

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – June 16, 2011
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairwoman: Catherine M. Doyle (*voting on items 1 - 71*)

Members: Henry P. Szymanski (*excused*)
Georgia M. Cameron (*voting on items 1 - 71*)
Donald Jackson (*voting on items 1 – 40, 42 - 71*)
Martin E. Kohler (*voting on items 1 – 40, 42 - 71*)

Alt. Board Members: Jose L. Dominguez (*voting on items 1 - 71*)
Leni M. Siker (*present, voting on item 41*)

START TIME: 2:15 p.m.

END TIME: 6:00 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	30858 Use Variance	Amanda Schlicher Lessee Request to occupy the premises as a photography studio.	2123 W. Michigan St. A/K/A 2123 W. Michigan Av. 4th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson 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	30852 Special Use	Satonia McElroy Lessee Request to occupy the premises as a day care center for 25 children per shift infant to 4 years of age, operating 6:00 a.m. - midnight Monday - Friday and 6:00 a.m. - 6:00 p.m. Saturday - Sunday.	4917 W. Fond Du Lac Av. A/K/A 4919 W. Fond Du Lac Av. 7th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
3	30556 Special Use	Steve Patrick Property Owner Request to occupy the premises as an outdoor salvage operation and outdoor storage facility and to allow filling or grading of land that exceeds the elevation of the existing finished grade.	11529 W. County Line Rd. 9th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
4	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:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
5	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:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
6	30650 Special Use	Clifford W Johnson Lessee Request to occupy the premises as a car wash.	5616 W. Lisbon Av. 10th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	31118 Extension of Time	Wisconsin Lutheran College Duane Scholomer, VP Finance;Prospective Buyer	4243 W. North Av. A/K/A 2232 N. Sherman Bl. 15th Dist.
		Request for an extension of time to comply with the conditions of case #30536.	
	Action:	Granted 1 yr.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That a landscape and screening plan for the parking lot is submitted to the Board of Zoning Appeals that upgrades the existing landscaping to meet the standards of city code section 295-405 for Type 'B' landscaping. 6. That landscaping and screening in accordance with said plan is implemented and maintained. 7. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 8. That this request for an extension of time has been granted for one (1) year. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
8	31082 Dimensional Variance	Robert Weier Revocable Trust Property Owner Request to raze and rebuild a garage that does not meet the minimum required side street setback (required 20 ft. / proposed 8 ft.).	3155 S. Delaware Av. A/K/A 3157 S. Delaware Av. 14th 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. 	
9	31117 Special Use	Leonardo Martinez UMOS, Inc.;Property Owner Request to occupy a portion of the premises as a social service facility.	2701 S. Chase Av. 14th 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 this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	31119 Special Use	Jose J Hernandez Lessee	3170 S. 13th St. 14th Dist.
		Request to continue occupying the premises as a motor vehicle sales and repair facility.	
	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 landscaping and screening is maintained in a manner that meets the intent of city code. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That all repair work is conducted inside the building. 7. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 8. That no work or storage of vehicles occurs in the public right of way. 9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	31122 Use Variance	John McAdams Property Owner Request to continue occupying the premises as a business service facility (printing company).	2995 S. Howell Av. A/K/A 368 E. Manitoba St. 14th 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 the storefront windows remain as transparent vision glass and are maintained in an attractive manner. 5. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 6. That this Variance is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
12	31107 Special Use	Don Lewis Property Owner Request to occupy the premises as a community center.	2451 W. Fond Du Lac Av. A/K/A 2455 W. Fond Du Lac Av. 15th 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 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 three (3) years, commencing with the date hereof. 	
13	31108 Special Use	Leonid Khodos Property Owner Request to occupy the premises as an outdoor salvage operation (to be operated in conjunction with the salvage facility at 3015 W. Center St.).	2661 N. 30th St. A/K/A 2667 N. 30th St. 15th 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>
14	31109 Special Use	Leonid Khodos Property Owner Request to occupy the premises as an outdoor salvage operation (to be operated in conjunction with the salvage facility at 2661 N. 30th St.).	3015 W. Center St. A/K/A 3019 W. Center St. 15th 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:	--	
15	31098 Dimensional Variance	Michelle Lenski, Facilities Planning Analyst Milwaukee Public Schools;Property Owner Request to erect two wall signs on the existing building.	2029 N. 20th St. A/K/A 2000 W. Lloyd St. 15th 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>
16	31079 Use Variance/ Special Use	Jabez C.O.G.I.C. Christopher L. Tolbert;Property Owner Request to continue occupying the premises as a religious assembly hall and social service facility.	4001 W. Mill Rd. A/K/A 3943 W. Mill Rd. 1st 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB1 zoning districts. 5. That this Special Use and this Variance are granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	31131 Special Use	Cheryl Mayes Lessee Request to continue occupying the premises as a religious assembly hall.	6067 N. Teutonia Av. A/K/A 6161 N. Teutonia Av. 1st 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 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. 6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
18	31133 Special Use	John Bell Property Owner Request to occupy the premises as an adult day care center operating Monday - Friday 8:00 a.m. - 5:00 p.m.	5660 N. Teutonia Av. 1st 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>
19	31124 Dimensional Variance	Maddie W Turner, Jr. Property Owner Request to construct a wheelchair ramp that does not meet the minimum required front and side street setback.	4303 N. 64th St. 2nd 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:	--	
20	31093 Special Use	Robert Pyles Property Owner Request to reconfigure the drive-through lanes of the Board approved fast-food / carry-out restaurant.	2455 W. Wisconsin Av. A/K/A 2445 W. Wisconsin Av. 4th 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>
21	31078 Special Use	The Children's Place Learning Center Inc. Shala Epps;Lessee	3401 N. 76th St. A/K/A 7608 W. Townsend St. 5th Dist.
		Request to continue occupying the premises as a day care center for 39 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. to 11:00 p.m.	
	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 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 petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 7. That the 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. 8. That the petitioner maintain the opaque fence. 9. That the petitioner obtains an 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 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>
22	31115 Special Use	SDC Social Development Commission Head Start;Lessee	7803 W. Capitol Dr. A/K/A 3975 N. 78th St. 5th 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 no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the petitioner must meet with the Zoning Administration Group to review landscaping and screening issues within 60 days of Board approval of the Special Use. Landscaping or fencing may be required for the W. Capitol Dr. and N. 79th St frontages to be in compliance with previous BOZA approvals. If the Zoning Administration Group determines that landscaping is feasible then 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. 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 facility does not exceed the capacity established by the State Department of Children and Families. 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>
23	31116 Special Use	Arturo Salgado Lessee	10000 W. Capitol Dr. 5th Dist.
		Request to continue occupying the premises as a fast-food/carry-out restaurant with a drive through facility (this is a new operator).	
	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 freestanding signage is limited to the existing pylon sign panel, and that all other signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That landscaping and screening is maintained in a manner that meets the intent of city code. 6. That the 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 Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

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24	31035 Special Use	Mohammed Mazharuddin and Idiljeet S. Khahra Lessee Request to continue occupying the premises as a motor vehicle filling station.	3105 N. Holton St. A/K/A 426 E. Burleigh St. 6th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of an interested party and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	
25	31101 Special Use	Earnest L Willis, Sr. Lessee Request to increase the number of children from 45 to 80 per shift and to increase the days of operation from Monday - Friday to Monday - Saturday and to continue occupying the premises as a 24 hour day care center for children infant to 12 years of age.	3414 N. Port Washington Av. A/K/A 3418 N. Port Washington Av. 4 6th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of an interested party and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	31086 Special Use	Tamara Collins Lessee Request to continue occupying the premises as a day care center for 14 children per shift infant to 12 years of age, operating Monday - Sunday 7:00 a.m. - midnight.	4235 W. Fond Du Lac Av. A/K/A 4235 A W. Fond Du Lac Av. 7th Dist.
	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 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 vision glass and are maintained in an attractive manner. 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 this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	31087 Special Use	Friedens Community Ministries Inc. Michael Brever;Lessee Request to occupy a portion of the premises as a social service facility.	1615 S. 22nd St. 8th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on July 13, 2015. 	
28	31088 Special Use	David Syrrakos, Sr. Lessee Request to continue occupying the premises as a motor vehicle repair facility.	2617 S. 31st 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>
29	31100 Special Use	Wadood Ahmad Property Owner	2931 W. Lincoln Av. 8th Dist.
		Request to continue occupying the premises as a motor vehicle filling station.	
	Action:	Adjourned	
	Motion:	This 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:	--	
30	31106 Dimensional Variance	St. Rafael School Attn: Carolyn Ettl;Property Owner	2259 S. 31st St. A/K/A 2251 S. 31st St. 8th Dist.
		Request to allow an air conditioning unit that does not meet the required front setback (required 50 ft. / proposed 35 ft.).	
	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>
31	31121 Dimensional Variance	Josue Torres Property Owner Request to divide the existing lot and to allow a new lot that does not meet the minimum required lot area (required 4800 sq.ft. / proposed 3664 sq.ft.) .	3203 W. Mitchell St. A/K/A 1705 S. 32nd St. A 8th 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>
32	31123 Dimensional Variance	Grace Evangelical Lutheran Church Property Owner Request to erect an automatic changeable message sign that exceeds the maximum allowed height (allowed 6 ft. / proposed 8 ft. 7 in.) and the maximum allowed display area (allowed 8.5 sq.ft. / proposed 20.4 sq.ft.).	3030 W. Oklahoma Av. 8th 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 the display area of the electronic message sign not change at a frequency of less than 30 seconds. 5. That these 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>
33	31114 Use Variance	Gail Tradewell; L.P.T. Properties, LLC Industrial Recyclers, Inc.;Property Owner	9400 N. 124th St. 9th Dist.
		Request to continue occupying the premises as a material reclamation facility.	
	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 petitioner shall implement and maintain landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on June 6, 2007. 5. That this Variance is granted for a period of five (5) years, commencing with the date hereof. 	
34	31113 Special Use	La Causa Inc. Raul Vasquez;Property Owner	1643 S. 2nd St. A/K/A 1645 S. 2nd St. 12th Dist.
		Request to increase the number of students from 640 to 850 for a Board approved school for students K4 - 8th grades, operating Monday - Friday 7:00 a.m. - 7:30 p.m.	
	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>
35	31060 Special Use	Nara Colton Property Owner	1436 W. Mitchell St. A/K/A 1438 W. Mitchell St. 12th Dist.
		Request to increase the number of children from 50 to 68 per shift and to expand into the lower level of the Board approved day care center operating Monday - Friday 5:30 a.m. - midnight.	
	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 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 five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	31096 Special Use	Miguel Negrón Prospective Buyer	1573 W. Becher St. A/K/A 1575 W. Becher St. 12th 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the first floor windows along the W. Becher St. & S. 16th St frontages remain as transparent vision glass and are maintained in an attractive manner. 6. That the petitioner submits plans prepared by an architect for the conversion of this building to an assembly occupancy, 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. 7. That the building is not occupied until all interior and exterior code violations are corrected in DNS order numbers 8550911, 8717011 and 8791131. 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>
37	31071 Special Use	Cornerstone Pavers, LLC Christopher C. Cape; Lessee Request to occupy the premises as a temporary concrete/batch plant (concrete production for General Mitchell Airport project).	1121 W. Grange Av. A/K/A 1101 W. Grange Av. 13th 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:	--	
38	31104 Special Use	Lucky Petroleum LLC Property Owner Request to occupy a portion of the premises as a fast-food / carry-out restaurant.	110 E. Layton Av. 13th 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 all conditions of Board of Zoning Appeals case # 28492 are complied with. 5. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on June 14, 2015. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	30977 Use Variance	Kashmir Multani Lessee Request to determine whether the motor vehicle filling station is a legal nonconforming use.	1530 W. State St. A/K/A 1560 W. State St. 4th Dist.
	Action:		
	Motion:	Donald Jackson moved that the Board retains jurisdiction. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 1 Nays, 0 Abstained.	
	Conditions of Approval:	Board retains jurisdiction. This is NOT a legal non-conforming use.	
40	30813 Special Use	Alicia Bell Property Owner Request to occupy the premises as a group home for 6 occupants.	7630 W. Center St. 5th Dist.
	Action:	Granted 1 yr.	
	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 this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	30870 Special Use	Teen USA, LLC James J. Harrison; Lessee Request to occupy the premises as an assembly hall.	3872 N. Fratney St. A/K/A 3870 N. Fratney St. 6th Dist.
	Action:	Denied	
	Motion:	Georgia Cameron moved to deny the appeal. Seconded by Leni Siker.	
	Vote:	3 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
42	31084 Use Variance	Ana L. Gerlach Frederick H. Gerlach; Property Owner Request to occupy the premises as a personal service facility (esthetician's office).	3248 S. New York Av. 14th Dist.
	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 no one other than members of the family residing in the dwelling unit shall be employed in the conduct of the home occupation. 5. That the petitioner retains license with the State of Wisconsin as an esthetician. 6. That this Variance is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	31120 Dimensional Variance	Dennis Blohowiak Property Owner Request to construct an addition to the existing garage that exceeds the maximum allowed lot coverage (allowed 540 sq.ft./ proposed 616 sq.ft.).	2727 S. Greeley St. 14th 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 this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
44	31076 Special Use	LaToya Jones Lessee	2247 N. 31st St. A/K/A 3101 A W. North Av. 15th Dist.
		Request to occupy the premises as a day care center for 16 children per shift infant to 12 years of age, operating Monday - Saturday 6:00 a.m. - midnight.	
	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 obtains an 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. 5. That signage must meet the signage standards of s.295-805 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 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 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 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. 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>
45	31094 Special Use/ Dimensional Variance	Auto Parts & Service Inc. Michael G. Arend;Lessee Request to occupy a portion of the premises as an outdoor storage facility without the required landscaping and screening.	1829 W. North Av. A/K/A 2236 N. 19th St. 15th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Jose Dominguez 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 slats are added mid-point to the chain link fence that encloses the storage area. 5. That this Special Use and Variance are granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	31095 Special Use	Paris Crossley Property Owner	2776 N. 17th St. A/K/A 1629 W. Hadley St. 15th Dist.
		Request to occupy the premises as a personal service facility.	
	Action:	Granted 3 yrs.	
	Motion:	Jose Dominguez moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That the first floor windows along the N. 17th St façade remain as transparent vision glass and are maintained in an attractive manner. 7. That the westernmost first floor storefront window along the W. Hadley St facade is restored as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and maintained in an attractive manner. 8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
47	30944 Use Variance/ Dimensional Variance	Sandhar Corporation Amarjit Sandhar;Lessee Request to continue occupying the premises as a motor vehicle filling station with signage that exceeds the maximum allowed height (allowed 6 ft. / proposed 14 ft.) and the maximum allowed display area (allowed 18 sq.ft. / proposed 40 sq.ft.).	2175 N. 35th St. A/K/A 2173 N. 35th St. 15th Dist.
	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 landscaping and screening in accordance with the landscape plan approved by DCD on July 20, 2007 is installed by August 15, 2011, and that landscaping is maintained in accordance with said plan. 5. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises. 6. That 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 the applicant does not have outdoor storage or display of products or merchandise. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB2 zoning districts. 11. 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>
48	31002 Use Variance/ Dimensional Variance	Gielow's Lawn & Garden Equipment Art Gielow;Property Owner Request to construct an addition to the existing general retail establishment that does not meet the minimum required glazing (required 30% / proposed 6%) and exceeds the maximum allowed sill height (allowed 4 ft. 6 in. / proposed 7 ft. 4 in.).	6643 N. Teutonia Av. A/K/A 6643 A N. Teutonia Av. 1st 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 the premises is developed in accordance with the site and facade plans submitted to the Board on June 6, 2011. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB1 zoning districts. 6. That this Use Variance is granted for a period of ten (10) years, commencing with the date hereof. 7. That these Dimensional Variances are granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
49	31052 Special Use	Corey Byrd Lessee Request to occupy the premises as an assembly hall.	5235 N. Hopkins St. 1st 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:	--	
50	31089 Use Variance	Lighthouse Academies of Wisconsin James Brooks Board of Directors; Prospective Buyer Request to occupy the premises as a school for 644 students kindergarten - 12th grades, operating Monday - Friday 7:30 a.m. - 4:30 p.m.	4200 W. Douglas Av. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
51	31091 Special Use	Toua Thao Lessee Request to occupy the premises as a motor vehicle repair facility.	7124 W. Fond Du Lac Av. 2nd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman of the District and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	30996 Use Variance	Catherine Griffin Lessee	4045 N. 47th St. 2nd Dist.
		Request to continue occupying the premises as a day care center for 8 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 10:00 p.m.	
	Action:	Granted 10 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 dwelling unit containing the family day care is continuously occupied as a residential unit by the applicant, family member, employee or the state day care license holder for the family day care. 5. That there be no signage associated with the day care facility. 6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 7. That the applicant or the applicant's mother live on site. 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 use variance. 9. 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>
53	30935 Special Use	Ike's Custom Car Care Alicia McCovery;Lessee	4730 N. 76th St. 2nd Dist.
		Request to occupy the premises as an outdoor motor vehicle storage facility.	
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 1 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
54	31044 Dimensional Variance	George Mireles Lessee	3129 N. Bremen St. A/K/A 3129 A N. Bremen St. 3rd Dist.
		Request to construct an outdoor seating area to the existing Board approved restaurant that does not meet the required west side setback (required 1.5 ft. / proposed 0 ft.).	
	Action:	Granted	
	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 all previous conditions of the Board regarding this property are complied with. 5. 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>
55	30808 Special Use	Linda Hammer Hamm's Enterprise; Lessee Request to occupy a portion of the premises as a car wash.	2010 E. Thomas Av. A/K/A 2400 N. Murray Av. 3rd Dist.
	Action:	Granted	
	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 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 work or storage of vehicles occurs in the front of the building. 7. That the applicant and employees perform all work inside the building and that no cars are prepared, cleaned or washed outside of the building. 8. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 9. That 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 time commencing with the date hereof, and expiring on April 20, 2014. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
56	30793 Dimensional Variance	Michael H White Request to construct an addition that does not meet the minimum required side street setback (required 18 ft. / proposed 6 ft.) and the minimum rear setback (required 20 ft. / proposed 9.5 ft.).	2134 N. Terrace Av. 3rd Dist.
	Action:	Adjourned	
	Motion:	This matter has ben adjourned at the request of the Alderman of the District and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
57	30803 Special Use	Creative Marketing Inc Jeremy LaSage;Lessee Request to occupy the premises as a general office and retail facility.	8105 W. Lisbon Av. 5th Dist.
	Action:	Adjourned	
	Motion:	Martin Kohler 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>
58	30515 Special Use	ATTIC Correctional Services, Inc. Lessee	406 E. Burleigh St. A/K/A 408 E. Burleigh St. 6th Dist.
		Request to occupy the premises as a transitional living facility for 4 occupants.	
	Action:	Granted 3 yrs.	
	Motion:	Jose Dominguez 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 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 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>
59	31049 Dimensional Variance	David Gilewski Property Owner Request to construct a second floor deck that does not meet the required front setback (required 7.264 ft. / proposed 0 ft.).	512 E. Glover Av. A/K/A 512 E. Reservoir Av. 6th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 1 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted to run with the land. 	
60	31099 Special Use	Deliverance by Faith Evangelistic Ministry Michelle Blackmon;Lessee Request to occupy the premises as a social service facility.	4500 W. Burleigh St. A/K/A 4502 W. Burleigh St. 7th 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:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
61	30513 Use Variance	ATTIC Correctional Services, Inc. Lessee	2808 N. 48th St. A/K/A 2810 N. 48th St. 7th Dist.
		Request to occupy the premises as a transitional living facility for 4 occupants.	
	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 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 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>
62	31105 Special Use	Gary Gorman Gorman & Company, Inc.;Prospective Buyer	3245 N. 37th St. 7th Dist.
		Request to occupy the premises as a permitted multi-family residence with a parking lot located between the building and the street facade.	
	Action:	Granted	
	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 landscaping and screening is implemented and maintained in accordance with the landscape plan submitted to the Board of Zoning Appeals. 5. That this Special Use 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>
63	30989 Dimensional Variance	Melissa N. Goins Maures Development Group;Prospective Buyer Request to construct a permitted multi- family residential dwelling that exceeds the maximum allowed front setback (allowed 0.5 ft. / proposed 5 ft.) and the allowed side street setback (allowed 5 ft. / proposed 6 ft.).	3871 N. 35th St. A/K/A 3877 N. 35th St. 7th 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 the petitioner submit a revised plan that shows that the wheelchair ramp be constructed of a material that matches that of the terrace area. 5. That these Variances are granted to run with the land. 	
64	30970 Special Use	Keona Jones Property Owner Request to occupy the premises as a group home for 8 occupants.	3147 N. 24th St. A/K/A 3149 N. 24th St. 7th 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>
65	30673 Special Use	Clay Stephens and Melvin Grafton Lessee Request to occupy the premises as a motor vehicle sales, repair and body shop facility with outdoor motor vehicle storage.	5320 W. Hampton Av. 7th 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:		
66	31112 Special Use	Brenda Luckett Jennifer Luckett;Property Owner Request to occupy a portion of the premises as an assembly hall.	5202 W. Lisbon Av. 10th 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:	--	
67	31069 Dimensional Variance	Pettit National Ice Center Randy Dean;Property Owner Request to erect an off-premise sign that exceeds the allowed distance between freeway signs.	450 S. 84th St. 10th 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:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
68	30964 Use Variance	Leeds Place LLC Anthony Synowicz Sr.;Property Owner Request to occupy the premises as a material reclamation facility.	3430 W. Leeds Pl. A/K/A 3446 W. Leeds Pl. 11th Dist.
	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 meet with the Department of City Development to finalize and implement a landscaping plan. 5. 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>
69	31068 Special Use	Melvin Torres Lessee Request to occupy the premises as a motor vehicle repair and car wash facility .	521 W. Mineral St. A/K/A 521 E. Mineral . 12th Dist.
	Action:	Granted 3 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 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 the applicant installs bollards, fencing or other approved devices to prevent recurring parking on unpaved surfaces. 7. That no work or storage of vehicles occurs in the public right of way. 8. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 9. That all repair work and car wash activity is conducted inside of the building. 10. That these Special Uses are granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
70	31075 Special Use/ Use Variance	Randy Melchert and Anna Horneck Lessee Request to occupy a portion of the premises as a school for 120 students K4 - 12th grade and a day care center for 48 children per shift 2 - 4 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m.	633 S. 12th St. A/K/A 1236 W. Pierce St. 12th Dist.
	Action:	Adjourned	
	Motion:	Martin Kohler moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
71	31085 Special Use	Byron Gudiel Siervito Properties LLC;Property Owner Request to occupy the premises as a general retail establishment.	2200 S. 12th St. A/K/A 2200 B S. 12th St. 12th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Jose Dominguez moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That the premises is remodeled in accordance with the plans submitted to the Board on April 26, 2011. 7. That transparent glass is utilized for the storefront windows and that the windows are maintained in an attractive manner. 8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

Other Business:

Board member Jackson moved to approve the minutes of the May 19, 2011 meeting. Seconded by Board member Kohler. Unanimously approved.

The Board set the next meeting for July 7, 2011.

Board member Jackson moved to adjourn the meeting at 6:00p.m.. Seconded by Board member Dominguez. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board