

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – October 13, 2011
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairwoman: Catherine M. Doyle (*voting on items 1 - 56*)

Members: Henry P. Szymanski (*voting on items 1 - 56*)
Donald Jackson (*voting on items 1 - 56*)
Martin E. Kohler (*voting on items 1 – 34, 36 - 56*)

Alt. Board Members: Jose L. Dominguez (*voting on items 35, 45 - 56*)
Leni M. Siker (*voting on items 43 - 56*)

START TIME: 4:00 p.m.

END TIME: 7:10 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	31339 Special Use	The Lynde and Harry Bradley Foundation, Inc. Prospective Buyer Request to occupy the premises as a general office facility.	1139 E. Knapp St. A/K/A 1133 E. Knapp St. 3rd Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none">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 June 12, 2015.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
2	31346 Special Use	Jennifer Mueller Lessee	932 E. Chambers St. 3rd Dist.
		Request to continue occupying the premises as a tavern.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor patio activity end at 10:00 P.M. on weeknights and 11:00 P.M. on weekends. 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. 	
		4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
3	31358 Special Use	Russell Wasserman Property Owner Request to continue occupying the premises as a general office facility.	1637 N. Van Buren St. A/K/A 1637 N. Van Buren St. A 3rd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
4	31369 Special Use	Jewish Family Services, Inc. Sylvan Leabman, President and CEO;Property Owner Request to continue occupying the premises as a social service facility.	1300 N. Jackson St. 3rd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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>
5	31340 Special Use	DDS Media Works LLC Darick Spears;Lessee Request to occupy a portion of the premises as a specialty school.	275 W. Wisconsin Av. 2190 A/K/A 275 W. Wisconsin Av. 4th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 23, 2017. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
6	31341 Special Use	Denise Beverly Davis Property Owner	3314 W. Vliet St. 4th Dist.
		Request to occupy the premises as a day care center for 45 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 9:00 p.m. and Saturday 8:00 a.m. - 4:00 p.m.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 5. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license. 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 storefront windows are restored to transparent vision glass in accordance with the glazing standards of s295-605-2-i-3 of the Milwaukee Code of Ordinances and are maintained in an attractive manner. Glass block windows cannot be used to meet this requirement. 8. 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. 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>
7	31361 Special Use	Jane Harris Scott Advertising;Lessee Request to continue occupying the premises as a general office facility. Action: Granted 10 yrs. Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	1037 N. Astor St. 4th Dist.
8	31331 Dimensional Variance	New Life Community Church Property Owner Request to continue to allow a freestanding sign that exceeds the maximum allowed height (allowed 6 ft. / proposed 7ft. 8 in.) and the maximum allowed display area (allowed 18 sq.ft. / proposed 24 sq.ft.). Action: Granted Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained. Conditions of Approval: 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 to run with the land.	11919 W. Bradley Rd. A/K/A 12228 W. Park Pl. 5th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	31363 Special Use/ Dimensional Variance	Rodney Ugent Property Owner Request to occupy the premises as a parking lot that does not meet the minimum landscape requirements.	8327 W. Capitol Dr. 5th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 and this Variance are granted to run with the land. 	
10	31364 Dimensional Variance	Ugent Properties, LLC Rodney Ugent;Property Owner Request to allow a permitted accessory use parking lot that does not meet the minimum landscape requirements.	8319 W. Capitol Dr. A/K/A 8319 W. Capitol Dr. 1 5th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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>
11	31365 Dimensional Variance	Ugent Properties, LLC Rodney Ugent;Property Owner Request to allow a permitted accessory use parking lot that does not meet the minimum landscape requirements.	8301 W. Capitol Dr. A/K/A 8301 W. Capitol Dr. 3 5th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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>
12	31328 Special Use	Arkadijjs Lindems Lessee Request to occupy the premises as a motor vehicle body shop and repair facility.	3915 N. Palmer St. A/K/A 3913 N. Palmer St. 6th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 LB2 zoning districts. 5. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 6. That all repair work is conducted inside the building. 7. That no work or storage of vehicles occurs in the public right of way. 8. The applicant obtains a permit and installs the required spray booth in accordance with approved plans prior to occupying the space. 9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
13	31334 Special Use	Holton Youth & Family Center Property Owner	510 E. Burleigh St. A/K/A 518 E. Burleigh St. 6th Dist.
		Request to continue occupying the premises as a social service facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
14	31336 Special Use	Deneta Harrington Lessee	2836 N. Teutonia Av. A/K/A 2832 N. Teutonia Av. 6th Dist.
		Request to occupy the premises as a day care center for 50 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 7:00 p.m.	
	Action:	Granted 1 yr.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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. 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 the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license. 8. That the capacity of the child care center does not exceed thirty children on site at any one time. 9. 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>
15	31357 Special Use	Hawk Chu Chu's Family Restaurant Corporation; Lessee	2373 N. Martin L King Jr Dr. A/K/A 315 W. Meinecke Av. 6th Dist.
		Request to continue occupying the premises as a fast-food / carry-out restaurant.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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 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 within 60 days of Board approval of the special use the petitioner must meet with the Zoning Administration Group to create a landscape plan for the parking lot along the W. Meinecke Ave frontage. Specifically the plan must provide shrubs to be planted adjacent to the decorative metal fence. 7. That landscaping in accordance to the approved landscape plan must be installed by June 1, 2012. 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>
16	31360 Special Use	James A Pekrul Lessee Request to continue occupying the premises as a social service facility.	2433 N. Holton St. A/K/A 2437 N. Holton St. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Syzmanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the storefront windows remain as transparent vision glass and are maintained in an attractive manner. 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
17	31362 Special Use	Orlando Williams Lessee Request to continue occupying the premises as a car wash.	3030 N. Martin L King Jr Dr. A/K/A 3036 N. Martin L King Jr Dr. 6th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of staff and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	31316 Special Use	Harriet Conway Property Owner	4313 W. Fond Du Lac Av. A/K/A 4315 W. Fond Du Lac Av. 7th Dist.
		Request to continue occupying the premises as a day care center for 30 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 11:00 p.m.	
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 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 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 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>
19	31321 Use Variance	Zakee Waheed Lessee	2902 W. Burleigh St. 7th Dist.
		Request to occupy the premises as a motor vehicle repair facility.	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by 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 all repair work is conducted inside the building. 6. That no additional signage may be erected, and existing signage may not be altered unless it meets the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 7. That within 60 days of Board approval of the special use the petitioner must meet with the Zoning Administration Group to create a revised landscape and screening plan. The petitioner must then submit the revised landscape plan to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits. Specifically the revised plan must identify the quantity and species of trees & shrubs to be planted, and must identify opaque screening along the west property line. 8. That no work or storage of vehicles occurs in the public right of way. 9. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 11. That this 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>
20	31326 Special Use	Salvador Sanchez Property Owner Request to continue occupying the premises as a motor vehicle sales facility.	2606 W. Greenfield Av. 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:	--	
21	31335 Special Use	Ceria M. Travis Academy Property Owner Request to continue occupying the premises as a secondary school.	8350 N. Steven Rd. A/K/A 7200 W. Marcia Rd. 9th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with. 4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
22	31354 Special Use/ Dimensional Variance	Saint Anne's Cathedral Holy Church of Deliverance Property Owner Request to continue occupying the premises as a religious assembly hall without the minimum required number of parking spaces (required 42 / proposed 25).	5831 W. Burleigh St. 10th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That landscaping and screening is maintained in a manner that meets the intent of city code. 6. That this Special Use 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>
23	31338 Special Use	Curative Care Network Inc. Robert H. Coons;Property Owner	6700 W. Forest Home Av. 11th Dist.
		Request to continue occupying the premises as a social service facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in a manner that meets the intent of city code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
24	31356 Special Use	Juan Salas Lessee	2366 S. 9th Pl. A/K/A 924 A W. Hayes Av. 12th Dist.
		Request to continue occupying the premises as a general retail establishment.	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. Specifically that there be no more than one wall sign on each of the street facades and that neither sign exceed 18 sq.ft. in area. 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 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 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>
25	31342 Special Use	Scrub Willows LLC dba Scrub-A-Dub Gene Schmitz;Property Owner	4240 S. 27th St. 13th Dist.
		Request to continue occupying the premises as a car wash.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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 within 60 days of Board approval of the special use the petitioner must meet with the Zoning Administration Group to create a landscape and screening plan for the paved surface along the S. 27th St. The petitioner must then submit a landscape plan to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits. The landscape and screening plan may require the installation of a short wall in between the 2 drive ways and may require the removal of a portion of the paved surface to create a planting strip adjacent to the south parking area. 6. That the applicant does not have outdoor storage or display of products or merchandise. 7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	31314 Special Use	Lanell White Whites Residential Facility;Property Owner	2811 W. North Av. A/K/A 2811 A W. North Av. 15th Dist.
		Request to continue occupying the premises as a transitional living facility for 14 occupants.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner 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 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	31317 Special Use	Stop N Shop LLC Joga S. Gill;Lessee	2905 W. Fond Du Lac Av. 15th Dist.
		Request to continue occupying the premises as a motor vehicle filling station.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by 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 additional signage may be erected on the site unless it meets the signage standards of s.295-605 for LB2 zoning districts 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 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 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. 9. The applicant complied with DNS order numbers 8804311, 9053212 and 9053211 within 30 days of BOZA approval. 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>
28	31309 Special Use	On the Go Real Estate, LLC Kraig A Ausman;Property Owner	7289 N. Teutonia Av. 1st Dist.
		Request to continue occupying the premises as a motor vehicle sales and repair facility (installation and sales of handicap vehicles and equipment).	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in accordance with the landscape plan approved by DCD on July 11, 2001. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That no work or storage of vehicles occurs in the public right of way. 7. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 9. That these Special Uses are granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	31320 Special Use	Belinda A Curtain Property Owner Request to continue occupying the premises as a day care center for 49 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight.	4202 W. Silver Spring Dr. A/K/A 4204 A W. Silver Spring Dr. 1st Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 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 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 storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 9. That the number of children on-site at any one time does not exceed 35 in accordance with the capacity established by the Wisconsin Department of Family and Children. 10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	31344 Use Variance	Benz Oil Co. Property Owner	2724 W. Hampton Av. 1st Dist.
		Request to continue occupying the premises as a heavy manufacturing and hazardous material storage facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That these Variances are granted for a period of ten (10) years, commencing with the date hereof. 	
31	31349 Special Use	Benz Oil Co. Property Owner	2817 W. Stark St. 1st Dist.
		Request to continue occupying the premises as a hazardous material storage facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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>
32	31368 Use Variance	Daughters of the Father Christian Academy Doris Pinkney;Lessee Request to increase the number of students from 150 to 200 for the Board approved school for students K4th - 8th grades, operating Monday - Friday 8:00 a.m. - 3:30 p.m.	3718 W. Lancaster Av. A/K/A 3734 W. Lancaster 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:	--	
33	31323 Special Use	Aurora Health Care Inc. Lessee Request to continue occupying the premises as a health clinic.	4016 N. 60th St. A/K/A 5818 W. Capitol Dr. 2nd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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>
34	31327 Special Use	Robert B Pyles Franchisee Request to continue occupying the premises as a fast-food/carry-out restaurant.	7451 W. Appleton Av. A/K/A 7455 W. Appleton Av. 2nd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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>
35	31151 Special Use	Latasha Hines Lessee	206 E. Lincoln Av. A/K/A 210 E. Lincoln Av. 14th Dist.
		Request to occupy the premises as an adult day care center.	
	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 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 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB2 zoning districts. 7. That the petitioner takes all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel. 8. That the applicant submit a contact name and number that can be directly reached 24 hours a day and 7 days a week to all interested parties. 9. That the applicant minimize their operation to Monday - Friday with no weekend hours. 10. 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>
36	31061 Other	Carl Mueller Mueller Communications Inc.;Property Owner	1749 N. Prospect Av. 3rd Dist.
		Request to appeal a determination by the Department of City Development stating that Board approval is necessary to occupy the third floor of the premises as a general office facility.	
	Action:	Adjourned	
	Motion:	This matter has be adjourned at the request of staff and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
37	31366 Special Use	Jeremy LaSage Lessee	8105 W. Lisbon Av. 5th Dist.
		Request to occupy the premises as a general office and retail facility.	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 5. 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>
38	31207 Special Use	Paul Bouraxis Property Owner	7822 W. Capitol Dr. 5th Dist.
		Request to continue occupying the premises as a restaurant with a drive-through facility.	
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	3 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
39	31224 Special Use	William Jones Property Owner	3700 N. Fratney St. 6th Dist.
		Request to occupy a portion of the premises as a car wash.	
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:		
40	31295 Use Variance	Joe Berrada Property Owner	2070 N. Riverboat Rd. A/K/A 2072 N. Commerce St. 6th Dist.
		Request to occupy the premises as an animal boarding facility.	
	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>
41	31312 Dimensional Variance	Dairyland Buses, Inc. Michael Pjevach;Lessee Request to occupy the premises as a permitted ground transportation service without the code required landscaping.	3850 N. Holton St. A/K/A 3830 N. Holton St. 6th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted to run with the land. 	
42	31332 Special Use	Asia Beckum Lessee Request to occupy the premises as a motor vehicle repair facility and hand car wash.	3345 N. Booth St. A/K/A 3341 N. Booth St. 6th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	31310 Dimensional Variance	Wal-Mart Real Estate Business Property Owner Request to erect a sign that exceeds the maximum mallowed area (allowed 100 sq.ft. / proposed 221 sq.ft.).	401 E. Capitol Dr. 6th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof. 	
44	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:	Dismissed	
	Motion:	Henry Szymanski 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>
45	31099 Special Use	Deliverance by Faith Evangelistic Ministry Michelle Blackmon;Lessee	4500 W. Burleigh St. A/K/A 4502 W. Burleigh St. 7th Dist.
		Request to occupy the premises as a religious assembly hall and social service facility.	
	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 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. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 7. That the applicant meet with the Department of City Development to discuss landscaping for the property. 8. 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>
46	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:	Donald Jackson moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
47	31322 Special Use	Rafael Malinari Lessee Request to occupy the premises as a second-hand sales facility.	2028 W. Greenfield Av. A/K/A 2030 W. Greenfield Av. 12th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	31380 Special Use	Cornerstone Pavers, LLC Christopher C. Cape; Lessee Request to continue occupying the premises as a temporary concrete / batch plant.	1121 W. Grange Av. A/K/A 1101 W. Grange Av. 13th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 dust from the operation shall blow onto adjacent properties or public right-of-way. The operator shall also provide for the daily removal of material tracked onto the public roadway by equipment coming to or going from the facility. 5. That the operation cease and the site cleaned up by November 22, 2011. 6. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on November 22, 2011. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
49	31256 Special Use	Ziad Omar Golden Hand ;Lessee Request to occupy the premises as a car wash facility.	5042 S. 27th St. A/K/A 5044 S. 27th St. 13th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That all car wash activity is conducted inside of the building. 8. That all wastewater is contained on site. 9. 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>
50	31348 Dimensional Variance	Caterpillar Property Owner Request to allow a roof sign that exceeds the maximum allowed area (allowed 100 sq.ft. / proposed 180 sq.ft.).	184 W. Oklahoma Av. A/K/A 182 W. Oklahoma Av. 14th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this 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>
51	31250 Special Use	Laquetta Clipps Lessee	5226 W. Hampton Av. A/K/A 4802 N. 53rd St. 1st Dist.
		Request to occupy a portion of the premises as a day care center for 50 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 10:00 p.m. (this is a new operator).	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 State issuance of the license. 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 storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 9. That the applicant restricts the day care to the first floor only. 10. 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. 11. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on March 26, 2014. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	31311 Dimensional Variance	Randolph & Latoya Sims Property Owner Request to allow a fence that exceeds the maximum allowed height (allowed 4 ft. / proposed 6 ft.).	4251 N. 72nd St. 2nd 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>
53	31257 Special Use	Greater New Birth Church Property Owner	8237 W. Silver Spring Dr. A/K/A 8221 W. Silver Spring Dr. 2nd Dist.
		Request to expand into adjacent units and to continue occupying the premises as a religious assembly hall.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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 implement and maintain landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on June 10, 2009 and per the standards of city code section 295-405. Specifically that landscaping must be installed by November 30, 2012. 6. That the premises is developed in accordance with the elevation plan submitted to the Board of Zoning Appeals on June 17, 2009. 7. That the large roof sign on the easternmost building and any other abandoned signs are removed. 8. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 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>
54	31305 Special Use	Sandra D Chapman Lessee Request to occupy a portion of the premises as a day care center for 50 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m. and Saturday 8:00 a.m. - 2:00 p.m.	5555 W. Capitol Dr. A/K/A 3950 N. 56th St. 2nd Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C.Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	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:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code for NS2 zoning districts. 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 the applicant use the parking lot for customers of the fast-food/carry-out restaurant and not for event parking. 8. That glazing must meet the glazing standards of s295-605-i of the Milwaukee Zoning Code. 9. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 10. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on November 11, 2019. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
56	31035 Special Use	Mohammed Mazharuddin and Diljeet 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:	Donald Jackson moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

Other Business:

Board member Szymanski moved to approve the minutes of the September 22, 2011 meeting. Seconded by Board member Jackson. Unanimously approved.

The Board set the next meeting for November 3, 2011.

Board member Szymanski moved to adjourn the meeting at 7:10 p.m.. Seconded by Board member Kohler. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board