

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – January 14, 2010
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairwoman: Catherine M. Doyle (*voting on items 1 - 85*)

Members: Henry P. Szymanski (*voting on items 1 - 85*)
Georgia M. Cameron (*voting on items 1 - 85*)
Donald Jackson (*voting on items 1 - 85*)
Martin E. Kohler (*excused*)

Alt. Board Members: Jose L. Dominguez (*voting on items 1 - 85*)
Leni M. Siker (*present 49 - 85*)

START TIME: 4:05 p.m.

END TIME: 9:00 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	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:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
2	30039 Change of Operator	Discovery World Child Care Cherethea Blackman; Lessee Request to continue occupying the premises as a day care center for 90 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. to 6:00 p.m.	2812 W. Fairmount Av. 1st Dist.
	Action:	Adjourned	
	Motion:		
	Vote:	--	
	Conditions of Approval:	--	
3	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:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
4	29924 Special Use	Joan Johnson Lessee Request to occupy a portion of the premises as a religious assembly hall.	7905 W. Appleton Av. A/K/A 7905 W. Appleton Av. 201 5th 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>
5	30086 Special Use	Joe H Todd Property Owner Request to continue occupying the premises as a day care center for 48 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m.	2412 N. 6th St. A/K/A 2414 N. 6th St. 6th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
6	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:	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>
7	29524 Special Use	Jacqueline Shellaugh and Patrice Bond Lessee Request to increase the number of children from 90 to 101 children per shift and the hours of operation from Monday - Friday 6:00 a.m. - 6:00 p.m. to Monday - Sunday 6:00 a.m. - 8:00 p.m. and to continue occupying the premises as a day care center for children infant to 12 years of age .	2700 N. 54th St. A/K/A 5330 W. Center St. 10th Dist.
	Action:	Adjourned	
	Motion:		
	Vote:	--	
	Conditions of Approval:	--	
8	30051 Dimensional Variance	Eric Knorr and Jennifer Robertson Property Owner Request to raze and rebuild a detached garage that is located within the front yard.	2719 S. 55th 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. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	30090 Special Use	PNC Financial Property Owner Request to continue occupying the premises as a bank with a drive-through located within 150 feet of a residential use.	7501 W. Oklahoma Av. A/K/A 7515 W. Oklahoma Av. 11th 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>
10	30144 Special Use / Dimensional Variance	Waltrust Properties, Inc. Paul Lim;Property Owner Request to continue occupying the premises as a general retail establishment and drive-through with an accessory parking lot located between the street facade of the building and street lot line, and a sign that exceeds the maximum allowed area (allowed 50 sq.ft. / proposed 80 sq.ft.) .	6030 W. Oklahoma Av. A/K/A 6000 W. Oklahoma Av. 11th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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 the petitioner maintain landscaping and screening in a manner that meets the intent of city code 7. That the Special Use (drive-through) is granted for a period of ten (10) years, that the Special Use (accessory parking) is granted to run with the land, and that the Variance (area of sign) is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	29986 Dimensional Variance	St. Clare Terrace, Inc. c/o Franciscan Sisters Of St. Clare, Inc.;Property Owner	3553 S. 41st St. A/K/A 3553 S. 41st St. 112 11th Dist.
		Request to continue occupying the premises as an assisted living facility that does not meet the required lot area per dwelling unit (required 2400 sq.ft. / proposed 1780 sq.ft), the minimum required number of parking spaces (required 40/ proposed 25), with parking located within the front yard, and with a sign that exceeds the maximum allowed display area (allowed 18 sq.ft. / proposed 28 sq.ft.).	
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That these Variances are granted to run with the land. 	
12	30083 Special Use	Efrin Ramirez Lessee	1724 W. Mitchell St. A/K/A 1728 W. Mitchell St. 12th Dist.
		Request to occupy a portion of the premises as a religious assembly hall.	
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of an interested party and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
13	30103 Special Use / Dimensional Variance	James A Hishmeh Property Owner Request to continue to allow a permitted indoor storage facility that does not meet the minimum required front setback (required 0 ft. / proposed 60 ft.) with an accessory parking lot located between the street lot line and the street facade.	1333 W. Lincoln Av. A/K/A 1339 W. Lincoln Av. 12th 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 landscaping and screening is maintained in a manner that meets the intent of city code. 5. That this Special Use and this Variance are granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
14	30100 Special Use	Terry Hobbs and Samantha Pritchard Lessee Request to occupy the premises as a second-hand sales facility.	4213 S. Howell Av. A/K/A 4213 A S. Howell Av. 13th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the storefront windows remain as transparent vision glass and are maintained in an attractive manner. 6. That the applicant does not have outdoor storage or display of products or merchandise. 7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 8. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on August 3, 2013. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	30105 Special Use	Michael H. Prosser Prosser Enterprises;Property Owner Request to continue occupying the premises as a motor vehicle sales and rental facility (includes sales and rental of recreational vehicles).	6146 S. Howell Av. A/K/A 6146 A S. Howell Av. 13th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in a manner that meets the intent of city code. 5. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 6. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 8. That 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>
16	30106 Use Variance	Alejandrina Halcomb AKA Nina Lyon;Property Owner Request to continue occupying the premises as a general office facility (real estate office).	3479 S. 15th Pl. A/K/A 3479 S. 15th Pl. B 13th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as transparent vision glass and are maintained in an attractive manner. 6. That 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>
17	30113 Special Use	Milwaukee Pre-Owned, LLC Lessee	524 E. Layton Av. A/K/A 530 E. Layton Av. 13th Dist.
		Request to continue occupying a portion of the premises as a motor vehicle sales facility.	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That landscaping and screening is maintained in a manner that meets the intent of city code. 6. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	30010 Special Use	Young Choi Bang Property Owner	2940 W. Fond Du Lac Av. 15th Dist.
		Request to add a body shop to the existing motor vehicle repair facility.	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all repair work is conducted inside the building. 5. That any vehicle with body damage or awaiting auto body repair must be stored inside the building. 6. That all work is performed inside the building and the doors of the facility remain closed when any body work and spray painting is being done. 7. That the applicant submits plans to the Milwaukee Development Center and obtains permits for an auto spray booth. 8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That this Special Use is granted for a period of 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	30123 Special Use	Darnita Griffin Lessee	2135 W. North Av. A/K/A 2248 N. 22nd St. 15th Dist.
		Request to continue occupying the premises as a second-hand sales facility (used furniture and appliances).	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must 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 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>
20	30131 Dimensional Variance	Pastor Elloyd Jones United Christian Church, Inc.;Prospective Buyer Request to construct a two-family dwelling that does not meet the minimum required front facade width (required 40 ft. / proposed 30.17 ft.).	2864 N. 28th St. A/K/A 2866 N. 28th St. 15th 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 Varaince is granted to run with the land. 	

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21	30089 Special Use	Priya Corporation Andy Khullar;Property Owner	7222 N. Teutonia Av. A/K/A 3520 W. Good Hope Rd. 1st Dist.
		Request to continue occupying the premises as a motor vehicle filling station.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the 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 no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances. 8. That landscaping and screening is maintained in a manner that meets the intent of city code. 9. That the applicant does not have outdoor storage or display of products or merchandise. 10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
22	30094 Special Use	Dawn Robertson Property Owner	4573 N. 29th St. 1st Dist.
		Request to continue occupying the premises as a group home for 8 occupants.	
	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 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>
23	30116 Special Use	Melia Jackson Lessee Request to continue occupying a portion of the premises as a day care center for 35 children per shift, ages 2 to 12 years, operating 6:30 a.m. - 12:30 a.m. Monday - Friday and 7:30 a.m. - 5:30 p.m. Saturday (this is a new operator).	3622 W. Silver Spring Dr. A/K/A 3624 W. Silver Spring Dr. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 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 meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
24	30143 Special Use	Joseph Clayton Property Owner	4825 N. 36th St. 1st Dist.
		Request to continue occupying the premises as a day care center for 31 children per shift infant to 12 years of age, operating Monday - Saturday 6:00 a.m. - midnight.	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 5. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

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25	30029 Special Use	Multicultural Community Services, Inc. Nancy L. Nestler;Property Owner	5161 N. Hopkins St. 1st Dist.
		Request to continue occupying the premises as a community center.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the 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 signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

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26	30104 Special Use	TCF National Bank Paul Kipina;Property Owner	4110 N. 76th St. A/K/A 4106 N. 76th St. 2nd Dist.
		Request to continue occupying the premises as a permitted bank with a drive-through (a drive-through facility that is visible from a public street or residential district shall have opaque screening for the visible portion of the queuing and operating lane).	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 5. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That the petitioner maintain landscaping and screening in a manner that meets the intent of city code. 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	30107 Special Use / Dimensional Variance	Milwaukee Health Care Services, Inc. Property Owner Request to construct an addition that exceeds the maximum side street setback (allowed 25 ft. / proposed 129 ft. 11 in.) and to continue occupying the premises as a health clinic.	8200 W. Silver Spring Dr. A/K/A 8150 W. Silver Spring Dr. 2nd 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 landscaping and screening is maintained in a manner that meets the intent of city code. 5. That this Variance is granted to run with the land. 6. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on February 27, 2021. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	30137 Special Use	SAC Wireless, LLC agents for AT&T Mobility Tony Phillips;Lessee	5402 N. 91st St. 2nd Dist.
		Request to continue to allow a transmission tower.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	30149 Special Use	John and Carol Kennedy Property Owner Request to continue occupying the premises as a motor vehicle repair facility.	6303 W. Capitol Dr. A/K/A 6309 W. Capitol Dr. 2nd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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 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>
30	30047 Special Use	Milagros Mendez Lessee	2324 W. State St. A/K/A 2322 W. State St. 4th Dist.
		Request to occupy the premises as a religious assembly hall.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening in accordance with the landscape and screening plan submitted to the Board on December 21, 2009 is implemented by September 30, 2011. 5. That the first floor windows along the W. State St. facade remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 7. That this Special Use 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	30150 Special Use / Dimensional Variance	Specialty Restaurants of Wisconsin c/o The Endeavors Group; Lessee Request to continue occupying the premises as a restaurant that does not meet the minimum required lot line setback.	550 N. Harbor Dr. A/K/A 550 Adj N. Harbor Dr. 4th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the trash enclosures are screened in accordance with the standards of city code section 295-405 for Type 'G' landscaping. 5. That this Special Use and this Variance are granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	30077 Special Use	Toon City Inc. Elizabeth Fealey, Manager;Property Owner	632 N. Water St. A/K/A 636 N. Water St. 4th Dist.
		Request to continue occupying the premises as a parking lot.	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in accordance with the approved landscape plan. 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>
33	30082 Special Use	Mitchell, Inc. dba Mitchell of Delaware Catherine M. Young;Property Owner	795 N. Van Buren St. 4th Dist.
		Request to continue occupying the premises as a parking lot.	
	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 landscaping and screening is implemented and maintained in a manner that meets the intent of city code. 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>
34	30085 Special Use	Mitchell, Inc. dba Mitchell of Delaware, Inc. Catherine M. Young;Property Owner	766 N. Jackson St. A/K/A 780 N. Jackson St. 4th Dist.
		Request to continue occupying the premises as a parking lot.	
	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 landscaping and screening is implemented and maintained in a manner that meets the intent of city code. 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>
35	30136 Dimensional Variance	Tripoli Shrine Center Skip Bruckner;Property Owner Request to construct a garage that does not meet the minimum required side street setback (required 183 ft. / proposed 10 ft.).	3000 W. Wisconsin Av. A/K/A 727 N. 29th St. 4th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	30088 Dimensional Variance	James and Mary Mussomelli Property Owner Request to continue to allow a permitted outdoor storage facility without the minimum required landscaping (non-conforming repair facility also on site).	9105 W. Fond Du Lac Av. A/K/A 9131 W. Fond Du Lac Av. 5th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner shall maintain landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on September 12, 2000. 5. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 7. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	30122 Special Use	Alan's Auto Sales of Brown Deer, Inc. Property Owner	12300 W. Villard Av. 5th Dist.
		Request to continue occupying the premises as a motor vehicle sales and outdoor salvage facility (includes used auto part sales and office space).	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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>
38	30098 Special Use / Dimensional Variance	Rev. Dr. Margaret Stone Lessee Request to continue occupying the premises as a religious assembly hall without the minimum required parking spaces (this is a new operator).	3824 W. Burleigh St. A/K/A 3106 N. 39th St. 4 7th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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 this Special Use and this Variance are granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	30117 Use Variance	Rashell M Gladney Property Owner Request to continue occupying the premises as a 24 hour day care center for 8 children per shift infant to 12 years per shift, operating Monday - Sunday.	4649 N. 52nd St. A/K/A 4649 A N. 52nd St. 7th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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 there be no signage associated with the day care facility. 8. That this Variance 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>
40	30126 Special Use	Betty J Ross Lessee	3735 N. 35th St. 7th Dist.
		Request to continue occupying the premises as a 24 hour day care center for 82 children infant to 13 years of age, operating Monday - Saturday.	
	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 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That the first floor windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	30132 Dimensional Variance	Pastor Elloyd Jones United Christian Church, Inc.;Prospective Buyer Request to construct a two-family dwelling that does not meet the minimum required front facade width (required 36 ft. / proposed 30.17 ft.).	2848 N. 27th St. A/K/A 2850 N. 27th St. 7th 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. 	
42	30133 Dimensional Variance	Pastor Elloyd Jones United Christian Church, Inc.;Prospective Buyer Request to construct a two-family dwelling that does not meet the minimum required front facade width (required 36 ft. / proposed 30.17 ft.).	2756 N. 26th St. A/K/A 2754 N. 26th St. 7th 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. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	30134 Dimensional Variance	Pastor Elloyd Jones United Chirstian Church, Inc.;Prospective Buyer Request to construct a two-family dwelling that does not meet the minimum required front facade width (required 40.3 ft. / proposed 30.17 ft.).	2832 N. 27th St. A/K/A 2834 N. 27th St. 7th 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. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
44	30138 Special Use	Angela and Omar Jackson Lessee	4300 W. Burleigh St. 7th Dist.
		Request to continue occupying the premises as a day care center 49 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight.	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 5. That 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 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	30096 Special Use	Community Relations-Social Development Commission Patrick Valdez, Operations Director;Property Owner	3025 W. Mitchell St. A/K/A 1726 S. 31st St. 8th Dist.
		Request to continue occupying the premises as an emergency residential shelter and social service facility.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 5. That the unused driveway on W. Mitchell Street be closed with curb & gutter. 6. That these Special Uses are granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	30109 Special Use	Rafael Lopez and Yhimy V. Lopez Property Owner	2934 W. Burnham St. 8th Dist.
		Request to continue occupying the premises as a car wash, detailing and motor vehicle sales facility (motor vehicle wholesale facility also on site).	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That landscaping and screening is maintained in accordance with the landscape plan submitted to the Board of Zoning Appeals on August 25, 2006. 6. That all waste water is to be contained on-site. 7. That all washing, drying and detailing is to occur inside the building. 8. That the hand car wash and detailing facility is utilized only for vehicles for sale through the limited wholesale business. 9. That no work or storage of vehicles occurs in the public right of way. 10. That the driveway on South 30th Street remain clear of stored vehicles. 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 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>
47	30112 Special Use	Shawnkya Turner Lessee Request to continue occupying the premises as a 24 hour day care center for 8 children per shift infant to 12 years of age, operating Monday - Friday.	8972 N. 86th St. A/K/A 8974 N. 86th St. 9th 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:	--	
48	30091 Special Use	PNC Financial Property Owner Request to continue occupying the premises as a bank with a drive-through.	6055 W. Lisbon Av. A/K/A 6020 W. Center St. 10th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
49	30059 Dimensional Variance	James Griffin, Futura III, LLC dba Griffin Sales, Inc.;Lessee Request to erect two freestanding signs that exceed the maximum allowed height and display area.	5700 S. 27th St. 13th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	3 Ayes, 1 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That these Variances are granted to run with the land. 	
50	29534 Use Variance	Joni Sablich Rock Transfer and Storage;Lessee Request to occupy the premises as a hazardous material storage facility.	130 W. Edgerton Av. 13th Dist.
	Action:	Adjourned	
	Motion:	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>
51	29952 Special Use	Advance Electrical Chris Richards;Property Owner Request to occupy the premises as a contractor's yard.	2901 S. Delaware Av. A/K/A 2903 S. Delaware Av. 14th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the petitioner agrees to work with the Zoning Administration Group staff to develop a revised landscaping and screening plan. A revised plan reflecting these changes must be submitted to the Board of Zoning Appeals, and approved by the Zoning Administration Group within 60 days of the approval of this special use and prior to the issuance of any permits. Specifically, the revised landscape plan should denote all of the existing landscaping that will be preserved and add additional landscaping if necessary to meet the intent of city code. 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
52	30062 Special Use	Sherri Bond Prospective Buyer Request to occupy the premises as a transitional living facility for 30 occupants.	3500 W. Center St. A/K/A 2720 N. 36th St. 15th 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>
53	29968 Special Use	Tautila Russell Lessee Request to continue occupying the premises as a day care center for 120 children infant to 13 years of age, operating Sunday - Saturday 6:00am - 12:00 midnight.	4212 W. Highland Bl. A/K/A 3915 W. Mc Kinley Av. 15th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
54	29899 Special Use	Lisa Harris Lessee Request to occupy the premises as a group home for 5 occupants.	2321 N. 47th St. 15th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski 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	29866 Special Use	Appleton Angels Christian Preschool, LLC Lessee	4221 W. North Av. A/K/A 4211 W. North Av. 16 15th Dist.
		Request to occupy the a portion of the premises as a day care center for 85 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 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:	--	
56	29989 Special Use	Sherri Bond Lessee	5926 N. Teutonia Av. 1st Dist.
		Request to occupy the premises as a transitional living facility for 20 occupants.	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the 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>
57	30110 Special Use	Jacqueline Williams and Danielle Williams Lessee Request to occupy the premises as a day care center for 19 children per shift infant to 12 years of age, operating Monday - Saturday 6:00 a.m. - midnight (to be operated in conjunction with the centers at 4371 and 4373-A N. Teutonia).	4369 N. Teutonia Av. A/K/A 4371 N. Teutonia Av. A 1st 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:	--	
58	30118 Special Use	Jacqueline and Danielle Williams Lessee Request to occupy the premises as a day care center for 44 children infant to 12 years of age, operating Monday - Saturday 6:00 a.m. - midnight (to be operated in conjunction with the centers at 4369 and 4371 N. Teutonia).	4373 A N. Teutonia Av. A/K/A 4371 N. Teutonia Av. A 1st 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>
59	29891 Special Use	Jacqueline Williams Danielle Williams;Lessee Request to occupy the premises as a day care center for 25 children per shift infant to 12 years of age, operating Monday - Saturday 6:00 a.m. - midnight (to be operated in conjunction with the centers at 4369 and 4373-A N. Teutonia).	4371 N. Teutonia Av. A/K/A 4371 N. Teutonia Av. A 1st Dist.
	Action:	Adjourned	
	Motion:	Hnery 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>
60	29948 Special Use	Syed Rizvi Lessee	4057 N. Green Bay Av. 1st Dist.
		Request to continue occupying the premises as a filling station and convenience store.	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant does not have outdoor storage or display of products or merchandise. 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 the applicant maintains the public restrooms and provides public access to them during hours of operation. 7. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 8. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 9. That landscaping and screening is maintained in a manner that meets the intent of city code. 10. 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. 11. 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. 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>
61	30022 Special Use	Sharon Nelson Lessee Request to occupy the premises as a day care center for 30 children per shift infant to 12 years of age, operating Monday - Saturday 6:00 a.m. - 10:30 p.m.	6617 W. Capitol Dr. A/K/A 6619 W. Capitol Dr. 2nd Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman 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>
62	29757 Special Use	Hazim Farah Property Owner	7210 W. Capitol Dr. 2nd Dist.
		Request to continue occupying the premises as a motor vehicle sales and repair facility (including installation of electronics and audio equipment).	
	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 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 the petitioner shall maintain landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on october 14, 2008. 8. 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. 9. That signs are posted in the parking lot stating that testing of audio and electronic equipment is not permitted in the parking lot. 10. That these Special Uses are granted for a period of two (2) years. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
63	30055 Special Use	Marcella Adkins Lessee Request to occupy a portion of the premises as a social service facility (mental health & AODA counseling).	5401 N. 76th St. A/K/A 5401 N. 76th . 107 2nd Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
64	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:	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>
65	30139 Dimensional Variance	Dolores Lingelbach Property Owner Request to allow a berm that exceeds the maximum allowed height (allowed 6 ft. / proposed 18 ft.).	6720 N. 107th St. 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:	--	
66	30140 Dimensional Variance	Dolores Lingelbach Property Owner Request to allow a berm that exceeds the maximum allowed height (allowed 6 ft. / proposed 18 ft.).	6730 R N. 107th St. 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:	--	
67	30141 Dimensional Variance	Dolores Lingelbach Property Owner Request to allow a berm that exceeds the maximum allowed height (allowed 6 ft. / proposed 18 ft.).	6740 R N. 107th St. 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:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
68	29467 Dimensional Variance	Delores Lingelbach Property Owner Request to allow a berm that exceeds the maximum allowed height (allowed 6 ft. / proposed 18 ft.).	6700 N. 107th St. 5th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
69	29904 Special Use	Reotha Cole Lessee Request to occupy a portion of the premises as a religious assembly hall.	3953 N. 76th St. A/K/A 3953 N. 76th St. 11 5th 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:	--	
70	29917 Special Use	Mary A Mitchell Lessee Request to occupy the premises as a group home for 8 occupants.	6730 N. 107th St. 5th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman 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>
71	30027 Special Use	Eddie F Ellis Lessee Request to occupy the premises as a group home for 5 occupants.	2620 N. Hubbard St. A/K/A 2620 A N. Hubbard St. 6th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	3 Ayes, 1 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
72	30063 Use Variance	Alisa M. Bailey Dwayne M. Bailey;Property Owner Request to occupy the premises as a personal service facility (home salon).	3421 N. 20th St. 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 applicant continues to live at the property. 5. That the applicant has no signage on the premises. 6. That this Variance 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>
73	30064 Special Use	Kate Obi Lessee Request to occupy the premises as a social service facility.	3521 N. Teutonia Av. A/K/A 3523 N. Teutonia Av. 6th Dist.
	Action:	Granted 1 yr.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the storefront windows are restored to transparent glass in accordance with the elevation plans submitted to the Board on October 23, 2009. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. 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>
74	29885 Special Use	Nevada Enterprises DBA McDonald's Deborah Allen; Lessee	420 E. Capitol Dr. A/K/A 402 E. Capitol Dr. 6th Dist.
		Request to continue occupying the premises as a fast-food / carry-out restaurant.	
	Action:	Granted 10 yrs.	
	Motion:	Georgia Cameron 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 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 use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances. 6. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That landscaping and screening is maintained in a manner that meets the intent of city 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>
75	29974 Special Use	Carmena Thornton Lessee Request to increase the days of operation from Monday - Friday to Monday - Sunday and to continue occupying the premises as a day care center for 24 children per shift infant to 12 years of age, operating 6:00 a.m. - midnight.	4406 W. Burleigh St. A/K/A 4408 W. Burleigh St. 1 7th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	
76	29950 Special Use	Cynthia D Johnson Prospective Buyer Request to occupy the premises as a group home for 8 occupants.	4821 W. Burleigh St. A/K/A 4821 W. Burleigh St. 4 7th 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>
77	30007 Special Use	Genesis Behavioral Services, Inc. Pauline Ortloff; Lessee Request to occupy the premises as a transitional living facility for 4 occupants.	2510 W. Mitchell St. A/K/A 2510 A W. Mitchell St. 8th Dist.
	Action:	Adjourned	
	Motion:	This matter was 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>
78	30020 Use Variance	Alejandro Escobar Lessee Request to occupy the premises as a motor vehicle body shop.	2631 S. 31st St. A/K/A 2635 S. 31st St. 8th 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 signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 5. That the existing landscaping along the S. 31st St. frontage north of the building adjacent to the parking area is maintained in such a manner to retain a level of opacity that limits visibility to the adjoining parking area. 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 all work is performed inside the building. 10. That this Variance is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
79	30108 Special Use	Arkadiy Tsirlin Property Owner	5200 W. Mill Rd. 9th Dist.
		Request to add an accessory use heavy motor vehicle parking lot to the Board approved motor vehicle sales and repair facility.	
	Action:	Adjourned	
	Motion:	This matter was 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>
80	30065 Special Use / Dimensional Variance	Ashfaq Mian Property Owner Request to raze the existing structure and rebuild a motor vehicle filling station that exceeds the maximum allowed front setback (allowed 70 ft. / proposed 120 ft.) and the maximum allowed side street setback (allowed 25 ft. / proposed 65).	7535 W. Blue Mound Rd. A/K/A 332 N. 76th St. 10th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the 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. 5. That signage must meet 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 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. 8. That a revised facade plan is submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. The revised plan should match the color scheme of the premises. 9. That the applicant does not have outdoor storage or display of products or merchandise. 10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 11. That the Variances for front and side street setback are dismissed without prejudice. 12. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
81	30115 Dimensional Variance Fence	Nelida Valentin Property Owner Request to allow a fence that exceeds the maximum allowed height along the side street lot line (allowed 4 ft. / proposed 6 ft.) and the maximum allowed height for an opaque fence located within the vision triangle (allowed 3 ft. / proposed 6 ft.).	1552 N. 52nd St. A/K/A 1554 N. 52nd St. 10th 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 these Variances are granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
82	29863 Special Use	Calvary's Christian Academy Shelina Harvey;Property Owner	5330 W. Lisbon Av. A/K/A 5336 W. Lisbon Av. 10th Dist.
		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).	
	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 any signage for the day care center must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 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 the outdoor play area is not utilized before 9:00 A.M. 8. That the outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards. 9. That the petitioner obtains a new occupancy certificate by having all required inspections to evaluate the building for the increased capacity, complies with current State commercial building code for educational occupancies and complies with all zoning conditions and building code requirements prior to increasing capacity. 10. 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. 11. That these Special Uses are 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>
83	29259 Special Use	I & S Petroleum, Inc. c/o Rajesh Kumar;Property Owner	7110 W. Lisbon Av. 10th Dist.
		Request to increase the hours of operation from 5:00 a.m. - 11:00 p.m. to 5:00 a.m. - midnight for a Board approved motor vehicle filling station, convenience store and car wash.	
	Action:	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 all previous conditions of the Board regarding this property are complied with. 5. That the applicant does not have outdoor storage or display of products or merchandise. 6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 7. That the applicant does not operate the car wash before 7am or after 9pm. 8. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on July 21, 2012. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
84	29615 Special Use	Wisconsin Community Services Inc. Holly Patzer, Executive Director; Lessee	1914 N. 6th St. A/K/A 524 W. Reservoir Av. 6th Dist.
		Request to continue occupying the premises as a community based residential facility for 26 occupants.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the 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>
85	30056 Special Use	McKinley Avenue, LLC Daniel B. Druml, Member;Property Owner	1311 N. 6th St. 6th Dist.
		Request to occupy the premises as a college.	
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal to Administrative Review. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

Other Business:

Board member Szymanski moved to approve the minutes of the December 11, 2009 meeting. Seconded by Board member Jackson. Unanimously approved.

The Board set the next meeting for February 11, 2010.

Board member Szymanski moved to adjourn the meeting at 9:00 p.m.. Seconded by Board member Dominguez. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board