

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – September 14, 2006
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairman: Craig H. Zetley (*voting on items 1-81*)

Members: Henry P. Szymanski (*voting on items 1-81*)
Scott R. Winkler (*voting on items 43-74, 76-81*)
Catherine M. Doyle (*voting on items 1-81*)
Donald Jackson (*voting on items 1-81*)

Alt. Board Members: Georgia M. Cameron (*voting on items 1-42, 75*)
Leni M. Siker (*present*)

START TIME: 4:05 p.m.

End Time: 9:00 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	27357 Special Use	Laverne S. Davis, Property Owner Request to increase the hours of operation from 6:00AM to Midnight to 24hrs of the existing family day care home for 5 children infant to 12yrs of age Monday-Friday.	7123 W. Hampton Av. 2nd Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Z. Abstained.	
2	27466 Use Variance	Micaela Mendez, Property Owner Request to occupy the premise as a day care center for 8 children infant to 12yrs of age, Monday-Friday 6:00AM to Midnight (existing family day care home on site).	3000 S. 12th St. 14th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
3	27195 Special Use	House of David, Inc., Lessee Request to occupy the 1st floor of the premises as a social service facility and a transitional living facility located on the 2nd floor.	4415 W. North Av. A/K/A 4417 W. North Av. 15th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the petitioner and will be rescheduled for the next available agenda.	
4	27595 Special Use	Automotive Professional Services, Inc. APSCO & On the Go Motors, Inc.; Lessee	7289 N. Teutonia Av. 1st Dist.
		Request to continue occupying the premises as a motor vehicle sales (vehicles equipped for the disabled) and repair facility (installation and sales of handicap products and equipment).	
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
5	27677 Special Use	Gloria Turner, Property Owner Request to continue occupying the premises as a day care center for 44 children infant to 12 yrs. of age, operating Monday - Friday 6:00 a.m. to Midnight.	5615 W. Capitol Dr. 2nd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 5. That there is no outdoor display of banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit 6. That the outdoor play area is not utilized after 8:00 P.M. or before 9:00 A.M. 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 (existing signs have been installed without a permit). 8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
6	27712 Special Use	Pickens Mattie M, Prospective Buyer Request to occupy the premises as a 24 hrs. day care center for 60 children infant to 12 yrs. of age, operating Monday - Saturday.	8301 W. Silver Spring Dr. 2nd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman of the district and will be rescheduled on the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	27724 Special Use	Spicer Ethel , Property Owner Request to increase the hours of operation from 6:00 a.m. - 6:00 p.m. to 6:00 a.m. - 11:30 p.m. and continue occupying the premises as a day care center for 50 children infant to 12 yrs. of age, operating Monday - Friday.	6523 W. Fond du Lac Av. 2nd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	
8	27670 Special Use	Marshall & Wells LLC, Property Owner Request to continue occupying the premises as a parking lot.	818 E. Wells St. A/K/A 807 N. Marshall ST. 4th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in a manner that meets the intent of city code. 5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	27698 Special Use	Church of the First Born International c/o Linda Dickens, Director;Property Owner Request to increase the number of children from 39 to 55 (per shift) and continue occupying a portion of the premises as a day care center for children infant to 12 yrs. of age, operating Monday - Friday 6:00 a.m. to 11:00 p.m. and Saturday 8:00 a.m. to 4:00 p.m., and an adult day care for 30 individuals operating Monday - Friday 6:00 a.m. - 5:00 p.m. and Saturday 8:00 a.m. - 4:00 p.m.	4701 N. 76th St. 5th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions are complied with. 5. That the applicant has the building re-evaluated for the increased number of children by obtaining a new certificate of occupancy and complying with current State commercial building code for institutional and educational occupancies and that all code requirements are met prior to increasing capacity. 6. That this Special Use is granted for a period of time commencing with the date hereof and expiring on April 4, 2008. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	27622 Special Use	Mazan Jabr, Prospective Buyer Request to combine the parcels and raze the existing building that is located adjacent to the existing Board approved motor vehicle filling station (8332-34 W. Appleton Ave.) and construct a two-bay car wash facility without the code required landscaping around the dumpster area.	8211 W. Hampton Av. A/K/A 8215 W. Hampton AV. 5th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That all car wash activity is conducted inside of the building. 6. That all wastewater is contained on site. 7. That the applicant does not have outdoor storage or display of products or merchandise. 8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 9. That this Special Use and this Variance are granted for a period of time commencing with the date hereof and expiring on April 10, 2011. 	

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11	27638 Special Use	Arma Taylor, Lessee Request to occupy a portion of the premises as a day care center for 10 children infant to 12yrs. of age, Monday - Friday 6:00 a.m. to 6:00 p.m.	1817 N. Martin L King Jr Dr. 1 A/K/A 1817 N. Martin L King Jr DR. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 7. That the outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards. 8. The play area fence along North Martin L. King Jr Dr must be decorative metal. 9. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for institutional and educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 10. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
12	27642 Special Use	Roy Lewis, Johanna Child Development, LLC.;Lessee	2498 W. Hopkins St. A/K/A 2484 W. Hopkins St. 6th Dist.
		Request to increase the number of children from 25 per shift to 95 per shift(2 shifts), infant to 12yrs of age and also increase the hours of operation from Monday-Friday 6:00AM - 6:00PM to Monday-Friday 6:00AM - Midnight and Saturday-Sunday 8:00AM - Midnight of the existing day care center that occupies a portion of an existing religious assembly hall.	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the applicant obtains a loading zone in front of the premises on West Hopkins Avenue. 7. That the applicant has the building re-evaluated for the increased number of children by obtaining a new certificate of occupancy and complying with current State commercial building code for institutional and educational occupancies and that all code requirements are met prior to increasing capacity. 8. That this Special Use is granted for a period of time commencing with the date hereof and expiring on April 4, 2008. 	

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13	27707 Special Use	Morrow Bertha , Lessee Request to occupy a portion of the premises as a specialty/personal instruction school (nursing assistant training program).	2821 N. 4th St. A/K/A 2821 N. 4th St. 315 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

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14	27672 Special Use	Saleem Abdullah, Property Owner Request to continue occupying a portion of the premises (1st floor) as a grocery store.	3251 N. 9th St. 6th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage meet the intent of city code. 5. That the storefront window remain as transparent glass and is maintained in an attractive manner. 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel. 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
15	27715 Use Variance	Singh Ajit , Property Owner Request to continue occupying the premises as a motor vehicle filling station.	1545 W. Hopkins St. 6th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman of the district and will be rescheduled for the next available public hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	27681 Special Use	Jimmie Williams, Property Owner Request to occupy the premises as a day care center for 8 children (per shift, 1st & 2nd shift) infant to 12 yrs. of age, operating Monday - Friday 6:00 a.m. to 10:00 p.m.	3427 N. 17th St. 6th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by staff and will be rescheduled for the next available agenda.	
17	27723 Special Use	Milwaukee Area Technical College, Lessee Request to continue occupying the premises as a parking lot without the minimum required landscaping.	2770 N. 5th St. A/K/A 413 W. Hadley St. 6th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in accordance with the landscape plan approved on September 9, 1996. 5. That this Special Use and this Variance are granted for a period of ten (10) years, commencing with the date hereof. 	

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18	27643 Special Use	Cynthia Nelson, Property Owner Request to continue occupying the premises as a motor vehicle repair and sales facility.	3019 N. 30th St. 7th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
19	27690 Dimensional Variance	Marvin P. Truss, Property Owner Request to allow parking within the front yard of the premises.	2528 W. Mineral St. 8th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That the parking area is developed in accordance with the plans submitted to the Board of Zoning Appeals on August 31, 2006. 5. That this Variance is granted to run with the land. 	

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20	27628 Special Use	John Dobron, Property Owner Request to continue occupying the premises as a rooming house for 7 residents without the minimum required parking.	729 S. 21st St. 8th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use and this Variance are granted for a period of five (5) years, commencing with the date hereof. 	
21	27727 Other/ Modification	Priya Corporation, Property Owner Request to modify the existing board approved plans (relocating the car wash facility to provide space for a proposed permitted bank & modifying the principal building facade) for the proposed motor vehicle filling station, convenience store, car wash, offices and fast-food/ carryout restaurant.	8200 W. Brown Deer Rd. 200 9th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
22	27671 Use Variance	Charles Homa, Lessee Request to occupy a portion of the premises (detached garage) as a ground transportation service.	6317 W. Fairview Av. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman of the district.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
23	27661 Special Use	Cleveland Ave. Citgo, LLC., Lessee Request to continue occupying the premises as a motor vehicle filling station and convenience store.	6001 W. Cleveland Av. 11th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel. 5. That individually sold cigars, cigarette wrapping paper, Black and Mild cigars, Blunt cigars, glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia not be sold on the premises. 6. 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. 7. That the applicant does not have outdoor storage or display of products or merchandise. 8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

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24	27722 Special Use	Rafagat Mohammad , Property Owner Request to continue occupying the premises as a motor vehicle filling station and convenience store.	3908 S. 76th St. 11th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel. 5. That individually sold cigars, cigarette wrapping paper, Black and Mild cigars, Blunt cigars, glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia not be sold on the premises. 6. 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. 7. That landscaping and screening is maintained in a manner that meets the intent of city code. 8. That the portable sign along the S. 76th St frontage be removed 9. 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. 10. That the applicant does not have outdoor storage or display of products or merchandise. 11. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 12. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
25	27725 Special Use	MacKinney Dwight , Lessee Request to construct a drive through facility to the existing fast-food/carryout restaurant (restaurant is permitted) .	3161 S. 76th St. A/K/A 3155 S. 76TH ST. 11th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request by the Alderman of the district.	

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26	27701 Dimensional Variance	Teske Ken , Property Owner Request to allow a masonry wall (fence) within 25 ft. of a street lot line and over the maximum allowed height for the existing substation/distribution equipment facility (electric substation).	5018 W. Forest Home Av. A/K/A 5020 W. FOREST HOME AV. 11th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That these Variances are granted for a period of ten (10) years, commencing with the date hereof. 	
27	27713 Dimensional Variance	La Merenda, Inc., Lessee Request to occupy the premises as a sit-down restaurant without the minimum required number of off-street parking spaces (the sit-down restaurant is a permitted use).	125 E. National Av. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof. 	

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28	27651 Special Use	Rosalino Orozco, Property Owner Request to continue occupying the premises as a motor vehicle repair facility.	1412 S. 12th St. 12th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605 of the Milwaukee Zoning Code. 5. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 6. That all repair work is conducted inside of the building. 7. That no work or storage of vehicles occurs in the public right of way. 8. That no work or storage of vehicles occurs in the public right of way. 9. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 11. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

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29	27612 Other	Kanwar S. Ghuman, Property Owner Request to modify the previously Board approved construction plans (site improvements/configuration & facade changes) and for an extension of time to comply with conditions of case No. 26661.	5979 S. Howell Av. 13th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
30	27669 Special Use	James J. Kozlowski, Lessee Request to continue occupying the premises as a motor vehicle repair facility.	1909 W. Oklahoma Av. A/K/A 1911 W. Oklahoma AV. 13th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in a manner that meets the intent of city code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 7. That all repair work is conducted inside of the building. 8. That the applicant does not have outdoor storage or display of products or merchandise. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	27726 Special Use	Krause Robert , Property Owner Request to allow the continuation of a drive-through facility for the existing sit-down restaurant (drive-through facility lacks 180ft. of the require 200ft. queue lane and is within 150 ft. of residential uses).	4301 S. Howell Av. 13th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
32	27710 Dimensional Variance	Freitag Monica ,Property Owner Request to permit a 12 ft x 20 ft carport that is attached to the existing detached garage, and when combined with the lot coverage of the garage, is over the maximum lot coverage permitted by code .	3373 S. 15th St. 13th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	27691 Special Use	Nara & Chris Colton, Property Owner Request to increase the number of children from 49 to 72 (expanding to the 2nd floor) and continue occupying the premises as a day care center for children infant to 12 yrs. of age, operating Monday - Saturday 6:00 a.m. to Midnight.	2340 S. 6th St. A/K/A 2338 S. 6th ST. 14th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner submits plans to the Milwaukee Development Center and obtains all necessary permits, including an occupancy certificate and complies with current State commercial building code for institutional and educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on February 27, 2009. 	
34	27718 Dimensional Variance	Mlinar Joseph A, Property Owner Request to allow an addition to the existing detached garage without the minimum required side street setback.	3879 S. Kansas Av. 14th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That the garage is finished with colors & materials that match that of the rest of the garage. (Pictures show the garage addition being constructed of particleboard & is unpainted). 5. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	27683 Special Use	Bill Pelant, Property Owner Request to occupy the premises as a parking lot (temporary parking for customers of the store located on the parcel to the south of the premises, 3860 S. Howell).	3850 S. Howell Av. 14th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That no parking occur along a five (5) -foot wide strip parallel to and immediately adjacent to the west property line. 5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	
36	27716 Dimensional Variance	Elite Builder Group, LLC., Property Owner Request to construct a multi-family residential dwelling (5-unit condominium) without the minimum west and east side setbacks (this includes setback adjustment required per building depth beyond 50ft.), over the maximum allowed lot coverage, and without a front door orientation that faces the street.	900 W. Montana St. A/K/A 854 W. Montana St. 14th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That the site is developed in accordance with the plans submitted to the board of Zoning Appeals on August 29, 2006. 5. That these Variances are granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	27717 Dimensional Variance	Elite Builder Group, LLC., Property Owner Request to construct a multi-family residential dwelling (5-unit condominium) without the minimum west and east side setbacks (this includes setback adjustment required per building depth beyond 50ft.), over the maximum allowed lot coverage, and without a front door orientation that faces the street.	834 W. Montana St. A/K/A 830 W. Montana St. 14th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That the site is developed in accordance with the plans submitted to the board of Zoning Appeals on August 29, 2006. 5. That these Variances are granted to run with the land. 	
38	27665 Dimensional Variance	Daniel Porter, Prospective Buyer Request to construct a single-family residential dwelling without required front setback and front facade width.	1533 W. Wright St. 15th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That landscaping and screening is provided between the building's front façade and the side yard property lines. 5. That these Variances are granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	27634 Special Use	Keith Stribling Victory Center West, Other Request to continue occupying a portion of the existing permitted religious assembly as a transitional living facility for 8 residents.	4429 W. Lisbon Av. A/K/A 4431 W. Lisbon Av. 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
40	27688 Dimensional Variance	Tony Lewis, Prospective Buyer Request to construct a single-family dwelling without the minimum required front facade width.	2437 N. 17th St. 15th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That landscaping and screening is provided between the building's front façade and the side yard property lines. 5. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	27689 Dimensional Variance	Allen Ebenezer C.M.E. Church Pastor Isaih Sims;Property Owner Request to raze the existing dwelling and construct a religious assembly hall without the minimum required amount of parking, minimum required side street facade within the setback range, and without the minimum required glazing on the primary and secondary street frontage (the building has been redesigned from the previous approval).	2669 N. 19th St. 15th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That these Variances are granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	27627 Special Use	JT Real Estate, d/b/a The Exchange;Property Owner Request to occupy the premise as a car wash (vehicle detailing) facility.	4825 N. 32nd St. A/K/A 3200 W. Hampton AV. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That no disabled or unlicensed vehicles or parts are stored outside. 6. That all car wash activity is conducted inside of the building. 7. That all wastewater is contained on site. 8. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
43	27431 Reconsideration	Rafik F. Imseitef, Lessee Request to occupy the premises as a motor vehicle repair facility and sales facility (installation of tires, and electronic sound equipment).	1400 W. North Av. 15th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant reconsideration. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
44	27602 Special Use	Veronica McKelvin, Property Owner Request to occupy the premises as a day care center for 85 children (per shift, 2 shifts) infant to 12yrs. of age, operating Monday - Sunday 6:00 a.m. to Midnight.	6324 W. Fond Du Lac Av. 2nd Dist.
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 7. That the outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards. 8. That the parking area on the west side of the site be eliminated and the driveway on West Fond Du Lac Avenue be restored to curb and gutter. 9. That the applicant obtains a loading zone in front of the premises on West Fond Du Lac Avenue. 10. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for institutional and educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 11. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	27596 Special Use	Suhail M. Rawashdeh, Lessee Request to continue occupying a portion of the premises as a motor vehicle repair facility (retail sales and installation of automotive electronics).	5827 W. Capitol Dr. A/K/A 5815 W. Capitol Dr. 2nd Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant this appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That any testing of audio equipment and alarm systems be conducted at minimum amplification and with the overhead garage doors closed. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That the applicant only tests equipment indoors with the garage doors closes. 7. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	27684 Appeal of an Order	Capitol Audio LLC, Lessee Request to appeal an order issued by the Department of Neighborhood Services determining that a special use shall operate in conformance with its approved plan of operation, site plans, and conditions of approval.	7210 W. Capitol Dr. 2nd Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to uphold the order. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
47	27658 Special Use	MARBE, LLC Request to occupy the premises as a carryout restaurant .	6926 W. Capitol Dr. 2nd Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
48	27692 Dimensional Variance	Greenwich Avenue, LLC., Property Owner Request to raze the existing dwelling and construct a multi-family residential dwelling (5-unit townhouse condominium) without the minimum required rear setback and minimum required side street setback for a corner lot.	2451 N. Cramer Av. A/K/A 2453 N. Cramer St. 3rd Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn this appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
49	27711 Special Use	Oakland Avenue Associates, LLC Property Owner Request to modify the Board approved plans by eliminating the previously proposed residential apartments and constructing a single story general retail establishment with a drive-through facility (retail establishment is permitted, the drive through requires Board approval because it is located within 150 ft. of residential uses) .	2914 N. Oakland Av. A/K/A 2938 N. Oakland Av. 3rd Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That no deliveries occur after 9:00 p.m. or before 7:00 a.m. 5. That revised landscaping and screening plans be submitted to the Zoning Administrative Group for review and approval. 6. That this Special Use is granted for a period of time commencing with the date hereof and expiring on July 11, 2016. 	
50	27641 Dimensional Variance	Lake Park Lutheran Church Pastor David Dragseth;Property Owner Request to replace an existing monument sign for the existing religious assembly hall by erecting a new monument sign that is over the maximum allowed sign height and maximum allowed sign area.	2647 N. Stowell Av. 3rd Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn this appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
51	27611 Appeal of an Order	Landmark on the Lake LLC., Other Request to appeal an order issued by the Department of Neighborhood Services determining that the premises has prohibited signs (portable & banner signs) without the required permits and real estate signs that exceed 6 sq. ft.	1660 N. Prospect Av. 4th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of staff.	
52	27603 Special Use	Sandifer Juanita , Lessee Request to occupy the premises as a day care center for 50 children (25 per shift) infant to 12yrs. of age, operating Monday - Sunday 6:00 a.m. to 11:00 p.m.	2923 W. Clybourn St. A/K/A 2921 W. Clybourn St. 4th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
53	27558 Use Variance	JC Enterprises of Milwaukee, LLC John Fisco Jr.;Property Owner Request to occupy the premises as a rooming house for 12 residents.	822 N. 24th St. 4th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary. 5. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for R-1 occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 6. That this Variance is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
54	27192 Use Variance	Clear Channel Outdoor, Property Owner Request to reduce the height of the existing off premise sign and add another sign face on the east side of the structure.	1701 W. State St. 4th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the petitioner.	
55	26760 Special Use/Dim. Variance	Larry Lococo, Property Owner Request to continue occupying the premises as a parking lot without the minimum required landscaping.	417 E. Chicago St. 4th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the Special use. Seconded by Henry Szymanski. Scott Winkler moved to deny the Variance. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the requested Variance is denied. 5. That this Special Use is granted for a period of sixty (60) days, commencing with the date hereof. 	
56	27686 Appeal of an Order	Short Term Financial, LLC. Jason M. Case - MGR;Lessee Request to appeal an order issued by the Department of Neighborhood Services determining that there is an illegal occupancy and use of the premises.	9228 W. Capitol Dr. A/K/A 9230 W. Capitol Dr. 5th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
57	27551 Dimensional Variance	Terry W. Lintonen, Property Owner Request to construct a detached garage in the front yard of the premises.	6839 N. 99th St. 5th Dist.
	Action:	Denied	
	Motion:	Catherine Doyle moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	3 Ayes, 1 S.Winkler Nays, 1 C. Zetley Abstained.	
58	27436 Dimensional Variance	James R. Blau, Property Owner Request to remove a portion of the existing freestanding sign and erect a changeable message board (below the existing sign) that is over the maximum sign display area.	12000 W. Silver Spring Dr. 5th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
59	27623 Dimensional Variance	James W. Ferguson, Property Owner Request to construct a detached garage over the maximum allowed sidewalk height.	2830 N. 6th St. 6th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
60	27450 Special Use	Kalim M Beg, Property Owner Request to add a car wash to the existing board approved motor vehicle filling station and convenience store.	232 W. Locust St. A/K/A 2910 N. Martin Luther King Dr. 6th Dist.
	Action:	Adjourned	
	Motion:	Matter was adjourned at the request of the applicant.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
61	27748 Other	Capitol Crossing, LLC. Other Request to modify the plans of the Board approved elementary/secondary school (proposed gymnasium addition).	225 W. Capitol Dr. A/K/A 2111 W. Capitol Dr. 6th Dist.
	Action:	Granted 15 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
62	27501 Use Variance	Gwen Moore & Ingrid Moreland Other Request to occupy a portion of the premises for outdoor merchandise sales (soda vending machine at the front of the house).	3716 N. 24th Pl. 6th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
63	27568 Special Use	Tina F. Williams Property Owner Request to occupy the premises as a 24hr. family day care home for 8 children, infant to 12yrs. of age, operating Sunday - Saturday.	4710 N. 42nd St. 7th Dist.
	Action:	Adjourned	
	Motion:	Matter was adjourned at the request of the alderman.	
64	27656 Special Use	Emad Oudeh, Property Owner Request to add a motor vehicle sales facility, and continue occupying the premises as a repair facility.	2300 W. Lincoln Av. 8th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
65	27630 Use Variance	Jacquelyn Larry, Property Owner Request to occupy the premises as a family day care center for 8 children per shift infant to 12 yrs of age, operating 6:00AM-10:00PM Monday - Sunday.	6612 N. 56th St. 9th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
66	27626 Special Use	Garrett W. McIntosh, Scrub-A-Dub Systems Inc.;Property Owner Request to continue occupying the premises as a car wash facility.	7315 W. Appleton Av. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the alderman of the district.	
67	27614 Special Use	Sajan Makbul, Property Owner Request to raze the existing motor vehicle filling station and construct a new motor vehicle filling station with a convenience store (includes food preparation area & sub shop).	5100 W. Burleigh St. 10th Dist.
	Action:	Adjourned	
	Motion:	Matter was adjourned at the request of the alderman.	
68	27546 Special Use	Joseph Gipson & Maron Alexander Other Request to add a car wash to an existing non-conforming motor vehicle sales facility.	5700 W. Center St. A/K/A 5704 W. Center St. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Ald. of the district.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
69	27609 Special Use	Marilyn Kern, Lessee Request to increase the number of children from 19 to 40 and continue occupying a portion of the premises (1st floor) as a day care center for children infant to 12yrs. of age, operating Monday - Saturday 6:00 a.m. to 9:00 p.m.	3077 N. 72nd St. A/K/A 3075 N. 72nd St. 10th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 7. That the applicant obtains a loading zone in front of the premises on West Burleigh Street. 8. That the applicant takes measures to promote the use of daycare's van service. 9. That the petitioner obtains a new occupancy certificate to have the building evaluated for the increased number of children and complies with current State commercial building code for institutional occupancies and that all building code requirements are met prior to increasing capacity. 10. That this Special Use is granted for a period of time commencing with the date hereof and expiring on February 4, 2010. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
70	27470 Special Use	Jewel C. Barrow & Jose H. Santos Lessee Request to occupy the premises as a motor vehicle body shop.	5401 W. Lisbon Av. 10th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
71	27537 Special Use	Regina Hughes, Lessee Request to occupy a portion of the premises (1st floor & basement) as day care center for 50 children infant to 12yrs. of age, operating Monday - Friday, 6:00 a.m. to 6:00 p.m.	7251 W. Appleton Av. 10th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That the storefront windows remain as clear glass and are maintained in an attractive manner. 7. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 8. That the outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards. 9. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 10. That a loading zone be obtained. 11. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
72	27619 Dimensional Variance	Douglas L. Muszynski & Carla D. Muszynski, Property Owner Request to construct a front porch without the minimum required front setback average (the front porch is closer to lot line than the average of the two abutting residential dwellings).	3615 S. 95th St. 11th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
73	27581 Special Use	20 Below LLC, Lessee Request to occupy a portion of the premises (1st floor) as an assembly hall (dance hall).	126 E. Mineral St. A/K/A 112 E. Mineral St. 12th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winker.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary. 5. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
74	27647 Special Use	Daniel Mora, Property Owner Request to occupy the premises as a motor vehicle sales facility (includes hand washing, detailing, & minor repairs for vehicles being sold only).	2690 S. 16th St. 12th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Scott Winker.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
75	27679 Dimensional Variance	Hispanic Chamber of Commerce of Wisconsin, Property Owner Request to erect a wall sign that is over the maximum allowed square footage.	1021 W. National Av. 12th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
76	27705 Dimensional Variance	CVS Pharmacy, Lessee Request to erect two wall signs that are over the maximum allowed sign area.	1316 W. Forest Home Av. 12th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn one cycle. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
77	27583 Special Use	David Cunningham & Shirley Hull Northland Companies;Other	6123 N. Teutonia AV. A/K/A 6063 N. Teutonia AV. 1st Dist.
		Request to occupy a portion of the premises as a school (elementary or secondary), (K3-8th grade, maximum of 63 students).	
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary. 7. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 8. That the capacity of the school does not exceed 63 including students and staff. 9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
78	27544 Dimensional Variance	Osie Tatum Jr., Pastor, Mason Temple Church of God in Christ;Property Owner Request to construct a permitted religious assembly hall without the minimum required number of parking spaces.	6090 N. 35th St. 1st Dist.
	Action:	Granted 1 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That there be no blockage of any City street associated with events held on site. 5. That during all operating hours that security be made available to monitor and eliminate any on street parking that occurs by persons associated with this use. 6. That a 24-hour contact phone number be provided to all interested parties. 7. That no vehicles associated with this use on street parking. 8. That this Variance is granted for a period of one (1) year, commencing with the date hereof. 	
79	27327 Special Use	Robert Binsfeld, Lessee Request to occupy a portion of the existing car wash facility as a motor vehicle sales facility.	4110 N. Green Bay Av. A/K/A 4100 N. Green Bay Av. 1st Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
80	27593 Special Use	Ben Kienbaum, Property Owner Request to continue occupying the premises as an outdoor salvage yard (junk yard).	3800 W. Mill Rd. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the alderman.	
81	27556 Special Use	Brogall Holdings LLC. Prospective Buyer Request to occupy the premises as an outdoor salvage operation (motor vehicle recycler & vehicle parts retailer).	6333 N. Teutonia Av. 1st Dist.
	Action:	Adjourned	
	Motion:	Catherine Doyle moved to adjourn the appeal. Seconded by Scott Winker.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<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 Jackson moved to approve the minutes of the July 27, 2006 meeting. Seconded by Board member Cameron. Unanimously approved.

The Board set the next meeting for October 5, 2006.

Board member Szymanski moved to adjourn the meeting at 9:00 p.m.. Seconded by Board member Winkler. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board