

**BOARD OF ZONING APPEALS**  
**CITY OF MILWAUKEE**

**REGULAR MEETING – September 2, 2010**  
**City Hall, Common Council Committee Room 301-B**

***MINUTES***

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PRESENT:

**Chairwoman:** Catherine M. Doyle (*voting on items 1-76*)

**Members:** Henry P. Szymanski (*voting on items 1-76*)  
Georgia M. Cameron (*voting on items 1-76*)  
Donald Jackson (*voting on items 1-76*)  
Martin E. Kohler (*voting on items 1-58, 60-76*)

**Alt. Board Members:** Jose L. Dominguez (*excused*)  
Leni M. Siker (*excused*)

START TIME: 4:08 p.m.

END TIME: 8:32 p.m.

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<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	30605 Dimensional Variance	John Linn, Acting Manager-Design & Construction M.P.S. Div. Facilities & Maintenance;Property Owner  Request to continue to allow a sign that exceeds the maximum allowed area (allowed 17.5 sq.ft. / proposed 28 sq.ft.).	6500 W. Kinnickinnic River Pk. A/K/A 6311 W. Stack Dr. 11th 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	30599 Special Use	Tyronzia Davis and Irma Johnson Lessee  Request to occupy the premises as a 24 hour day care center for 60 children per shift, operating Monday - Friday.	5572 N. 76th St. A/K/A 5570 N. 76th St. 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	30571 Special Use	Towne Realty Inc. Tom Bernacchi;Property Owner  Request to continue occupying the premises as a parking lot.	105 W. Michigan St. A/K/A 508 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
4	30572 Special Use	Towne Realty Inc. Tom Bernacchi;Property Owner	801 W. Wisconsin Av. A/K/A 813 W. Wisconsin Av. 4th Dist.
		Request to continue occupying the premises as a parking lot.	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
5	30634 Special Use	Kim Petersen Property Owner	1902 W. Kilbourn Av. A/K/A 1904 W. Kilbourn Av. 4th Dist.
		Request to continue occupying the premises as a rooming house for 12 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>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.</li> <li>5. That rooming house residency is limited to university students.</li> <li>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
6	30580 Special Use	Lisa Olson Lessee  Request to continue occupying the premises as a day care center for 50 children per shift infant to 12 years of age, operating Monday - Friday 5:00 a.m. - midnight.	9818 W. Sheridan Av. A/K/A 9820 W. Sheridan Av. 5th 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>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.</li> <li>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.</li> <li>8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	30587 Special Use	Frances R Hill Property Owner	7980 W. Appleton Av. A/K/A 7982 W. Appleton Av. 5th Dist.
		Request to continue occupying the premises as a day care center for 15 children per shift two - seven years of age, operating Monday - Friday 6:00 a.m. - 10:00 p.m. (this is a new operator).	
	Action:	Granted 3 yrs.	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>10. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
8	30630 Special Use	John T Malone Lessee  Request to continue occupying the premises as a second-hand sales facility.	3720 N. 92nd St. A/K/A 3718 N. 92nd St. 2 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>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.</li> <li>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	30084 Special Use	Harriet and Cleorars Conway Property Owner  Request to continue occupying the premises as a day care center for 30 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 11:00 p.m.	4313 W. Fond Du Lac Av. A/K/A 4315 W. Fond Du Lac Av. 7th Dist.
	Action:	Granted 1 yr.	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>10. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	30597 Special Use	Angela Deberry Lessee	3431 N. 44th St. 7th Dist.
		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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	
11	30598 Special Use	Samuel Brandman Property Owner	4615 W. Hampton Av. 7th Dist.
		Request to continue occupying the premises as a community living arrangement for 26 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
12	30523 Special Use	Becher Terrace Housing LLC Scott Stevlingson, SunStarr Real Estate Ventures;Prospective Buyer	1800 W. Becher St. 1001 A/K/A 1800 W. Becher St. 627 8th Dist.
		Request to construct parking lot that is located between the principal building and the street lot line.	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscaping in accordance with the landscape plan submitted to the Board on August 6, 2010 is implemented within 90 days of occupancy (weather permitting) and is maintained in a manner that meets the intent of city code.</li> <li>5. That this Special Use is granted to run with the land.</li> </ol>	
13	30563 Use Variance	Graciela and Inocente Hernandez Other	3911 W. Greenfield Av. A/K/A 3913 W. Greenfield Av. 8th Dist.
		Request to continue occupying the premises as a general retail establishment (grocery store).	
	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>
14	30577 Special Use	REO Motors, Inc. Salim Shelleh;Property Owner	2765 S. 27th St. 8th Dist.
		Request to continue occupying the premises as a motor vehicle 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>6. That all repair work is conducted inside the building.</li> <li>7. That the petitioner shall maintain landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on March 21, 2003.</li> <li>8. That no work or storage of vehicles occurs in the public right of way.</li> <li>9. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>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.</li> <li>11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	30579 Special Use	Amira Academy LLC Aisha Yasin;Property Owner  Request to continue occupying the premises as a day care center for 51 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 7:00 p.m.	2439 W. Mitchell St. A/K/A 2437 W. Mitchell St. 8th 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>
16	30554 Special Use	James Reno Lessee	7440 W. Brown Deer Rd. A/K/A 7500 W. Brown Deer Rd. 9th Dist.
		Request to continue occupying the premises as a motor vehicle repair 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That all repair work is conducted inside the building.</li> <li>6. That no work or storage of vehicles occurs in the public right of way.</li> <li>7. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>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.</li> <li>9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	30619 Special Use	Gamdoor Sangha Property Owner	5990 W. Good Hope Rd. 9th Dist.
		Request to continue occupying the premises as a motor vehicle filling station with a convenience store .	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>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.</li> <li>5. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises.</li> <li>6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>7. 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.</li> <li>8. That signage plans which meet the sign standards of s.295-605 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</li> <li>9. That landscape plans meeting the intent of city code section 295-405 are submitted to the Board of Zoning Appeals within 60 days of Board approval of the special use and approved by the Zoning Administration Group prior to the issuance of any permits.</li> <li>10. That landscape improvements are implemented by June 1, 2011.</li> <li>11. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>12. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>13. 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.</li> <li>14. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on January 27, 2019.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	30629 Dimensional Variance	Maddie Turner Property Owner  Request to construct a wheelchair ramp located within the front yard.	6440 N. Landers St. 9th 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That prior to the issuance of any permits the petitioner submit a rendering of the proposed wheel chair ramp to the Board of Zoning Appeals for approval by the Zoning Administration group. The rendering must indicate that the ramp has skirting material to screen the areas beneath the ramp.</li> <li>5. That this Variance is granted to run with the land.</li> </ol>	
19	30566 Special Use	Jose and Juana Ocon Property Owner  Request to continue occupying the premises as a motor vehicle repair facility.	1058 W. Windlake Av. A/K/A 1042 W. Windlake 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>
20	30568 Use Variance	Whole Village Institute Laura Allen;Lessee  Request to occupy a portion of the premises as a school for 150 students K4 - 8th grades, operating Monday - Friday 7:30 a.m. - 5:30 p.m. and Saturday 7:30 a.m. - noon.	1236 W. Pierce St. A/K/A 627 S. 12th 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:	--	
21	30576 Special Use	The Bridge Health Clinics and Research Centers Inc Todd Campbell President;Lessee  Request to occupy the premises as a social service facility.	600 W. Virginia St. 203 A/K/A 600 W. Virginia St. 100 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>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.</li> <li>5. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
22	30588 Special Use	Grant W Lawson Property Owner  Request to continue occupying the premises as a religious assembly hall.	1501 W. Lincoln Av. A/K/A 2313 S. 15th 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:	--	
23	30610 Dimensional Variance	Franciscan Fathers Minor Conventuals of St. Josaphat's Church in Milwaukee, WI Inc.;Property Owner  Request to erect a freestanding automatic changeable message sign that exceeds the maximum allowed height (allowed 6 ft. / proposed 7 ft.).	601 W. Lincoln Av. A/K/A 2362 S. 7th 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-407-4-b &amp; 4-c of the Milwaukee Zoning Code. Specifically, that the sign not contain flashing, intermittent or moving sections or intermittent or flashing lights and that the display area not be changed more frequently than once every 30 seconds.</li> <li>5. That these Variances are granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
24	30627 Special Use	Jatinder S Mangat Lessee	2501 S. 13th St. 12th Dist.
		Request to continue occupying the premises as a motor vehicle filling station.	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>7. That landscaping and screening in accordance to the landscape plan submitted to the Department of City Development on June 4, 2010 is implemented within 90 days of approval of the special use and is maintained in a manner that meets the intent of city code.</li> <li>8. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>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.</li> <li>10. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on May 26, 2020.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	30628 Special Use	Juan M Sanchez Property Owner	1636 W. Forest Home Av. 12th Dist.
		Request to continue occupying the premises as a currency exchange, payday loan or title loan agency.	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>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.</li> <li>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.</li> <li>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	30584 Dimensional Variance	Saadeddine Fleifel Property Owner  Request to construct an addition to the Board approved fast-food / carry-out restaurant that does not meet the minimum required building height (required 18 ft. / proposed 16 ft.).	4125 S. Howell Av. 13th 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. 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.</li> <li>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.</li> <li>6. That glazing must meet the glazing standards of s295-605-i of the Milwaukee Zoning Code.</li> <li>7. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>8. That existing landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>9. 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.</li> <li>10. That the petitioner agrees to work with the Department of City Development Planning Administration staff on final resolution of the facade and elevation plans. The petitioner must submit revised drawings that reflect these changes to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits.</li> <li>11. That this Variance is granted for a period of time commencing with the date hereof, and expiring on April 23, 2017.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	30539 Special Use	Gunny Petroleums, Inc. Satwinder Singh;Property Owner	2312 W. Fond Du Lac Av. A/K/A 2306 W. Fond Du Lac Av. 15th Dist.
		Request to continue occupying the premises as a motor vehicle filling station.	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. 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.</li> <li>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.</li> <li>6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>7. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.</li> <li>8. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>9. That landscaping and screening is maintained in accordance with the approved landscape plan.</li> <li>10. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>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.</li> <li>12. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	30561 Special Use	Thomas Arenberg Next Door Foundation;Property Owner	2548 N. 29th St. 15th Dist.
		Request to occupy the premises as a parking lot.	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on August 2, 2010 is installed by June 15, 2011 and maintained in a manner that meets the intent of city code.</li> <li>5. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on May 6, 2019</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	30565 Special Use	A New Creation Child Development Center Tisha Anderson;Lessee	3430 W. Center St. A/K/A 2700 N. 35th St. 15th Dist.
		Request to occupy the premises as a 24 hour day care center for 25 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>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.</li> <li>7. 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.</li> <li>8. 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.</li> <li>9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	30569 Special Use	Northcott Neighborhood House M. Frances Martin; Lessee	3711 W. Lisbon Av. A/K/A 3713 W. Lisbon Av. 15th Dist.
		Request to continue occupying the premises as a day care center for 45 children per shift, 3 - 6 years of age, operating 7:00 a.m. - 5:00 p.m. Monday - Friday.	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>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</li> <li>7. 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.</li> <li>8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	30573 Special Use	Pamela R McNealy Property Owner  Request to continue occupying the premises as a group home for 8 occupants.	3812 W. Roberts St. A/K/A 3812 W. Roberst St. 15th 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	30631 Special Use	Beverly Jones Property Owner	2005 N. 36th St. A/K/A 3604 W. Brown St. 15th Dist.
		Request to continue occupying the premises as a 24 hour day care center for 8 children per shift infant to 13 years of age, operating Monday - Sunday.	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That there be no signage associated with the day care facility.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>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.</li> <li>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.</li> <li>8. That the dwelling unit containing the family day care is continuous occupied as a residential unit by the applicant.</li> <li>9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	30524 Special Use/ Use Variance/ Dimensional Variance	Kent L Kaiser Property Owner  Request to add a ground transportation facility and an outdoor salvage operation and to continue occupying the premises as a motor vehicle sales, repair and outdoor storage facility with a razor wire fence.	6944 N. Teutonia Av. 1st Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of staff and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
34	30538 Special Use	Augustus Allen Lessee	6235 B N. Teutonia Av. A/K/A 6243 N. Teutonia Av. 1st Dist.
		Request to occupy a portion of the premises as a second-hand sales 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. 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.</li> <li>6. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>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.</li> <li>8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	30541 Special Use	Yolanda and Mary Coleman Lessee	6504 W. Capitol Dr. A/K/A 6524 W. Capitol Dr. 2nd Dist.
		Request to occupy a portion of the premises as a second-hand sales 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. 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.</li> <li>6. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>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.</li> <li>8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	30578 Special Use	National Real Estate Investors LLC Hussein Govani;Property Owner	5740 W. Fond Du Lac Av. 2nd Dist.
		Request to continue occupying the premises as an auto repair facility.	
	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>
37	30600 Special Use	Chandra Cooper Bright Beginnings Children Center II;Lessee	5576 N. 76th St. A/K/A 5572 N. 76th St. 2nd Dist.
		Request to continue occupying the premises as a 24 hour day care center for 60 children per shift 6:00 a.m. - 9:00 p.m., and 20 children per shift 9 p.m. - 6:00 a.m., infant to 12 years of age, operating Monday - Sunday (this is a new operator).	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>9. That the petitioner submit information to the board of Zoning Appeals indicating that there is additional on-site outdoor play space that meets the size requirements mandated by the State of Wisconsin Department of Children and Families.</li> <li>10. That the facility does not exceed the capacity established by the State Department of Children and Families.</li> <li>11. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
38	30575 Special Use	Mueller Communications Inc. Carl Mueller;Property Owner	1749 N. Prospect Av. 3rd Dist.
		Request to continue occupying the premises as a general office 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
39	30624 Special Use	Jonathan and Donna Moberg Property Owner	3477 N. Weil St. 3rd Dist.
		Request to continue occupying the premises as a contractor's yard.	
	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>
40	30311 Special Use	Courthouse Sports Complex Adigun Hayes, Manager;Lessee  Request to occupy the premises as an indoor recreation facility.	301 E. Vienna Av. A/K/A 333 E. Vienna Av. 6th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	30451 Special Use	Darlene Dunlap Lessee	1801 W. Galena St. A/K/A 1551 A N. 18th St. 4th Dist.
		Request to increase the number of children from 6 to 15 per shift and to continue occupying the premises as a day care center operating Monday - Friday 6:00 a.m. - 9:00 p.m.	
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>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.</li> <li>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.</li> <li>8. That the storefront windows remain as transparent glass and are maintained in an attractive manner.</li> <li>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.</li> <li>10. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	30608 Dimensional Variance	Bradley Center Sports and Entertainment Corp. Attn: Steve Costello, President;Property Owner	1001 N. 4th St. 1 A/K/A 1001 N. 4th St. 3 4th Dist.
		Request to erect a freestanding automatic changeable message sign that exceeds the maximum allowed area (allowed 35 sq.ft. / proposed 193 sq.ft.) and four automatic changeable message wall signs that exceed the maximum allowed area (allowed 50 sq.ft. / proposed 80 sq.ft.).	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That these Variances are granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	30290 Special Use	Alicia McCovery Lessee	4735 N. 76th St. 5th Dist.
		Request to continue occupying the premises as a motor vehicle sales, repair and car wash facility.	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>5. That all repair work is conducted inside of the building.</li> <li>6. That all car wash activity is conducted inside of the building.</li> <li>7. That all wastewater is contained on site.</li> <li>8. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>9. That no work or storage of vehicles occurs in the public right of way.</li> <li>10. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>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.</li> <li>12. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
44	30440 Special Use	Intelligence, Inc. Kids Are Smart Learning Center; Lessee  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.	8500 W. Capitol Dr. A/K/A 8500 W. Capitol Dr. 101 5th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>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.</li> <li>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.</li> <li>8. That the Capitol Drive entrance be used as the pick-up / drop-off point after 9:00 P.M.</li> <li>9. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on May 5, 2014.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	30450 Special Use	Precious Adams Lessee  Request to occupy a portion of the premises as a religious assembly hall.	9235 W. Capitol Dr. A/K/A 9227 W. Capitol Dr. 5th Dist.
	Action:	Granted 1 yr.	
	Motion:	Georgia Cameron moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	3 Ayes, 1 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	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.  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: 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.	4542 N. 84th St. A/K/A 4544 N. 84th St. 5th Dist.
47	30518 Special Use	Al's Auto Repair Lessee  Request to occupy the premises as a motor vehicle repair facility .  Action: Adjourned  Motion: Georgia Cameron moved to adjourn the appeal. Seconded by Donald Jackson.  Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.  Conditions of Approval: --	3250 N. 77th St. A/K/A 7633 W. Lisbon Av. 1 5th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	30429 Special Use	Clarindria White Property Owner	3442 N. 14th St. 6th Dist.
		Request to continue occupying the premises as a group home for 5 occupants.	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That a 24 hour contact name and phone number be provided to the Board office.</li> <li>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.</li> <li>6. That all visits are supervised.</li> <li>7. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
49	30502 Special Use	John J. & Glori D. Weinman Property Owner  Request to occupy the premises as a personal service facility (barber shop).	100 W. Center St. A/K/A 100 A W. Center St. 6th 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows remain as transparent vision glass and are maintained in an attractive manner.</li> <li>6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	
50	30545 Use Variance	Genesis Behavioral Services, Inc. Pauline Ortloff, Director of Operations; Lessee  Request to occupy the premises as a transitional living facility for 4 occupants.	3414 N. 23rd St. A/K/A 3414 A N. 23rd St. 6th Dist.
	Action:	Adjourned	
	Motion:	Georgia Cameron moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
51	30583 Special Use	Deneta Harrington Lessee	2836 N. Teutonia Av. A/K/A 2834 N. Teutonia Av. 6th Dist.
	Action:	Granted 1 yr.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M.</li> <li>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.</li> <li>7. 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.</li> <li>8. 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.</li> <li>9. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	29960 Special Use	Lincoln's Dream Michael Garland;Lessee	2711 W. Townsend St. A/K/A 2715 W. Townsend St. 7th Dist.
		Request to occupy a portion of the premises as a motor vehicle sales and repair facility.	
	Action:	Granted 1 yr.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all repair work is conducted inside the building.</li> <li>5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>6. That the petitioner reserve a five (5) foot wide strip along the N. 27th St frontage for potential future landscaping and screening. No vehicles are to be parked or displayed in this strip until it is determined that the premises cannot be landscaped due to environmental issues, or until a landscaping and screening plan is approved by the Zoning Administration Group.</li> <li>7. That no work or storage of vehicles occurs in the public right of way.</li> <li>8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>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.</li> <li>10. That the applicant complies with DNS order #7959451 dated March 18, 2010 to obtain a Waster Generator Tire License within 10 days of board approval.</li> <li>11. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
53	30453 Special Use	Dr. Chuck Holloway Human Development Center, Inc.;Property Owner	4129 N. Sherman Bl. A/K/A 4131 N. Sherman Bl. 7th Dist.
		Request to occupy the premises as a group home for 8 occupants.	
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
54	30564 Special Use	Monique Fisher Other	3700 W. Burleigh St. 7th Dist.
		Request to occupy the premises as a motor vehicle repair facility and car wash.	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all repair work is conducted inside the building.</li> <li>5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>6. That the petitioner agrees to work with the Zoning Administration Group staff on a revised landscape and screening plan. The petitioner must submit said landscape and screening to the Board of Zoning Appeals for Zoning Administration Group approval prior to the issuance of any permits.</li> <li>7. That no work or storage of vehicles occurs in the public right of way.</li> <li>8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>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.</li> <li>10. That these Special Uses are granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	30350 Special Use/ Dimensional Variance	Afortunado Ramos Property Owner  Request to occupy the premises as a religious assembly hall without the minimum required number of parking spaces (required 8 / proposed 5).	2525 W. National Av. A/K/A 2525 A W. National Av. 8th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. 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.</li> <li>6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>7. That this Special Use and this Variance are granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	
56	30478 Use Variance	Good Hope 8000, LLC Property Owner  Request to occupy the premises as a hazardous material storage facility.	8000 W. Good Hope Rd. 9th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
57	30248 Special Use	Charlotte Randolph Lessee	3125 S. 53rd St. 11th Dist.
		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.	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>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.</li> <li>6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>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.</li> <li>8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
58	30456 Special Use/ Dimensional Variance	Jeffery Weigel Smart Dollar Inc.;Lessee  Request to occupy the premises as a motor vehicle sales facility without the code required landscaping along the street frontage.	1605 W. Forest Home Av. A/K/A 1615 W. Forest Home Av. 12th Dist.
	Action:	Denied / Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal for a motor vehicle sales facility. Seconded by Martin Kohler. Donald Jackson moved to deny the appeal for a landscaping variance. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>6. That a revised landscape plan utilizing trees, shrubs and fencing per the standards of city code section 295-405 for Type 'D' landscaping are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group within 60 days of approval of the special use and prior to the issuance of any permits.</li> <li>7. That landscaping and screening in accordance with an approved landscape plan be installed by June 15, 2011 and be maintained in a manner that meets the intent of city code.</li> <li>8. That no work or storage of vehicles occurs in the public right of way.</li> <li>9. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>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.</li> <li>11. 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.</li> <li>12. That this Special Use, for a motor vehicle sales facility, is granted for a period of three (3) years, commencing with the date hereof.</li> <li>13. That this Variance, for a waiver of the required landscaping, is denied.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
59	30473 Special Use	Gerry Felsecker Property Owner  Request to continue occupying the premises as a social service facility.	931 W. Madison St. 12th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	
60	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:	Henry Szymanski moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
61	30542 Special Use	JTP, LLC Janice J. Tank and Donald A. Tank;Property Owner	5268 S. 13th St. A/K/A 5268 A S. 13th St. 13th Dist.
		Request to occupy the premises as an outdoor salvage operation.	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the premises be used as a storage facility and not be used for the dismantling of items, the salvage or sale of usable parts, the collection of scrap materials, the crushing of motor vehicles or other activities normally associated with a motor vehicle salvage facility</li> <li>5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
62	30543 Special Use	Dorothy I Jakubiak Property Owner  Request to occupy the premises as an outdoor salvage operation.	5260 S. 13th St. 13th 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the premises be used as a storage facility and not be used for the dismantling of items, the salvage or sale of usable parts, the collection of scrap materials, the crushing of motor vehicles or other activities normally associated with a motor vehicle salvage facility</li> <li>4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	
63	29980 Use Variance	Steve Ignasiak Lessee  Request to occupy the premises as an outdoor heavy motor vehicle storage facility.	2640 S. 5th St. A/K/A 2636 S. 5th St. 14th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the 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>
64	30500 Special Use	Robert Jacobs Lessee  Request to occupy the premises as a motor vehicle repair facility.	1130 E. Oklahoma Av. 14th Dist.
	Action:	Adjourned	
	Motion:		
	Vote:	--	
	Conditions of Approval:	--	
65	30592 Dimensional Variance	Finch Properties, LLC Anne Finch Nehrig & John Nehring;Property Owner  Request to construct an addition to the existing general retail establishment that exceeds the maximum allowed front setback (allowed 0.05 ft. / proposed 53.5 ft.) and does not meet the minimum glazing requirement (required 56.4% / 43.1%).	1441 E. Russell Av. A/K/A 2507 S. Wentworth Av. 14th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That these Variances are granted to run with the land.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
66	30356 Special Use	Kimberly Carrington Lessee  Request to continue occupying the premises as a general retail establishment (convenience store).	1038 W. Hadley St. A/K/A 1034 W. Hadley St. 15th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
67	30469 Special Use	Porfirio Gomez Property Owner  Request to occupy the premises as a mixed-waste processing facility .	2104 N. 31st St. A/K/A 2116 N. 31st St. 15th 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	30544 Special Use	Genesis Behavioral Services, Inc. Pauline Ortloff, Director of Operations; Lessee  Request to occupy the premises as a transitional living facility for 4 occupants.	1310 W. Clarke St. A/K/A 1310 A W. Clarke St. 15th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
69	30602 Use Variance	Abundant Faith Church of Integrity Lessee	6737 N. Teutonia Av. 1st Dist.
		Request to occupy 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB1 zoning districts.</li> <li>5. That within 60 days of Board approval of the special use the petitioner must meet with the Zoning Administration Group to create a landscape plan for the parking lot along the N. Teutonia Ave frontage. The 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. The landscape plan may require the removal of a portion of the paved surface to create a planting strip.</li> <li>6. That landscaping in accordance with an approved landscape plan must be installed within 180 days of occupancy.</li> <li>7. 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.</li> <li>8. That this Variance is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
70	30403 Special Use	Daniel Tucker II Lessee	9710 W. Flagg Av. A/K/A 9630 W. Flagg Av. 2nd Dist.
		Request to occupy a portion of the premises as 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code.</li> <li>5. That all repair work is conducted inside the building.</li> <li>6. That no work or storage of vehicles occurs in the public right of way.</li> <li>7. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>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.</li> <li>9. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
71	30442 Special Use	Ramon Evans Lessee  Request to increase the hours of operation from 6:00 a.m. - 6:00 p.m. to 24 hours and to continue occupying the premises as a day care center for 149 children per shift infant to 12 years of age, operating Monday - Friday (this is a new operator).	6401 W. Capitol Dr. A/K/A 6413 W. Capitol Dr. 2nd Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>9. That the petitioner submits plans prepared by an architect, obtains all required permits for expansion of this day care to the second floor 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.</li> <li>10. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
72	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:	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:	--	
73	30552 Special Use	Billy Anderson Property Owner	8028 W. Grantosa Dr. 2nd Dist.
		Request to occupy the premises as a day care center for 8 children per shift infant to 12 years of age, operating 24 hours Monday - Friday and 6:00 a.m. - midnight Saturday - Sunday.	
	Action:	Adjourned	
	Motion:		
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
74	30601 Dimensional Variance Fence	Bobby Smith Property Owner  Request to erect a fence that exceeds the maximum allowed height (allowed 4 ft. / proposed 6 ft.).  Action: Granted  Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.  Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.  Conditions of Approval: <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the fence remains a cyclone fence to provide vision at the intersection of the alley and street.</li> <li>5. That this Variance is granted to run with the land.</li> </ol>	4402 N. 63rd St. 2nd Dist.
75	30452 Special Use	Housing Authority of the City of Milwaukee Property Owner  Request to expand the existing accessory use parking lot.  Action: Adjourned  Motion: Donald Jackson moved to adjourn the appeal to Administrative Review. Seconded by Henry Szymanski.  Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.  Conditions of Approval: --	1300 E. Kane Pl. 1001 A/K/A 1300 E. Kane Pl. 303 3rd Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
76	30386 Special Use	Competative Ventures, LLC dba Jersey's Pub & Grill Christina Elliot;Prospective Buyer  Request to continue occupying the premises as an outdoor recreation facility (permitted tavern with volleyball court).	4014 S. Howell Av. A/K/A 4024 S. Howell Av. 14th Dist.
	Action:	Adjourned	
	Motion:		
	Vote:	--	
	Conditions of Approval:	--	

**Other Business:**

Board member Henry Szymanski moved to approve the minutes of the July 29, 2010 meeting. Seconded by Board member Donald Jackson. Unanimously approved.

The Board set the next meeting for October 7, 2010.

Board member Henry Szymanski moved to adjourn the meeting at 8:32 p.m.. Seconded by Board member Donald Jackson. Unanimously approved.

**BOARD OF ZONING APPEALS**

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Secretary of the Board

<u>Item</u> <u>No.</u>	<u>Case No./</u> <u>Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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