

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING - July 29, 1999
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT: **Chairman:** Craig H. Zetley (*voting on items 1-42*)
 Members: Henry P. Szymanski (*voting on items 1-42*)
 Catherine M. Doyle (*voting on items 1-42*)
 Scott R. Winkler (*voting on items 1-39, 41-42*)
 Roy B. Nabors (*voting on items 2-42*)

Alt. Board Members: Georgia M. Cameron (*voting on item 40*)
 Donald Jackson (*not voting*)

Start time: 4:35 p.m.

End Time: 8:35 p.m.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
1	21824 Special Use/Variance Denied	Hearst-Argyle Stations, Inc., Lessee By: Rick Henry, Vice President and General Manager Request to construct a 115 foot addition to the existing transmitter tower.	5201 N. Milwaukee River Parkway (1st) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
Catherine M. Doyle moved to deny the appeal. Seconded by Scott R. Winkler.			
2	22086 Special Use Dismissed	Overland Transportation System, Inc./ Quast Transfer, Inc., Property Owner By: David Daniel Request to construct a 60' x 199' addition to the existing truck terminal.	5282 S. 13th St. (13th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to dismiss the appeal. Seconded by Catherine M. Doyle.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
3	22356 Variance Dismissed	Rock of Ages Memorial Inc., Property Owner By: Fred Latske Request to construct an addition to the existing building and remodel a portion of the sales and processing facility.	6401 W. Appleton Ave. (2nd) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to dismiss the appeal. Seconded by Catherine M. Doyle.

4	22313 Special Use Dismiss	Redmond Development, Prospective Buyer By: Steve Rolfe Request to occupy the premises as a 24hr. retail store with a drive thru canopy.	220 E. Capitol Dr. (6th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Henry P. Szymanski moved to dismiss the appeal. Seconded by Catherine M. Doyle.

5	22355 Change of Operator Granted	Murtaza, Inc., Property Owner Request to continue occupying the premises as a motor vehicle gasoline pumping station with a drive-through, car wash, and convenience store.	2242 N. 12th St. (17th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Henry P. Szymanski moved to grant the Change of Operator Seconded by Catherine M. Doyle.

6	22177 Dimensional Variance Adjourned	Dennis J. Lutynski, Property Owner d/b/a JAEL Properties, LLC By: Howard B. Tolkan, Agent Request to permit the occupancy of the premises as three dwelling units.	3007-09 N. Maryland Ave. (3rd)
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This item was adjourned at the request of the petitioner and will be rescheduled for the next available hearing date.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
7	22370 Change of Operator Granted	C & E Williams Child Care, Lessee By: Eddie M. Rutledge Request for a Change of Operator to continue to occupy the premises as a day care center for 50 children, ages infant to 10 years, open 24 hours per day, 7 days a week.	2242 W. North Ave. a/k/a 2100 W. North Ave. (7th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to grant the Change of Operator. Seconded by Catherine M. Doyle.

8	22347 Variance Granted	Harold Johnson, Property Owner Request to construct a 40 sq. ft. addition to the existing dwelling unit.	2511 S. Greeley St. (14th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That these Variances are granted to run with the land.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
9	22354 Variance Granted	Layne Davis, Property Owner Request to construct a fireplace within a 12' x 15' room addition.	3455 S. Indiana Ave. (14th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That this Variance is granted to run with the land.

10	22340 Special Use Granted 10 yrs.	Karl Schlueter, Property Owner Request to continue to occupy the premises as a retail/rental business.	5757 N. Lovers Lane Rd. (15th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That all conditions of Decision No. 18647 are complied with in every respect except as otherwise amended herein.
5. That these Special Uses are granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
11	22363 Variance Adjourned	Marvin Ortiz, Lessee Request to continue occupying the premises as a grocery store.	1201 S. 33rd St. (16th)

This item was adjourned at the request of an interested party and will be rescheduled for the next available hearing date.

12	22380 Variance Granted	Redevelopment Authority, Prospective Buyer By: Scott Beckworth Request to construct a residence and garage without the required setbacks.	2135-37 N. Lindsay St. (17th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That these Variances are granted to run with the land.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
13	22368 Special Use Granted 10 yrs.	Betty's Community Day Care, Lessee By: Betty Mills Request to occupy the premises as a day care center for 20 infants, ages 6wks. to 18mo., from 8AM to 6PM.	4008-10 N. 42nd St. (1st) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That the operator complies with all State Code requirements for day cares.
5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

14	22367 Special Use Granted 10yrs.	Betty's Community Day Care, Property Owner By: Betty Mills Request to continue occupying the premises as a day care center for 27 children, ages 6 wks. to 12 yrs., from 6AM to 10PM.	4434 W. Capitol Dr. (1st) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That the operator complies with all State Code requirements for day cares.
5. That this Special Use is granted for a period of ten (10) years, commencing with the date

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
		hereof.	
15	22358 Variance Granted	David and Cindy Loosemore, Property Owner Request to construct a two car garage.	1664 N. Marshall St. (3rd) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That these Variances are granted to run with the land.

16	22344 Special Use and Variance Adjourned	The Lynde and Harry Bradley Foundation, Inc., Property Owner By: Daniel P. Schmidt Request to construct a 3 story link addition between 1241 and 1249 N. Franklin Pl., remodel 1249 N. Franklin Pl., and erect a 6 ft. high fence on the premises.	1249 N. Franklin Pl. (4th)
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This item was adjourned at the request of an interested party and will be rescheduled for the next available hearing date.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
17	22350 Special Use Granted 10 yrs.	The Immanuel Presbyterian Society, Property Owner By: Thomas Neubauer Request to occupy the premises as a law office.	1105 N. Waverly Pl. (4th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That any signage or exterior alterations must be approved by the Historic Preservation Commission.
5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

18	22332 Variance Adjourned	New Jerusalem Temple Inc, Land Contract By: Darlene Evans Request to occupy the premises as a church deficient of parking spaces.	925 W. Burleigh St. (6th)
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This item was adjourned at the request of the Department of Public Works and will be rescheduled for the next available hearing date.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
19	22277 Variance Granted 10 yrs.	The Milwaukee Victory Church, By: Ramona Roy-Johnson Request to occupy the premise as a rooming house.	2641 N. 30th St. (7th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That any rear parking area is paved as required by code.
5. That the operator obtains a conversion permit and meets all State Code requirements for commercial buildings including building code setback restrictions.
6. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.

20	22296 Special Use Adjourned	The Bible Way Evangelistic C.O.G.I.C., Prospective Buyer By: Lance Austin	2400 W. Center St. (7th)
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Request to occupy the premise as a church.

This item was adjourned at the request of an interested party and will be rescheduled for the next available hearing date.

21	22334 Special Use Adjourned	The Agape Community Center of Milwaukee Inc., Property Owner By: Jenni Sevenich	6100 N. 42nd St. (9th)
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Request to construct and occupy the premises as a community center.

This item was adjourned at the request of the Department of City Development and the Department of Public Works and will be rescheduled for the next available hearing date.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
22	22337 Variance Granted	Mark W. Fuerbringer, Property Owner Request to construct an addition to an existing attached garage.	3709 S. 94th St. (11th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That this Variance is granted to run with the land.

23	22335 Special use Granted 10 yrs.	Holy Trinity Church, Property Owner By: Father Dave Shields Request to occupy the premises as a (spiritual retreat center (social service facility).	423 W. Bruce St. (12th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
24	22206 Special Use Adjourned	Walter Koceja, Property Owner d/b/a Wally's Shell Request to construct a 24' x 48' canopy (in addition to existing canopy) to accommodate new dispensers.	3725 S. Howell Ave. (13th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Scott R. Winkler moved to adjourn the appeal to allow the petitioner to appear in person. Seconded by Henry P. Szymanski.

25	22359 Special Use Granted 10 yrs.	Bullet Services LLC, Property Owner By: Boyd Coleman Request to construct an 80' x 223' addition to existing trucking freight terminal.	5282 S. 13th St. (13th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That the site is landscapes per City Code.
5. That no more than twenty-five (25) trailers are transported to and from the site per day.
6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
26	22207 Use Variance & Special Use Adjourned	JR's Towing & Auto Service Inc., Lessee By: John LaPlante Request to occupy the premises as an auto repair facility with wholesale auto sales & exterior storage of autos for salvage.	8617 W. Kaul Ave. (15th) Ayes: 4 Nays: 0 Abstain: 1 Z. Zetley

Catherine M. Doyle moved to adjourn the item. Seconded by Henry P. Szymanski. This item was adjourned at the request of the applicant so that a meeting with the alderman could be arranged. This item will be rescheduled for the next available hearing date.

27	22316 Special Use/Variance Granted 10 yrs.	Social Development Commission, Community Relations, Lessee By: Rick Jesson Request to occupy the premises as a social service facility and a day care center for 180 children, ages 3 to 5 years, from 7AM to 6PM.	9910 W. Carmen Ave. (15th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That the operator complies with all State Code requirements for day care centers.
5. That this Special Use and this Variance are granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
28	22308 Special Use Granted 5 yrs.	Mt. Olive Lutheran Church, Property Owner By: Peg Bartelt Request to occupy the premises as a day care center for 70 children, ages 2.5-12 yrs., from 6AM to 6PM.	5301-27 W. Washington Blvd. (16th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That parking stalls are delineated with permanent pavement markings in the off-street lot used for child drop-off.
5. That all conditions of Decision No. 21321 are complied with in every respect except as otherwise amended herein.
6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.

29	22276 Variance Adjourned	Talwinder S. Gill, Property Owner Request to occupy the premises as a grocery store.	4730 W. Lloyd St. (17th)
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This item was adjourned at the request of the petitioner and will be rescheduled for the next available hearing date.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
30	22251 Variance Granted 5 yrs.	Nick Zaharopoulos, Property Owner Request to convert the first floor of the structure into a residential dwelling unit.	3326-28 W. Lisbon Ave. (17th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Catherine M. Doyle moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That these Variances are granted for a period of five (5) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
31	22149 Special Use Granted 5 yrs.	Patricia Campbell, Lessee d/b/a Pattycake Children's Center Request to occupy the premises as a day care center for 50 children, ages 6 weeks to 12 years, from 6 AM to 6 PM.	4517-4519 W. North Ave. (17th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Scott R. Winkler moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That signage is limited to a maximum of 17.5 sq. ft.
5. That the storefront windows are maintained in a neat and attractive manner.
6. That any screening of interior activities is to be accomplished by means of an attractive window treatment such as vertical or horizontal blinds.
7. That the fenced play area is to be separated from the alley and adjacent parking area by some type of physical barrier such as bollards.
8. That the operator comply with the current state commercial building code for day care centers.
9. That all components of the transportation plan as set forth in the revised plan of operations are complied with by all clients.
10. That all areas used for parking must be paved per City Code. A minimum of 20 ft. is to be provided for each stall to preclude vehicles from encroaching into the alley. All parking stalls as indicated on the site plan must be delineated with permanent pavement markings.
11. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
32	22352 Special Use Granted 5 yrs.	Rose Patterson, Property Owner Request to occupy the premises as a day care center for 15 children, ages 6wks. to 12yrs., from 6AM to 11PM.	4331 W. Fairmount Ave. (1st) Ayes: 4 Nays: 1 C. Doyle Abstain: 0

Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That the operator obtain a conversion permit and meet current state building code for day care centers including building code setback restrictions.
5. That the outdoor play area is not used after 7:00 p.m.
6. That signage is limited to 17.5 sq. ft.
7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
33	22371 Special Use Granted 10 yrs.	Jenella Oglesby, Lessee d/b/a KKCS By: Jenella Oglesby Request to occupy the premises as a second hand sales facility.	3700 N. Teutonia Ave. (1st) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That the storefront windows are maintained in a neat and orderly manner.
5. That signage is to be limited to the sign band above the storefront windows.
6. That the security grates should be removed from the storefront windows.
7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

34	22301 Variance Adjourned	Tim Brophy, Property Owner Request to occupy the third floor of the dwelling unit (this is not for the creation of an additional dwelling unit).	3039-41 N. Cramer St. (3rd) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Scott R. Winkler moved to adjourn the item. Seconded by Henry P. Szymanski. This item was adjourned at the request of the petitioner and will be rescheduled for the next available hearing date.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
35	22233 Variance Dismissed	Lemberg Electric, Lessee By: Tim McGrath Request to install a 70 foot tall off-premise ground sign in the existing parking lot.	547 N. 9th St. (4th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Roy B. Nabors moved to dismiss the appeal. Seconded by Catherine M. Doyle.

36	22348 Special Use Adjourned	The V.E. Carter Development Group, Inc., Prospective Buyer By: Lorraine P. Carter Request to occupy the premises as a social service facility.	2801 W. Wisconsin Ave. (4th)
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This item was adjourned at the request of an interested party and will be rescheduled for the next available hearing date.

37	22263 Special Use Granted 10 yrs.	Milwaukee SMSA Limited Partnership, Lessee By: James H. Gormley Request to occupy a portion of the cemetery with a telephone equipment structure and transmission tower.	5402 N. 91st St. (5th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Henry P. Szymanski moved to grant the appeal. Seconded by Roy B. Nabors.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
38	22285 Special Use Granted	Robert Lee, Sr., Lessee d/b/a Bob Lee's Hand Car Wash By: Susan Watkins Request to occupy the premises as a used car sales facility.	2225 N. 7th St. (6th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That any vehicles parked outdoors must be parked on a paved surface.
5. That no vehicles displayed for sale are to be parked on, or otherwise obstruct or encroach into, any street or alley right-of-way.
6. That no more than one vehicle be displayed for sale outdoors.
7. That this Special Use is granted for a period of time commencing with the date hereof and expiring February 27, 2003.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
39	22328 Dim. Variance Granted 10 yrs.	Badger Trailer & Equipment Corp., Property Owner By: Gordon F. Lee, Pres. Request to construct a parking lot without landscaping which is adjacent to a public street.	434 S. 3rd St. (12th) Ayes: 4 Nays: 0 Abstain: 1 C. Zeltey

Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That approval for the final landscaping plan is obtained from the City Forester and that construction of the facility complies with all other City of Milwaukee Code requirements.
5. That the appellant provides a buffer to the north abutting residence that is acceptable to that residence and to the Dept. of City Development.
6. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.

40	22259 Special Use Adjourned	Anup K. Khullar, Property Owner Request to construct a new motor vehicle pumping station and to occupy the premises as such.	2931 W. Lincoln Ave. (8th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Henry P. Szymanski moved to adjourn the appeal to the next administrative review session to allow the Board to deliberate. Seconded by Catherine M. Doyle.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
41	22244 Special Use Adjourned	Pierrea's Playmate Day Care, Property Owner By: Linda Wallace-Travis Request to occupy premise as a day care for 20 children, ages 6 weeks to 12 yrs., from 6AM to 6PM.	4127 W. Nash St. (10th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Scott R. Winkler moved to adjourn the appeal. Seconded by Henry P. Szymanski.

42	22232 Variance Grant 5 yrs.	Covenant Community Church, Lessee By: Shedrick Daniels Request to occupy this premise as a church and social service facility.	3033 W. Burleigh St. (10th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Roy B. Nabors moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That some type of non-opaque fencing is installed between the alley to the east of the site and all parking stalls on the rear parking lot to control ingress and egress to the site.
5. That this Variance is granted for a period of five (5) years, commencing with the date hereof.

Other Business:

Board member Catherine M. Doyle moved to approve the minutes of the July 8, 1999 meeting. Seconded by Board member Henry P. Szymanski. Unanimously approved.

The Board set the next meeting for August 26, 1999.

Board member Henry P. Szymanski moved to adjourn the meeting at 8:35 p.m. Seconded by Board member Catherine M. Doyle. Unanimously approved.

BOARD OF ZONING APPEALS

By _____
Secretary