

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – March 24, 2011
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairwoman: Catherine M. Doyle (*voting on items 1 - 74*)

Members: Henry P. Szymanski (*excused*)
Georgia M. Cameron (*voting on items 1 - 74*)
Donald Jackson (*voting on items 1 - 74*)
Martin E. Kohler (*voting on items 1 - 74*)

Alt. Board Members: Jose L. Dominguez (*voting on items 1 - 74*)
Leni M. Siker (*present for items 1 - 74*)

START TIME: 2:05 p.m.

END TIME: 5:35 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	30798 Special Use	Gabriel Lopez Vasquez Lessee Request to occupy the premises as a speciality/personal instruction school (dance studio).	738 S. 3rd St. A/K/A 736 S. 3rd St. 12th Dist.
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
2	30955 Extension of Time	Henry Choconta ALMAS;Property Owner Request for an extension of time to comply with the conditions of case #29798.	1304 S. 6th St. A/K/A 535 W. Madison St. 12th Dist.
	Action:	Granted	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
3	30956 Extension of Time	Henry Choconta ALMAS;Property Owner Request for an extension of time to comply with the conditions of case #29927.	1317 S. 5th St. 12th Dist.
	Action:	Granted	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
4	30715 Special Use	Desma Harris Lessee Request to occupy the premises as a day care center for 25 children per shift infant to 12 years of age, operating Monday - Friday 8:00 a.m. - midnight and Saturday 8:00 a.m. - 10:00 p.m.	5231 W. Villard Av. A/K/A 5170 N. 53rd St. 1st Dist.
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
5	30879 Special Use/ Dimensional Variance	2040 Lofts LLC Property Owner Request to increase the number of occupants of a Board approved rooming house that does not meet the minimum required lot area per dwelling unit/roomer (required 140,400 sq.ft./ proposed 97, 445 sq.ft.) and the required number of parking spaces (required 254 / proposed 188).	2040 W. Wisconsin Av. A/K/A 2024 W. Wisconsin Av. 4th Dist.
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:		
6	30685 Special Use/ Dimensional Variance	Department of City Development c/o Deshea Agee, EDS;Property Owner Request to occupy the premises as a temporary parking lot without the code required landscaping.	1940 N. Martin L King Jr Dr. A/K/A 1940 N. 3rd St. 6th Dist.
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
7	30686 Special Use/ Dimensional Variance	Department of City Development c/o Deshea Agee, EDS;Property Owner Request to occupy the premises as a temporary parking lot without the code required landscaping.	1944 N. Martin L King Jr Dr. A/K/A 1944 N. 3rd St. 6th Dist.
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
8	30687 Special Use/ Dimensional Variance	Department of City Development c/o Deshea Agee, EDS;Property Owner Request to occupy the premises as a temporary parking lot without the code required landscaping.	1948 N. Martin L King Jr Dr. 6th Dist.
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
9	30688 Special Use/ Dimensional Variance	Department of City Development c/o Deshea Agee, EDS;Property Owner Request to occupy the premises as a temporary parking lot without the code required landscaping.	2438 N. Martin L King Jr Dr. A/K/A 2440 N. Martin L King Jr Dr. 6th Dist.
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
10	30689 Special Use/ Dimensional Variance	Department of City Development c/o Deshea Agee, EDS;Property Owner Request to occupy the premises as a temporary parking lot without the code required landscaping.	2442 N. Martin L King Jr Dr. A/K/A 2444 N. Martin L King Jr Dr. 6th Dist.
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	30690 Special Use/ Dimensional Variance	Department of City Development c/o Deshea Agee;Property Owner Request to occupy the premises as a temporary parking lot without the code required landscaping.	2448 N. Martin L King Jr Dr. A/K/A 2450 N. Martin L King Jr Dr. 6th Dist.
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
12	30691 Special Use/ Dimensional Variance	Department of City Development c/o Deshea Agee, EDS;Property Owner Request to occupy the premises as a temporary parking lot without the code required landscaping.	2459 N. Martin L King Jr Dr. A/K/A 2463 N. Martin L King Jr Dr. 6th Dist.
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
13	30692 Special Use/ Dimensional Variance	Department of City Development c/o Deshea Agee. EDS;Property Owner Request to occupy the premises as a temporary parking lot without the code required landscaping.	2513 N. Martin L King Jr Dr. A/K/A 2515 N. Martin L King Jr Dr. 6th Dist.
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
14	30693 Special Use/ Dimensional Variance	Department of City Development c/o Deshea Agee, EDS;Property Owner Request to occupy the premises as a temporary parking lot without the code required landscaping.	2517 N. Martin L King Jr Dr. A/K/A 2519 N. Martin L King Jr Dr. 6th Dist.
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
15	30694 Special Use/ Dimensional Variance	Department of City Development c/o Deshea Agee, EDS;Property Owner Request to occupy the premises as a temporary parking lot without the code required landscaping.	2971 N. Martin L King Jr Dr. A/K/A 2975 N. Martin L King Jr Dr. 6th Dist.
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
16	30700 Special Use/ Dimensional Variance	Department of City Development c/o Deshea Agee, EDS;Property Owner Request to occupy the premises as a temporary parking lot without the code required landscaping.	227 R W. Brown St. 6th Dist.
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	30743 Use Variance	Darryl Sutton Lessee Request to occupy the premises as a motor vehicle sales and repair facility.	3290 N. Teutonia Av. A/K/A 3286 N. Teutonia Av. 6th Dist.
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
18	30745 Special Use	Latasha Roby Lessee Request to occupy the premises as a day care center for 24 children per shift 2 - 12 years of age, operating Monday - Friday 6:00 a.m. - midnight .	4404 W. Burleigh . A/K/A 4408 W. Burleigh St. 2 7th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
19	30482 Use Variance	John J Stoss Property Owner Request to occupy the premises as a contractor's yard.	1119 N. Alois St. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	30483 Dimensional Variance	John Stoss Property Owner Request to erect a fence that exceeds the maximum allowed height (allowed 6 ft. / proposed 8 ft.).	4904 R W. State St. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
21	30941 Special Use/ Dimensional Variance	James Griffin Griffin Sales;Property Owner Request to construct an addition to the motor vehicle sales facility that exceeds the maximum allowed front setback (allowed 70 ft. / proposed 127 ft.) and the maximum side street setback (allowed 25 ft. / proposed 68 ft.).	5700 S. 27th St. 13th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
22	30939 Special Use	Robert McBride Property Owner	5546 S. 27th St. 13th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility.	
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 6. That no work or storage of vehicles occurs in the public right of way. 7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 8. That all repair work is conducted inside the building. 9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
23	30958 Special Use	John M Goodnetter Lessee	600 E. Layton Av. 13th Dist.
		Request to continue occupying the premises as a motor vehicle sales facility.	
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 6. That no work or storage of vehicles occurs in the public right of way. 7. That landscaping and screening is maintained in a manner that meets the intent of city code. 8. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 9. That all repair work is conducted inside of the building. 10. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 11. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
24	30938 Special Use	SIEMAG TECHBERG Inc. Kenneth Nelson, President; Lessee	2969 S. Chase Av. 14th Dist.
		Request to continue occupying a portion of the premises as a general office.	
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
25	30945 Use Variance	The Dr. Howard L. Fuller Education Foundation Lessee	3628 W. Wright St. A/K/A 2504 N. 37th St. 15th Dist.
		Request to continue occupying the premises as an emergency residential shelter and social service facility.	
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 5. That these Variances are granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	30965 Dimensional Variance	Wisconsin Bell, Inc. d/b/a AT&T Wisconsin;Property Owner Request to continue to allow a transmission tower than exceeds the maximum allowed height (allowed 120 ft. / proposed 150 ft.).	801 N. 35th St. A/K/A 3516 W. Wells St. 15th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in a manner that meets the intent of city code. 5. That this Variance is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	30973 Special Use	Lillie M Brown Lessee	2814 W. Lisbon Av. A/K/A 2812 W. Lisbon Av. B 15th Dist.
		Request to continue occupying the premises as a 24 hour day care center for 40 children per shift infant to 14 years of age, operating Monday - Sunday .	
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 5. That the facility does not exceed 34 children on-site at any time. 6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 8. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 9. That 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. 10. 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. 11. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	30886 Special Use/ Dimensional Variance	MacPyles Corporation Robert Pyles;Franchisee Request to raze and rebuild a fast-food restaurant that exceeds the maximum allowed street setback (allowed 5 ft. / proposed 60 ft.), does not meet the minimum required glazing (required 60%/ proposed 53%) with an accessory use parking lot located between the street facade of the building and street lot line that exceeds the maximum allowed number of parking spaces (allowed 13 / proposed 19).	5193 N. Teutonia Av. A/K/A 5191 N. Teutonia Av. 1st Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this 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. 5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That there be no increase in the size of the existing freestanding sign structure, and all other signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That the petitioner agrees to work with the Department of City Development Planning Administration staff on final resolution of design issues including, but not limited to site plans, facade & elevation plans, signage plans, landscape plans and pedestrian paths. The petitioner must submit revised drawings that reflect these changes to the Board of Zoning Appeals for Zoning Administration Group review and approval. Plans submitted to the Plan Examination Section must be consistent with the final Zoning Administration Group approved plan, or no permits will be issued. 8. That landscaping and screening in accordance with an approved landscape plan is installed within 90 days of occupancy. If occupancy occurs between September 30th and March 1st then landscaping and screening must be installed within 120 days of April 1st. 9. 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. 10. That these Special Uses and Variances are granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	30894 Use Variance	James Hightower Property Owner Request to continue occupying the premises as a day care center for 20 children per shift infant to 12 years of age, operating Monday - Friday 5:30 a.m. - midnight.	5457 N. 91st St. A/K/A 5457 N. 91st St. 4 2nd Dist.
	Action:	Granted	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the day care is restricted to the first floor. 5. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 7. 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. 8. 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. 9. That this Variance is granted for a period of time commencing with the date hereof, and expiring on February 18, 2015. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	30953 Special Use	Priya Corporation Anup Khullar;Lessee Request to continue occupying the premises as a motor vehicle filling station (this is a new operator).	4801 N. 76th St. A/K/A 7657 W. Luscher Av. 2nd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant does not have outdoor storage or display of products or merchandise. 5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 6. That the 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. 7. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises. 8. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 9. That landscaping and screening is implemented and maintained in a manner that meets the intent of city code. 10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	30795 Special Use	Murphy Jamerson Lessee	9135 W. Silver Spring Dr. 2nd Dist.
		Request to occupy the premises as a day care center for 70 children per shift infant to 12 years of age, operating Monday - Sunday 5:00 a.m. - 1:00 a.m..	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of an interested party and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
32	30966 Special Use	John B. Crichton Shoreline Real Estate Co.;Property Owner	1119 N. Cass St. 4th Dist.
		Request to continue occupying the premises as a parking lot.	
	Action:	Granted 2 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in a manner that meets the intent of city code. 5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	30936 Special Use	<p>Victory Temple Church of The First Born Int'l Linda Dickens ;Property Owner</p> <p>Request to continue occupying the premises as a religious assembly hall.</p> <p>Action: Granted 5 yrs.</p> <p>Motion: Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the petitioner agrees to work with the Zoning Administration Group staff to revise the landscape / site plan submitted to the board on August 29, 2008. The revised landscape plan must be submitted to the Board of Zoning Appeals for approval by the Zoning Administration Group within 60 days of Board approval of the special use permit. 6. That the windows along the W. Appleton Ave frontage be retained as transparent vision glass. 7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	8310 W. Appleton Av. 5th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
34	30884 Special Use	Milwaukee Health Services Inc. Prospective Buyer	331 W. Clarke St. A/K/A 325 W. Clarke St. 6th Dist.
		Request to raze the existing building and to occupy the premises as a parking lot.	
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the landscape and screening plan submitted to the Board of Zoning Appeals on December 23, 2010 is revised to include trees along the W. Clark St Frontage. The revised plan must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group within 60 days of Board approval of the special use and prior to the issuance of any permits. 5. That landscaping and screening is installed within 120 days of occupancy and maintained in accordance with the approved landscape plan. If occupancy occurs between September 30th of the year of occupancy and March 1st of the following year then landscaping and screening must be installed within 120 days of March 1st. 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	30968 Special Use	Nellie Gilliam 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 7:00 a.m. - 12:30 a.m.	1930 N. Martin L King Dr. A/K/A 1934 N. Martin L King Jr Dr. 6th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. 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. 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	30949 Special Use	United Milwaukee Scrap LLC Lessee Request to continue occupying the premises as a material reclamation facility.	3232 W. Fond Du Lac Av. A/K/A 3240 W. Fond Du Lac Av. 7th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in a manner that meets the intent of city code. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	30975 Special Use	Bridgeman Foods II, Inc. J.B. Properties, Paul S. Thompson;Property Owner	2725 W. Capitol Dr. A/K/A 2727 W. Capitol Dr. 7th Dist.
		Request to continue occupying the premises as a fast-food / carry-out restaurant.	
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in a manner that meets the intent of city code. 5. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 7. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances. 8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
38	30878 Special Use	Ulyses Dugger Lessee	3823 W. Fond Du Lac Av. 7th Dist.
		Request to continue occupying the premises as a motor vehicle repair and car wash facility.	
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 6. That no work or storage of vehicles occurs in the public right of way. 7. That landscaping and screening is maintained in a manner that is consistent with city code. 8. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 9. That all repair work and all car wash activity is conducted inside of the building. 10. That all wastewater is contained on site. 11. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	30952 Special Use	Vince Ferrera Property Owner	2727 S. 27th St. A/K/A 2726 S. 28th St. 8th Dist.
		Request to continue occupying the premises as a motor vehicle sales and repair facility.	
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 6. That no work or storage of vehicles occurs in the public right of way. 7. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 8. That existing landscaping and screening is maintained in a manner that meets the intent of city code. 9. That all repair work is conducted inside the building. 10. That these Special Uses are granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	30961 Special Use	Betty Dills Lessee Request to increase the days of operation from Monday - Saturday to Monday - Sunday and to continue occupying the premises as a day care center for 38 children per shift infant to 12 years of age, operating 5:00 a.m. - 11:00 p.m.	2842 W. Forest Home Av. A/K/A 2844 W. Forest Home Av. 8th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman of the District and will be rescheduled for the next available agenda.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
41	30962 Use Variance	Community Advocates Joseph Volk;Property Owner Request to continue occupying the premises as an emergency residential shelter.	923 S. 24th St. A/K/A 925 S. 24th St. 8th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	30902 Special Use	James A Grzanna Lessee	9400 N. 124th St. 9th Dist.
		Request to continue occupying the premises as a motor vehicle sales facility.	
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 6. That no work or storage of vehicles occurs in the public right of way. 7. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
43	30914 Special Use	Northpoint Ford Chris Dulla, President; Lessee	7800 N. 76th St. A/K/A 7840 N. 76th St. 9th Dist.
		Request to continue occupying the premises as a motor vehicle sales facility.	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of an interested party and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
44	30960 Special Use	Harry I Pelman Property Owner	6760 N. Industrial Rd. A/K/A 6760 W. Industrial Rd . 9th Dist.
		Request to continue occupying the premises as an outdoor salvage operation.	
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in a manner that meets the intent of city code. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	30892 Special Use	James Lein, Robert Foulston & Dale Gutknect Property Owner	5835 W. Lisbon Av. A/K/A 5823 W. Lisbon Av. 10th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility.	
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That no work or storage of vehicles occurs in the public right of way. 5. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That existing landscaping and screening is maintained in a manner that meets the intent of city code. 7. That all repair work is conducted inside the building. 8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	30969 Dimensional Variance	Clear Channel Outdoors David Jasenski;Other Request to continue to allow an off-premises sign that exceeds the maximum allowed height (allowed 35 ft. / proposed 40 ft.).	4550 W. Wisconsin Av. A/K/A 845 N. 45th St. 10th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
47	30972 Special Use	Badger Association for the Blind Patrick Brown, Executive Director;Property Owner	912 N. Hawley Rd. A/K/A 970 N. Hawley Rd. 10th Dist.
		Request to occupy a portion of the premises as a day care center for 24 children infant to 6 years of age, operating Monday - Thursday 9:30 a.m. - 3:15 p.m.	
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner submits plans prepared by an architect for the conversion of this building, obtains all required permits and obtains a final occupancy certificate by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 5. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	30948 Dimensional Variance	Allan C Seidl Property Owner Request to allow a garage that exceeds the height of the principal building (allowed 22 ft. 9 in. / proposed 23 ft. 1 3/4 in.).	4009 S. 52nd St. 11th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
49	30896 Dimensional Variance	OOS Investments, LLC Lessee Request to allow a freestanding sign that does not meet the minimum required street setback (required 40 ft. / proposed 4.8 ft.), the minimum required freeway setback (required 75 ft. / proposed 67.8 ft.) and the minimum spacing between freestanding signs (required 1000 ft. / proposed 540 ft.).	1930 S. 4th St. A/K/A 1940 S. 4th St. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That these Variances are granted for a period of ten (10) years, commencing with the date hereof. 	
50	30918 Dimensional Variance	Miller Compressing Company Joseph R. Kovacich;Property Owner Request to continue occupying the premises as a permitted outdoor storage facility with stockpiles over the maximum allowed height (allowed 8 ft. / proposed 20 ft.) and without the minimum required landscaping and screening.	900 S. Water St. A/K/A 954 S. Water St. 12th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of staff and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
51	30919 Special Use	Jeff Garwood Big Bay Brewing LLC; Lessee Request to occupy a portion of the premises as a heavy manufacturing facility.	613 S. 2nd St. A/K/A 609 S. 2nd St. 12th Dist.
	Action:	Granted	
	Motion:	Georgia Cameron moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code for LB2 zoning districts. 5. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on April 28, 2015. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	30849 Special Use	Mohammed Bhimani, Sofian LLC R&S Inc. of Milwaukee;Property Owner	2401 S. Howell Av. A/K/A 2405 S. Howell Av. 14th Dist.
		Request to continue occupying the premises as a motor vehicle filling station.	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant does not have outdoor storage or display of products or merchandise. 5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 6. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That the petitioner shall maintain landscaping and screening in accordance with the landscape plan approved by the Department of City Development on January 30, 2001. 8. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 9. That 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. 10. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
53	30933 Use Variance/ Special Use	Global Tower Assets LLC Lessee Request to erect a transmission tower that exceeds a height of 85 feet.	427 E. Stewart St. A/K/A 423 E. Stewart St. 14th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
54	30873 Special Use	Learning 2 Grow Child Development Center Neya Beamon;Lessee	3800 W. Vliet St. 15th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 5. The applicant restores all boarded windows prior to occupancy. 6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 8. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 9. That 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. 10. That the windows along the W. Vliet St and N. 38th St. frontages be restored to transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 11. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	30954 Special Use	Victor Barnett Property Owner	1300 A W. Fond Du Lac Av. A/K/A 1300 W. Fond Du Lac Av. 15th Dist.
		Request to occupy the premises as a community center.	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 5. That the 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. 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
56	30920 Special Use	Darrin Madison Madison Limousine;Lessee	3044 W. Lisbon Av. 15th Dist.
		Request to occupy the premises as a ground transportation service (limousine storage) .	
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 5. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
57	30804 Special Use	Youa Vang Property Owner	3227 W. Lisbon Av. A/K/A 3225 W. Lisbon Av. 15th Dist.
		Request to occupy the premises as a day care center for 20 children per shift, infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 9:00 p.m.	
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 7. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 8. That within 60 days of Board approval of the special use the petitioner meet with the Zoning Administration Group staff to evaluate the feasibility of restoring the storefront windows along W. Lisbon Ave. with transparent vision glass. The petitioner must submit revised drawings that reflect these changes to the Board of Zoning Appeals for Zoning Administration Group review and approval. 9. That the petitioner submits plans prepared by an architect, obtains all required permits for conversion of this building and obtains a final occupancy certificate by having all required inspections, complies with current State commercial building code for I-4 occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 10. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
58	30609 Use Variance	Genesis Behavioral Services, Inc. Pauline Ortloff, Director of Operations; Lessee	5033 N. 49th St. A/K/A 5033 A N. 49th St. 1st Dist.
		Request to occupy the premises as a transitional living facility for 4 occupants.	
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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 a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 6. That this Variance is granted for a period of two (2) years, commencing with the date hereof. 	
59	30867 Special Use	West Hawkins, Jr. Property Owner	4625 W. Mill Rd. 1st Dist.
		Request to occupy the premises as a day care center for 21 children per shift infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - 11:00 p.m.	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
60	30943 Special Use	Charleston Gray Property Owner	4191 N. Green Bay Av. A/K/A 1201 W. Olive St. 1st Dist.
		Request to occupy the premises as a fast-food / carry-out restaurant (this is an expansion of the existing restaurant).	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
61	30976 Dimensional Variance	Carl R. Munson CS Munson Properties LLC;Property Owner Request to construct a garage in the front yard .	4520 N. 72nd St. 2nd Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the garage be built at least 10 feet from other residential properties or sidewalls must meet the fire rating requirements of chapter 239-2 of the Milwaukee Code of Ordinances. 5. That this Variance is granted to run with the land. 	
62	30753 Special Use	Earnest Bridges Lessee Request to occupy the premises as a car wash and detailing facility.	6419 W. Capitol Dr. A/K/A 6423 W. Capitol Dr. 2nd Dist.
	Action:	Adjourned	
	Motion:	Georgia Cameron moved to adjourn the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 1 Nays, 0 Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
63	30942 Use Variance	Emily Stalker and John Chirillo Lessee Request to occupy a mobile home on the premises.	2978 N. Fratney St. 3rd Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman of the District and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
64	30515 Special Use	ATTIC Correctional Services, Inc. Lessee Request to occupy the premises as a transitional living facility for 4 occupants.	406 E. Burleigh St. A/K/A 408 E. Burleigh St. 6th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
65	30841 Special Use	CRC Health Group Inc. Allen Lukach;Lessee Request to continue occupying the premises as a medical service facility.	3707 N. Richards St. A/K/A 3707 N. Richards St. 207 6th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 5. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	
66	30513 Use Variance	ATTIC Correctional Services, Inc. Lessee Request to occupy the premises as a transitional living facility for 4 occupants.	2808 N. 48th St. A/K/A 2810 N. 48th St. 7th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
67	30673 Special Use	Clay Stephens and Melvin Grafton Lessee	5320 W. Hampton Av. 7th Dist.
		Request to occupy the premises as a motor vehicle sales, repair and body shop facility with outdoor motor vehicle storage.	
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
68	30881 Use Variance	Lomeli Audio and Muffler LLC Lessee	4115 W. Greenfield Av. A/K/A 4125 W. Greenfield Av. 8th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 6. That no work or storage of vehicles occurs in the public right of way. 7. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 8. That all repair work is conducted inside the building. 9. That all installation and testing audio equipment and alarm systems must be conducted inside the building with overhead doors closed and at minimum amplification, and that customers are not permitted to test alarms or audio equipment on-site unless the tests are conducted inside the building with the doors closed and at minimum amplification. 10. That within 60 days of Board approval of the special use the petitioner must meet with the Zoning Administration Group staff to create a landscape and screening plan for the parking area. The petitioner must submit a landscape and screening plan to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits. Landscaping and screening must be implemented within the time frame established on the plan. 11. Landscaping must be maintained in a manner that meets the intent of City Code. 12. That this Variance is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
69	30754 Special Use/ Dimensional Variance	Jaun J Jimenez Property Owner Request to occupy the premises as a contractor's yard without the required landscaping.	2005 S. Muskego Av. A/K/A 2019 S. Muskego Av. 8th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That there be no outdoor storage of materials or supplies. 5. That within 60 days of Board approval of the special use the petitioner must meet with the Zoning Administration Group to create a plan to add additional shrubs to the planting strip along the S. Muskego Ave frontage. 6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	
70	30915 Special Use	Kimberly Zulkowski Harmony High School; Lessee Request to occupy a portion of the premises as a school for 300 students 6th - 12th grades, operating Monday - Friday 7:00 a.m. - 3:30 p.m.	7431 W. Bradley Rd. A/K/A 7415 W. Bradley Rd. 9th 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>
71	30927 Special Use	Jericho Church Without Walls Lessee	8086 N. 76th St. A/K/A 8100 N. 76th St. 9th Dist.
		Request to occupy the premises as a religious assembly hall.	
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner submits plans prepared by an architect for the conversion of this building, obtains all required permits 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. 5. That the petitioner agrees to work with the Zoning Administration Group staff to resolve design issues including, but not limited to site plans, parking plans, facade & elevation plans, perimeter and interior landscape plans and signage plans. The petitioner must submit revised plans that reflect these changes to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits. 6. That the existing windows along the west façade of the phase I building are retained or that the west façade of the phase I building meet the glazing standards of s295-605-2-i-3 of the Milwaukee Zoning code. 7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
72	30773 Appeal of an Order	Care Management Plus Property Owner Request to appeal an order from the Department of Neighborhood Services stating that the premises is being occupied as a transitional living facility.	7225 N. 86th St. A/K/A 7255 N. 86th St. 102 9th Dist.
	Action:	Granted	
	Motion:	Martin Kohler moved to overturn the order. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	APPEAL HAS BEEN OVERTURNED	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
73	30626 Special Use	Young Stars Universal Academy Wazir Vasudeva;Lessee	7251 W. Appleton Av. A/K/A 7251 W. Appleton Av. 4 10th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner submits plans prepared by an architect and obtains all required permits for the expansion of this day care beyond the first floor store front on the first floor and to the basement and completes all work. 5. That the petitioner 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. 6. That signage must meet the signage standards of s.295-605 and s295-407-2. Specifically that no more than 25% of the window may be opaquely painted for the purpose of creating a sign or sign background. 7. That the first floor windows along the W. Appleton Ave frontage must remain as transparent glass in accordance with the glazing standards of s295-605-2-i-3 and are maintained in an attractive manner. 8. That the outdoor play area is not utilized before 9:00 A.M. 9. 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. 10. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 11. That the petitioner erect bollards of some variety around the play area. 12. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
74	30866 Special Use	Mill Valley Recycling Property Owner	225 E. Mineral St. 12th Dist.
		Request to occupy the premises as an outdoor salvage operation.	
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	

Other Business:

Board member Jackson moved to approve the minutes of the February 24, 2011 meeting. Seconded by Board member Cameron. Unanimously approved.

The Board set the next meeting for April 14, 2011.

Board member Jackson moved to adjourn the meeting at 5:35 p.m.. Seconded by Board member Kohler. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board