

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – December 1, 2011
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairwoman: Catherine M. Doyle (*voting on items 1 - 64*)

Members: Henry P. Szymanski (*voting on items 1 - 64*)
Donald Jackson (*voting on items 1 - 64*)
Martin E. Kohler (*voting on items 1 - 64*)

Alt. Board Members: Jose L. Dominguez (*voting on items 1 - 64*)
Leni M. Siker (*present for items 45 -64*)

START TIME: 2:05 p.m.

END TIME: 5:05 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	31032 Special Use	Mandeep Dhawan Prospective Buyer Request to construct a motor vehicle filling station.	3939 W. Lisbon Av. A/K/A 3931 W. Lisbon Av. 15th 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>
2	31403 Dimensional Variance	Kimberly Zollicoffer Property Owner Request to erect a wheelchair ramp in the front yard.	4732 N. 78th Ct. 5th 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. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
3	31387 Special Use	Lucas Lorenzo Lessee	3250 N. 77th St. A/K/A 7633 W. Lisbon Av. 3 5th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility (this is a new operator).	
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all repair work is conducted inside the building. 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 no work or storage of vehicle 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 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>
4	31395 Use Variance	The Kairos International Christian Church, Inc. Lessee	1400 N. 6th St. A/K/A 530 W. Vliet St. 6th Dist.
		Request to occupy the premises as a religious assembly hall.	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 within 12 months of Board of Zoning Appeals approval the petitioner submits a building evaluation to the Department of Neighborhood Services prepared by a Wisconsin registered architect for the conversion of this building from office use to assembly. 5. That if the evaluation requires modification to the building, the architect submits plans and obtains permits for all modification and all permit related work is completed within 6 months. 6. 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>
5	31409 Special Use	John G Vidal Property Owner Request to continue occupying the premises as an indoor wholesale and distribution facility.	3811 N. Port Washington Av. A/K/A 564 W. Vienna Av. 6th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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. 	
6	31423 Special Use	A.L. Douglas, Jr. Property Owner Request to continue occupying the premises as a religious assembly hall without the required number of parking spaces (required 4 / proposed 0).	231 W. Burleigh St. A/K/A 225 W. Burleigh St. 6th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 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	31445 Special Use	Janice Kelley Lessee Request to occupy the premises as an adult day care for 5 clients.	425 E. Garfield Av. A/K/A 423 E. Garfield Av. 6 6th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of an interested party and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	
8	31460 Dimensional Variance	Nevada Corporation McDonald's Deborah Allen;Franchisee Request to erect 6 signs that exceed the allowed number of freestanding signs, 2 wall signs on the east facade and 3 wall signs on the south facade that exceed the maximum allowed number of signs per facade and 2 menu boards that exceeds the maximum allowed area.	420 E. Capitol Dr. A/K/A 424 E. Capitol Dr. 6th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of an interested party and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	31401 Special Use	S&G Auto Susan Watkins;Lessee	3823 W. Fond Du Lac Av. 7th Dist.
		Request to occupy a portion of the premises as a motor vehicle sales facility.	
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of the Alderman of the District and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	31400 Special Use	Tangie M. Cokes dba Tangie's Just Like Mommy Childcare, LLC;Prospective Buyer	3343 N. 35th St. 7th Dist.
		Request to continue occupying the premises as a day care center for 47 children per shift infant to 12 years of age, operating Monday - Saturday 5:00 a.m. - 1:00 a.m..	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 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, including but not limited to, the Alderman of the District, the Board of Zoning Appeals, and the Department of Neighborhood Services. 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 this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	31406 Use Variance	Graciela Hernandez & Inocente Hernandez Mi Pais, LLC;Other	3911 W. Greenfield Av. A/K/A 3913 W. Greenfield Av. 8th Dist.
		Request to continue occupying the premises as a general retail establishment (grocery store).	
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 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 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 7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB2 zoning districts. 8. 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>
12	31427 Use Variance	Nasser Abdel-Fattah Property Owner	2120 W. Grant St. A/K/A 2116 W. Grant St. 8th Dist.
		Request to occupy the premises as a motor vehicle repair facility.	
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all repair work is conducted inside the building. 5. That the repair facility is used exclusively for vehicles affiliated with the motor vehicle sales facility located at 2157 W. Forest Home Ave. 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 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>
13	31436 Use Variance	Jose Chavarin Lessee	3312 W. Greenfield Av. 8th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility (this is a new operator).	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all repair work is conducted inside of the building. 5. That no work or storage of vehicles occurs in the public right of way. 6. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 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 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>
14	31432 Special Use	Judith Jackson dba Heaven's Playground Lessee	6902 N. 76th St. A/K/A 6900 N. 76th St. 9th Dist.
		Request to occupy the premises as a day care center for 60 children per shift infant to 12 years of age, operating Monday - Saturday 5:30 a.m. - midnight.	
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB1 zoning districts. 5. That 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 petitioner submits an evaluation and obtains permits for the conversion of this building from office space to day care center based on the plans submitted to the board dated November 15, 2011 and that when the alterations are completed the center does not have more than 46 children on site at any one time. 10. That the petitioner obtains a final occupancy certificate by having all required inspections, complies with current State commercial building code for I-4 occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 11. 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>
15	31443 Special Use	West Hawkins Lessee	5114 W. Center St. A/K/A 5116 W. Center St. 10th 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 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 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 institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 9. That the petitioner provides the Department of Neighborhood Services a scaled and dimensioned floor plan of the child care center that identifies the intended use and capacity of each room. 10. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on May 24, 2016. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	31404 Special Use	Transitional Living Services Lessee	2057 S. 14th St. A/K/A 2071 S. 14th St. 12th Dist.
		Request to continue occupying the premises as a transitional living facility for 15 occupants.	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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. 295-505-5 of the Milwaukee Zoning Code. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary. 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

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17	31411 Special Use	Rev. Raul Vega Property Owner	830 S. 6th St. 12th Dist.
		Request to continue occupying the premises as a religious assembly hall without the required number of parking spaces (required 10 / proposed 0).	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 for a period of ten (10) years, commencing with the date hereof. 	
18	31435 Special Use	Giros Nuevo Leon, LLC Gregomo Montoto;Property Owner	1004 W. National Av. A/K/A 1000 W. National Av. 12th Dist.
		Request to continue occupying the premises as a currency exchange.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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>
19	31446 Special Use	Jose Luis Olea Property Owner	1412 S. 12th St. 12th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility.	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 of the Milwaukee Zoning Code. 5. That all repair work is conducted inside of the building. 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 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>
20	31417 Special Use	Peter G Szinte Property Owner	1935 W. Morgan Av. 13th Dist.
		Request to construct an addition to the existing motor vehicle sales and repair facility.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all repair work is conducted inside the building. 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 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 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>
21	31408 Special Use	Richard and Joyce Schetter Property Owner	401 E. Oklahoma Av. 14th Dist.
		Request to continue occupying the premises as a motor vehicle sales and repair facility.	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by 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 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 all repair work is conducted inside the building. 7. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 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 these Special Uses are granted for a period of five (5) years, commencing with the date hereof. 	

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22	31407 Special Use	Ceciley Glenn Lessee Request to continue occupying the premises as a group home for 5 occupants.	3212 W. Walnut St. A/K/A 1720 N. 33rd St. 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 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>
23	31410 Special Use	Doaj's Prestige of Special Education Decosa Hobson;Lessee	3828 W. Lisbon Av. A/K/A 3824 W. Lisbon Av. 15th Dist.
		Request to continue occupying the premises as a 24 hour day care center for 18 children per shift infant to 12 years of age, operating Monday - Friday (this is a new operator).	
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 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>
24	31413 Special Use	James T Young Property Owner	3412 W. Center St. A/K/A 3414 W. Center St. 15th Dist.
		Request to continue occupying the premises as a social service facility.	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 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>
25	31428 Special Use	Twanda Ford Lessee	2242 W. North Av. A/K/A 2342 W. North Av. 15th Dist.
		Request to continue occupying the premises as a 24 hour day care center for 70 children per shift infant to 12 years of age, operating Monday - Sunday.	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1C. 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 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. 10. That the facility does not exceed the capacity established by the State Department of Children and Families. 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>
26	31433 Special Use	Porfirio Gomez Property Owner Request to continue occupying the premises as a mixed-waste processing facility.	2104 N. 31st St. A/K/A 2116 N. 31st St. 15th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 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	31439 Special Use	Brandee Penney Lessee	3630 W. Lisbon Av. 15th Dist.
		Request to occupy the premises as a day care center for 75 children per shift infant to 13 years of age, operating Monday - Friday 6:00 a.m. - midnight.	
	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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 7. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license. 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 petitioner shall maintain landscaping and screening in accordance with the landscape plan approved by the Department of City Development on April 29, 2003. 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 October 14, 2013. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	31447 Use Variance	Debria Moncree Lessee Request to continue occupying the premises as a day care center for 60 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight (this is a new operator).	4715 W. Center St. A/K/A 4719 W. Center St. 15th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 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. 10. That the facility does not exceed the capacity established by the State Department of Children and Families. 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>
29	31448 Use Variance	S.V. Phenix Property Owner Request to occupy the premises as a contractor's yard.	2467 N. 34th St. A/K/A 2467 A N. 34th St. 15th 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>
30	31449 Special Use	Dana McDonell Lessee	2246 N. 44th St. 15th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility.	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 there be no driving across the curb and sidewalk to access the premises. 6. That the dumpster be stored inside of the building. 7. 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. 8. That all repair work is done inside the building. 9. That no work or storage of vehicles occurs 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 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>
31	31367 Special Use	Fernando Behena Property Owner	3621 W. North Av. A/K/A 3629 W. North Av. 15th Dist.
		Request to occupy the premises as a fast-food / carry-out restaurant with a drive-through.	
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 a revised landscape and screening plan is submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. Specifically that if petitioner plan 'A' is chosen that this plan be revised to include a decorative metal fence. 7. That landscaping and screening is installed within one year of Board approval of the special use. 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>
32	31414 Special Use	Pheobe Bowie Lessee	4893 N. Green Bay Av. 1st Dist.
		Request to continue occupying the premises as a 24 hour day care center for 45 children infant to 12 years of age, operating Monday - Sunday.	
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 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 first floor windows along the building's Green Bay Ave facade 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 petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 10. That the facility does not exceed the capacity established by the State Department of Children and Families. 11. 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>
33	31419 Dimensional Variance	Hopwood Masonry, Inc. Milton Hopwood;Property Owner	6579 N. Teutonia Av. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
34	31458 Dimensional Variance	Nevada Corporation McDonald's Franchisee Request to erect 5 signs that exceed the allowed number of freestanding signs, 2 wall signs on the east facade and 3 wall signs pm the south facade that exceed the maximum allowed number of signs per facade and 2 menu boards that exceeds the maximum allowed area and height.	2700 W. Capitol Dr. A/K/A 2710 W. Capitol Dr. 1st 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 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 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. 6. That landscaping and screening is maintained in a manner that meets the intent of city code. 7. That these Variances are granted for a period of time commencing with the date hereof, and expiring on December 10, 2016. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	31429 Use Variance	Aspire Education Child Care, LLC James Harrison;Lessee Request to occupy the premises as a day care center for 94 children per shift infant to 12 years of age, operating Monday - Saturday 6:00 a.m. - 10:00 p.m.	3820 W. Florist Av. A/K/A 3812 W. Florist Av. 1st Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of staff and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	31412 Use Variance	Bessie Bufford Lessee	5803 N. 76th St. A/K/A 5801 N. 76th St. 2nd Dist.
		Request to continue occupying the premises as a day care center for 8 children per shift, operating Monday - Friday 7:00 a.m. - 5:30 p.m.	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 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 dwelling unit used as a family day is continually occupied as a residential living unit in addition to the uses as a family day care and the occupant moves into the unit within 30 days of board approval. 8. That the applicant provides documentation to the Department of Neighborhood Services that the dwelling unit is residentially occupied. 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>
37	31415 Special Use	All Saints Anglican Church Property Owner Request to continue occupying the premises as a religious assembly hall.	6430 W. Fond Du Lac Av. 2nd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 intent of the signage standards of the Milwaukee Zoning Code. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
38	31402 Special Use	Seidel Tanning Corp. Frederick A. Seidel;Property Owner Request to continue occupying the premises as a heavy manufacturing facility.	1306 E. Meinecke Av. 3rd Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of an interested party and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	31440 Dimensional Variance	Charles Droudes II Property Owner Request to construct a porch that does not meet the required front setback (required 10.36 ft. / proposed 8.5 ft.).	2009 N. Newhall St. A/K/A 2011 N. Newhall St. 3rd 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. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	31422 Special Use	Kathleen D'Acquisto Irrevocable Trust Anthony D'Acquisto, Trustee;Property Owner	300 N. Van Buren St. A/K/A 308 N. Van Buren St. 4th Dist.
		Request to continue occupying the premises as a parking lot.	
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner shall be responsible for continuous landscape maintenance including plant material replacement on a seasonal basis if such material is no longer comparable in size to the plant list specification, and inconsistent with the typical form/shape of that species because of dieback, stunting or damage. 6. 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>
41	31431 Special Use	Keith M Pajot Lessee Request to occupy the premises as a second-hand sales facility (used book store).	624 N. Broadway . A/K/A 618 N. Broadway . 4th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 are restored to transparent 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. 5. That signage must meet the signage standards of s.295-705-7 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 five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	31437 Dimensional Variance	The Bartolotta Restaurant; Joe Bartolotta The Rumpus Room; Lessee Request to allow a sign that exceeds the maximum allowed area (allowed 25 sq.ft. / proposed 38.5 sq.ft.). Action: Granted 10 yrs. Motion: Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski. Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained. Conditions of Approval: 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.	1030 N. Water St. A/K/A 1040 N. Water St. 4th Dist.
43	31442 Special Use	Rachel Forman Grand Avenue Club, Inc.; Property Owner Request to continue occupying the premises as a community center. Action: Granted 10 yrs. Motion: Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski. Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained. Conditions of Approval: 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.	210 E. Michigan St. A/K/A 200 E. Michigan St. 4th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
44	31450 Special Use	Exit Strategy LLC F&L Corp;Property Owner	500 N. Milwaukee St. A/K/A 408 E. Clybourn St. 4th Dist.
		Request to continue occupying the premises as a parking lot.	
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 maintain landscaping and screening in a manner that meets the intent of city code. 5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	31225 Special Use	Cynthia Johnson WE Source Children and Family Services;Property Owner	4821 W. Burleigh St. A/K/A 4821 W. Burleigh St. 4 7th Dist.
		Request to continue occupying a portion of the premises as a group home for 8 occupants.	
	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 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 one 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>
46	31230 Special Use	Jared Bell Lessee Request to occupy a portion of the premises as a motor vehicle sales facility.	1595 S. 38th St. A/K/A 1579 S. 38th St. 8th 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 applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 6. That the applicant does not permit any vehicles to park on unpaved surfaces. 7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB2 zoning districts. 8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
47	31297 Special Use	R & A Enterprise, Inc. Raul Gonzalez; Lessee Request to occupy the premises as an assembly hall.	3419 W. Forest Home Av. A/K/A 3419 A W. Forest Home Av. 8th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss 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>
48	31088 Special Use	David Syrrakos, Sr. Lessee	2617 S. 31st St. 8th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility.	
	Action:	Granted 1 yr.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 6. That no work or storage of vehicles occurs in the public right of way. 7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 8. That all repair work is conducted inside of the building. 9. That all vehicles remain indoors overnight. 10. That this Special Use is granted for a period of one (1) 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>
49	31398 Special Use	Lea Kyle-Lewis Lessee Request to continue occupying the premises as a social service facility.	6040 W. Lisbon Av. A/K/A 6040 W. Lisbon Av. 102 10th 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 this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
50	31069 Dimensional Variance	Pettit National Ice Center Randy Dean;Property Owner Request to erect an off-premise sign that does not meet the minimum spacing between freestanding signs and the minimum spacing between automatic changeable message signs.	450 S. 84th 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 these Variances are granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
51	31438 Special Use	Amber Niebuhr Lessee	9813 W. Oklahoma Av. A/K/A 9809 W. Oklahoma Av. 11th Dist.
		Request to occupy a portion of the premises as a second-hand sales facility.	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the storefront windows remain as transparent vision glass and are maintained in an attractive manner. 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>
52	31347 Special Use	Marco Guerrero dba Uno's Auto Repair Prospective Buyer	3401 W. Lincoln Av. 11th 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 Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That all repair work is conducted inside the building. 6. That no work or storage of vehicles occurs in the public right of way. 7. The numbers of cars parked at the rear should not exceed seven (7) cars. 8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for F-1 occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 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 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>
53	31386 Use Variance	Jaun M. Sanchez & Rosaura Sanchez Property Owner Request to occupy a portion of the premises as a currency exchange.	1035 W. National Av. A/K/A 1039 W. National Av. 12th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That this Variance is granted for a period of three (3) years, commencing with the date hereof. 	
54	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:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	31378 Special Use	Chimsiab and Daniel Yang Property Owner Request to construct an addition that does not meet the required west side setback (required 18 in. / proposed 8 in.) to the Board approved day care center for 20 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight.	1801 W. Becher St. A/K/A 1801 A W. Becher St. 13th Dist.
	Action:	Special Use Granted; Dimensional Variance Denied	
	Motion:	Henry Szymanski moved to grant the special use. Seconded by Donald Jackson. Donald Jackson moved to deny the variance. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-505-5 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 this Special Use is granted for a period of time commencing with the date hereof, and expiring on August 2, 2016. 7. That the request for an addition is denied. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
56	31375 Special Use	Wheaton Franciscan Healthcare - St. Francis, Inc. Attn: Dan Mattes, President;Property Owner	3260 S. 18th St. A/K/A 3237 S. 16th St. 13th Dist.
		Request to raze an existing building and rebuild an addition to the existing hospital that exceeds the maximum allowed height (allowed 17 ft. / proposed 60 ft.).	
	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. 5. That this Variance is granted to run with the land. 	
57	31420 Special Use	Willie J Carter, Jr. Property Owner	3010 W. Meinecke Av. 15th Dist.
		Request to add an outdoor salvage facility to the Board approved outdoor storage facility without the minimum required residential buffer.	
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
58	31390 Special Use	Sherece Method Lessee	3511 W. Lisbon Av. A/K/A 3513 W. Lisbon Av. 2 15th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 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 this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
59	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:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
60	31421 Special Use	John G Moras Lessee Request to occupy the premises as a motor vehicle sales and repair facility.	6270 N. 76th St. A/K/A 6272 N. 76th St. 2nd Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman of the District and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
61	31426 Special Use	Kathryn Carter Lessee Request to occupy the premises as a social service facility.	6830 W. Villard Av. A/K/A 6830 W. Villard Av. 300 2nd Dist.
	Action:	Granted 3 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 this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	
62	30793 Dimensional Variance	Michael H White Request to construct an addition that does not meet the minimum required side street setback (required 18 ft. / proposed 8 ft. 10.5 in.) and the minimum rear setback (required 20 ft. / proposed 11 ft. 8 in.).	2134 N. Terrace Av. 3rd Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the matter. 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>
63	31397 Special Use	Michael Haney Lessee	10734 W. Hampton Av. A/K/A 10734 W. Hampton Av. 5th Dist.
		Request to occupy the premises as a second-hand sales 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 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 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 applicant's business hours are reduced to closing at 8:00 p.m. 9. That the applicant move deliveries to the front of the building. 10. 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>
64	31035 Special Use	Mohammed Mazharuddin & 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:		
	Vote:	--	
	Conditions of Approval:	--	

Other Business:

Board member Szymanski moved to approve the minutes of the November 3, 2011 meeting. Seconded by Board member Jackson. Unanimously approved.

The Board set the next meeting for January 19, 2011.

Board member Jackson moved to adjourn the meeting at 5:05 p.m.. Seconded by Board member Dominguez. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board