

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – February 15, 2007
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairman: Craig H. Zetley (*voting on items 1-30, 39-73*)

Members: Henry P. Szymanski (*voting on items 1-73*)
Scott R. Winkler (*voting on items 1-73*)
Catherine M. Doyle (*excused*)
Donald Jackson (*voting on items 1-73*)

Alt. Board Members: Georgia M. Cameron (*voting on items 1-73*)
Leni M. Siker (*voting on items 31-38*)

START TIME: 4:05 p.m.

End Time: 7:38 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	27685 Use Variance	Michael Rodgers Lessee Request to occupy a portion of the premises as a specialty school (electrical re-apprenticeship) and an indoor recreation facility (archery range).	9226 N. 107th St. A/K/A 9220 N. 107th ST. 9th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
2	27879 Other	Integrity Ventures LLC. Other Request for a determination of permit No. 728622 issued by the City of Milwaukee Development Center.	5300 W. Good Hope Rd. 9th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
3	27861 Special Use	Walker's Point Commons LLC Kenneth R. Sidello;Property Owner Request to continue occupying the premises as an office and 1 apartment on the 1st floor and 6 residential units on the 2nd floor(residential is a permitted use).	914 S. 5th St. A/K/A 910 S. 5th St. 12th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
4	27705 Dimensional Variance	CVS Pharmacy, Lessee Request to erect two wall signs that are over the maximum allowed sign area.	1316 W. Forest Home Av. 12th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
5	27682 Use Variance	Esma Mitchell, Lessee Request to occupy the premises as a day care center for 8 children infant to 12 yrs. of age, operating Monday - Friday 6:00 a.m. to 10:00 p.m.	5753 N. 68th St. 2nd Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
6	27385 Use Variance	Andrew Sitarski, Atty. Jacques Condon;Property Owner Request to convert the existing apartment building into a multi-family residential dwelling (12 unit condominiums) without the minimum lot area per dwelling unit.	2436 W. Kilbourn Av. 4th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	27893 Use Variance	Andrzej Sitarski, Property Owner Request to occupy the premises as a principal parking lot (parking for adjacent building located at 2436 W. Kilbourn Ave.).	924 N. 25th St. 4th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
8	27708 Use Variance	LaShawn Barnes, Lessee Request to occupy a day care center for 8 children infant-12yrs of age, operating Monday-Friday 6:00AM - 6:00PM.	4971 N. 89th St. 5th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
9	27823 Special Use	True Love Missionary Baptist Church Prospective Buyer Request to continue occupying the premises as a religious assembly without the minimum required parking.	210 W. Keefe Av. A/K/A 200 W. Keefe Av. 6th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner shall implement and maintain landscaping and screening in accordance with the landscape plan approved by the Department of City Development on November 20, 2006 and that said landscaping is installed within 120 days of Board approval of the special use permit. 5. That this Special Use and this Dimensional Variance are granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	27945 Special Use	Candace Simpson, Property Owner Request to occupy the premises as a day care center for 100 children (50 per shift) infant to 12 yrs. of age, operating 6:00 a.m. - 11:00 p.m. Monday-Friday.	2816 N. Teutonia Av. A/K/A 2818 N. Teutonia Av. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner obtains a loading zone in front of the premises on North Teutonia Avenue. 7. That the petitioner obtains 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. 8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	27998 Dimensional Variance	Gene Gokhman, Property Owner Request to construct a 4-unit multi-family dwelling without the minimum required average front setback (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:	Adjourned	
	Motion:	Adjourned by staff.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
12	28030 Special Use	John W Zengerle, Lessee Request to occupy the premise as a motor vehicle repair facility.	3008 N. Martin L King Jr Dr. A/K/A 3006 N. Martin L King Jr Dr. 6th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That all repair work is conducted inside of the building. 6. That there is no work or storage of vehicles in the public right of way. 7. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 9. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
13	27947 Special Use	Eddie L Guy, Property Owner Request to occupy the premises as a contractor's yard (truck & yard containers) without the code required landscaping.	3046 N. Teutonia Av. A/K/A 3050 N. Teutonia Av. 6th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That a revised site plan must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. The revised plan must include an opaque fence enclosure that will be used for the storage of all containers (the plan must also indicate that the fence enclosure will be setback a minimum of 5 feet from all property lines). 5. That the petitioner has no outdoor storage of junk and debris. 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. 7. That the petitioner has no parking of any vehicles on unpaved surfaces. 8. That this Special Use and this Variance are granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
14	28044 Dimensional Variance	River West Group LLC, Property Owner Request to convert the 1st floor of the premises into two residential units (total of 3 units) without the minimum required lot area per dwelling unit.	302 E. Hadley St. A/K/A 2800 N. Richards St. 6th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner builds in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	
15	28045 Special Use	Brenda Miller, Lessee Request to occupy the premises as a religious assembly hall without the minimum required number of parking spaces (a religious assembly hall was previously approved and has been continuously operated by a different operator).	1202 W. Keefe Av. A/K/A 1200 W. Keefe Av. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That this Special Use and this Variance are granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	28029 Special Use	Eternal Life in Christ Church Inc., Lessee Request to continue occupying the premises as a religious assembly hall.	4441 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 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the windows along the W. Fond du Lac Ave. facade remain as transparent glass and are maintained in an attractive manner. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	27986 Use Variance	Shantrel Lockett, Prospective Buyer Request to continue occupying the premise as a day care center for 20 children per shift infant to 12 years of age, increasing the hours of operation from 6:00 am. to 6:00 pm. Monday-Friday to 6:00 a.m. to Midnight Monday-Saturday (this is a new petitioner taking over the existing day care that is unable to meet condition 6 of the previous decision 26636).	4127 W. Nash St. 7th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 5. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M. 6. That this Variance is granted for a period of five (5) years, commencing with the date hereof. 	
18	27948 Use Variance	Reaching for the Goal Child Care & Dev. Center, Tammy Ward;Property Owner Request to occupy the premises as a 24 hr. day care center for 8 children, infant to 12 yrs. of age, operating Monday-Sunday (within 300 ft. of a liquor establishment thus use requires a Variance).	3319 W. National 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.	
	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>
19	27989 Use Variance	VIL-KRI Investments LLC. NKA Badger Investment Realty LLC.;Property Owner	5611 W. Hemlock St. 9th Dist.
		Request to construct an addition to the existing hazardous and non-hazardous materials storage facility .	
	Action:	Granted 15 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted for a period of fifteen (15) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	28028 Special Use	Joseph Tajnai, Lessee Request to occupy a portion of the premises as a day care center for 75 children infant to 12 yrs. of age, operating Monday - Sunday 6:00 a.m. to 1:00 a.m (a day care center was previously approved at this location).	7415 W. Bradley Rd. A/K/A 7505 W. Bradley Rd. 9th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	28004 Special Use	Homer D Schultz, Prospective Buyer Request to occupy the premises as a light and heavy motor vehicle sales and repair facility, and as a light and heavy motor vehicle outdoor storage facility (previous board approval at 10542 W. Donges Ct., the business is relocating to 11412 W. Brown Deer Rd.).	11412 W. Brown Deer 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 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
22	28015 Special Use	McDonald's Corp., Lessee Request to construct a fast-food/carryout restaurant with a 24 hrs. drive through facility (restaurant hours are Monday-Sunday 5:00 a.m. - 11:00 p.m.) without the minimum required front setback.	7130 N. 76th St. 9th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party 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>
23	28006 Special Use	Detra Ferguson, Lessee Request to increase the hours of operation from 6:00 a.m. - 6:00 p.m. Monday - Friday and 8:00 a.m. - 2:00 p.m. on Saturday to 6:00 a.m. - Midnight Monday - Saturday and continue occupying the premises as a day care center for 35 children infant to 12 yrs. of age .	2707 N. 54th St. A/K/A 2707 N. 54th St. 1 10th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by the Alderman of the district and will be rescheduled for the next available agenda.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
24	28001 Special Use	Anthony D'Acquisto, Property Owner Request to expand the existing second-hand store into the basement level of the premises (this is an expansion of the antique store on the 1st & 2nd floors).	112 E. Mineral St. A/K/A 112 E. Mineral St. 101 12th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains a occupancy certificate for the basement level complies with current State commercial building code. 5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on October 11, 2010. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	28042 Special Use	Matt Freeman KKJJS, Inc., d/b/a Jimmy John's; Lessee	2242 S. Kinnickinnic Av. 14th Dist.
		Request to occupy the premises as fast-food/carryout restaurant.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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. 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. 6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	28046 Special Use	Tracy Roberts, Lessee Request to increase the age range from infant to 3 yrs. to infant to 12 yrs. of age for the existing day care center for 60 children, operating Monday-Friday 6:00 a.m. to Midnight.	1726 W. Lloyd St. 15th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on June 18, 2009. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	28003 Special Use	Peggy Grimmer, Lessee Request to occupy a portion of the premises as a social service facility (providing counseling and therapy).	4713 W. Lisbon Av. A/K/A 2235 N. 47th St. 15th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zeltey Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the storefront windows remain as clear glass and are maintained in an attractive manner. 5. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	
28	27966 Dimensional Variance	Christine McRoberts, Property Owner Request to construct an addition to the existing sit-down restaurant without the minimum required glazing.	4919 W. North Av. A/K/A 4909 W. North Av. 15th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	28005 Special Use	Gwendolyn Jackson, Prospective Buyer Request to increase the hours of operation from 6:00 a.m. - 12:30 a.m. Monday - Friday to 24 hours Monday - Sunday, and continue occupying the premises as a day care center for 75 children infant to 13 yrs. of age.	4828 W. Lisbon Av. 15th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on February 14, 2015. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	28012 Special Use	John Llewellyn, Lessee Request to occupy a portion of the premises as a second-hand store (clothing, appliances, furniture, general household items).	6225 N. Teutonia Av. A/K/A 6201 N. Teutonia Av. 1st Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That the applicant does not have outdoor storage or display of products or merchandise. 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. 8. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	27980 Special Use	Dijet Singh Khahra, ALAL Quick Mart Property LLC;Property Owner	4811 N. Teutonia Av. 1st Dist.
		Request to continue occupying the premises as a motor vehicle filling station with a convenience store.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson. Zetley recused.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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 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. 6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 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. 8. That landscaping and screening is maintained in a manner that meets the intent of city code. 9. That the applicant does not have outdoor storage or display of products or merchandise. 10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	27990 Special Use	Latasha Jackson, Property Owner Request to increase the hours of operation from 6:00 a.m. to 11:30 p.m. Monday - Friday to 6:00 a.m. to 11:30 p.m. Monday - Sunday and continue occupying the premises as a day care center for 134 children infant to 12 yrs. of age.	2400 W. Capitol Dr. A/K/A 2404 W. Capitol Dr. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by staff and will be rescheduled for the next Board hearing.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
33	27932 Special Use	Asad Elwir, Prospective Buyer Request to add a motor vehicle sales facility (used cars) to the existing non-conforming motor vehicle repair facility.	4957 N. Teutonia Av. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party 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>
34	28036 Special Use	Zeanie M Henderson, Property Owner Request to continue occupying the premises as a 24 hr. family day care home for 8 children (8 children 1st & 2nd shift, no more than 3 children 3rd shift) infant to 12 yrs. of age, operating Monday - Sunday.	4477 N. 66th St. A/K/A 4479 N. 66th St. 2nd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson. Zetley recused.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	27886 Special Use	Renaissance Child Development Center Inc., Lessee Request to occupy a portion of the premises as a day care center for 77 children infant to 11yrs of age, operating 7:00AM-6:30PM Monday-Friday.	914 E. Knapp St. A/K/A 904 E. Knapp St. 3rd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson. Zetley recused.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner 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. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	27856 Dimensional Variance	Michael Bashaw, Lessee Request to legalize the existing off-premise signage that is over the maximum allowed square footage, and over the maximum allowed number of signs permitted.	2403 N. Maryland Av. A/K/A 2400 N. Farwell Av. 3rd Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson. Zetley recused.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That these Variances are granted for a period of time commencing with the date hereof and expiring on August 3, 2009. 	
37	28018 Special Use	Qazex Investments LLC., Property Owner Request to occupy the premises as general offices .	840 N. Plankinton Av. A/K/A 844 N. Plankinton Av. 4th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson. Zetley recused.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
38	28034 Special Use	The Guest House of Milwaukee, Inc. Prospective Buyer Request to continue occupying the premises as a transitional living facility for 4 clients and one house manager (clients with mental health issues and recovering from drugs & alcohol).	1214 N. 13th St. 4th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson. Zetley recused.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
39	27872 Dimensional Variance	Cynthia Gunnarson, Property Owner Request to construct a single-family dwelling without the minimum required side-yard setback.	232 S. 65th 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.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	27815 Special Use	Shirley Howard, Property Owner Request to continue occupying the premises as a day care center for 98 children, infant to 13yrs of age, with increased operating hours of 24 hrs. per day, 7 days per week (previous hours and days were 5:30 a.m. - 9:00 p.m./ Monday - Friday).	4919 W. Good Hope Rd. A/K/A 4911 W. Good Hope Rd. 1st Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
41	27930 Special Use	Caprice Mathies, Lessee Request to occupy the premises as a group home for 8 girls and two children 13 yrs. - 17 yrs. of age .	3730 N. 6th St. A/K/A 3730 A N. 6th St. 6th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner does not exceed eight occupants at any one time including clients and their children. 5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	27965 Special Use	Nyishia Brown, Lessee Request to occupy the premises as a group home for a maximum of 8 teenage females (teen mothers with children or pregnant) 12 to 17 yrs. of age.	3278 N. Richards St. A/K/A 305 E. Concordia Av. 6th Dist.
	Action:	Granted 1 Yr.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner does not exceed eight occupants at any one time including clients and their children. 5. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	28011 Special Use	Lutheran Social Services of WI & Upper MI, Inc., Property Owner Request to occupy the premises as a group home for a maximum of 8 children (siblings) 2 to 17 yrs. of age.	4507 N. 47th St. A/K/A 4509 N. 47th St. 7th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner does not exceed eight occupants at any one time including clients and their children. 5. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	
44	27909 Use Variance	Micole Jackson, Property Owner Request to occupy 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.	3175 N. 40th St. A/K/A 3175 A N. 40th St. 7th 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>
45	27985 Dimensional Variance	Fernando Ortiz, Property Owner Request to allow (legalize) a detached garage on the premises that has walls over the maximum permitted side wall height.	1938 S. 22nd Pl. A/K/A 1940 S. 22nd Pl. 8th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	
46	28002 Dimensional Variance	Dennis Knautz, Property Owner Request to allow a detached garage over the maximum allowed sidewall height.	2556 S. 29th St. A/K/A 2556 A S. 29th St. 8th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
47	27868 Special Use	Robbin Jackson, Lessee Request to occupy the premises as a 24 hr. family day care home for 8 children infant to 12 yrs. of age, operating Monday - Friday.	9142 N. 94th St. A/K/A 9144 N. 94th St. 9th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	27853 Special Use	Rashinder Lal, Property Owner Request to continue occupying the premises as a motor vehicle filling station and convenience store.	4928 W. Villard Av. A/K/A 4922 W. Villard Av. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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. 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 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. 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. 8. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 9. That landscaping is installed in accordance with the landscape plan submitted to the Board on February 15, 2007 and that the installation occur within 120 days of the approval of special use permit. 10. That the applicant does not have outdoor storage or display of products or merchandise. 11. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 12. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
49	28020 Special Use	Asif Rana, Property Owner Request to raze the existing motor vehicle filling station and convenience store, and construct a new motor vehicle filling station and convenience store (car wash, dry cleaning drop-off center, and salon will be on the premises as permitted uses) on the premises.	5990 W. Good Hope Rd. 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.	
50	27962 Dimensional Variance	Jason Wolff, Property Owner Request to occupy a third dwelling unit on the parcel that will both exceed the maximum number of dwelling units permitted for this site and meet the minimum lot area requirement (in 1954 a third unit was granted strictly to the individual that owned the parcel at that time).	1546 N. 48th St. A/K/A 1548 A N. 48th St. 10th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
51	27837 Dimensional Variance	Laverne Hayes, Property Owner Request to allow a deck without both the minimum required front setback and the minimum required side street setback, with a fence over maximum allowed height permitted by code.	1903 N. 47th St. A/K/A 1901 N. 47th St. 10th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
52	27719 Special Use	Lonell & Daisy Burton, Property Owner Request to continue occupying the premises as a day care center for 80 children, infant to 12yrs of age, operating from 6 a.m. to 12 a.m. Monday through Sunday.	5932 W. Appleton Av. A/K/A 5934 W. APPLETON AV. 10th 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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner takes all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel. 5. That the storefront windows are maintained in a neat and orderly manner. 6. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M. 7. That the applicant complies with all previous conditions of approval. 8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
53	28014 Special Use	Audrey Jolly, Lessee Request to occupy a portion of the premises as a day care center for 40 children (per shift) infant to 12 yrs. of age, operating Monday - Sunday 6:00 a.m. to Midnight.	6724 W. Morgan Av. A/K/A 6726 W. Morgan Av. 11th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
54	27874 Special Use	Ibrahim Issa, Lessee Request to allow a heavy motor vehicle rental facility to operate in conjunction with the existing general retail establishment on site.	5160 W. Forest Home Av. A/K/A 5158 W. Forest Home Av. 11th 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>
55	27938 Special Use	Right Turn II Inc., Property Owner Request to occupy the premises as a group home for 8 boys that are 12 - 17 yrs of age.	2479 S. 11th St. A/K/A 2479 A S. 11th St. 12th 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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner does not exceed eight occupants at any one time including clients and their children. 5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	
56	27942 Use Variance	Pascual Flores, Lessee Request to occupy a portion of the premises as a motor vehicle wholesale facility (2 vehicles parked inside the garage).	1504 W. Cleveland Av. A/K/A 2691 S. 15th St. 12th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled at the next available BOZA hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
57	28016 Use Variance	Revocable Living Trust, Dan Daniels & Ray Danielski;Property Owner Request to raze the existing single family residential dwelling and construct 2 manufactured homes (mobile homes) on site. Action: Granted Motion: Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That the front of both structures face 6th Street. 5. That prior to the building on site being razed, that a revised site plan (illustrating building placements) is submitted to and approved by the Zoning Administrative Group, prior to the issuance of permits. 6. That this Variance is granted to run with the land. 	4179 S. 6th St. 13th Dist.
58	28008 Special Use	Greg D Solfest, Property Owner Request to add a motor vehicle sales facility (used cars) to the existing heavy motor vehicle repair and leasing facility.	5467 S. 9th St. A/K/A 904 W. Grange Av. 13th Dist.
		Action: Adjourned	
		Motion: This matter was adjourned by the Alderman of the district.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
59	27995 Special Use/ Dim. Variance	John B Holborow, Prospective Buyer Request to construct a retail establishment (pharmacy) with a 24hr. drive-through facility, that is over the maximum allowed front setback, over the maximum allowed side street setback, and to permit parking spaces located between the street facade of a principal building and a street lot line.	3860 S. 27th St. A/K/A 2558 W. Howard Av. 13th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 7. That the petitioner shall implement and maintain landscaping and screening in accordance with the landscape plan approved by the Department of City Development on December 26, 2006 and that landscaping and screening is installed within 120 days of occupancy weather permitting. 8. That the drive through speaker be set at an appropriate level so that surrounding parcels are not negatively impacted by noise that it may create. 9. That the Special Use permit for the drive through facility is granted for a period of ten (10) years and that the Special Use permit for parking spaces to be located between the street facade of a principle building and a street lot line and all Dimensional Variances associated with this appeal be granted to run with the land, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
60	27964 Use Variance	Pascual Coazon & Esther Ferrer, Lessee Request to occupy the premises as a heavy and light motor vehicle repair facility (this facility will operate in conjunction with the petitioner's adjacent repair facility).	206 E. Lincoln Av. A/K/A 210 E. Lincoln Av. 14th Dist.
	Action:	Granted 1 Yr.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 5. That landscape plans are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group. 6. That there be no work conducted on vehicles in the public right of way. 7. That there be no vehicles stored in the public right of way. 8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That all repair work is performed inside the building. 11. That this Variance is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
61	28017 Appeal of an Order	Mary Gustin-Anderson & Willie Anderson, Property Owner Request to appeal an order issued by the Department of Neighborhood Services determining that there is an illegal occupancy and use of a 4-family residential. Action: Denied Motion: Scott Winkler moved to dismiss the appeal, thus upholding the order. Seconded by Henry Szymanski. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	2661 N. 29th St. 15th Dist.
62	27955 Special Use	LaTisha S Little, Property Owner Request to occupy the premises as a transitional living facility for 6 individuals (adults with substance abuse disorder, co-occurring substance abuse and mental health disorder). Action: Adjourned Motion: Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	2606 N. 19th St. A/K/A 2602 N. 19th St. 15th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
63	27993 Special Use/ Dim. Variance	John B Holborow, Lessee Request to construct a retail establishment (pharmacy) with a 24hr. drive-through facility within 150ft. of a residential use, that is over the maximum allowed front setback, over the maximum allowed side street setback, and to permit parking spaces located between the street facade of a principal building and a street lot line.	7550 W. Perkins Pl. 2nd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 7. That the petitioner shall implement and maintain landscaping and screening in accordance with the landscape plan approved by the Department of City Development on December 26, 2006 and that landscaping and screening is installed within 120 days of occupancy weather permitting. 8. That the drive through speaker be set at an appropriate level so that surrounding parcels are not negatively impacted by noise that it may create. 9. That the Special Use permit for the drive through facility is granted for a period of ten (10) years and that the Special Use permit for parking spaces to be located between the street facade of a principle building and a street lot line and all Dimensional Variances associated with this appeal be granted to run with the land, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
64	27881 Special Use	Let's Party LLC, Marissa Weaver & Wynn Weaver; Prospective Buyer	5444 W. Fond Du Lac Av. A/K/A 5452 W. Fond Du Lac Av. 2nd Dist.
		Request to occupy the premises as a general retail establishment (permitted use) and an assembly hall (banquet hall).	
	Action:	Granted 5 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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295- 605-5 of the Milwaukee Zoning Code. 5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary. 7. That landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on November 27, 2006, is installed within 120 days of occupancy. 8. That the assembly hall informs it's customers that they are to park their vehicles as indicated in the plan of operation. 9. That the assembly hall customers are instructed not to park their vehicles in the residential area to the north. 10. 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. 11. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
65	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:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
66	28010 Special Use	Christopher J Gruenewald, Property Owner Request to construct a second principal building on the premises (detached garage with an upper residential living flat on the second floor) without the minimum required parking.	2546 N. Pierce St. A/K/A 2546 A N. Pierce St. 3rd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by staff.	
67	27807 Use Variance	Bulk Petroleum Corp., Property Owner Request to raze the existing structure and construct a motor vehicle filling station and convenience store.	1530 W. State St. A/K/A 1560 W. State 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>
68	27894 Use Variance	Natasha N Moore, Lessee Request to occupy the premises as a day care center for 96 children (48 children per shift) infant to 12yrs of age, operating 5:30AM-Midnight Monday-Sunday (Use is within 300 ft. of a liquor establishment, thus requires a Variance approval).	2411 W. State St. 4th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
69	27915 Special Use	Steven L Anders, Lessee Request to occupy the premises as a religious assembly hall .	3435 W. Clybourn St. 4th Dist.
	Action:	Granted 1Yr.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the storefront windows remain as clear glass and are maintained in an attractive manner. 5. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 6. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
70	27904 Special Use	Omar Barkhadle, Property Owner Request to continue occupying the premises as a motor vehicle repair and second-hand sales facility (used parts).	2715 W. Clybourn St. A/K/A 2717 W. Clybourn St. 4th 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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all repair work is conducted inside of the building. 5. That no body bumping or painting is to occur on site. 6. That there be no work or storage of vehicles in the public right of way. 7. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 9. That the sell of motor vehicle parts on site only occur when servicing a motor vehicle being repaired on site. 10. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	
71	27750 Special Use	Michelle Griffin, Lessee Request to continue occupying the premises as a bed and breakfast with 5 guest rooms.	743 N. 25th St. 4th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
72	27871 Special Use	Javier Johnson, Lessee Request to occupy the premises as a motor vehicle repair facility (oil changes, window tinting tire rotating and repair), car wash (auto detailing/washing) and motor vehicle sales facility (vehicles & scooters).	4735 N. 76th St. 5th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zeltey Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That all repair work is conducted inside of the building. 6. That all car wash activity is conducted inside of the building. 7. That all wastewater is contained on site. 8. That the storefront windows remain as clear glass and are maintained in an attractive manner. 9. That no more than two vehicles are displayed for sale in front of the building. 10. That there be no work conducted on vehicles in the public right of way. 11. That there be no vehicles for sale displayed in the public right of way. 12. That the applicant does not have outdoor storage or display of products or merchandise. 13. 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. 14. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
73	27951 Dimensional Variance	Bharat N Patel, Property Owner Request to continue the use of two on-premise signs without the minimum required landscaping, that are over the maximum allowed sign display area and with one of the signs (oriented to US Hwy 45) being over the maximum allowed sign height.	5601 N. Lovers Lane Rd. A/K/A 5599 N. Lovers Lane Rd. 5th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	3 Ayes, 0 Nays, 2 S.W & C.Z Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That the previous Board approval (written decision) regarding this property be complied with in its entirety. 5. That these Variances are granted to run with the land. 	

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

Other Business:

Board member Winkler moved to approve the minutes of the January 18, 2007 meeting. Seconded by Board member Szymanski. Unanimously approved.

The Board set the next meeting for March 22, 2007.

Board member Szymanski moved to adjourn the meeting at 7:38 p.m.. Seconded by Board member Cameron. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board