

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

**REGULAR MEETING – December 13, 2007**  
**City Hall, Common Council Committee Room 301-B**

***MINUTES***

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PRESENT:

**Chairman:** Craig H. Zetley (*Excused*)

**Vice-Chairman:** Scott R. Winkler (*voting on items 1-50, 52-65*)

**Members:** Henry P. Szymanski (*voting on items 1-65*)  
Catherine M. Doyle (*voting on items 1-64*)  
Donald Jackson (*voting on items 1-65*)

**Alt. Board Members:** Georgia M. Cameron (*voting on items 1-65*)  
Leni M. Siker (*Excused*)

START TIME: 4:06 p.m.

End Time: 5:30 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	28253 Dimensional Variance	James Fazio Other  Request to raze the existing pylon sign and erect a free-standing sign that is over the maximum allowed height and the maximum allowed square footage (allowed height 6 ft., proposed 14 ft., excess 8 ft., allowed square footage 40 sq. ft., proposed 52 sq. ft., excess 12 sq. ft.).	2037 N. Farwell Av. A/K/A 1765 E. Windsor Pl. 3rd Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
2	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:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
3	28314 Change of Operator	George Papacainis  Request to continue occupying the premises as a fast-food carry-out restaurant with a drive-through facility.	10000 W. Capitol Dr. 5th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
4	28588 Dimensional Variance	David M Berg Lessee  Request to occupy the premises as a community theater without the required parking space.	534 W. National Av. A/K/A 536 W. National Av. 12th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
5	28571 Special Use	Lilly of the Valley Child Care, LLC ShonDa N. Morgan;Property Owner  Request to occupy the premises as a family day care home for 16 children (two shifts of no more than 8 children per shift), ages 2 mos. to 12 yrs., operating Monday through Friday from 6 a.m. to midnight.	1922 N. 27th St. A/K/A 1924 N. 27th St. 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 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 the other apartment remain in use as a residential dwelling unit.</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>
6	28584 Special Use	Children's Fantasy Child Care & Preschool Academy Angelia Langston and Verneadia Zollicoffer; Lessee	2919 W. Fond Du Lac Av. 15th Dist.
		Request to occupy the premises as a day care center for a maximum of 75 children (per shift, total of two shifts), ages infant to 13 yrs., operating Monday through Friday from 5:00 a.m. to 1:00 a.m..	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards.</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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB2 zoning districts.</li> <li>7. That the petitioner obtains an occupancy certificate by having all required inspections, 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>8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	28618 Special Use	Willie D Weeks Sr. Property Owner	1819 W. North Av. 15th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility (first floor, front) and a second hand sales facility.	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 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 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>
8	28625 Special Use	Venodia and Jerry Reaves Sr. Property Owner  Request to continue occupying the premises as a day care center for 8 children, ages infant to 7 years, operating Monday through Friday from 6:00 a.m. to 6:00 p.m..	2409 N. 36th St. A/K/A 2407 N. 36th St. 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 outdoor play area is not utilized before 9:00 A.M.</li> <li>5. That there be no signage associated with the day care facility.</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>
9	28641 Special Use	Wisconsin Evangelical Lutheran Synod Other  Request to continue occupying the premises as a religious assembly hall and social service facility.	2533 W. North Av. A/K/A 2531 A W. North Av. 15th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. 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>
10	28654 Special Use	Mike Riley Property Owner  Request to continue occupying the premises as a fast food/carry out restaurant.	1205 W. North Av. A/K/A 2254 N. Teutonia Av. 15th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>7. That 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 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>
11	28576 Special Use	Midwestern Roofing & Construction, Inc. Property Owner	2830 W. Stark St. 1st Dist.
		Request to occupy the premises as a contractor's yard (with office).	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 opaque screening (such as the installation of slats or mesh screening onto the existing fence) is provided to screen the outdoor storage area along the W. Stark St. and N. 29th St frontages.</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>
12	28612 Special Use	Sharon Anthony Lessee  Request to occupy the premises as a day care center for 50 children (split shift of no more than 50 children each shift), ages 6 mos. to 12 yrs., operating Monday through Friday from 6:00 a.m. to midnight.	2505 W. Cornell St. A/K/A 4646 N. Teutonia Av. 1st Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>5. That the petitioner obtains an occupancy certificate by having all required inspections, 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>6. That this Special Use is granted for a period of time commencing with the date hereof and expiring on October 12, 2014.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
13	28615 Special Use	Jacqueline Williams Lessee  Request to occupy the premises as a day care center for 8-10 children, ages 2 to 12 years, operating Monday through Saturday from 6:00 a.m. to midnight (two shifts and operated in conjunction with 4369 N. Teutonia Av.).  Teutonia Av.).	4373 A N. Teutonia Av. A/K/A 4371 N. Teutonia Av. 1 1st Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 all previous conditions of the Board regarding this property are complied with.</li> <li>5. That the petitioner obtains an occupancy certificate by having all required inspections, 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>6. That this Special Use is granted for a period of time commencing with the date hereof and expiring on October 17, 2009.</li> </ol>	
14	28626 Special Use	Little Tyke Academy & Childcare Center Tammie Anderson; Lessee  Request to occupy the premises as a day care center for 70 children (per shift), ages 4 weeks to 12 years, and also a private elementary school (K-4 to 6th grade) for 75 children, operating 24-hours (day care center) and from 6:00 a.m. to 4:00 p.m. (elementary school) .	5148 N. Teutonia Av. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by staff 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>
15	28634 Special Use	A Safe Place Supervised Visitation and Exchange Center; Lessee  Request to occupy the premises as a social service facility (supervised visitation and exchange center).	6235 B N. Teutonia Av. A/K/A 6235 N. Teutonia Av. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by staff and will be rescheduled for the next available hearing.	
16	28649 Special Use	ACE Cash Express, Inc. Lessee  Request to continue occupying the premises as a currency exchange agency and a payday loan agency.	1935 W. Silver Spring Dr. A/K/A 1993 W. Silver Spring Dr. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That 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</li> <li>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>7. That 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 five (5) years, commencing with the date hereof.</li> </ol>	

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17	28569 Special Use	Frederick Rutledge Prospective Buyer	9746 W. Appleton Av. 2nd Dist.
		Request to occupy the premises as a ground transportation service.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 landscaping and screening is installed within 120 days of occupancy. If occupancy occurs between September 30th of the year of occupancy and March 1st of the following year then landscaping and screening must be installed within 120 days of March 1st.</li> <li>5. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>6. That signage must meet the intent of the signage standards of s.295-605 of the Milwaukee Zoning Code. Specifically the existing freestanding sign structure must either be removed or its sign box must be re-fitted with a new plate.</li> <li>7. That there be no vehicles stored in the public right of way.</li> <li>8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for storage 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>	
18	28598 Special Use	Hazim Farah Property Owner	7210 W. Capitol Dr. 2nd Dist.
		Request to continue occupying the premises as a car sales and repair facility.	
	Action:	Adjourned.	
	Motion:	This matter was adjourned by staff and will be rescheduled at a future BOZA hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	28630 Special Use	Harbhajan Singh Isha Enterprises dba and Capitol Court Citgo;Property Owner	4001 N. 60th St. 2nd Dist.
		Request to continue occupying the premises as a motor vehicle filling station and convenience store.	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>5. 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>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>7. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>9. That this Special Use is granted for a period of time commencing with the date hereof and expiring on February 25, 2013.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	28652 Special Use	Community Financial Service Center Corp. Robert Wellenstein;Lessee  Request to continue occupying the premises as a currency exchange facility.	7410 W. Capitol Dr. A/K/A 7435 W. Appleton Av. 2nd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel.</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>
21	28586 Special Use	Claudett R Zollicoffer Lessee  Request to continue occupying the premises as a day care center for 50 children infant to 12yrs of age, Monday - Friday from 6:00 a.m.- 12:00 a.m.	6427 W. Capitol Dr. A/K/A 6435 W. Capitol Dr. 2nd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 storefront windows remain as transparent vision glass and are maintained in an attractive manner.</li> <li>5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</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 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>
22	28603 Special Use	Renaissance Child Development Center Lessee  Request to expand the Board approved day care center to include an additional room (850 sq. feet) on the first floor and to increase the number of children from 77 to 93.	914 E. Knapp St. A/K/A 904 E. Knapp St. 3rd Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 this Special Use is granted for a period of time commencing with the date hereof and expiring on February 20, 2012.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
23	<u>28633</u> <u>Special Use</u>	Robert Settecase Lessee  Request to occupy the premises as a second-hand store selling DVDs, video games, and CDs.	1709 N. Farwell Av. A/K/A 1723 N. Farwell Av. 3rd Dist.
	Action:	Adjourned.	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	
24	28592 Special Use	Annette French Lessee  Request to continue occupying the premises as a second-hand store.	1117 E. Brady St. A/K/A 1115 E. Brady St. 3rd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 storefront windows remain as transparent vision glass and are maintained in an attractive manner.</li> <li>5. That no merchandise is displayed outside.</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 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 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>
25	28597 Special Use	<p>Repairers of the Breach, Inc. Ms. MacCanon Brown, Exec. Director;Property Owner</p> <p>Request to continue occupying the premises as a social service facility (with a medical office).</p> <p>Action: Granted 5 yrs.</p> <p>Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.</p> <p>Vote: 4 Ayes, 0 Nays, 1 S. Winkler Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner take all measures necessary to control litter, loitering, panhandling, and loud noise including, but not limited to, hiring private personnel.</li> <li>5. That final plans for the building's interior be submitted to the Board of Zoning Appeals for review by the Zoning Administration Group in order to determine the number of clients that may be accommodated on-site at any one time. At no time should this number exceed 35 clients per floor, or the number permitted by the Building code whichever is less.</li> <li>6. That the storefront windows are maintained in a neat and orderly manner</li> <li>7. That the landscaping and screening for the west-abutting sitting area is maintained in a neat and orderly manner</li> <li>8. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	<p>1335 W. Vliet St. A/K/A 1331 W. Vliet St. 3 4th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	28602 Special Use	Toon City, Inc. Wendy Slocum;Property Owner	632 N. Water St. A/K/A 636 N. Water St. 4th Dist.
		Request to continue occupying the premises as a parking lot.	
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 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 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>
27	28636 Special Use	Arec 10, LLC Property Owner	2020 W. State St. A/K/A 1006 N. 21st St. 4th Dist.
		Request to continue occupying the premises as a motor vehicle rental and leasing facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>5. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>6. That 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.</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>
28	28637 Special Use	Towne Peterson LLC c/o Towne Realty Thomas Bernacchi;  Request to continue occupying the premises as a parking lot.	801 W. Wisconsin Av. A/K/A 813 W. Wisconsin Av. 4th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 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 two (2) years, commencing with the date hereof.</li> </ol>	
29	28640 Special Use	105/111, LLC c/o Towne Realty Thomas Bernacchi;Property Owner  Request to continue occupying the premises as a parking lot.	105 W. Michigan St. A/K/A 508 N. Plankinton Av. 4th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 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 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>
30	28645 Special Use	Nicholas A. Buttitta Revocable Living Trust;Property Owner  Request to continue occupying the premises as a rooming house for 6 residents.  Action: Granted 10 yrs.  Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.  Vote: 4 Ayes, 0 Nays, 1 S. Winkler Abstained.  Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	847 N. 15th St. 4th Dist.
31	28628 Special Use	Katie M Harris Lessee  Request to occupy the premises as an adult day care center for 18-20 developmentally/physically disabled, advanced aged, and/or mentally challenged individuals operating Monday through Friday from 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 on an upcoming BOZA agenda.	8405 W. Burleigh St. A/K/A 8401 W. Burleigh St. 5th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	28608 Special Use	Sidney Yeldell Lessee  Request to occupy the premises as an alternative elementary/secondary school for 180 students .  Action: Granted 2 yrs.  Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.  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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for educational 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>	2411 W. Capitol Dr. 6th Dist.
33	28642 Special Use	Milwaukee Health Services Inc. Property Owner  Request to continue occupying the premises as a parking lot.	2523 N. Martin L King Jr Dr. A/K/A 2535 N. Martin L King Jr Dr. 6th 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>
34	28605 Special Use	Brighter Horizons Learning Academy Megan Martin;Property Owner	3319 N. 24th St. 7th Dist.
		Request to occupy the premises as a 24 hr. day care center operating Monday - Sunday for 50 children per shift, infant - 12 yrs. of age.	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>6. That the petitioner obtains an occupancy certificate by having all required inspections, 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>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>
35	28646 Special Use	Sunrise Missionary Baptist Church Property Owner  Request to continue occupying the premises as a religious assembly hall.	4808 W. Fond Du Lac Av. A/K/A 4800 W. Fond Du Lac Av. 7th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 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>	
36	28621 Special Use	Valley Passage, LLC Steve Mech;Property Owner  Request to occupy the premises as a general office (proposed parking to be located at 701 S. 37th).	3628 W. Pierce St. 8th Dist.
	Action:	Adjourned.	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	
37	28623 Special Use/ Dimensional Variance	Valley Passage, LLC Steve Mech; Property Owner	701 S. 37 <sup>th</sup> St. 8 <sup>th</sup> Dist.
	Action:	Adjourned.	
	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>
38	28606 Special Use	Junior Gentry Tammie Gentry  Request to continue occupying the premises as a day care center for 77 children, ages 6 wks. to 12 yrs., operating Monday through Friday from 6:30 a.m. to 6:30 p.m.	8615 W. Brown Deer Rd. 9 <sup>th</sup> Dist.
	Action:	Adjourned.	
	Motion:	The matter was adjourned at the request of staff and will be rescheduled for the next available agenda.	
39	28619 Special Use	Calumet Auto Salvage, Inc. Property Owner  Request to continue occupying the premises as an outdoor auto salvage yard.	8501 W. Calumet Rd. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>5. That any stockpiles are in compliance with s.295-805-4-h-2 of the Milwaukee Zoning code.</li> <li>6. 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>
40	28629 Special Use	Matt Sisson Property Owner  Request to modify the existing non-conforming 24 hour self-service car wash by eliminating two truck washing bays and converting them to standard car washing bays (Board approved Automatic Teller Machine on site).	8805 N. 107th St. A/K/A 8801 N. 107th St. 9th Dist.
	Action:	Adjourned.	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled at the next available agenda.	
41	28632 Special Use	Three D Sac Self Storage LTD Partnership, U-Haul International;Property Owner  Request to continue occupying the premises as a mini-storage facility, sales of propane gas, and rental facility (trucks and equipment).	8626 N. Granville Rd. A/K/A 8634 N. Granville Rd. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>5. That no additional signage may be erected on the site unless it meets the signage standards of s.295-805 of the Milwaukee Zoning Code.</li> <li>6. 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>
42	27950 Special Use	Amazing Ministries Worship Center Property Owner  Request to continue occupying the premises as a religious assembly hall.	5412 W. Burleigh St. A/K/A 5418 W. Burleigh St. 10th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 all conditions of the Development Agreement submitted to the Board on May 4, 2004, are complied with.</li> <li>5. That landscaping for the parking lot located at 5506 W. Burleigh St. is implemented and maintained according to plans as approved by the Department of City Development.</li> <li>6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	
43	28659 Special Use	Jeannine Bayer Creative Living Environments;Property Owner  Request to continue occupying the premises as a community based residential facility for 12 elderly residents.	4926 W. Washington Bl. A/K/A 1704 N. Hi Mount Bl. 10th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 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>
44	27594 Special Use	Amazing Ministries Worship Center Property Owner	5506 W. Burleigh St. A/K/A 5418 W. Burleigh ST. 10th Dist.
		Request to continue occupying the premises as a principal parking lot.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 shall maintain landscaping and screening in accordance with the landscape plan approved by the Department of City Development on 5/24/2004</li> <li>5. That the petitioner shall be responsible for continuous landscape maintenance including plant material replacement on a seasonal basis if such material is no longer comparable in size to the plant list specification, and inconsistent with the typical form/shape of that species because of dieback, stunting or damage.</li> <li>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>7. That some sort of physical barrier, such as a chain, blocks the entrance to the parking lot when not in use by the petitioner.</li> <li>8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	28513 Special Use	Robert Miranda Property Owner  Request to occupy the premises as a day care center for 50 children infant - 12 yrs. of age, operating Monday - Friday from 6:00 a.m. - 8:00 p.m. .	611 W. National Av. A/K/A 611 W. National Av. 301 12th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 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 by having all required inspections, 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>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>
46	28600 Special Use	Paul Patel Lessee	3725 S. Howell Av. 13th Dist.
		Request to continue occupying the premises as a motor vehicle filling station, car wash, and convenience store.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 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 maintained in a manner that meets the intent of city code.</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 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>
47	28613 Dimensional Variance	John R Westphal Property Owner  Request to attach a garage to the existing single-family dwelling without the minimum required setback of 4 ft. from the front facade of the principal building.	3811 S. 5th Pl. 13th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 petitioner build in accordance with plans submitted.</li> <li>4. That this Variance is granted to run with the land.</li> </ol>	
48	28648 Special Use	Rick A Dynek Property Owner  Request to continue occupying the premises as a second-hand sales facility (wheel covers and auto trim).	4262 S. Howell Av. 13th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 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>
49	28471 Dimensional Variance	Kirk K Peterson Property Owner  Request to allow a fence over the maximum permitted height (higher portion of fence to remain at 8' height).	2754 S. Superior St. 14th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 petitioner build in accordance with plans submitted.</li> <li>4. That this Variance is granted to run with the land.</li> </ol>	
50	28627 Dimensional Variance	Romulo "Gerry" Ramos Property Owner  Request to construct a garage for the existing two-family dwelling exceeding the allowable square footage area for a garage.	3144 S. Nevada St. A/K/A 3146 S. Nevada St. 14th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 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>
51	28489 Special Use	Craig Last Lessee  Request to occupy the premises as a motorcycle repair and detailing shop operating from 9:00 a.m. to 5:00 p.m. Monday through Friday.	6238 S. 27th St. A/K/A 6234 A S. 27th St. 13th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 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 there is no outdoor storage of parts, tires, nuisance vehicles or other junk and debris.</li> <li>6. That all repair work is conducted inside of the building.</li> <li>7. That vehicle road testing is restricted from surrounding residential neighborhood streets.</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 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>
52	28604 Use Variance	New Journey Institute Ivorena Taylor;Lessee  Request to occupy the premises as a secondary school for 120 students in grade levels 9-12.	2758 N. 33rd St. A/K/A 2728 N. 33rd St. 15th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 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 a loading zone is obtained on 33rd St.</li> <li>5. That the petitioner obtains an occupancy certificate by having all required inspections, 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>6. 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>
53	28575 Special Use	Darnita Fulbright Lessee	2135 W. North Av. A/K/A 2248 N. 22nd St. 15th Dist.
		Request to occupy the premises as a second-hand store (used furniture and appliances).	
	Action:	Granted 2 yrs.	
	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 signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>6. That no interior or exterior window or door grates are used.</li> <li>7. That the applicant does not have outdoor display of products or merchandise.</li> <li>8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>9. That 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>
54	28611 Use Variance	JAS Realty, LLC d/b/a Stern Tanning Co., Inc. c/o Jeffrey Stern;Other  Request to occupy the premises as a tannery (manufacturing vellum and rawhide from various animal skins and hides).	4010 W. Douglas Av. A/K/A 4018 W. Douglas Av. 1st Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscape plans meeting the intent of city code section 295-405 for Type 'A' landscaping are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group.</p> <p>5. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.</p>	
55	28433 Special Use	Christopher Townsend Lessee  Request to occupy the premises as a motor vehicle repair facility (specializing in rims and tires).	7540 W. Fond Du Lac Av. 2nd Dist.
	Action:	Adjourned.	
	Motion:	This matter was adjourned by staff 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>
56	28620 Special Use	Bryant & Stratton College Peter Pavine; Lessee  Request to expand existing Board approved college to include Northeast portion of 2nd floor (converting office space into four classrooms, two offices, and a copy room for a college occupant).	310 W. Wisconsin Av. A/K/A 751 N. Old World Third St. 4th Dist.
	Action:	Granted	
	Motion:	Georgia Cameron moved to grant the appeal. Seconded by Henry Szymanski.	
	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 this Special Use is granted for a period of time commencing with the date hereof and expiring on April 8, 2011.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
57	28559 Special Use	Donald L Berquist Lessee	8436 W. Lisbon Av. 5th Dist.
		Request to occupy the premises as a motor vehicle repair facility.	
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That all repair work is conducted inside of the building.</li> <li>6. That there be no vehicles stored in the public right of way.</li> <li>7. That there be no work conducted on vehicles in the public right of way.</li> <li>8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>10. That 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>
58	28248 Special Use	Lloyd Waters Jr. Property Owner	9119 W. Burleigh St. 5th Dist.
		Request to continue occupying the premises as a motor vehicle repair and sales facility.	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 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 no oil burning occur on site when the facility is closed for business.</li> <li>8. That landscaping be maintained in a manner that meets the intent of city code.</li> <li>9. That this Special Use is granted for a period of time commencing with the date hereof and expiring on May 8, 2012.</li> </ol>	
59	28568 Dimensional Variance	Wasmil, LLC DBA National Salvage; Lessee	600 S. 44th St. A/K/A 606 S. 44th St. 8th Dist.
		Request to construct a Type A wall sign on the premises exceeding the permitted square footage.	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	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 petitioner build in accordance with plans submitted.</li> <li>4. That this Variance is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
60	28596 Special Use/Dimensional Variance	Joseph H Fall IV Prospective Buyer  Request to raze the existing structure and construct a fast-food/carry-out restaurant on site without an entrance on the front façade and with operating hours for the drive thru facility that exceed 10:00 p.m. (11:00 p.m.) .	7515 W. Good Hope Rd. A/K/A 7517 W. Good Hope Rd. 9th Dist.
	Action:	Granted 10 yrs. Dimensional Variance Granted to Run with the land	
	Motion:	Henry Szymanski moved to grant the use for 10 years and the variance to run with the land. Seconded by Donald Jackson.	
	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 take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>6. That landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on October 26, 2007 is implemented and that landscaping and screening is installed within 90 days of occupancy. If occupancy occurs between September 30th of the year of occupancy and March 1st of the following year then landscaping and screening must be installed within 120 days of March 1st.</li> <li>7. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>8. That freestanding signage for the W. Good Hope Rd. frontage be a monument sign similar to the sign plan labeled "option 2" that was submitted to the Board of Zoning Appeals on November 27, 2007, and that any freestanding signage for the N. 76th St frontage must also be a monument sign that meets the requirements of s.295-605 of the Milwaukee Zoning Code.</li> <li>9. That site is developed in accordance with the façade &amp; elevation plans submitted to BOZA on December 12, 2007.</li> <li>10. That menu board signage is implemented in accordance with the plans submitted to the Board of Zoning Appeals on December 4, 2007.</li> <li>11. That this Special Use is granted for a period of ten (10) years and that this Variance is granted to run with the land, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
61	28188 Special Use	Fuel Land USA Inc. Property Owner  Request to continue occupying the premises as a motor vehicle filling station and convenience store.	3501 N. 60th St. 10th Dist.
	Action:	Adjourned.	
	Motion:	Georgia Cameron moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
62	28508 Dimensional Variance	BFD Properties, LLC Property Owner  Request to legalize a garage for the storage of vehicles used in the day to day operation of the apartment complex, including handicap accessible vehicles, vans, and trucks, that is in excess of the permitted sidewall height.	9535 W. Oklahoma Av. A/K/A 9541 W. Oklahoma Av. 210 11th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Georgia Cameron.	
	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 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>
63	28505 Special Use/Dimensional Variance	Timothy S Dixon Property Owner  Request to convert the present storage building into a hotel without the code required landscaping and with parking between building facade and the street lot line.	500 W. Florida St. 12th Dist.
	Action:	Granted.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	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 agrees to work with the Zoning Administration Group staff on final resolution of design issues including, but not limited to site plans, and landscape plans. The petitioner must submit revised drawings that reflect these changes to the Board of Zoning Appeals for Zoning Administration Group review and approval.</li> <li>5. That this Special Use and this Variance are granted to run with the land, 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>
64	28580 Special Use	Islamic Society of Milwaukee Muhammad Isa Sadlon;Prospective Buyer  Request to occupy the premises as an elementary and secondary school (425 children during regular school year/ 350 during summer school).	801 W. Layton Av. A/K/A 807 W. Layton 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 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for educational 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 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>
65	28622 Special Use/Dimensional Variance	Wheaton Franciscan Health Care St. Francis, Inc.;Property Owner  Request to expand the existing emergency department and relocate the existing ambulance garage without the minimum landscaping requirements for a vehicle operating area.	3237 S. 16th St. A/K/A 3260 S. 18th St. 13th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	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 new access drive be separated from the sidewalk by a raised curb.</li> <li>5. That this Special Use and Variance are granted for to run with the land, commencing with the date hereof.</li> </ol>	

**Other Business:**

Board member Donald Jackson moved to approve the minutes of the November 15, 2007 meeting. Seconded by Board member Catherine Doyle. Unanimously approved.

The Board set the next meeting for January 17, 2008.

Board member Donald Jackson moved to adjourn the meeting at 5:30 p.m.. Seconded by Board member Georgia Cameron Unanimously approved.

**BOARD OF ZONING APPEALS**

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Secretary of the Board