

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – May 17, 2012
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairwoman: Catherine M. Doyle (*voting on items 1-59*)

Members: Henry P. Szymanski (*voting on items 1-59*)
Donald Jackson (*voting on items 1-59*)
Martin E. Kohler (*voting on items 1-59*)
Jose L. Dominguez (*voting on items 1-59*)

Alt. Board Members: Leni M. Siker (*present items 1-59*)

START TIME: 4:08 p.m.

End Time: 8:28 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	31504 Special Use	Javier Rivera Lessee Request to occupy the premises as a religious assembly hall.	1651 S. 11th St. A/K/A 1651 A S. 11th St. 12th 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>
2	28761 Special Use	International Electronic Service, LLC Lessee Request to occupy the premises as a second hand sales facility (operating for the repair and sale of used T.V.'s).	6432 W. Silver Spring Dr. A/K/A 5608 N. 65th St. 2nd 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:	--	
3	31418 Special Use	Signature Auto Sales Lessee Request to continue occupying the premises as a motor vehicle sales and repair facility.	6502 W. Fond Du Lac Av. 2nd 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:	--	
4	31593 Special Use	Sam A Corrao Property Owner Request to occupy the premises as a rooming house for 9 occupants.	1914 W. Kilbourn Av. A/K/A 1914 W. Kilbourn Av. A 4th 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>
5	31753 Special Use	230 West Boden Street, LLC Property Owner	230 W. Boden St. 13th Dist.
		Request to construct an addition to the existing building and occupy the premises as a truck freight terminal.	
	Action:	Granted 15 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.295-805 of the Milwaukee Zoning Code. 5. That the petitioner shall implement and maintain landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on April 5, 2011. 6. That this Special Use is granted for a period of fifteen (15) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
6	31688 Special Use	A.O.C. Investment Group, LLC Property Owner	5801 S. 27th St. 13th Dist.
		Request to continue occupying the premises as a motor vehicle sales and repair facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Doanld 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 site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That landscaping and screening is implemented and maintained according to the landscape plan approved by the Department of City Development on February 12, 2001. 7. That all repair work is conducted inside of the building 8. That no work or storage of vehicles occurs in the public right-of-way. 9. That no sales vehicles are displayed in the public right-of-way. 10. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 11. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 12. That 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>
7	31720 Special Use	Priya Corporation Property Owner Request to continue occupying the premises as a motor vehicle filling station.	1235 W. Layton Av. A/K/A 1233 W. Layton Av. 13th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of the Alderman of the District and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	
8	31705 Special Use	William Frickensmith Recycled Records & Books Inc; Lessee Request to occupy a portion of the premises as a second-hand sales facility.	2653 S. Kinnickinnic Av. A/K/A 2651 S. Kinnickinnic Av. 14th 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. 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 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>
9	31731 Special Use	Holy Hill C.O.G.I.C. Other	2823 W. Fond Du Lac Av. A/K/A 2825 W. Fond Du Lac Av. 15th Dist.
		Request to continue occupying the premises as a religious assembly hall.	
	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>
10	31653 Special Use	Sean K Tatum dba Jared Bruce Academy;Lessee Request to occupy a portion of the premises as a second-hand sales facility.	6035 N. Teutonia Av. A/K/A 6037 N. Teutonia Av. 1st 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 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.295-605 of the Milwaukee Zoning Code. 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 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>
11	31694 Special Use	Jacqueline Williams Lessee	4369 N. Teutonia Av. A/K/A 4373 N. Teutonia Av. 1st Dist.
		Request to continue occupying a portion the premises as a day care center for 18 children per shift 2 years to 12 years of age, operating Monday - Friday 6:00 a.m. to 6:00 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. 5. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 8. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 9. That 4369 N. Teutonia Ave. and 4371 N. Teutonia Ave. cannot both operate as day care facilities unless they are under common ownership and licensure. 10. That a loading zone continues to be maintained along North Teutonia Avenue. 11. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
12	31695 Special Use	Jacqueline Williams Lessee	4371 N. Teutonia Av. A/K/A 4373 N. Teutonia Av. 1st Dist.
		Request to continue occupying a portion of the premises as a day care center for 5 children per shift 2 years to 12 years of age, operating Monday - Friday 6:00 a.m. to 6:00 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. 5. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hrs/ day. 6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use 8. That 4369 N. Teutonia Ave. and 4371 N. Teutonia Ave. cannot both operate as day care facilities unless they are under common ownership and licensure. 9. That a loading zone continues to be maintained along North Teutonia Avenue. 10. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

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13	31716 Special Use	Jacqueline Williams Lessee	4373 A N. Teutonia Av. A/K/A 4371 N. Teutonia Av. 1st 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 and maintained. 4. That the outdoor play area is not utilized before 9:00 A.M. 5. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 8. That 4369 N. Teutonia Ave. and 4371 N. Teutonia Ave. cannot both operate as day care facilities unless they are under common ownership and licensure. 9. That a loading zone be maintained along North Teutonia Avenue. 10. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

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14	31739 Special Use	Dasada Property Management LLC Station on the Park LLC;Property Owner	7537 N. Teutonia Av. A/K/A 7549 N. Teutonia Av. 1st Dist.
		Request to continue occupying the premises as a motor vehicle filling station.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by 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 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 site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 9. That the applicant does not have outdoor storage or display of products or merchandise. 10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

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15	31719 Special Use	Micmar Properties, LLC Lessee	7405 W. Villard Av. A/K/A 7403 W. Villard Av. 2nd Dist.
		Request to continue occupying the premises as a motor vehicle filling station.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by 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 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 site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 9. That the applicant does not have outdoor storage or display of products or merchandise. 10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

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16	31692 Special Use	Hane Xayboury Lessee Request to add a motor vehicle repair facility to the existing Board approved body shop (this is a new operator).	6027 W. Villard Av. A A/K/A 6027 W. Villard Av. 2nd Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of the Alderman of the District and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	
17	31726 Special Use	Shana M Mill Lessee Request to continue occupying the premises as an assembly hall.	933 E. Center St. A/K/A 2673 N. Weil 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

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18	31729 Special Use	Frank J Fix Lessee	631 E. Center St. A/K/A 631 E. Center St. 1 3rd Dist.
		Request to continue occupying the premises as a motor vehicle repair and sales 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 conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That all vehicle display is conducted inside of the building. 6. That no work on or storage of vehicles occurs in the public right-of-way. 7. That no sales vehicles are displayed in the public right-of-way. 8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

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19	31734 Special Use	Francine Feinberg Meta House, Inc. Lessee Request to continue occupying the premises as a social service facility.	2625 N. Weil St. A/K/A 924 E. Clarke 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. 	
20	31747 Special Use	Frank J Fix Lessee Request to occupy the premises as a parking lot that is without the minimum required landscaping (to be used in conjunction with the motor vehicle repair facility located at 631 E. Center St.).	2678 N. Booth St. 3rd 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:	--	

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21	31775 Special Use	Marshall & Wells, LLC Gary Taxman;Property Owner	807 N. Marshall St. A/K/A 809 N. Marshall St. 4th Dist.
		Request to continue occupying the premises as a parking lot.	
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in a manner that meets the intent of city code. 5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

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22	31713 Special Use	U-Haul Real Estate Property Owner Request to continue occupying the premises as a motor vehicle sales and rental facility and an indoor storage facility (rental facility with mini warehouses).	7677 W. Appleton Av. A/K/A 7685 W. Appleton Av. 5th 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 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 landscaping and screening is maintained in a manner that meets the intent of city code. 6. That no display of, work on, or storage of vehicles or trailers occurs in the public right-of-way. 7. That these Special Uses are granted for a period of ten (10) years, commencing with the date hereof. 	

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23	31736 Special Use	Steven R Tenley Lessee	9208 W. Capitol Dr. 5th Dist.
		Request to continue occupying the premises as a motor vehicle filling station.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by 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 the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 7. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises. 8. That no work or storage of vehicles occurs in the public right-of-way. 9. That there is no outdoor storage or display of products or merchandise. 10. That there is no outdoor display of banners or other advertising except that which is approved and on the site plan. 11. That the exterior cargo storage container is removed from the site. 12. 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	31725 Special Use	Wisconsin Community Services Inc. Property Owner	2930 N. 25th St. A/K/A 2932 N. 25th St. 7th Dist.
		Request to continue occupying the premises as a community living arrangement for 40 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>
25	31749 Special Use	LaQuanda Gray Property Owner	2434 W. Hadley St. A/K/A 2804 N. 24th Pl. 7th Dist.
		Request to continue occupying the premises as a 24 hour day care center for 30 children infant to 12 years of age, operating Monday - Sunday.	
	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 signage must meet the signage standards of s.295-505-5 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 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>
26	31721 Special Use	Anita Bates Lessee	2201 S. 20th St. A/K/A 2203 S. 20th St. 8th 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 - Sunday 6:00 a.m. - midnight.	
	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. 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 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>
27	31738 Special Use	Milwaukee Fence Inc. Property Owner	1630 S. 38th St. 8th Dist.
		Request to continue occupying the premises as a contractor's yard.	
	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>
28	31730 Special Use	Mt. Zion Assembly of the Apostolic Faith, Inc. Property Owner	7132 W. Good Hope Rd. A/K/A 7222 W. Good Hope Rd. 9th Dist.
		Request to continue occupying the premises as a school for 450 children K4 - 12th grade, operating Monday - Friday 7:30 a.m. - 3:00 p.m. and as a day care center for 150 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6 p.m.	
	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 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. 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>
29	31681 Special Use	Harcharan Gill Property Owner Request to continue occupying the premises as a parking lot.	7321 W. Burleigh St. A/K/A 7321 A W. Burleigh St. 10th 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 landscaping and screening is maintained in a manner that meets the intent of city code. 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>
30	31685 Special Use	Anjad A Choudhary Property Owner	5706 W. Blue Mound Rd. 10th Dist.
		Request to continue occupying the premises as a motor vehicle filling station.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by 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 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 the applicant does not have outdoor storage or display of products or merchandise. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	31728 Special Use	Tracy Glass Property Owner Request to continue occupying the premises as a day care center for 25 children per shift infant to 35 months of age, operating Monday - Sunday 6:00 a.m. - 8 p.m (this is a new operator).	4716 W. Vliet St. A/K/A 4716 A W. Vliet St. 10th 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:	--	
32	31672 Special Use/ Dimensional Variance	Jesus Nunez Lessee Request to occupy the premises as a religious assembly hall without the minimum required number of parking spaces (required 17/proposed 0).	1116 W. Windlake Av. A/K/A 1114 W. Windlake Av. 12th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	31697 Special Use	Hussein Govani Property Owner	1574 W. National Av. A/K/A 1554 W. National Av. 12th Dist.
		Request to construct a bank with a drive-through facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Syzmanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 5. That landscaping and screening is implemented and maintained in accordance with the landscape & screening plan submitted to the Board of Zoning Appeals on March 8, 2012. 6. That a DPW permit is obtained for any work performed in the public right-of-way including, but not limited to, excavation for the building foundation and for the decorative fence columns. 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
34	31698 Special Use	Hussein Govani Property Owner	1554 W. National Av. A/K/A 1576 A W. National Av. 12th Dist.
		Request to occupy the premises as a parking lot (used in conjunction with the bank at 1574 W. National Av.).	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is implemented and maintained in accordance with the landscape & screening plan submitted to the Board of Zoning Appeals on March 8, 2012. 5. That the parking lot is not expanded beyond the spaces shown on the site plan submitted to the Board on March 8, 2012. 6. That a DPW permit is acquired for any work in the public right-of-way including, but not limited to, excavating for the decorative fence columns. 7. That the open green space indicated on the site plan be kept free of debris and be maintained in an attractive manner. 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	31702 Dimensional Variance	Milwaukee Marine Company Horny Goat Hideway Brewing Company;Property Owner Request to erect an off-premise sign that exceeds the maximum allowed square footage (allowed 300 sq. ft. / proposed 1200 sq. ft.) that is located within 500 ft. of another sign .	1933 S. 1st St. 12th Dist.
	Action:	Adjourned	
	Motion:		
	Vote:	--	
	Conditions of Approval:	--	
36	31723 Appeal of an Order	Ziad Snobar Request to appeal an order from the Department of Neighborhood Services stating that the premises is being occupied as a cash for gold facility.	905 S. Cesar E Chavez Dr. A/K/A 907 S. Cesar E Chavez Dr. 12th Dist.
	Action:	Adjourned	
	Motion:		
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	31741 Use Variance	F & P Properties Lessee	1663 S. Muskego Av. 12th Dist.
		Request to occupy the premises as a contractor's yard.	
	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 the petitioner obtain the necessary permit for a temporary curb cut; and 5. That the public street is kept clean of dirt and debris. 6. That the petitioner replace any curb, sidewalk or roadway pavement damaged by construction activities. 7. That the petitioner installs compacted stone in the area of the yard where vehicles will be stored or operated throughout the duration of the project. 8. That the petitioner does not track stone or debris in the public street. 9. That the petitioner restores the site to its original condition and repairs any damage to public curb, gutter or sidewalk through appropriate Department of Public Works permits within 30 days of project completion. 10. That this Variance is granted for a period of time commencing with the date hereof, and expiring on December 31, 2012. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
38	31501 Special Use	Nargis Anis Property Owner Request to continue occupying the premises as a motor vehicle filling station.	4709 S. Howell Av. 13th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned at the request of the alderman.	
	Vote:	--	
	Conditions of Approval:	--	
39	31724 Dimensional Variance	Yousuf Hirani Lessee Request to erect an awning sign that exceeds the allowable number of signs along the north facade (allowed 1 / proposed 5) and a freestanding sign over the maximum allowed display area (required 50 sq.ft./ proposed 94 sq.ft.).	151 W. Layton Av. A/K/A 153 W. Layton Av. 13th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	31703 Use Variance	Brew Haus LLC Horny Goat Hideaway Brewing Co.;Property Owner	2029 S. 1st St. A/K/A 2011 S. 1st St. 14th Dist.
		Request to continue to allow a temporary banner sign attached to a fence.	
	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:	--	
41	31704 Dimensional Variance	Brew Haus LLC Horny Goat Hideaway Brewing Co.;Property Owner	2067 S. 1st St. 14th Dist.
		Request to erect an off-premise wall sign that is within the required distance between signs (required 200 ft. / proposed 0 ft.), without the minimum required setback (required 10 ft. / proposed 0 ft.), and does not meet the required height of a sign located near the public right-of-way (required 10 ft. / proposed 0 ft.).	
	Action:	Adjourned	
	Motion:	This item has been adjourned at the request of the petitioner.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	31389 Special Use	Albert L. Chapelle Jr. Lessee	3807 W. Vliet St. A/K/A 3813 W. Vliet St. 15th Dist.
		Request to occupy the premises as a motor vehicle repair facility and car wash.	
	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 hours of operation be limited to 7:00 a.m. - 5:00 p.m. 5. That signage must meet 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 all repair work is conducted inside the building. 8. That plant material be added to the planter box located adjacent to the driveway entrance along the N. 38th St frontage. 9. That no work or storage of vehicles occurs in the public right of way. 10. That the petitioner obtains a new occupancy certificate and complies with current State commercial building codes for automotive repair occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 11. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 12. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 13. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	31651 Use Variance	Jimmy McClendon Property Owner	2454 W. Lisbon Av. A/K/A 2460 W. Lisbon Av. 15th Dist.
		Request to continue occupying the premises as a day care center for 70 children per shift, operating Monday - Saturday 6:30 a.m. - midnight (this is a new operator).	
	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 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 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>
44	31604 Special Use	KG Family Investments Lessee	7540 W. Fond Du Lac Av. 2nd Dist.
		Request to occupy the premises as a motor vehicle repair facility and a ground transportation service.	
	Action:	Granted 2 yrs.	
	Motion:	Henry Syzmanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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 no work or storage of vehicles occurs in the public right-of-way. 8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for auto repair and ground transportation occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 9. That these Special Uses are 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>
45	31643 Use Variance	Zeanie M Henderson Property Owner	4477 N. 66th St. A/K/A 4479 N. 66th St. 2nd Dist.
		Request to continue occupying the premises as a 24 hour day care center for 8 children per shift infant to 13 years old, operating Monday - Sunday.	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That there be no signage associated with the day care facility. 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 petitioner take all measures necessary to control loud noise on the premises associated with late night drop offs and pickups. 9. 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>
46	31737 Special Use	Kathryn A Ninneman Lessee	1761 N. Warren Av. A/K/A 1761 N. Warren Av. A 3rd Dist.
		Request to occupy a portion of the premises as a personal service facility.	
	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 petitioner obtains / retains registration with the State of Wisconsin as a massage therapist. 5. That the petitioner receives a license from the city of Milwaukee to operate a massage establishment at this location. 6. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 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 obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for personal service occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 9. That the applicant does not have outdoor storage or display of products or merchandise. 10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 12. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
47	31061 Special Use	Carl Mueller Mueller Communications Inc.;Property Owner	1749 N. Prospect Av. 3rd Dist.
		Request to construct an addition and to expand the Board approved general office facility to the third floor of the premises.	
	Action:	Granted	
	Motion:	Hnery 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 agrees to work with the Department of City Development Planning Administration staff on a revised façade plan for the building's Prospect Ave frontage. 5. That this Special Use is granted for a period of time, commencing with the date hereof, and expiring September 8, 2020. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	31740 Dimensional Variance	Lynn M Forthaus Lessee Request to erect a wall sign and projecting sign that is over the maximum allowed number of signs located in the same facade segment.	2321 N. Murray Av. A/K/A 2319 A N. Murray Av. 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 Variance is granted to run with the land. 	
49	31754 Special Use	WIS27, LLC Dennis Klein;Prospective Buyer Request to construct a government office with the accessory parking lot located between a street facade of the principal building and a street lot line.	2601 W. Wisconsin Av. A/K/A 608 N. 27th St. 4th 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 hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	31640 Special Use	Phillip L Dixon, Sr. Lessee	333 E. Hadley St. A/K/A 321 E. Hadley St. 6th Dist.
		Request to occupy the premises as a general retail establishment.	
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 5. That the storefront windows remain as transparent vision glass and are maintained in an attractive manner. 6. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. Specifically that wall signage not exceed 18 square feet per street frontage 7. If the rear area is developed into a parking lot then a landscape and screening plan for the parking lot that meets the intent of city code section 295-405 is submitted to the Board of Zoning Appeals. The landscape plan must be approved by the Zoning Administration group prior to the issuance of any permits for the parking lot. 8. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises 9. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for mercantile occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 11. That this Special Use is granted for a period of 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>
51	31750 Special Use	Welford Sanders % MLK EDC;Prospective Buyer Request to construct two multi-family dwellings on the premises.	2710 N. 4th St. A/K/A 2718 N. 4th St. 6th 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 this Special Use is granted to run with the land. 	
52	31751 Special Use	Welford Sanders % MLK EDC;Prospective Buyer Request to construct two multi-family dwellings on the premises.	2716 N. 5th St. A/K/A 2720 N. 5th St. 6th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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>
53	31733 Special Use	Douglas Evans Lessee Request to occupy the premises as a motor vehicle repair facility, car wash, and indoor salvage operation.	4638 N. Hopkins St. A/K/A 4639 N. 36th St. 7th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
54	31655 Special Use	Rigoberto Sanchez Property Owner	2534 W. Greenfield Av. A/K/A 1336 S. 26th St. 8th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 street elevation plan that was submitted to the Board on February 17, 2012. 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 no work or storage of vehicles occurs in the public right-of-way. 8. That, if the new fence piers are located in the public right-of-way, the property owner apply for and obtain a special privilege. 9. That a DPW permit be obtained for any work performed in the public right-of-way including, but not limited to, excavating for the fence pier foundations, construction of the piers, and placement of new concrete. 10. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 11. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 12. That 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>
55	31743 Special Use/ Dimensional Variance	Brian Bohmann Property Owner Request to occupy the premises as a contractor's yard without the minimum required landscaping.	2932 W. Forest Home Av. A/K/A 2934 W. Forest Home Av. 8th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned at the request of staff.	
	Vote:	--	
	Conditions of Approval:	--	
56	31765 Use Variance	Launchpad Development Company Rocketship Education;Prospective Buyer Request to construct an addition to the existing building and occupy the premises as a school for 600 children kindergarten - 5th grade, operating 7:30 a.m. - 6:00 p.m. Monday - Friday (to be operated in conjunction with 2700 S. 31st St.).	2933 W. Cleveland Av. A/K/A 3011 W. Cleveland Av. 8th Dist.
	Action:	Adjourned	
	Motion:	Henry Syzmanski moved to adjourn the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
57	31756 Dimensional Variance	Laborers Union Local 113;Property Owner Request to erect a fence that exceeds the maximum allowed height (allowed 4 ft. / proposed 6 ft.).	6310 W. Appleton Av. 10th 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. 	
58	31732 Dimensional Variance	Alan M Damato Property Owner Request to construct a deck in the front yard that does not meet the minimum required setback (required 22.6 ft. / proposed 18 ft.).	3675 S. 71st St. 11th 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>
59	31571 Use Variance	Daughters of the Father Christian Academy The Power of God FGBC; Doris Pinkney; Lessee	3712 W. Lancaster Av. A/K/A 3734 W. Lancaster Av. 1st Dist.
		Request to add a religious assembly hall and amend the plan of operation for the existing school to expand the hours of operation.	
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

Other Business:

Board member Henry Szymanski moved to approve the minutes of the April 19, 2012 meeting. Seconded by Board member Donald Jackson. Unanimously approved.

The Board set the next meeting for June 7, 2012.

Board member Donald Jackson moved to adjourn the meeting at 8:28 p.m.. Seconded by Board member Henry Szymanski. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board

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