

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – March 25, 2010
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairman: Catherine M. Doyle (*voting on items 1 – 58, 60 - 90*)

Members: Henry P. Szymanski (*voting on items 1 - 90*)
Georgia M. Cameron (*voting on items 1 - 49, 53 - 90*)
Donald Jackson (*excused*)
Martin E. Kohler (*voting on items 1 – 49, 53 – 70, 75 - 90*)

Alt. Board Members: Jose L. Dominguez (*voting on items 1 - 90*)
Leni M. Siker (*voting on items 50 – 52, 59, 71 - 74*)

START TIME: 2:15 p.m.

END TIME: 6:50 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	30252 Change of Operator	New Brother's Lounge Doris Wright;Lessee Request to continue occupying the premises as a tavern.	2779 N. 12th St. A/K/A 2777 N. 12th St. 15th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss 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>
2	29703 Special Use	Patsy Smith Lessee Request to occupy the premises as a day care center for 45 children per shift infant to 12 years of age, operating 24 hours Monday - Sunday.	8717 W. Fond Du Lac Av. A/K/A 8761 W. Fond Du Lac Av. 2nd Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
3	30233 Dimensional Variance	Gardner Group, LLC Michael Gardner;Property Owner Request to erect a sign that exceeds the maximum allowed area (allowed 50 sq.ft. / proposed 10,836 sq.ft.).	320 E. Buffalo St. 4th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
4	29918 Appeal of an Order	Systems Parking Inc. Other Request to appeal an order from the Department of Neighborhood Services determining that an occupancy permit for a principal use parking lot be obtained and the landscaping standards meet the requirements for principal use parking as set forth in the zoning code.	401 N. 3rd St. 4th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss 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>
5	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:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
6	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:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss 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>
7	30224 Special Use	James Cyganiak Property Owner	137 W. Boden St. 13th Dist.
		Request to continue occupying the premises as a truck freight terminal (air freight forwarder).	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	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 is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
8	30237 Special Use	Auto Spa Auto Sales Bill Buresh;Property Owner	160 W. Layton Av. 13th Dist.
		Request to continue occupying the premises as a motor vehicle sales and repair facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	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 no disabled or unlicensed vehicles or parts are stored outside. 6. That landscaping and screening is maintained in a manner that meets the intent of city code. 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>
9	30030 Special Use	Performance Freight Systems;FoxMar Properties, LLC Attn: Greg Fox;Property Owner	2040 W. Oklahoma Av. 13th Dist.
		Request to continue occupying the premises as a truck freight terminal.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	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 fencing in accordance with the landscape plan approved by the Zoning Administration Group on February 16, 2010 is installed within 120 days of occupancy. 5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 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>
10	30243 Special Use	Marlene's Touch of Class Joel Befus;Property Owner	2929 S. 13th St. 14th Dist.
		Request to continue occupying the premises as a second-hand sales facility.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	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 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 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>
11	30253 Use Variance	Juan Carlos Gutierrez Lessee Request to continue occupying the premises as a motor vehicle repair facility.	2948 S. 9th St. A/K/A 2954 S. 9th St. 14th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 5. That all repair work is conducted inside of the building. 6. That the applicant is prohibited from installing alarms or stereos. 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 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>
12	30268 Special Use / Dimensional Variance	Ms. Marcia Sperber Aldi Inc.;Property Owner Request to raze the existing building and reconstruct a general retail establishment that does not meet the minimum required primary street glazing (required 60% / proposed 22%), exceeds the maximum allowed front setback (allowed 15 ft. / proposed 160 ft.) and with parking located between the front facade and street lot line.	2705 S. 13th St. 14th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	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 accordance with s295-405 of the Milwaukee Code of Ordinances. 5. That the petitioner agrees to work with the Zoning Administration Group on final resolution of design issues including, but not limited to site plans, facade & elevation plans, glazing plans, signage plans, and landscape and screening plans. The petitioner must submit revised drawings that reflect these changes to the Board of Zoning Appeals for Zoning Administration Group review and approval within 60 days of Board approval of the special use and variances and prior to the issuance of any permits. 6. That this Special Use and 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>
13	30247 Special Use	Dessa Jordan Property Owner Request to continue occupying the premises as a group home for 8 occupants. Action: Granted 5 yrs. Motion: Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler. Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained. Conditions of Approval: <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	2823 N. 36th St. A/K/A 2823 A N. 36th St. 15th Dist.
14	30111 Special Use	Latasha Jackson Lessee Request to increase the hours of operation from 5:30 a.m. - 12:30 a.m. to 5:30 a.m. - 1:30 a.m. and to continue occupying the premises as a day care center for 85 children per shift infant to 12 years of age. 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: --	3718 W. Lancaster Av. A/K/A 3734 W. Lancaster Av. 1st Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	30228 Special Use	Murece Johnson Lessee	4234 N. 26th St. 1st Dist.
		Request to continue occupying the premises as a group home for 7 occupants.	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	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 takes all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel. 5. That the applicant submit a contact name and number that can be directly reached 24 hours a day and 7 days a week to all interested parties, including but not limited to, the Alderman of the District, the Board of Zoning Appeals, and the Department of Neighborhood Services. 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>
16	30232 Special Use	Sherry A Jackson Lessee	4893 N. Green Bay Av. 1st Dist.
		Request to increase the hours of operation from 6:00 a.m. - midnight to 24 hours and to continue occupying the premises as a day care center for 45 children infant to 12 years of age, operating Monday - Sunday (this is a new operator).	
	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:	--	
17	29801 Use Variance	Eastbrook Church Inc. Property Owner	5409 N. Green Bay Av. A/K/A 5353 N. Green Bay Av. 1st Dist.
		Request to occupy a portion of the premises as a specialty school (site also contains a Board approved church and social service facility).	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	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 time commencing with the date hereof, and expiring on April 4, 2015. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	30189 Special Use	Lasonia Smith Property Owner	6625 W. Hope Av. 2nd Dist.
		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 - Sunday.	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 5. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 6. That there be no signage associated with the day care facility. 7. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 8. That children are not dropped off or picked up between the hours of 11:00 P.M. and 8:00 A.M. 9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	30242 Special Use	Travis Osborne; House of Prayer Property Owner	5514 W. Fond Du Lac Av. 2nd Dist.
		Request to continue occupying the premises as a religious assembly hall.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	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 windows along the building's W. Fond du Lac Ave 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 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>
20	30267 Special Use	Claude Hill Property Owner	5746 N. 96th St. 2nd Dist.
		Request to continue occupying the premises as a group home for 5 occupants.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	30234 Special Use	Zilli Hospitality Group Lessee Request to continue occupying the premises as an assembly hall (banquet room).	910 E. Michigan St. A/K/A 929 E. Wisconsin Av. 4th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	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. 	
22	30209 Special Use	Ewald Sawall Property Owner Request to occupy the premises as an indoor storage facility.	3717 N. 92nd St. A/K/A 3719 N. 92nd St. 104 5th 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>
23	30230 Special Use	Milwaukee Federation of WELS Churches Bargain Center Committee; Gene Seidel; Lessee	8401 W. Lisbon Av. A/K/A 8407 W. Lisbon Av. 12 5th Dist.
		Request to continue occupying a portion of the premises as a second-hand sales facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	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 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	30254 Special Use	Gregory Goldman Property Owner Request to continue occupying the premises as a motor vehicle sales and repair facility.	9105 W. Hampton Av. A/K/A 9121 W. Hampton Av. 5th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	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 all repair work is conducted inside of the building. 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 the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 9. That these Special Uses are granted for a period of 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>
25	30011 Special Use	Terry Shields Lessee	3210 N. Martin L King Jr Dr. A/K/A 3214 N. Green Bay Av. 6th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility (tire sales and service).	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That all repair work is conducted inside of the building. 6. That landscaping in accordance with Phase I of the landscape plan submitted to the Board on October 22, 2009 is implemented by June 1, 2011. 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 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>
26	30227 Special Use	Rick Porter Lessee Request to continue occupying a portion of the premises as a general retail establishment (photography studio).	3379 N. Pierce St. A/K/A 3377 N. Pierce St. 2 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	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. 295-505-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	30261 Special Use	LaDiana Johnson Property Owner	3313 N. 10th St. 6th Dist.
		Request to continue occupying the premises as a day care center for 8 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 11:00 p.m.	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 5. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 6. That there be no signage associated with the day care facility 7. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 8. 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. 9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	29976 Special Use	Holy Miracle Church Sam Buchanan;Lessee	3064 N. Martin L King Jr Dr. A/K/A 3064 N. 3rd St. 6th Dist.
		Request to continue occupying the premises as a religious assembly hall.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	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 Case No. 27004 regarding this property are complied with. 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>
29	29999 Special Use	Sam Buchanan Lessee Request to continue occupying the premises as a motor vehicle repair facility.	3048 N. Martin L King Jr Dr. A/K/A 3048 N. 3rd St. 6th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	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 repair work is conducted inside the building. 7. That no work or storage of vehicles occurs in the public right of way. 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 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	30245 Special Use	Paul Prostinak Property Owner	4112 W. Burleigh St. 7th Dist.
		Request to continue occupying the premises as a religious assembly hall.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	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>
31	30173 Special Use	Daphne Eiland Property Owner	3526 W. Capitol Dr. A/K/A 3524 W. Capitol Dr. 7th Dist.
		Request to increase the number of children from 45 to 59 per shift and to continue occupying the premises as a day care center for children infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - midnight.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	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 glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	30200 Other	Verizon Wireless Lessee	1800 W. Becher St. 1001 A/K/A 1800 W. Becher St. 627 8th Dist.
		Request to accept the modified plans dated January 7, 2010 (plans no longer include a flag).	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	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, shrubs and fencing per the standards of city code section 295-405 for Type 'G' landscaping is submitted to the Board of Zoning Appeals within 60 days of Board approval of the special use and prior to the issuance of any permits. 5. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on December 9, 2019. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	30214 Special Use	Half Price Books, Records & Magazines, Inc. Lessee	8514 W. Brown Deer Rd. A/K/A 8544 W. Brown Deer Rd. 9th Dist.
		Request to continue occupying the premises as a second-hand sales facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
34	30223 Special Use	Lawrence Burnett Prospective Buyer	5000 W. Villard Av. 9th Dist.
		Request to continue occupying the premises as a religious assembly hall (new operator).	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	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 is granted for a period of time commencing with the date hereof, and expiring on December 10, 2016. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	30231 Special Use	Follow Your Dreams Childcare L.M. Little;Lessee Request to increase the hours of operation from 6:00 a.m. - 11:00 p.m. to 6:00 a.m. - midnight and to continue occupying the premises as a day care center for 39 children per shift, infant to 12 years of age, operating Monday - Friday.	8225 N. 107th St. A/K/A 8225 N. 107th St. 1 9th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	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 five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	30174 Special Use	Sherece Method Lessee Request to occupy the premises as a day care center for 18 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 11:00 p.m.	6411 W. Burleigh St. 10th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of an interested party and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	
37	30203 Special Use	Kamilah Rashada Lessee Request to occupy the premises as a day care center for 18 children per shift infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - 10:00 p.m.	5624 W. Vliet St. A/K/A 5626 W. Vliet St. 1 10th Dist.
	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>
38	30226 Special Use	Cheryl Meeks Lessee	5518 W. Center St. A/K/A 5520 W. Center St. 1 10th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	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 petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 8. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 9. That the petitioner obtain approval from the State of Wisconsin Department of Children and families to utilize the outdoor play area at the petitioner's neighboring day care center (5512 W. Center St.). 10. That the holder of the day care license for 5518 W. Center St must also maintain the day care license for 5512 W. Center St. Failure to keep both day care centers under the same ownership and licensure will render the special use for 5518 W. Center St null and void. 11. 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. 12. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on May 7, 2011. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	30262 Special Use	Lisa M Reed Property Owner	3619 N. 63rd St. 10th Dist.
		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 - Sunday.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 5. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 6. That there be no signage associated with the day care facility. 7. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	30220 Special Use	Jeffrey Weigel Lessee	6214 W. Howard Av. 11th Dist.
		Request to continue occupying the premises as a motor vehicle sales facility (operated in conjunction with the facility at 6315 W. Forest Home).	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	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 must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That all repair work is conducted inside the building. 7. That within 60 days of Board approval of the special use the petitioner must meet with the Zoning Administration group to create a revised landscape plan that provides the required number of trees and shrubs per city code section 295-405. The petitioner must then submit a landscape plan to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits. Specifically, the revised landscape plan must include planting strips that are at least 5-feet wide, and must include landscaping for the areas that will be restored with curb and gutter per the recommendation of DPW. 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>
41	29857 Special Use	Jeffrey Weigel Property Owner	6315 W. Forest Home Av. A/K/A 6313 W. Forest Home Av. 11th Dist.
		Request to continue occupying the premises as a motor vehicle sales facility (operated in conjunction with the facility at 6214 W. Howard Ave.).	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	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 must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That all repair work is conducted inside the building. 7. That within 60 days of Board approval of the special use the petitioner must meet with the Zoning Administration group to create a revised landscape plan that provides the required number of trees and shrubs per city code section 295-405. The petitioner must then submit a landscape plan to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits. Specifically, the revised landscape plan must include planting strips that are at least 5-feet wide, and must include landscaping for the areas that will be restored with curb and gutter per the recommendation of DPW. 8. That the unused driveways on West Howard Avenue and West Forest Home Avenue be closed and restored with curb, gutter and grass. 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 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>
42	30248 Special Use	Charlotte Randolph Lessee Request to increase the hours of operation from 6:00 a.m. - 11:00 p.m. to 6:00 a.m. - 11:30 p.m. and to continue occupying the premises as a day care center for 58 children per shift operating Monday - Sunday.	3125 S. 53rd St. 11th 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:	--	
43	30298 Special Use	Barry Bergling American Tower Corp.;Lessee Request to continue to allow a transmission tower with ground-level equipment that does not meet the landscape requirements (the screening of ground-level equipment, storage buildings and structural support shall meet the standards of landscaping Type 'G').	3151 S. 92nd St. A/K/A 3121 S. 92nd . 11th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	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>
44	30090 Special Use / Variance	PNC Financial Property Owner Request to erect two roof signs and 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:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	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 this Special Use and this Variance are granted for a period of ten (10) years, commencing with the date hereof. 	
45	30213 Special Use	Maria Del Carmen Torres Lessee Request to occupy a portion of the premises as a general retail establishment (grocery store).	2366 S. 9th Pl. A/K/A 924 A W. Hayes Av. 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>
46	30235 Special Use / Dimensional Variance	Rev. Ramon Crespo Property Owner Request to continue occupying the premises as a religious assembly hall without the minimum required number of parking spaces (required 18 / proposed 0).	1731 W. Mitchell St. A/K/A 1704 S. 18th St. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	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 first floor windows along the W. Mitchell 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. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That this Special Use and this Variance is granted for a period of ten (10) years, commencing with the date hereof. 	
47	30255 Special Use	George A Torres Property Owner Request to continue occupying the premises as a social service facility.	804 W. Greenfield Av. 12th 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>
48	30257 Special Use	George A Torres Property Owner Request to continue occupying the premises as a 24 hour day care center for 340 children infant to 12 years of age, operating Monday - Sunday (The previous approval was for 325 children, however, the State licensed them for 340).	809 W. Greenfield Av. A/K/A 1421 S. 8th St. 12th 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:	--	
49	30260 Special Use	George A Torres Property Owner Request to continue occupying the premises as a school for students K4 - 8th grades, operating Monday - Friday 7:00 a.m. - 7:30 p.m.	1643 S. 2nd St. A/K/A 1687 S. 2nd St. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	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>
50	29892 Special Use	Martina McCloud Lessee Request to occupy the premises as a 24 hour day care center for 43 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:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	--	
51	30121 Special Use	Rosiland Johnson Lessee Request to occupy a portion of 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. - midnight.	5601 W. Hampton Av. A/K/A 4781 N. 56th St. 5 7th Dist.
	Action:	Denied	
	Motion:	Jose Dominguez moved to deny the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	--	
52	30159 Appeal of an Order	Ronald Stanis Property Owner Request to appeal an order from the Department of Neighborhood Services stating that there is an illegal sign on the premises.	2548 S. 29th St. A/K/A 2548 A S. 29th St. 8th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to uphold the order. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	ORDER UPHELD.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
53	30171 Dimensional Variance	Horny Goat Brewing Co. Jeff James;Lessee Request to allow a banner sign attached to a fence.	2029 S. 1st St. 14th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	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 one (1) year, commencing with the date hereof. 	
54	30265 Special Use	Horny Goat Brewing Company Jeff James, Director of Operations;Lessee Request to occupy a portion of the premises as an outdoor recreation facility.	2011 S. 1st St. 14th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of 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>
55	30194 Special Use	Angela Harrell Lessee Request to occupy the premises as a group home for 8 occupants.	3420 W. Center St. A/K/A 3422 W. Center St. 15th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for residential 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 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>
56	30206 Use Variance	Travis Osborne; Estate Liquidators Property Owner	3030 W. Fond Du Lac Av. 15th Dist.
		Request to occupy the premises as a second-hand sales facility.	
	Action:	Granted 5 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 obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for retail occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB2 zoning districts. 8. That the two large windows along the building's W. Fond du Lac Ave. facade be restored with transparent vision glass and are maintained in an attractive manner. 9. That this Use 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	30219 Special Use	Cedric Horton Property Owner Request to occupy the premises as a group home for 6 occupants.	2846 N. 9th St. A/K/A 2846 A N. 9th 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:	--	
58	30238 Special Use	Brenda Fells Lessee Request to occupy a portion of the premises as a religious assembly hall.	2467 W. Fond Du Lac Av. A/K/A 2465 W. Fond Du Lac Av. 2 15th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny 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>
59	30239 Special Use	Asha Family Services Lessee	3719 W. Center St. A/K/A 3715 W. Center St. 15th Dist.
		Request to occupy the premises as a social service facility.	
	Action:	Granted 5 yrs.	
	Motion:	Georgia Cameron moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for office occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
60	29899 Special Use	Lisa Harris Lessee Request to occupy the premises as a group home for 5 occupants. Action: Granted 3 yrs. Motion: Henry Szymanski moved to grant the appeal. Seconded by Jose Dominguez. Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained. Conditions of Approval: <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	2321 N. 47th St. 15th Dist.
61	30023 Special Use	Multicultural Church Outreach Delois J. Cross;Lessee Request to occupy the premises as a social service facility. Action: Dismissed Motion: Henry Szymanski moved to dismiss the appeal. Seconded by Georgia Cameron. Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained. Conditions of Approval:	4733 W. North Av. A/K/A 4731 W. North Av. 15th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
62	29968 Special Use	Tautila Russell Lessee	4212 W. Highland Bl. A/K/A 3915 W. Mc Kinley Av. 15th Dist.
		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.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	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 meets the requirements for a Neighborhood Shopping (NS2) zoning district. 8. That the applicant inform potential and existing parents/guardians of the concerns surrounding the waste management facility including but not limited to occasional odors. 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>
63	30148 Use Variance	Tiffany Rollins Lessee	5908 N. 37th St. A/K/A 5910 N. 37th St. 1st Dist.
		Request to occupy a portion of the premises as a day care center for 8 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight.	
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 5. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 6. That there be no signage associated with the day care facility. 7. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the use variance. 8. That the use variance be null and void if the day care ceases to function as a facility for hearing impaired children. 9. That this Use 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>
64	30158 Appeal of an Order	Lockette Enterprises, LLC Otis Lockett; Lessee Request to appeal an order from the Department of Neighborhood Services stating that the premises is being occupied as a transitional living facility.	5053 N. 46th St. A/K/A 5055 N. 46th St. 1st Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:		
65	30110 Special Use	Jacqueline and Danielle Williams Lessee Request to occupy the premises as a day care center for 20 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 Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
66	30118 Special Use	Jacqueline and Danielle Williams Lessee Request to occupy the premises as a day care center (reception area for the proposed 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 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>
67	29891 Special Use	Jacqueline and Danielle Williams Lessee Request to occupy the premises as a day care center for 15 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:	Henry Szymanski moved to adjourn the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
68	30147 Special Use	Cordia Omole Property Owner Request to occupy the premises as a 24 hour day care center for 8 children infant to 12 years of age, operating Monday - Sunday.	1220 N. 31st St. A/K/A 1224 N. 31st St. 4th 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>
69	30201 Special Use	Gary Miller Lessee	5757 N. Lovers Lane Rd. A/K/A 11515 W. Carmen Av. 5th Dist.
		Request to occupy the premises as a motor vehicle repair facility.	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 5. That all repair work is conducted inside the building. 6. That 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 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 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>
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 of the District and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
71	30139 Special Use	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:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
72	30140 Special Use	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:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
73	30141 Special Use	Dolores Lingelbach Property Owner Request to allow a berm that exceeds the maximum allowed height (allowed 6 ft. / proposed 18 ft.). Action: Denied Motion: Henry Szymanki moved to deny the appeal. Seconded by Jose Dominguez. Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained. Conditions of Approval: --	6740 R N. 107th St. 5th Dist.
74	29467 Special Use	Delores Lingelbach Property Owner Request to allow a berm that exceeds the maximum allowed height (allowed 6 ft. / proposed 18 ft.). Action: Denied Motion: Henry Szymanski moved to deny the appeal. Seconded by Jose Dominguez. Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained. Conditions of Approval: --	6700 N. 107th St. 5th Dist.
75	30161 Special Use	John Gray Lessee Request to occupy the premises as an assembly hall (social club). Action: Adjourned Motion: Henry Szymanski moved to adjourn the appeal. Seconded by Jose Dominguez. Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained. Conditions of Approval: --	3815 N. Teutonia Av. 6th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
76	30177 Special Use	LaShundora McKinney Property Owner Request to occupy the premises as a group home for 6 occupants.	216 E. Brown St. A/K/A 216 A E. Brown St. 6th Dist.
	Action:	Adjourned	
	Motion:	Martin Kohler moved to adjourn this matter to a contested hearing. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
77	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:	Henry Szymanski moved to adjourn the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
78	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:	Henry Szymanski 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>
79	30052 Special Use	Carletta Fleming Property Owner Request to occupy a portion of the premises as a day care center for 15 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:30 p.m.	3110 N. 27th St. A/K/A 3108 N. 27th St. 7th Dist.
	Action:	Adjourned	
	Motion:	Martin Kohler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
80	30142 Special Use	Earnest Fleming Property Owner Request to occupy a portion of the premises as a transitional living facility for 6 occupants.	3112 N. 27th St. A/K/A 3108 N. 27th St. 7th Dist.
	Action:	Adjourned	
	Motion:	Martin Kohler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
81	30129 Special Use	Midtown Auto & Metal Recycling, LLC Amit Ray;Lessee Request to occupy the premises as a motor vehicle sales facility.	3211 W. Burleigh St. A/K/A 3205 W. Burleigh St. 7th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned due to a failure of appearance by the applicant and will be rescheduled for the next available agenda.	
	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>
82	29858 Special Use	Steven Anders Property Owner Request to increase the number of children from 12 to 40 per shift and the hours of operation from Monday - Friday 6:00 a.m. - 6:00 p.m to Monday - Friday 6:00 a.m. - 10 p.m. and Saturday 7:00 a.m. - 3:00 p.m. for a Board approved day care center and religious assembly hall.	3410 W. Burleigh St. A/K/A 3404 W. Burleigh St. 7th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 5. That the capacity is not increased until DNS receives a copy of the State license inspection report. 6. That the play area is reconfigured to match the size and location of the site plan. 7. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 8. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 9. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 10. 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. 11. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 12. That a landscape and screening plan is submitted to the Board of Zoning Appeals within 60 days of Board approval of the special use. This landscape plan must be approved by the Zoning Administration Group prior to the issuance of any permits. 13. That the applicant apply for a loading zone to mitigate traffic congestion. 14. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on February 18, 2012. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
83	30006 Special Use	Wadood Ahmad Property Owner	2931 W. Lincoln Av. 8th Dist.
		Request to continue occupying the premises as a motor vehicle filling station.	
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman of the District and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
84	30186 Special Use	United States Cellular Operating Company, LLC Lessee	5620 N. 62nd St. A/K/A 5618 N. 62nd St. 9th Dist.
		Request to erect an 80 ft. transmission tower.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	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 implement and maintain landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on March 23, 2010. 5. That within 60 days of Board approval of the special use the petitioner must submit a written statement to the Board of Zoning Appeals indicating that the owner or developer will, on a nondiscriminatory basis, make the space provided for multiple reception/transmission systems available to other tower users. 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>
85	30202 Special Use	Michael R. Hackbarth & Michael D. Womser M & M Marquis Motor ;Lessee Request to occupy a portion of the premises as a motor vehicle sales facility.	5724 W. Florist Av. 9th 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 there be no signage for the motor vehicle sales facility. 5. That all repair work is conducted inside the building. 6. That sale vehicles be displayed / parked 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 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>
86	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:	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 the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 5. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 6. That there be no signage associated with the day care facility. 7. That 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>
87	30083 Special Use	Efrin Ramirez Lessee Request to occupy a portion of the premises as a religious assembly hall.	1724 W. Mitchell St. A/K/A 1728 W. Mitchell St. 12th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the petitioner submits plans prepared by an architect, obtains all required permits for conversion of this building and obtains a final occupancy certificate by having all required inspections, complies with current State commercial building code for assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 6. That this Special Use is granted for a period of 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>
88	30071 Special Use	Jon Petrie Lessee Request to add a motor vehicle sales and repair facility to the Board approved car wash.	1825 S. Kinnickinnic Av. A/K/A 1823 S. Kinnickinnic Av. 12th Dist.
	Action:	Granted 3 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 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 no work or storage of vehicles occurs in the public right of way. 7. That landscaping and screening is implemented and maintained in a manner that meets the intent of city code. 8. That all repair work is conducted inside the building. 9. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 10. That all car wash activity is conducted inside of the building. 11. That all wastewater is contained on site. 12. That these Special Uses are granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
89	29980 Use Variance	Steve Ignasiak Lessee Request to occupy the premises as an outdoor heavy motor vehicle storage and salvage facility.	2640 S. 5th St. A/K/A 2636 S. 5th St. 14th Dist.
	Action:	Adjourned	
	Motion:	Martin Kohler moved to adjourn the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
90	29893 Special Use	Timothy McCarthy Property Owner Request to occupy the premises as a bed and breakfast.	2530 E. Newberry Bl. 3rd Dist.
	Action:	Dismissed	
	Motion:	Jose Dominguez moved to dismiss the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

Other Business:

Board member Szymanski moved to approve the minutes of the February 11, 2010 meeting. Seconded by Board member Siker. Unanimously approved.

The Board set the next meeting for April 15, 2010.

Board member Szymanski moved to adjourn the meeting at 6:50 p.m.. Seconded by Board member Kohler. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board