

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

**REGULAR MEETING – July 19, 2007**  
**City Hall, Common Council Committee Room 301-B**

***MINUTES***

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PRESENT:

**Chairman:** Craig H. Zetley (*voting on items 1 – 42 & 44 – 100*)

**Members:** Henry P. Szymanski (*voting on items 1 - 100*)  
Scott R. Winkler (*voting on items 1 - 100*)  
Catherine M. Doyle (*voting on items 1 - 100*)  
Donald Jackson (*excused*)

**Alt. Board Members:** Georgia M. Cameron (*voting on items 1 - 100*)  
Leni M. Siker (*voting on item 43*)

START TIME: 4:12 p.m.

End Time: 8:20 p.m.

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<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	28179 Special Use	Ernesto Castillo Prospective Buyer  Request to occupy the premises as a motor vehicle repair facility.	6223 W. Forest Home Av. 11th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss 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>
2	27367 Use Variance	Lamar Outdoor Advertising Mr. Kurt Weis; Lessee  Request to replace the existing off-premise sign with a new off-premise changeable messages/Digital LED sign that changes faster than every 60 seconds.	302 W. Rosedale Av. A/K/A 2601 S. Chase ST. 14th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
3	28013 Special Use	God's Pleasant Community Church Inc. Property Owner  Request to add a day care center for 50 children (25 per shift) infant to 12 yrs. of age, operating Monday - Friday 6:00 a.m. to 6:30 p.m. to the existing Board approved religious assembly.	1806 W. Center St. 15th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
4	28175 Special Use	Oyweda Watkins Property Owner  Request to occupy the premises as a rooming house for a maximum of 4 residents.	3728 W. Roberts St. A/K/A 3726 W. Roberts St. 15th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss 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>
5	28176 Special Use	Oyweda R Watkins Property Owner  Request to occupy the premises as a rooming house for a maximum of 4 residents.	3726 W. Roberts St. A/K/A 3728 W. Roberts St. 15th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
6	28233 Special Use	Sajan Makbul Property Owner  Request to expand the existing convenience store of the non-conforming motor vehicle filling station and construct a free-standing fast-food carry-out restaurant on the premises (previously approved by the Board to raze the existing filling station, constructing a convenience store and a fast-food restaurant, but the petitioner did not execute the approved plans) .	9040 W. Silver Spring Dr. 2nd Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
7	27798 Dimensional Variance	Joseph A Megna Property Owner  Request to erect 2 permanent banner signs (2ft x 12ft) on the front facade of the premises which exceeds the number of projecting signs on this facade and over the maximum sign display area (there is an existing sign on this facade of 50 sq. ft.).	1323 E. Brady St. 3rd Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss 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>
8	28308 Dimensional Variance	Sharon M Liebe-Steinborn Property Owner  Request to construct a detached garage with a gambrel-style roof on the premises (a garage may have a gambrel-style roof only if the principal building has a gambrel-style roof).	12037 W. Langlade St. 5th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
9	28023 Special Use	Maria O'Neal Lessee  Request to occupy the premises as a day care center for 50 children (2 shifts, 25 per shift) infant to 12 yrs. of age, operating Monday - Friday 6:00 a.m. to Midnight and Saturday - Sunday 6:00 a.m. to 5:30 p.m .	10001 W. Lisbon Av. A/K/A 3945 N. 100th St. 5th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
10	28235 Special Use Dismissed	Ark of the New Covenant Church of God in Christ, Inc.;Property Owner  Request to construct a new building and occupy it as a 24 hr. day care center for 76 children (maximum) 1st & 2nd shift and 25 children (maximum) for 3rd shift infant to 12 yrs. of age Monday-Sunday.	8057 W. Appleton Av. 5th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss 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>
11	28287 Special Use	Ray & Tiscia Fitzgerald Property Owner	8320 W. Lisbon Av. 5th Dist.
		Request to continue occupying the premises as a day care center for 30 children, infant to 12 yrs. of age, Monday - Friday, 7:00 a.m. - 6:00 p.m..	
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
12	27836 Special Use	Susan Watkins Property Owner	2216 N. 1st St. 6th Dist.
		Request to occupy the premises as a day care center for 35 children infant to 12 yrs. of age, operating Monday - Sunday 6:00 a.m. to 10 p.m..	
	Action:	Adjourned from a prior hearing	
	Motion:	This matter was adjourned at the request of the applicant, and will be rescheduled for the next available agenda.	
13	28009 Use Variance	Sherrice McDonald Lessee	3806 W. Burleigh St. A/K/A 3109 N. 38th St. 7th Dist.
		Request to occupy a portion of the premises as a day care center for 20 children infant to 12 yrs. of age, operating Monday - Sunday 6:00 a.m. to Midnight.	
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss 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>
14	28311 Special Use	Priya Corporation Property Owner  Request to continue occupying the premises as a motor vehicle filling station and convenience store.	3101 S. 76th St. 11th Dist.
	Action:	Granted 10 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises</li> <li>5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>6. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
15	28315 Special Use	Abel Rodriguez Property Owner  Request to continue occupying the premises as an assembly hall (banquet hall).	1104 W. Lincoln Av. A/K/A 1100 W. Lincoln Av. 12th Dist.
	Action:	Adjourned from a prior hearing	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	28349 Special Use	Edwin Stillman Lessee	1214 S. 6th St. 12th Dist.
		Request to continue occupying the premises as a motor vehicle sales (includes sales of auto parts) and repair facility.	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all previous conditions of the Board regarding this property are complied with.</li> <li>5. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	28309 Special Use	George Claudio Lessee	530 S. 11th St. A/K/A 1038 W. Bruce St. 12th Dist.
		Request to occupy a portion of the premises as a general office.	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	28305 Special Use	Gunny Petroleum, Inc. Satwinder Singh;Property Owner	2312 W. Fond Du Lac Av. A/K/A 2306 W. Fond Du Lac Av. 15th Dist.
		Request to continue occupying the premises as a motor vehicle filling station and convenience store.	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises</li> <li>5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>7. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.</li> <li>8. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>9. That a revised landscape and screening plan is submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group within 30 days of Board approval of the special use. The revised plan must provide an acceptable method of screening the street frontage along N. 23rd St north of the driveway and must include acceptable screening of all garbage dumpsters.</li> <li>10. That landscaping and screening is installed within 60 days of the approval of the landscape plan.</li> <li>11. That landscaping and screening is maintained in accordance with the approved landscape plan.</li> <li>12. That the applicant completes landscaping and fencing according to Department of Neighborhood Service order dated June 17, 2007.</li> <li>13. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>14. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>15. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	28267 Special Use	Crossing Jordan Ministries Lessee  Request to continue occupying the premises as a religious assembly hall and social service facility.	2239 W. Fond Du Lac Av. 15th Dist.
	Action:	Granted 2 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the abandoned projecting sign structure currently located along the W. Fond du Lac Ave frontage is removed within 60 days of Board approval of the special use.</li> <li>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.</li> <li>6. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	
20	28313 Special Use	Marcel Green-Minter Lessee  Request to continue occupying a portion of the premises as a second-hand sales facility (furniture sales).	4727 W. Center St. A/K/A 4723 W. Center St. 15th Dist.
	Action:	Adjourned	
	Motion:	Adjourned at the request of the Department of Neighborhood Services.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	28324 Special Use	Rita Anderson Property Owner  Request to continue occupying the rear cottage as a 24 hr. day care center for 8 children infant to 12 yrs. of age Monday - Friday, Saturday 7:00 a.m. - 1:00 a.m., and Closed Sunday.  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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all previous conditions of the Board regarding this property are complied with.</li> <li>5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	2430 A W. Galena St. A/K/A 2430 W. Galena St. 15th Dist.
22	28340 Special Use	Hope Harris Property Owner  Request to continue occupying the premises as a day care center for 8 children infant to 12 yrs. of age, operating Monday - Friday 6:00 a.m. to Midnight.	2334 W. Galena St. A/K/A 2336 W. Galena St. 15th Dist.
		Action: Adjourned  Motion: This matter was adjourned at the request of staff and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
23	28320 Use Variance	Katherine Handy Property Owner  Request to continue occupying the premises as a day care center for 5 children infant to 12 yrs. of age, operating Monday - Friday 6:00 a.m. to Midnight.	4620 N. 27th St. A/K/A 4620 N. 27th St. 1 1st Dist.
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That there be no signage associated with the day care facility.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>6. That this Variance is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
24	28318 Special Use	Bobbie Williams First Corinth Ministries Inc.; Lessee  Request to occupy a portion of the premises as a religious assembly hall.	2518 W. Capitol Dr. A/K/A 2508 W. Capitol Dr. 1st 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>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.</li> <li>6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	28316 Special Use	Ruby Davis Property Owner	4801 W. Villard Av. 1st Dist.
		Request to increase the hours of operation from 24 hrs. Monday - Friday to 24 hrs. Monday - Sunday and continue occupying the premises as a family day care home for 24 children (8 per shift) infant to 12 yrs. of age.	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all previous conditions of the Board regarding this property are complied with.</li> <li>5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	28302 Special Use	Silver Mill Management Property Owner  Request to construct a building addition (450 sq. ft.) and occupy a portion of the premises as a motor vehicle repair facility.	6159 N. Teutonia Av. A/K/A 6001 N. Teutonia . 1st Dist.
	Action:	Granted 10 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the operator does not permit any repair work to be performed outside of the building.</li> <li>5. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	27944 Special Use	The Turning Point Ministries Inc. Lessee  Request to continue occupying the premises as a social service facility and a religious assembly.	5239 N. 35th St. A/K/A 5235 N. 35th St. 1st Dist.
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>5. That these Special Uses are granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	
28	28306 Dimensional Variance	Earl & Earline Cobb Property Owner  Request to construct a single-family dwelling (permitted) that is without the minimum required number of stories and without the minimum required height.	6505 W. Congress St. A/K/A 4377 N. 65th St. 2nd 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That this Variance is granted to run with the land.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	28290 Use Variance	Rueben M. Katz Aztak Co.;Property Owner	8300 W. Florist Av. 2nd Dist.
		Request to continue occupying the premises as a metal processing and recycling facility with outdoor storage.	
	Action:	Adjourned from a prior hearing	
	Motion:	This matter was adjourned at the request of the Alderman of the district and will be rescheduled for the next available hearing.	
30	28293 Special Use/ Dim. Variance	New Greater Love Baptist Church Lessee	6619 W. Capitol Dr. A/K/A 6617 W. Capitol Dr. 2nd Dist.
		Request to continue occupying the premises as a religious assembly hall without the minimum required parking.	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all previous conditions of the Board regarding this property are complied with.</li> <li>5. That this Special Use and this Variance are granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	28362 Special Use	Verizon Wireless Bryce Walker; Lessee  Request to modify the existing Board approved transmission tower by adding additional antennas as well as coax cable to the exterior of the structure.	7124 W. Fond Du Lac Av. A/K/A 7138 W. Fond Du Lac Av. 2nd 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of time commencing with the date hereof and expiring on October 16, 2010.</li> </ol>	
32	28321 Special Use	Shartavia Adams Lessee  Request to increase the number of children from 68 to 90 and continue occupying the premises as a 24 hr. day care center for children infant to 12 yrs. of age, operating Monday through Friday.	6627 W. Capitol Dr. 2nd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	28323 Special Use	Toinette Owens Lessee  Request to occupy a portion of the premises as a day care center for 120 children infant to 12 yrs. of age, operating Monday - Saturday 6:00 a.m. to Midnight	8701 W. Fond Du Lac Av. A/K/A 8701 W. Fond Du Lac Av. A 2nd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by staff and will be rescheduled for the next available hearing.	
34	28341 Special Use	April Juett Property Owner  Request to continue occupying the premises as 24 hr. family day care home for 8 children (per shift) infant to 12 yrs. of age, operating Monday - Sunday (previous approval was limited to 4 children on site, from one family unit, during third shift hours).	5841 N. 66th St. 2nd Dist.
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That there be no signage associated with the day care facility.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	28301 Special Use	Jacob Henes Property Owner  Request to continue occupying the premises as a motor vehicle repair facility.	801 E. Keefe Av. A/K/A 803 E. Keefe Av. 3rd Dist.
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all previous conditions of the Board regarding this property are complied with.</li> <li>5. That there be no work or storage of vehicles in the public right of way.</li> <li>6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	28273 Use Variance	Daniel & Linda Wilhelms Property Owner  Request to occupy the premises as a general office.	1681 N. Prospect Av. A/K/A 1681 N. Prospect Av. 1 3rd Dist.
	Action:	Granted 10 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That if any signage is proposed then signage plans which meet the sign standards of s.295-505-5 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</li> <li>5. That the petitioner receive all necessary approvals from the Historic Preservation Commission staff.</li> <li>6. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	28304 Special Use	Semen Melikhov Lessee  Request to occupy a portion of the premises as a retail establishment (permitted) and second-hand sales facility (new & used jewelry store) (this applicant was previously approved by the Board for a second-hand sales facility and has moved to a different location within the mall).	275 W. Wisconsin Av. 55 A/K/A 311 W. Wisconsin Av. 4th Dist.
	Action:	Granted 10 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
38	28342 Special Use	Armund Janto Milwaukee School of Engineering;Property Owner	820 N. Milwaukee St. 4th Dist.
		Request to occupy the premises as a college (this is a renovation of the 2nd floor to add a new classroom).	
	Action:	Granted 10 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	28339 Special Use	John Kalupa Lessee  Request to add a motor vehicle sales facility to the existing Board approved motor vehicle repair and tire sales facility.	11137 W. Silver Spring Dr. A/K/A 11133 W. Silver Spring Dr. 5th Dist.
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>5. That all repair work is conducted inside of the building.</li> <li>6. That there be no work or storage of vehicles in the public right of way.</li> <li>7. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	28348 Special Use	Kingdom of Heaven Christian Ministries Main Street Development Corporation;Lessee	9235 W. Capitol Dr. A/K/A 9227 W. Capitol Dr. 5th Dist.
		Request to continue occupying the western portion of the lower level as a religious assembly hall.	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all previous conditions of the Board regarding this property are complied with.</li> <li>5. That wheel stops or bumper posts be installed on all parking stalls immediately adjoining North 93rd Street to preclude vehicles from projecting into, driving on, or otherwise encroaching into the sidewalk area.</li> <li>6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	28296 Dimensional Variance	Archer Daniel Midland Property Owner  Request to erect a 6 ft. chain link fence (permitted) on the premises without the minimum required landscaping per code .  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: 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 three (3) years, commencing with the date hereof.	12111 W. Carmen Av. 5th Dist.
42	28297 Dimensional Variance	Archer Daniels Midland Property Owner  Request to erect a 6 ft. chain link fence (permitted) on the premises without the minimum required landscaping per code.  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: 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 three (3) years, commencing with the date hereof.	12255 W. Carmen Av. A/K/A 5674 N. 124th St. 5th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	28300 Special Use	Clara M Wright Prospective Buyer	334 W. Brown St. A/K/A 326 W. Brown St. 6th Dist.
		Request to add a day care center for a maximum of 60 children 2 to 12 yrs. of age, operating Monday - Friday 6:00 a.m. to 6:00 p.m. to the existing Board approved school on the premises.	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner obtains an occupancy certificate 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.</li> <li>5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on September 14, 2009.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
44	28294 Special Use	Boykin Blackmon Lessee  Request to continue occupying the premises as a car wash, motor vehicle repair facility, and sales facility (tires) .  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.	3854 N. Teutonia Av. A/K/A 3844 N. Teutonia Av. 6th Dist.
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all previous conditions of the Board regarding this property are complied with.</li> <li>5. That the applicant complies with all violations of the Department of Neighborhood Services dated May 8, 2007.</li> <li>6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	
45	28288 Other	Candace Simpson Property Owner  Request to modify condition No. 6 of the Board's decision for case No. 27945 (condition stated that the petitioner obtain a loading zone in the front of the premises on north Teutonia Av.) and extend the floor area.  Action: Granted  Motion: Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	2816 N. Teutonia Av. A/K/A 2818 N. Teutonia Av. 6th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	28331 Dimensional Variance	MB Investments, Inc. Lena's Food Market; Lessee  Request to erect a wall sign that is over the maximum allowed square footage on the existing retail establishment (allowed 80 sq. ft., proposed 120 sq. ft.).  Action: Granted 10 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	709 E. Capitol Dr. A/K/A 701 E. Capitol Dr. 6th Dist.
47	28289 Special Use	John Hightower Property Owner  Request to occupy the premises as a motor vehicle sales facility (used cars) without the code required landscaping.  Action: Adjourned  Motion: This matter was adjourned at the request of the Alderman of the district and will be rescheduled for the next available agenda.	3900 N. Teutonia Av. 6th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	28303 Special Use	The City of God Church Jose Gonzales;Lessee  Request to occupy the premises as a religious assembly hall (previous petitioner was approved by the Board but did not receive their occupancy permit).	2516 W. Hopkins St. A/K/A 2514 W. Hopkins St. 6th 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the first floor windows along the W. Hopkins St. frontage windows remain as transparent glass.</li> <li>6. 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.</li> <li>7. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
49	28346 Special Use	Stephanie Wallace Lessee  Request to increase the number of children from 46 (23 per shift) to 62 (31 per shift), and continue occupying the premises as a day care center for children infant to 12 yrs. of age, operating Monday - Sunday 6:00 a.m. to Midnight .	130 W. Keefe Av. A/K/A 130 A W. Keefe Av. 6th Dist.
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	
50	28326 Special Use	Brenda Pittman Lessee  Request to occupy the premises as a day care center for 48 children (no more than 30 per shift) infant to 12 yrs. of age, operating Monday - Friday 6:30 a.m. to Midnight and Saturday 7:00 a.m. to 4:30 p.m. (closed Sundays).	3700 N. 27th St. A/K/A 3702 N. 27th St. 7th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by staff and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
51	28344 Special Use	Audrey Jolly Lessee  Request to occupy the premises as a day care center for 40 children (per shift) infant to 12 yrs. of age, operating Sunday - Saturday 5:00 a.m. to Midnight.	2800 W. Forest Home Av. 8th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available hearing.	
52	28355 Special Use	Mary Jones Lessee  Request to continue occupying a portion of the premises as a school, (elementary or secondary) k-3 to 5th grade for up to 80 students .	8634 W. Brown Deer Rd. 200 A/K/A 8634 W. Brown Deer Rd. 9th Dist.
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all previous conditions of the Board regarding this property are complied with.</li> <li>5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
53	28329 Use Variance	Wayne Brumgartner Property Owner  Request to construct a new building addition (12,000 sq. ft.) on site and continue occupying the premises as a material reclamation facility (this is an existing Board approved site).	9400 N. 124th St. 9th 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all previous conditions of the Board regarding this property are complied with.</li> <li>5. That this Variance is granted for a period of time commencing with the date hereof and expiring on October 16, 2010.</li> </ol>	
54	28374 Dimensional Variance	Brywood Country Club Property Owner  Request to construct a 1 story 50' x 100' ft. metal building (used for storage) on site and continue occupying the premises as a recreational facility (golf course) .	6200 W. Good Hope Rd. A/K/A 6800 W. Good Hope Rd. 9th 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That this Variance is granted to run with the land.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	28319 Dimensional Variance	Clare Sobieck Property Owner  Request to allow a detached garage that is without the minimum required side setback (the overhang infringes on the side setback which is required to be a minimum of 18 inches, proposed 6 inches, and short 12 inches).	1825 N. 49th St. A/K/A 1827 N. 49th St. 10th 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That this Variance is granted to run with the land.</li> </ol>	
56	27874 Special Use	Ibrahim Issa Lessee  Request to add a heavy motor vehicle rental facility to the existing (permitted) general retail establishment.	5160 W. Forest Home Av. A/K/A 5158 W. Forest Home Av. 11th Dist.
	Action:	Denied	
	Motion:	Catherine Doyle moved to deny 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>
57	28082 Special Use	Bessie Peavy Lessee  Request to occupy the premise as a day care center for 40 children (20 per shift) infant to 12 yrs. of age, operating 6:00 a.m. - 10:00 p.m. Monday-Friday.	6107 W. Fond Du Lac Av. A/K/A 6109 W. Fond Du Lac Av. 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.	
58	28000 Special Use	Bessie L Williams Lessee  Request to occupy a portion of the premises as a 24 hr. day care center for 35 children infant to 12 yrs. of age, operating Monday - Sunday.	4405 N. 60th St. A/K/A 4407 N. 60th St. 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.	
59	27585 Dimensional Variance	Clear Channel Outdoor aka Eller Media Co.;Property Owner  Request to modify the height of this board approved off-premise sign (sign height is 35 ft/proposed modification to 50 ft) and request an exemption from the minimum required setback from the street.	2455 W. Clybourn St. 4th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler 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>
60	28328 Special Use	Wayne Jurecki Prospective Buyer	6223 W. Forest Home Av. 11th Dist.
		Request to occupy the premises as an ambulance service facility (24 hr. medical provider engaged in emergent and non-emergent ambulance transportation).	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>5. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	
61	28231 Special Use	Yulonda Rodriguez Lessee	1547 S. 13th St. 12th Dist.
		Request to occupy the premises as a day care center for a maximum of 8 children per shift infant to 12 yrs. of age, operating Monday - Friday 6:00 a.m. to Midnight and Saturday - Sunday 6:00 a.m. to 6:00 p.m.	
	Action:	Adjourned	
	Motion:	This matter was adjourned by staff and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
62	28269 Special Use	Damon Honegger Property Owner  Request to add a transitional living facility for a maximum of 5 residents to the existing rooming house on the premises (this is an existing rooming house with an addition of up to 5 referred residents with disabilities).	1001 S. 4th St. A/K/A 1001 S. 4th St. LWR 12th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
63	28310 Special Use	Jorge Alvarez Prospective Buyer  Request to occupy the premises as a motor vehicle sales facility (includes towing of cars for sale as well as service to the public).	4661 S. 20th St. 13th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
64	28186 Special Use	Dan Binder Lessee  Request to occupy the premises (rear building) as a car wash facility (cleans vehicle for vehicle sales dealers).	4346 A S. 27th St. A/K/A 2622 W. Whitaker Av. 13th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by the applicant and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
65	28066 Special Use	James Valona Property Owner  Request to occupy a portion of the premises as a social service facility (providing outpatient counseling) .	2197 S. Kinnickinnic Av. A/K/A 350 E. Ward St. 14th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
66	28195 Use Variance	Jon J Frey Lessee  Request to occupy the premises as a light manufacturing facility (custom furniture, cabinet & home bar manufacturing).	3918 W. Kisslich Pl. A/K/A 3916 W. Kisslich Pl. 15th Dist.
	Action:	Granted 2 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That there is no outdoor storage of materials.</li> <li>5. That all work is conducted inside of the building.</li> <li>6. That all outstanding building code violations be corrected within sixty (60) days of this written decision.</li> <li>7. That this Variance is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
67	28221 Special Use	Makini Triplett Property Owner  Request to occupy the premises as a 24 hr. day care center for 8 children (per shift) infant to 12 yrs. of age, operating 7 days per week.  Action: Granted 1 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>5. That no signage is permitted.</li> <li>6. That the applicant/owner corrects all exterior building code violations and pays all pending re-inspection fees prior to occupancy.</li> <li>7. That the applicant/owner obtains a certificate of occupancy prior to occupancy.</li> <li>8. That someone live in the unit.</li> <li>9. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	1019 W. Hadley St. 15th Dist.
68	28119 Special Use	Agape Love Deliverance Church Property Owner  Request to add a religious assembly hall to the existing Board approved elementary/secondary school.  Action: Adjourned  Motion: Catherine Doyle moved to adjourn the appeal. Seconded by Henry Szymanski.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	4716 W. Lisbon Av. A/K/A 4718 W. Lisbon Av. 15th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
69	28250 Special Use	William F Specht Property Owner	4134 W. Villard Av. A/K/A 4138 W. Villard Av. 1st Dist.
		Request to occupy the premises (vacant fast-food restaurant) as a fast-food/carryout restaurant and add a drive through facility that is within 150 of a residential use and without an opaque fence along the queuing lane of the drive through facility (raze and rebuild).	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>6. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.</li> <li>7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>8. That a revised landscape plan that meets the intent of city code section 295-405 landscaping is submitted to the Board of Zoning Appeals, and approved by the Zoning Administration Group prior to the issuance of any permits. Specifically the revised plan must include an opaque wood fence and landscaping to screen the north-abutting residential property.</li> <li>9. That landscaping and screening is installed within 120 days of occupancy. If occupancy occurs between September 30th and March 1st then landscaping and screening must be installed within 120 days of April 1st.</li> <li>10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
70	28335 Special Use	Sign Factory L. Strupinsky & Michael Satanovsky; Lessee	4811 W. Woolworth Av. 1st Dist.
		Request to occupy the premises as a motor vehicle sales facility (used cars).	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage plans which meet the sign standards of s.295-605 of the Milwaukee Zoning Code for LB1 zoning districts must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</li> <li>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>6. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>7. That all repair work is conducted inside of the building.</li> <li>8. That landscape plans are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</li> <li>9. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
71	28043 Special Use	Mohammad Amer Lessee  Request to occupy the premises as a motor vehicle repair and sales facility.	5003 N. Teutonia Av. 1st Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
72	28268 Special Use	Kourtney Stevens Other  Request to occupy the premises as a day care center for 85 children per shift infant to 12 yrs. of age, operating Monday - Saturday 6:00 a.m. to Midnight.	6830 W. Villard Av. 2nd 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 agenda.	
73	28225 Special Use	Phebe Holmes Property Owner  Request to occupy the premises as a day care center for 97 children infant to 12 yrs. of age, operating Monday - Saturday 6:30 a.m. to Midnight.	5268 N. 76th St. 2nd 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 agenda.	
	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>
74	28055 Special Use	Focus Academy Lessee  Request to occupy a portion of the premises (basement or lower level) as a school (high school for 100 students - the school will be used in conjunction with the church on site but operate as a separate entity).	6103 W. Capitol Dr. A/K/A 6101 W. Capitol Dr. 2nd 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 agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
75	28229 Special Use	Joseph Fix Property Owner	632 E. Center St. 3rd Dist.
		Request to occupy the premises as a motor vehicle repair and towing facility (the proposed repair & towing facility will be used in conjunction with the existing Board approved motor vehicle sales & repair facility located at 631 E. Center St.).	
	Action:	Granted	
	Motion:	Scott Winkler 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscaping and screening plans must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</li> <li>5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>6. That all repair work is conducted inside of the building.</li> <li>7. That there be no vehicles stored in the public right of way.</li> <li>8. That there be no work conducted in the public right of way.</li> <li>9. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>11. That this Special Use is granted for a period of time commencing with the date hereof and expiring on December 10, 2011.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
76	28274 Special Use	Oliver F Gardipee Lessee  Request to occupy the premises as an indoor motor vehicle sales and salvage facility.	2330 W. Clybourn St. 4th Dist.
	Action:	Adjourned	
	Motion:	Catherine Doyle moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
77	28354 Dimensional Variance	Northcott Neighborhood House, Inc. Property Owner  Request to construct a single-family dwelling without the minimum required number of stories (2 required), minimum required height, and that is over the maximum allowed front setback.	2474 W. Vliet St. 4th 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 agenda.	
78	28337 Dimensional Variance	Star CTL I, LLP Star Financial, Glenn Zina;Property Owner  Request to erect a wall sign that is over the maximum allowed square footage (allowed 36 sq. ft., proposed 120 sq. ft., and in excess of 84 sq. ft.).	401 W. Michigan St. A/K/A 409 W. Michigan St. 4th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny 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>
79	28243 Special Use	Honeys Child Care & Learning Center Lessee  Request to increase the hours of operation from 6:00 a.m. - 6:00 p.m. to 6:00 a.m. - 11:00 p.m. Monday-Sunday of the existing day care center for 80 children infant to 12yrs of age.	2939 W. Kilbourn Av. A/K/A 2933 W. Kilbourn Av. 4th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny 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>
80	28084 Special Use	<p>Kalim Beg Property Owner</p> <p>Request to add a currency exchange facility within 150 ft. of a two-family residential district (cash checking operation) and remodel the existing Board approved motor vehicle filling station and convenience store (remodel includes the entire interior of the building to expand the store and the two sides of the building that face the street).</p>	406 W. Center St. 6th Dist.
	Action:	Granted	
	Motion:	<p>Scott Winkler moved to grant the Special use request for the filling station. Seconded by Henry Szymanski.</p> <p>Scott Winkler moved to deny the Variance request for a currency exchange facility. Seconded by Henry Szymanski.</p>	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises</li> <li>5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary</li> <li>6. That landscaping and screening is implemented and maintained according to the landscape plan submitted to the Board of Zoning Appeals on February 2, 2007.</li> <li>7. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>8. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>10. That the Variance request for a currency exchange facility is denied.</li> <li>11. That this Special Use for the filling station is granted for a period of time commencing with the date hereof and expiring on January 22, 2017.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
81	27998 Dimensional Variance	Gene Gokhman Property Owner  Request to construct a 4-unit multi-family dwelling without the minimum required average front setback, without the minimum required rear setback, and without the minimum required front facade width (similar design previously approved by the board, but the petitioner did not execute the approved plans within 1 year of the approval date).	225 E. Lloyd St. A/K/A 227 E. Lloyd St. 6th Dist.
	Action:	Granted	
	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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That these Variances are granted to run with the land.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
82	28146 Special Use	Phoebe Bowie Lessee  Request to occupy the premises as a day care center for 56 children infant to 12 yrs. of age, operating 6:00 a.m. - Midnight Monday-Friday (this is a vacant day care center that was previously approved by the Board for 28 children operating 6:00 a.m. - 6:00 p.m. Monday-Friday).	325 E. Garfield Av. A/K/A 323 E. Garfield Av. 6th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Herny Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That a loading zone be obtained, on Garfield, to support this land use.</li> <li>5. That signage meets the sign standards of s.295-505-5 of the Milwaukee Zoning Code.</li> <li>6. That this Special Use is granted for a period of time commencing with the date hereof and expiring on September 19, 2010.</li> </ol>	
83	28203 Special Use	Syed Hasan Turab Property Owner  Request to raze the existing structure and construct a new motor vehicle filling station, convenience store, and fast-food/carryout restaurant without the minimum required glazing on the secondary street facade.	307 E. Center St. A/K/A 301 E. Center St. 6th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. 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>
84	28138 Special Use	Earl Hines Lessee	3128 N. 7th St. 6th Dist.
		Request to occupy the premises as a rooming house for 5 residents without the minimum required number of parking spaces.	
	Action:	Denied	
	Motion:	Catherine Doyle moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
85	28194 Special Use	Wilma Hatten Property Owner	3277 N. 24th Pl. 7th Dist.
		Request to occupy the premises as a group home for a maximum of 5 teenage mothers ages 13 - 17 and 3 children.	
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman of the district and will be rescheduled for the next available agenda.	
86	27207 Use Variance	Jacklyn Gordon Lessee	3206 N. 45th St. 7th Dist.
		Request to occupy the premises as a day care center for 72 children (36 per shift) infant to 12 yrs. of age, Sunday - Saturday 6:00 a.m. to midnight.	
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman of the district and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
87	28204 Special Use	The Life House, LLC Angela Sheats; Lessee	3431 N. 44th St. 7th Dist.
		Request to occupy the premises as a group home for a maximum of 8 children (boys & girls) ages 12 - 17.	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
88	28307 Special Use	Ray & Raymond Nagy Lessee  Request to occupy the premises as a body shop (replacement of hoods, fenders, bumpers, grills, head lamps, and doors) (previously approved by the Board for a repair facility to be used by the adjacent church).	2130 W. National Av. A/K/A 2128 W. National Av. 8th Dist.
	Action:	Granted 1 yr.	
	Motion:	Scott Winkler 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That there be no work conducted on vehicles in the public right of way.</li> <li>5. That there be no vehicles stored in the public right of way.</li> <li>6. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>7. That the applicant has no outdoor banners or other advertising on site.</li> <li>8. That the applicant has no outdoor auto repair activity. All repairs are to be done inside the building.</li> <li>9. That no vehicles be stored/parked outside after hours.</li> <li>10. That no signage is erected on site.</li> <li>11. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
89	28247 Special Use	Jearlean Jordan & Tanya F. Coleman Lessee  Request to occupy the premises as a 24hr day care center for 50 children per shift infant to 12yrs of age, operating Monday-Sunday.	7945 N. 76th St. A/K/A 7919 N. 76th St. 9th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
90	28263 Special Use	Institute of Technology & Academics, Inc. Kulbir Singh;Lessee  Request to occupy the premises as a school (elementary or secondary) for a maximum of 250 students grades k4 - 6th.	8940 N. 85th St. 9th Dist.
	Action:	Granted 3 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>5. That the outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards.</li> <li>6. 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.</li> <li>7. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
91	28264 Use Variance	Valerie R Willis Lessee  Request to occupy the premises as a school (elementary or secondary) for a maximum of 150 students grades k4 - 8th.	8021 W. Tower Av. 9th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by staff and will be rescheduled for the next available agenda.	
92	28108 Use Variance	Cynthia Black Lessee  Request to occupy the premises as a day care center for 84 children infant to 12 yrs. of age, operating Monday - Sunday 6:00 a.m. - Midnight (the facility is located within 300 ft. of an establishment that possesses an alcohol beverage license) .	5225 W. Mill Rd. A/K/A 5225 A W. Mill Rd. 9th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
93	27975 Special Use	Kurt Bechthold Property Owner  Request to continue occupying the premises as a facility that engages in the processing or recycling of mined materials (stockpiling and crushing of concrete and asphalt).	7460 N. 60th St. A/K/A 7500 N. 60th St. 9th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
94	28125 Special Use	BEG Enterprises Eleven LLC. Visa International;Property Owner	5758 W. Appleton Av. A/K/A 5701 W. Center St. 10th Dist.
		Request to continue occupying the premises a motor vehicle filling station with a convenience store.	
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscaping and screening is maintained to meet the requirements of s.295-405 of the Milwaukee Zoning Code.</li> <li>5. That there be no increase in freestanding signage, and all other signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary.</li> <li>7. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises.</li> <li>8. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.</li> <li>9. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
95	28135 Use Variance	One Stop Check Cashing Lessee  Request to add a currency exchange that is within 150 ft. of residential and 1500 ft. of another currency exchange to the existing filling station (a separate petitioner will operate a checking cashing facility within the convenience store of the existing filling station).	5758 W. Appleton Av. A/K/A 5701 W. Center St. 10th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
96	28277 Use Variance	Jeffrey S Vogeler Property Owner  Request to occupy the premises as a two-family dwelling (applicant previously appealed an order issued by the Department of Neighborhood services of an illegal occupancy of the premises as a two-family dwelling and the order was upheld).	227 N. Story Pk. A/K/A 231 N. Story Pk. 10th 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That the gravel parking area on site is removed.</li> <li>5. That the premises comply with all parking requirements for a two-family dwelling.</li> <li>6. That this Variance is granted to run with the land.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
97	28336 Special Use	Chiquilla Holloway Rock-A-Bye-Baby Child Care;Prospective Buyer	5219 W. Center St. A/K/A 5211 W. Center St. 10th Dist.
		Request to occupy the premises as a day care center for 135 children infant to 12 yrs. of age, operating Monday - Sunday 6:00 a.m. to 8:00 p.m.	
	Action:	Granted 5 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. Specifically that the proposed wall sign not exceed an area of 25 square feet per every 25 lineal feet of frontage.</li> <li>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>7. That the applicant obtains a loading zone in front of the premises on West Center Street.</li> <li>8. 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.</li> <li>9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
98	28347 Use Variance	St. Joseph Hospital Lou Yeager, Reg. V.P. Facilities;Property Owner  Request to raze the house on the premises, and occupy the garage for indoor storage.	2978 N. 51st St. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled at the next available agenda.	
99	28087 Special Use	Bottomless Closet Lessee  Request to continue occupying a portion of the premises as a social service facility (provides women work attire, workshops & mentoring for professional development) .	6040 W. Lisbon Av. 101 A/K/A 6032 W. Lisbon Av. 10th 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all previous conditions of the Board regarding this property are complied with.</li> <li>5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
100	28157 Special Use	Rock Enterprises, Inc. Earl & Michele Turner;Property Owner	3942 N. 76th St. 10th Dist.
		Request to increase the number of children from 76 to 150 infant to 12 yrs of age and for the existing day care center, operating from 5:30 a.m. - 1:30 a.m. Monday-Friday.	
	Action:	Granted	
	Motion:	Georgia Cameron 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"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all previous conditions of approval are complied with.</li> <li>5. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for institutional and educational occupancies for the lower lever and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>6. That the petitioner takes all measures necessary to control litter, loitering, traffic congestion and loud noise on (and in front of) the premises, including, but not limited to, the hiring private personnel.</li> <li>7. That this Special Use is granted for a period of time commencing with the date hereof and expiring on April 10, 2011.</li> </ol>	

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

Board member Szymanski moved to approve the minutes of the June 7, 2007 meeting. Seconded by Board member Winkler. Unanimously approved.

The Board set the next meeting for September 6, 2007.

Board member Szymanski moved to adjourn the meeting at 8:20 p.m. Seconded by Board member Winkler. Unanimously approved.

BOARD OF ZONING APPEALS

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Secretary of the Board

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