

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – July 29, 2010
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

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

Members: Henry P. Szymanski (*voting on items 1-55*)
Georgia M. Cameron (*voting on items 1-55*)
Donald Jackson (*voting on items 1-55*)
Martin E. Kohler (*voting on items 1-45, 47-55*)

Alt. Board Members: Jose L. Dominguez (*present, voting on item 46*)
Leni M. Siker (*present on items 31-55*)

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	30399 Special Use	The AppleCrest Preparatory Leadership Academy Lessee Request to occupy the premises as an elementary school for 50 students K4 - 3rd grades, operating Monday - Saturday 7:00 a.m. - 10:00 p.m.	7101 W. Capitol Dr. 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>
2	30457 Special Use	Nehemiah Project Inc. Mary E. Beth Dugan;Property Owner	2574 N. Cramer St. 3rd Dist.
		Request to continue occupying the premises as a group home for 8 occupants.	
	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. 	
3	30477 Use Variance	Bridging The Gap Robert Byrd;Lessee	1600 W. State St. A/K/A 1624 W. State St. 4th Dist.
		Request to continue occupying the premises as an outdoor recreation facility.	
	Action:	Granted 10 yrs.	
	Motion:	Hnery 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 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>
4	30525 Special Use	Ivory Retail/Office Investors, LLC Chuck Biller, Williams Development Corp.;Property Owner	555 N. Plankinton Av. A/K/A 161 W. Michigan St. 4th Dist.
		Request to occupy the premises as a social service facility.	
	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.295-705 of the Milwaukee Zoning Code. 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>
5	30528 Special Use	Thanks A-Lot, LLC Bonnie Bockl Joseph;Property Owner Request to continue occupying the premises as a principal parking lot.	843 N. Plankinton Av. A/K/A 857 N. Plankinton Av. 4th 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 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 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>
6	30537 Special Use	Jackson Square, LLC Robert Joseph, Managing Member;Property Owner	159 N. Jackson St. A/K/A 163 N. Jackson St. 4th Dist.
		Request to occupy the premises as a live-work unit.	
	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 obtain approval from the Third Ward Architectural Review board for any exterior changes to any previously approved plans. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
7	30440 Special Use	Intelligence, Inc. Kids Are Smart Learning Center;Lessee	8500 W. Capitol Dr. A/K/A 8500 W. Capitol Dr. 101 5th Dist.
		Request to increase the hours of operation from 6:30 a.m. - 6:00 p.m. to 6:30 a.m. to midnight for a Board approved day care center for 54 children first shift and 25 children second shift infant to 12 years of age, operating Monday - Friday.	
	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>
8	30553 Special Use	Ronald L. Edmiston, Treasurer Speedway SuperAmerica LLC;Property Owner	8431 W. Appleton Av. A/K/A 8401 W. Appleton Av. 5th Dist.
		Request to continue occupying the premises as a motor vehicle filling station.	
	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 the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That 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. 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 the applicant does not have outdoor storage or display of products or merchandise. 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. 	

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9	30484 Special Use	Kai Trimble This House is a Home LLC;Lessee Request to continue occupying the premises as a group home for 6 occupants.	4542 N. 84th St. A/K/A 4544 N. 84th St. 5th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of an interested party and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	
10	30420 Special Use/ Dimensional Variance	Rev. James D. Marshall Property Owner Request to continue occupying the premises as a religious assembly hall that does not meet the minimum required number of parking spaces (required 10 / proposed 0).	2507 N. Martin L King Jr Dr. A/K/A 2509 N. Martin L King Jr Dr. 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 this Special Use and this Variance are granted for a period of ten (10) years, commencing with the date hereof. 	

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11	30540 Special Use	Darrel Eisenhardt Property Owner Request to continue occupying the premises as a bank with a drive-through facility.	230 W. Reservoir Av. A/K/A 1900 N. Martin L King Jr Dr. 6th 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:	--	
12	30412 Special Use	Tamara Collins Lessee Request to increase the number of children per shift from 14 to 24 and to expand the existing Board approved day care center operating Monday - Sunday 7 a.m. - midnight to the second floor of the premises.	4235 A W. Fond Du Lac Av. A/K/A 4235 W. Fond Du Lac Av. 7th 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>
13	30509 Special Use	Judy Moncree Lessee Request to continue occupying the premises as a day care center for 24 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight (new operator).	4406 W. Burleigh St. A/K/A 4408 W. Burleigh St. 1 7th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of the applicant and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
14	30434 Special Use/ Dimensional Variance	Gregory J Moon Property Owner Request to continue occupying the premises as a motor vehicle repair facility (motorcycle repair) with permitted outdoor storage that does not meet landscaping requirements .	9903 W. Brown Deer Rd. 9th 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 storage container is screened in accordance with the site plan submitted to the board on May 5, 2010. 5. That all repair work is conducted inside of the building. 6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB1 zoning districts. 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 and this Variance are granted for a period of ten (10) years, commencing with the date hereof. 	

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15	30531 Dimensional Variance	Liesener Soils Inc. Kurt Liesener; Lessee Request to continue occupying the premises as a contractor's yard with stockpiles that exceed the maximum allowed height.	8410 W. Calumet Rd. 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:	--	
16	30522 Use Variance/ Dimensional Variance	Milwaukee Brewers Baseball Club, L.P. Marti Wronski, General Counsel; Lessee Request to continue to allow a free-standing, off-premise sign that does not meet the minimum required street lot line setback (required 48.5 ft. / proposed 20.68 ft.), exceeds the maximum allowed height (allowed 40 ft. / proposed 48.5 ft.), and has an automatic changeable message sign located within 400 ft. of a residential district.	201 S. 46th St. A/K/A 1 Brewers Wa. 3 10th 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 these Variances are granted for a period of ten (10) years, commencing with the date hereof. 	

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17	30533 Special Use	Get It Off My Plate II!, LLC Wayne A. Jurecki and Christopher Anderson; Lessee Request to continue occupying the premises as an ambulance service 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 this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	6223 W. Forest Home Av. 11th Dist.
18	30454 Dimensional Variance	Thomas Pollock Property Owner Request to allow a garage that exceeds the maximum allowed height (the overall height of a garage shall not exceed the height of the principal building). 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 to run with the land. 	3453 S. 95th St. 11th Dist.

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19	30417 Special Use	Filiberto Ruiz Property Owner Request to continue occupying the premises as a motor vehicle repair (this is a new operator).	1438 S. 6th St. A/K/A 534 W. Orchard 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:	--	

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20	30433 Special Use/ Dimensional Variance	<p>Horner Sod Farm Mike Sanfelippo;Property Owner</p> <p>Request to continue occupying the premises as a motor vehicle filling station and fast-food / carry-out restaurant with a freestanding sign that exceeds the maximum allowed area and the allowed number of freestanding signs per site.</p>	<p>605 S. 1st St. A/K/A 643 S. 1st St. 12th Dist.</p>
	Action:	Granted	
	Motion:	Henry Syzmanski 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 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 site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That landscaping and screening is maintained in a manner that meets the intent of city code. 7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 8. That 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. 9. 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. 10. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 11. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 12. That Gyro Palace obtains a certificate of occupancy within 30 days of zoning approval. 13. That these Special Uses and these Variances are granted for a period of time commencing with the date hereof, and expiring on March 26, 2019. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	30534 Special Use	Piedad Silva d/b/a Jalisco Western Wear Property Owner Request to continue occupying the premises as a general retail establishment.	1905 S. 13th St. A/K/A 1913 S. 13th 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 no additional signage may be erected on the site unless it meets the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as transparent vision glass 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. 	

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22	30535 Special Use	Juan F Villa Lessee Request to occupy the premises as a general retail establishment.	2000 S. 14th St. A/K/A 2000 A S. 14th St. 12th 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 the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 5. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. In particular that wall signage is limited to a maximum of 18 square feet per street frontage. 6. That the storefront windows remain as transparent vision glass and are maintained in an attractive manner. 7. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	
23	30527 Special Use	Nargis Anis Property Owner Request to continue occupying the premises as a motor vehicle filling station.	4709 S. Howell Av. 13th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of staff and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
24	30529 Special Use	Virginia Davis Lessee Request to increase the number of children from 20 to 30 per shift and to continue occupying the premises as a day care center for children infant to 12 years of age, operating Monday - Saturday 7:00 a.m. - midnight.	2901 W. North Av. A/K/A 2249 N. 29th St. 15th 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 the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 7. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on February 18, 2013. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	30536 Special Use	Wisconsin Lutheran College Duane Schlomer, VP Finance;Prospective Buyer	4243 W. North Av. A/K/A 2232 N. Sherman Bl. 15th Dist.
		Request to occupy the premises as a community center.	
	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 a landscape and screening plan for the parking lot is submitted to the Board of Zoning Appeals that upgrades the existing landscaping to meet the standards of city code section 295-405 for Type 'B' landscaping. 6. That landscaping and screening in accordance with said plan is implemented and maintained. 7. 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. 8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

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26	30510 Use Variance/ Dimensional Variance	D4BMJCM Limited Partnership Prospective Buyer Request to construct a medical office that does not meet the minimum required front setback (required 13 ft. / proposed 0 ft.).	2561 N. 29th St. A/K/A 2902 W. Wright St. 15th 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 these Variances are granted for a period of time commencing with the date hereof, and expiring on May 6, 2019. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	30327 Special Use	Rashinder Lal Property Owner	2620 W. Capitol Dr. 1st Dist.
		Request to continue occupying the premises as a motor vehicle filling station, convenience store and car wash.	
	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 take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel. 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 there be no increase in existing signage. 7. That individually sold cigars, cigarette wrapping paper, Black and Mild cigars, Blunt cigars, glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia not be sold on the premises. 8. That the petitioner implement landscaping improvements in accordance with the letter received by the Board on June 4, 2010 and maintain landscaping and screening 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>
28	30516 Special Use	Genise Crowder Lessee Request to increase the hours of operation from Monday - Friday 6:00 a.m. - 6:00 p.m. to Monday - Saturday 6:00 a.m. - midnight and to continue occupying the premises as a day care center for 54 children per shift infant to 12 years of age (this is a new operator).	5219 W. Villard Av. A/K/A 5221 W. Villard Av. 3 1st 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hrs/day. 7. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 8. That 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 facility does not exceed the capacity established by the State Department of Children and Families. 10. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on March 20, 2016. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	30532 Special Use	Emmanuel and Lora Howard Lessee	6063 N. Teutonia Av. A/K/A 6071 N. Teutonia Av. 1st Dist.
		Request to occupy a portion of the premises as a religious assembly hall.	
	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 the windows along the N. Teutonia 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 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>
30	30520 Special Use	Shavelle Oliphant Lessee	8717 W. Fond Du Lac Av. A/K/A 8761 W. Fond Du Lac Av. 2nd Dist.
		Request to occupy a portion of the premises as a day care center for 30 children per shift infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - midnight.	
	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 for LB1 zoning districts. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 7. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of 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 obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 10. Based on the floor plan submitted by the applicant the capacity of the day care center can not exceed 19 children. 12. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	30258 Special Use	Lamar and Denise Beverly-Davis Property Owner	3320 W. Vliet St. 4th Dist.
		Request to add an emergency residential shelter and social service facility to the Board approved religious assembly hall.	
	Action:	Granted 1 yr.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That the petitioner submits plans prepared by an architect, obtains all required permits for conversion of this space and obtains a final occupancy certificate by having all required inspections, complies with current State commercial building code for R-1 occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 7. That the petitioner establish an Oversight Committee that includes at least two licensed/credentialed mental and behavioral health professionals. 8. That the petitioner submit evidence of the formation of the Oversight Committee, including a list of the members within 60 days. 9. That the Oversight Committee submit minutes of the first meeting within 90 days. The first meeting must be held before the emergency residential shelter may operate. 10. That the Oversight Committee submit monthly meeting minutes to the Board of Zoning Appeals. 11. That the facility have no more than 16 occupants at the emergency residential shelter at any one given time. 12. That these Special Uses are granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	30395 Special Use/ Dimensional Variance	Wisconsin Avenue Properties I, LLC James R. Kleinfeldt;Property Owner Request to raze and rebuild a 150 unit multi-family dwelling that does not meet the minimum required lot area per dwelling/roomer (required 72,000 sq.ft. / proposed 29,725 sq.ft.) and required number of parking spaces (required 108 / proposed 64).	1925 W. Wisconsin Av. A/K/A 1925 A W. Wisconsin Av. 5 4th Dist.
	Action:	Adjourned	
	Motion:		
	Vote:	--	
	Conditions of Approval:	--	
33	30501 Special Use	Milwaukee LGBT Community Center Dave Martin, Operations Manager;Lessee Request to occupy a portion of the premises as a community center.	252 E. Highland Av. A/K/A 1120 N. Market St. 4th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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>
34	30359 Special Use	Vivian Houston Property Owner	3252 N. 1st St. 6th Dist.
		Request to occupy the premises as a social service facility and a transitional living facility for 3 occupants.	
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
35	30431 Special Use	GRO Family Services Lessee	2011 W. Capitol Dr. A/K/A 2007 W. Capitol Dr. 6th Dist.
		Request to occupy the premises as a social service facility.	
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	30504 Dimensional Variance	Piyush Tiwari Property Owner Request to erect a sign that exceeds the maximum allowed area (allowed 32 sq.ft. / proposed 73.5 sq.ft.).	5308 W. Hampton Av. 7th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
37	30391 Special Use	Quincy S Lynk Property Owner Request to occupy a portion of the premises as an assembly hall and religious assembly hall.	5527 W. North Av. A/K/A 5529 W. North Av. 2 10th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the matter. 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>
38	30519 Special Use	Jay & Cee Holdings, LLC Jaun or Carl McKinley;Property Owner Request to occupy the premises as a day care center for 90 children per shift infant to 12 years, operating Monday - Sunday 6:00 a.m. - midnight.	6610 W. Lisbon Av. A/K/A 6612 W. Lisbon Av. 10th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded 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 petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 90 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 submits plans prepared by an architect, obtains all required permits for conversion of this building and obtains a final occupancy certificate by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 10. That based on the floor plan submitted by the applicant the number of children on site at any one time does not exceed 68. 11. 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 as necessary. 12. That the petitioner apply for a loading zoning. 13. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on December 15, 2011. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	30410 Special Use	Cady's Kids Child Care, Inc. Jessica Cady & Lynn Cady; Lessee	6825 W. Burleigh St. A/K/A 6924 W. Lisbon Av. 10th Dist.
		Request to increase the number of children from 70 to 102 and to continue occupying the premises as a day care center for children infant to 13 years of age, operating Monday - Friday 6:30 a.m. to 5:30 p.m.	
	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 outdoor play area is not utilized before 9:00 A.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 based on the floor plan submitted by the applicant and a review by the State Department of Children and Families the number of children on site at any one time does not exceed 70. 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>
40	30411 Special Use	Cleveland Walker Lessee	5638 W. Appleton Av. 10th Dist.
		Request to occupy the premises as a motor vehicle repair facility.	
	Action:	Granted 2 yrs.	
	Motion:	Henry Syzmanski 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 all repair work is conducted inside the building. 6. That ornamental fencing in accordance with the fencing plan submitted to the Board of Zoning Appeals on June 2, 2010 be installed within 90 days of Board approval of the special use. 7. That no work or storage of vehicles occurs in the 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 the applicant removes all storage containers from the site and that all storage is to be inside the building. 11. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	30439 Special Use	Place of Praise Family Life Center Citadel of Praise C.O.G.I.C. Dean & Nicole Young; Lessee	7101 W. Capitol Dr. 10th Dist.
		Request to occupy a portion of the premises as a social service facility.	
	Action:	Adjourned from a prior hearing	
	Motion:	This item has been adjourned from the agenda at the request of the Alderman of District and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	
42	30465 Special Use	Marcella Adkins Lessee	6001 W. Center St. A/K/A 6001 W. Center St. 107 10th Dist.
		Request to occupy a portion of the premises as a social service facility.	
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for business occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 5. The the building elevator is restored to full operating condition prior to occupancy. 6. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	30463 Special Use	Smiling Faces Learning Center Lisa Novak;Lessee Request to increase the hours of operation from 6:00 a.m. - 6:00 p.m. to 6:00 a.m. - midnight and continue occupying the premises as a day care center for 50 children per shift infant to 12 years of age, operating Monday - Friday (this is a new operator).	1926 W. Arrow St. A/K/A 1432 S. 20th St. 12th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. Specifically that wall signage shall not exceed 18 sq.ft. per street frontage. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 7. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 8. That the storefront windows remain as transparent glass and are maintained in an attractive manner. 9. That the petitioner submits plans prepared by a registered architect or engineer, obtains all required permits for alteration of this building and obtains a final occupancy certificate by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 11. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel as necessary. 12. 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>
44	30489 Special Use	Ramon Basurto Prospective Buyer	1984 S. 16th St. A/K/A 1570 W. Rogers St. 3 12th Dist.
		Request to occupy the premises as an assembly hall.	
	Action:	Granted 1 yr.	
	Motion:	Donald Jackson 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 the applicant supply a 24-hour contact phone number to the Board office and any interested party that requests it. 6. That an employee and/or security personnel be on site during all events. 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 in accordance with the glazing standards of s295-605-2-i-3 of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 9. 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. 11. That that the operation closes at midnight Monday - Sunday. 12. 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>
45	30407 Use Variance	Select Recovery Agents, Inc. Lessee	4816 S. 13th St. A/K/A 4810 S. 13th St. 13th Dist.
		Request to occupy the premises as a motor vehicle outdoor storage facility.	
	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 a landscape and screening plan is submitted to the Board of Zoning Appeals. The plan must be approved by the Zoning Administration Group prior to the issuance of any permits. Specifically, the landscape and screening plan must provide additional shrubs to supplement the existing landscaping along the S. 13th St frontage. 5. That landscape improvements per an approved landscape plan are implemented by September 30th 2010, and that landscaping and screening are 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 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>
46	30390 Special Use	Richard Bivens Property Owner	2440 N. 28th St. 15th Dist.
		Request to occupy the premises as a transitional living facility for 7 occupants .	
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
47	30419 Special Use/ Dimensional Variance	Spirit Israel Church Mr. Koheleth Israel;Property Owner Request to raze the existing building and reconstruct a religious assembly hall without the minimum required number of parking spaces (required 17 / proposed 6).	2415 W. Fond Du Lac Av. A/K/A 2415 A W. Fond Du Lac Av. 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the petitioner agrees to work with the Zoning Administration Group staff on final resolution of design issues including, but not limited to site plans, facade & elevation plans, and signage plans. The petitioner must submit revised drawings that reflect these changes to the Board of Zoning Appeals for Zoning Administration Group review and approval. Plans submitted to the Plan Examination Section must be consistent with the final Zoning Administration Group approved plan, or no permits will be issued. 6. That the petitioner submits plans prepared by an architect, obtains all required permits for conversion of this building and obtains a final occupancy certificate by having all required inspections, complies with current State commercial building code for assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 7. That this Special Use and this Variance are granted for a period of 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>
48	30308 Dimensional Variance	Mark Lalonde Property Owner Request to occupy the premises as a permitted contractor's yard with stockpiles that exceed the maximum allowed height (allowed 6 ft. / proposed 30 ft.) and landscaping that does not meet the required standards.	2826 W. Silver Spring Dr. A/K/A 5608 N. Teutonia Av. 1st 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>
49	30345 Special Use	Phoebe Bowie 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:	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 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 hrs/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 first floor windows along the building's Green Bay 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. 9. That the facility does not exceed the capacity established by the State Department of Children and Families. 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 the petitioner apply for a loading zone. 12. 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>
50	30403 Special Use	Daniel Tucker II Lessee Request to occupy a portion of the premises as motor vehicle repair facility.	9710 W. Flagg Av. A/K/A 9630 W. Flagg Av. 2nd Dist.
	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:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
51	30404 Special Use	Jason Jones Lessee	9704 W. Flagg Av. A/K/A 9638 W. Flagg Av. 2nd Dist.
		Request to occupy a portion of the premises as a motor vehicle repair facility.	
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the 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 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. 	
		4. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	30448 Other	Ronald Sherrill Property Owner	6446 W. Fond Du Lac Av. 2nd Dist.
		Request to modify condition #7 of case #30120 requiring "that the applicant erect an opaque fence to physically prohibit traffic from moving through the alley onto and off of the site".	
	Action:	Adjourned	
	Motion:		
	Vote:	--	
	Conditions of Approval:	--	
53	30311 Special Use	Courthouse Sports Complex Adigun Hayes, Manager;Lessee	301 E. Vienna Av. A/K/A 333 E. Vienna Av. 6th Dist.
		Request to occupy the premises as an indoor recreation facility.	
	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:	--	
54	30305 Special Use	Jose G Sanchez Property Owner	1021 W. Dakota St. 14th Dist.
		Request to occupy the premises as a motor vehicle repair facility.	
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	30358 Special Use	Lisa Netterville Living with Hope House, Inc.;Property Owner	965 N. 34th St. A/K/A 3405 W. State St. A 15th Dist.
		Request to occupy the premises as a group home for 8 occupants.	
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Martin Kohler.	
	Vote:	3 Ayes, 1 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

Other Business:

Board member Henry Szymanski moved to approve the minutes of the July 8, 2010 meeting. Seconded by Board member Donald Jackson. Unanimously approved.

The Board set the next meeting for July 29, 2010.

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

BOARD OF ZONING APPEALS

Secretary of the Board