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
24	29890 Special Use	Marilyn Brooks Lessee	4260 N. 27th St. 1st Dist.
		Request to continue occupying the premises as a day care center for 35 children first shift and 20 children second 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 signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	29948 Special Use	Syed Rizvi Lessee Request to continue occupying the premises as a filling station and convenience store.	4057 N. Green Bay Av. 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>
26	29877 Special Use	Lakesha Spears Lessee	4700 N. 76th St. 2nd Dist.
		Request to increase the number of children from 25 per shift to 37 per shift and the hours of operation from 6:00 a.m. - 9:00 p.m. to 6:00 a.m. - midnight for a Board approved day care center operating Monday - Friday.	
	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 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 all previous conditions of the Board regarding this property are complied with. 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>
27	29887 Special Use/ Dimensional Variance	Liberty and Truth Ministries Pastor Darryl E. Seay;Property Owner Request to continue occupying the premises as a religious assembly hall that does not meet the minimum parking requirement (required 46 / proposed 24).	6119 W. Fond Du Lac Av. 2nd 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 signage must meet 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 this Special Use and Variance are granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	29894 Special Use	Joseph J LoRe Property Owner	5250 N. 76th St. 2nd Dist.
		Request to continue occupying the premises as a motor vehicle sales and rental 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 petitioner shall maintain landscaping and screening in accordance with the landscape plan approved by the Department of City Development on February 1, 1993. 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 there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 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 these Special Uses are granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	29900 Special Use	Roshelle Rutledge Property Owner	5629 N. 91st St. 2nd Dist.
		Request to increase the hours of operation from 24 hours Monday - Friday, 6:00 a.m. - 5:00 p.m. Saturday, and 10:00 p.m. - 6:00 a.m. Sunday to 24 hours Monday - Sunday and to continue occupying the premises as a day care center for 51 children per shift infant to 12 years of age.	
	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 no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 8. That 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>
30	29902 Special Use	Jack L. Marcus Co. Steven Gerard;Property Owner Request to continue occupying the premises as an indoor storage facility.	5300 W. Fond Du Lac Av. A/K/A 5125 W. Hope Av. 2nd 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. 	
31	29946 Special Use	Thomas A. Roberts Gavion D. Smith;Lessee Request to occupy the premises as a hand car wash.	7540 W. Fond Du Lac Av. 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:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	29892 Special Use	Martina McCloud Lessee Request to occupy the premises as a 24 hour day care center for 50 children per shift infant to 12 years of age, operating Monday - Sunday.	2650 N. Humboldt Bl. A/K/A 2640 N. Humboldt Bl. 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:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	29896 Special Use	Mazen Muna Lessee	1510 N. Van Buren St. A/K/A 708 E. Lyon St. 10 3rd Dist.
		Request to occupy the premises as a hand car wash 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 all car wash activity is conducted inside of the building. 5. That all wastewater is contained on site. 6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That there be no sandwichboard signage. 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 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	29907 Special Use	Little Caesar Enterprises, Inc. Property Owner	2831 N. Oakland Av. 3rd Dist.
		Request to continue occupying the premises as a fast-food/carry-out restaurant.	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of an interested party 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>
35	29830 Special Use	Denise Beverly-Davis Property Owner	3314 W. Vliet St. 4th Dist.
		Request to occupy the premises as a day care center for 45 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 9:00 p.m. and Saturday 8:00 a.m. - 4:00 p.m.	
	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 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 8. That a loading zone be applied for in front of the building. 9. 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. 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>
36	29923 Special Use	200 Wisconsin LLC Sung Kang;Property Owner Request to occupy the premises as a general office facility (internet-based sales of beauty supplies).	208 W. Wisconsin Av. A/K/A 200 W. Wisconsin Av. 4th 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:	--	
37	29940 Special Use	Larry Lococo Property Owner Request to continue occupying the premises as a parking lot.	300 N. Van Buren St. A/K/A 308 N. Van Buren St. 4th 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 petitioner shall be responsible for continuous landscape maintenance including plant material replacement on a seasonal basis if such material is no longer comparable in size to the plant list specification, and inconsistent with the typical form/shape of that species because of dieback, stunting or damage. 5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
38	29828 Special Use	Georgina Williams Prospective Buyer Request to continue occupying the premises as a day care center for 50 children per shift infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - 10:30 p.m. (new operator).	4473 N. 76th St. A/K/A 4473 B N. 76th 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:	--	
39	29883 Special Use	SBA Towers II, LLC Diane E. Bochardt, AICP; Lessee Request to continue to allow a transmission tower.	9411 W. Fond Du Lac Av. 5th 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. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	29827 Special Use	John Zangerle Lessee Request to continue occupying the premises as a motor vehicle repair facility.	3008 N. Martin L King Jr Dr. A/K/A 3006 N. Martin L King Jr Dr. 6th 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 conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That all repair work is conducted inside of the building. 6. That no work or storage of vehicles 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 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>
41	29885 Special Use	Nevada Enterprises DBA McDonald's Deborah Allen; Lessee Request to continue occupying the premises as a fast-food / carry-out restaurant.	420 E. Capitol Dr. A/K/A 402 E. Capitol Dr. 6th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned by an interested party and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	29905 Special Use	Captain Install James Richey;Lessee	2231 N. Humboldt Av. A/K/A 2227 N. Humboldt Av. 6th Dist.
		Request to occupy the premises as a motor vehicle 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 signage must meet 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 installation and testing audio equipment and alarm systems must be conducted inside the building with overhead doors closed and at minimum amplification, and that customers are not permitted to test alarms or audio equipment on-site unless the tests are conducted inside the building with the doors closed and at minimum amplification. 7. That there is no parking or installation work on the public sidewalk in front of the building or in the driveway of the parking lot or in the parking lot. 8. The garage door leading to the alley remains closed at all times. 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>
43	29935 Special Use	Helen Scaife Property Owner	531 E. Burleigh St. A/K/A 3065 N. Booth St. 6th Dist.
		Request to continue occupying the premises as a day care center for 82 children per shift infant to 12 years of age, operating Monday - Saturday 5:30 a.m. - midnight.	
	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 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
44	29937 Use Variance	Cabrie McElrath Lessee Request to continue occupying the premises as a personal service facility (beauty and barber shop).	3911 N. 27th St. A/K/A 3907 N. 27th St. 3 7th 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 the storefront windows remain as transparent glass in accordance with the glazing standards of s295-605-2-i-3 of the Milwaukee Code of Ordinances, and are maintained in an attractive manner. 5. That no additional signage may be erected on the site unless it meets the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 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>
45	29862 Special Use	Steven Blaskowski Lessee Request to occupy a portion of the premises as an outdoor salvage operation.	1623 S. 38th St. A/K/A 1623 A S. 38th St. 8th 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 premises be used exclusively for the short term storage of operable and inoperable motor vehicles, and that there is no outdoor storage of auto parts, tires, or other junk and debris. 5. That inoperable motor vehicles be removed from the premises in a timely manner. 6. That there be no dismantling of motor vehicles or the salvaging of motor vehicle parts. 7. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on March 26, 2011. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	29933 Dimensional Variance	Jerry Karczewski Property Owner Request to construct two accessory structures (guard shacks) that do not meet the required setback (required 15 ft. / proposed 4 ft.).	1901 W. Canal St. A/K/A 1933 W. Canal St. 8th 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 this Variance is granted for a period of five (5) years, commencing with the date hereof. 	
47	29872 Other Denied	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:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 2 Nays, 0 Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	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 Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
49	29809 Special Use	Mary Jones Lessee Request to occupy the premises as a school for 220 students K4 - 12th grades, operating Monday - Friday 8:00 a.m. - 3:30 p.m.	8365 N. 76th St. A/K/A 8325 N. 76th St. 9th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	29807 Special Use	Angela Brown Lessee Request to occupy the premises as a day care center for 100 children infant to 13 years of age, operating Monday - Sunday 6:00 a.m. - midnight.	5100 W. Center St. A/K/A 2701 N. 51st St. 4 10th 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:	--	
51	29849 Special Use	Daryl Brumfield Lessee Request to occupy the premises as an assembly hall .	5319 W. Center St. A/K/A 5325 W. Center St. 10th Dist.
	Action:	Adjourned	
	Motion:	Georgia Cameron moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	29754 Special Use	Current Initiatives Counseling Services, LLC LaShawnda Davis;Lessee	6815 W. Capitol Dr. A/K/A 6815 W. Capitol Dr. 105 10th Dist.
		Request to occupy a portion of the premises as a social service 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 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 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>
53	29847 Dimensional Variance	Joe Balisteri Property Owner Request to allow a detached garage that exceeds the maximum allowed height (allowed 15 ft. 6 in. / proposed 17 ft.).	3575 S. 86th St. 11th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted to run with the land. 	
54	29778 Special Use	Miguel A Arvelo Property Owner Request to occupy the premises as an assembly hall.	939 W. National Av. A/K/A 935 W. National Av. 12th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	29846 Special Use	Latisha Hickson and Wayne Hickson Prospective Buyer 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. - 1:00 a.m.	2400 S. 9th Pl. A/K/A 2400 A S. 9th Pl. 12th Dist.
	Action:	Adjourned	
	Motion:	Georgia Cameron moved to adjourn the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
56	29913 Dimensional Variance	Clear Channel Outdoor Mark Rausch;Other Request to relocate the existing off premise sign (minimum distance between off premise signs 500 ft. / proposed 415 ft.).	4350 S. 13th St. 13th 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 plans meet the sign standards for off-premises signage set forth the Milwaukee Zoning Code. 5. That this Variance is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
57	29855 Use Variance	Fahim N Mahmoud Property Owner Request to occupy the premises as a motor vehicle sales facility.	829 W. Arthur Av. A/K/A 2504 S. 9th St. 14th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
58	29879 Use Variance	Vivian S Munoz Property Owner Request to occupy the premises as a general retail establishment.	2904 S. 9th Pl. A/K/A 2906 S. 9th Pl. 14th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
59	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:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
60	29835 Special Use	Joshua Thomas Lessee	2518 N. 19th St. 15th Dist.
		Request to occupy the premises as a group home for 8 occupants.	
	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:	--	
61	29899 Special Use	Lisa Harris Lessee	2321 N. 47th St. 15th Dist.
		Request to occupy the premises as a group home for 5 occupants.	
	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:	--	
62	29742 Special Use	Tasha Walker Inspiring Young Mothers; Lessee	5514 N. 35th St. 1st Dist.
		Request to occupy the premises as a group home for 6 occupants.	
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
63	29901 Special Use	Linda Anthony Property Owner	4585 N. 23rd St. 1st Dist.
		Request to occupy the premises as a group home for 5 occupants.	
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
64	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:	Henry Szymanski moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
65	29893 Special Use	Timothy McCarthy Property Owner	2530 E. Newberry Bl. 3rd Dist.
		Request to occupy the premises as a bed and breakfast.	
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Martin Kohler.	
	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>
66	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:	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.295-505-5 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That 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 licensure. 8. That the applicant applies for a loading zone. 9. 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. 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>
67	29865 Special Use/ Dimensional Variance	Richard A. Geyer & Robert F. Seefeld Wisconsin Center District.;Property Owner Request to replace the existing wall sign and the display areas of the two existing freestanding signs with automatic changeable message signs that change more frequently than once every 60 seconds.	500 W. Kilbourn Av. A/K/A 401 W. State St. 4th 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 the applicant abide by the revised plan of operation submitted October 8, 2009. 5. That this Special Use and these Variances are granted for a period of five (5) years, commencing with the date hereof. 	
68	29793 Special Use	Joe Fleming Lessee Request to occupy the premises as a day care center for 55 children per shift infant to 13 years of age, operating Monday - Sunday 6:00 a.m. - midnight.	8106 W. Appleton Av. 5th 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>
69	29873 Special Use/ Dimensional Variance	Robert & Mildred Jensen Property Owner Request to raze the existing building and construct a motor vehicle sales and repair facility that does not meet the minimum required landscape width (required 5 ft. / proposed 4ft.).	10712 W. Hampton Av. 5th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
70	29687 Special Use	Earl E Grunwald Property Owner Request to occupy the premises as a motor vehicle repair facility.	4105 N. Richards St. A/K/A 4107 N. Richards St. 6th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
71	29705 Special Use	Earl E Grunwald Property Owner Request to occupy the premises as an outdoor salvage operation.	4117 N. Richards St. 6th Dist.
	Action:	Adjourned	
	Motion:	This matter was 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>
72	29615 Special Use	Wisconsin Community Services Inc. Holly Patzer, Executive Director; Lessee Request to continue occupying the premises as a community based residential facility for 26 occupants.	1914 N. 6th St. A/K/A 524 W. Reservoir Av. 6th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned to a contested hearing and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
73	29752 Special Use	Joseph Clayton Lessee Request to occupy the premises as a group home for 5 occupants.	3042 N. 36th St. 7th Dist.
	Action:	Granted 3 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 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>
74	29514 Special Use	Pilgrim Rest Missionary Baptist Church Rev. Martin Childs, Jr.;Property Owner Request to add a day care center for 15 children first shift and 25 children second shift infant to 12 years of age, operating Monday - Friday 5:30 a.m. - midnight and Saturday 6:00 a.m. - 9:00 p.m. to the Board approved community center.	4427 W. Fond Du Lac Av. A/K/A 4429 W. Fond Du Lac Av. 7th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 5. That 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 8. That the storefront windows remain as transparent vision glass and are maintained in an attractive manner. 9. That a loading zone be applied for in front of the building. 10. 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. 11. That this Special Use is granted for a period of time commencing with the date hereof and expiring October 31, 2011. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
75	29214 Appeal of a Determination	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:	Georgia Cameron moved to adjourn the appeal to Administrative Review. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
76	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:	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>
77	29746 Appeal of an Order	Integrated Enterprises, Inc. Attn: Greg Solfest;Property Owner Request to appeal an order from the Department of Neighborhood Services stating that the premises is being occupied as a truck freight terminal and outdoor storage facility (295-803-1) without the required landscaping and residential buffer (295-401-c, 295-803-4-d).	5467 S. 9th St. A/K/A 904 W. Grange Av. 13th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal to Administrative Review. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

Other Business:

Board member Szymanski moved to approve the minutes of the September 17, 2009 meeting. Seconded by Board member Jackson. Unanimously approved.

The Board set the next meeting for November 5, 2009.

Board member Szymanski moved to adjourn the meeting at 9:45 p.m.. Seconded by Board member Dominguez. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board