

**BOARD OF ZONING APPEALS**  
**CITY OF MILWAUKEE**

**REGULAR MEETING – March 21, 2013**  
**City Hall, Common Council Committee Room 301-A**

***MINUTES***

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PRESENT:

**Chairwoman:** Catherine M. Doyle (*voting on items 1 - 68*)

**Members:** Henry P. Szymanski (*voting on items 1 - 68*)  
Donald Jackson (*voting on items 1 - 68*)  
Martin E. Kohler (*voting on items 1 – 41, 43 – 55, 57 - 68*)  
Jose L. Dominguez (*voting on items 42 - 68*)

**Alt. Board Members:** Leni M. Siker (*voting on items 1 – 41, 56*)

START TIME: 2:10 p.m.

End Time: 5:53 p.m.

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<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	31805 Special Use	Gloria Oglesby Lessee  Request to add a school for 80 children K - 3 – 1st grade, operating Monday – Friday 6:00 a.m. – 9:00 p.m. to the existing Board approved day care center for 80 children per shift infant to 12 years of age, operating Monday – Friday 6:00 a.m. – 9:00 p.m.	5615 W. Hampton Av.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
2	31849 Special Use	Jawad Hamayal Lessee  Request to occupy a portion of the premises as a cash-for-gold business.	823 S. Layton Bl. A/K/A 725 S. Layton Bl. 8th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
3	32148 Special Use	McDonald's Corporation Property Owner  Request to expand the drive-through facility and continue occupying the premises as a fast-food / carry-out restaurant.	6409 W. Blue Mound Rd. A/K/A 431 N. 64th St. 10th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
4	32112 Special Use	Javier Rivera Colon Lessee  Request to occupy the premises as a religious assembly hall.	1655 S. 1st St. A/K/A 1655 A S. 1st St. 12th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
5	32206 Use Variance	Eduardo Diaz Lessee  Request to occupy a portion of the premises as a cash-for-gold business.	1515 W. Lincoln Av. 12th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
6	32060 Special Use	Homes Inc. Lessee  Request to occupy the premises as a community living arrangement for 12 occupants.	8006 W. Sheridan Av. A/K/A 8006 W. Sheridan Av. 2 2nd Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	32339 Special Use	Bharat P Patel Lessee  Request to continue occupying a portion of the premises as a fast-food / carry-out restaurant (this is a new operator).	9109 W. Burleigh St. A/K/A 9113 W. Burleigh St. 5th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>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.</li> <li>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.</li> <li>6. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>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.</li> <li>8. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on January 24, 2023.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
8	32349 Special Use	Qamruddin A Metalwala Property Owner	7609 W. Capitol Dr. A/K/A 7601 W. Capitol Dr. 5th Dist.
		Request to continue occupying the premises as a motor vehicle filling station.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>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.</li> <li>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>6. That landscaping and screening is maintained in a manner that is meets the intent of city code.</li> <li>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</li> <li>8. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>9. 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.</li> <li>10. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>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.</li> <li>12. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	32368 Use Variance	Laurel Flannery Brian Flannery;Lessee  Request to occupy the premises as an office (florist).	2877 N. 76th St. A/K/A 2875 N. 76th St. 5th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code.</li> <li>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.</li> <li>6. That this Use Variance is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	32304 Special Use	Mt. Hermon Baptist Church Property Owner	1801 W. Atkinson Av. A/K/A 1823 W. Atkinson Av. 6th Dist.
		Request to continue occupying the premises as religious assembly hall.	
	Action:	Granted 15 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the petitioner maintain landscaping and screening in a manner that meets the intent of city code.</li> <li>6. That this Special Use is granted for a period of fifteen (15) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	32369 Special Use	Cassandra Perine Lessee	413 E. North Av. A/K/A 415 E. North Av. 6th Dist.
		Request to continue occupying the premises as a day care center for 34 children per shift infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - midnight.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>6. That the petitioner submit a copy of the State of Wisconsin day care license to BOZA within 60 days of Board approval of the special use.</li> <li>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.</li> <li>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.</li> <li>9. That a loading zone be obtained and/or maintained on East North Avenue. Contact Mr. Joe Halvorson at 414-286-8677 to apply for or to renew, if necessary, the loading zone.</li> <li>10. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Institutional I-4 occupancies and complies with all zoning conditions and building code requirements.</li> <li>11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
12	32395 Special Use	Shannon O'Brian Lessee  Request to continue occupying a portion of the premises as a social service facility.	2821 N. 4th . 144 A/K/A 2821 N. 4th St. 206 6th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
13	32283 Use Variance	Unity M.B. Church Property Owner  Request to continue occupying the premises as a parking lot.	3257 N. 39th St. A/K/A 3257 A N. 39th St. 7th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That existing grass, and trees are retained and that parking does not encroach into these areas.</li> <li>5. That this Use Variance is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
14	32334 Special Use	Jamia Lowe, Property Owner  Request to continue occupying the premises as a 24 hour day care center for 40 children first and second shift and 20 children third shift, infant to 12 years of age operating Monday – Sunday	3632 W. Burleigh St. 7 <sup>th</sup> Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff 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>
15	32342 Special Use	Paula R Toy Lessee	4335 N. 35th St. 7th Dist.
		Request to continue occupying the premises as a day care center for 52 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight.	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>6. That the petitioner submit a copy of the State of Wisconsin day care license to BOZA within 60 days of Board approval of the special use.</li> <li>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.</li> <li>8. That a loading zone be obtained and maintained on North 35th Street. Contact Mr. Joe Halvorson at 414-286-8677 to apply for or to renew, if necessary, the loading zone.</li> <li>9. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Institutional I-4 occupancies and complies with all zoning conditions and building code requirements.</li> <li>10. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	32358 Special Use	Only God Can Children's Academy Lessee	4723 W. Hoyt Pl. 7th Dist.
		Request to continue occupying the premises as a day care center for 19 children per shift infant to 3 years of age, operating Monday - Friday 6:00 a.m. - midnight.	
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>6. That the petitioner submit a copy of the State of Wisconsin day care license to BOZA within 60 days of Board approval of the special use.</li> <li>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.</li> <li>8. That the storefront windows remain as transparent glass and are maintained in an attractive manner. Specifically that signage, decals etc not cover more than 25% of any window.</li> <li>9. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Institutional I-4 occupancies and complies with all zoning conditions and building code requirements.</li> <li>10. That the facility does not exceed the capacity established by the State Department of Children and Families.</li> <li>11. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	32366 Special Use	Daljit S Kler Property Owner	3115 W. Fond Du Lac Av. 7th Dist.
		Request to continue occupying the premises as a motor vehicle filling station.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>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.</li> <li>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>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.</li> <li>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.</li> <li>8. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.</li> <li>9. That within 120 days of Board approval of the special use additional trees, shrubs and fence material is installed in order to be in compliance with the landscape and site plans submitted to the Board on February, 4, 1999.</li> <li>10. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>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.</li> <li>12. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item</u> <u>No.</u>	<u>Case No./</u> <u>Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	32302 Special Use	Hussein Govani Property Owner	2437 W. National Av. 8th Dist.
		Request to continue occupying the premises as a motor vehicle body shop.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>5. That the electrostatic precipitator on the premises operate only between the hours of 9:00 a.m. - 6:30 p.m., Monday - Saturday.</li> <li>6. That all doors on the premises remain closed before 9:00 a.m. and after 6:30 p.m.</li> <li>7. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>8. That unused driveway on West National Avenue be removed and restored to City of Milwaukee specifications.</li> <li>9. That a Special Privilege be obtained from the City of Milwaukee Common Council to allow the exhaust system to occupy the public right-of-way of South 25th Street. Please contact Ms. Dawn Schmidt to obtain a Special Privilege Application Form or with questions at 414-286-2454.</li> <li>10. That no work or storage of vehicles occurs in the public right-of-way.</li> <li>11. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>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.</li> <li>13. That all repair work is conducted inside the building.</li> <li>14. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	32328 Special Use	BMO Harris Bank Property Owner  Request to continue occupying the premises as a bank with a drive-through facility.	2701 W. National Av. A/K/A 2729 W. National Av. 8th Dist.
	Action:	Granted 15 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>6. That this Special Use is granted for a period of fifteen (15) years, commencing with the date hereof.</li> </ol>	

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20	32336 Special Use	Autowise Property Owner	7970 N. 76th St. 9th Dist.
		Request to occupy the premises as a motor vehicle repair and sales facility (this is a new operator).	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>6. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</li> <li>7. That the existing landscaping is upgraded in order to be in compliance with the landscape plan submitted to the Board on May 25,2011. Specifically that additional trees and shrubs are installed to be in compliance with said plan.</li> <li>8. That the petitioner shall maintain landscaping in accordance with the landscape plan submitted to the Board of Zoning Appeals on May 25, 2011.</li> <li>9. That no work or storage of vehicles occurs in the public right-of-way.</li> <li>10. That no sales vehicles are displayed in the public right-of-way.</li> <li>11. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>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.</li> <li>13. That all repair work is conducted inside the building.</li> <li>14. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	32340 Special Use	Steven Arenzon Novia, LLC;Property Owner	1111 W. Lincoln Av. 12th Dist.
		Request to continue occupying the premises as a light manufacturing facility.	
	Action:	Granted 15 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That there is no reduction in glazing on the building's first floor façade unless it is compliant with s295-605-2-i of the Milwaukee Code of Ordinances.</li> <li>5. That this Special Use is granted for a period of fifteen (15) years, commencing with the date hereof.</li> </ol>	
22	32354 Special Use	Milwaukee Area Technical College James Williams CPA, Ed.D;Property Owner	816 W. National Av. A/K/A 816 W. National Av. 14 12th Dist.
		Request to continue occupying the premises as a college (expansion to the third floor of the premises).	
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on March 27, 2022.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
23	32367 Special Use	Sylvestra Ramirez Lessee  Request to occupy a portion of the premises as a medical office.	701 W. National Av. A/K/A 705 W. National Av. 12th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</li> <li>6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Business B occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
24	32338 Dimensional Variance	Islamic Foundation of Greater Milwaukee Islamic Society of Milwaukee;Property Owner	4707 S. 13th St. A/K/A 4709 S. 13th St. 13th Dist.
		Request to continue to allow an automatic changeable message sign that exceeds the maximum allowed height, maximum allowed square footage, and the maximum allowed number of freestanding signs on the premises.	
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That these Variances are granted to run with the land.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	32350 Special Use	Gordon Smith Property Owner	2006 W. Oklahoma Av. A/K/A 2012 W. Oklahoma Av. 13th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility and car wash.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-805 of the Milwaukee Zoning Code.</li> <li>5. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>7. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>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.</li> <li>9. That all repair work is conducted inside the building.</li> <li>10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	32351 Special Use	Peter K O'Malley Property Owner  Request to continue occupying the premises as a truck freight terminal.	5282 S. 13th St. A/K/A 5300 S. 13th St. 13th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscaping and screening is implemented and maintained in accordance with the landscape plan approved by the Department of City Development on April 8, 2010.</li> <li>5. That a contact name and phone number be provided to the Board office within 30 days of the issuance of this written decision. The contact name and phone number must also be available to all interested parties, including but not limited to, the Alderman of the District, and the Department of Neighborhood Services. The phone number must be available 24 hours a day.</li> <li>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
27	32320 Special Use	Shannon Knapp Lessee  Request to occupy a portion of the premises as an indoor recreation facility.	2535 S. Kinnickinnic Av. 14th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of an interested party 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>
28	32343 Special Use	Sean Raffaelli Property Owner  Request to continue occupying the premises as a tavern with an outdoor recreation facility.	2900 S. Kinnickinnic Av. A/K/A 2900 A S. Kinnickinnic Av. 14th Dist.
	Action:	Granted 15 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>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.</li> <li>5. That a contact name and phone number be provided to the Board office within 30 days of the issuance of this written decision. The contact name and phone number must also be available to all interested parties, including but not limited to, the Alderman of the District, and the Department of Neighborhood Services. The phone number must be available 24 hours a day.</li> <li>6. That this Special Use is granted for a period of fifteen (15) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	32362 Special Use	Petro Mart Chase LLC Property Owner	2341 S. Chase Av. A/K/A 2341 S. Chase . 14th Dist.
		Request to continue occupying the premises as a motor vehicle filling station.	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That fencing and landscaping is maintained in accordance with the approved plan.</li> <li>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>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</li> <li>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 if necessary.</li> <li>8. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.</li> <li>9. That the applicant adhere to all conditions outlined on the Mitigation Management Plan dated March 16, 2012.</li> <li>10. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>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.</li> <li>12. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	32329 Special Use	Lilly of the Valley Childcare LLC. Shonda N. Morgan;Property Owner	1922 N. 27th St. A/K/A 1924 N. 27th St. 15th Dist.
		Request to continue occupying the premises as a day care center for 8 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>5. That the petitioner submit a copy of the State of Wisconsin day care license to BOZA within 60 days of Board approval of the special use.</li> <li>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.</li> <li>7. That the petitioner obtains an occupancy certificate by having all required inspections and complies with all zoning conditions and building code requirements.</li> <li>8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	32331 Special Use	Khaled Omar Lessee  Request to continue occupying a portion of the premises as a motor vehicle repair facility.	4509 W. North Av. A/K/A 4503 W. North Av. 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That any testing of audio equipment and alarm systems must be conducted inside the building with overhead doors closed at minimum amplification, and that customers are not permitted to test alarms or audio equipment on-site unless the tests are conducted inside the building with the doors closed and at minimum amplification..</li> <li>5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>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.</li> <li>7. That no work or storage of vehicles occurs in the public right-of-way.</li> <li>8. That no sales vehicles are displayed in the public right-of-way.</li> <li>9. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>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.</li> <li>11. That all repair work is conducted inside the building.</li> <li>12. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	32337 Special Use/Dim.Var.	Micaiah J Young Property Owner  Request to continue occupying the premises as a religious assembly hall that does not meet the minimum required number of parking spaces (required 134 / proposed 23).	2207 W. Center St. A/K/A 2221 W. Center St. 15th Dist.
	Action:	Granted	
	Motion:	Donald Jckson 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the decorative metal fence along the Center St property line is maintained.</li> <li>6. That this Special Use and this Variance are granted for a period of time commencing with the date hereof, and expiring on October 14, 2019.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	32306 Use Variance	Jeremiah Missionary Baptist Church Property Owner  Request to continue occupying the premises as a principal use parking lot.	4425 W. Villard Av. A/K/A 4423 W. Villard Av. 1st Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner shall maintain landscaping and screening in accordance with the landscape plan approved by the Department of City Development on March 8, 2008.</li> <li>5. That this Use Variance is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
34	32330 Special Use	James Carter Property Owner	2717 W. Atkinson Av. A/K/A 2717 W. Atkinson Av. 4 1st Dist.
		Request to continue occupying the premises as a day care center for 69 children per shift infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - 10:30 p.m. and a social service facility.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>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.</li> <li>6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>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.</li> <li>8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and all zoning code requirements.</li> <li>9. That these Special Uses are granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	32333 Special Use	Choua Her Property Owner	6900 N. 43rd St. 1st Dist.
		Request to continue occupying the premises as a day care center for 54 children infant to 12 years of age, operating Monday - Saturday 6:00 a.m. - 10:30 p.m.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>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.</li> <li>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.</li> <li>7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>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.</li> <li>9. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Educational E occupancies and complies with all zoning conditions and building code requirements.</li> <li>10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	32352 Special Use/ Dimensional Variance	Bay Development Company, LLC Property Owner  Request to continue occupying a portion of the premises as a wholesale distribution facility and indoor storage facility that does not meet the minimum required pedestrian access.	6045 N. Teutonia Av. A/K/A 6037 N. Teutonia Av. 1st Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner shall maintain landscaping and screening in accordance with the landscape plan approved by the Department of City Development on October 25, 2005.</li> <li>5. That this Variance is granted to run with the land.</li> <li>6. That these Special Uses are granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	32288 Dimensional Variance	BMO Harris Bank Property Owner  Request to erect two wall signs that is not attached to a flat opaque surface.	770 N. Water St. A/K/A 780 N. Water St. 1500 4th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all signage has been approved and installed per engineered specifications and according to the requirements of a sign permit.</li> <li>5. That this Variance be granted to run with the land.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
38	32364 Special Use	Jeffrey Wilhelm Property Owner  Request to occupy the premises as a rooming house for 14 occupants.	1931 W. Kilbourn Av. A/K/A 1921 W. Kilbourn Av. 205 4th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>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.</li> <li>5. That a contact name and phone number be provided to the Board office within 30 days of the issuance of this written decision. The contact name and phone number must also be available to all interested parties, including but not limited to, the Alderman of the District, and the Department of Neighborhood Services. The phone number must be available 24 hours a day.</li> <li>6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Residential R-3 occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
39	32383 Special Use	Renee E. Anderson Property Owner  Request to construct an addition and occupy the premises as a community living arrangement for 24 occupants.	1840 N. Prospect Av. 4th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of an interested party 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>
40	32394 Dimensional Variance	HTWA Market Project LLC Property Owner  Request to erect a wall sign that exceeds the maximum allowed display area (allowed 50 sq.ft. / proposed 200 sq.ft.).	400 N. Water St. A/K/A 407 N. Broadway . 4th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Variance is granted to run with the land.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	32359 Special Use	BFC Properties LLC Milwaukee Harley Davidson;Property Owner  Request to construct a building and occupy the premises as an assembly hall .	11310 W. Silver Spring Rd. 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>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.</li> <li>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
42	32253 Use Variance	Sonya Robinson Lessee  Request to occupy the premises as a day care center for 50 children per shift infant to 12 years of age, operating Monday - Saturday 6:00 a.m. - midnight.	3700 N. Teutonia Av. A/K/A 1950 W. Nash St. 6th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	32373 Special Use	St. Charles Youth & Family Services Inc. Lessee	4610 W. Fond Du Lac Av. A/K/A 4636 W. Fond Du Lac Av. 7th Dist.
		Request to occupy a portion of the premises as a social service facility and a second-hand sales facility.	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Mercantile - M occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
44	32193 Special Use	Corbo Andres Florez Arzilo;Property Owner  Request to construct a principal use parking lot on the premises.	1019 S. 24th St. A/K/A 1007 S. 24th St. 8th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscaping and screening in accordance to the plan submitted to the Board on October 30, 2012 is installed within 90 days of occupancy and is maintained in a manner that meets the intent of city code.</li> <li>5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	32270 Dimensional Variance	Layton Boulevard West Neighbors Property Owner  Request to construct an addition to the existing single family dwelling that exceeds the maximum allowed lot coverage, does not meet the minimum required rear setback and does not meet the minimum required alley access setback.	3014 W. Mitchell St. 8th 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That these Variances are granted to run with the land.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	32301 Special Use	Pedro Daleccio Property Owner	3400 W. National Av. A/K/A 3404 W. National Av. 8th Dist.
		Request to add a motor vehicle repair facility to the existing sales facility.	
	Action:	Granted 1 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>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.</li> <li>5. That within 60 days of Board approval of the special use the petitioner must meet with the Zoning Administration Group staff to evaluate the feasibility of landscaping on this premises. The Zoning Administration Group staff may require that a landscape plan that attempts to meet the intent of City code be submitted and implemented.</li> <li>6. That no work or storage of vehicles occurs in the public right-of-way.</li> <li>7. That no sales vehicles are displayed in the public right-of-way.</li> <li>8. That driveways are not blocked by parked vehicles.</li> <li>9. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>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.</li> <li>11. That all repair work is conducted inside the building.</li> <li>12. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
47	32332 Special Use	Rick Vang Property Owner	3730 W. National Av. A/K/A 3726 W. National Av. 8th Dist.
		Request to occupy the premises as an assembly hall.	
	Action:	Granted 5 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>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.</li> <li>5. That the applicant supply a 24-hour contact phone number to the Board office and any interested party that requests it.</li> <li>6. That an employee and/or security personnel be on site during all events.</li> <li>7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Assembly A-3 occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	32356 Special Use	Maria De Lourdes Frias Lessee	1820 S. 31st St. A/K/A 1818 S. 31st St. 8th Dist.
		Request to occupy the premises as a general retail establishment.	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</li> <li>6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Mercantile - M occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>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.</li> <li>8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
49	32121 Special Use	Miguel & Norma Herrera Property Owner  Request to construct an addition and to add motor vehicle repair to the existing Board approved motor vehicle sales facility and body shop (to be operated in conjunction with 2253 S. 23rd st. and 2263 S. 23rd St.).	2301 W. Forest Home Av. A/K/A 2307 W. Forest Home Av. 8th 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>6. That landscaping and screening is implemented and maintained in accordance with the landscape plan submitted to the Board of Zoning Appeals on December 12, 2012.</li> <li>7. That no work or storage of vehicles occurs in the public right-of-way.</li> <li>8. That no sales vehicles are displayed in the public right-of-way.</li> <li>9. That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, the planting of trees, shrubs and other plant materials.</li> <li>10. That vehicles are not parked such that they block driveway approaches.</li> <li>11. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Storage S-1 occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>12. That all motor vehicle body work is performed inside the building with the doors closed. All vehicle painting must comply with requirements chapter 236 of the Milwaukee Code of Ordinances and no painting may be performed outside of a spray booth that was installed under permit, inspected and approved.</li> <li>13. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>14. 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.</li> <li>15. That these Special Uses are granted for a period of ten (10) years,</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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commencing with the date hereof.

50	32227 Dimensional Variance	Miguel Herra Property Owner	2263 S. 23 <sup>rd</sup> St. 8th Dist.
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Request to occupy the premises as a parking lot that does not meet the minimum required landscaping (display area for vehicles to be in conjunction with motor vehicle sales and repair facility and body shop at 2301 W. Forest Home Av.)

Action: Adjourned

Motion: Donald Jackson moved to adjourn the appeal. Seconded by Henry Szymanski.

Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.

Conditions of Approval: --

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
51	32391 Special Use	Miguel Herrera Property Owner  Request to occupy the premises as a motor vehicle sales and repair facility and body shop (operated in conjunction with 2301 W. Forest Home Av. & 2253 S. 23rd St.).	2253 S. 23rd St. A/K/A 2253 S. 23rd St. A 8th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>6. That landscaping and screening is implemented and maintained in accordance with the landscape plan submitted to the Board of Zoning Appeals on December 12, 2012.</li> <li>7. That no work or storage of vehicles occurs in the public right-of-way.</li> <li>8. That no sales vehicles are displayed in the public right-of-way.</li> <li>9. That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, the planting of trees, shrubs and other plant materials and construction of the new driveway approach.</li> <li>10. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>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.</li> <li>12. That all repair work is conducted inside the building.</li> <li>13. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Storage S-1 occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>14. That these Special Uses are granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	32102 Special Use	All Night Child Care Lessee	8225 N. 107 <sup>th</sup> St. 9th Dist.
		Request to increase the hours of operation from Monday – Friday 6:00 a.m. – midnight to 24 hours Monday – Sunday and to continue occupying the premises as a day care center for 39 children per shift infant to 12 years of age.	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the applicant and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval	--	
53	32233 Special Use	Kathy Perry Lessee	5514 W. Lisbon Av. 10th Dist.
		Request to occupy the premises as a religious assembly hall and social service facility	
	Action:	Adjourned	
	Motion:	This matter was 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>
54	32323 Special Use	Jacqueline Anderson Lessee	2707 N. 54th St. A/K/A 2707 N. 54th St. 1 10th Dist.
		Request to occupy the premises as a 24 hour day care center for 35 children per shift infant to 12 years of age, operating Monday - Sunday.	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>6. That the petitioner submit a copy of the State of Wisconsin day care license to BOZA within 60 days of State issuance of the license.</li> <li>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.</li> <li>8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Institutional I-4 occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>9. That the facility does not exceed the capacity established by the State Department of Children and Families.</li> <li>10. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	32295 Special Use	Eric Broxton Other	1022 W. Maple St. 12th Dist.
		Request to occupy the premises as a motor vehicle repair facility.	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That no work or storage of vehicles occurs in the public right-of-way.</li> <li>6. That no tires are displayed or stored in the public right-of-way.</li> <li>7. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Storage S-1 occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>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.</li> <li>10. That all repair work is conducted inside the building.</li> <li>11. That the applicant obtain a Waste Tire Generator license from DNS. The License can be obtained by calling (414) 286-3280.</li> <li>12. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
56	32347 Special Use	Maribel Estrada Property Owner  Request to occupy the premises as a parking lot.	1329 S. 15th Pl. A/K/A 1325 S. 15th Pl. 12th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to reopen the appeal. Seconded by Leni Siker.  Henry Szymanski moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 1 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscaping be installed within 120 days of occupancy.</li> <li>5. That the petitioner obtains an occupancy certificate by having all required inspections, and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	
57	31987 Special Use	Danielle Holt Lessee  Request to occupy a portion of the premises as a day care center for 20 children per shift infant to 12 years of age operating Monday - Saturday 6:30 a.m. - 6:30 p.m.	2685 S. 9th Pl. A/K/A 2685 A S. 9th Pl. 14th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff 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>
58	32376 Special Use	Recycling Solutions LLC Lessee  Request to occupy the premises as a mixed-waste processing facility.	2929 S. Chase Av. A/K/A 148 W. Dewey Pl. 14th 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>
59	32248 Special Use	Taleka S. Gordon Vidal D. Gordon;Lessee	1406 W. Fond Du Lac Av. A/K/A 1400 W. Fond Du Lac Av. 15th 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. Specifically that the proposed wall sign be reduced to a maximum of 25 square feet.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>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.</li> <li>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.</li> <li>8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Educational E occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
60	32294 Special Use	Eric Broxton Property Owner	4002 W. Lisbon Av. A/K/A 4000 W. Lisbon Av. 15th Dist.
		Request to occupy the premises as a motor vehicle repair facility.	
	Action:	Granted 1 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That a landscape plan is submitted to the Board of Zoning Appeals within 60 days of Board approval of the special use. This landscape plan must be approved by the Zoning Administration Group prior to the issuance of any permits. Landscaping must be installed by August 1, 2013.</li> <li>6. That no work or storage of vehicles occurs in the public right-of-way.</li> <li>7. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>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.</li> <li>9. That all repair work is conducted inside the building.</li> <li>10. That the applicant obtains a Waste Tire Generator license from the Department of Neighborhood Services. License information can be obtained by calling (414) 286-3280.</li> <li>11. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
61	32308 Special Use	Jalal Alqadi Property Owner  Request to add a motor vehicle sales facility and to continue occupying a portion of the premises as a motor vehicle repair facility and body shop.	4503 W. North Av. A/K/A 4509 W. North Av. 15th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
62	32314 Dimensional Variance	Robert G. Rauh Milwaukee College Prep School;Property Owner	2623 N. 38th St. 15th Dist.
		Request to allow a parking lot that does not meet the minimum required setback, and does not meet the minimum required landscaping.	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner agrees to work with the Zoning Administration Group staff on final resolution of landscape issues. The petitioner must submit revised drawings that reflect these changes to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits.</li> <li>5. That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, construction of fences, driveway approaches, asphalt pavement, service laterals.</li> <li>6. That a Special Privilege be obtained from the City of Milwaukee Common Council to allow the fences to occupy the public right-of-way. Please contact Ms. Dawn Schmidt to obtain a Special Privilege Application Form or with questions at 414-286-2454.</li> <li>7. That the proposed concrete curbs that are shown projecting into West Clarke Street at the parking lot entrances be terminated at the property line.</li> <li>8. That these Variances are granted to run with the land.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
63	32321 Dimensional Variance	Robert G. Rauh Milwaukee College Prep School;Property Owner  Request to construct an addition that does not meet the minimum required rear setback (required 4 ft. / proposed 0 ft.).	1228 W. Lloyd St. 15th 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, building foundation construction and closure of the sidewalk during construction (aka occupancy of the sidewalk area).</li> <li>5. That this Variance is granted to run with the land.</li> </ol>	
64	32345 Special Use	Tamara Washington Property Owner  Request to occupy the premises as a transitional living facility for 6 occupants.	2579 N. 14th St. A/K/A 1415 W. Clarke St. 15th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
65	32199 Special Use	Imani Early Childhood Education Center Ronald Tate & Yvonne Ali;Lessee	5249 N. 35th St. A/K/A 5249 N. 35th St. 102 1st Dist.
		Request to occupy a portion of the premises as a day care center for 80 children per shift 3 - 12 years of age, operating Monday - Friday 6:00 a.m. to 8:00 p.m..	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>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.</li> <li>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.</li> <li>8. That warning, parking and other regulatory signage associated with traffic control in school zones be installed as required. Contact Mr. Kevin Antczak at 414-286-3236 to make arrangements for the design and installation of the required signage.</li> <li>9. That the applicant continues to provide school bus service.</li> <li>10. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Educational - E occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>11. That the day care facility does not exceed a capacity of 80 children, or does not exceed the capacity established by the State Department of Children and Families if required to be less than 80 children.</li> <li>12. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on June 14, 2015.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
66	32310 Dimensional Variance	Walgreens Property Owner  Request to erect two electronic message board signs that exceed the maximum allowed square footage (allowed 50 sq.ft. / proposed 125.5 sq.ft.).	7171 N. Teutonia Av. A/K/A 7181 N. Teutonia Av. 1st Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	3 Ayes, 1 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Variance is granted to run with the land.</li> </ol>	
67	32344 Special Use	Project Refuge Inc. Keith Jagow;Lessee  Request to occupy a portion of the premises as a health clinic.	6123 N. Teutonia Av. A/K/A 6071 N. Teutonia Av. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the applicant and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	
68		<p>The Board of Zoning Appeals voted and moved to convene into closed session, pursuant to Wis. Stat.19.85(1)(g), for the purpose of conferring with legal counsel who will render oral advice concerning strategy to be adopted by the Board with respect to litigation in which it is or is likely to become involved.</p> <p>At the conclusion of the closed session, the Board did not reconvene in open session.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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**Other Business:**

Board member Henry Szymanski moved to approve the minutes of the February 21, 2013 meeting. Seconded by Board member Donald Jackson. Unanimously approved.

The Board set the next meeting for April 25, 2013.

Board member Martin Kohler moved to adjourn the meeting at 5:53 p.m.. Seconded by Board member Jose Dominguez Jr. Unanimously approved.

**BOARD OF ZONING APPEALS**

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Secretary of the Board

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